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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

May 10, 2017
7:00 PM

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

LEGISLATIVE INVOCATION \ PLEDGE OF ALLEGIANCE:

PRESENTATION: **San Diego County Library, Santee Branch**

PROCLAMATION: **National Small Business Week**

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 Regular Meetings of April 12 and April 26, 2017.

(C) Approval of Payment of Demands as presented.

(D) Adoption of a Resolution initiating proceedings and ordering the preparation of an Engineer's Report for the FY 2017-18 Santee Landscape Maintenance District annual levy of assessments.

(E) Adoption of a Resolution initiating proceedings and ordering the preparation of an Engineer's Report for the FY 2017-18 Town Center Landscape Maintenance District annual levy of assessments.

(F) Adoption of a Resolution initiating proceedings and ordering the preparation of an Engineer's Report for the FY 2017-18 Santee Roadway Lighting District annual levy of assessments.

(G) Authorization for an additional change order in an amount not to exceed $20,000 to the Traffic Signal Maintenance contract with Bear Electrical Solutions, Incorporated for Fiscal Year 2016-17.

(H) Authorization for an additional change order in an amount not to exceed $15,000 to the Street Light Maintenance contract with Clark Telecom and Electric, Incorporated (CTE) for Fiscal Year 2016-17.

(I) Adoption of a Resolution awarding the Citywide Roadway Striping and Marking Maintenance contract to Payco Specialties, Incorporated in the amount of $98,231.84 for Fiscal Year 2017-18, authorizing the City Manager to execute the contract, authorizing the Director of Development Services to execute change orders in an amount not to exceed $1,768.16, and approving a categorical exemption pursuant to the guidelines of the California Environmental Quality Act.

(J) Determination that the bid from Infinite Manufacturing Group for the purchase of Litter Receptacles with Integrated Recycling Bins is non-responsive, award of the bid to Forms+Surfaces for an amount not to exceed $27,377.38 per Bid 16/17-40005 and authorization for the City Manager to execute the contract.

(K) Adoption of a Resolution accepting the public improvements for the Mission Trails Collection project (TM 2014-01) as complete and directing the City Clerk to release ninety percent of the Faithful Performance Bond and retain ten percent for twelve months as a Warranty Bond, and retain the Labor and Material Bond for six months. Location: Bushy Hill Drive and Simeon Drive.

(L) Adoption of a Resolution appointing the City Manager as the local agency official authorized to execute Master Agreement #11-5429F15 and authorizing the City Manager to execute the Updated Master Agreement with the State of California (Caltrans) for Federal-Aid Transportation projects.

(M) Adoption of a Resolution authorizing the City Manager to execute a program supplement agreement with the State of California (Caltrans) for the Mission Gorge Road Streetlight Project - HSIPL 5429 (030), appropriating Highway Safety Improvement Program grant funds in the amount of $46,000 and finding the project exempt under the California Environmental Quality Act.

(N) Adoption of a Resolution authorizing the City Manager to execute a program supplement agreement with the State of California (Caltrans) for the School Area Streetlight Installation Project - HSIPL 5429 (031), appropriating grant funds in the amount of $51,000 and finding the project exempt under the California Environmental Quality Act.

(O) Rejection of all bids for the Proposition 84 Infiltration Pilot Program (CIP 2013-23).

(P) Adoption of a Resolution authorizing an amendment to a professional services agreement with D-Max Engineering, Incorporated for water quality monitoring services in an amount not to exceed $63,434.00 for FY 2016-17.

2. PUBLIC HEARING:

(A) Public Hearing for the Santee Townhomes Project, a General Plan Amendment (GPA2014-4) and Zone Reclassification (R2014-2) to change the land use and zone from Neighborhood Commercial to Medium-High Density Residential, Tentative Map (TM2014-2), Development Review Permit (DR2014-7), and Mitigated Negative Declaration ("MND") (AEIS2014-14) and a Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act ("CEQA") for a 10-unit residential condominium development on a 0.48-acre property on the northeast corner of E. Heaney Circle and Carlton Oaks Drive (APN 380-202-08). Applicant: Heaney Properties, LLC (Continued from 4/26/17)

Recommendation:

1. Conduct and close the Public Hearing; and
2. Find that General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7 and approval of the project will not have a significant effect on the environment with mitigation, approve the MND prepared in accordance with CEQA and authorize a filing of a Notice of Determination; and
3. Adopt the Resolution approving GPA2014-4 and approving and adopting the MND prepared in accordance with CEQA; and
4. Introduce and approve Zone Reclassification Ordinance R2014-2 for First Reading and set the Second Reading for May 24, 2017; and
5. Adopt two Resolutions approving TM2014-2 and DR2014-7 for Alternative One, Two, or Three.

3. ORDINANCES: *See Item 2A*

4. CITY COUNCIL ITEMS AND REPORTS:

(A) Realignment of Council Member appointments to outside committees. (MINTO)

Recommendation:
Discuss realignment of Council Member appointments to outside committees.

5. CONTINUED BUSINESS: None

6. NEW BUSINESS:

(A) Overview of Mello-Roos Community Facilities District financing and the Castlerock Community Facilities District financing proposal, and the approval of Stifel Nicolaus to serve as underwriter.

Recommendation:
1. Provide direction to staff regarding whether to proceed with the development of the various resolutions and other documents required for subsequent City Council consideration of forming Community Facilities Districts for the financing of public facilities and public services in connection with the Castlerock project; and
2. Approve Stifel Nicolaus as underwriter for any bonds to be issued for the Castlerock Community Facilities District.

(B) Authorization to execute a cooperative agreement for the State Route 67 /Woodside Avenue Interchange Improvements (CIP 2015-07).

Recommendation:
Authorize the City Manager to execute the cooperative agreement with Caltrans on behalf of the City.

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:

(A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government. Code Section 54956.8)
Property: 9901 & 9951 Riverwalk Drive / APN: 381-051-1400 & 318-051-1900
City Negotiator: City Manager
Negotiating Party: Sportsplex USA of Santee, Inc.
Under Negotiation: Price and terms of payment

13. ADJOURNMENT:

May & June Meetings

May	04	SPARC	Civic Center Building 7
May	08	Community Oriented Policing Committee	Council Chamber
May	10	City Council Meeting	Council Chamber
May	24	City Council Meeting	Council Chamber
Jun	01	SPARC	Civic Center Building 7
Jun	12	Community Oriented Policing Committee	Council Chamber
Jun	14	City Council Meeting	Council Chamber
Jun	15	Manufactured Home Fair Practices Commission	Council Chamber
Jun	21	Special City Council Meeting	Council Chamber
Jun	28	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 }

AFFIDAVIT OF POSTING AGENDA

I, Patsy Bell, CMC, City Clerk of the City of Santee, hereby declare, under penalty of perjury, that a copy of this Agenda was posted in accordance with the Brown Act and Santee Resolution 61-2003 on May 5, 2017, at 4:30 p.m.

Signature 05/05/17 Date

City of Santee

COUNCIL AGENDA STATEMENT

PRES

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **PRESENTATION: SAN DIEGO COUNTY LIBRARY, SANTEE BRANCH**

DIRECTOR/DEPARTMENT Marlene Best, City Manager MSB

SUMMARY

Cheryl Cosart, Branch Manager for the Santee Library tells us that "Libraries Change Lives".

The 21st century library is more than a place to find a book. The library provides free access to a range of resources essential to supporting the changing needs of the Santee community. This presentation will provide data on how Santee residents use the library, the services and programs that are missed, and how library services impact our quality of life.

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW ☒ N/A ☐ Completed

RECOMMENDATION

Hear report.

ATTACHMENTS

None.

City of Santee

COUNCIL AGENDA STATEMENT

PROC

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE PROCLAMATION: NATIONAL SMALL BUSINESS WEEK

DIRECTOR/DEPARTMENT John W. Minto, Mayor

SUMMARY

National Small Business Week is an annual event organized by the U.S. Small Business Administration (SBA) to recognize the achievements and contributions of small businesses across the nation. Each year since 1963, the President of the United States has issued a proclamation calling for the celebration of National Small Business Week, which is set for the first week in May.

This year, National Small Business Week is being observed from April 30 through May 6, 2017, in recognition of over 28 million small businesses nationwide that contribute to both the local and national economy. According to the SBA, it is estimated that more than half of employed Americans either own or work for a small business and they create about two out of every three new jobs in the U.S. each year.

Locally, the City of Santee and the Santee Chamber of Commerce have formed a partnership with the SBA-sponsored Small Business Development Center (SBDC) to provide free business counseling services and workshops for Santee small businesses. A representative from the Santee Chamber of Commerce and a Santee small business owner representing the local business community will be present to receive the City Proclamation for National Small Business Week.

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW ☑ N/A ☐ Completed

RECOMMENDATION MDB Present proclamation.

ATTACHMENTS (Listed Below)

Proclamation.

City of Santee, California

Proclamation

WHEREAS, the President of the United States has proclaimed National Small Business Week every year since 1963,, to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration (SBA) and other government agencies; and

WHEREAS, National Small Business Week is being observed April 30 through May 6, 2017, to commemorate the achievements and contributions of small businesses nationwide; and

WHEREAS, there are over 28 million small businesses nationwide that represent a vital segment of the business community and play a key role in invigorating the local and national economy; and

WHEREAS, according to the SBA, it is estimated that more than half of employed Americans either own or work for a small business and they create about two out of every three new jobs in the U.S. each year; and

WHEREAS, small business owners represent the cornerstone of every community, by creating business opportunity and investment, stimulating job growth, and boosting the local economy.

NOW, THEREFORE, I, John W. Minto, Mayor of the City of Santee, on behalf of the City Council, do hereby proclaim April 30 through May 6, 2017 as

"NATIONAL SMALL BUSINESS WEEK"

in the City of Santee and encourage citizens and community groups to celebrate and recognize the value of small businesses within our community, and support these local small businesses throughout the year by shopping locally.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, two thousand seventeen, and have caused the Official Seal of the City of Santee to be affixed.

CITY OF SANTEE, CALIFORNIA
INCORPORATED 1980

Mayor John W. Minto

City of Santee

COUNCIL AGENDA STATEMENT

1B

MEETING DATE May 10, 2017 **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 APRIL 12 AND 26, 2017.**

DIRECTOR/DEPARTMENT Patsy Bell, CMC, City Clerk

SUMMARY

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

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW ☑ N/A ☐ Completed

RECOMMENDATION

Approve Minutes as presented.

ATTACHMENTS

April 12, 2017 Regular Minutes
April 26, 2017 Regular Minutes

Minutes

Draft

Santee City Council
CDC Successor Agency
Santee Public Financing Authority

Council Chamber – Building 2
10601 Magnolia Avenue
Santee, California
April 12, 2017

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 John W. Minto at 7:02 p.m.

Council Members present were: Mayor/Agency Chair/Authority Chair John W. Minto, Vice Mayor/Agency Vice Chair/Authority Vice Chair Ronn Hall and Council/Agency/ Authority Members Stephen Houlahan, Brian W. Jones and Rob McNelis.

Officers present were: City Manager/Agency 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, City Attorney and City Clerk shall be used to indicate Mayor/Agency Chair/Authority Chair, Vice Mayor/ Agency Vice Chair/Authority Vice Chair, Council/Agency/Authority Member, City Manager/ Agency Executive Director/Authority Secretary, City/Agency/Authority Attorney and City Clerk/Agency Secretary.)

The **INVOCATION** was given by Pastor Rick Schowalter of Carlton Hills Lutheran Church and the **PLEDGE OF ALLEGIANCE** was led by Lemon Grove Mayor Racquel Vasquez.

PRESENTATION: Introduction of 2017 Miss Santee and Miss Teen Santee
Mayor Minto introduced Santee Pageant Coordinator and former Miss Santee Sierra Billock and asked her to help him recognize the outgoing 2016 court – Miss Teen Santee Kaylyn Rambo and Miss Santee Marrissa Lawrence; each was presented with a City seal paperweight and a rose and thanked for their service to the City and the community during the past year. He then congratulated and introduced 2017 Miss Santee Jennae Gonzalez and 2017 Miss Teen Santee Kamryn Correll. He presented each with an engraved pen, a gold City seal lapel pin and a rose. Ms. Billock was also presented with a rose for her service.

Added Item:
CERTIFICATE OF RECOGNITION: Captain Anthony Ray
With Council consensus, Mayor Minto presented a Certificate of Recognition to Sheriff's Captain Anthony Ray, who has been promoted to Commander, and thanked him for his service to the City. Anita Bautista presented Captain Ray with a lei.

Draft

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:
Council Member McNelis requested that Item 1(F) be removed from the Consent Calendar for discussion. City Manager Best requested that Item 1(F) be removed from the agenda and will be brought back to Council at a later date.

1. CONSENT CALENDAR:

(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 Regular Meetings of February 22, 2017 and March 8, 2017, and the Santee City Council Special Meeting of March 21, 2017.

(C) Approval of Payment of Demands as presented.

(D) Adoption of a Resolution awarding the Construction Contract for the Citywide Crack Sealing Program 2017 Project (CIP2017-04) to American Asphalt South, Incorporated for a total amount of $18,802.00, determining a categorical exemption pursuant to Section 15301(c) of the California Environmental Quality Act, and authorizing the City Manager to execute the contract and authorizing the Director of Development Services to approve change orders in an amount not to exceed $1,880.00. (Reso 020-2017)

(E) Adoption of a Resolution approving the final map for the Prospect Fields Subdivision (TM 2015-01) and authorizing the City Manager to execute the associated Subdivision Improvement Agreement. Location: Prospect Avenue north of Clifford Heights. Applicant: KB Home California, LLC. (Reso 021-2017)

(F) Adoption of a Resolution accepting the Unit II public improvements as complete for the Sky Ranch Subdivision (TM2004-08) and directing the City Clerk to release ninety percent of the Faithful Performance Bond and retain ten percent for twelve months as a Warranty Bond and retain the Labor and Material Bond for six months. Location: Claret Street, Dracena Street, Cala Lily Street, Castilla Street, Miraposa Street, Mirador Street, Mara Villa Street, Ocotillo Street and Sevilla Street. (Removed from agenda)

(G) Authorization for the purchase of equipment for the Emergency Operations Center from CDW Government LLC in an amount not to exceed $23,649.60 per utilization of the City of Tucson National Intergovernmental Purchasing Alliance (National IPA) Contract Number 130733.

Draft

(H) Adoption of a Resolution approving a Fiscal Year 2016/2017 contract extension with West Coast Arborists, Incorporated in the amount of $145,200.00, which is the second of three 12-month options to renew, and authorizing the City Manager to execute the contract extension. (Reso 023-2017)

(I) Adoption of a Resolution supporting the San Diego County Water Authority's long term water supply plan and pursuit of legal action against the Metropolitan Water District of Southern California for rate structure overcharges and authorize the Mayor to sign a letter of support. (Reso 024-2017)

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

2. PUBLIC HEARING:

(A) Public Hearing for Major Revision Number 1 to Major Use Permit (MUP) P81-046 (MJR2016-1), Mitigated Negative Declaration (AEIS2016-6) and Mitigation Monitoring and Reporting Program prepared pursuant to the California Environmental Quality Act (CEQA) for an expansion of the existing Calvary Chapel Santee located at 10920 Summit Avenue in the low-medium residential alternative (R-1A) zone. Applicant: Calvary Chapel Santee. (Resos 025-2017 and 026-2017)

ENTERED INTO THE RECORD:
City Clerk Bell provided correspondence in opposition from Victoria Grant which was received after the issuance of the agenda.

The Public Hearing was opened at 7:29 p.m. Director of Development Services Kush introduced the item and Senior Planner O'Donnell presented the staff report utilizing a PowerPoint presentation and answered Council's questions.

PUBLIC SPEAKERS:
In Support:

- Gary Lawton, Calvary Chapel Santee
- Don Millsap
- Tracy Cox
- Michael Swanson
- Dennis Hodgdon
- Jayson Payne
- Eric Kester

City Clerk Bell announced that three speaker slips in Support, but not wishing to speak, were submitted by Bill Ballinger, Thomas Wilson and Aaron Barling.

In Opposition:

- Victoria Grant, who provided a letter and pictures of the area around her home
- Pat Parmer

Council discussion ensued regarding parking, landscaping and noise.

ACTION: On motion of Vice Mayor Hall, seconded by Council Member McNelis, the Public Hearing was closed at 8:13 p.m.; the Major Revision to MUP P81-046 (MJR2016-1) was found to not have a significant effect on the environment with mitigation; the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program were adopted and approved as complete and in compliance with the provisions of the CEQA; filing of a Notice of Determination was authorized; and the Resolution approving Major Revision Number 1 to MUP P81-046 (MJR2016-1) was adopted with all voting aye.

(B) Public Hearing for a Conditional Use Permit (P2016-3) and a Minor Parking Exception to develop a 4,086 square-foot fast food restaurant on a 1.04-acre parcel at 8867 Cuyamaca Street in the General Commercial (GC) Zone and finding the project categorically exempt from the California Environmental Quality Act (CEQA). Applicant: PM Design Group, Incorporated. (Reso 027-2017)

The Public Hearing was opened at 8:14 p.m. Director of Development Services Kush introduced the item and Associate Planner Coyne presented the staff report utilizing a PowerPoint presentation and answered Council's questions regarding parking and traffic flow.

MOTION: Council Member Jones moved to approve staff's recommendation, which was seconded by Vice Mayor Hall.

In response to Council Member McNelis' concern regarding adequate lighting in the alley, Director of Development Services Kush noted that a condition could be added to the Resolution to ensure the adjacent alley is properly illuminated.

AMENDED MOTION: Council Member McNelis requested that a lighting requirement be added to the motion. Council Member Jones and Vice Mayor Hall agreed to the amendment.

PUBLIC SPEAKERS: Speaking in support was Kristen Roberts of Raising Cane's. Also submitting a slip in support, but not speaking, was Jeff Liederman of Raising Cane's.

Draft

ACTION: On motion of Council Member Jones, seconded by Vice Mayor Hall, the Public Hearing was closed at 8:38 p.m., Conditional Use Permit P2016-3 was found to be categorically exempt from the provisions of CEQA and the filing of a Notice of Exemption was authorized, and the amended Resolution approving Conditional Use Permit P2016-3 with a Minor Parking Exception with the additional lighting requirement was adopted with all voting aye.

3. ORDINANCES: None

4. CITY COUNCIL REPORTS: None

5. CONTINUED BUSINESS: None

6. NEW BUSINESS:

(A) Resolution authorizing the execution of a professional services agreement with LSA Associates, Incorporated for technical consultant services to complete a "Sustainable Santee Action Plan" (Climate Action Plan) and Environmental Impact Report. (Reso 028-2017)

Director of Development Services Kush introduced the item and Senior Planner O'Donnell presented the staff report.

Michael Hendricks from LSA Associates and Lindsay Puckett of Best, Best & Krieger answered Council's questions regarding the legal requirements and other cities that have adopted an Action Plan.

PUBLIC SPEAKERS:

- Jeff Rulan spoke in opposition and urged Council to spend the money for other needs in the City.
- Paul Holloway requested Council put funding towards the Metropolitan Transit bus services that are in threat of being reduced in Santee.

ACTION: On motion of Council Member Houlahan, seconded by Vice Mayor Hall, the Resolution authorizing the City Manager to enter into a professional services agreement with LSA Associates, Incorporated in an amount not to exceed $132,885.00 was adopted with all voting aye, except Mayor Minto who voted no.

Draft

(B) Approval of a Memorandum of Understanding for the construction of new sports courts at Santana High School.

Director of Community Services Maertz presented the staff report utilizing a PowerPoint presentation and answered Council's questions.

PUBLIC SPEAKER:
Speaking in support was Frank Gutierrez, President of the Santana American Basketball League.

ACTION: On motion of Council Member McNelis, seconded by Council Member Jones, the Memorandum of Understanding was approved and the City Manager was authorized to execute the Memorandum of Understanding with all voting aye.

7. COMMUNICATION FROM THE PUBLIC:

(A) Santee Librarian Cheryl Cosart noted it was National Library Month and spoke regarding services provided by the library and asked Council to consider funding for a new library.

(B) John Hossick expressed concern over the potential loss of Santee public bus service. In response to Mr. Hossick, Mayor Minto stated that he sits on the Metropolitan Transit Service Board of Directors and has sent correspondence to the Chairperson regarding this issue.

8. CITY MANAGER REPORTS:
City Manager Best reported on upcoming community events.

9. CDC SUCCESSOR AGENCY: None

10. SANTEE PUBLIC FINANCING AUTHORITY: None

11. CITY ATTORNEY REPORTS: None

Council Members recessed at 9:30 p.m. and convened in Closed Session at 9:35 p.m. with all Members present.

Draft

12. CLOSED SESSION:

(A) Conference with Legal Counsel — Anticipated Litigation
(Gov. Code section 54956.9(d)(2))
Significant exposure to litigation: 2 cases.

Members reconvened in Open Session at 9:51 p.m. with all Members present. Mayor Minto reported that Council discussed Item 12(A) and unanimously approved the terms of three settlement agreements regarding the 2 cases. He stated the agreements will be available for public review after the documents are fully executed.

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:53 p.m.

Date Approved: _____

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

Minutes

Draft

Santee City Council
CDC Successor Agency
Santee Public Financing Authority

Council Chamber – Building 2
10601 Magnolia Avenue
Santee, California
April 26, 2017

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 John W. Minto at 7:02 p.m.

Council Members present were: Mayor/Agency Chair/Authority Chair John W. Minto, Vice Mayor/Agency Vice Chair/Authority Vice Chair Ronn Hall and Council/Agency/ Authority Members Stephen Houlahan, Brian W. Jones and Rob McNelis.

Officers present were: City Manager/Agency 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, City Attorney and City Clerk shall be used to indicate Mayor/Agency Chair/Authority Chair, Vice Mayor/ Agency Vice Chair/Authority Vice Chair, Council/Agency/Authority Member, City Manager/ Agency Executive Director/Authority Secretary, City/Agency/Authority Attorney and City Clerk/Agency Secretary.)

The **INVOCATION** was given by Pastor Gary Lawton of Calvary Chapel Santee and the **PLEDGE OF ALLEGIANCE** was led by Sheriff's Lieutenant Tony O'Boyle.

PRESENTATION: City Softball Championship Presentation – Varsity Softball Game between Santana and West Hills High Schools

Council Member McNelis presented the perpetual trophy to West Hills High School Varsity Softball Coach Mike Applebaum.

PROCLAMATION: Designating April 29, 2017 as Arbor Day 2017 and Recognizing the City of Santee as a Tree City USA for 2016

Council Member Jones presented the Proclamation to Acting Parks and Landscape Supervisor Sam Rensberry. CalFire representative David Haas congratulated the City on being a Tree City USA for 2016 and noted CalFire Urban Forester Lynette Short will forward the plaque to the City.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA: None

1. CONSENT CALENDAR:

(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 Regular Meeting of March 22, 2017, and the Santee City Council Special Meeting of April 3, 2017.

(C) Approval of Payment of Demands as presented.

(D) Approval of the expenditure of $62,069.12 for March 2017 legal services and related costs.

(E) Rejection of a claim against the City by Roberta Phares per Government Code Section 913.

(F) Approval of an increase to the FY 2016-2017 purchase order for transportation services from the current amount of $9,995.00 to $13,846.00 between the City of Santee and Santee School District and authorization for the City Manager to execute the purchase order increase.

(G) Approval of Amendment No. 3 to increase FY 2016-2017 contract amount for Plumbing Repairs and Related Maintenance with Countywide Mechanical Systems, Incorporated by $7,000 to a total amount of $29,000 and authorization for the City Manager to execute the amendment.

ACTION: On motion of Council Member McNelis, seconded by Vice Mayor Hall, the Agenda and Consent Calendar were approved as presented with all voting aye.

2. PUBLIC HEARING:

(A) Public Hearing for Revision 1 to Development Review Permit DR2006-20 related to a four-lot subdivision of a 1.39-acre site on Woodside Terrace in the Low-Medium Density Residential (R-2) Zone and adopting an addendum to a Mitigated Negative Declaration (Sch:2007081115). Applicant: Greg Brown, Jr. (Resos 029-2017 and 030-2017)

The Public Hearing opened at 7:13 p.m. Director of Development Services Kush introduced the item and Senior Planner O'Donnell presented the staff report utilizing a PowerPoint presentation. They answered Council's various questions including topics such as parking, rooftop solar and electric vehicle charging stations in garages.

PUBLIC SPEAKERS:

- Greg Brown, Applicant, spoke in support and answered Council questions.
- Van Collinsworth, Preserve Wild Santee, requested Council require solar.

ACTION: On motion of Vice Mayor Hall, seconded by Council Member Jones, the Public Hearing closed at 7:32 p.m.; the Resolution finding that Revision 1 to Development Review Permit DR2006-20 does not constitute a substantial change in the previously approved project and will not result in any new significant effect on the environment, adopting the Addendum to Mitigated Negative Declaration (SCH: 2007081115) as complete and in compliance with the provisions of the California Environmental Quality Act and directing staff to a file of a Notice of Determination; and the Resolution approving Revision 1 to Development Review Permit 2006-20 with the addition of running the conduit for electrical vehicles charging stations and rooftop solar were adopted with all voting aye, except Council Member Houlahan who voted no.

(B) Public Hearing for the Santee Townhomes Project, a General Plan Amendment (GPA2014-4) and Zone Reclassification (R2014-2) to change the land use and zone from Neighborhood Commercial to Medium-High Density Residential, Tentative Map (TM2014-2), Development Review Permit (DR2014-7), and Mitigated Negative Declaration (AEIS2014-14) and a Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act (CEQA) for a 10-unit residential condominium development on a 0.48-acre property on the northeast corner of E. Heaney Circle and Carlton Oaks Drive (APN 380-202-08). Applicant: Heaney Properties, LLC

ENTERED INTO THE RECORD:
Staff provided a Late Comment Letter regarding the draft Mitigated Negative Declaration, as well as staff's response to the comments, and an updated Development Review Resolution that replaces the one in the agenda packet.

The Public Hearing opened at 7:33 p.m. Director of Development Services Kush introduced the item and Associate Planner Coyne presented the staff report utilizing a PowerPoint presentation and answered Council's questions.

PUBLIC SPEAKERS:
In Support:

- Matt Reid, Applicant, Land and Design, Inc., spoke in support and answered Council's questions.
- Christopher D'Avignon, Land and Design Inc., was available for questions.

In Opposition:

- Van Collinsworth, Preserve Wild Santee
- Rick Stevens
- Judi Stevens
- Brett Shrader
- (See one additional speaker under Item 7 – Communication from the Public)

The Applicant answered additional Council questions on topics such as rooftop solar, rain barrels, traffic and onsite parking. Council Member McNelis noted concerns with the lack of adequate parking, with concurrence from Council Member Houlahan. Vice Mayor Hall requested a future agenda item to look at the residential parking requirements in the Municipal Code.

FAILED MOTION: Council Member Jones moved staff's recommendation. The motion failed due to a lack of a second.

During further discussion, various options to increase the onsite parking were discussed, such as moving, reconfiguring or removal of the tot lot, one unit, the trash enclosure, the BBQ area and the green belt.

MOTION: Council Member Jones moved staff's recommendation with the addition of the tot lot being removed to allow for additional parking. The motion was seconded by Vice Mayor Hall.

City Attorney Hagerty suggested that in light of the modifications to the project, the item should go back to staff to allow them to work with the developer on the changes and then staff could research and make their findings for the modified project.

ACTION: After further discussion, on motion of Council Member Jones, seconded by Vice Mayor Hall, at 8:27 p.m. the Public Hearing was continued to May 10, 2017 with all voting aye.

3. ORDINANCES: *See Item 2(B)*

4. CITY COUNCIL REPORTS: None

5. CONTINUED BUSINESS: None

6. NEW BUSINESS:

(A) Resolution adopting the Parks and Recreation Master Plan Update. (Reso 031-2017)

Director of Community Services Maertz and GreenPlay consultant Tom Diehl presented the staff report utilizing a PowerPoint presentation and answered Council's questions.

PUBLIC SPEAKERS:

- Michael Little, Carlton County Club Townhomes HOA, spoke in opposition to the plan because it does not address residents living near the parks.
- Van Collinsworth praised staff's efforts to preserve open space, but expressed concern with the exclusion of Mast Park in the master plan.

ACTION: After further discussion, on motion of Council Member McNelis, seconded by Vice Mayor Hall, the Resolution accepting the Parks and Recreation Master Plan Update was adopted with all voting aye.

(B) Authorization for the City Manager to execute a professional services agreement with HVS Consulting and Valuation in an amount not to exceed $14,000 for the preparation of a Santee hotel market analysis.

City Manager Best introduced the item and Sr. Economic Development Coordinator White presented the staff report and answered Council's questions.

ACTION: After discussion, on motion of Council Member McNelis, seconded by Vice Mayor Hall, the authorization for the City Manager to execute a professional services agreement with HVS Consulting and Valuation in an amount not to exceed $14,000 for the preparation of a Santee hotel market analysis was approved with all voting aye.

(C) Fiscal Year 2016-2017 Operating Budget Update and Resolution amending the Fiscal Year 2016-2017 Operating Budget. (Reso 032-2017)

Finance Director McDermott presented the staff report utilizing a PowerPoint presentation and answered Council questions.

ACTION: On motion of Vice Mayor Hall, seconded by Council Member Houlahan, the Resolution amending the Fiscal Year 2016-2017 Operating Budget was adopted with all voting aye.

7. COMMUNICATION FROM THE PUBLIC:

(A) Mark Joplin, Santee Toastmasters, spoke of the organization and invited everyone to attend their meetings.

(B) Mike Root provided a handout and spoke regarding maintenance and vegetation issues on Lot L at Sky Ranch.

City Attorney Hagerty noted he will be in attendance at a meeting involving all the parties and that he will report back to Council after the meeting is concluded.

(C) Van Collinsworth, Preserve Wild Santee, distributed a handout to Council and spoke regarding climate change issues.

(D) With permission from Mayor Minto, Tony Scala spoke about his concerns with regard to Item 2(A), which is a project of new homes below his property.

8. CITY MANAGER REPORTS: None

9. CDC SUCCESSOR AGENCY: None

10. SANTEE PUBLIC FINANCING AUTHORITY: None

11. CITY ATTORNEY REPORTS: None

Council Members recessed at 10:01 p.m. and convened in Closed Session at 10:05 p.m. with all Members present.

12. CLOSED SESSION:

(A) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
(Government Code Section 54956.9(d)(2))
Significant Exposure to Litigation: One case related to a March 22, 2017 letter from Shenkman & Hughes regarding the California Voting Rights Act

Draft

Members reconvened in Open Session at 10:18 p.m. with all members present. Mayor Minto reported that direction had been given to staff.

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:19 p.m.

Date Approved: _____

_____

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

City of Santee

COUNCIL AGENDA STATEMENT

1C

MEETING DATE May 10, 2017 **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

MSB

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

Date	Description	Amount
04/18/17	Accounts Payable	$ 2,571.00
04/19/17	Accounts Payable	126,785.80
04/20/17	Accounts Payable	17,630.39
04/27/17	Payroll	302,760.31
04/27/17	Accounts Payable	731,283.11
04/27/17	Accounts Payable	141,018.91
05/01/17	Retiree Medical	5,203.00
05/01/17	Accounts Payable	1,568.00
05/01/17	Accounts Payable	94,009.64
	TOTAL	$ 1,422,830.16

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.

T K McDermott

Tim K. McDermott, Director of Finance

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
206	4/18/2017	12658 NORTH AMERICAN TITLE COMPANY, INC	APN 381-050-66		CINEMA PARCEL CLOSING COSTS	2,571.00
					Total :	2,571.00

1 Vouchers for bank code : ubgen

Bank total : 2,571.00

1 Vouchers in this report

Total vouchers : 2,571.00

Prepared by: Michele S
Date: 4-20-17

Approved by: Donna Goldsmith
Date: 4-20-17

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115062	4/19/2017	10003 A & B SAW & LAWNMOWER SHOP	25794		EQUIPMENT REPAIR PARTS	110.76
					Total :	**110.76**
115063	4/19/2017	11163 ABBOTTS BUSINESS MACHINES	2319		TYPEWRITER REPAIR	100.59
					Total :	**100.59**
115064	4/19/2017	10010 ALLIANT INSURANCE SERVICES INC	01/01/17-03/31/17		3RD QTR EVENT INS	805.00
					Total :	**805.00**
115065	4/19/2017	11275 AMERICAN SAFETY EMT	12604		CPR CARDS	16.00
					Total :	**16.00**
115066	4/19/2017	12083 ANIMAL PEST MANAGEMENT	404078	51537	PEST CONTROL SERVICES	120.00
			556471	51537	PEST CONTROL SERVICES	120.00
					Total :	**240.00**
115067	4/19/2017	10018 BENCHMARK LANDSCAPE SVCS INC	132151	51603	LANDSCAPE MAINT - AREA 3	10,001.01
			132584	51603	LANDSCAPE MAINT - AREA 3	10,001.01
			132585	51586	AREA 2 LANDSCAPE SERVICES	12,575.00
					Total :	**32,577.02**
115068	4/19/2017	10021 BOUND TREE MEDICAL LLC	82442524	51676	EMS SUPPLIES	2.24
			82447963	51676	EMS SUPPLIES	240.85
			82447964	51676	EMS SUPPLIES	225.65
			82447965	51676	EMS SUPPLIES	423.20
			82449393	51676	EMS SUPPLIES	60.50
					Total :	**952.44**
115069	4/19/2017	10023 BUILDERS FENCE COMPANY INC	1634078	51620	FENCING MATERIALS & SUPPLIES	30.31
					Total :	**30.31**
115070	4/19/2017	11169 CALIFORNIA WATERS LLC	448	51522	FOUNTAIN MAINT & REPAIRS	2,474.00
					Total :	**2,474.00**
115071	4/19/2017	10569 CHARLENE'S DANCE N CHEER	32417		INSTRUCTOR PAYMENT	2,341.30
					Total :	**2,341.30**

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115072	4/19/2017	10032 CINTAS CORPORATION #694	694326592	51489	UNIFORM/PARTS CLEANER RNTL	60.53
					Total :	**60.53**
115073	4/19/2017	10039 COUNTY MOTOR PARTS COMPANY INC	354874	51467	SHOP SUPPLIES	130.16
			CM351415	51467	CREDIT-VEHICLE REPAIR PART	-9.47
					Total :	**120.69**
115074	4/19/2017	10333 COX COMMUNICATIONS	052335901		8950 COTTONWOOD AVE	237.42
					Total :	**237.42**
115075	4/19/2017	10042 DALEY & HEFT LLP	48704		LEGAL SERVICES - CLAIMS	7,356.22
			48705		LEGAL SERVICES - CLAIMS	11,784.63
					Total :	**19,140.85**
115076	4/19/2017	10057 ESGIL CORPORATION	04/03/17-04/07/17		SHARE OF FEES	18,705.47
					Total :	**18,705.47**
115077	4/19/2017	10580 FASTENAL COMPANY	CAELC66646	51524	MATERIALS & HARDWARE	267.30
			CAELC66900	51524	MATERIALS & HARDWARE	233.24
			CAELC67137	51524	MATERIALS & HARDWARE	4.99
			CAELC67333	51524	MATERIALS & HARDWARE	9.06
					Total :	**514.59**
115078	4/19/2017	10251 FEDERAL EXPRESS	5-763-58406		SHIPPING CHARGES	30.74
					Total :	**30.74**
115079	4/19/2017	11881 GOODEN, CHRIS	041117		SAFETY BOOTS	200.00
					Total :	**200.00**
115080	4/19/2017	11196 HD SUPPLY FACILITIES	9153137961	51517	STATION SUPPLIES	137.43
					Total :	**137.43**
115081	4/19/2017	10256 HOME DEPOT CREDIT SERVICES	0153269	51514	STATION SUPPLIES	6.86
			5153348	51514	EQUIPMENT REPAIR PARTS	5.72
					Total :	**12.58**
115082	4/19/2017	10246 HUDSON SAFETY T LITE RENTALS	00042661	51438	TRAFFIC SIGN MATERIALS	84.44
			00042666	51438	TRAFFIC SIGN MATERIALS	112.58

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115082	4/19/2017	10246 10246 HUDSON SAFETY T LITE RENTALS	(Continued)			
					Total :	197.02
115083	4/19/2017	10997 LAKESIDE FIRE PREVENTION	108		EMS SOFTWARE MAINT FEE	366.00
			109		EMS SOFTWARE FEE (50%)	2,192.00
					Total :	2,558.00
115084	4/19/2017	10174 LN CURTIS AND SONS	INV89888	51475	WEARING APPAREL	88.79
					Total :	88.79
115085	4/19/2017	10982 MATSUSHITA, JUSTIN	40117		PARAMEDIC LICENSE RENEWAL	217.00
					Total :	217.00
115086	4/19/2017	10079 MEDICO PROFESSIONAL	1949707	51497	MEDICAL LINEN SERVICE	20.02
			1949708	51497	MEDICAL LINEN SERVICE	8.16
			1967583	51497	MEDICAL LINEN SERVICE	20.02
			1967584	51497	MEDICAL LINEN SERVICE	8.16
					Total :	56.36
115087	4/19/2017	10308 O'REILLY AUTO PARTS	2968-132838	51476	VEHICLE REPAIR PART	18.31
					Total :	18.31
115088	4/19/2017	10344 PADRE DAM MUNICIPAL WATER DIST	21105559		9170 VIA DE CRISTINA	169.87
			24206565		10580 PROSPECT AVE	93.57
			24206698		10541 PROSPECT AVE	147.41
			24218157		10054 PROSPECT AVE	64.80
			24218344		10027 PROSPECT AVE	85.33
			90000366		GROUP BILL	14,341.12
			90000367		GROUP BILL	15,005.52
					Total :	29,907.62
115089	4/19/2017	11225 POPPE, MIKE	79579		SAFETY WORK BOOTS	162.35
					Total :	162.35
115090	4/19/2017	10161 PRIZM JANITORIAL SERVICES INC	15022	51595	CUSTODIAL SVCS - OFFICES	2,502.63
					Total :	2,502.63
115091	4/19/2017	10095 RASA	5076	51589	MAP CHECK	335.00

Bank code : ubgen

Voucher	Date	Vendor		Invoice	PO #	Description/Account	Amount
115091	4/19/2017	10095	10095 RASA	(Continued)		Total :	335.00
115092	4/19/2017	10097	ROMAINE ELECTRIC CORPORATION	12-037982	51543	VEHICLE REPAIR	1,236.00
				12-038164	51543	VEHICLE SUPPLIES	349.34
						Total :	1,585.34
115093	4/19/2017	10570	SAN DIEGO COUNTY TRAINING	020317		STAFF TRAINING REGISTRATION	50.00
						Total :	50.00
115094	4/19/2017	10768	SANTEE SCHOOL DISTRICT	7705	51450	CHET HARRITT FIELDS LIGHTS	1,407.30
				7706-FEB	51562	MOWING - RIO SECO FIELDS	216.71
						Total :	1,624.01
115095	4/19/2017	10585	SHARP REES-STEALY MEDICAL	306601771		MEDICAL SERVICES	110.00
						Total :	110.00
115096	4/19/2017	10923	SMITH, NELSON	032417		PARAMEDIC LICENSE RENEWAL	217.00
						Total :	217.00
115097	4/19/2017	10217	STAPLES BUSINESS ADVANTAGE	3333735272	51547	OFFICE SUPPLIES	-7.07
				3333735276	51547	OFFICE SUPPLIES	-13.96
				3334312360	51547	OFFICE SUPPLIES	195.50
						Total :	174.47
115098	4/19/2017	10534	STATE CONTROLLER'S OFFICE	FAUD-00000841	51407	ANNUAL STREET REPT 15/16	2,481.08
						Total :	2,481.08
115099	4/19/2017	10119	STEVEN SMITH LANDSCAPE INC	35241	51596	AREA 1 LANDSCAPE SERVICES	306.69
						Total :	306.69
115100	4/19/2017	10572	SUNBELT RENTALS INC	67722833-001		EAST HARTLAND STORM DRAIN	663.47
						Total :	663.47
115101	4/19/2017	10121	SUPERIOR READY MIX LP	836562	51565	ASPHALT MATERIALS & SUPPLIES	336.96
						Total :	336.96
115102	4/19/2017	10158	THE SOCO GROUP INC	0374370-IN	51708	DELIVERED FUEL	271.08
				0374925-IN	51544	VEHICLE SUPPLIES	360.52

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115102	4/19/2017	10158 THE SOCO GROUP INC	(Continued)			
			0375243-IN	51708	DELIVERED FUEL	137.53
			CL95849	51683	FLEET CARD FUELING	1,118.45
					Total :	**1,887.58**
115103	4/19/2017	11011 THOMPSON, CHRIS	033117		PARAMEDIC LICENSE RENEWAL	217.00
					Total :	**217.00**
115104	4/19/2017	10165 TRAD AM ENTERPRISES INC	0317		INSTRUCTOR PAYMENT	881.40
					Total :	**881.40**
115105	4/19/2017	10978 US BANK	4587124		CDC TAB/21011 SERIES A	700.00
			4587126		CDC TAB/2011 SERIES B	700.00
					Total :	**1,400.00**

44 Vouchers for bank code : ubgen **Bank total : 126,785.80**

44 Vouchers in this report **Total vouchers : 126,785.80**

Prepared by: Michele
Date: 4-19-17

Approved by: Donna Goldsmith
Date: 4-19-17

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115107	4/20/2017	10001 US BANK	000035		TEEN PROGRAM SUPPPLIES	43.20
			001587-0006		MISCELLANEOUS	56.73
			002-00607929976215		STATION SUPPLIES	101.97
			002-7107754-8648219		BOOT DRYER	61.30
			002803		MEETING SUPPLIES	120.00
			0093		MEETING SUPPLIES	13.74
			0131220		FIRE ENGINEER BADGE	124.44
			02213		WALKER TRAIL SIGNAGE INSTALL	102.48
			02278		CONCRETE MIX - FOR CHANNELS	154.77
			02420		M9 BARRICADE - TRAFFIC SIGNS	18.44
			030117		STAFF RETREAT	18.96
			03022017		OFFICE SUPPLIES	4.19
			030817		VOLUNTEER RECOGNITION	39.02
			030858		RETREAT	350.00
			03102017		FIRESTATS TRAINING REG	525.00
			03142017		RATER LUNCHEON	46.41
			031517		MV2 SUPPLIES	9.99
			03172017		TEEN CENTER GUYS NGIHT	10.80
			036218		MISS SANTEE PAGEANT	25.86
			036370		CPRS CONFERENCE DINNER	13.75
			045019		GOING AWAY CAKE	55.00
			046289		OFFICE SUPPLIES	53.96
			054971		MV2 CEREMONY REFRESHMENTS	46.53
			055588		RETREAT SUPPLIES	42.12
			059466		MEETING SUPPLIES	25.96
			06094		SANDBLASTING/GRAFFITI REMOV/	72.73
			064438		MEETING SUPPLIES	7.49
			06852		CITY HALL MAINT SUPPLIES	87.58
			071747		STAFF RETREAT	27.55
			073106		MV2 CEREMONY	8.60
			076493		REC DECORATION	3.48
			095386		MEETING SUPPLIES	13.00
			096693		TEEN CENTER GIRLS NIGHT	47.27
			102-7820293-50354		HP TONER CARTRIDGE	299.74
			103-1991348-0314612		BOOKS	140.90
			109-9121315-0025854		FAX MACHINE	140.98

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115107	4/20/2017	10001 US BANK	(Continued)			
			112-7387598-0037056		SD CARDS - GRAFFITI CAMERAS	15.69
			113835		TEEN CENTER -GUYS NIGHT	18.00
			11854		OUTDOOR LIGHTING- CITY HALL	225.17
			1226		GENERAL EVENTS	30.00
			1227		CPRS AWARD SUBMITTAL	30.00
			123116		FY 15-16 CAFR AWARD APPLICATIC	505.00
			1272		OFFICE SUPPLIES	45.66
			128831		ASPHALT MIX/PATCH	893.07
			129115		BOOT SCRUBBER	60.58
			129339		MANHOLE COVER HOOK	139.15
			129346		MANHOLE COVER HOOK	139.15
			130105		TEEN CENTER SUPPLIES	7.89
			139496		STATION SUPPLIES	29.03
			14402		VEHICLE REPAIR PARTS	16.67
			14700		POWER STRIP - CITY HALL	21.42
			1486590		FIDO FEST	27.29
			1493		TRAINING SUPPLIES	386.09
			15400		MISC MATERIALS/SUPPLIES	78.02
			155619		VISION INTERNET CONSULTING	26.50
			17-0305		PRESURE WASHER SUPPLIES	36.58
			17-0321		PRESSURE WASHER MAINTENANC	485.94
			17-0408		EQUIPMENT REPAIR PART	161.09
			172301		STAFF RETREAT	65.15
			17343		STAFF WORKSHOP SUPPLIES	82.80
			178041059		STAFF RETREAT SUPPLIES	11.72
			178062602		STAFF RETREAT SUPPLIES	8.93
			179740		OFFICE SUPPLIES	24.20
			186157		FIRST FRIDAY BREAKFAST	25.00
			20052		MV2 CEREMONY	31.98
			20166995		SENIOR TRIP TICKETS	185.00
			2017051779		COPY OF RECORDED DOCUMENT	11.87
			20286		PAPA SEMINAR 4/6/17	80.00
			210439		CPRS CONFERENCE HOTEL	319.70
			21-12725		RETREAT SUPPLIES	390.36
			2158		BLUEGRASS FESTIVAL	150.00
			21622878		FACILITIES TRAINING SEMINR	399.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115107	4/20/2017	10001 US BANK	(Continued)			
			21907		PRESSURE SWITCH MDR2 - FIRE S	58.46
			220001		TPA INTERVIEW LUNCH	30.35
			220716		LEAGUE OF CA CITIES	185.17
			22417		CITY HALL DANCE FEBRUARY	92.51
			22817		TEEN CENTER MAT/SUP	4.37
			23795754		DISCHARGE HOSE	119.06
			23827017		SAFETY WEAR	80.06
			23883		FLUORESCENT LAMPS-CSD#1	21.31
			2396		CITY HALL DANCE SUPPLIES	24.99
			23974		PARK REPAIR & MAINTENANCE	111.61
			24242		AIR COMPRESSOR- SHOP TRUCK	2,499.00
			2850		VEHICLE SUPPLIES	160.20
			2863		OFFICE SUPPLIES	57.62
			300001852		CAPPO ANNUAL MEMBERSHIP	130.00
			3005		COPY SERVICES	9.83
			31317		TEEN CENTER COOKING	19.67
			3228		PVC THREADED DISCHARGE HOSI	119.06
			332614303		SHADOW HILLS PARK	186.38
			3339		SENIOR PROGRAM SUPPLIES	10.99
			3377		OFFICE SUPPLIES	77.56
			358		STRUCTURE TRAINING	30.00
			390508		DOOR MATS	182.40
			390662		REPLACEMENT LOCKS - PARKS	54.95
			3KN0018		SD HOUSING CONFERENCE	35.00
			41321		VEHICLE SUPPLIES	324.76
			4517		TEEN CENTER PIZZA PARTY	13.50
			51951		ROW TOOLS - SHOVELS	128.91
			5275		PVC THREADED DISCHARGE HOSI	238.13
			591318		SIGNAGE MATERIALS	48.11
			591319		SIGNAGE MATERIALS	23.01
			591370		SIGNAGE MATERIALS	21.46
			6269137		NOTARY RENEWAL	421.00
			69393		OFFICE SUPPLIES	155.83
			707300006201		STATION SUPPLIES	735.04
			71072		LITTLE LIBRARY REPAIR-TCCPW	33.48
			744845		ARBORICULTURE SUBSCRIPTION	185.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115107	4/20/2017	10001 US BANK	(Continued)			
			755-255-458		MEETING SUPPLIES	9.14
			7F871GBD25878704		STAFF RETREAT	192.00
			89320085		BLDG ARCHIVE BOXES	63.51
			908048506		BUSINESS CARDS	70.68
			916-7915044A		ASPHALT PAVEMENT CLASS	99.00
			916-7915044B		ASPHALT PAVEMENT CLASS	99.00
			93001465661		MISS SANTEE PAGEANT	42.01
			935203088-a		LEAGUE OF CA CITIES	0.90
			94878		LUNCH MTG: TEEN CTR LEASE	38.67
			95814		CONFERENCE SHUTTLE	32.00
			9857090		BLUEGRASS FESTIVAL/CONCERTS	136.51
			CPRSAWARDS		CPRS AWARDS BREAKFAST	84.00
			H08305/1		VEHICLE SUPPLIES	190.31
			H11790/1		REPAIR VANDALIZED KIOSK	157.76
			IN39430		RADIO REPAIR PARTS	76.33
			OLQZCO		CONFERENCE AIRFARE	176.40
			R78206		PLAYGROUND SAFTEY COURSE	755.00
			S2556141		EXHAUST FANS	345.19
			S2556149		FLASHLIGHT	20.56
			VKNX9RF8L25		CALIFORNIA TRAILS CONFERENCE	335.00
					Total :	**17,630.39**

1 Vouchers for bank code : ubgen

Bank total : **17,630.39**

1 Vouchers in this report

Total vouchers : **17,630.39**

Prepared by: Nicole S
Date: 4-20-17

Approved by: [signature]
Date: 4-20-17

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115108	4/27/2017	12654 4 POINTS EVENTS PRODUCTION	278		MISS SANTEE PAGEANT	2,000.00
					Total :	**2,000.00**
115109	4/27/2017	11445 AMERICAN MESSAGING	L1072898RD		FD PAGER SERVICE	144.96
					Total :	**144.96**
115110	4/27/2017	11275 AMERICAN SAFETY EMT	12620		CPR/AED CARD	8.00
					Total :	**8.00**
115111	4/27/2017	12083 ANIMAL PEST MANAGEMENT	553482	51537	PEST CONTROL SERVICES	45.00
			553519	51537	PEST CONTROL SERVICES	696.00
			558132	51537	PEST CONTROL SERVICES	45.00
			558618	51537	PEST CONTROL SERVICES	120.00
					Total :	**906.00**
115112	4/27/2017	10020 BEST BEST & KRIEGER LLP	LEGAL MAR 2017		LEGAL SERVICES MAR 2017	62,069.12
					Total :	**62,069.12**
115113	4/27/2017	11513 BOND, ELLEN	05012017-263		MEADOWBROOK HARDSHIP PGRM	33.28
					Total :	**33.28**
115114	4/27/2017	10021 BOUND TREE MEDICAL LLC	82450749	51676	EMS SUPPLIES	70.50
			82454962	51676	EMS SUPPLIES	422.22
			82454963	51676	EMS SUPPLIES	471.90
			82454964	51676	EMS SUPPLIES	15.46
			82454965	51676	EMS SUPPLIES	274.99
			82456412	51676	EMS SUPPLIES- STATION 5	3.36
			82456413	51676	EMS SUPPLIES	5.60
					Total :	**1,264.03**
115115	4/27/2017	12663 BOWEN & WARENGO	04202017		REFUND- STORMWATER FEES	37.25
					Total :	**37.25**
115116	4/27/2017	10098 BURNER, RONALD	33117	51560	ATHLETIC FIELD COORDINATION	2,083.34
					Total :	**2,083.34**
115117	4/27/2017	10876 CANON SOLUTIONS AMERICA INC	988840829	51549	PLOTTER MAINT & USAGE	51.75

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115117	4/27/2017	10876 CANON SOLUTIONS AMERICA INC	(Continued)			
			988840830	51549	SCANNER MAINTENANCE	66.10
					Total :	**117.85**
115118	4/27/2017	10327 CARLIN, TAMMIE K	032		INSTRUCTOR PAYMENT	1,836.00
					Total :	**1,836.00**
115119	4/27/2017	12665 CARROLL BUSINESS SUPPLY	04202017		REFUND- STORMWATER FEES	37.25
					Total :	**37.25**
115120	4/27/2017	11402 CARROLL, JUDI	0512017-96		MEADOWBROOK HARDSHIP PGRM	33.38
					Total :	**33.38**
115121	4/27/2017	12659 CATALANO & CATALANO	ATTORNEY FEES 4/2017		PER SETTLEMENT AGREEMENT	40,000.00
					Total :	**40,000.00**
115122	4/27/2017	10031 CDW GOVERNMENT LLC	HKL6732	51720	ROUTER/FIREWALL UPGRADE	1,195.00
			HKZ7791	51720	ROUTER/FIREWALL UPGRADE	4,040.63
					Total :	**5,235.63**
115123	4/27/2017	12670 CHOON WOO	04202017		REFUND- STORMWATER FEES	37.25
					Total :	**37.25**
115124	4/27/2017	10032 CINTAS CORPORATION #694	694329105	51489	UNIFORM/PARTS CLEANER RNTL	61.57
					Total :	**61.57**
115125	4/27/2017	11040 CIRCULATE SAN DIEGO	229-6	51402	SAFE ROUTES TO SCHOOL	1,812.50
			230-4R	51554	SAFE ROUTES TO SCHOOL	2,000.00
					Total :	**3,812.50**
115126	4/27/2017	11409 CLAYTON, SYLVIA	05012017-340		MEADOWBROOK HARDSHIP PGRM	34.91
					Total :	**34.91**
115127	4/27/2017	11330 CLEANSTREET	85940	51591	STREET SWEEPING SVCS	14,876.64
					Total :	**14,876.64**
115128	4/27/2017	10268 COOPER, JACKIE	MAY 1, 2017		RETIREE HEALTH PAYMENT	91.00

Bank code : ubgen

Voucher	Date	Vendor		Invoice	PO #	Description/Account	Amount
115128	4/27/2017	10268	10268 COOPER, JACKIE	(Continued)			
						Total :	91.00
115129	4/27/2017	10160	CORELOGIC SOLUTIONS LLC	81748884		SOFTWARE LICENSING	248.75
				81761510		SOFTWARE LICENSING	248.75
						Total :	497.50
115130	4/27/2017	12153	CORODATA RECORDS	RS4308588		DOC RETRIEVAL AND STORAGE	316.94
						Total :	316.94
115131	4/27/2017	10358	COUNTY OF SAN DIEGO	17CTOFSAN09		SHERIFF RADIOS	4,345.00
				17CTOFSASN09	51619	800 MHZ ACCESS (FIRE/PS)	1,513.38
						Total :	5,858.38
115132	4/27/2017	10486	COUNTY OF SAN DIEGO	201700200		MAP COPIES	6.00
						Total :	6.00
115133	4/27/2017	10541	COUNTY OF SAN DIEGO	SN-2016/2017-4		ANIMAL CONTROL SERVICES	87,472.75
						Total :	87,472.75
115134	4/27/2017	10839	COUNTY OF SAN DIEGO	DEH2016-FTEO-002212		ALL EVENTS	443.00
						Total :	443.00
115135	4/27/2017	10333	COX COMMUNICATIONS	063453006		9534 VIA ZAPADOR	344.86
				066401501		10601 N MAGNOLIA AVE	38.76
				094486701		CITY HALL GROUP BILL	3,066.96
				094486701		CITY HALL GROUP BILL	3,085.38
				094486701		CITY HALL GROUP BILL	3,195.52
				112256001		9130 CARLTON OAKS DR	163.45
						Total :	9,894.93
115136	4/27/2017	10043	D & D SERVICES INC	85963	51556	DEAD ANIMAL REMOVAL SVC	1,235.00
						Total :	1,235.00
115137	4/27/2017	11017	DIVISION OF THE STATE	JAN-MAR 2017		SB 1186 JAN-MAR 2017	334.50
						Total :	334.50
115138	4/27/2017	12671	DOGGIE STATION	04202017		REFUND- STORMWATER FEES	37.25

Bank code : ubgen

Voucher	Date	Vendor		Invoice	PO #	Description/Account	Amount
115138	4/27/2017	12671	12671 DOGGIE STATION	(Continued)			
						Total :	37.25
115139	4/27/2017	12593	ELLISON WILSON ADVOCACY, LLC	417		ADVOCACY SERVICES	1,500.00
						Total :	1,500.00
115140	4/27/2017	10057	ESGIL CORPORATION	04/10/17-04/14/17		SHARE OF FEES	14,441.84
						Total :	14,441.84
115141	4/27/2017	10580	FASTENAL COMPANY	CAELC67453	51524	MATERIALS & HARDWARE	130.47
				CAELC67513	51524	MATERIALS & HARDWARE	18.95
						Total :	149.42
115142	4/27/2017	10251	FEDERAL EXPRESS	5-771-14404		SHIPPING CHARGES	29.61
						Total :	29.61
115143	4/27/2017	12667	GOLDEN STATE GARAGE DOORS	04202017		REFUND- STORMWATER FEES	37.25
						Total :	37.25
115144	4/27/2017	12495	GROSSMONT UNION	AR008512		16/17 Q3 SRO SVCS@WHHS/SHS	36,756.45
						Total :	36,756.45
115145	4/27/2017	11196	HD SUPPLY FACILITIES	20161117 CITY PYMNT		LOCATION AGRMNT PYMNT 2016Q	370,810.50
						Total :	370,810.50
115146	4/27/2017	10256	HOME DEPOT CREDIT SERVICES	3153402	51514	VEHICLE REPAIR PARTS	5.43
						Total :	5.43
115147	4/27/2017	10271	HORAN, BERNICE	MAY 1, 2017		RETIREE HEALTH PAYMENT	91.00
						Total :	91.00
115148	4/27/2017	12662	IMPRESSIONS HAIR & NAIL DESIGN	04202017		REFUND- BUSINESS LICENSE	5.00
						Total :	5.00
115149	4/27/2017	10075	IRON MOUNTAIN INFO MGMT INC	201266131		DATA STORAGE	198.77
						Total :	198.77
115150	4/27/2017	10720	MALL MEDIA INC	21600U		SPRING EGGSTRAVAGANZA	1,110.03
						Total :	1,110.03

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115151	4/27/2017	11986 MARION B BORG ENVIRONMENTAL	SANTEE01-46	51024	FANITA RCH CONSULTING SVCS	2,905.00
			SANTEE03-26		PROF SVCS - WALMART EXP	560.00
			SANTEE04-20		PROF SVCS - CALVARY CHAPEL	560.00
					Total :	**4,025.00**
115152	4/27/2017	12461 MARSHALL DJ SERVICES	41717		DJ SERVICES TEEN DANCE	395.00
					Total :	**395.00**
115153	4/27/2017	10538 MEALS ON WHEELS	3	51673	CDBG SUBRECIPIENT	2,000.00
					Total :	**2,000.00**
115154	4/27/2017	10079 MEDICO PROFESSIONAL	1971041	51497	MEDICAL LINEN SERVICE	20.02
			1971042	51497	MEDICAL LINEN SERVICE	8.16
					Total :	**28.18**
115155	4/27/2017	10451 NEOPOST USA INC	54504494	51610	POSTAGE METER RENTAL	161.63
					Total :	**161.63**
115156	4/27/2017	12656 O'GRADY, JAMES	04142017		CONSULTING SERVICES	4,000.00
					Total :	**4,000.00**
115157	4/27/2017	11442 PATTERSON, LUANNE	05012017-225		MEADOWBROOK HARDSHIP PGRM	32.30
					Total :	**32.30**
115158	4/27/2017	11715 PURPLE TENNIS NATION	20171		INSTRUCTOR PAYMENT	688.00
					Total :	**688.00**
115159	4/27/2017	12668 R S R PRECISION MACHINE	04202017		REFUND- STORMWATER FEES	37.25
					Total :	**37.25**
115160	4/27/2017	12664 RALLS PRECISION MACHINE	04202017		REFUND- STORMWATER FEES	37.25
					Total :	**37.25**
115161	4/27/2017	12237 RAYON, KYLE	MAY 1, 2017		RETIREE HEALTH PAYMENT	91.00
					Total :	**91.00**
115162	4/27/2017	12256 ROE, DARLENE	05012017-318		MEADOWBROOK HARDSHIP PGRM	33.84

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115162	4/27/2017	12256 12256 ROE, DARLENE	(Continued)			
					Total :	33.84
115163	4/27/2017	10407 SAN DIEGO GAS & ELECTRIC	2237 358 004 2		TRAFFIC SIGNAL	4,293.31
			3422 380 562 8		GAS TAX	124.40
			4394 020 550 9		LMD	4,526.21
			4394 020 550 9		LMD	4,653.77
			7990 068 577 7		PARKS	11,488.06
			8509 742 169 4		CITY HALL GROUP BILL	5,788.34
					Total :	30,874.09
115164	4/27/2017	10407 SAN DIEGO GAS & ELECTRIC	0760 908 530 4		10609 PROSPECT AVE IRRIGATION	29.44
			5816373408		8750 MAST BLVD	7,081.65
					Total :	7,111.09
115165	4/27/2017	12672 SANTEE MINI MARKET	04202017		REFUND- STORMWATER FEES	37.25
					Total :	37.25
115166	4/27/2017	10212 SANTEE SCHOOL DISTRICT	2017-3	51539	TEEN CENTER TRANSPORTATION	1,166.40
			2017-4	51539	TEEN CENTER TRANSPORTATION	1,409.40
					Total :	2,575.80
115167	4/27/2017	12675 SCOOTER BUG INC	04212017		REFUND - STORMWATER FEES	37.25
					Total :	37.25
115168	4/27/2017	10110 SECTRAN SECURITY INC	17040353	51501	TRANSPORT SERVICES	111.30
					Total :	111.30
115169	4/27/2017	12666 SPARKY'S TRANSMISSIONS	04202017		REFUND- STORMWATER FEES	37.25
					Total :	37.25
115170	4/27/2017	11403 ST. JOHN, LYNNE	05012017-78		MEADOWBROOK HARDSHIP PGRM	33.44
					Total :	33.44
115171	4/27/2017	10217 STAPLES BUSINESS ADVANTAGE	3334163983	51558	OFFICE SUPPLIES	132.82
			3334163984	51558	OFFICE SUPPLIES	4.84
					Total :	137.66
115172	4/27/2017	10119 STEVEN SMITH LANDSCAPE INC	34996	51596	LANDSCAPE SERVICES	110.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115172	4/27/2017	10119 STEVEN SMITH LANDSCAPE INC	(Continued)			
			35436	51596	LANDSCAPE SERVICES	-98.00
					Total :	**12.00**
115173	4/27/2017	10250 THE EAST COUNTY	00050154		PUBLIC NOTICE	1,165.50
					Total :	**1,165.50**
115174	4/27/2017	10158 THE SOCO GROUP INC	0376125-IN	51708	DELIVERED FUEL	624.08
			CL96270	51683	FLEET CARD FUELING	779.36
					Total :	**1,403.44**
115175	4/27/2017	12673 UNIFIRST CORPORATION	04212017		REFUND - BUSINESS LICENSE	15.00
					Total :	**15.00**
115176	4/27/2017	12480 UNITED SITE SERVICES	16671	51652	MAST PARK PORTABLE TOILET	23.38
			18926	51652	PORTABLE RESTROOM SVC	80.51
			19165	51652	SANTEE ACTIVE LIFESTYLE EVENT	586.23
			22461	51652	MAST PARK PORTABLE TOILET	70.34
					Total :	**760.46**
115177	4/27/2017	10475 VERIZON WIRELESS	9783704470		CELL PHONE SERVICE	1,939.31
					Total :	**1,939.31**
115178	4/27/2017	12674 WEBB, MARY	04212017		REFUND- ALARM PERMIT FEES	6.00
					Total :	**6.00**
115179	4/27/2017	10136 WEST COAST ARBORISTS INC	124333	51579	URBAN FORESTRY MGMNT SVCS	2,110.00
			124334	51579	URBAN FORESTRY MGMNT SVCS	413.00
			124335	51579	URBAN FORESTRY MGMNT SVCS	3,440.00
					Total :	**5,963.00**
115180	4/27/2017	12641 WITTORFF, VICKY DENISE	MAY 1, 2017		RETIREE HEALTH PAYMENT	91.00
					Total :	**91.00**
115181	4/27/2017	12669 WOODMASTER WINDOW	04202017		REFUND- STORMWATER FEES	37.25
					Total :	**37.25**
115182	4/27/2017	10232 XEROX CORPORATION	088692605	51534	COPY CHARGES	132.44

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115182	4/27/2017	10232 XEROX CORPORATION	(Continued)			
			088692606	51533	COPY CHARGES	352.41
			088692611	51529	COPY CHARGES & LEASE	202.77
			088692612	51578	COPY CHARGES & LEASE	318.10
			088692613	51531	COPY CHARGES & LEASE	129.85
			088692614	51532	COPY CHARGES & LEASE	318.49
					Total :	1,454.06

75 Vouchers for bank code : ubgen

Bank total : 731,283.11

75 Vouchers in this report

Total vouchers : 731,283.11

Prepared by: [signature]
Date: 4-27-17

Approved by: [signature]
Date: 4-27-17

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115183	4/27/2017	10844 FRANCHISE TAX BOARD	PPE 04/19/17		WITHHOLDING ORDER	25.00
					Total :	**25.00**
115184	4/27/2017	10508 LIFE INSURANCE COMPANY OF	April 2017		LIFE INSURANCE/LTD	2,690.22
					Total :	**2,690.22**
115185	4/27/2017	10779 NATIONAL BENEFIT SERVICES LLC	PPE 04/19/17		FLEXIBLE SPENDING ACCOUNT	2,261.56
					Total :	**2,261.56**
115186	4/27/2017	10784 NATIONAL UNION FIRE INSURANCE	April 2017		VOLUNTARY AD&D	103.73
					Total :	**103.73**
115187	4/27/2017	10353 PERS	04 17 4		RETIREMENT PAYMENT	95,867.68
					Total :	**95,867.68**
115188	4/27/2017	10335 SAN DIEGO FIREFIGHTERS FEDERAL	April 2017		LONG TERM DISABILITY-SAFETY	1,127.00
					Total :	**1,127.00**
115189	4/27/2017	10424 SANTEE FIREFIGHTERS	PPE 04/19/17		DUES/PEC/BENEVOLENT/BC EXP	2,472.19
					Total :	**2,472.19**
115190	4/27/2017	10776 STATE OF CALIFORNIA	PPE 04/19/17		WITHHOLDING ORDER	267.69
					Total :	**267.69**
115191	4/27/2017	10001 US BANK	PPE 04/19/17		PARS RETIREMENT	936.20
					Total :	**936.20**
115192	4/27/2017	10959 VANTAGE TRANSFER AGENT/457	PPE 04/19/17		ICMA - 457	31,761.53
					Total :	**31,761.53**
115193	4/27/2017	10782 VANTAGEPOINT TRNSFR AGT/801801	PPE 04/19/17		RETIREE HEALTH SAVINGS ACCOU	3,506.11
					Total :	**3,506.11**

11 Vouchers for bank code : ubgen

Bank total : **141,018.91**

11 Vouchers in this report

Total vouchers : **141,018.91**

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
115194	5/1/2017	10478 STATE BOARD OF EQUALIZATION	JAN - MARCH 2017		SALES/USE TAX JAN-MAR 2017	1,568.00
					Total :	**1,568.00**

1 Vouchers for bank code : ubgen

Bank total : **1,568.00**

1 Vouchers in this report

Total vouchers : **1,568.00**

Prepared by: [signature]
Date: 5-1-17

Approved by: [signature]
Date: 5-1-17

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
72824	5/1/2017	10955 DEPARTMENT OF THE TREASURY	PPE 04/19/17		FEDERAL WITHHOLDING TAX AND	72,809.77
					Total :	**72,809.77**
72855	5/1/2017	10956 FRANCHISE TAX BOARD	PPE 04/19/17		CA STATE TAX WITHHELD	21,199.87
					Total :	**21,199.87**

2 Vouchers for bank code : ubgen

Bank total : 94,009.64

2 Vouchers in this report

Total vouchers : 94,009.64

Prepared by: Nicole S
Date: 5-2-17

Approved by: Donna Goldsmith
Date: 5-2-17

City of Santee
COUNCIL AGENDA STATEMENT

1D

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE RESOLUTION INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE FY 2017-18 SANTEE LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

DIRECTOR/DEPARTMENT Tim K. McDermott, Director of Finance

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

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. First, the City Council must formally initiate the proceedings and direct the preparation of an engineer's report, analyzing existing and proposed improvement to the District. Second, the City Council must take formal action to either approve or modify and approve the proposed engineer's report, formally declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, the City Council must hold the public hearing and provide for the annual levy of assessments.

This item takes the necessary first step in the process by initiating proceedings and ordering the preparation of an engineer's report. The second step involving the approval of the proposed engineer's report and declaring the intention to levy assessments and providing notice of a public hearing is scheduled to occur at the May 24, 2017 City Council meeting. The final step of holding the public hearing and providing for the annual levy of assessments is scheduled to occur at the July 12, 2017 City Council meeting.

FINANCIAL STATEMENT Staff costs for the preparation of the engineer's report are included in the FY 2016-17 adopted budget.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION Adopt the resolution to initiate proceedings and order the preparation of an engineer's report.

ATTACHMENTS (Listed Below)

1) Resolution Initiating Proceedings and Ordering the Preparation of an Engineer's Report for the FY 2017-18 SLMD Annual Levy of Assessments

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE FY 2017-18 SANTEE LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

WHEREAS, the City Council of the City of Santee desires to initiate proceedings for the annual levy of assessments for a landscape district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as: **SANTEE LANDSCAPE MAINTENANCE DISTRICT** ("District"); and

WHEREAS, these proceedings for the annual levy of assessments shall relate to the fiscal year commencing July 1, 2017; and

WHEREAS, there has been submitted to this City Council for its consideration at this time, diagrams, copies of which are attached hereto and by this reference incorporated herein, showing the boundaries of the areas of assessment for the above referenced fiscal year, said diagrams showing and further describing in general the improvements proposed to be maintained in said District, said description being sufficient to identify the areas proposed to be assessed for said maintenance thereof; and

WHEREAS, there are no proposed new improvements or any substantial changes in existing improvements; and

WHEREAS, the Law requires a written report, consisting of: plans and specifications of the area of the improvements to be maintained; an estimate of the costs for maintaining the improvements, including incidental expenses in connection therewith; a diagram of the areas proposed to be assessed; and a parcel-by-parcel listing of the assessments of the estimated costs for maintaining the improvements in proportion to the special benefits to be conferred on such parcels.

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

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

SECTION 2. That diagrams, entitled **SANTEE LANDSCAPE MAINTENANCE DISTRICT** as submitted to this City Council, showing the boundaries of the proposed areas to be assessed and showing the improvements to be maintained, are hereby approved, and copies thereof shall be on file in the City Clerk's Office and open to public inspection. The proposed parcels and properties within said areas are those to be assessed to pay certain costs and expenses for said maintenance.

RESOLUTION NO.

SECTION 3. That the maintenance work within the area proposed to be assessed shall be the maintenance or servicing, or both, of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof in accordance with the Law.

SECTION 4. There are no proposed new improvements or any substantial changes to existing improvements.

SECTION 5. That the Director of Finance is hereby ordered to cause to be prepared and to file with this City Council, the Report relating to said annual assessment and levy in accordance with the Law.

SECTION 6. That upon completion, said Report shall be filed with the City Clerk, who shall then provide all notices required by law regarding the intent to approve assessments and hold a public hearing and submit the report to this city council for its consideration pursuant to sections 22623 and 22624 of the streets and highways code.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 10th day of May, 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____

JOHN MINTO, MAYOR

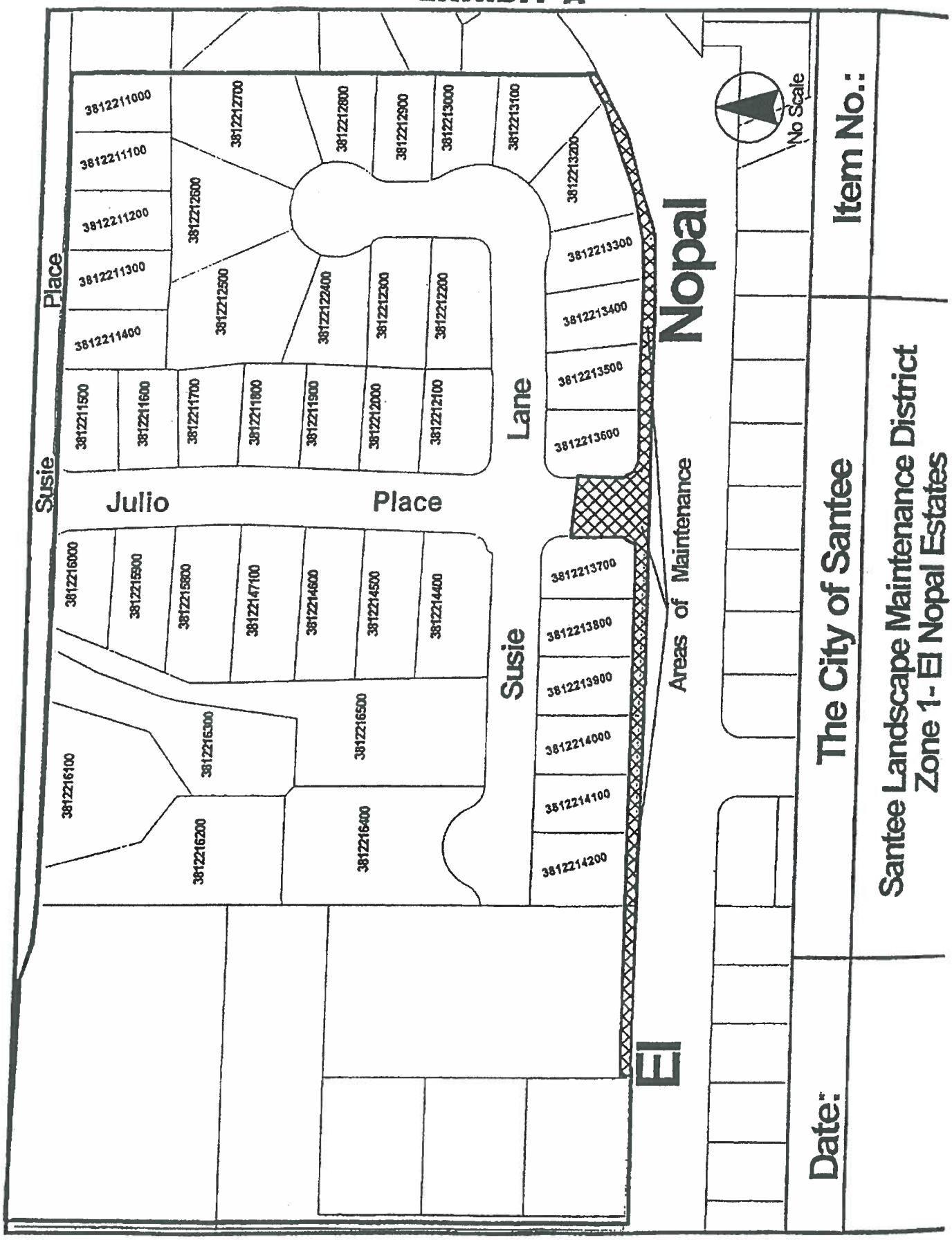
ATTEST:

_____

PATSY BELL, CMC, CITY CLERK

EXHIBITS A-D: Vicinity Map (Diagrams)

EXHIBIT A


Susie Place
Julio Place
Susie Lane
El Nopal
Areas of Maintenance
3812211000
3812211100
3812211200
3812211300
3812211400
3812211500
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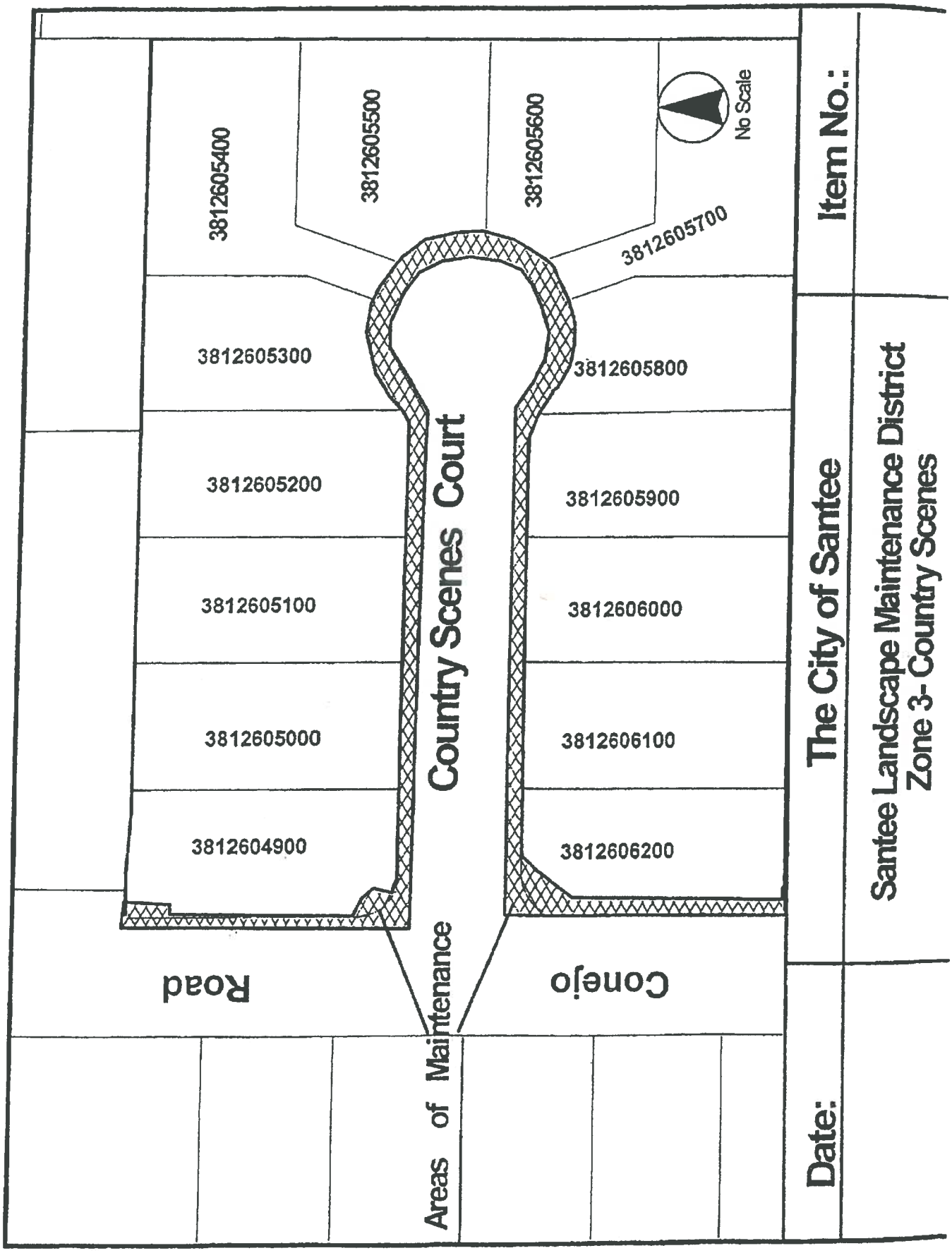
No Scale
Item No.:
The City of Santee
Santee Landscape Maintenance District
Zone 1- El Nopal Estates
Date:

EXHIBIT B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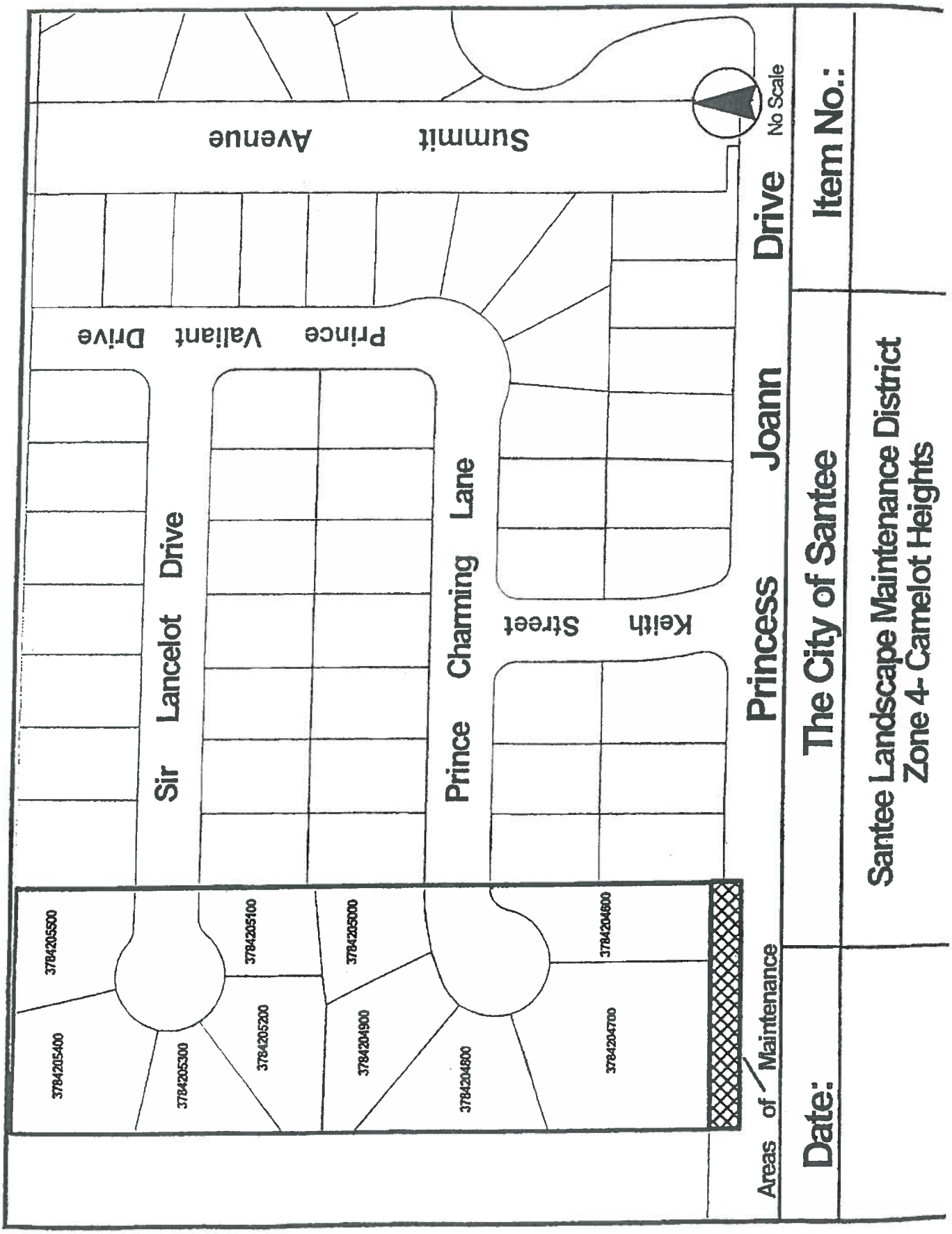
3812606200
Country Scenes Court
Areas of Maintenance
Road
Conejo
Item No.:
The City of Santee
Santee Landscape Maintenance District
Zone 3- Country Scenes
Date:

EXHIBIT C


Summit Avenue
Prince Valiant Drive
Sir Lancelot Drive
Prince Charming Lane
Keith Street
Princess Joann Drive
No Scale
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3784205200
3784205000
3784204900
3784204800
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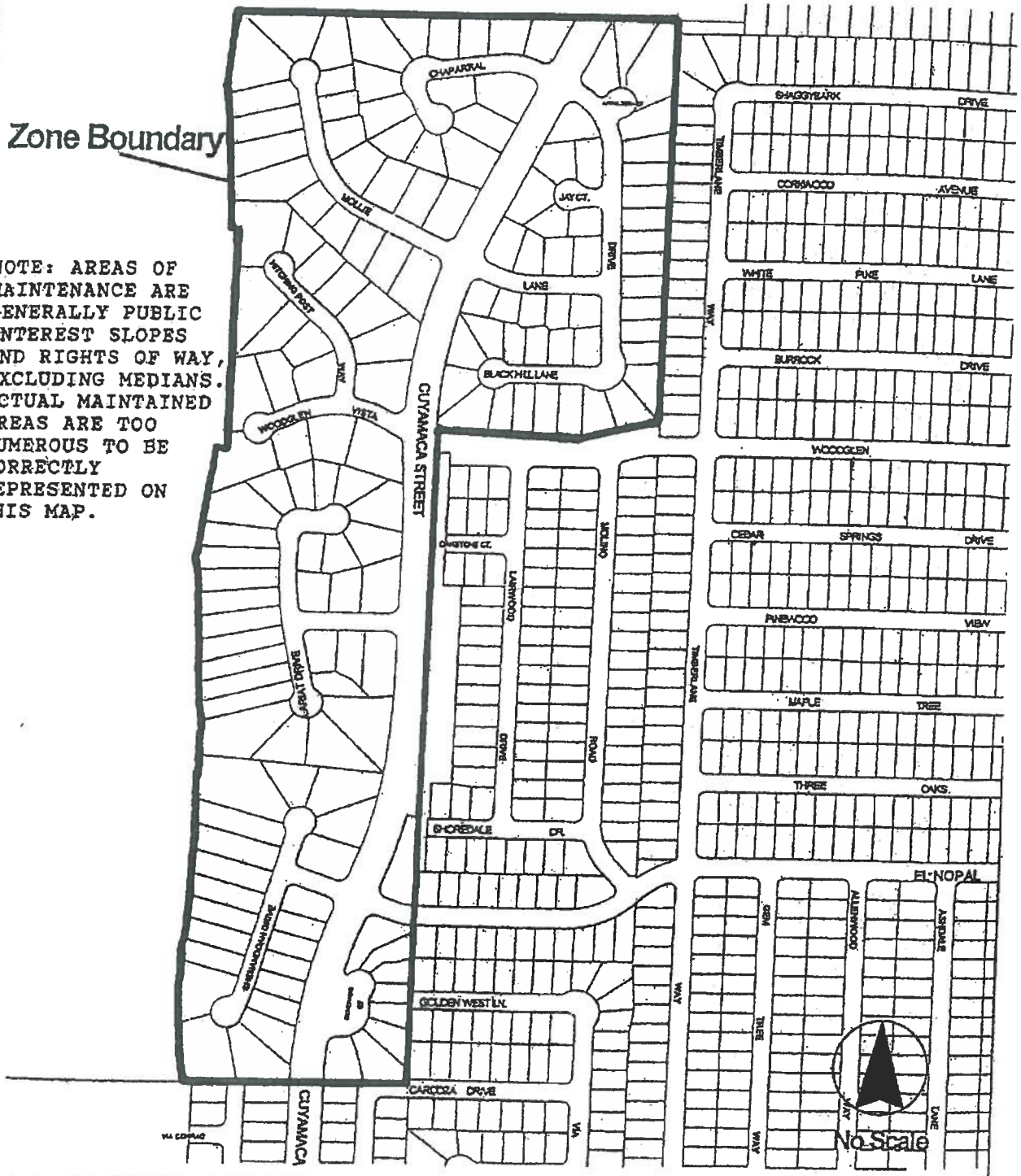
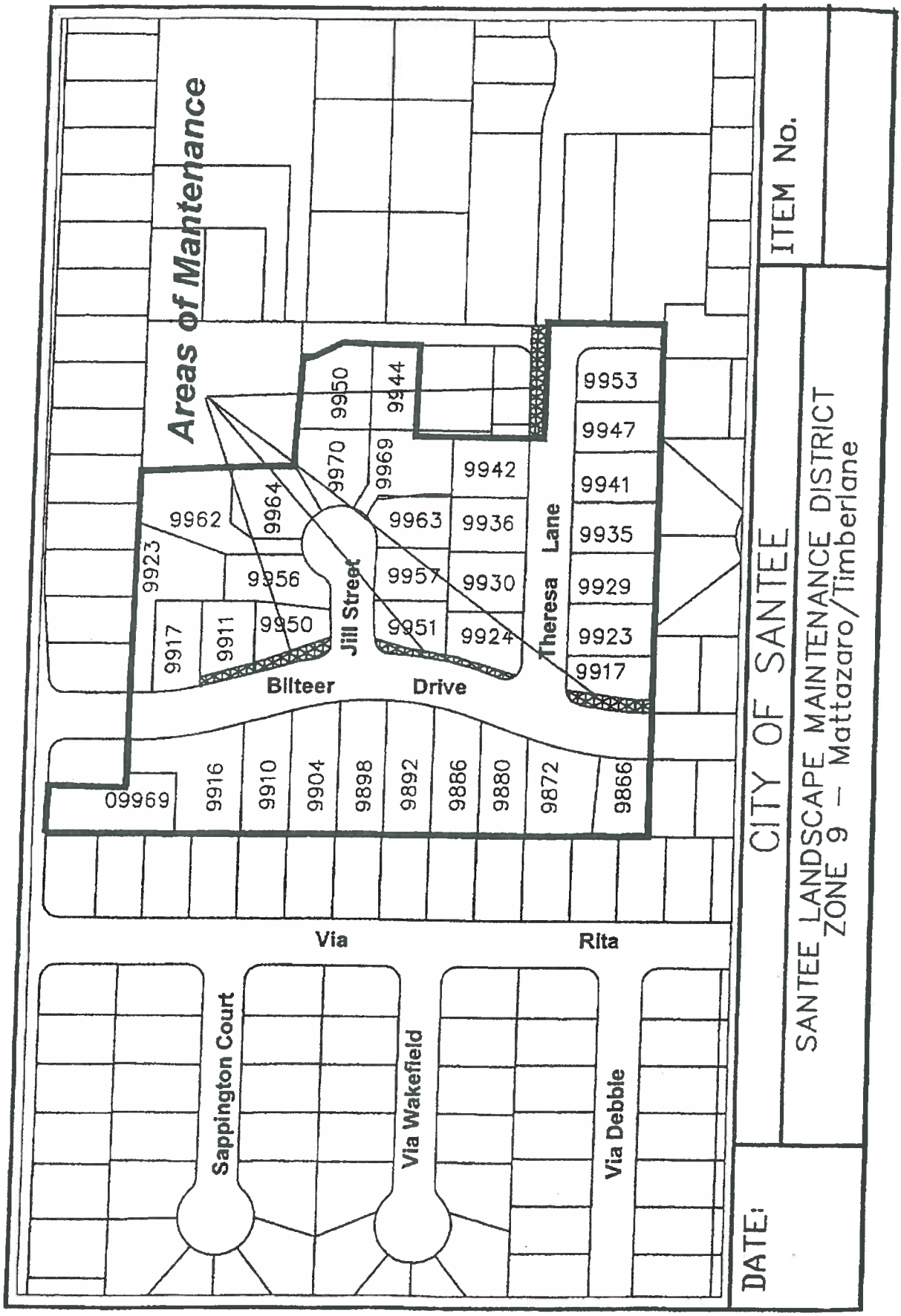
Areas of Maintenance
Item No.:
The City of Santee
Santee Landscape Maintenance District
Zone 4- Camelot Heights
Date:

EXHIBIT D



Date:	The City of Santee:	Item No.:
	Santee Landscape Maintenance District Zone 8- Silver Country Estates	

EXHIBIT E



Areas of Mantenance
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9964
9962
9963
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9923
9956
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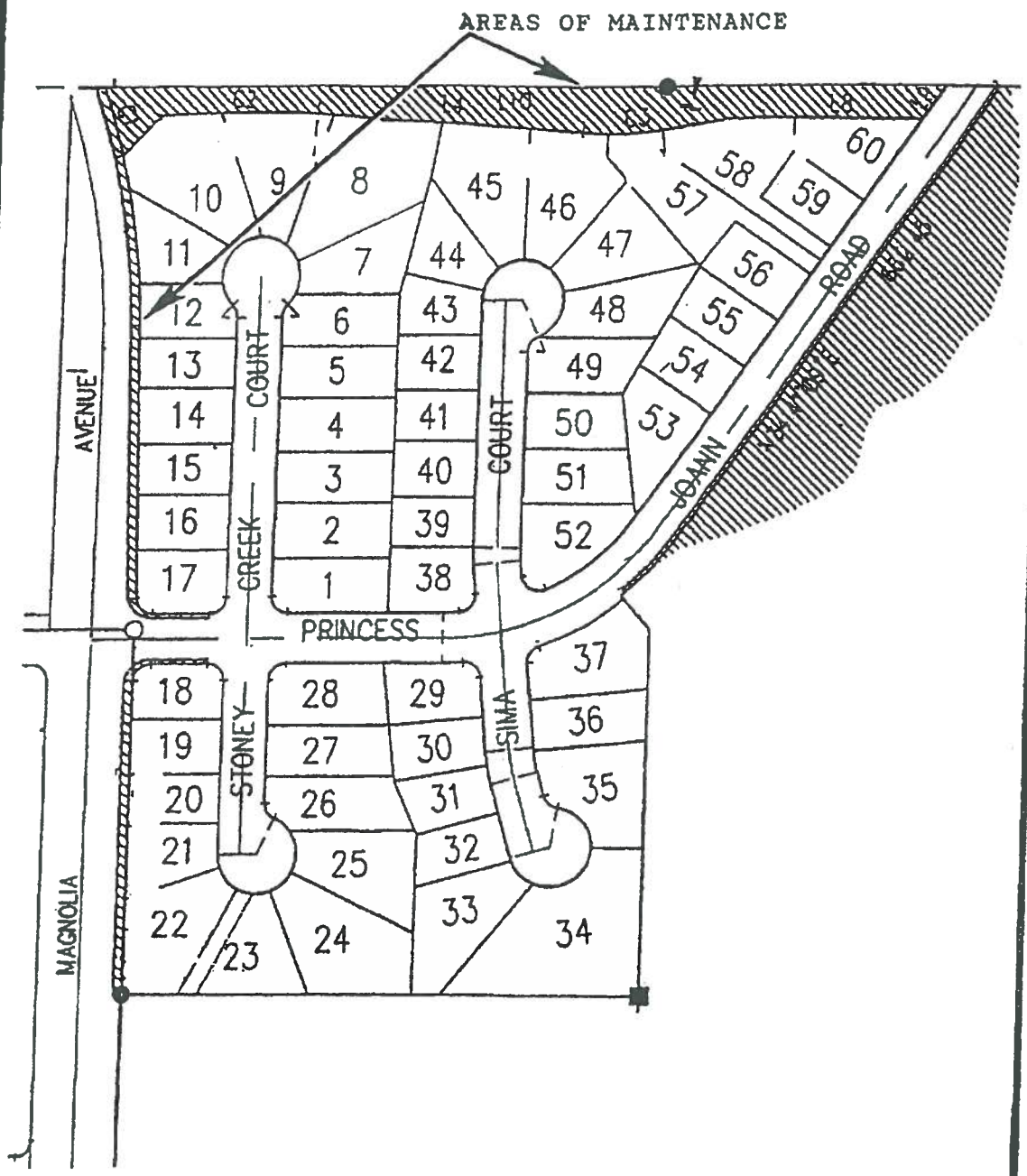
9930
9917
9911
9950
9951
9924
Jill Street
Theresa Lane
Bilteer Drive
9953
9947
9941
9935
9929
9923
9917
09969
9916
9910
9904
9898
9892
9886
9880
9872
9866
Via Rita
Sappington Court
Via Wakefield
Via Debbie
ITEM No.
CITY OF SANTEE
SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 9 – Mattazaro/Timberlane
DATE:

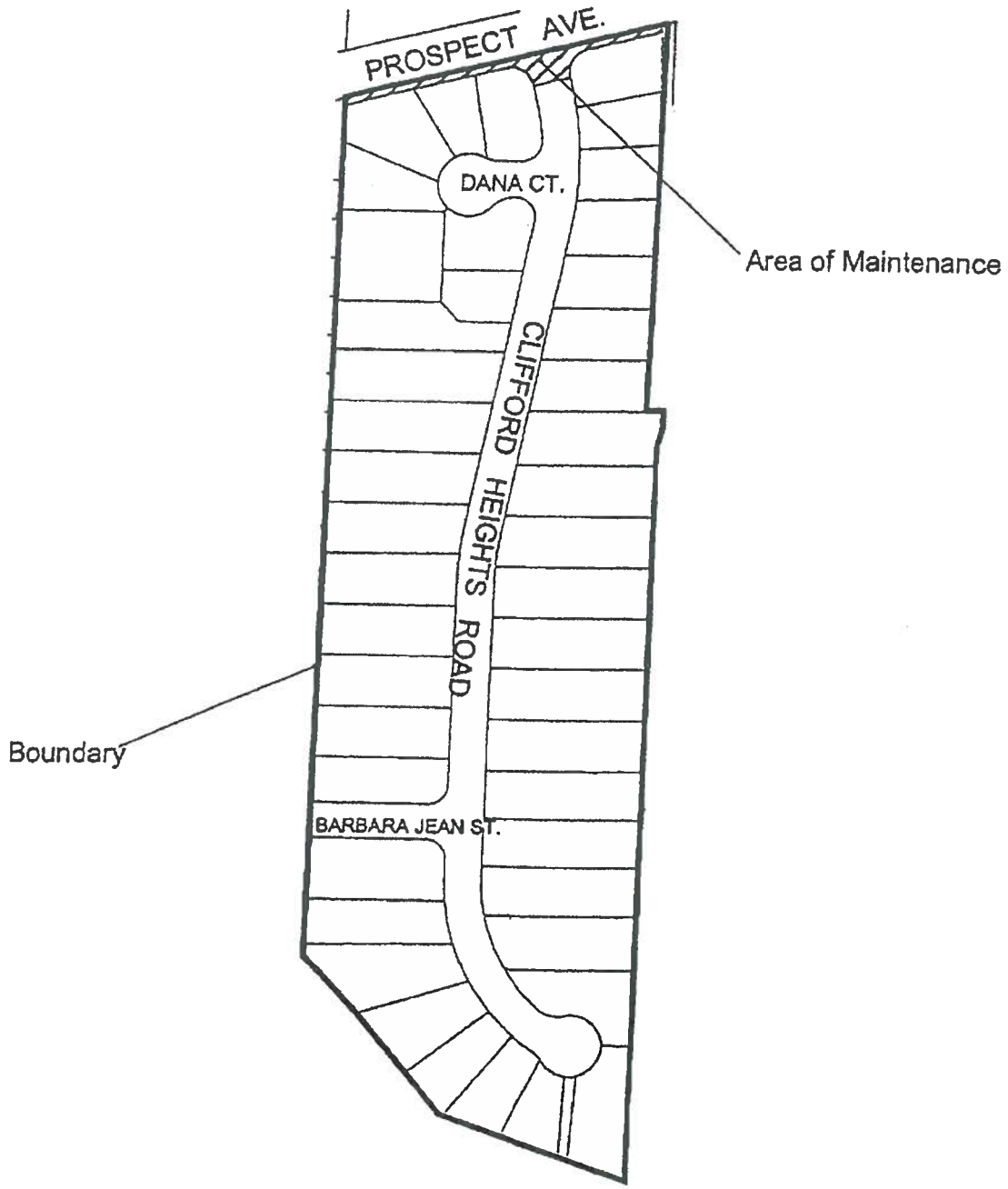
EXHIBIT F



SANTEE
LANDSCAPE MAINTENANCE DISTRICT

DATE:	CITY OF SANTEE	ITEM No.
	ZONE 12 - THE HEIGHTS	

EXHIBIT G

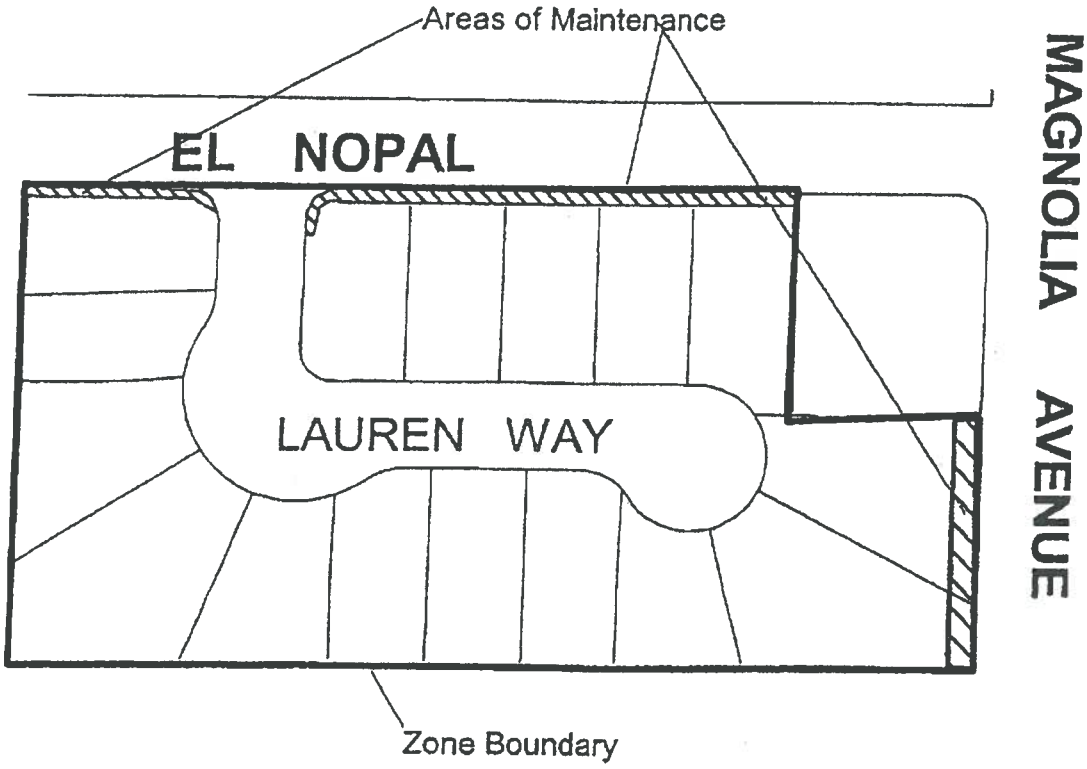


City of Santee
Vicinity Map

Santee Landscape Maintenance District
Zone 13- Prospect Hills

No Scale

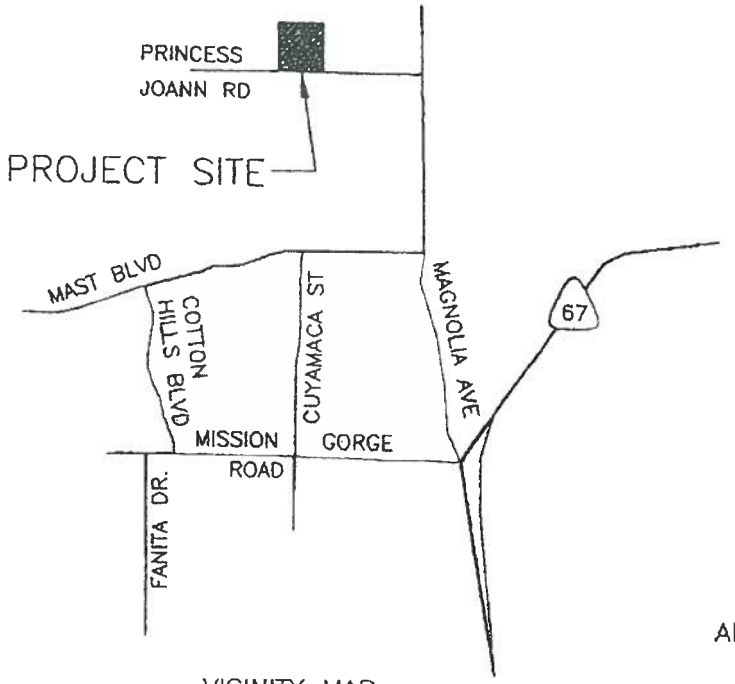
EXHIBIT H



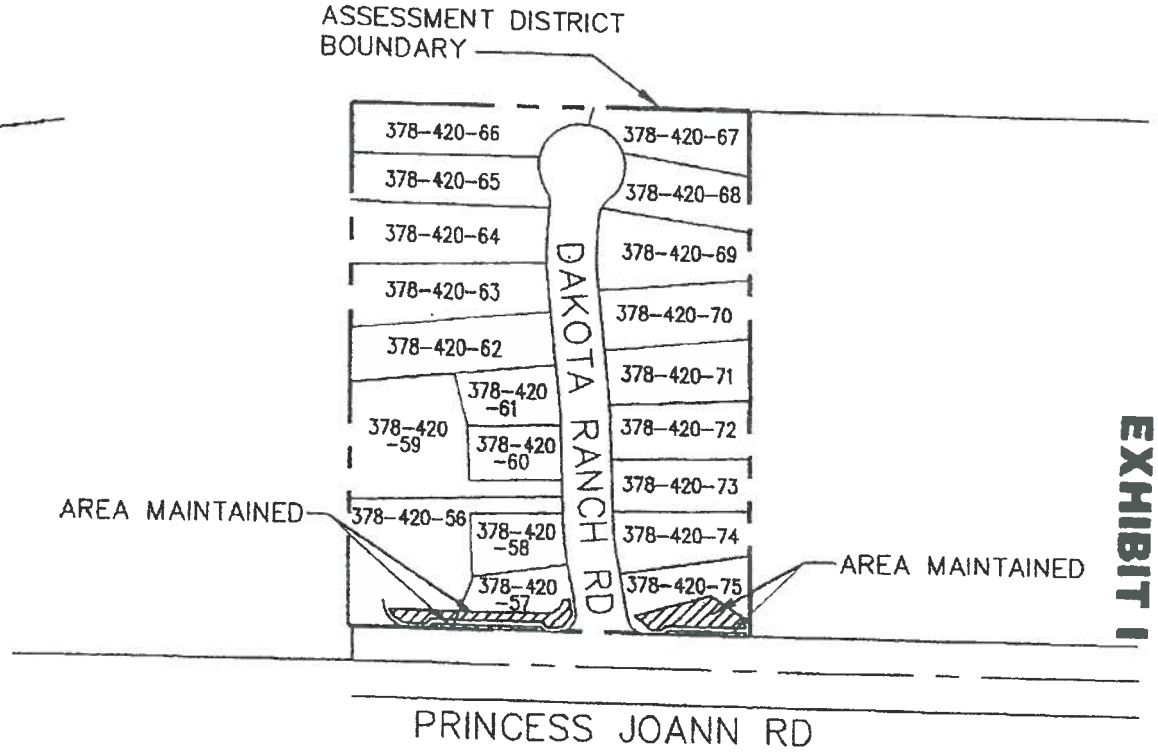
City of Santee
Vicinity Map

Santee Landscape Maintenance District
Zone 14- Mitchel Ranch

No Scale



VICINITY MAP
NTS

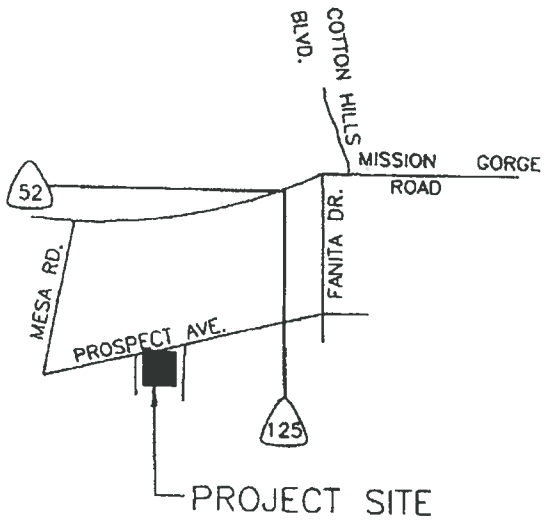


SCALE 1"=200'

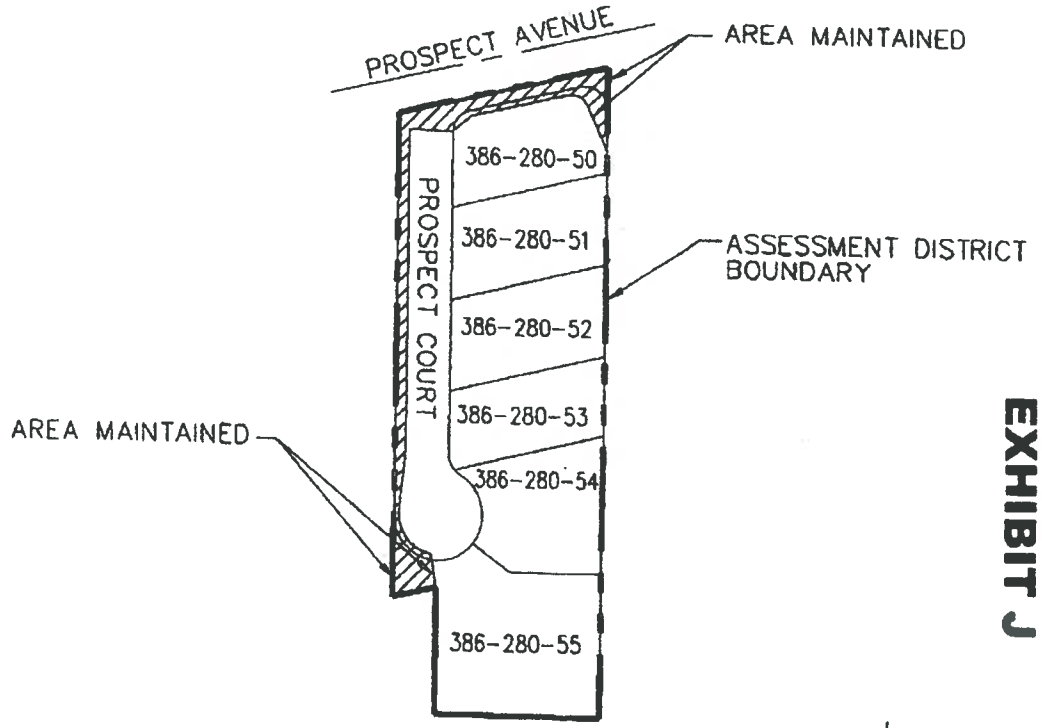
EXHIBIT I

HARRIS & ASSOCIATES

LANDSCAPE MAINTENANCE DISTRICT
ZONE 17 – DAKOTA RANCH



VICINITY MAP
NTS



SCALE 1"=150'

EXHIBIT J

HARRIS & ASSOCIATES

LANDSCAPE MAINTENANCE DISTRICT
ZONE 18-ALLOS

City of Santee
COUNCIL AGENDA STATEMENT

1E

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **RESOLUTION INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE FY 2017-18 TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS**

DIRECTOR/DEPARTMENT Tim K. McDermott, Director of Finance

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

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. First, the City Council must formally initiate the proceedings and direct the preparation of an engineer's report, analyzing existing and proposed improvements to the District. Second, the City Council must take formal action to either approve, or modify and approve the proposed engineer's report, formally declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, the City Council must hold the public hearing and provide for the annual levy of assessments.

This item takes the necessary first step in the process by initiating proceedings and ordering the preparation of an engineer's report. The second step involving the approval of the proposed engineer's report and declaring the intention to levy assessments and providing notice of a public hearing is scheduled to occur at the May 24, 2017 City Council meeting. The final step of holding the public hearing and providing for the annual levy of assessments is scheduled to occur at the July 12, 2017 City Council meeting.

FINANCIAL STATEMENT Funding for the preparation of the engineer's report is included in the FY 2016-17 adopted budget.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION Adopt the resolution to initiate proceedings and order the preparation of an engineer's report.

ATTACHMENTS **(Listed Below)**

1) Resolution Initiating Proceedings and Ordering the Preparation of an Engineer's Report for the FY 2017-18 TCLMD Annual Levy of Assessments

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE FY 2017-18 TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

WHEREAS, the City Council of the City of Santee desires to initiate proceedings for the annual levy of assessments for a landscape district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as: **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** ("District"); and

WHEREAS, these proceedings for the annual levy of assessments shall relate to the fiscal year commencing July 1, 2017; and

WHEREAS, there has been submitted to this City Council for its consideration at this time, diagrams, copies of which are attached hereto and by this reference incorporated herein, showing the boundaries of the areas of assessment for the above referenced fiscal year, said diagrams showing and further describing in general the improvements proposed to be maintained in said District, said description being sufficient to identify the areas proposed to be assessed for said maintenance thereof; and

WHEREAS, there are no proposed new improvements or any substantial changes in existing improvements; and

WHEREAS, the Law requires a written report, consisting of: plans and specifications of the area of the improvements to be maintained; an estimate of the costs for maintaining the improvements, including incidental expenses in connection therewith; a diagram of the areas proposed to be assessed; and a parcel-by-parcel listing of the assessments of the estimated costs for maintaining the improvements in proportion to the special benefits to be conferred on such parcels.

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

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

SECTION 2. That diagrams, entitled **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** as submitted to this City Council, showing the boundaries of the proposed areas to be assessed and showing the improvements to be maintained, are hereby approved, and copies thereof shall be on file in the City Clerk's Office and open to public inspection. The proposed parcels and properties within said areas are those to be assessed to pay certain costs and expenses for said maintenance.

RESOLUTION NO.

SECTION 3. That the maintenance work within the area proposed to be assessed shall be the maintenance or servicing, or both, of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof in accordance with the Law.

SECTION 4. There are no proposed new improvements or any substantial changes to existing improvements.

SECTION 5. That the Director of Finance is hereby ordered to cause to be prepared and to file with this City Council, the Report relating to said annual assessment and levy in accordance with the provisions of the Law.

SECTION 6. That upon completion, said Report shall be filed with the City Clerk, who shall then provide all notices required by law regarding the intent to approve assessments and hold a public hearing and submit the report to this city council for its consideration pursuant to sections 22623 and 22624 of the streets and highways code.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 10th day of May, 2017 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____

JOHN MINTO, MAYOR

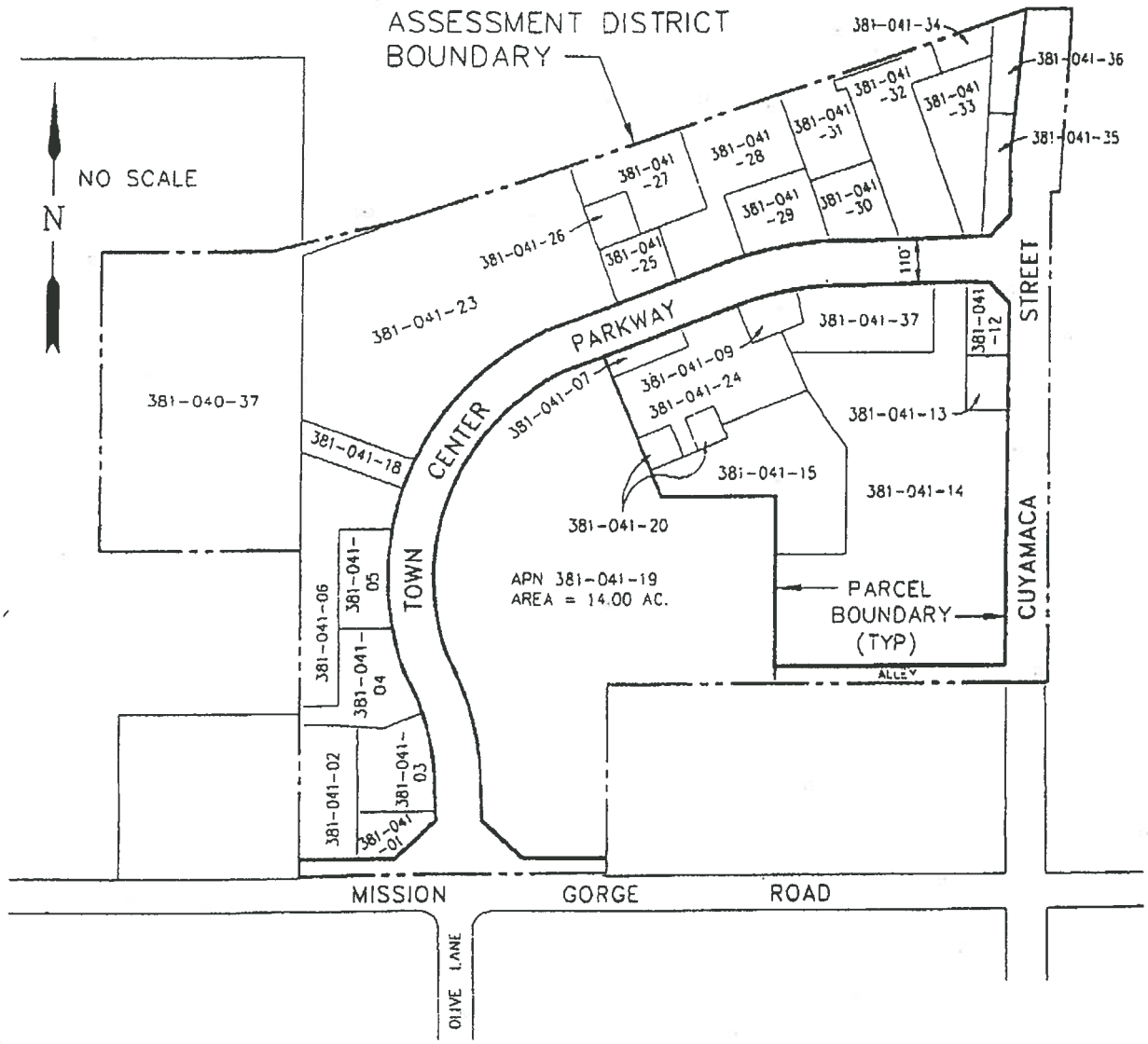
ATTEST:

_____

PATSY BELL, CMC, CITY CLERK

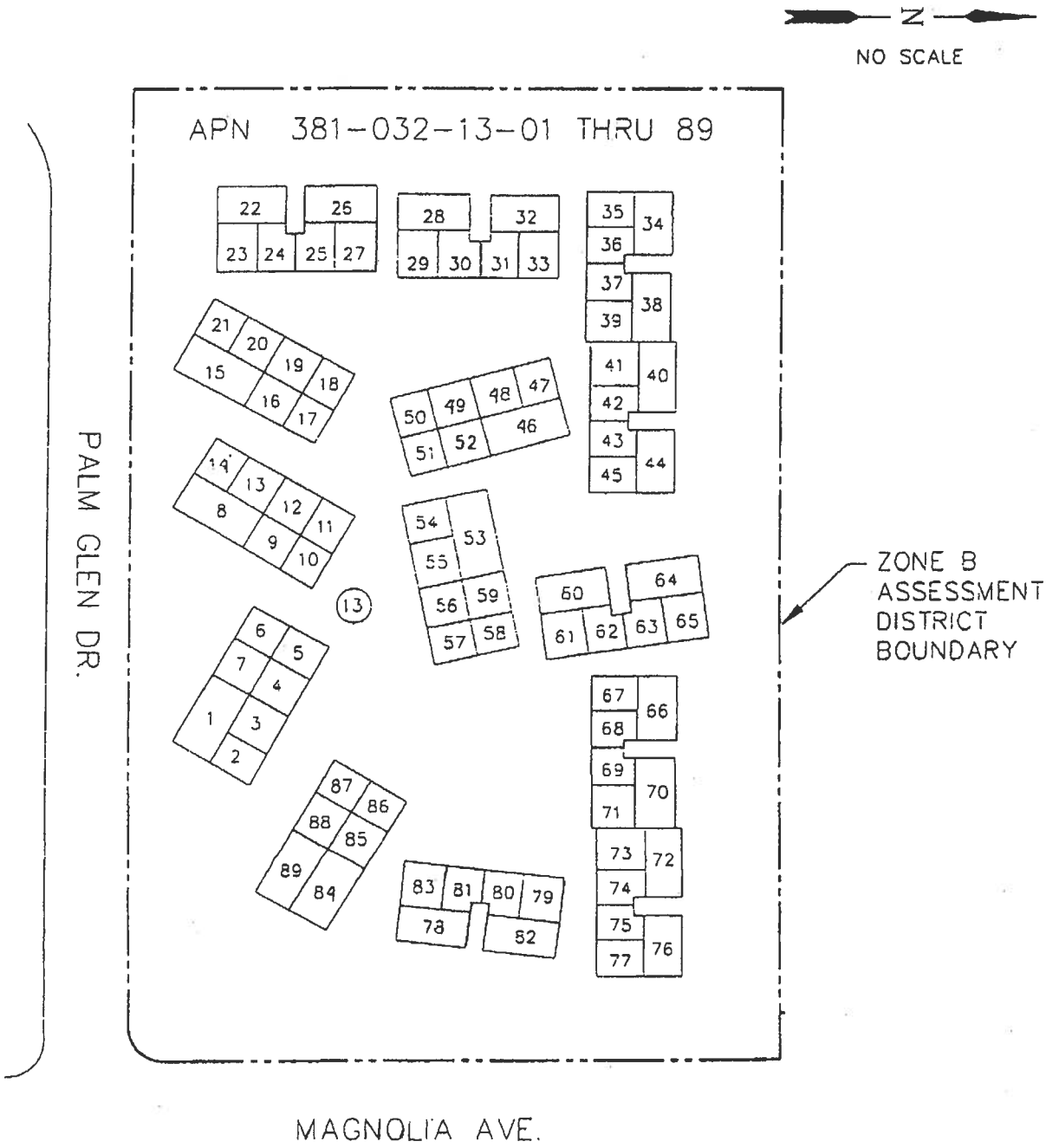
Exhibits A-D: Vicinity Maps (Diagrams)

SANTEE TOWN CENTER
LANDSCAPE MAINTENANCE DISTRICT
ZONE A – TOWN CENTER



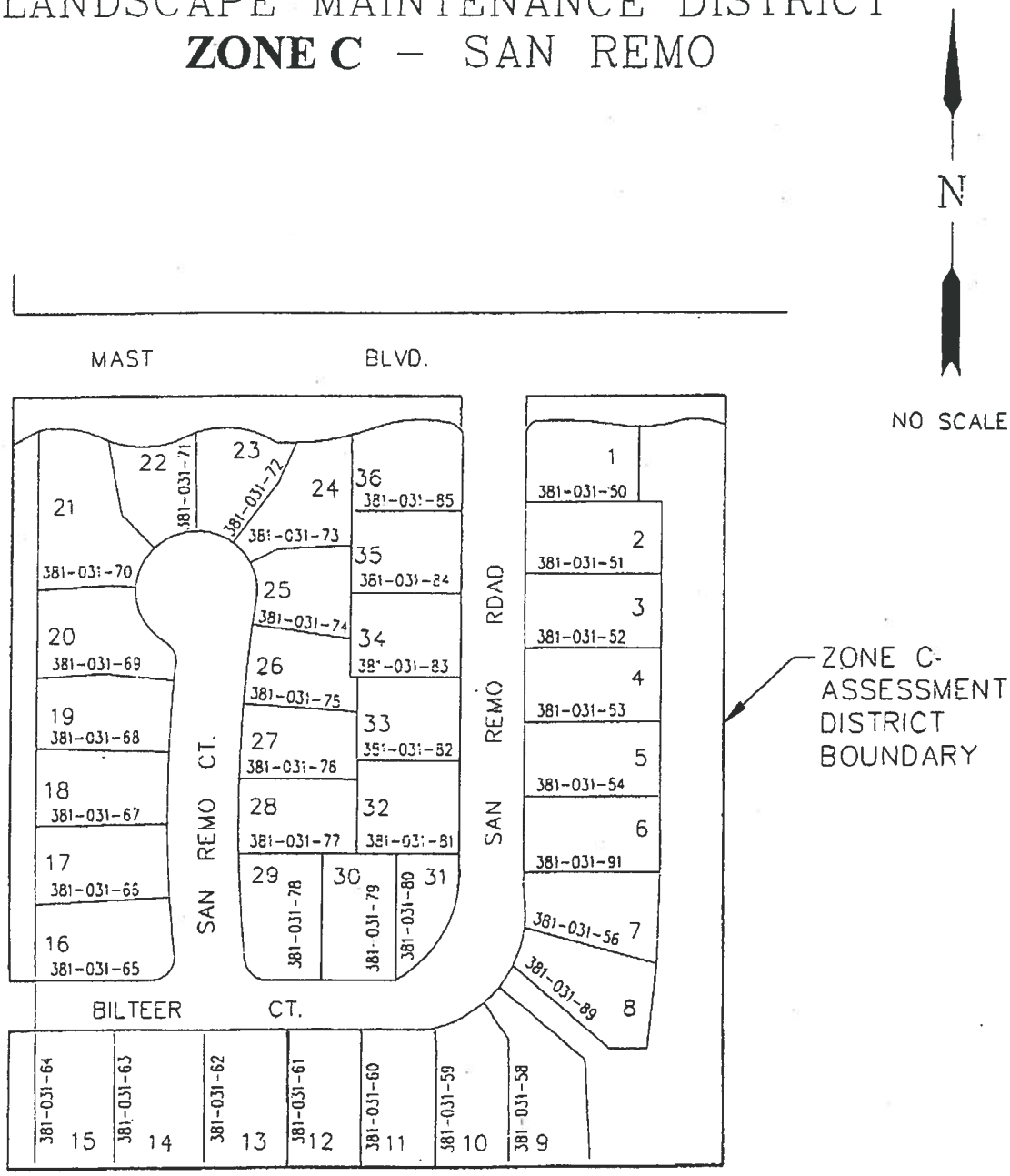
TCLMD - EXHIBIT A

SANTEE TOWN CENTER
LANDSCAPE MAINTENANCE DISTRICT
ZONE B – THE LAKES



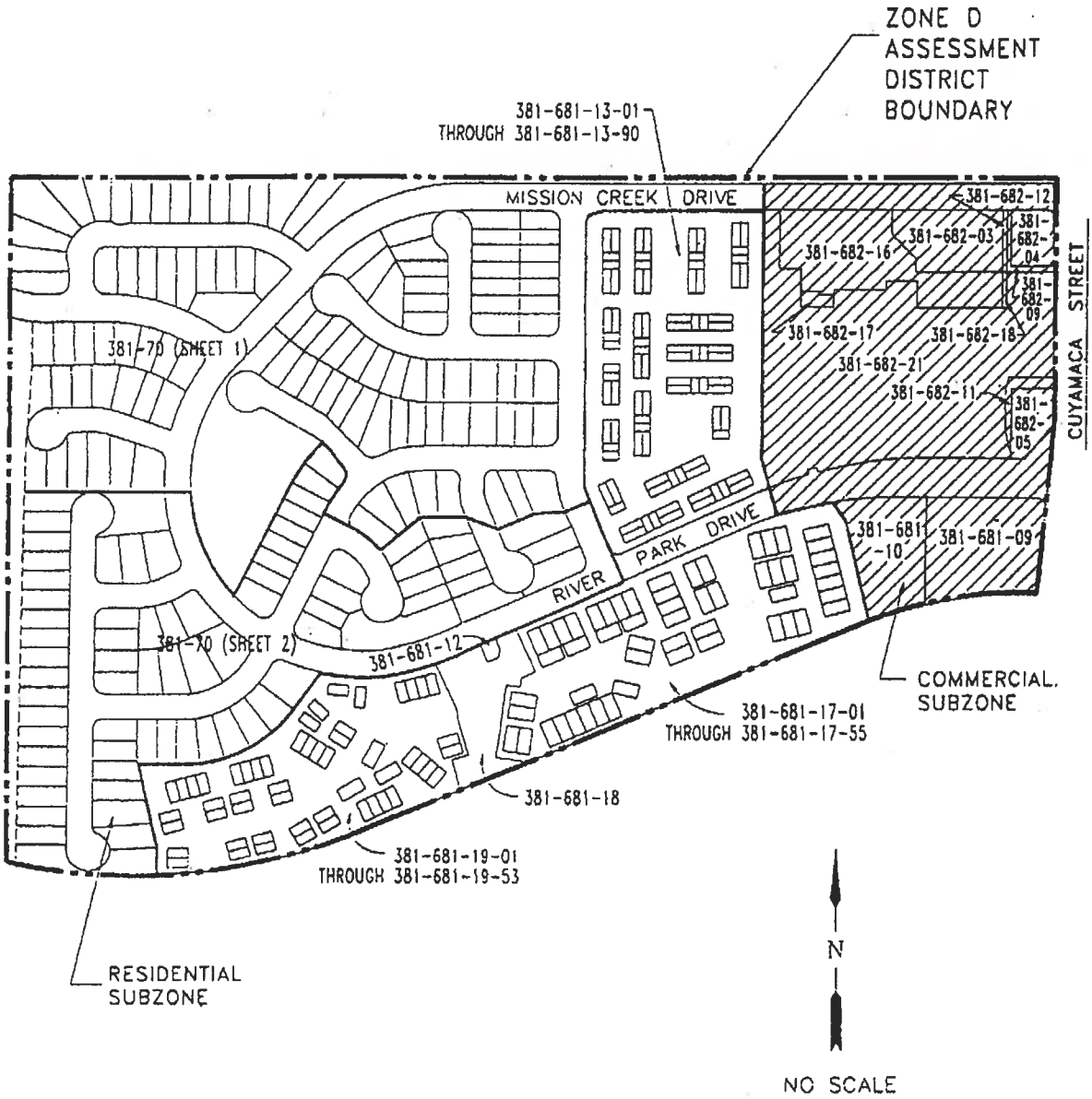
TCLMD - EXHIBIT B

SANTEE TOWN CENTER
LANDSCAPE MAINTENANCE DISTRICT
ZONE C – SAN REMO



TCLMD - EXHIBIT C

SANTEE TOWN CENTER
LANDSCAPE MAINTENANCE DISTRICT
ZONE D – MISSION CREEK



TCLMD - EXHIBIT D

City of Santee

COUNCIL AGENDA STATEMENT

1F

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE RESOLUTION INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE FY 2017-18 SANTEE ROADWAY LIGHTING DISTRICT ANNUAL LEVY OF ASSESSMENTS

DIRECTOR/DEPARTMENT Tim K. McDermott, Director of Finance

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

The funding of street light energy, maintenance and administrative costs for both Zone A and Zone B has been obtained from two sources: an ad valorem property tax designated for street lighting purposes (Zone A), and a special benefit assessment (Zone B). It is estimated that 40 new lights will be added within SRLD in FY 2017-18.

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. First, the City Council must formally initiate the proceedings and direct the preparation of an engineer's report, analyzing existing and proposed improvemenst to the District. Second, the City Council must take formal action to either approve or modify and approve the proposed engineer's report, formally declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, the City Council must hold the public hearing and provide for the annual levy of assessments.

This item takes the necessary first step in the process by initiating proceedings and ordering the preparation of an engineer's report. The second step involving the approval of the proposed engineer's report and declaring the intention to levy assessments and providing notice of a public hearing is scheduled to occur at the May 24, 2017 City Council meeting. The final step of holding the public hearing and providing for the annual levy of assessments is scheduled to occur at the July 12, 2017 City Council meeting.

FINANCIAL STATEMENT Funding for the preparation of the engineer's report is included in the FY 2016-17 adopted budget.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION MAB Adopt the resolution to initiate proceedings and order the preparation of an engineer's report.

ATTACHMENTS (Listed Below)

1) Resolution Initiating Proceedings and Ordering the Preparation of an Engineer's Report for the FY 2017-18 SRLD Annual Levy of Assessments

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE FY 2017-18 SANTEE ROADWAY LIGHTING DISTRICT ANNUAL LEVY OF ASSESSMENTS

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

WHEREAS, these proceedings for the annual levy of assessments shall relate to the fiscal year commencing July 1, 2017; and

WHEREAS, there has been submitted to this City Council for its consideration at this time, a map showing the boundaries of the areas of assessment for the above referenced fiscal year, said map showing and further describing in general the areas of the improvements proposed to be maintained in said District, said description being sufficient to identify the areas proposed to be assessed for said maintenance thereof; and

WHEREAS, it is estimated that 40 new lights will be added within the District in FY 2017-18; and

WHEREAS, the Law requires a written report, consisting of: plans and specifications of the area of the improvements to be maintained; an estimate of the costs for maintaining the improvements, including incidental expenses in connection therewith; a diagram of the areas proposed to be assessed; and a parcel-by-parcel listing of the assessments of the estimated costs for maintaining the improvements in proportion to the special benefits to be conferred on such parcels.

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

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

SECTION 2. That the map, entitled **SANTEE ROADWAY LIGHTING DISTRICT,** as submitted to this City Council, showing the boundaries of the proposed area to be assessed and the areas of the improvements to be maintained, is hereby approved, and a copy thereof shall be on file in the Office of the City Clerk and open to public inspection. The proposed parcels and properties within said areas are those to be assessed to pay certain costs and expenses for said maintenance.

RESOLUTION NO.

SECTION 3. That the maintenance work within the areas proposed to be assessed shall be the maintenance or servicing, or both, of any facilities that are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof in accordance with the Law.

SECTION 4. That the Director of Finance is hereby ordered to cause to be prepared and to file with this City Council, the Report relating to said annual assessment and levy in accordance with the provisions of the Law.

SECTION 5. That upon completion, said Report shall be filed with the City Clerk, who shall then provide all notices required by law regarding the intent to approve assessments and hold a public hearing and submit the report to this city council for its consideration pursuant to sections 22623 and 22624 of the streets and highways code.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 10th day of May, 2017 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____

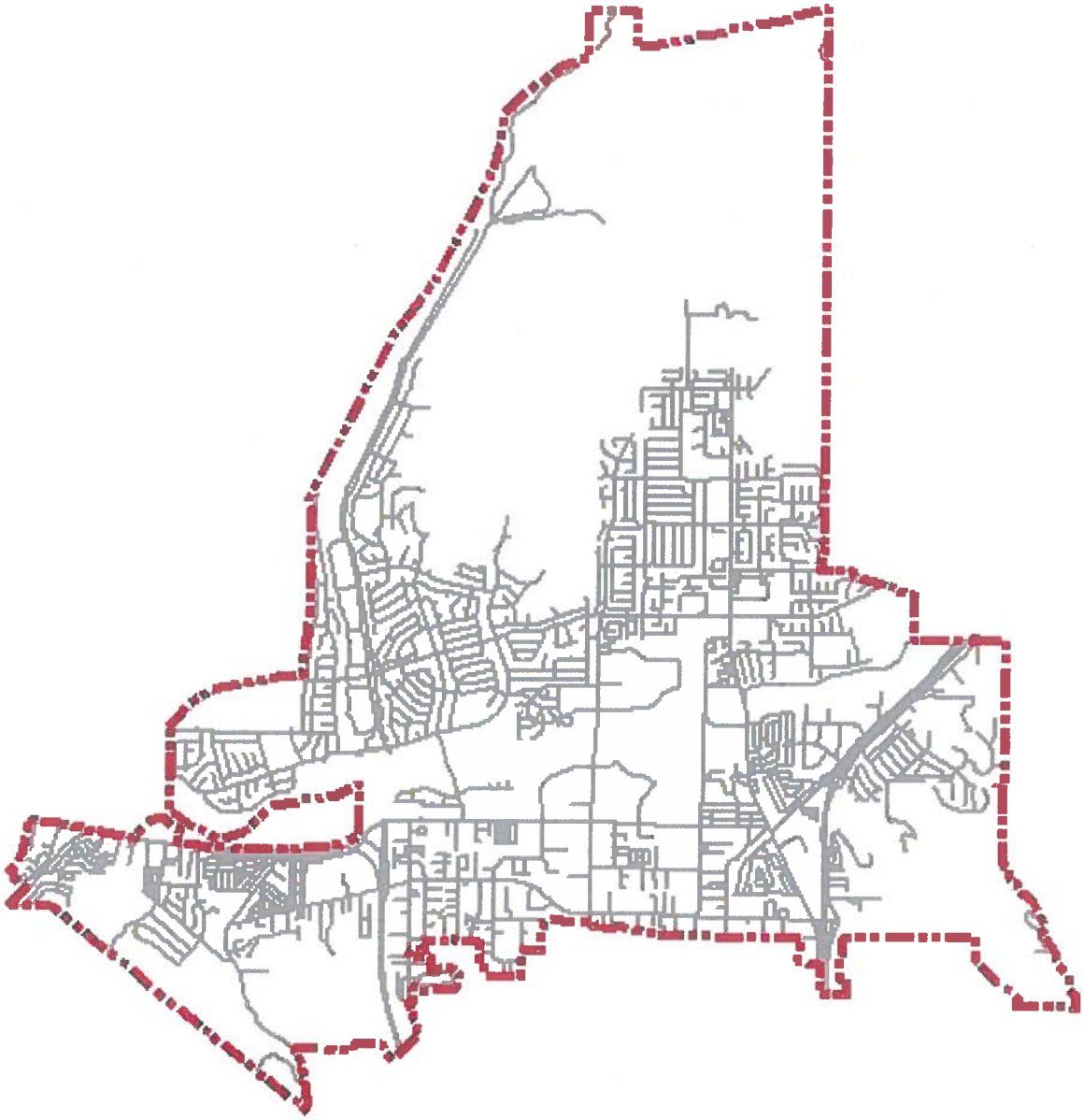
JOHN MINTO, MAYOR

ATTEST:

_____

PATSY BELL, CMC, CITY CLERK

EXHIBIT A: Vicinity Map



City of Santee
Vicinity Map

Santee Roadway Lighting District

No Scale

Zone A – Boundary is contiguous with that of the City

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

City of Santee
COUNCIL AGENDA STATEMENT

1G

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **REQUEST FOR AUTHORIZATION FOR ADDITIONAL CHANGE ORDERS TO THE TRAFFIC SIGNAL MAINTENANCE CONTRACT WITH BEAR ELECTRICAL SOLUTIONS, INC. FOR FISCAL YEAR 2016-17**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY

This item requests City Council authorization for the Director of Development Services to execute additional change orders to the traffic signal maintenance contract with Bear Electrical Solutions, Inc. for maintenance, unforeseen repairs and knock-downs. The City Council approved the traffic signal maintenance contract in August 2016 with Bear Electrical Solutions, Inc. in the amount of $81,051 for FY 2016-17 and authorized the Director of Development Services to execute change orders up to $12,000 for a total contract amount of $93,051.

In the past several months, there have been multiple unexpected repairs needed to the traffic signal system totaling over $46,000. The repairs included replacing a knocked down traffic signal cabinet and meter pedestal at Mission Gorge Road and Tamberly Way / Riverview Parkway, replacing a damaged cabinet at Magnolia Avenue and Alexander Way, replacing a knocked down traffic signal pole at Magnolia Avenue and Braverman Drive, and rewiring the intersection of Cuyamaca Street and Buena Vista. These repairs have triggered a need for an additional contract change order authorization. Staff requests that Council authorize additional change orders in the amount of $20,000 which would bring the total revised not to exceed contract amount to $113,051.

Staff is working with the City's Risk Manager to recoup costs associated with the repair and replacement of damaged traffic signal equipment due to the knockdowns.

ENVIRONMENTAL REVIEW

Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15301 - Class 1 Exemption.

FINANCIAL STATEMENT m

There are sufficient funds available in the FY 2016-17 Gas Tax Fund budget to fund the requested additional change orders.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION MSB

Authorize the Director of Development Services to execute additional change orders for the traffic signal maintenance contract with Bear Electrical Solutions, Inc. in an additional amount not to exceed $20,000.

ATTACHMENT

None

City of Santee

COUNCIL AGENDA STATEMENT

1H

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **REQUEST FOR AUTHORIZATION FOR AN ADDITIONAL CHANGE ORDER TO THE STREET LIGHT MAINTENANCE CONTRACT WITH CLARK TELECOM AND ELECTRIC, INC. (CTE) FOR FISCAL YEAR 2016-17**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services

SUMMARY

This item requests the City Council to authorize the Director of Development Services to execute an additional change order to the street light maintenance contract with CTE for unforeseen repairs and replacement of street lights which have been knocked-down as a result of traffic accidents.

The City Council approved the street light maintenance contract in May 2016 with CTE in the amount of $27,734.11 for Fiscal Year 2016-17 and authorized the Director of Development Services to execute change orders up to $5,500.00 for a total contract amount of $33,234.11.

Through April, 2017, seven street light knock-downs and a wire repair have incurred with the total cost estimated to be $16,000. These repairs necessitate an additional contract change order authorization. Staff requests that Council authorize additional change orders in an amount not to exceed $15,000 which would bring the total revised authorized contract amount to $48,234.11.

Staff is working with the City's Risk Manager to recoup costs associated with the repair and replacement of damaged poles due to knockdowns. Recouped costs would be returned to the Santee Roadway Lighting District.

FINANCIAL STATEMENT

There are sufficient funds available in the approved Santee Roadway Lighting District budget for Fiscal Year 2016-17 to cover the requested change order authorization.

ENVIRONMENTAL REVIEW

Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15301 - Class 1 Exemption.

CITY ATTORNEY REVIEW

☐ N/A ☒ Completed

RECOMMENDATION

Authorize the Director of Development Services to execute an additional change order to the street light maintenance contract with CTE, in an amount not to exceed $15,000.

ATTACHMENTS

None

City of Santee
COUNCIL AGENDA STATEMENT

11

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CITYWIDE ROADWAY STRIPING AND MARKING MAINTENANCE CONTRACT TO PAYCO SPECIALITIES, INC. AND AUTHORIZING CHANGE ORDERS FOR FISCAL YEAR 2017-18, AND APPROVING A CATEGORICAL EXEMPTION PURSUANT TO THE GUIDELINES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY

This item recommends the award of the roadway striping and marking maintenance contract for FY2017-18 to Payco Specialties, Inc. The contract will cover all roadway striping and marking maintenance work citywide. The initial award is for one year with the option to renew by mutual consent for four additional one-year terms.

On April 20th, 2017, the City Clerk publicly opened and examined one sealed bid, submitted by Payco Specialties, Inc. As such Payco Specialties, Inc. was found to be the lowest responsive and responsible bidder with a bid amount of $98,231.84. The engineer's estimate for the maintenance contract was $100,000.00. Even though only one bid was received the prices are competitive based on comparison with similar projects.

Staff recommends finding Payco Specialties, Inc. to be the lowest responsive and responsible bidder and awarding the contract in the amount of $98,231.84. Staff also requests authorization for the Director of Development Services to approve change orders in an amount not to exceed $1,768.16 to allow for unforeseen items and additional work up to the striping and marking maintenance budget of $100,000.00

ENVIRONMENTAL REVIEW

This item is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15301 - Class 1 Exemption.

FINANCIAL STATEMENT fm

Funding for this project is provided in the proposed FY 2017-18 Gas Tax Fund budget in the amount of $100,000 for roadway striping and marking maintenance.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION MSB

Adopt the attached Resolution:

1. Awarding the traffic roadway striping and marking maintenance contract for FY2017-18 to Payco Specialties, Inc. in the amount of $98,231.84; and
2. Authorizing the City Manager to execute the contract agreement on behalf of the City; and
3. Authorizing the Director of Development Services to execute change orders in an amount not to exceed $1,768.16; and
4. Approving a Categorical Exemption pursuant to the California Environmental Quality Act.

ATTACHMENTS Resolution Bid Summary

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CITYWIDE ROADWAY STRIPING AND MARKING MAINTENANCE CONTRACT TO PAYCO SPECIALITES, INC. AND AUTHORIZING CHANGE ORDERS FOR FISCAL YEAR 2017-18, AND APPROVING A CATEGORICAL EXEMPTION PURSUANT TO THE GUIDELINES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City Council of the City of Santee, California, has determined that the use of private companies to perform roadway striping and marking maintenance throughout the City is in the best interests of the citizens of Santee; and

WHEREAS, bids for the contract for the citywide roadway striping and marking maintenance project were publicly opened on April 20th, 2017; and

WHEREAS, Payco Specialties, Inc. was the lowest responsible and responsive bidder with their total bid amount of $98,231.84; and

WHEREAS, staff requests authorization to expend an amount not to exceed $1,768.16 for unforeseen change orders and additional work; and

WHEREAS, $100,000.00 is included in the proposed FY 2017-18 Santee Gas Tax Fund budget for the contract work; and

WHEREAS, staff recommends awarding the contract to Payco Specialties, Inc., in the amount of $98,231.64; and

WHEREAS, the roadway striping and marking maintenance contract may be extended on a year-to-year basis not to exceed four additional years upon mutual agreement between the City and the contractor; and

WHEREAS, this is the first year of the contract.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that the Council finds the proposed use is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 (Class 1 Exemption).

BE IT FURTHER RESOLVED, by the City Council of the City of Santee, California, that:

1. The citywide roadway striping and marking maintenance contract is awarded to Payco Specialties, Inc. in the amount of $98,231.84; and

2. The City Manager is authorized to sign the Contract Agreement on behalf of the City; and

3. The Director of Development Services is authorized to execute change orders in an amount not to exceed $1,768.16.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 10th day of May, 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

CITY OF SANTEE

MAYOR
John W. Minto

CITY COUNCIL
Ronn Hall
Stephen Houlahan
Brian W. Jones
Rob McNelis

CITYWIDE ROADWAY STRIPING AND MARKING

Bid Opening: April 20, 2017, 10:00 a.m.

Contractor Name		Total Bid
Payco Specialties Inc.	$	98,231.84

Apparent Low Bidder Information

Payco Specialties, Inc
120 2nd Ave
Chula Vista, CA 91910
P: (619) 422-9204
F: (619) 427-1620

Apparent Low Bidder Subcontractors	Item of Work
None	

City of Santee
COUNCIL AGENDA STATEMENT

1J

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE AWARD BID FOR PURCHASE OF LITTER RECEPTACLES WITH INTEGRATED RECYCLING BINS TO FORMS+SURFACES PER BID 16/17-40005

DIRECTOR/DEPARTMENT Bill Maertz, Community Services WM

SUMMARY

In December 2008 and November 2014, the City Council approved the purchase of combination litter receptacles with integrated recycling bins. The bins, purchased using CalRecyle Litter Control Grant funds, were placed within various city parks. Staff is requesting to purchase additional receptacles, using Litter Control Grant funds, to be placed within city parks.

In compliance with the City's purchasing ordinance, Santee Municipal Code 3.24.110, the Finance Department administered a formal bid process for up to fifteen (15) new litter receptacles with integrated recycling bins. On April 25, 2017, two (2) bids were received and opened for Bid 16/17-40005. The bid from Infinite Manufacturing Group was determined to be non-responsive as it did not satisfy the following two (2) bid submittal requirements listed on the Bid Form page 13: 1) "Note: Bidder to provide copies of diagram(s) and detailed spec sheet(s) with submittal of Bid" and 2) documenting the provision to provide the product in the color black. Therefore, based on the requirements for lowest responsive responsible bid, staff recommends awarding the bid to Forms+Surfaces, based on their all-inclusive bid amount of $31,589.28. However, based on grant funding availability, staff is recommending a reduction in the quantity of receptacles from 15 to 13, for an all-inclusive amount of $27,377.38.

ENVIRONMENTAL REVIEW

This item is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15061 of the CEQA Guidelines (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).

FINANCIAL STATEMENT

Funding for the purchase of the receptacles is provided in full by CalRecycle Litter Control grants.

CITY ATTORNEY REVIEW

☐ N/A ☒ Completed

RECOMMENDATION

1. Find the bid from Infinite Manufacturing Group to be non-responsive; and
2. Award the bid for the purchase of Litter Receptacles with Integrated Recycling Bins per Bid 16/17-40005 to Forms + Surfaces for an all-inclusive amount of $27,377.38; and
3. Authorize the City Manager to execute the Contract.

ATTACHMENTS

Bid Summary

CITY OF SANTEE

MAYOR
John W. Minto

CITY COUNCIL
Ronn Hall
Stephen Houlahan
Brian W. Jones
Rob McNelis

RFB 16/17-40005

Bid Summary

for

LITTER RECEPTACLES WITH INTEGRATED RECYCLING BINS

Bids received and verified:

1. Forms+Surfaces Total: $31,589.28

Recommended Award: Quantity: 13

1. Forms+Surfaces Total: $27,377.38

City of Santee
COUNCIL AGENDA STATEMENT

1K

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE MISSION TRAILS COLLECTION PROJECT (TM 2014-01) AS COMPLETE. LOCATION: BUSHY HILL DRIVE AND SIMEON DRIVE**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services

SUMMARY
This item requests City Council acceptance of the public improvements for the Mission Trails Collection project (TM 2014-01) as complete. This includes street improvements on Bushy Hill Drive and Simeon Drive adjacent to the project boundary.

The public improvements constructed by City Ventures, as a part of the Mission Trails Collection project, are complete and ready for acceptance and incorporation into the City maintained street system.

All improvements have been constructed in accordance with the Resolution of Approval, the accepted plans, and to the satisfaction of the Director of Development Services.

ENVIRONMENTAL REVIEW
Environmental review was completed at the time of development review approval.

FINANCIAL STATEMENT
Acceptance of these public improvements will result in a minor increase in City street maintenance costs.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION
Adopt the attached resolution accepting the public improvements as complete and directing the City Clerk to release ninety percent of the faithful performance bond and retain ten percent for twelve months as a warranty bond, and retain the labor and material bond for six months.

ATTACHMENTS
Resolution
Vicinity Map

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE MISSION TRAILS COLLECTION PROJECT (TM 2014-01) AS COMPLETE. LOCATION: BUSHY HILL DRIVE AND SIMEON DRIVE

WHEREAS, City Ventures, L.P., the developer of the Mission Trails Collection project, entered into a subdivision improvement agreement to construct certain public improvements associated with the development; and

WHEREAS, the public improvements on Bushy Hill Drive and Simeon Drive are constructed according to the improvement agreement, accepted plans, and to the satisfaction of the Director of Development Services.

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

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

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

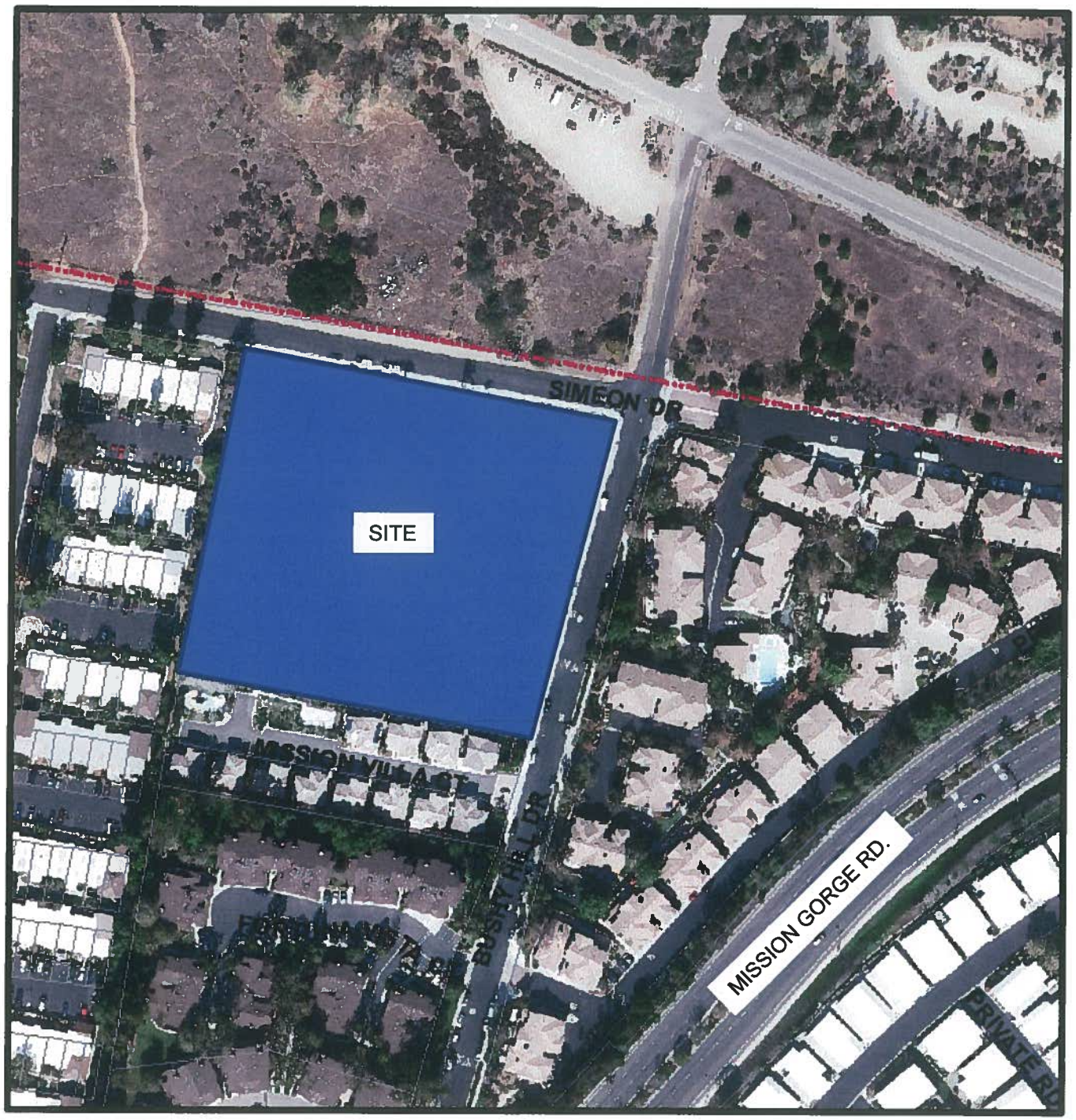
APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

VICINITY MAP



TM2014-01 MISSION TRAILS COLLECTION

7439 SIMEON DRIVE

N

City of Santee

COUNCIL AGENDA STATEMENT

1L

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, AUTHORIZING THE CITY MANAGER TO EXECUTE AN UPDATED MASTER AGREEMENT WITH THE STATE OF CALIFORNIA FOR FEDERAL-AID TRANSPORTATION PROJECTS**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY

The Federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and subsequent Transportation Authorization Bills make federal funds available to states for local and regional transportation efforts. The legislature of the State of California has enacted legislation by which certain State and federal funds are made available for use on local transportation related projects. The City applies for these funds on a periodic basis, either directly to Caltrans or through SANDAG. Caltrans acts as the coordinator of these programs in California.

Receipt of these funds is contingent upon a local agency's agreement with the State that covers general requirements for the implementation of projects and the maintenance of the completed facilities. The City has previously entered into agreements with the State of California regarding use of these funds. Changes have occurred in the standard language of these provisions due to changes in regulations and policies; thus Caltrans has requested the execution of a new Master Agreement. Attached is the new Master Agreement that details the conditions the City must follow to receive any federal funding on transportation projects. This replaces the prior agreement, and will govern overall program administration. Before a project can be funded, it will still require a project specific Program Supplement Agreement.

To qualify for these funds the City Council must identify and authorize a local agency official to execute the Master Agreement. The attached Resolution appoints the City Manager as this official.

ENVIRONMENTAL REVIEW N/A

FINANCIAL STATEMENT Application for federal funds would be made on a case-by-case basis. Financial impacts will be a function of funding received for individual projects.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION MSB Adopt Resolution appointing the City Manager as the local agency official authorized to execute Master Agreement #11-5429F15 for use of federal funds.

ATTACHMENTS

Resolution

Agency-State Master Agreement # 11-5429F15 for Federal–Aid projects

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN UPDATED MASTER AGREEMENT WITH THE STATE OF CALIFORNIA FOR FEDERAL-AID TRANSPORTATION PROJECTS

WHEREAS, the City Council of the City of Santee is actively involved in improving Santee's transportation facilities; and

WHEREAS, partial funding for these improvements has been and will continue to be obtained from Federal transportation grant programs made available because of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and subsequent Transportation Authorization Bills; and

WHEREAS, the rules and regulations have been updated relative to the prosecution of projects and the maintenance thereof both at the Federal and State level, which has resulted in the modification of the original Master Agreements to reflect these new provisions; and

WHEREAS, to qualify for these funds, the City Council must authorize a local agency official to execute the new Master Agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that the City Manager is hereby appointed as the local agency official authorized to execute the Administering Agency-State Master Agreement #11-5429F15 for Federal-Aid Transportation Projects pursuant to the requirements of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and subsequent Transportation Authorization Bills, and State laws.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____

JOHN W. MINTO, MAYOR

ATTEST:

_____

PATSY BELL, CMC, CITY CLERK

MASTER AGREEMENT
ADMINISTERING AGENCY-STATE AGREEMENT FOR
FEDERAL-AID PROJECTS

11	City of Santee
District	Administering Agency

Agreement No. 11-5429F15

This AGREEMENT, is entered into effective this _____ day of _____, 20 , by and between City of Santee, hereinafter referred to as "ADMINISTERING AGENCY," and the State of California, acting by and through its Department of Transportation (Caltrans), hereinafter referred to as "STATE", and together referred to as "PARTIES" or individually as a "PARTY."

RECITALS:

1. WHEREAS, the Congress of the United States has enacted the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and subsequent Transportation Authorization Bills to fund transportation programs; and

2. WHEREAS, the Legislature of the State of California has enacted legislation by which certain federal-aid funds may be made available for use on local transportation related projects of public entities qualified to act as recipients of these federal-aid funds in accordance with the intent of federal law; and

3. WHEREAS, before federal funds will be made available for a specific program project, ADMINISTERING AGENCY and STATE are required to enter into an agreement to establish terms and conditions applicable to the ADMINISTERING AGENCY when receiving federal funds for a designated PROJECT facility and to the subsequent operation and maintenance of that completed facility.

NOW, THEREFORE, the PARTIES agree as follows:

ARTICLE I - PROJECT ADMINISTRATION

1. This AGREEMENT shall have no force or effect with respect to any program project unless and until a project-specific "Authorization/Agreement Summary", herein referred to as "E-76" document, is approved by STATE and the Federal Highway Administration (FHWA).

2. The term "PROJECT", as used herein, means that authorized transportation related project and related activities financed in part with federal-aid funds as more fully-described in an "Authorization/ Agreement Summary" or "Amendment/Modification Summary", herein referred to as "E-76" or "E-76 (AMOD)" document authorized by STATE and the Federal Highway Administration (FHWA).

3. The E-76/E-76 (AMOD) shall designate the party responsible for implementing PROJECT, type of work and location of PROJECT.

4. The PROGRAM SUPPLEMENT sets out special covenants as a condition for the ADMINISTERING AGENCY to receive federal-aid funds from/through STATE for designated PROJECT. The PROGRAM SUPPLEMENT shall also show these federal funds that have been initially encumbered for PROJECT along with the matching funds to be provided by ADMINISTERING AGENCY and/or others. Execution of PROGRAM SUPPLEMENT by the PARTIES shall cause ADMINISTERING AGENCY to adopt all of the terms of this AGREEMENT as though fully set forth therein in the PROGRAM SUPPLEMENT. Unless otherwise expressly delegated in a resolution by the governing body of ADMINISTERING AGENCY, and with written concurrence by STATE, the PROGRAM SUPPLEMENT shall be approved and managed by the governing body of ADMINISTERING AGENCY.

5. ADMINISTERING AGENCY agrees to execute and return each project-specific PROGRAM SUPPLEMENT within ninety (90) days of receipt. The PARTIES agree that STATE may suspend future authorizations/obligations and invoice payments for any on-going or future federal-aid project performed by ADMINISTERING AGENCY if any project-specific PROGRAM SUPPLEMENT is not returned within that ninety (90) day period unless otherwise agreed by STATE in writing.

6. ADMINISTERING AGENCY further agrees, as a condition to the release and payment of federal funds encumbered for the PROJECT described in each PROGRAM SUPPLEMENT, to comply with the terms and conditions of this AGREEMENT and all of the agreed-upon Special Covenants or Remarks incorporated within the PROGRAM SUPPLEMENT, and Cooperative/Contribution Agreement where appropriate, defining and identifying the nature of the specific PROJECT.

7. Federal, state and matching funds will not participate in PROJECT work performed in advance of the approval of the E-76 or E-76 (AMOD), unless otherwise stated in the executed project-specific PROGRAM SUPPLEMENT. ADMINISTERING AGENCY agrees that it will only proceed with the work authorized for that specific phase(s) on the project-specific E-76 or E-76 (AMOD). ADMINISTERING AGENCY further agrees to not proceed with future phases of PROJECT prior to receiving an E-76 (AMOD) from STATE for that phase(s) unless no further federal funds are needed or for those future phase(s).

8. That PROJECT or portions thereof, must be included in a federally approved Federal Statewide Transportation Improvement Program (FSTIP) prior to ADMINISTERING AGENCY submitting the "Request for Authorization".

9. ADMINISTERING AGENCY shall conform to all state statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of Federal Regulation (CFR) and 2 CFR part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

10. If PROJECT is not on STATE-owned right of way, PROJECT shall be constructed in accordance with LOCAL ASSISTANCE PROCEDURES that describes minimum statewide design standards for local agency streets and roads. LOCAL ASSISTANCE PROCEDURES for projects off the National Highway System (NHS) allow STATE to accept either the STATE's minimum statewide design standards or the approved geometric design standards of ADMINISTERING AGENCY. Additionally, for projects off the NHS, STATE will accept ADMINISTERING AGENCY-approved standard specifications, standard plans, materials sampling and testing quality assurance programs that meet the conditions described in the then current LOCAL ASSISTANCE PROCEDURES.

11. If PROJECT involves work within or partially within STATE-owned right-of-way, that PROJECT shall also be subject to compliance with the policies, procedures and standards of the STATE Project Development Procedures Manual and Highway Design Manual and, where appropriate, an executed Cooperative Agreement between STATE and ADMINISTERING AGENCY that outlines the PROJECT responsibilities and respective obligations of the PARTIES. ADMINISTERING AGENCY and its contractors shall each obtain an encroachment permit through STATE prior to commencing any work within STATE rights of way or work which affects STATE facilities.

12. When PROJECT is not on the State Highway System but includes work to be performed by a railroad, the contract for such work shall be prepared by ADMINISTERING AGENCY or by STATE, as the PARTIES may hereafter agree. In either event, ADMINISTERING AGENCY shall enter into an agreement with the railroad providing for future maintenance of protective devices or other facilities installed under the contract.

13. If PROJECT is using STATE funds, the Department of General Services, Division of the State Architect, or its designee, shall review the contract PS&E for the construction of buildings, structures, sidewalks, curbs and related facilities for accessibility and usability. ADMINISTERING AGENCY shall not award a PROJECT construction contract for these types of improvements until the State Architect has issued written approval stating that the PROJECT plans and specifications comply with the provisions of sections 4450 and 4454 of the California Government Code, if applicable. Further requirements and guidance are provided in Title 24 of the California Code of Regulations.

14. ADMINISTERING AGENCY will advertise, award and administer PROJECT in accordance with the current LOCAL ASSISTANCE PROCEDURES unless otherwise stated in the executed project-specific PROGRAM SUPPLEMENT.

15. ADMINISTERING AGENCY shall provide or arrange for adequate supervision and inspection of each PROJECT. While consultants may perform supervision and inspection work for PROJECT with a fully qualified and licensed engineer, ADMINISTERING AGENCY shall provide a full-time employee to be in responsible charge of each PROJECT who is not a consultant.

16. ADMINISTERING AGENCY shall submit PROJECT-specific contract award documents to STATE's District Local Assistance Engineer within sixty (60) days after contract award. A copy of the award documents shall also be included with the submittal of the first invoice for a construction contract by ADMINISTERING AGENCY.

17. ADMINISTERING AGENCY shall submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure by ADMINISTERING AGENCY to submit a "Report of Expenditures" within one hundred eighty (180) days of project completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LOCAL ASSISTANCE PROCEDURES.

18. ADMINISTERING AGENCY shall comply with: (i) section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in federally assisted programs; (ii) the Americans with Disabilities Act (ADA) of 1990 which prohibits discrimination on the basis of disability irrespective of funding; and (iii) all applicable regulations and guidelines issued pursuant to both the Rehabilitation Act and the ADA.

19. The Congress of the United States, the Legislature of the State of California and the Governor of the State of California, each within their respective jurisdictions, have prescribed certain nondiscrimination requirements with respect to contract and other work financed with public funds. ADMINISTERING AGENCY agrees to comply with the requirements of the FAIR EMPLOYMENT PRACTICES ADDENDUM (Exhibit A attached hereto) and the NONDISCRIMINATION ASSURANCES (Exhibit B attached hereto). ADMINISTERING AGENCY further agrees that any agreement entered into by ADMINISTERING AGENCY with a third party for performance of PROJECT-related work shall incorporate Exhibits A and B (with third party's name replacing ADMINISTERING AGENCY) as essential parts of such agreement to be enforced by that third party as verified by ADMINISTERING AGENCY.

ARTICLE II - RIGHTS OF WAY

1. No contract for the construction of a federal-aid PROJECT shall be awarded until all necessary rights of way have been secured. Prior to the advertising for construction of PROJECT, ADMINISTERING AGENCY shall certify and, upon request, shall furnish STATE with evidence that all necessary rights of way are available for construction purposes or will be available by the time of award of the construction contract.

2. ADMINISTERING AGENCY agrees to indemnify and hold STATE harmless from any liability that may result in the event the right of way for a PROJECT, including, but not limited to, being clear as certified or if said right of way is found to contain hazardous materials requiring treatment or removal to remediate in accordance with Federal and State laws. The furnishing of right of way as provided for herein includes, in addition to all real property required for the PROJECT, title free and clear of obstructions and encumbrances affecting PROJECT and the payment, as required by applicable law, of relocation costs and damages to remainder real property not actually taken but injuriously affected by PROJECT. ADMINISTERING AGENCY shall pay, from its own non-matching funds, any costs which arise out of delays to the construction of PROJECT because utility facilities have not been timely removed or relocated, or because rights of way were not available to ADMINISTERING AGENCY for the orderly prosecution of PROJECT work.

3. Subject to STATE approval and such supervision as is required by LOCAL ASSISTANCE PROCEDURES over ADMINISTERING AGENCY's right of way acquisition procedures, ADMINISTERING AGENCY may claim reimbursement from federal funds for expenditures incurred in purchasing only the necessary rights of way needed for the PROJECT after crediting PROJECT with the fair market value of any excess property retained and not disposed of by ADMINISTERING AGENCY.

4. When real property rights are to be acquired by ADMINISTERING AGENCY for a PROJECT, said ADMINISTERING AGENCY must carry out that acquisition in compliance with all applicable State and Federal laws and regulations, in accordance with State procedures as published in State's current LOCAL ASSISTANCE PROCEDURES and STATE's Right-of-Way Manual, subject to STATE oversight to ensure that the completed work is acceptable under the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

5. Whether or not federal-aid is to be requested for right of way, should ADMINISTERING AGENCY, in acquiring right of way for PROJECT, displace an individual, family, business, farm operation, or non-profit organization, relocation payments and services will be provided as set forth in 49 CFR, Part 24. The public will be adequately informed of the relocation payments and services which will be available, and, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from his/her dwelling or to move his/her business or farm operation without at least ninety (90) days written notice from ADMINISTERING AGENCY. ADMINISTERING AGENCY will provide STATE with specific assurances, on each portion of the PROJECT, that no person will be displaced until comparable decent, safe and sanitary replacement housing is available within a reasonable period of time prior to displacement, and that ADMINISTERING AGENCY's relocation program is realistic and adequate to provide orderly, timely and efficient relocation of PROJECT-displaced persons as provided in 49 CFR, Part 24.

6. ADMINISTERING AGENCY shall, along with recording the deed or instrument evidencing title in the name of the ADMINISTERING AGENCY or their assignee, also record an Agreement Declaring Restrictive Covenants (ADRC) as a separate document incorporating the assurances included within Exhibits A and B and Appendices A, B, C and D of this AGREEMENT, as appropriate.

ARTICLE III - MAINTENANCE AND MANAGEMENT

1. ADMINISTERING AGENCY will maintain and operate the property acquired, developed, constructed, rehabilitated, or restored by PROJECT for its intended public use until such time as the parties might amend this AGREEMENT to otherwise provide. With the approval of STATE, ADMINISTERING AGENCY or its successors in interest in the PROJECT property may transfer this obligation and responsibility to maintain and operate PROJECT property for that intended public purpose to another public entity.

2. Upon ADMINISTERING AGENCY's acceptance of the completed federal-aid construction contract or upon contractor being relieved of the responsibility for maintaining and protecting PROJECT, ADMINISTERING AGENCY will be responsible for the maintenance, ownership, liability, and the expense thereof, for PROJECT in a manner satisfactory to the authorized representatives of STATE and FHWA and if PROJECT falls within the jurisdictional limits of another Agency or Agencies, it is the duty of ADMINISTERING AGENCY to facilitate a separate maintenance agreement(s) between itself and the other jurisdictional Agency or Agencies providing for the operation, maintenance, ownership and liability of PROJECT. Until those agreements are executed, ADMINISTERING AGENCY will be responsible for all PROJECT operations, maintenance, ownership and liability in a manner satisfactory to the authorized representatives of STATE and FHWA. If, within ninety (90) days after receipt of notice from STATE that a PROJECT, or any portion thereof, is not being properly operated and maintained and ADMINISTERING AGENCY has not satisfactorily remedied the conditions complained of, the approval of future federal-aid projects of ADMINISTERING AGENCY will be withheld until the PROJECT shall have been put in a condition of operation and maintenance satisfactory to STATE and FHWA. The provisions of this section shall not apply to a PROJECT that has been vacated through due process of law with STATE's concurrence.

3. PROJECT and its facilities shall be maintained by an adequate and well-trained staff of engineers and/or such other professionals and technicians as PROJECT reasonably requires. Said operations and maintenance staff may be employees of ADMINISTERING AGENCY, another unit of government, or a contractor under agreement with ADMINISTERING AGENCY. All maintenance will be performed at regular intervals or as required for efficient operation of the complete PROJECT improvements.

ARTICLE IV - FISCAL PROVISIONS

1. All contractual obligations of STATE are subject to the appropriation of resources by the Legislature and the allocation of resources by the California Transportation Commission (CTC).

2. STATE'S financial commitment of federal funds will occur only upon the execution of this AGREEMENT, the authorization of the project-specific E-76 or E-76 (AMOD), the execution of each project-specific PROGRAM SUPPLEMENT, and STATE's approved finance letter.

3. ADMINISTERING AGENCY may submit signed invoices in arrears for reimbursement of participating PROJECT costs on a regular basis once the project-specific PROGRAM SUPPLEMENT has been executed by STATE.

4. ADMINISTERING AGENCY agrees, at a minimum, to submit invoices at least once every six (6) months commencing after the funds are encumbered on either the project-specific PROGRAM SUPPLEMENT or through a project-specific finance letter approved by STATE. STATE reserves the right to suspend future authorizations/obligations, and invoice payments for any on-going or future federal-aid project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six (6) month period.

5. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.

6. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.

7. Payments to ADMINISTERING AGENCY can only be released by STATE as reimbursement of actual allowable PROJECT costs already incurred and paid for by ADMINISTERING AGENCY.

8. Indirect Cost Allocation Plans/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.

9. Once PROJECT has been awarded, STATE reserves the right to de-obligate any excess federal funds from the construction phase of PROJECT if the contract award amount is less than the obligated amount, as shown on the PROJECT E-76 or E-76 (AMOD).

10. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or $40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

11. The estimated total cost of PROJECT, the amount of federal funds obligated, and the required matching funds may be adjusted by mutual consent of the PARTIES hereto with a finance letter, a detailed estimate, if required, and approved E-76 (AMOD). Federal-aid funding may be increased to cover PROJECT cost increases only if such funds are available and FHWA concurs with that increase.

12. When additional federal-aid funds are not available, ADMINISTERING AGENCY agrees that the payment of federal funds will be limited to the amounts authorized on the PROJECT specific E-76 / E-76 (AMOD) and agrees that any increases in PROJECT costs must be defrayed with ADMINISTERING AGENCY's own funds.

13. ADMINISTERING AGENCY shall use its own non-federal funds to finance the local share of eligible costs and all expenditures or contract items ruled ineligible for financing with federal funds. STATE shall make the determination of ADMINISTERING AGENCY's cost eligibility for federal fund financing of PROJECT costs.

14. ADMINISTERING AGENCY will reimburse STATE for STATE's share of costs for work performed by STATE at the request of ADMINISTERING AGENCY. STATE's costs shall include overhead assessments in accordance with section 8755.1 of the State Administrative Manual.

15. Federal and state funds allocated from the State Transportation Improvement Program (STIP) are subject to the timely use of funds provisions enacted by Senate Bill 45, approved in 1997, and subsequent STIP Guidelines and State procedures approved by the CTC and STATE.

16. Federal funds encumbered for PROJECT are available for liquidation for a period of six (6) years from the beginning of the State fiscal year the funds were appropriated in the State Budget. State funds encumbered for PROJECT are available for liquidation only for six (6) years from the beginning of the State fiscal year the funds were appropriated in the State Budget. Federal or state funds not liquidated within these periods will be reverted unless a Cooperative Work Agreement (CWA) is submitted by ADMINISTERING AGENCY and approved by the California Department of Finance (per Government Code section 16304). The exact date of fund reversion will be reflected in the STATE signed finance letter for PROJECT.

17. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

18. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

19. ADMINISTERING AGENCY agrees, and will ensure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

20. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

21. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

22. Should ADMINISTERING AGENCY fail to refund any moneys due upon written demand by STATE as provided hereunder or should ADMINISTERING AGENCY breach this AGREEMENT by failing to complete PROJECT without adequate justification and approval by STATE, then, within thirty 30 days of demand, or within such other period as may be agreed to in writing between the PARTIES, STATE, acting through the State Controller, the State Treasurer, or any other public entity or agency, may withhold or demand a transfer of an amount equal to the amount paid by or owed to STATE from future apportionments, or any other funds due ADMINISTERING AGENCY from the Highway Users Tax Fund or any other sources of funds, and/or may withhold approval of future ADMINISTERING AGENCY federal-aid projects.

23. Should ADMINISTERING AGENCY be declared to be in breach of this AGREEMENT or otherwise in default thereof by STATE, and if ADMINISTERING AGENCY is constituted as a joint powers authority, special district, or any other public entity not directly receiving funds through the State Controller, STATE is authorized to obtain reimbursement from whatever sources of funding are available, including the withholding or transfer of funds, pursuant to Article IV - 22, from those constituent entities comprising a joint powers authority or by bringing of an action against ADMINISTERING AGENCY or its constituent member entities, to recover all funds provided by STATE hereunder.

24. ADMINISTERING AGENCY acknowledges that the signatory party represents the ADMINISTERING AGENCY and further warrants that there is nothing within a Joint Powers Agreement, by which ADMINISTERING AGENCY was created, if any exists, that would restrict or otherwise limit STATE's ability to recover State funds improperly spent by ADMINISTERING AGENCY in contravention of the terms of this AGREEMENT.

ARTICLE V
AUDITS, THIRD PARTY CONTRACTING, RECORDS RETENTION AND REPORTS

1. STATE reserves the right to conduct technical and financial audits of PROJECT work and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by paragraph three (3) of ARTICLE V.

2. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices sent to or paid by STATE.

3. ADMINISTERING AGENCY, ADMINISTERING AGENCY's contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

4. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends $750,000 or more in Federal Funds in a single fiscal year. The Federal Funds received under a PROGRAM SUPPLEMENT are a part of the Catalogue of Federal Domestic Assistance (CFDA) 20.205.

5. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

6. ADMINISTERING AGENCY shall not award a non-A&E contract over $5,000, construction contract over $10,000, or other contracts over $25,000 (excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)) on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

7. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions 5, 6, 17, 19 and 20 of ARTICLE IV, FISCAL PROVISIONS, and provisions 1, 2, and 3 of this ARTICLE V, AUDITS, THIRD-PARTY CONTRACTING RECORDS RETENTION AND REPORTS.

8. To be eligible for local match credit, ADMINISTERING AGENCY must ensure that local match funds used for a PROJECT meet the fiscal provisions requirements outlined in ARTICLE IV in the same manner as required of all other PROJECT expenditures.

9. In addition to the above, the pre-award requirements of third-party contractor/consultants with ADMINISTERING AGENCY should be consistent with the LOCAL ASSISTANCE PROCEDURES.

ARTICLE VI - FEDERAL LOBBYING ACTIVITIES CERTIFICATION

1. By execution of this AGREEMENT, ADMINISTERING AGENCY certifies, to the best of the signatory officer's knowledge and belief, that:

A. No federal or state appropriated funds have been paid or will be paid, by or on behalf of ADMINISTERING AGENCY, to any person for influencing or attempting to influence an officer or employee of any STATE or federal agency, a member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or any employee of a Member of the Legislature or Congress in connection with the awarding of any STATE or federal contract, including this AGREEMENT, the making of any STATE or federal loan, the entering into of any cooperative contract, and the extension, continuation, renewal, amendment, or modification of any STATE or federal contract, grant, loan, or cooperative contract.

B. If any funds other than federal appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with this AGREEMENT, grant, local, or cooperative contract, ADMINISTERING AGENCY shall complete and submit Standard Form-LLL, "Disclosure Form to Rep Lobbying," in accordance with the form instructions.

C. This certification is a material representation of fact upon which reliance was placed when this AGREEMENT and each PROGRAM SUPPLEMENT was or will be made or entered into. Submission of this certification is a prerequisite for making or entering into this AGREEMENT imposed by Section 1352, Title 31, United States Code. Any party who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

2. ADMINISTERING AGENCY also agrees by signing this AGREEMENT that the language of this certification will be included in all lower tier sub-agreements which exceed $100,000 and that all such sub-recipients shall certify and disclose accordingly.

ARTICLE VII - MISCELLANEOUS PROVISIONS

1. ADMINISTERING AGENCY agrees to use all state funds reimbursed hereunder only for transportation purposes that are in conformance with Article XIX of the California State Constitution and the relevant Federal Regulations.

2. This AGREEMENT is subject to any additional restrictions, limitations, conditions, or any statute enacted by the State Legislature or adopted by the CTC that may affect the provisions, terms, or funding of this AGREEMENT in any manner.

3. ADMINISTERING AGENCY and the officers and employees of ADMINISTERING AGENCY, when engaged in the performance of this AGREEMENT, shall act in an independent capacity and not as officers, employees or agents of STATE or the federal government.

4. Each project-specific E-76 or E-76 (AMOD), PROGRAM SUPPLEMENT and Finance Letter shall separately establish the terms and funding limits for each described PROJECT funded under the AGREEMENT. No federal or state funds are obligated against this AGREEMENT.

5. ADMINISTERING AGENCY certifies that neither ADMINISTERING AGENCY nor its principals are suspended or debarred at the time of the execution of this AGREEMENT. ADMINISTERING AGENCY agrees that it will notify STATE immediately in the event a suspension or a debarment occurs after the execution of this AGREEMENT.

6. ADMINISTERING AGENCY warrants, by execution of this AGREEMENT, that no person or selling agency has been employed or retained to solicit or secure this AGREEMENT upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by ADMINISTERING AGENCY for the purpose of securing business. For breach or violation of this warranty, STATE has the right to annul this AGREEMENT without liability, pay only for the value of the work actually performed, or in STATE's discretion, to deduct from the price of consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

7. In accordance with Public Contract Code section 10296, ADMINISTERING AGENCY hereby certifies under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against ADMINISTERING AGENCY within the immediate preceding two (2) year period because of ADMINISTERING AGENCY's failure to comply with an order of a federal court that orders ADMINISTERING AGENCY to comply with an order of the National Labor Relations Board.

8. ADMINISTERING AGENCY shall disclose any financial, business, or other relationship with STATE, FHWA or Federal Transit Administration (FTA) that may have an impact upon the outcome of this AGREEMENT. ADMINISTERING AGENCY shall also list current contractors who may have a financial interest in the outcome of this AGREEMENT.

9. ADMINISTERING AGENCY hereby certifies that it does not have nor shall it acquire any financial or business interest that would conflict with the performance of PROJECT under this AGREEMENT.

10. ADMINISTERING AGENCY warrants that this AGREEMENT was not obtained or secured through rebates, kickbacks or other unlawful consideration either promised or paid to any STATE employee. For breach or violation of this warranty, STATE shall have the right, in its discretion, to terminate this AGREEMENT without liability, to pay only for the work actually performed, or to deduct from the PROGRAM SUPPLEMENT price or otherwise recover the full amount of such rebate, kickback, or other unlawful consideration.

11. Any dispute concerning a question of fact arising under this AGREEMENT that is not disposed of by agreement shall be decided by the STATE's Contract Officer who may consider any written or verbal evidence submitted by ADMINISTERING AGENCY. The decision of the Contract Officer, issued in writing, shall be conclusive and binding on the PARTIES on all questions of fact considered and determined by the Contract Officer.

12. Neither the pending of a dispute nor its consideration by the Contract Officer will excuse ADMINISTERING AGENCY from full and timely performance in accordance with the terms of this AGREEMENT.

13. Neither ADMINISTERING AGENCY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE, under or in connection with any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that STATE shall fully defend, indemnify and save harmless the ADMINISTERING AGENCY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this AGREEMENT.

14. Neither STATE nor any officer or employee thereof shall be responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under, or in connection with, any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that ADMINISTERING AGENCY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under this AGREEMENT.

15. STATE reserves the right to terminate funding for any PROJECT upon written notice to ADMINISTERING AGENCY in the event that ADMINISTERING AGENCY fails to proceed with PROJECT work in accordance with the project-specific PROGRAM SUPPLEMENT, the bonding requirements if applicable, or otherwise violates the conditions of this AGREEMENT and/or PROGRAM SUPPLEMENT, or the funding allocation such that substantial performance is significantly endangered.

16. No termination shall become effective if, within thirty (30) days after receipt of a Notice of Termination, ADMINISTERING AGENCY either cures the default involved or, if not reasonably susceptible of cure within said thirty (30) day period, ADMINISTERING AGENCY proceeds thereafter to complete the cure in a manner and time line acceptable to STATE. Any such termination shall be accomplished by delivery to ADMINISTERING AGENCY of a Notice of Termination, which notice shall become effective not less than thirty (30) days after receipt, specifying the reason for the termination, the extent to which funding of work under this AGREEMENT is terminated and the date upon which such termination becomes effective, if beyond thirty (30) days after receipt. During the period before the effective termination date, ADMINISTERING AGENCY and STATE shall meet to attempt to resolve any dispute. In the event of such termination, STATE may proceed with the PROJECT work in a manner deemed proper by STATE. If STATE terminates funding for PROJECT with ADMINISTERING AGENCY, STATE shall pay ADMINISTERING AGENCY the sum due ADMINISTERING AGENCY under the PROGRAM SUPPLEMENT and/or STATE approved finance letter prior to termination, provided, however, ADMINISTERING AGENCY is not in default of the terms and conditions of this AGREEMENT or the project-specific PROGRAM SUPPLEMENT and that the cost of PROJECT completion to STATE shall first be deducted from any sum due ADMINISTERING AGENCY.

17. In case of inconsistency or conflicts with the terms of this AGREEMENT and that of a project-specific PROGRAM SUPPLEMENT, the terms stated in that PROGRAM SUPPLEMENT shall prevail over those in this AGREEMENT.

18. Without the written consent of STATE, this AGREEMENT is not assignable by ADMINISTERING AGENCY either in whole or in part.

19. No alteration or variation of the terms of this AGREEMENT shall be valid unless made in writing and signed by the PARTIES, and no oral understanding or agreement not incorporated herein shall be binding on any of the PARTIES.

IN WITNESS WHEREOF, the PARTIES have executed this AGREEMENT by their duly authorized officers.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION	City of Santee
By_____	By_____
_____	_____
Chief, Office of Project Implementation Division of Local Assistance	_____ City of Santee Representative Name & Title (Authorized Governing Body Representative)
Date _____	Date _____

EXHIBIT A

FAIR EMPLOYMENT PRACTICES ADDENDUM

1. In the performance of this Agreement, ADMINISTERING AGENCY will not discriminate against any employee for employment because of race, color, sex, sexual orientation, religion, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. ADMINISTERING AGENCY will take affirmative action to ensure that employees are treated during employment without regard to their race, sex, sexual orientation, color, religion, ancestry, or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. Such action shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. ADMINISTERING AGENCY shall post in conspicuous places, available to employees for employment, notices to be provided by STATE setting forth the provisions of this Fair Employment section.

2. ADMINISTERING AGENCY, its contractor(s) and all subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 1290-0 et seq.), and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12900(a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this AGREEMENT by reference and made a part hereof as if set forth in full. Each of the ADMINISTERING AGENCY'S contractors and all subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreements, as appropriate.

3. ADMINISTERING AGENCY shall include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts to perform work under this AGREEMENT.

4. ADMINISTERING AGENCY will permit access to the records of employment, employment advertisements, application forms, and other pertinent data and records by STATE, the State Fair Employment and Housing Commission, or any other agency of the State of California designated by STATE, for the purposes of investigation to ascertain compliance with the Fair Employment section of this Agreement.

5. Remedies for Willful Violation:

(a) STATE may determine a willful violation of the Fair Employment provision to have occurred upon receipt of a final judgment to that effect from a court in an action to which ADMINISTERING AGENCY was a party, or upon receipt of a written notice from the Fair Employment and Housing Commission that it has investigated and determined that ADMINISTERING AGENCY has violated the Fair Employment Practices Act and had issued an order under Labor Code Section 1426 which has become final or has obtained an injunction under Labor Code Section 1429.

(b) For willful violation of this Fair Employment Provision, STATE shall have the right to terminate this Agreement either in whole or in part, and any loss or damage sustained by STATE in securing the goods or services thereunder shall be borne and paid for by ADMINISTERING AGENCY and by the surety under the performance bond, if any, and STATE may deduct from any moneys due or thereafter may become due to ADMINISTERING AGENCY, the difference between the price named in the Agreement and the actual cost thereof to STATE to cure ADMINISTERING AGENCY's breach of this Agreement.

EXHIBIT B

NONDISCRIMINATION ASSURANCES

ADMINISTERING AGENCY HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the STATE, acting for the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the ACT), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964" (hereinafter referred to as the REGULATIONS), the Federal-aid Highway Act of 1973, and other pertinent directives, to the end that in accordance with the ACT, REGULATIONS, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which ADMINISTERING AGENCY receives federal financial assistance from the Federal Department of Transportation. ADMINISTERING AGENCY HEREBY GIVES ASSURANCE THAT ADMINISTERING AGENCY will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the REGULATIONS.

More specifically, and without limiting the above general assurance, ADMINISTERING AGENCY hereby gives the following specific assurances with respect to its federal-aid Program:

1. That ADMINISTERING AGENCY agrees that each "program" and each "facility" as defined in subsections 21.23 (e) and 21.23 (b) of the REGULATIONS, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the REGULATIONS.

2. That ADMINISTERING AGENCY shall insert the following notification in all solicitations for bids for work or material subject to the REGULATIONS made in connection with the federal-aid Program and, in adapted form, in all proposals for negotiated agreements:

ADMINISTERING AGENCY hereby notifies all bidders that it will affirmatively ensure that in any agreement entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for an award.

3. That ADMINISTERING AGENCY shall insert the clauses of Appendix A of this assurance in every agreement subject to the ACT and the REGULATIONS.

4. That the clauses of Appendix B of this Assurance shall be included as a covenant running with the land, in any deed effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where ADMINISTERING AGENCY receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where ADMINISTERING AGENCY receives federal financial assistance in the form, or for the acquisition, of real property or an interest in real property, the Assurance shall extend to rights to space on, over, or under such property.

7. That ADMINISTERING AGENCY shall include the appropriate clauses set forth in Appendix C and D of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the ADMINISTERING AGENCY with other parties:

Appendix C;

(a) for the subsequent transfer of real property acquired or improved under the federal-aid Program; and

Appendix D;

(b) for the construction or use of or access to space on, over, or under real property acquired, or improved under the federal-aid Program.

8. That this assurance obligates ADMINISTERING AGENCY for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property or real property or interest therein, or structures, or improvements thereon, in which case the assurance obligates ADMINISTERING AGENCY or any transferee for the longer of the following periods:

(a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

(b) the period during which ADMINISTERING AGENCY retains ownership or possession of the property.

9. That ADMINISTERING AGENCY shall provide for such methods of administration for the program as are found by the U.S. Secretary of Transportation, or the official to whom he delegates specific authority, to give reasonable guarantee that ADMINISTERING AGENCY, other recipients, sub-grantees, applicants, sub-applicants, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed by, or pursuant to, the ACT, the REGULATIONS, this Assurance and the Agreement.

10. That ADMINISTERING AGENCY agrees that the United States and the State of California have a right to seek judicial enforcement with regard to any matter arising under the ACT, the REGULATIONS, and this Assurance.

11. ADMINISTERING AGENCY shall not discriminate on the basis of race, religion, age, disability, color, national origin or sex in the award and performance of any STATE assisted contract or in the administration on its DBE Program or the requirements of 49 CFR Part 26. ADMINISTERING AGENCY shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in the award and administration of STATE assisted contracts. ADMINISTERING AGENCY'S DBE Implementation Agreement is incorporated by reference in this AGREEMENT. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved DBE Implementation Agreement, STATE may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and/or the Program Fraud Civil Remedies Act of 1985 (31USC 3801 et seq.)

THESE ASSURANCES are given in consideration of and for the purpose of obtaining any and all federal grants, loans, agreements, property, discounts or other federal financial assistance extended after the date hereof to ADMINISTERING AGENCY by STATE, acting for the U.S. Department of Transportation, and is binding on ADMINISTERING AGENCY, other recipients, subgrantees, applicants, sub-applicants, transferees, successors in interest and other participants in the federal-aid Highway Program.

APPENDIX A TO EXHIBIT B

During the performance of this Agreement, ADMINISTERING AGENCY, for itself, its assignees and successors in interest (hereinafter collectively referred to as ADMINISTERING AGENCY) agrees as follows:

(1) Compliance with Regulations: ADMINISTERING AGENCY shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the REGULATIONS), which are herein incorporated by reference and made a part of this agreement.

(2) Nondiscrimination: ADMINISTERING AGENCY, with regard to the work performed by it during the AGREEMENT, shall not discriminate on the grounds of race, color, sex, national origin, religion, age, or disability in the selection and retention of sub-applicants, including procurements of materials and leases of equipment. ADMINISTERING AGENCY shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the REGULATIONS, including employment practices when the agreement covers a program set forth in Appendix B of the REGULATIONS.

(3) Solicitations for Sub-agreements, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by ADMINISTERING AGENCY for work to be performed under a Sub-agreement, including procurements of materials or leases of equipment, each potential sub-applicant or supplier shall be notified by ADMINISTERING AGENCY of the ADMINISTERING AGENCY's obligations under this Agreement and the REGULATIONS relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: ADMINISTERING AGENCY shall provide all information and reports required by the REGULATIONS, or directives issued pursuant thereto, and shall permit access to ADMINISTERING AGENCY's books, records, accounts, other sources of information, and its facilities as may be determined by STATE or FHWA to be pertinent to ascertain compliance with such REGULATIONS or directives. Where any information required of ADMINISTERING AGENCY is in the exclusive possession of another who fails or refuses to furnish this information, ADMINISTERING AGENCY shall so certify to STATE or the FHWA as appropriate, and shall set forth what efforts ADMINISTERING AGENCY has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of ADMINISTERING AGENCY's noncompliance with the nondiscrimination provisions of this agreement, STATE shall impose such agreement sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

(a) withholding of payments to ADMINISTERING AGENCY under the Agreement within a reasonable period of time, not to exceed 90 days; and/or

(b) cancellation, termination or suspension of the Agreement, in whole or in part.

(6) Incorporation of Provisions: ADMINISTERING AGENCY shall include the provisions of paragraphs (1) through (6) in every sub-agreement, including procurements of materials and leases of equipment, unless exempt by the REGULATIONS, or directives issued pursuant thereto. ADMINISTERING AGENCY shall take such action with respect to any sub-agreement or procurement as STATE or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event ADMINISTERING AGENCY becomes involved in, or is threatened with, litigation with a sub-applicant or supplier as a result of such direction, ADMINISTERING AGENCY may request STATE enter into such litigation to protect the interests of STATE, and, in addition, ADMINISTERING AGENCY may request the United States to enter into such litigation to protect the interests of the United States.

The following clauses shall be included in any and all deeds effecting or recording the transfer of PROJECT real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the U.S. Department of Transportation, as authorized by law, and upon the condition that ADMINISTERING AGENCY will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of federal-aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with the Regulations pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the ADMINISTERING AGENCY all the right, title, and interest of the U.S. Department of Transportation in, and to, said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto ADMINISTERING AGENCY and its successors forever, subject, however, to the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on ADMINISTERING AGENCY, its successors and assigns.

ADMINISTERING AGENCY, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns,

(1) that no person shall on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (;) (and) *

(2) that ADMINISTERING AGENCY shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (;) and

(3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the U.S. Department of Transportation shall have a right to re-enter said lands and facilities on said land, and the above-described land and facilities shall thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this deed.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C TO EXHIBIT B

The following clauses shall be included in any and all deeds, licenses, leases, permits, or similar instruments entered into by ADMINISTERING AGENCY, pursuant to the provisions of Assurance 7(a) of Exhibit B.

The grantee (licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.), shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to terminate the (license, lease, permit etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of ADMINISTERING AGENCY and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX D TO EXHIBIT B

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the ADMINISTERING AGENCY, pursuant to the provisions of Assurance 7 (b) of Exhibit B.

The grantee (licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that:

(1) no person on the ground of race, color, sex, national origin, religion, age or disability, shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in the use of said facilities;

(2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the ground of race, color, sex, national origin, religion, age or disability shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and

(3) that the (grantee, licensee, lessee, permittee, etc.,) shall use the premises in compliance with the Regulations.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of ADMINISTERING AGENCY, and its assigns.

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* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

City of Santee

COUNCIL AGENDA STATEMENT

1M

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM SUPPLEMENT AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE MISSION GORGE ROAD STREET LIGHT PROJECT HSIPL 5429 (030) AND FINDING THE PROJECT EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY

A program supplement agreement to the master agreement for federal-aid projects between the City of Santee and Caltrans is required in order to be reimbursed for each specific grant funded project the City is awarded. Caltrans requires that the program supplement agreement be executed for each project with authorization by a resolution of the City Council.

This item requests City Council to authorize the City Manager to execute a Program Supplement Agreement with Caltrans for the Highway Safety Improvement Program (HSIP) funded project to install street lights on Mission Gorge Road from Carlton Hills Boulevard to State Route 52. This project is reflected as unfunded in the current five year Capital Improvement Program budget. This HSIP grant will provide the funds for the project. Construction is anticipated to begin in 2018.

The Program Supplement Agreement only reflects $46,000 that has been allocated from the grant for environmental and design purposes. Construction funding will be allocated through Caltrans by staff at a later date. This item also requests the Council to appropriate the grant funds.

ENVIRONMENTAL REVIEW

Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) 15301(c) and (f) – Class 1 (Existing Facilities).

FINANCIAL STATEMENT

The total amount of grant funds to be received for this project is $365,500. The grant will reimburse 100% of all costs associated with the project and no matching funds are required.

CITY ATTORNEY REVIEW

☐ N/A ☒ Completed

RECOMMENDATION

MSB

Adopt the attached Resolution:

1. Authorizing the City Manager to execute a Program Supplement with Caltrans for HSIP grant funds for the Mission Gorge Road Street Light Installation Project; and
2. Appropriating HSIP grant funds in the amount of $46,000.

ATTACHMENTS

Resolution
Program Supplement Agreement
Project Map

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM SUPPLEMENT AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE MISSION GORGE ROAD STREET LIGHT PROJECT HSIPL 5429 (030) AND FINDING THE PROJECT EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Santee applied for and received a Federal Highway Safety Improvement Program Grant for the Mission Gorge Road Street Light Installation Project (CIP 2017-02) HSIPL 5429 (030) to install street lights on Mission Gorge Road from Carlton Hills Boulevard to SR 52; and

WHEREAS, Caltrans requires that a Program Supplement Agreement for grant funded project be executed in order for the City to receive reimbursement for project costs in addition to any Master Agreement with the State of California; and

WHEREAS, the City has a Master Agreement with the State of California for receiving Federal Funds; and

WHEREAS, staff recommends City Council authorize the City Manager to execute a Program Supplement Agreement with the State of California for the Federal Highway Safety Improvement Program grant funding for the design of the Mission Gorge Road Street light Installation project (CIP 2017-02) HSIPL 5429 (030) in the amount of $46,000.

WHEREAS, the total amount of grant funds to be received is $365,000.

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

SECTION 1: The Mission Gorge Road Street Light Installation Project (CIP 2017-02) HSIPL 5429 (030) is categorically exempt per 15301(c) and (f) – Class 1 (Existing Facilities) of the Guidelines of the California Environmental Quality Act.

SECTION 2: The City Manager is authorized to execute a Program Supplement Agreement with the State of California for the Highway Safety Improvement Program (HSIP) grant for the installation of streetlights on Mission Gorge Road from Carlton Hills Boulevard to SR 52.

RESOLUTION NO. _____

SECTION 3: Appropriate HSIP grant funds in the amount of $46,000.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May, 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

PROGRAM SUPPLEMENT NO. F016
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 11-5429F15

Adv Project ID 1117000066
Date: February 28, 2017
Location: 11-SD-0-SNT
Project Number: HSIPL-5429(030)
E.A. Number:
Locode: 5429

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the Administering Agency on (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Mission Gorge Road from SR 52 westbound onramp to Carlton Hills Boulevard.

TYPE OF WORK: Street Lighting **LENGTH:** 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds		
	ZS30	$46,000.00	LOCAL		OTHER
$46,000.00			$0.00		$0.00

CITY OF SANTEE

By _____

Title _____

Date _____

Attest _____

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer _____ **Date** 3/13/2017 $46.000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

STATE OF CALIFORNIA. DEPARTMENT OF TRANSPORTATION

PROGRAM SUPPLMENT AND CERTIFICATION FORM

PSCF (REV. 01/2010)

TO: **STATE CONTROLLER'S OFFICE**
Claims Audits
3301 "C" Street, Rm 404
Sacramento, CA 95816

DATE PREPARED: **3/17/2017**

PROJECT NUMBER: **1117000066**

REQUISITION NUMBER / CONTRACT NUMBER: **RQS 111700000400**

FROM:

Department of Transportation

SUBJECT:

Encumbrance Document

VENDOR / LOCAL AGENCY:

CITY OF SANTEE

CONTRACT AMOUNT:

$46,000.00

PROCUREMENT TYPE:

Local Assistance

CHAPTER	STATUTES	ITEM	YEAR	PEC / PECT	COE/Category	AMOUNT
23	2016	2660-102-0890	2016/2017	2030010550	2620/0420	46,000.00

ADA Noti For individuals with sensory disabilities, this document is available in alternate formats. For information, call (915) 654-6410 of TDD (916) -3880 or write Records and Forms Management, 1120 N. Street, MS-89, Sacramento, CA 95814.

SPECIAL COVENANTS OR REMARKS

1. A. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

B. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

C. STATE and ADMINISTERING AGENCY agree that any additional funds which might be made available by future Federal obligations will be encumbered on this PROJECT by use of a STATE-approved "Authorization to Proceed" and Finance Letter. ADMINISTERING AGENCY agrees that Federal funds available for reimbursement will be limited to the amounts obligated by the Federal Highway Administration.

D. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Attention is directed to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

E. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

F. Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-

assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

G. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

H. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at www.sam.gov.

2. A. ADMINISTERING AGENCY shall conform to all State statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of

SPECIAL COVENANTS OR REMARKS

Federal Regulation (CFR) and 2 CFR Part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

B. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.

C. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.

D. Indirect Cost Allocation Plan/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.

E. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or $40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

F. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

G. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

H. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures,

48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

I. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

J. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

K. STATE reserves the right to conduct technical and financial audits of PROJECT WORK and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by the following paragraph:

ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT, and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

L. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices set to or paid by STATE.

M. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends $750,000 or more in Federal Funds in a single fiscal year of the Catalogue of Federal Domestic Assistance.

N. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in

SPECIAL COVENANTS OR REMARKS

ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

O. ADMINISTERING AGENCY shall not award a non-A&E contract over $5,000, construction contracts over $10,000, or other contracts over $25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

P. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions B, C, F, H, I, K, and L under Section 2 of this agreement.

3. In the event that right of way acquisition for or construction of this project of the initial federal authorization for preliminary engineering is not started by the close of the tenth fiscal year following the fiscal year in which the project is authorized, the ADMINISTERING AGENCY shall repay the Federal Highway Administration through Caltrans the sum of Federal funds paid under the terms of this agreement.

Mission Gorge Street Light
Installation Project Location Map

- Existing Street Light location
- Proposed Street Light location

City of Santee

COUNCIL AGENDA STATEMENT

1N

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM SUPPLEMENT AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SCHOOL AREA STREET LIGHT INSTALLATION PROJECT HSIPL 5429 (031) AND FINDING THE PROJECT EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY

A program supplement agreement to the master agreement for federal-aid projects between the City of Santee and Caltrans is required in order to be reimbursed for each specific grant funded project the City is awarded. Caltrans requires that the program supplement agreement be executed for each project with authorization by a resolution of the City Council.

This item requests City Council to authorize the City Manager to execute a Program Supplement Agreement with Caltrans for the Highway Safety Improvement Program (HSIP) funded project to install street lights around Santana High School along Mast Boulevard, Magnolia Avenue, and Second Street (refer to attached project map). This project is reflected as unfunded in the current five year Capital Improvement Program budget. This HSIP grant will provide the funds for the project. Construction is anticipated to begin in 2018.

The Program Supplement Agreement only reflects the $51,000 amount that has been allocated from the grant for environmental and design purposes. Construction funding will be allocated through Caltrans by staff at a later date. This item also requests the Council to appropriate the grant funds.

ENVIRONMENTAL REVIEW

Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) 15301(c) and (f) – Class 1 (Existing Facilities)

FINANCIAL STATEMENT

The total amount of grant funds to be received for this project is $518,200. The grant will reimburse 100% of all costs associated with the project and no matching funds are required.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION

Adopt the attached Resolution: MDB

1. Authorizing the City Manager to execute a Program Supplement with Caltrans for HSIP grant funds for the School Area Street Light Installation Project.
2. Appropriating HSIP grant funds in the amount of $51,000.

ATTACHMENTS

Resolution
Program Supplement Agreement
Project Location Map

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM SUPPLEMENT AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SCHOOL AREA STREET LIGHT INSTALLATION PROJECT HSIPL 5429 (031) AND FINDING THE PROJECT EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Santee applied for and received a Federal Highway Safety Improvement Program (HSIP) Grant for the School Area Street light Installation Project (CIP 2017-03) HSIPL 5429 (031) to install street lights around Santana High School along Mast Boulevard, Magnolia Avenue and Second Street; and

WHEREAS, Caltrans requires that a Program Supplement Agreement for grant funded project be executed in order for the City to receive reimbursement for project costs in addition to any Master Agreement with the State of California; and

WHEREAS, the City has a Master Agreement with the State of California for receiving Federal funds; and

WHEREAS, staff recommends City Council authorize the City Manager to execute a Program Supplement Agreement with the State of California for the Federal Highway Safety Improvement Program grant for the design of the School Area Street Light Installation project (CIP 2017-02) HSIPL 5429 (031) in the amount of $51,000; and

WHEREAS, the total amount of grant funds to be received is $518,200.

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

SECTION 1: The School Area Street Light Installation Project (CIP 2017-02) HSIPL 5429 (031) is categorically exempt per 15301(c) and (f) – Class 1 (Existing Facilities) of the Guidelines of the California Environmental Quality Act.

SECTION 2: The City Manager is authorized to execute a Program Supplement Agreement with the State of California for the Highway Safety Improvement Program grant for the installation of street lights around Santana High School along Mast Boulevard, Magnolia Avenue, and Second Street.

SECTION 3: Appropriate HSIP grant funds in the amount of $51,000.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:
NOES:
ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

PROGRAM SUPPLEMENT NO. F017
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 11-5429F15

Adv Project ID 1117000067
Date: March 13, 2017
Location: 11-SD-0-SNT
Project Number: HSIPL-5429(031)
E.A. Number:
Locode: 5429

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the Administering Agency on (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Around Santana High School on Mast Bld from Park Center Dr to Grand Teton Way, Magnolia Ave from Mast Bld to 2nd Street, 2nd Street from Magnolia Ave to Cleary Way.

TYPE OF WORK: Street Lighting

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds		
	ZS30	$51,000.00	LOCAL		OTHER
$51,000.00			$0.00		$0.00

CITY OF SANTEE

By _____

Title _____

Date _____

Attest _____

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer _____ **Date** 3/17/2017 $51,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

STATE OF CALIFORNIA. DEPARTMENT OF TRANSPORTATION

PROGRAM SUPPLMENT AND CERTIFICATION FORM

PSCF (REV. 01/2010)

TO: **STATE CONTROLLER'S OFFICE**
Claims Audits
3301 "C" Street, Rm 404
Sacramento, CA 95816

DATE PREPARED: **3/17/2017**

PROJECT NUMBER: 1117000067

REQUISITION NUMBER / CONTRACT NUMBER: **RQS 111700000401**

FROM:
Department of Transportation

SUBJECT:
Encumbrance Document

VENDOR / LOCAL AGENCY:
CITY OF SANTEE

CONTRACT AMOUNT:
$51,000.00

PROCUREMENT TYPE:
Local Assistance

CHAPTER	STATUTES	ITEM	YEAR	PEC / PECT	COE/Category	AMOUNT
23	2016	2660-102-0890	2016/2017	2030010550	2620/0420	51,000.00

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SPECIAL COVENANTS OR REMARKS

1. A. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

B. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

C. STATE and ADMINISTERING AGENCY agree that any additional funds which might be made available by future Federal obligations will be encumbered on this PROJECT by use of a STATE-approved "Authorization to Proceed" and Finance Letter. ADMINISTERING AGENCY agrees that Federal funds available for reimbursement will be limited to the amounts obligated by the Federal Highway Administration.

D. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Attention is directed to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

E. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

F. Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-

assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

G. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

H. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at www.sam.gov.

2. A. ADMINISTERING AGENCY shall conform to all State statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of

SPECIAL COVENANTS OR REMARKS

Federal Regulation (CFR) and 2 CFR Part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

B. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.

C. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.

D. Indirect Cost Allocation Plan/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.

E. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or $40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

F. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

G. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

H. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures,

SPECIAL COVENANTS OR REMARKS

48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

I. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

J. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

K. STATE reserves the right to conduct technical and financial audits of PROJECT WORK and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by the following paragraph:

ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT, and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

L. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices set to or paid by STATE.

M. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends $750,000 or more in Federal Funds in a single fiscal year of the Catalogue of Federal Domestic Assistance.

N. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in

SPECIAL COVENANTS OR REMARKS

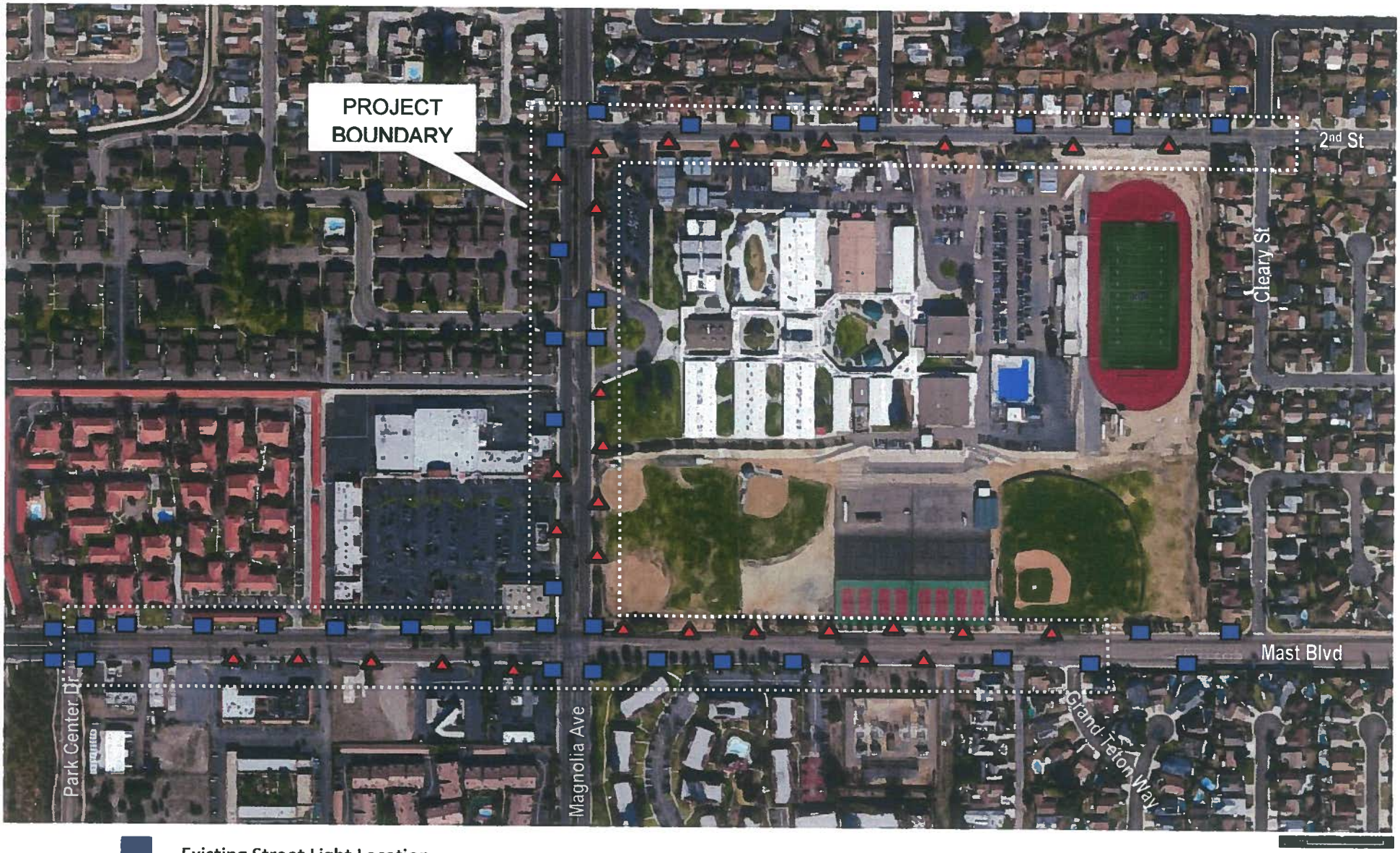
ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

O. ADMINISTERING AGENCY shall not award a non-A&E contract over $5,000, construction contracts over $10,000, or other contracts over $25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

P. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions B, C, F, H, I, K, and L under Section 2 of this agreement.

3. In the event that right of way acquisition for or construction of this project of the initial federal authorization for preliminary engineering is not started by the close of the tenth fiscal year following the fiscal year in which the project is authorized, the ADMINISTERING AGENCY shall repay the Federal Highway Administration through Caltrans the sum of Federal funds paid under the terms of this agreement.

School Street Light Installation
Project Location Map



- Existing Street Light Location

- Proposed Street Light Location

City of Santee
COUNCIL AGENDA STATEMENT

10

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **REJECTION OF ALL BIDS FOR THE PROPOSITION 84 INFILTRATION PILOT PROGRAM (CIP 2013-23)**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services

SUMMARY

This item requests City Council to reject all bids for the construction contract for the Proposition 84 Infiltration Pilot Program (CIP 2013-23).

On April 27, 2017, three bids were received and opened, with an apparent low bid of $246,200 and a high of $296,300. The project funding is from an Integrated Regional Water Management Program Grant in the maximum reimbursable amount of $242,500. Of this amount only $186,666 can be used for construction related activities, with the remainder allocated toward design, permitting and monitoring.

As part of the project, the City included the cleaning of the existing storm drain system upstream of the project to reduce any sediment from entering into the proposed infiltration improvements. The additional cost of this work was approximately $110,000. Because the cost of cleaning the storm drain is higher than anticipated, this bid item will be removed from the rebidding of the project.

Based on this determination, staff recommends that City Council reject all bids. The project will be re-bid removing the additional cleaning so that the received bids will be within the project budget.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

FINACIAL STATEMENT

The Integrated Regional Water Management Program grant will cover the maximum amount of $242,500. Of this $186,666 is allocated toward construction related activities.

RECOMMENDATION

Staff recommends that City Council reject all bids.

ATTACHMENTS

None

City of Santee
COUNCIL AGENDA STATEMENT

1P

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH D-MAX ENGINEERING, INC. FOR WATER QUALITY MONITORING SERVICES**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY This item requests the City Council approve an amendment to the professional services agreement with D-Max Engineering, Inc. (D-Max) for dry weather water quality monitoring services. This contract amendment will increase the fiscal year 2016-17 contract amount from $36,864 to $63,434.

The existing agreement was approved by the City Council on August 12, 2015 and provided for up to three one-year extensions. The first contract extension was granted for FY 16/17. Since the time of the initial contract, the City's compliance obligations have changed with the acceptance of the San Diego River Water Quality Improvement Plan by the San Diego Regional Water Quality Control Board. In addition, laboratory fees have increased significantly. This has resulted in the need to fund additional work in the current fiscal year and revise the scope of the agreement. An increase in the amount of $26,570 is requested to comply with the new water quality monitoring and reporting activities as described by the San Diego River Watershed Storm Drain Outfall Monitoring Plan.

To accommodate the changes described above, staff will return to Council with a new professional services agreement by early next fiscal year which will reset the scope of work, adjust the fees, and adjust the contract term to align with the monitoring year.

FINANCIAL STATEMENT m

Funding for this contract amendment is available in the adopted FY 2016-17 Zone 2 Flood Control District Fund budget.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATION MB by ZB

Adopt a resolution authorizing the City Manager to execute an amendment to the fiscal year 2016-17 professional services agreement with D-Max Engineering, Inc. for a total amount not to exceed $63,434.00.

ATTACHMENTS

Resolution

First Amendment to Professional Services Agreement

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING AMENDMENT OF A PROFESSIONAL SERVICES AGREEMENT WITH D-MAX ENGINEERING, INC. FOR WATER QUALITY MONITORING SERVICES

WHEREAS, on August 12, 2015 the City Council authorized the execution of a professional services agreement with D-Max Engineering, Inc. for an amount not to exceed $36,000 for FY 2015-16 for water quality monitoring, reporting, and follow up investigations as needed, and authorized the City Manager to approve three additional 12-month options to renew the agreement with annual increases not to exceed the San Diego All-Urban Consumers Index (CPI) for the preceding calendar year; and

WHEREAS, the agreement was renewed for FY 2016-17 at an amount not to exceed $36,864; and

WHEREAS, with the acceptance of the San Diego River Water Quality Improvement Plan in February 2016, additional sampling locations and additional testing parameters beyond the scope of the original agreement have been added; and

WHEREAS, fees for laboratory testing have significantly increased; and

WHEREAS, supplemental testing and reporting may be required on an as-needed basis; and

WHEREAS, an increase in the amount of $26,570 is requested to comply with these new water quality monitoring and reporting activities as described by the San Diego River Watershed Storm Drain Outfall Monitoring Plan.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that the City Manager is hereby authorized to execute the amendment to the professional services agreement with D-Max Engineering, Inc. for an additional amount not to exceed $26,570 resulting in a total contract amount to not exceed $63,434.00 for FY 2016-17.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN CITY OF SANTEE AND D-MAX ENGINEERING, INC.

This First Amendment ("Amendment"), dated this 10th day of May, 2017, for reference purposes only, is entered into by and between the City of Santee, a California charter city ("City") and DMAX Engineering, Inc. ("Consultant"). City and Consultant are sometimes referred to in this Amendment individually as a "Party" and collectively as the "Parties." This First Amendment is entered into in light of the following recited facts (each a "Recital").

RECITALS

A. City, under the Professional Services Agreement dated August 13, 2015 ("Agreement"), has retained the services of Consultant, to provide professional services relating to water quality monitoring (the "Project").

B. City and the Consultant desire to amend the aforesaid Agreement to increase the contracted amount for Fiscal Year 16/17 to $63,434.

C. This First Amendment is authorized pursuant to Section 3 of the Agreement.

NOW, THEREFORE, in consideration of the Recitals and the terms and conditions set forth in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties set forth their mutual covenants and understandings as follows:

TERMS

1. COMPENSATION: Section 2.b of the Agreement is hereby amended to increase the total amount paid for services rendered by Consultant pursuant to this Agreement by $26,570, from the previous amount of $36,864 to the current amount of $63,434. This adjustment is being made to account for additional monitoring (field samples and laboratory fees) required with the acceptance of the San Diego River Water Quality Improvement Plan in February 2016.

2. CONTINUING EFFECT OF AGREEMENT. Except as amended by this first Amendment, all other provisions of the Agreement remain in full force and effect. From and after the date of this Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this First Amendment.

IN WITNESS WHEREOF, the Parties have caused this first Amendment to be executed and delivered by their respective representatives, thereunto duly authorized, as of the date first written above.

CITY OF SANTEE

By:_____

Marlene Best, City Manager

Date:_____

DMAX ENGINEERING INCORPORATED

By: _____

Print Name:_____

Title:_____

Date: _____

APPROVED AS TO FORM:
BEST BEST & KRIEGER LLP

By: _____

Shawn Hagerty, City Attorney

Date: _____

City of Santee
COUNCIL AGENDA STATEMENT

2A
(CONT. FROM 4/26/17)

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **CONTINUED PUBLIC HEARING FOR THE SANTEE TOWNHOMES PROJECT, A GENERAL PLAN AMENDMENT (GPA2014-4) AND ZONE RECLASSIFICATION (R2014-2) TO CHANGE THE LAND USE AND ZONE FROM NEIGHBORHOOD COMMERCIAL TO MEDIUM-HIGH DENSITY RESIDENTIAL, TENTATIVE MAP (TM2014-2), DEVELOPMENT REVIEW PERMIT (DR2014-7), AND MITIGATED NEGATIVE DECLARATION (AEIS2014-14) AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR A 10-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 0.48-ACRE PROPERTY ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE (APN 380-202-08). APPLICANT: HEANEY PROPERTIES, LLC**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY The subject project was continued from the April 26, 2017 City Council hearing, to give the applicant time to work with staff on project alternatives that produced additional on-site guest parking. This staff report provides a parking analysis of three alternatives, all of which include one parking space compliant with the Americans with Disabilities Act standards:

- Alternative One: The project as proposed by the applicant and represented in the April 26, 2017 Staff Report (attached). Three guest parking spaces are provided for ten dwelling units (refer to Exhibit 1).
- Alternative Two: The site plan is revised to eliminate the tot lot and trash enclosure along the north property line, resulting in a total of five on-site guest parking spaces (refer to Exhibit 2).
- Alternative Three: The project is reduced to 9 dwelling units and the trash enclosure is eliminated, thereby releasing more area for the provision of nine guest parking spaces and a small recreation area along the east side of the property (refer to Exhibit 3).

The Staff Report includes a discussion of parking requirements in the context of these three alternatives. Resolutions that reflect all three alternatives are included in the agenda materials.

ENVIRONMENTAL REVIEW An Environmental Initial Study, prepared in accordance with the California Environmental Quality Act (CEQA), indicates that the project would have no significant impact on the environment with mitigation. Therefore, a Mitigated Negative Declaration (MND) has been prepared. It was advertised and made available for agency and public review/comment from February 23, 2017 through March 27, 2017. Written comments did not raise new issues not fully addressed in the Mitigated Negative Declaration and selection of Alternative 2 or 3 would not result in new adverse impacts; approval is recommended.

FINANCIAL STATEMENT m Staff costs for application processing are paid on an actual cost recovery basis. Development Impact Fees for 10 units are estimated to be: Drainage $19,010, Traffic $21,890, Traffic Signal $2,260, Park-in-Lieu $68,310, Public Facilities $56,120 and RTCIP Fee $23,570.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATIONS MB by PB

1. Conduct and close the Public Hearing; and
2. Find that General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7, and approval of the project will not have a significant effect on the environment with mitigation; approve the Mitigated Negative Declaration prepared in accordance with CEQA; and authorize a filing of a Notice of Determination; and
3. Adopt the Resolution approving GPA2014-4, approving and adopting the MND prepared in accordance with CEQA; and
4. Introduce and approve Zone Reclassification Ordinance R2014-2 for First Reading and set the Second Reading for May 24, 2017; and
5. Adopt the Resolutions approving TM2014-2 and DR2014-7 for Alternative One, Two, or Three.

ATTACHMENTS

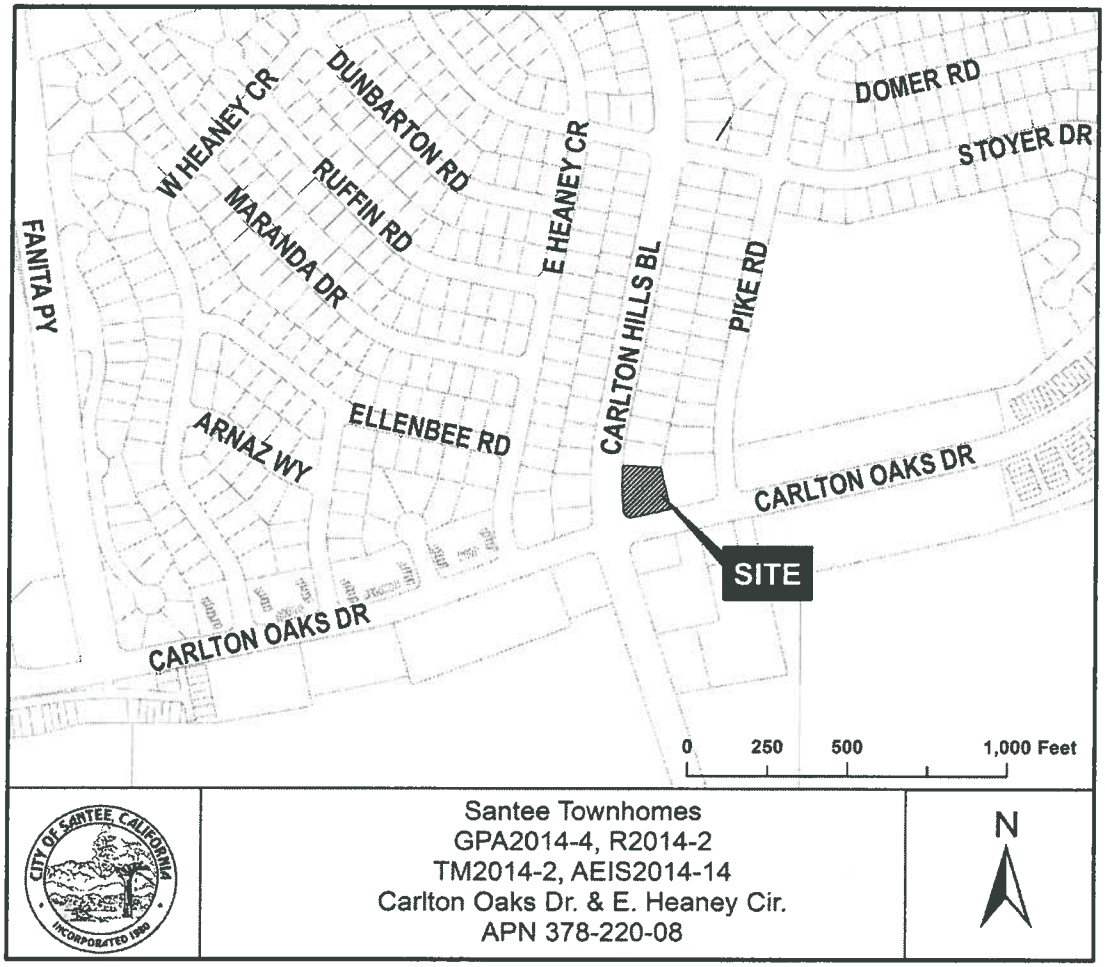
Staff Report Exhibits 1, 2, & 3 April 26, 2017 Council Staff Report/Project Plans
Resolution for GPA/MND Ordinance for ZCA Resolutions for each Alternative

STAFF REPORT

CONTINUED PUBLIC HEARING FOR THE SANTEE TOWNHOMES PROJECT, A GENERAL PLAN AMENDMENT (GPA2014-4) AND ZONE RECLASSIFICATION (R2014-2) TO CHANGE THE LAND USE AND ZONE FROM NEIGHBORHOOD COMMERCIAL TO MEDIUM-HIGH DENSITY RESIDENTIAL, TENTATIVE MAP (TM2014-2), DEVELOPMENT REVIEW PERMIT (DR2014-7), AND MITIGATED NEGATIVE DECLARATION (AEIS2014-14) AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR A 10-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 0.48-ACRE PROPERTY ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE (APN 380-202-08). APPLICANT: HEANEY PROPERTIES, LLC

CITY COUNCIL MEETING, MAY 10, 2017

Notice of the Public Hearing was published in the East County Californian on April 13, 2017. The Notice of Public Hearing was mailed to **64** owners of property within 300 feet of the request and other interested parties, including the owner of the subject property and the applicant, by U.S. Mail on **April 13, 2017.** The item was continued from the April 26, 2017 Public Hearing to a date certain May 10, 2017 Public Hearing. Pursuant to Section 17.04.100.E of the Municipal Code, no further notice was required.



A. TITLE 17 – CHAPTER 17.24 "PARKING REGULATIONS"

City parking requirements for multiple-family residential developments are set forth in Section 17.24.040(A)(2) of the Municipal Code. These are summarized in Table 1 below:

Table 1
Parking Requirements

Unit Type	Parking Rate	Parking Space Size
One Bedroom	1.5 space per unit (1 of which must be in garage or carport)	9'x19' standard 8'x16' compact
Two Bedroom	2 per unit (1 of which must be in garage or carport)	Same
Three Bedroom	2 per unit (1 of which must be in garage or carport)	Same
Guest Parking	1 space for every 4 dwelling units	Same

A 20'x20' garage would accommodate two standard parking spaces. City parking standards allow up to 35% of required uncovered spaces to be compact. For townhomes, on-street parking may be substituted for visitor parking, where sufficient street pavement width and distance between driveways has been provided. In addition, the Americans with Disabilities Act (ADA) requires that for every 25 spaces provided in a parking facility, one accessible space be provided. The accessible parking space must also meet specific signage and configuration requirements, including a minimum width of nine feet and length of 18 feet. Within the San Diego Region, the City's current requirement is on par with most cities. In La Mesa, for example, multiple-family developments require two spaces per unit with no additional requirement for guest parking. In Del Mar, two spaces are required per dwelling unit plus one guest parking space for every four units.

B. ANALYSIS

The subject project was continued from the April 26, 2017 City Council hearing with direction to Staff to work with the applicant in revising the site plan to accommodate additional guest parking. Two new project alternatives have been crafted and an analysis of each project alternative, including the original project alternative, are provided below:

Alternative One
This is the project as proposed by the applicant and represented in the April 26, 2017 Staff Report. This project alternative would meet the development standards of the Medium-High Density Residential (R-14) Zone, including parking requirements. Each unit would be provided with a 20'x 20' garage, with an additional 80 square foot space at the end of the garage for storage. The provision of two-car garages in

each unit would result in a total of 20 on-site parking spaces, meeting the minimum parking requirements for each unit. The additional three guest parking spaces provided with this project alternative would meet the minimum standards for guest parking.

Alternative Two

Project Alternative Two would maintain all 10 units while providing two additional parking spaces for a total of five on-site guest parking spaces. The proposed common area/tot lot on the northeastern corner of the site would be eliminated and the trash enclosure area would be removed. The added parking spaces would translate into 2.5 parking spaces per dwelling unit or two parking spaces per unit plus one guest parking space for every two units. Trash service would be provided to each individual unit, with each unit storing trash and recycling bin in a nook within the garage. The trash bins would be placed outside the garage on trash days. The community mailbox would be placed within a landscape planter at the entrance to the development. A common open space area with barbecue grills would still be maintained on the southeast corner of the development. Removal of the tot lot area would reduce on-site landscaping by about 500 square feet and result in additional impermeable area, which may require minor modification to the site's drainage and bio retention facilities.

Alternative Three

Project Alternative Three would eliminate one dwelling unit on the north end of the site and provide a common open space area in its place. This project alternative would also remove the trash enclosure area and tot lot on the north end of the site. Trash service would be provided to each individual unit, as in Alternative Two. The common open space area on the south end of the site, along Carton Oaks Drive, would also be removed and consolidated into one common open space lot, with amenities such as a tot lot and barbecue grills. The community mailbox would be placed within a landscape planter at the entrance to the development. The removal of the dwelling unit, tot lot and trash enclosure area would allow additional flexibility in providing additional guest parking spaces. A conceptual site plan shows that up to nine guest parking spaces may be configured on the site with this alternative. The final engineered plan will determine the number of spaces. A condition of approval has been added to the Development Review Resolution that reads as follows: The Director of Development Services may reduce the number of guest parking spaces from nine (9) to seven (7) based on final engineering plans.

As with any approved conceptual site plans, slight variations may occur between the approved plans and the precise grading and building plans. However, the overall site plan with the approved number of dwelling units, parking spaces, landscaped areas, common open space areas, and fire lane widths would be unchanged.

Sustainability Features

The proposed townhomes in all three alternatives would be designed and built with California Title 24 energy efficiency standards and would include a roof-mounted

solar photo-voltaic system to the maximum feasible extent given roof space. The garage for each dwelling unit would be equipped with a dedicated 40A circuit and receptacle to support a future, plug-in, AC Level 2 electric vehicle charging station. The project would include a rain harvesting system to collect and reuse rainwater for landscape irrigation. In addition, all landscaping would be drought tolerant with a drip irrigation system.

Environmental Status

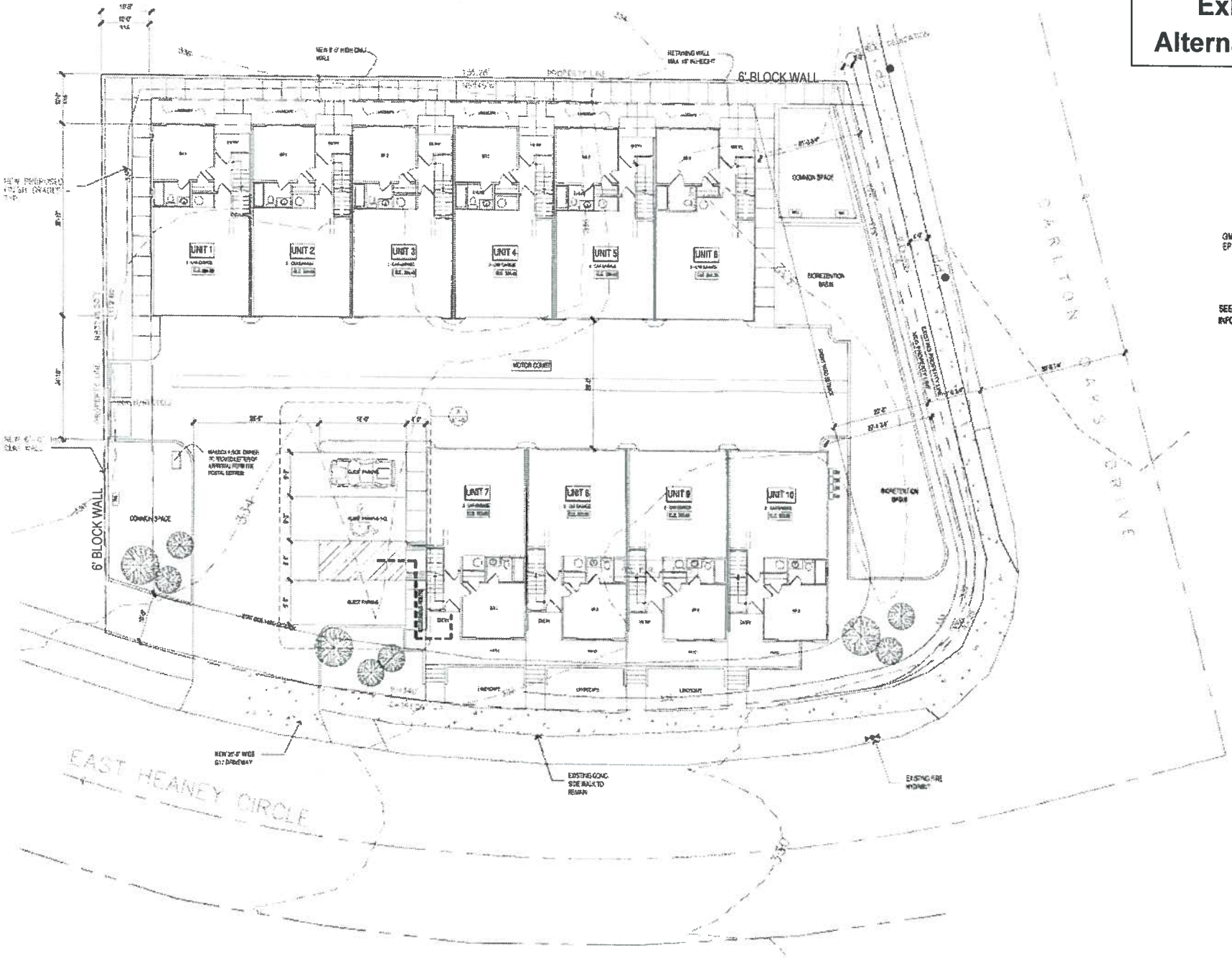
An Initial Study of the project was conducted in accordance with the California Environmental Quality Act (CEQA). The analysis indicated that the project would not have a significant adverse impact on the environment with mitigation. Therefore a Mitigated Negative Declaration was prepared and made available for review and comment by agencies and the public from February 23, 2017 to March 27, 2017. Because the modifications provided with the project alternatives are minor in nature and do not result in a substantially different project or a more intense project with additional dwelling units, the prepared Initial Study/Mitigated Negative Declaration covers the project as amended.

Comments received on the Mitigated Negative Declaration discussed no new information not covered in the Initial Study. A Mitigation, Monitoring, and Reporting Program for potential impacts to cultural resources (archaeological / paleontological) given the site's proximity to the San Diego River, is attached to the Resolutions of Approval.

E. STAFF RECOMMENDATION

1. Conduct and close the Public Hearing.
2. Find that General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7 and approval of the Santee Townhomes project will not have a significant effect on the environment with mitigation; approve the Mitigated Negative Declaration prepared in accordance with CEQA; and authorize a filing of a Notice of Determination.
3. Adopt the attached Resolution 1) Approving GPA2014-4; 2) approving and adopting the Mitigated Negative Declaration prepared in accordance with CEQA; and 3) directing City staff to a file of a Notice of Determination. .
4. Introduce and approve Zone Reclassification R2014-2 for First Reading and set the Second Reading for May 24, 2017.
5. Adopt the attached Resolutions for either Alternative One, Two, or Three.

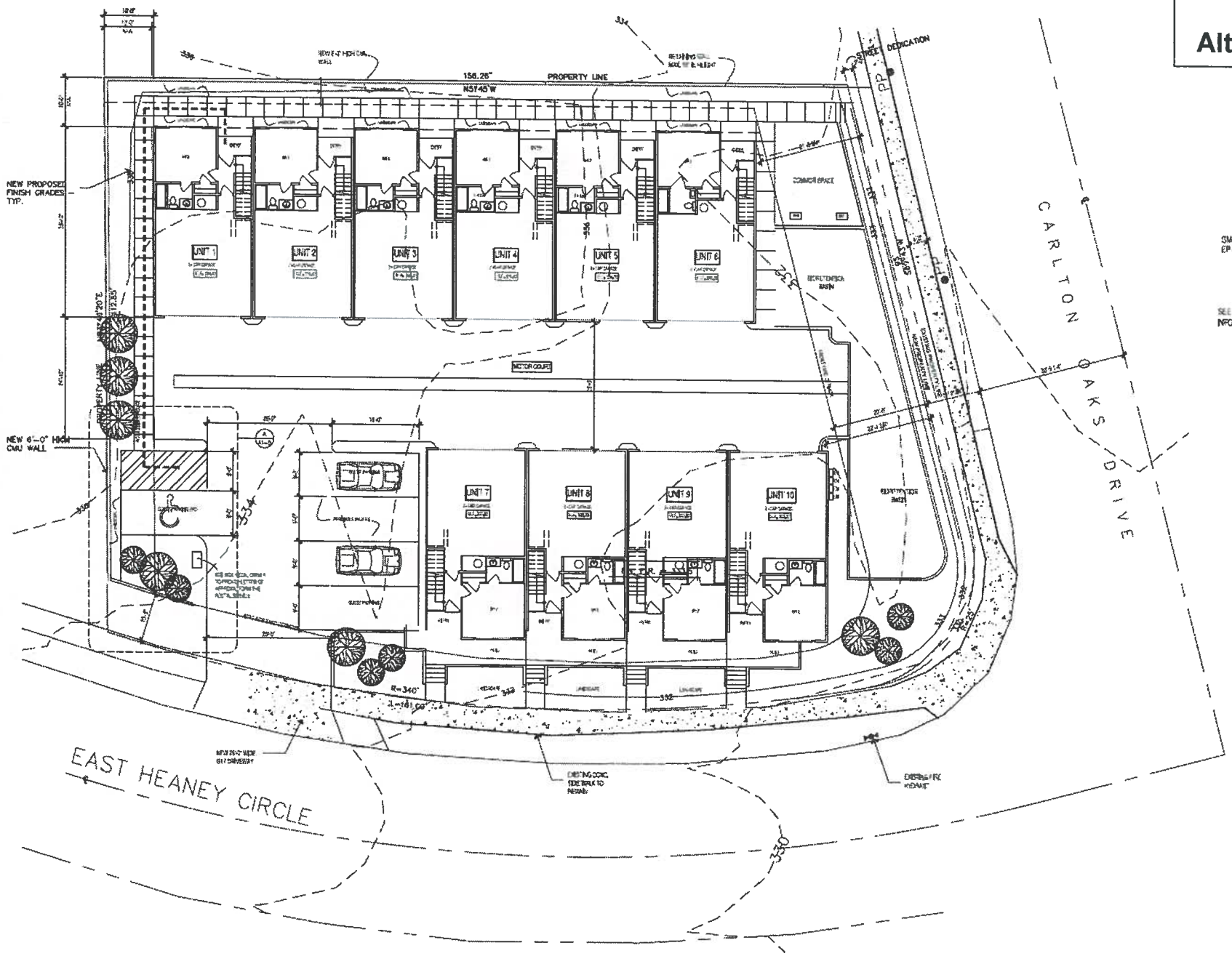
Exhibit 1
Alternative One



ARCHITECTURAL SITE PLAN

Tentative Map No. TM2014-2 Date: 2/10/17

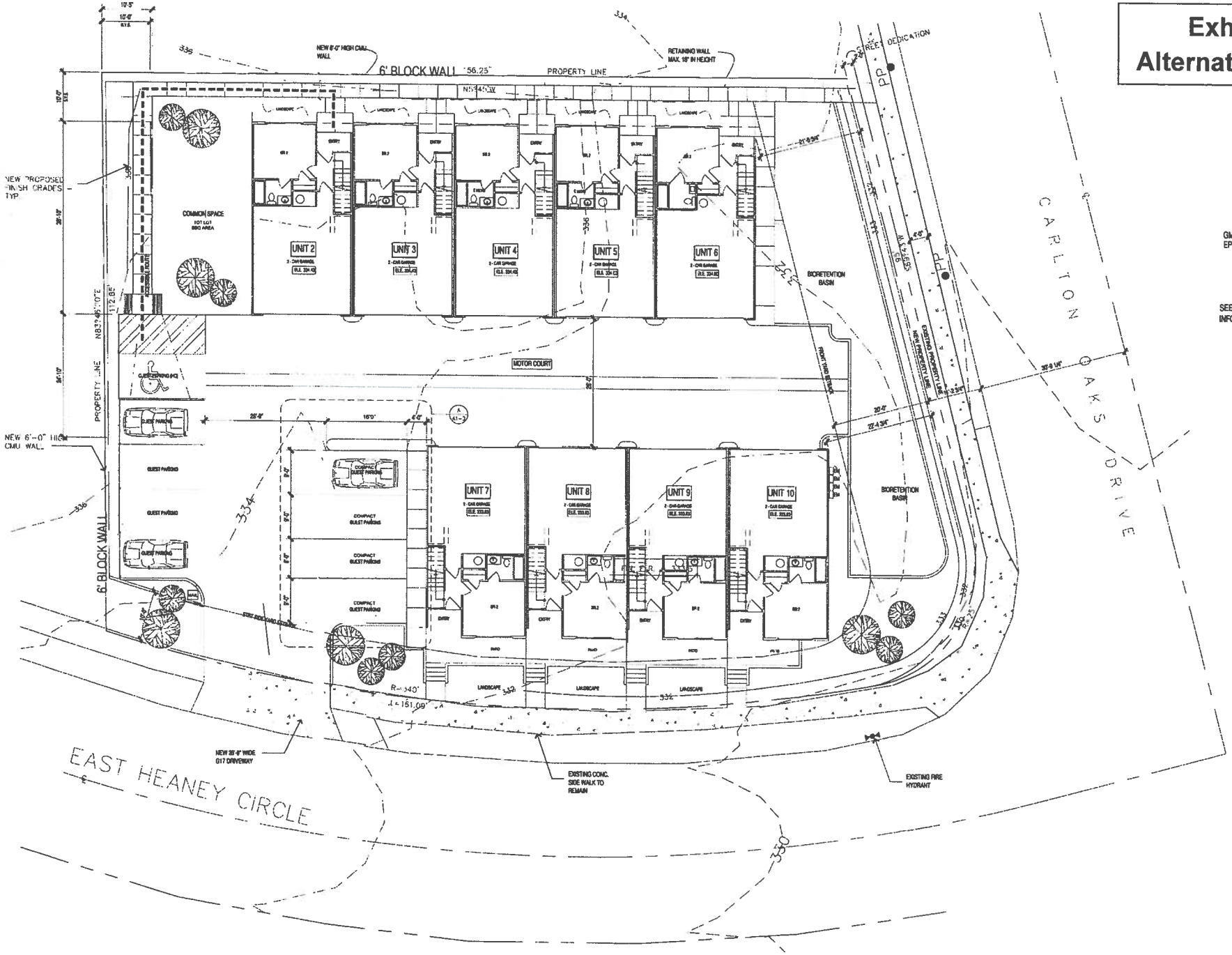
Exhibit 2
Alternative Two



ARCHITECTURAL SITE PLAN

Tentative Map No. TM2014-2 Date: 2/10/17 (amended 5/10/17)

Exhibit 3
Alternative Three



CONCEPTUAL
ARCHITECTURAL SITE PLAN
NOT TO SCALE

Tentative Map No. TM2014-2 Date: 2/10/17 (amended 5/10/17)

City of Santee

COUNCIL AGENDA STATEMENT

2B

MEETING DATE April 26, 2017 **AGENDA ITEM NO.**

ITEM TITLE PUBLIC HEARING FOR THE SANTEE TOWNHOMES PROJECT, A GENERAL PLAN AMENDMENT (GPA2014-4) AND ZONE RECLASSIFICATION (R2014-2) TO CHANGE THE LAND USE AND ZONE FROM NEIGHBORHOOD COMMERCIAL TO MEDIUM-HIGH DENSITY RESIDENTIAL, TENTATIVE MAP (TM2014-2), DEVELOPMENT REVIEW PERMIT (DR2014-7), AND MITIGATED NEGATIVE DECLARATION (AEIS2014-14) AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR A 10-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 0.48-ACRE PROPERTY ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE (APN 380-202-08). APPLICANT: HEANEY PROPERTIES, LLC

DIRECTOR/DEPARTMENT Melanie Kush, Development Services MK

SUMMARY Proposed is the development of a 10-unit condominium complex on a vacant 0.48-acre property on the northeast corner of E. Heaney Circle and Carlton Oaks Drive. The project requires approval of a General Plan Amendment and an Amendment to the Zone Base District Map to change the Neighborhood Commercial land use designation and zone classification to Medium-High Density Residential (R-14). The proposed project would have a density of 20.8 dwelling units per acre consistent with the R-14 designation/zone. In addition to a Development Review Permit, the project includes a Tentative Map. The project is configured in two three-story buildings, with two common open space areas, one of which would contain a tot lot and the other a lawn area with barbecue pits. The units consist of three bedrooms each, with about 1,600 sq. ft. of living space and a two car garage for a total area of 2,000 sq. ft. Vehicular access would be from E. Heaney Circle. The required 23 on-site parking spaces are provided through a combination of garages and open parking. Streetscape landscaping would be provided along the site's frontage along E. Heaney Circle and Carlton Oaks Drive.

ENVIRONMENTAL REVIEW An Environmental Initial Study, prepared in accordance with the California Environmental Quality Act (CEQA), indicates that the project would have no significant impact on the environment with mitigation. Therefore, a Mitigated Negative Declaration (MND) has been prepared. It was advertised and made available for agency and public review/comment from February 23, 2017 through March 27, 2017. Written comments did not raise new issues not fully addressed in the Mitigated Negative Declaration; approval is recommended.

FINANCIAL STATEMENT Staff costs for application processing are paid on an actual cost recovery basis. Development Impact Fees are estimated to be: Drainage $19,010, Traffic $21,890, Traffic Signal $2,260, Park-in-Lieu $68,310, Public Facilities $56,120, and RTCIP Fee $23,570.

CITY ATTORNEY REVIEW ☐ N/A ☒ Completed

RECOMMENDATIONS MB by PB

1. Conduct and close the Public Hearing.
2. Find that General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7, and approval of the project will not have a significant effect on the environment with mitigation; approve the Mitigated Negative Declaration prepared in accordance with CEQA; and authorize a filing of a Notice of Determination.
3. Adopt the attached Resolution 1) approving GPA2014-4; 2) approving and adopting the Mitigated Negative Declaration prepared in accordance with CEQA; and 3) directing City staff to a file of a Notice of Determination.
4. Introduce and approve Zone Reclassification Ordinance R2014-2 for First Reading and set the Second Reading for May 10, 2017.
5. Adopt the attached Resolutions approving TM2014-2 and DR2014-7.

ATTACHMENTS

Staff Report Resolutions Ordinance Project Plans

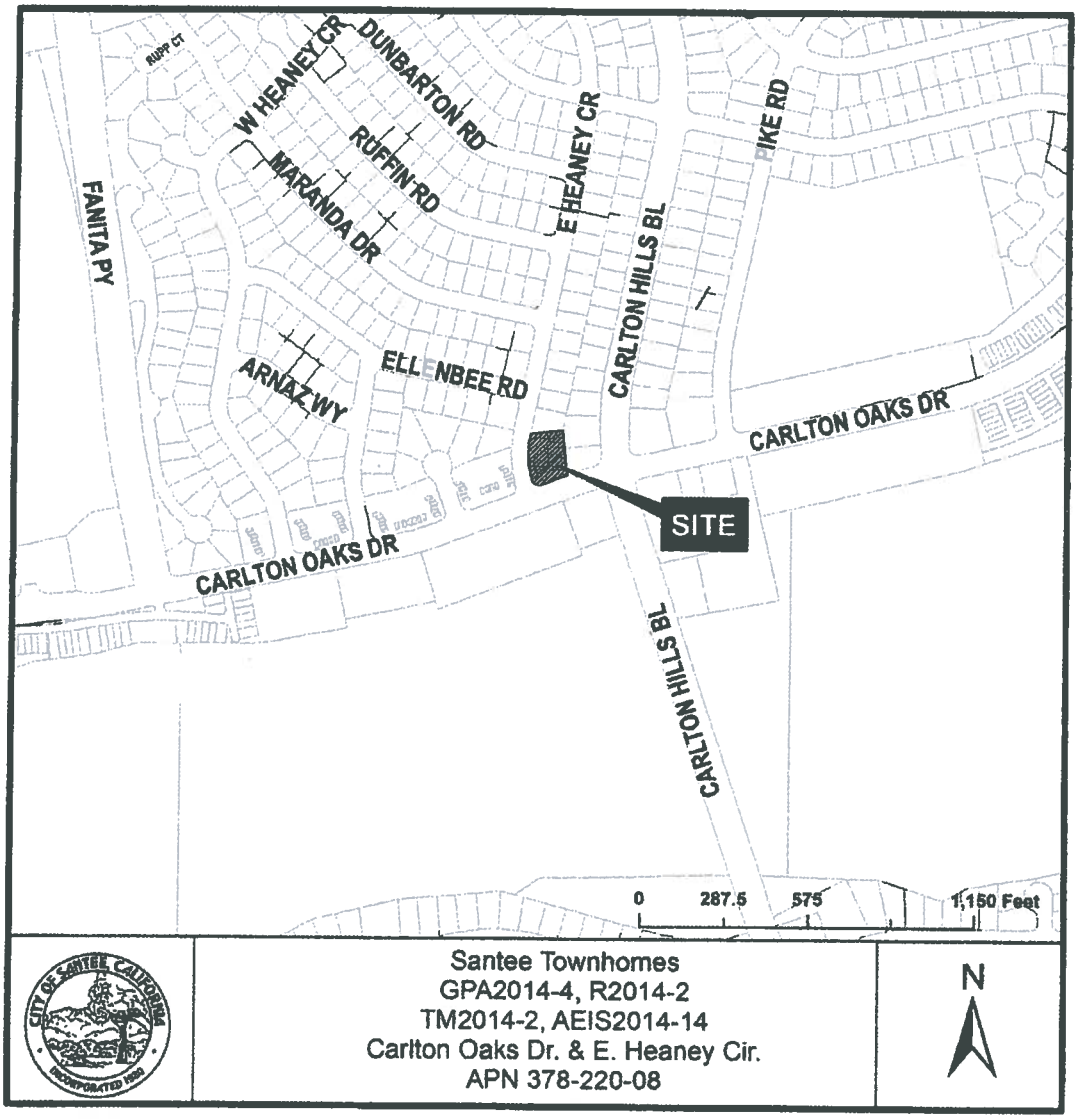
Mitigated Negative Declaration/Initial Study and comments/responses (excluding appendices)

STAFF REPORT

PUBLIC HEARING FOR THE SANTEE TOWNHOMES PROJECT, A GENERAL PLAN AMENDMENT (GPA2014-4) AND ZONE RECLASSIFICATION (R2014-2) TO CHANGE THE LAND USE AND ZONE FROM NEIGHBORHOOD COMMERCIAL TO MEDIUM-HIGH DENSITY RESIDENTIAL, TENTATIVE MAP (TM2014-2), DEVELOPMENT REVIEW PERMIT (DR2014-7), AND MITIGATED NEGATIVE DECLARATION (AEIS2014-14) AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR A 10-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 0.48-ACRE PROPERTY ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE (APN 380-202-08). APPLICANT: HEANEY PROPERTIES, LLC

CITY COUNCIL MEETING, APRIL 26, 2017

Notice of the Public Hearing was published in the East County Californian on April 13, 2017. The Notice of Public Hearing was mailed to **64** owners of property within 300 feet of the request and other interested parties, including the owner of the subject property and the applicant, by U.S. Mail on **April 13, 2017.**



A. SITUATION AND FACTS

1. Requested by ..... Heaney Properties, LLC
2. Land Owner ..... Heaney Properties, LLC
3. Type and Purpose of Request — General Plan Amendment, Zone Reclassification, Tentative Map, and Development Review Permit, for a proposed 10-unit residential condominium complex.
4. Location — NE Corner of E. Heaney Circle and Carlton Oaks Dr.
5. Site Area — 0.48 acre
6. Number of lots 11
7. Hillside Overlay ..... No
8. Existing Zoning ..... NC (Neighborhood Commercial)
9. Proposed Zoning ..... R-14 (Medium-High Density Residential)
10. Surrounding Zoning ..... North: R-2 (Low-Medium Density Residential)
    South: R-14 (Medium-High Density Residential)/ NC (Neighborhood Commercial)
    East: NC (Neighborhood Commercial)
    West: R-14 (Medium-High Density Residential)
11. General Plan Designation ..... NC (Neighborhood Commercial)
12. Proposed G.P. Designation ..... R-14 (Medium-High Density Residential)
13. Existing Land Use ..... Vacant
14. Surrounding Land Use ..... North: Single-family homes
    South: Apartments, neighborhood shopping center
    East: Convenience store
    West: Townhomes
15. Terrain ..... Flat
16. Environmental Status ..... A Mitigated Negative Declaration (MND) has been prepared in accordance with the California Environmental Quality Act (CEQA).
17. APN 380-202-08
18. Within Airport Influence Area ..... The project is not within Airport Influence Area 1 and would not require a consistency review with the Gillespie Field Airport Land Use Compatibility Plan.

B. BACKGROUND

Existing Conditions:
The development site consists of a 0.48-acre vacant property on the northeast corner of E. Heaney Circle and Carlton Oaks Drive. The parcel was created as part of the Carlton Hills Unit No. 2 Subdivision in 1959, but has never been developed. The site has existing curbs, gutters and sidewalk and full municipal services, including sewer and water. A General Plan Amendment Initiation Request for the subject project was presented before the City Council on August 28, 2013. Initiation requests are informative in nature and give the City Council early notification of a proposed change to a land use designation. The former property owner indicated that attempts to attract commercial development to the site have been unsuccessful due to the site's poor visibility from Carlton Oaks Boulevard and location in a residential neighborhood. The Council authorized Staff to work with the applicant on a residential proposal for the subject site.

The site is generally flat with site elevations ranging from 330 feet Above Mean Sea Level (AMSL) to near 336 feet AMSL. Cuts and fills of less than three feet across the site will be made to achieve building pad grade. A biological survey of the site, by Alden Environmental, Inc., shows no sensitive plants or animals on the site.

The site is surrounded by development. To the north and northwest is a single-family residential neighborhood. East of the site are commercial and retail uses. The commercial area to the east fronts Carlton Hills Boulevard and consists of two buildings housing professional offices including a chiropractic business and a small market with associated parking areas that abut the project site's eastern boundary. Further to the southeast is a small retail center on the southwest corner of the Carlton Hills Boulevard/Carlton Oaks Drive intersection. To the southwest is a medium-density multi-family residential development. The area directly west of the project site is developed with a two-story townhome development.

C. PROJECT DESCRIPTION

Overview:
The project is a request for a General Plan Amendment, Zone Reclassification, Tentative Map, and Development Review Permit for a proposed 10-unit residential condominium project on a 0.48-acre site.

The proposed General Plan Amendment and Zone Reclassification would change the land use designation from Neighborhood Commercial (NC) to Medium High Density Residential (R-14). This land use designation and zone classification allows a density of 14 to 22 dwelling units per acre. The proposed project's density is 20.8 dwelling units per acre.

The project contains a six-unit building and a four-unit building along a 26-foot drive aisle. The buildings would each be three stories with a maximum height of 34.3 feet. Two 3,500 common open space areas would be provided on the site. A tot lot would be provided on the north side of the property and a lawn area with barbecue pits would be provided on the south side of the property. The buildings would be constructed in a Spanish architectural style, similar to the existing townhomes directly west of the site, with a light stucco finish and concrete-tiled roofs. All units would measure approximately 2,050 square feet in total size and contain three bedrooms and a two-car garage. Vehicular access to/from the site would be from a proposed driveway along E. Heaney Circle.

Zoning Requirements

The site would be subject to the development standards of the R-14 zone, which are delineated in Chapter 17.10 of the Santee Municipal Code. The maximum allowable density in the R-14 zone is 22 units per acre. This project proposes a density of 20.8 dwelling units per acre. The maximum allowable height is 45 feet or three stories. This project proposes three stories and a maximum height of 34.3 feet. There is a 60% lot coverage limitation in the R-14 zone and the development proposes 38% coverage. The setbacks in the R-14 zone are 10 feet along each property line. The proposal would comply with the minimum setback requirement.

D. ANALYSIS

General Plan/Zoning Consistency:

The proposal would remove 0.48 acres from the City's Neighborhood Commercial land use inventory. However, due to the lack of development of the subject parcel as a commercial property since its creation as a lot in the Carlton Hills Unit No. 2 Subdivision in 1959, the Neighborhood Commercial land use designation is not the highest and best use of the property. In 2007, the previous property owner obtained approval of a Development Review Permit (DR2006-17) to construct a 6,000 square foot office building with six tenant spaces at the project site. However, the development never proceeded with the property owner citing the lack of interest from prospective tenants in the project. With the proposed General Plan Amendment and Zone Reclassification, the project would be consistent with both General Plan and Zone Code. The project complies with Objective 5.0 of the Housing Element of the General Plan which encourages the provision of a wide range of housing options by location, type of unit, and price to meet current and future housing need. The project adds 10 additional housing units to help Santee achieve its housing goals. The project meets the density, height, and lot coverage limitations of the City's Zoning Ordinance.

Compatibility with On-site and Adjacent Land Uses:

The proposed multiple family project is compatible with similar projects in the immediate vicinity, including an existing townhome project directly west of the project site. Nearby multi-family residences have densities ranging from 21 to 32 dwelling units per acre. Low-Medium Density Residential (R-2) zoning is located

on the north side of the site. Retail and office commercial uses are located to the east.

Impact Fees:
The proposed development would trigger development impact fees as listed below:

Traffic -	$ 21,890
Traffic Signal -	$ 2,260
Park-in-Lieu -	$ 68,310
Public Facilities-	$ 56,120
RTCIP -	$ 23,570
Drainage -	$ 19,010
Total	**$191,160**

Parking
The Santee Townhomes project provides 23 on-site parking spaces which meets the City's parking requirements for a project of this type and size. Parking requirements for residential condominiums are established in Section 174.24.040(A)(2) of the Santee Municipal Code. Dwelling units with two or more bedrooms must provide two parking spaces per unit. In addition, one guest parking space must be provided for every four dwelling units. The project would provide two parking spaces within a garage for each unit. The required three guest parking spaces would be provided within a surface parking area. The project has been conditioned to include language in the recorded Covenants, Conditions (CC&Rs) for the condominium development that requires residents of the development to make their required garage parking spaces available for parking of automobiles at all times, with provisions that grant the Homeowners Association the right to inspect private garages and ensure residents' compliance with this parking requirement. The condition would also require that guest parking spaces not be used as long-term parking by residents of the condominium development.

Traffic
The project would generate an estimated 80 Average Daily Trips (8 trips per townhome), with approximately 10 peak trips in the morning between 6 a.m. and 9:30 a.m. (two trips in / eight trips out) and 10 peak trips in the evening between 3 p.m and 6:30 p.m. (seven trips in / three trips out). An evaluation of the surrounding roadways and intersections in the Initial Study show that existing roadways can accommodate this small increase in traffic.

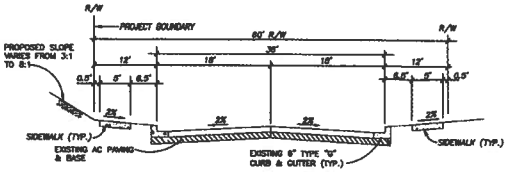
Environmental Status:
An Initial Study of the project was conducted in accordance with the California Environmental Quality Act (CEQA). The analysis indicated that the project would not have a significant adverse impact on the environment with mitigation. Therefore a Mitigated Negative Declaration was prepared and made available for review and comment by agencies and the public from February 23, 2017 to March 27, 2017. Comments received during this period discussed no new information not covered in the Initial Study. A Mitigation, Monitoring, and Reporting Program for potential

impacts to cultural resources (archaeological / paleontological) given the site's proximity to the San Diego River, is attached to the Resolutions of Approval.

E. STAFF RECOMMENDATION

1. Conduct and close the Public Hearing.
2. Find that General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7 and approval of the Santee Townhomes project will not have a significant effect on the environment with mitigation; approve the Mitigated Negative Declaration prepared in accordance with CEQA; and authorize a filing of a Notice of Determination.
3. Adopt the attached Resolution 1) Approving GPA2014-4; 2) approving and adopting the Mitigated Negative Declaration prepared in accordance with CEQA; and 3) directing City staff to a file of a Notice of Determination. .
4. Introduce and approve Zone Reclassification R2014-2 for First Reading and set the Second Reading for May 10, 2017.
5. Adopt the attached Resolutions approving TM2014-2 and DR2014-7.

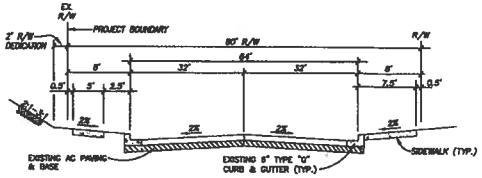
City of Santee TM No. 2014-02



EXISTING EAST HEANEY CIRCLE – PUBLIC

NO SCALE

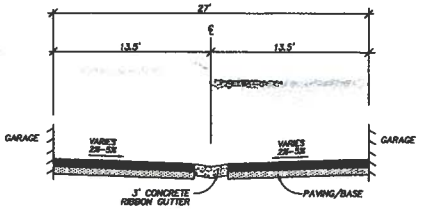
NOTE:
REPLACE ANY PAVEMENT, CURB & GUTTER OR SIDEWALK DAMAGED DURING CONSTRUCTION



EXISTING CARLTON OAKS DRIVE – PUBLIC

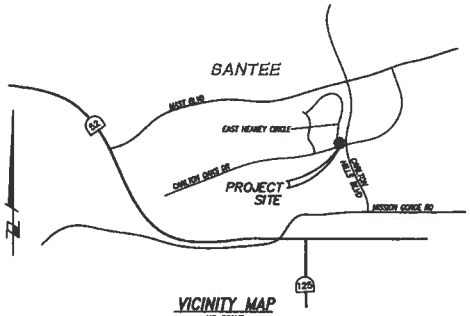
NO SCALE

NOTE:
REPLACE ANY PAVEMENT, CURB & GUTTER OR SIDEWALK DAMAGED DURING CONSTRUCTION



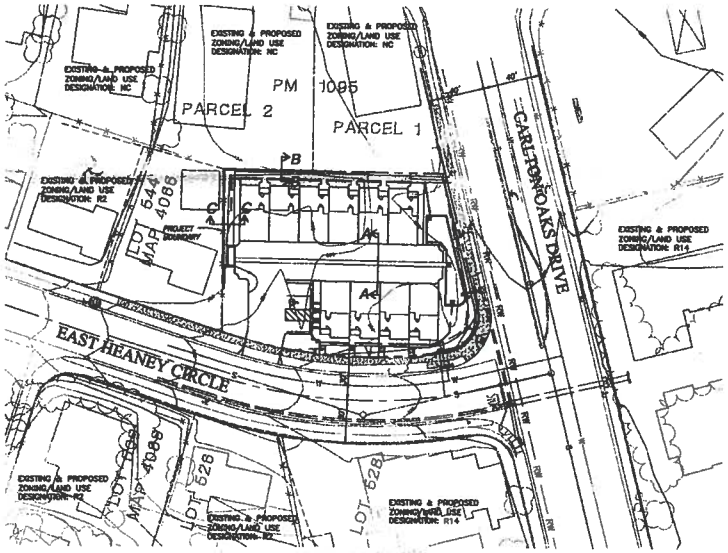
ALLEY SECTION 'A–A'

NO SCALE



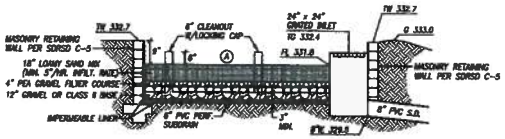
VICINITY MAP

NO SCALE



LOCATION MAP

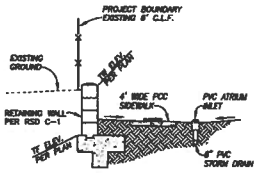
1" = 40'



④ SEE LANDSCAPE PLAN FOR PROPOSED LANDSCAPING

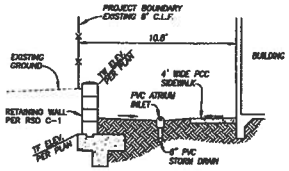
IMP #1 – BIOFILTRATION AREA

NO SCALE



SECTION 'B–B'

NO SCALE



SECTION 'C–C'

NO SCALE

GENERAL NOTES:

1. GROSS AREA : 0.484 Ac.
2. NET AREA: 0.478 Ac.
3. MINIMUM LOT SIZE ALLOWED: N/A
4. MAXIMUM DESNITY ALLOWED: 22 DU/Ac.
5. PROPOSED DENSITY: 21 DU/Ac.
6. TOTAL NUMBER OF LOTS: 1
7. THE PROJECT AREA IS LOCATED IN ZONE "X" ACCORDING TO FLOOD INSURANCE RATE MAP NO. 06073C1651G EFFECTIVE DATE: MAY 16, 2012 FEDERAL EMERGENCY MANAGEMENT AGENCY
8. UPON CONSTRUCTION OF THE PROPOSED IMPROVEMENTS, ALL BUILDING PADS WILL BE FREE OF STORM WATER OVERFLOW.
9. TOPOGRAPHY: CITY OF SANTEE GRID(S): 607
10. EXISTING ZONE: NC- NEIGHBORHOOD COMMERCIAL
11. PROPOSED ZONE: R-14
12. EXISTING LAND USE DESIGNATION: NC
13. PROPOSED LAND USE DESIGNATION: R-14
14. EXISTING USE OF PROPERTY: VACANT
15. PROPOSED USE OF PROPERTY: (10) CONDOMINIUM UNITS
16. SEWAGE DISPOSAL AND DOMESTIC WATER SERVICE: PADRE DAM MUNICIPAL WATER DISTRICT
14. SCHOOLS: SANTEE UNIFIED SCHOOL DISTRICT (K1 THROUGH 9) GROSSMONT UNION HIGH SCHOOL DISTRICT (9 THROUGH 12)
15. PROJECT WILL BE DEVELOPED IN ONE PHASE
16. FIRE PROTECTION: SANTEE FIRE ADMINISTRATION
17. STREET LIGHTING: CITY OF SANTEE
18. LANDSCAPING: PRIVATE HOA
19. ALL STRUCTURES TO HAVE AUTOMATIC FIRE SPRINKLERS
20. GRADING QUANTITIES: 820 C.Y. CUT, 230 C.Y. FILL, 590 C.Y. EXPORT
21. ASSESSOR'S PARCEL NUMBER: 380-202-08

CONDOMINIUM STATEMENT:

THIS IS A MAP OF A RESIDENTIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 OF THE STATE OF CALIFORNIA CIVIL CODE.

NOTE:

1. PARK FEES: DEVELOPER INTENDS TO PAY PARK FEE IN LIEU OF PARK DEDICATION.

LEGAL DESCRIPTION:

LOT 545 OF MAP NO. 4088, IN THE CITY OF SANTEE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

OWNER/SUBDIVIDER

LAND AND DESIGN
NAME: MATT REID
ADDRESS: 3755 AVOCADO BLVD., SUITE 516
LA MESA, CA 91942
PHONE: (858) 735-1858

MATT REID — DATE 2/10/17

ENGINEER OF WORK

POLARIS DEVELOPMENT CONSULTANTS, INC.
2514 JAMACHA ROAD, SUITE 502-31
EL CAJON, CA 92019
(619) 441-2931

REGISTERED PROFESSIONAL ENGINEER — NO. 56258 — EXP. 12-31-18 — CIVIL — STATE OF CALIFORNIA

JOEL A. BRIMHE — DATE 2/10/17
R.C.E. 56258 — EXP. 12-31-18

Planning • Engineering • Mapping
POLARIS Development Consultants, Inc.

SCALE: 1" = 40'
0 20 40 80 120

REVISIONS	BY

City of Santee TM No. 2014-02

DATE 2-07-17
SCALE 1"=40'
DRAWN JAW
JOB 268.0
SHEET 1 OF 2

Tentative Map No. TM2014-2 Date: 2/10/17

Planning ♦ Engineering ♦ Mapping
POLARIS
Development Consultants, Inc.

REGISTERED PROFESSIONAL ENGINEER
NO. 56259
EXP. 12-31-2018
CIVIL
STATE OF CALIFORNIA

PCL. 2 P.M. 1095 PCL. 1

EXISTING EASEMENT TO PACIFIC TELEPHONE & TELEGRAPH COMPANY FOR PUBLIC UTILITIES, INGRESS & EGRESS, REC. 7-16-29 IN BOOK 7774, PAGE 591 OF OFFICIAL RECORDS

EXIST. PARKING LOT

EXIST. PARKING LOT

PROJECT BOUNDARY

EXIST. 6' HIGH CLF

N 5°45'00" W 158.26'

RETAINING WALL (3' HIGH MAX.)

6" PVC

AREA DRAIN INLET (TYP.)

EXISTING GARAGE

LOT 544

EXIST. 6' HIGH CLF

MAP NO. 4066

EXISTING SINGLE FAMILY RESIDENCE

TRASH ENCLOSURE

LOT 1

FF=334.43 PAD=333.73

FF=334.43 PAD=333.73

FF=334.43 PAD=333.73

FF=334.43 PAD=333.73

FF=334.00 PAD=333.80

FF=334.00 PAD=333.30

GFF=334.09

GFF=334.09

GFF=333.67

GFF=333.67

GFF=333.25

GFF=333.25

GFF=333.50

GFF=333.50

GFF=333.08

GFF=333.08

FF=333.83 PAD=333.13

FF=333.83 PAD=333.13

FF=333.83 PAD=333.13

FF=333.83 PAD=333.13

NEW 2W IRRIG. SERV. & BACKFLOW

6"PVC

TW 332.7

BIORETENTION BASIN FL=331.8

BIORETENTION BASIN FL=331.8

BASIN OUTLET

24" INLET TO 332.4 IE 328.5

3' CONC. RIBBON DRAIN

CUT

FILL

PED RAMP

CATCH BASIN

NEW WATER SERVICE & BACKFLOW

EXIST. SIDEWALK

24' DRIVEWAY

NEW 6" SEWER LATERAL

NEW SEWER MANHOLE

EXIST. 6" ACP WATER

EXIST. 6" C&G

EXIST. NO PARKING SIGN

EXIST. 6" VCP SEWER

EXIST. SMH

EXIST. STOP SIGN

R/W LINE

EAST HEANEY CIRCLE

EXIST. UTILITY CABINET

EXIST. FH

REMOVE EXIST. SEWER LATERAL

PROJECT BOUNDARY

EXIST. 18" CMP

EXIST. 24" CMP

EXIST. TYPE F CURB INLET

EXIST. TYPE D CATCH BASIN

EXIST. 42" CMP

EXIST. SMH

EXIST. 8" ACP WATER

EXIST. 21" RCP SEWER

CARLTON OAKS DRIVE

EXIST. GUY ANCHOR

EXIST. SIDEWALK

EXIST. CURB PAINTED RED

PROP. SDCO

PROPOSED CLEAR SPACE EASEMENT

PROPOSED TYPE A PED. RAMP PER SDRSD G-27

REMOVE AND REPLACE DAMAGED PORTION OF EXIST. CROSS GUTTER

SCALE: 1" = 10'

0 5 10 20 30

GENERAL NOTES:

1. AREA DESIGNATED FOR UTILITY STRUCTURES (STRUCTURES TO BE SCREENED FROM PUBLIC VIEW)

Tentative Map No. TM2014-2 Date: 2/10/17

REVISIONS	BY

City of Santee TM No. 2014-02

DATE	1-19-17
SCALE	1"=10'
DRAWN	JAW
JOB	268.0
SHEET	2
OF	2 SHEETS

CONTRUCTION DOCUMENTS

SANTEE TOWNHOMES

CARLTON OAKS, SANTEE, CA.

PROJECT DATA

PROJECT ADDRESS: CARLTON OAKS, SANTEE, CA. 92071

OWNER: LAND & DESIGN, 10221 BUENA VISTA AVE, SANTEE, CA. 92071

LOT NUMBER: [illegible]

APN: [illegible]

LEGAL DESCRIPTION: LOT [illegible] OF CARLTON HILLS UNIT NO. 2, MAP NO. [illegible]

GROSS LOT AREA: [illegible]

NET LOT AREA: [illegible]

PROPOSED:

MAX. BASE DENSITY: [illegible]

FLOOR AREA:

BLDG. AREAS	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL UNIT	TOTALS
UNIT 1 - 10	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
GARAGES	[illegible]				[illegible]
TOTAL:					[illegible]

COMMON SPACE

REQUIRED [illegible]
PROVIDED [illegible]

PRIVATE SPACE

DECKS - [illegible]
TOTAL [illegible]

PARKING TABULATION:

3 BEDROOM UNITS	REQUIRED	PROVIDED
10 UNITS	20 SPACES	20 SPACES
GUEST SPACES (1 / EVERY 4 UNITS)	2.5 SPACES	3 SPACES

FRONT YARD LANDSCAPE

FRONT YARD AREA [illegible]

ZONING DESIGNATION: R-17 (MULTI-FAMILY)

CALIFORNIA BUILDING CODE: ALL WORK SHALL COMPLY WITH 2013 EDITION OF CCR TITLE 24 WHICH ADOPTS: [illegible]

CONSTRUCTION TYPE: [illegible]

OCCUPANCY GROUP: [illegible]

NO. OF STORIES: 3 STORIES

MAX. BUILDING HEIGHT: [illegible] AT HIGHEST POINT

FRONT SETBACK REQ'D: [illegible]
FRONT SETBACK PROPOSED: [illegible]

REAR SETBACK REQ'D: [illegible]
REAR SETBACK PROPOSED: [illegible]

SIDE SETBACK REQ'D: [illegible]
SIDE SETBACK PROPOSED: [illegible]

STRT SIDE SETBACK REQ'D: [illegible]
STRT SIDE SETBACK PROPOSED: [illegible]

ENGINEERING NOTES

[illegible]

FIRE BLOCKING NOTES

[illegible]

FIRE STOPPING NOTES

[illegible]

GENERAL NOTES

[illegible]

ARCHEOLOGICAL NOTES

[illegible]

FIRE DEPARTMENT NOTES

[illegible]

VICINITY MAP N.T.S.

BUILDING COLORS

FOUNDATION NOTES

[illegible]

DISCRETIONARY APPROVALS

DRB - 14-[illegible]
CAS - 14-[illegible]

DEFERRED SUBMITTALS

1. FIRE SPRINKLERS - PER CFC [illegible]
2. ALARM SYSTEM

SPECIAL INSPECTIONS

1. SOILS COMPLIANCE PRIOR TO FOUNDATION INSPECTION.
2. [illegible]
3. ENGINEERED MASONRY

PROJECT SCOPE

NEW APARTMENTS - 13 UNITS

THE CONSTRUCTION OF [illegible] BEDROOM, 2.5 BATH UNITS WITH A FOUR UNIT BUILDING AND A [illegible] BUILDING

PROJECT TEAM

ARCHITECT: STOSH THOMAS ARCHITECTS PC, [illegible] LA MESA, CA [illegible], CONTACT: STOSH PODESWIK, PHONE: [illegible]

LANDSCAPE ARCHITECT:

SURVEYOR:

ELECTRICAL ENGINEER: MOBLEY & ASSOCIATES INC., [illegible] SAN DIEGO, CA [illegible], CONTACT: [illegible], PHONE: [illegible]

CIVIL ENGINEER: KOERNER ENGINEERING, INC, [illegible] MISSION TRAILS DR. [illegible], SANTEE, CA [illegible], CONTACT: THOM KOERNER, PHONE: [illegible]

STRUCTURAL ENGINEER: HTK STRUCTURAL ENGINEERS, [illegible], POWAY, CA [illegible], CONTACT: [illegible], PHONE: [illegible]

PLUMBING ENGINEER:

SHEET INDEX

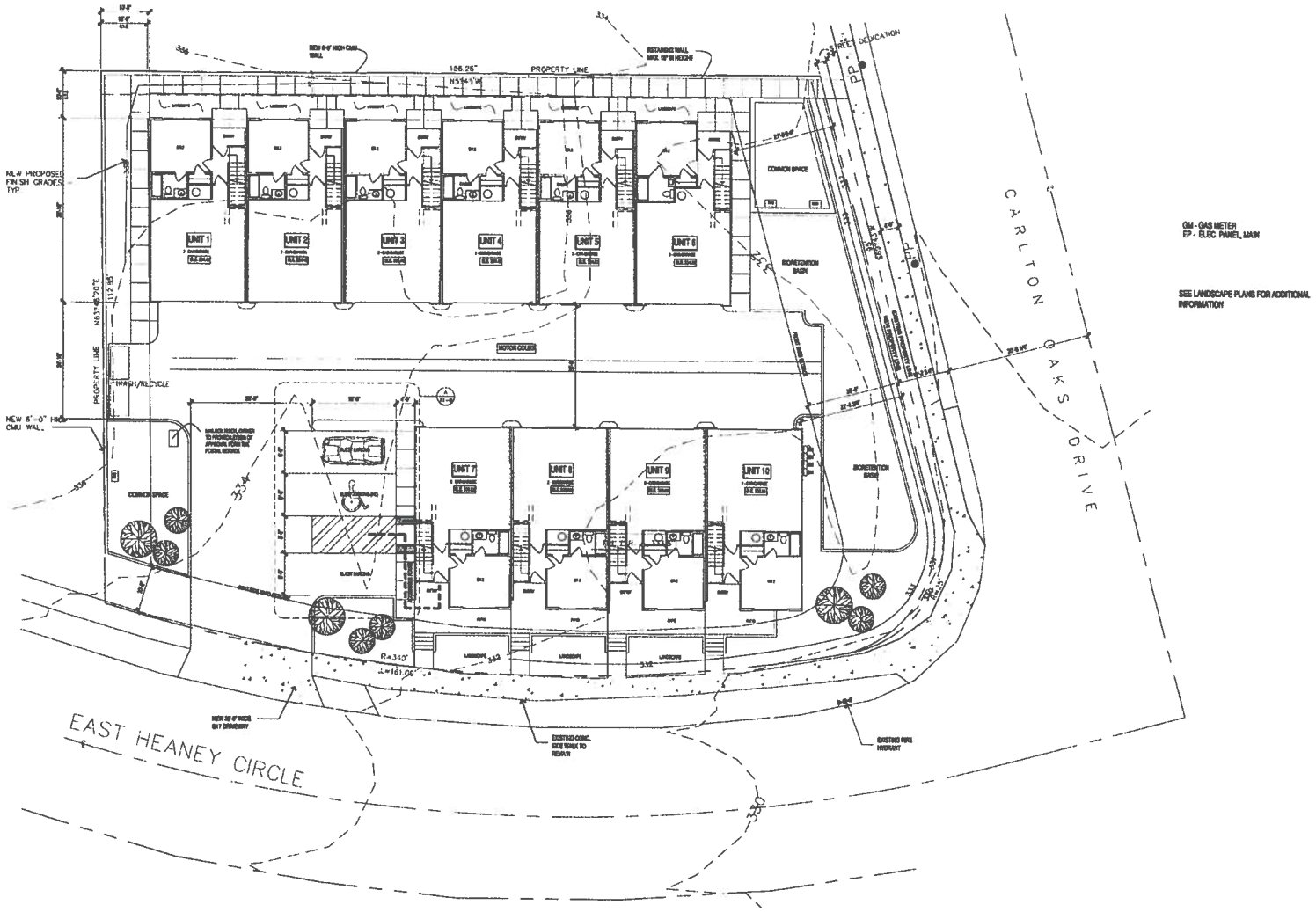
SHEET#	SHEET TITLE	SHEET#	SHEET TITLE
T-0	TITLE SHEET / GENERAL NOTES	SP-1	STRUCTURAL NOTES
T-1	ARCHITECTURAL SITE PLAN	SP-2	STRUCTURAL NOTES
C-1	TOPOGRAPHICAL SURVEY	SP-3	STRUCTURAL NOTES
CGBS-1	CAL GREEN STANDARDS	S-4	FOUNDATION PLAN - 4 PLEX
CGBS-2	CAL GREEN STANDARDS	S-5	2ND FLOOR FRAMING PLAN - 4 PLEX
		S-6	3RD FLOOR FRAMING PLAN - 4 PLEX
A1-0	SITE DETAILS	S-7	ROOF FRAMING PLAN - 4 PLEX
A1-1	FLOOR PLANS	S-8	FOUNDATION PLAN - 6 PLEX
A1-2	FLOOR PLANS / ROOF PLAN	S-9	2ND FLOOR FRAMING PLAN - 6 PLEX
A1-3	FLOOR PLANS	S-10	3RD FLOOR FRAMING PLAN - 6 PLEX
A1-4	FLOOR PLANS	S-11	ROOF FRAMING PLAN - 4 PLEX
A1-5	FLOOR PLANS	F-1	STRUCTURAL DETAILS
A1-6	FLOOR PLANS	FD-1	STRUCTURAL DETAILS
A1-7	FLOOR PLANS	FD-2	STRUCTURAL DETAILS
A1-8	ROOF PLAN	RD-1	STRUCTURAL DETAILS
A2-1	BUILDING SECTIONS		
A3-1	EXTERIOR ELEVATIONS	E-1	ELECTRICAL NOTES
A3-2	EXTERIOR ELEVATIONS	E-2	ELECTRICAL NOTES
A3-3	EXTERIOR ELEVATIONS	E-3	ELECTRICAL LAYOUT
A4-1	DOOR / WINDOW SCHEDULE	E-4	TITLE - 24
A5-1	ARCHITECTURAL DETAILS	E-5	TITLE - 24
A5-2	ARCHITECTURAL DETAILS		
		P0.0	PLUMBING NOTES
SP-1	STRUCTURAL NOTES	P1-1	PLUMBING PLANS
SP-2	STRUCTURAL NOTES	P1-2	PLUMBING PLANS
SP-3	STRUCTURAL NOTES	P2-1	PLUMBING PLANS
S-4	FOUNDATION PLAN - 4 PLEX		
S-5	2ND FLOOR FRAMING PLAN - 4 PLEX		

Tentative Map No. TM2014-2 Date: 2/10/17

SANTEE TOWNHOMES
CARLTON OAKS BOULEVARD
SANTEE, CALIFORNIA 92071

STOSH THOMAS ARCHITECTS

DATE: [illegible]
SCALE: NONE
DRAWN: STP
JOB: 1505
SHEET: T-0



ARCHITECTURAL SITE PLAN

3/32" = 1'-0"

Tentative Map No. TM2014-2 Date: 2/10/17

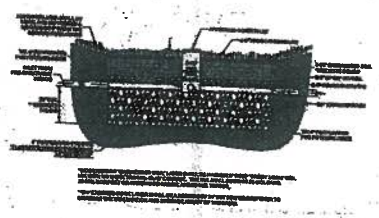
SANTEE TOWNHOMES

CARLTON OAKS BOULVARD
SANTEE, CALIFORNIA 92071

STÖSH THOMAS ARCHITECTS

DATE: 05.01.16
SCALE: 3/16"=1'-0"
DRAWN: STP
JOB: 1505
SHEET T-1

INFILTRATION BASIN
DETAIL FOR BMP



PLANTING LEGEND

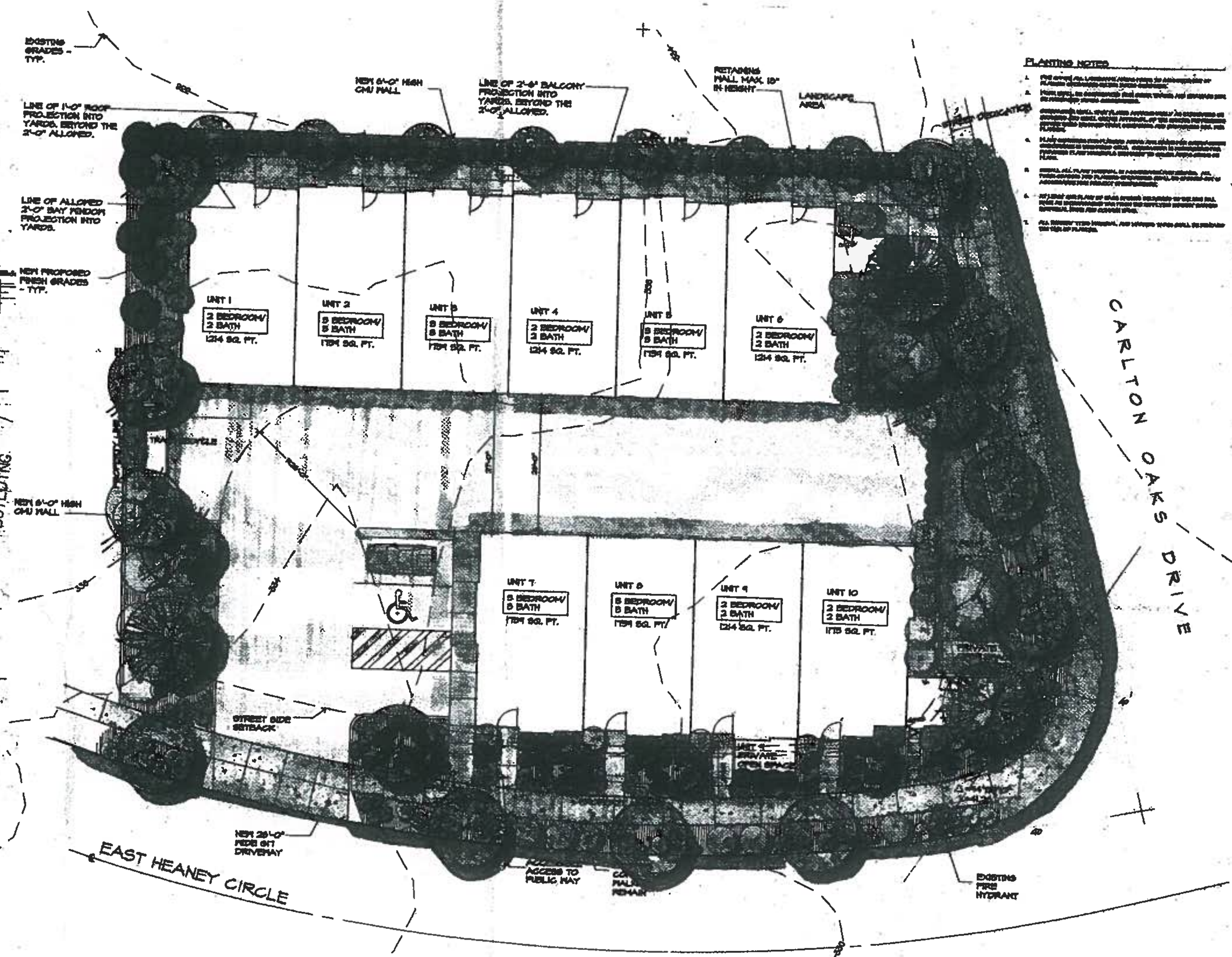
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES	PLATANUS ACERIFOLIA	LONDON PLANE SYCAMORE	24" BOX	9
	GEIJERA PARVIFLORA	AUSTRALIAN WILLOW	24" BOX	2
	TRISTANIA CONFERTA	BRISBANE BOX TREE	15 GAL	5
	PRUNUS C. 'KRAUTER VESUVIUS'	PURPLE LEAF PLUM	15 GAL	10
SHRUBS	NERIUM OLEANDER 'CASABLANCA'	WHITE OLEANDER	5 GAL	7
(AB)	ABELIA GRANDIFLORA	GLOSSY LEAF ABELIA	5 GAL	10
(PH)	PODOCARPUS HENKELII	LONG LEAF YELLOW WOOD	15 GAL	4
(P)	PHORMIUM T. 'RUBRUM'	NEW ZEALAND FLAX	5 GAL	10
(X)	XYLOSMA CONGESTUM	SHINY LEAF XYLOSMA	5 GAL	10
(L)	LIGUSTRUM J. 'TEXANUM'	WAX LEAF PRIVET	5 GAL	64
(OS)	OSMANTHUS FRAGRANS	SWEET OLIVE SHRUB	5 GAL	4
(PV)	PITTOSPORUM T. 'VARIEGATA'	VARIEGATED TOBIRA	5 GAL	0
(E)	EURYOPS P. 'VIRIDIS'	GREEN DAISY SHRUB	5 GAL	10
(R)	RHAPHIOLEPIS I. 'ROSEA'	INDIA HAWTHORN	1 GAL	30
(C)	COTONEASTER HORIZONTALIS	ROCK COTONEASTER	1 GAL	76
(LA)	LAVANDULA A. 'MUNSTEAD'	ENGLISH LAVENDER	1 GAL	63
(PW)	PITTOSPORUM 'WHEELERII'	WHEELER'S DWARF TOBIRA	5 GAL	10
(D)	DIETES BICOLOR	FORTNIGHT LILY	1 GAL	15
(A)	AGAPANTHUS AFRICANUS	LILY OF THE NILE	1 GAL	80
G.C.	LANTANA MONTEVIDENSIS	LANTANA	FLATS	18" O.C. TRI. SP.
	MEDIUM WOOD BARK MULCH	WOOD MULCH GROUNDCOVER	3" DEEP MIN.	
	MARATHON SOD LAWN	BIORETENTION BASIN ONLY		

LOCATION AND MAINTENANCE:

1. Trees shall not be planted where the distance between curbs and sidewalks is two (2) feet or less.
2. No right-of-way tree shall be planted closer than twenty (20) feet from street intersections and thirty (30) feet from traffic-control and informational signs.
3. The planting well should be well-saturated at time of planting and on a regular basis, following planting.
4. PROPERTY OWNER IS RESPONSIBLE FOR WATERING, MAINTAINING, AND PRUNING OF TREES.
5. Street trees and shrubs on parkways are permitted if they do not exceed two feet in height, without growth.

All trees planted in right-of-way areas shall incorporate a rigid-barrier high-impact polystyrene planter box as manufactured by Deep Root Corp. or approved equal for the purpose of long-term root control.

Tree ties to be corded rubber tree straps, side nailed to stake. Tree straps by "Gro-Strait" products or approved equal. Secure in three places minimum.



SITE PLAN

SCALE: 1" = 10'-0"

Tentative Map No. TM2014-2 Date: 2/10/17

PLANTING NOTES

COMM + ASSOCIATES
ARCHITECTURE PLANNING

LICENSED ARCHITECT
STATE OF CALIFORNIA

SANTEE TOWNHOMES

CARLTON OAKS BLVD.
SANTEE, CALIFORNIA

CONCEPTUAL LANDSCAPE PLAN

LANDSCAPE ARCHITECT 1616
JAMES R. IVERSEN
1415 MACKINNON AVENUE
CARDIFF, CALIFORNIA 92007
(760) 942-1742

LANDSCAPE CONCEPT PLAN

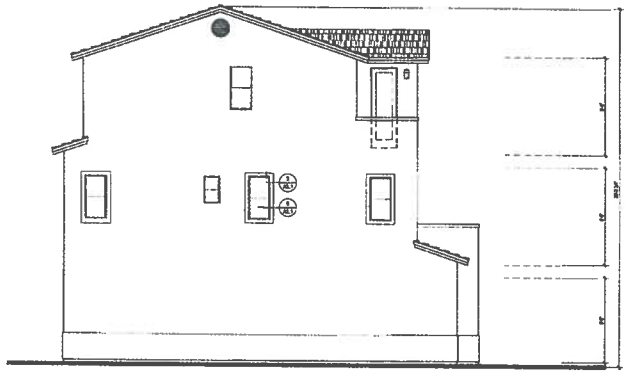
Santee Townhomes Colored Elevations

FRONT ELEVATION

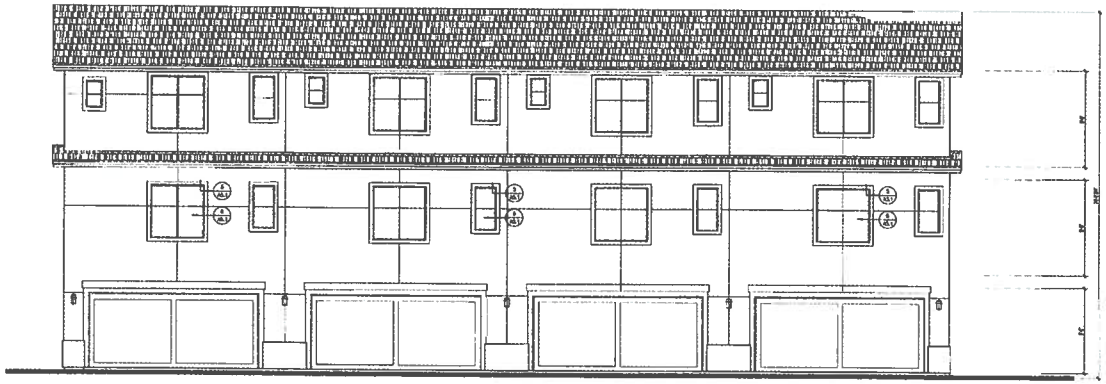
FRONT ELEVATION DETAIL

Tentative Map No. TM2014-2 Date: 2/10/17

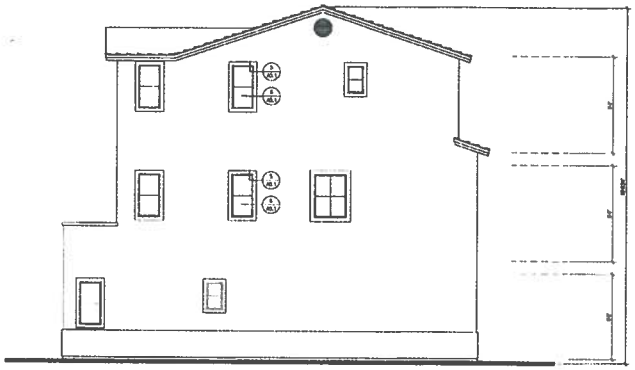
FRONT ELEVATION - BLDG. 1 & 2



RIGHT SIDE ELEVATION



REAR ELEVATION - 4 - PLEX



RIGHT SIDE ELEVATION

Tentative Map No. TM2014-2 Date: 2/10/17

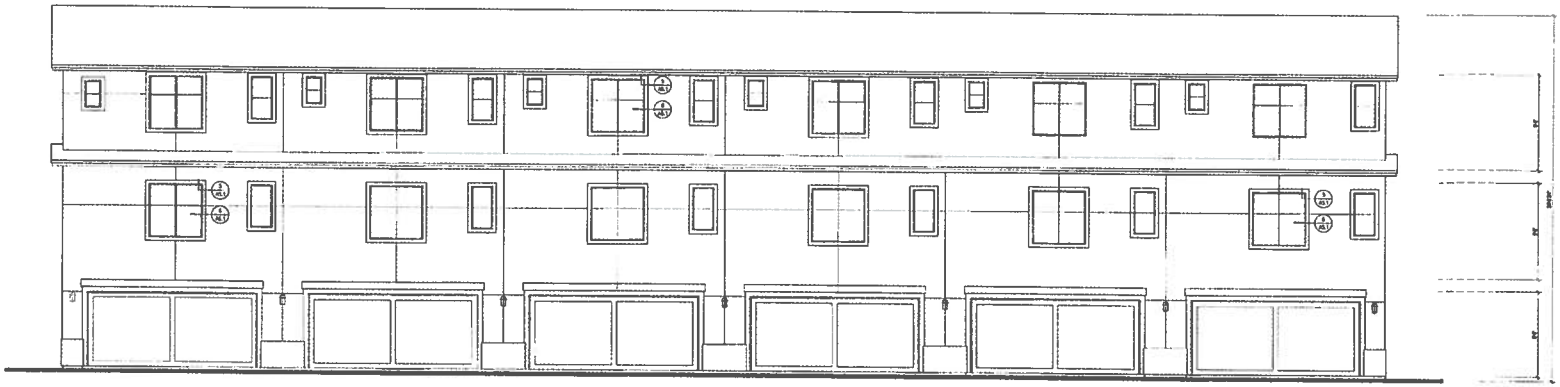
SYM	DESCRIPTION	DATE
1	SUBMITTAL	05-01-15

SANTEE TOWNHOMES
CARLTON OAKS BOULVARD
SANTEE, CALIFORNIA 92071

STÖSH THOMAS ARCHITECTS
4660 NEBO DR.
LA MESA, CA 91941
PH: (619) 640-0644
FAX: (619) 330-0000

DATE:	05.01.15
SCALE:	3/16"=1'-0"
DRAWN:	STP
JOB:	1505
SHEET	A3.1

FRONT ELEVATION - 8 - PLEX



REAR ELEVATION - 8 - PLEX

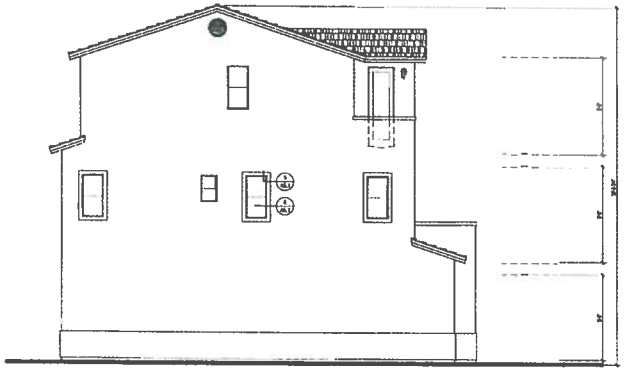
Tentative Map No. TM2014-2 Date: 2/10/17

1	SUBMITTAL	03-09-14
2	CONSTRUCTION DOCUMENTS	10-10-14
3	RE-SUBMITTAL SET	01-20-16
4	RE-SUBMITTAL SET	04-14-16

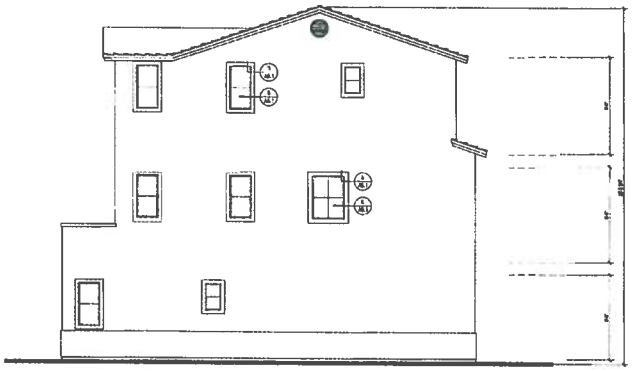
SANTEE TOWNHOMES
CARLTON OAKS BOULEVARD
SANTEE, CA. 92071

STOSH THOMAS ARCHITECTS
4666 NEBO DR.
LA MESA, CA 91941
PH: (619) 849-0844
FAX: (619) 849-0880

DATE: 07.10.14
SCALE: 3/16"=1'-0"
DRAWN: STP
JOB: 1321
SHEET: A3.3



LEFT SIDE ELEVATION - 8 - PLEX



RIGHT SIDE ELEVATION - 8 - PLEX

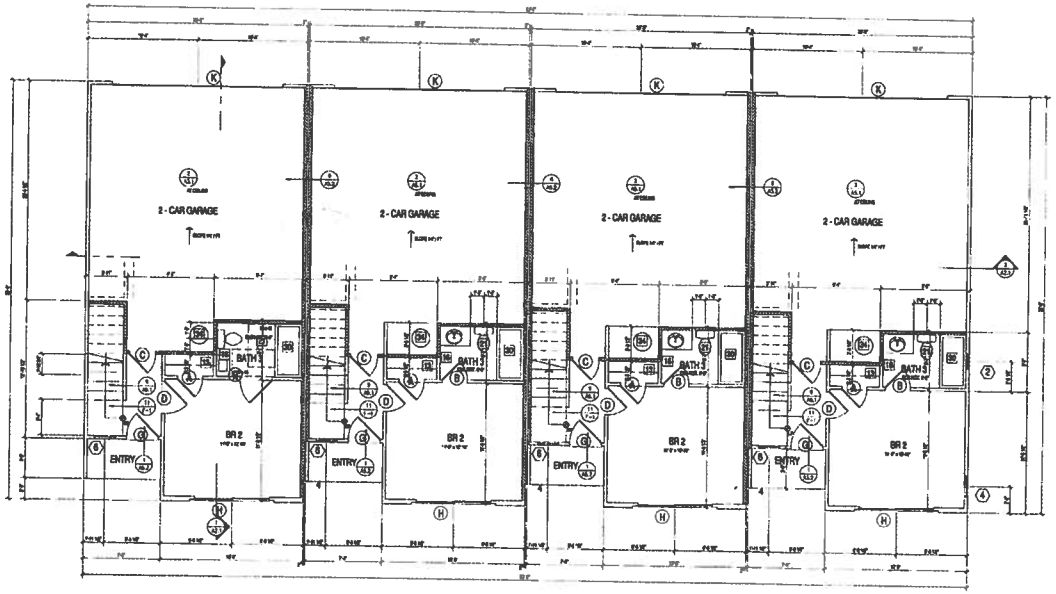
Tentative Map No. TM2014-2 Date: 2/10/17

ISSUE	DESCRIPTION	DATE
1	SUBMITTAL	02-20-15

SANTEE TOWNHOMES
CARLTON OAKS BOULEVARD
SANTEE, CA. 92071

STöSH THOMAS ARCHITECTS
4000 NIEBO DR.
LA MESA, CA 91941
PH: (619) 698-0044
FAX: (619) 330-0888

DATE: 07.10.14
SCALE: 3/16"=1'-0"
DRAWN: STP
JOB: 1321
SHEET
A3.3



FIRST FLOOR PLAN - 4 PLEX

3/16" = 1'-0"

ARCHITECTURAL KEYNOTES

1. PANTRY CABINET, FULL HEIGHT
2. REFRIGERATOR SPACE. ROUGH PLUMB FOR WATER/ICE MAKER IN RECESSED BOX, PER OWNER
3. DOUBLE KITCHEN SINK PRESSED STEEL WITH GARBAGE DISPOSAL.
4. PANTRY, 5 SHELVES.
5. [redacted] TO CLEAN W&TO BRKRS [redacted] COMBO ABV. VENT TO OUTSIDE VERIFY DIMENSIONS WITH MFGR.
6. DECK DRAIN WITH OVER-FLOW, SEE DETAIL 17/A5.1
7. BUILT IN DISHWASHER. VERIFY DIMENSIONS WITH MFGR.
8. LINE OF CABINETS ABOVE
9. KITCHEN ISLAND COUNTERTOP. SEE PLAN FOR DIMENSIONS.
10. 96" DEEP LINEN CABINETS
11. PROVIDE FLOOR DRAIN, SLOPE SLAB 1/4" PER FOOT TOWARD DRAIN
12. SINGLE POLE AND SHELF.
13. CULTURED MARBLE VANITY TOPS/SPLASH. PROVIDE NECESSARY SUPPORT/BLOCKING.
14. RECESSED MEDICINE CABINET, STANDARD 24" LONG, 36" LONG AT MASTER BATH
15. TOWEL BAR.
16. 60"L X 60"D X 60"H SHOWER WITH TEMPERED-GLASS ENCLOSURE
17. LAVATORY SINK
18. WASHER SPACE. PROVIDE HOT AND COLD WATER AND WASTE.
19. [redacted] PLAN FOR VENTING
20. WATER CLOSET. PROVIDE ULTRA LOW FLUSH TOILETS.
21. LINE OF SECOND FLOOR ABOVE.
22. [redacted]
23. LINE OF FLOOR MATERIAL CHANGE.
24. GUARDRAIL, 42" MIN. HEIGHT (U.N.O.) MAX. 4" CLEAR SPACE BETWEEN VERTICAL MEMBERS.
25. 5/8" TYPE 'X' GYPSUM TO PROVIDE 1-HR FLR. / CLG SEPARATION SEE DETAIL 9/A5.1
26. LINE OF DECK ABOVE
27. EXTERIOR LANDINGS OUTSIDE OF REQUIRED EGRESS DOOR MUST NO BE MORE THAN 1 1/2" BELOW TOP OF DOOR THRESHOLD. CRC R311.3
28. 22" BY 30" ATTIC ACCESS. HEADROOM ABOVE ATTIC ACCESS SHALL NOT BE LESS THAN 30" IN VERTICAL HEIGHTS MEASURED FROM BOTTOM OF CEILING JOIST TO ANY OBSTRUCTION
29. 32" X 60" X 72" PRE-FAB TUB / SHOWER
30. WALLS AND CEILING BETWEEN GARAGE AND DWELLING SHALL BE SEALED TO LIMIT AIR MOVEMENT PER ASHRAE 62.2
31. PROVIDE 5/8" TYPE 'X' GYP. BD. UNDER STAIR
32. SCUPPER
33. WATER HEATER ON 18" PLATFORM MODEL.

GENERAL NOTES

1. PRIOR TO REQUESTING ANY INSPECTION RELATED TO FOUNDATION PLACEMENT, PROCESSING FOR BUILDING LOCATION VERIFICATION SURVEY FORM SHALL BE COMPLETED. THE BUILDING LOCATION VERIFICATION SURVEY FORM IS REQUIRED TO BE COMPLETED, STAMPED AND SIGNED BY A LICENSED REGISTERED CIVIL ENGINEER OR LICENSED LAND SURVEYOR. THE COMPLETED STAMPED AND SIGNED BUILDING LOCATION SURVEY FORM IS TO BE FILED WITH THE BUILDING DIVISION PRIOR TO REQUESTING A FOUNDATION INSPECTION
2. EXTERIOR PLASTER WHEN APPLIED OVER WOOD-BASED SHEATHING SHALL REQUIRE CONTINUOUS WATER RESISTIVE BARRIER MISCELLANEOUS WITH PERFORMANCE AT LEAST EQUIVALENT TO 2-LAYERS OF ASTM D226 TYPE I (FORM) D 226 ASPHALT - IMPREGNATED FELT. CRC R703.6.3
3. SEE ELECTRICAL SHEETS FOR ADDITIONAL INFORMATION

LEGEND

- NEW 2x4 WALL CONSTRUCTION
- NEW 2x6 WALL CONSTRUCTION
- NEW 1 - HR RATED WALL CONSTRUCTION. PROVIDE 1 LAYER 5/8" TYPE 'X' GYP. EA. SIDE ON INTERIOR & 1 LAYER 5/8" TYPE 'X' GYP BD ON INTERIOR AND 7/8" STUCCO ON EXTERIOR
- NEW 2-HR AREA SEPARATION WALL SEE DETAIL 9-10-2
- MASONRY WALL CONSTRUCTION
- LOW WALL OR RAILING OR RAILING @ 42" A.F.F.
- DEMOVED FURRED CEILING INDICATED PER PLAN
- DOOR SYMBOL - SEE SHEET A4-1
- WINDOW SYMBOL SEE SHEET A4-1

Tentative Map No. TM2014-2 Date: 2/10/17

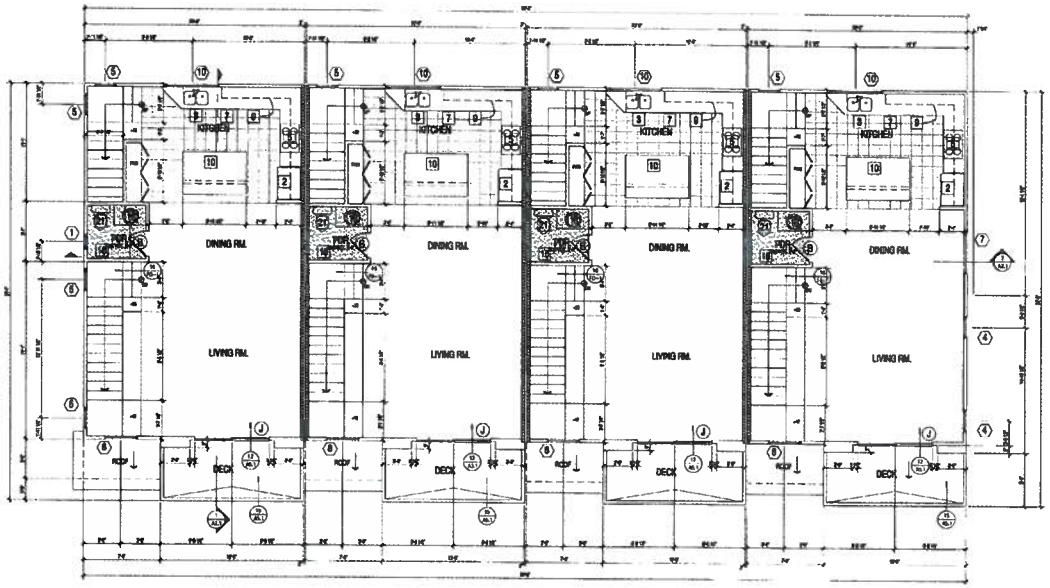
REV	DESCRIPTION	DATE
1	SUBMITTAL	05-01-18

SANTEE TOWNHOMES

CARLTON OAKS BOULVARD
SANTEE, CALIFORNIA 92071

STOSH THOMAS ARCHITECTS
4888 NIEBO DR.
LA MESA, CA 91941
PH (619) 216-0344
FAX (619) 206-3266

DATE: 05.01.18
SCALE: 3/16"=1'-0"
DRAWN: STP
JOB: 1505
SHEET: A1.1



SECOND FLOOR PLAN

3/16"= 1'-0"

ARCHITECTURAL KEYNOTES

1. PANTRY CABINET, FULL HEIGHT
2. REFRIGERATOR SPACE. ROUGH PLUMB FOR WATERVICE MAKER IN RECESSED BOX. PER OWNER
3. DOUBLE KITCHEN SINK PRESSED STEEL WITH GARBAGE DISPOSAL.
4. PANTRY, 5 SHELVES.
5. BUILT-IN GAS STOVE 30" STD CLEAN WISTD BRNRS 36" HOOD AND MICROWAVE COMBO ABV. VENT TO OUTSIDE VERIFY DIMENSIONS WITH MFGR.
6. DECK DRAIN WITH OVER-FLOW, SEE DETAIL 17/A5.1
7. BUILT IN DISHWASHER. VERIFY DIMENSIONS WITH MFGR.
8. LINE OF CABINETS ABOVE
9. KITCHEN ISLAND COUNTERTOP. SEE PLAN FOR DIMENSIONS.
10. 60" DEEP LINEN CABINETS
11. PROVIDE FLOOR DRAIN. SLOPE SLAB 1/4" PER FOOT TOWARD DRAIN
12. SINGLE POLE AND SHELF.
13. CULTURED MARBLE VANITY TOPSPLASH. PROVIDE NECESSARY SUPPORT/BLOCKING.
14. RECESSED MEDICINE CABINET. STANDARD 24" LONG. 36" LONG AT MASTER BATH
15. TOWEL BAR.
16. 60"L X 30"D X 60"H SHOWER WITH TEMPERED GLASS ENCLOSURE
17. LAVATORY SINK
18. WASHER SPACE. PROVIDE HOT AND COLD WATER AND WASTE.
19. DRYER SPACE. REFER TO ELECTRICAL PLAN FOR VENTING
20. WATER CLOSET. PROVIDE ULTRA LOW FLUSH TOILETS.
21. LINE OF SECOND FLOOR ABOVE.
22. LOCATION OF TANKLESS WATER HEATER
23. LINE OF FLOOR MATERIAL CHANGE.
24. GUARDRAIL, 42" MIN. HEIGHT (U.N.O.) MAX. 4" CLEAR SPACE BETWEEN VERTICAL MEMBERS.
25. 5/8" TYPE "X" GYPSUM TO PROVIDE 1-HR FLR. / CLG SEPARATION SEE DETAIL 3/A5.1
26. LINE OF DECK ABOVE
27. EXTERIOR LANDINGS OUTSIDE OF REQUIRED EGRESS DOOR MUST NO BE MORE THAN 1-1/2" BELOW TOP OF DOOR THRESHOLD. CRC R311.3
28. 22" BY 30" ATTIC ACCESS. HEADROOM ABOVE ATTIC ACCESS SHALL NOT BE LESS THAN 30" IN VERTICAL HEIGHTS MEASURED FROM BOTTOM OF CEILING JOIST TO ANY OBSTRUCTION
29. 30" X 60" X 72" PRE-FAB TUB / SHOWER
30. WALLS AND CEILING BETWEEN GARAGE AND DWELLING SHALL BE SEALED TO LIMIT AIR MOVEMENT PER ASHRAE 62.2
31. PROVIDE 5/8" TYPE "X" GYP. BD. UNDER STAIR
32. SCUPPER
33. WATER HEATER ON 18" PLATFORM. MODEL:

GENERAL NOTES

1. PRIOR TO ENGINEERING ANY INSPECTION RELATED TO FOUNDATION PLACEMENT, PROCESSING FOR BUILDING LOCATION VERIFICATION SURVEY FORM SHALL BE COMPLETED. THE BUILDING LOCATION VERIFICATION SURVEY FORM IS REQUIRED TO BE COMPLETED, STAMPED AND SIGNED BY A LICENSED REGISTERED CIVIL ENGINEER OR LICENSED LAND SURVEYOR. THE COMPLETED STAMPED AND SIGNED BUILDING LOCATION SURVEY FORM IS TO BE FILED WITH THE BUILDING DIVISION PRIOR TO REQUESTING A FOUNDATION INSPECTION.

2. EXTERIOR PLASTER WHEN APPLIED OVER WOOD-BASED SHEATHING SHALL REQUIRE CONTINUOUS WATER-RESISTIVE BARRIER UNDERLAYMENT WITH PERFORMANCE AT LEAST EQUIVALENT TO 2-LAYERS OF ASTM D226 TYPE I (SHEET) OR D 4869 ASPHALT - IMPREGNATED FELT. CRC R703.6.3

3. SEE ELECTRICAL SHEETS FOR ADDITIONAL INFORMATION

LEGEND

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- NEW 2 x 6 WALL CONSTRUCTION
- NEW 1 - HR RATED WALL CONSTRUCTION. PROVIDE 1 LAYER 5/8" TYPE 'X' GYP. EA. SIDE OR INTERIOR & 1 LAYER 5/8" TYPE 'X' GYP. BD ON INTERIOR AND 3/4" STUCCO ON EXTERIOR
- NEW 1-HR AREA SEPARATION WALL SEE DETAIL 8-A6-2
- MASONRY WALL CONSTRUCTION
- LOW WALL OR RAILING OR RAILING @ 42" A.F.F.
- DENOTES FURRED CEILING INDICATED PER PLAN
- (#) DOOR SYMBOL - SEE SHEET A4-1
- (#) WINDOW SYMBOL - SEE SHEET A4-1

Tentative Map No. TM2014-2 Date: 2/10/17

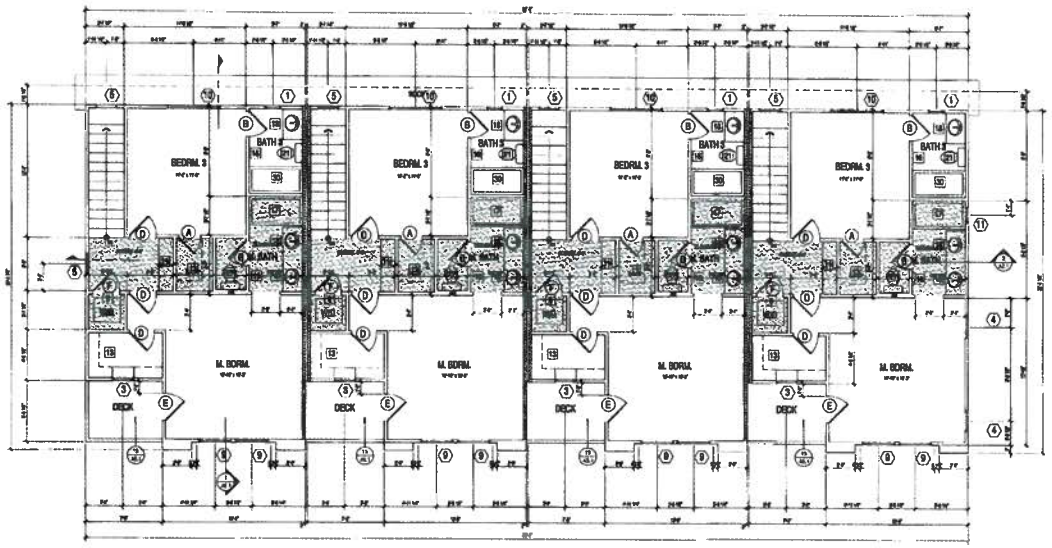
NO.	DESCRIPTION	DATE
1	SUBMITTAL	02-01-16

SANTEE TOWNHOMES

CARLTON OAKS BOULVARD
SANTEE, CALIFORNIA 92071

STOSH THOMAS ARCHITECTS
4888 NEECO DR.
LA MESA, CA 91941
PH: (619) 642-0844
FAX: (619) 320-0660

DATE: 03.01.16
SCALE: 3/16"=1'-0"
DRAWN: STP
JOB: 1505
SHEET: A1.2



THIRD FLOOR BUILDING PLAN

3/16"= 1'-0"

ARCHITECTURAL KEYNOTES

1. PANTRY CABINET, FULL HEIGHT
2. REFRIGERATOR SPACE. ROUGH PLUMB FOR WATERICE MAKER IN RECESSED BOX, PER OWNER
3. DOUBLE KITCHEN SINK PRESSED STEEL WITH GARBAGE DISPOSAL.
4. PANTRY. 5 SHELVES.
5. SLIDE-IN GAS STOVE 30" STD CLEAN WISTD BRNR W/ HOOD AND MICROWAVE COMBO ABV. VENT TO OUTSIDE VERIFY DIMENSIONS WITH MFGR.
6. DECK DRAIN WITH OVER-FLOW, SEE DETAIL 17/A6.1
7. BUILT IN DISHWASHER. VERIFY DIMENSIONS WITH MFGR.
8. LINE OF CABINETS ABOVE
9. KITCHEN ISLAND COUNTERTOP. SEE PLAN FOR DIMENSIONS.
11. 14" DEEP LINEN CABINETS
12. PROVIDE FLOOR DRAIN. SLOPE SLAB 1/4" PER FOOT TOWARD DRAIN
13. SINGLE POLE AND SHELF.
14. CULTURED MARBLE VANITY TOP/SPLASH. PROVIDE NECESSARY SUPPPORT/BLOCKING.
15. RECESSED MEDICINE CABINET. STANDARD 24" LONG. 36" LONG AT MASTER BATH
16. TOWEL BAR.
17. 60"L X 32"D X 80"H SHOWER WITH TEMPERED GLASS ENCLOSURE
18. LAVATORY SINK
19. WASHER SPACE. PROVIDE HOT AND COLD WATER AND WASTE.
20. DRYER SPACE. REFER TO ELECTRICAL PLAN FOR VENTING
21. WATER CLOSET. PROVIDE ULTRA LOW FLUSH TOILETS.
22. LINE OF SECOND FLOOR ABOVE
23. LOCATION OF TANKLESS WATER HEATER
24. LINE OF FLOOR MATERIAL CHANGE.
25. GUARDRAIL. 42" MIN. HEIGHT (U.N.O.) MAX. 4" CLEAR SPACE BETWEEN VERTICAL MEMBERS.
26. 5/8" TYPE "X" GYPSUM TO PROVIDE 1-HR FLR. / CLG SEPARATION SEE DETAIL 3/A6.1
27. LINE OF DECK ABOVE
28. EXTERIOR LANDINGS OUTSIDE OF REQUIRED EGRESS DOOR MUST NO BE MORE THAN 1-1/2" BELOW TOP OF DOOR THRESHOLD. CRC R311.5
29. 22" BY 30" ATTIC ACCESS. HEADROOM ABOVE ATTIC ACCESS SHALL NOT BE LESS THAN 30" IN VERTICAL HEIGHTS MEASURED FROM BOTTOM OF CEILING JOIST TO ANY OBSTRUCTION
30. 32" X 60" X 72" FIBE-FAB TUB / SHOWER
31. WALLS AND CEILING BETWEEN GARAGE AND DWELLING SHALL BE SEALED TO LIMIT AIR MOVEMENT PER ASHRAE 62.2
32. PROVIDE 3/8" TYPE "X" GYP. BD. UNDER STAIR
33. SCUPPER
34. WATER HEATER OR 18" PLATFORM MODEL:

GENERAL NOTES

1. PRIOR TO REQUESTING ANY INSPECTION RELATED TO FOUNDATION PLACEMENT, PROCESSING FOR BUILDING LOCATION VERIFICATION SURVEY FORM SHALL BE COMPLETED. THE BUILDING LOCATION VERIFICATION SURVEY FORM IS REQUIRED TO BE COMPLETED, STAMPED AND SIGNED BY A LICENSED REGISTERED CIVIL ENGINEER OR LICENSED LAND SURVEYOR. THE COMPLETED STAMPED AND SIGNED BUILDING LOCATION SURVEY FORM IS TO BE FILED WITH THE BUILDING DIVISION PRIOR TO REQUESTING A FOUNDATION INSPECTION.

2. EXTERIOR PLASTER WHEN APPLIED OVER WOOD-BASED SHEATHING SHALL REQUIRE CONTINUOUS WATER-RESISTIVE BARRIER SIMULTANEOUS WITH PERFORMANCE AT LEAST EQUIVALENT TO 2-LAYERS OF ASTM D226 TYPE 1 GRADE D RIS ASPHALT - IMPREGNATED FELT. CRC R703.6.3

3. SEE ELECTRICAL SHEETS FOR ADDITIONAL INFORMATION

LEGEND

- NEW 2 x 4 WALL CONSTRUCTION
- NEW 2 x 6 WALL CONSTRUCTION
- TYPE "X" GYP. BA. SIDE ON INTERIOR & 1 LAYER 5/8" TYPE "X" GYP. BD ON INTERIOR AND 3/8" STUCCO ON EXTERIOR
- NEW 2-HR AREA SEPARATION WALL SEE DETAIL 6-4/5-2
- MASONRY WALL CONSTRUCTION
- LOW WALL OR RAILING OR RAILING @ 42" A.F.F.
- CONCRETE FURRED CEILING INDICATED PER PLAN
- DOOR SYMBOL - SEE SHEET A4-1
- WINDOW SYMBOL - SEE SHEET A4-1

Tentative Map No. TM2014-2 Date: 2/10/17

DATE	02-24-15
DESCRIPTION	SUBMITTAL
SYMB.	1

SANTEE TOWNHOMES

CARLTON OAKS BOULVARD
SANTEE, CALIFORNIA 92071

STOSH
THOMAS ARCHITECTS
4660 NEBO DR.
LA MESA, CA 91941
PH: (619) 640-9944
FAX: (619) 660-0988

DATE:	05.04.16
SCALE:	3/16"=1'-0"
DRAWN:	STP
JOB:	1505
SHEET	A1.3

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING A GENERAL PLAN AMENDMENT (GPA2014-4) AND APPROVING AND ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (AEIS2014-14) TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL (NC) TO MEDIUM-HIGH DENSITY RESIDENTIAL (R-14) FOR A PROPERTY ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE

(APPLICANT: HEANEY PROPERTIES, LLC.)
APN: 383-202-08

(RELATED CASE FILES: R2014-2, TM2014-2, DR2014-7, AEIS2014-14)

WHEREAS, on August 28, 2013, the City Council authorized staff to consider a Rezone to change the zone from Neighborhood Commercial (NC) to Medium-High Density Residential (R-14) for a 0.48-acre site in connection with the construction of 10 multiple family condominium units on the northeast corner of E. Heaney Circle and Carlton Oaks Drive; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from Neighborhood Commercial (NC) to Medium-High Density Residential), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, the City received a comment letter from the San Diego County Archeological Society on the Mitigated Negative Declaration during this review period and has prepared a response as provided in Exhibit C. Mitigation measure Cultural Resources-1 in the Draft Initial Study/Mitigated Negative Declaration required the applicant to, among other things, train site crew members involved with grading operations to recognize archaeological resources should such resources be uncovered during construction activities. The San Diego Archeological Society requested the City require the applicant retain an archeological and Native American tribal cultural monitor to be onsite during grading activities. In response to the San Diego Archeological Society's request, the City of Santee revised mitigation measure Cultural Resources-1 to require that the applicant retain an archeologist and tribal cultural monitor to be onsite during grading activities as provided in Exhibit C. The revised version of Cultural Resources-1 is more effective than the measure originally drafted and the revised measure is to be considered as part of the public hearing on this project in accordance with State CEQA Guidelines section 15074.1. Thus, the City's responses to the San Diego Archeological Society's comments did not require a substantial revision of the Mitigated Negative Declaration as defined in Section 15073.5 of the CEQA Guidelines and recirculation of the Mitigated Negative Declaration was not required; and

RESOLUTION NO. _____

WHEREAS, Tribal Consultation in accordance with California AB-52 and SB-18 was initiated on November 1, 2016; and

WHEREAS, the City of Santee has not received Tribal requests for consultation in accordance with California AB-52 or SB-18; and

WHEREAS, on April 26, 2017, the City Council held a duly advertised public hearing on General Plan Amendment GPA2014-4 and related Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/ Mitigated Negative Declaration, all recommendations by staff, and 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: As the decision-making body for the General Plan Amendment GPA2014-4, the City Council has reviewed and considered the Final Initial Study/Negative Declaration and administrative record for GPA2014-4, including all oral and written comments received during the comment period.

A. The City Council finds that the Final Initial Study/Mitigated Negative Declaration and the administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines.

B. Based on the Final Initial Study/Mitigated Negative Declaration and the administrative record, including all written and oral evidence presented to the City Council, the City Council finds that all environmental impacts of the Project are less than significant with mitigation. The City Council further finds that there is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts. The City Council finds that the Final Initial Study/Mitigated Negative Declaration contains a complete, objective and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the City Council.

C. No new significant environmental effects have been identified in the Final Initial Study/Mitigated Negative Declaration and any changes to the Final Initial Study/Mitigated Negative Declaration, including the replacement of mitigation measures with equal or more effective measures pursuant to Section 15074.1, in response to comments or otherwise do not constitute substantial revisions requiring recirculation under State CEQA Guidelines section 15073.5. The revised version of mitigation measure Cultural Resources-1 contained in the Final Initial Study/Mitigated Negative Declaration is more effective in mitigating or avoiding potential significant effects to archaeological resources because there will be two individuals with specified knowledge regarding resources with

potential cultural significance onsite during grading activities. The addition of an onsite archeologist and tribal cultural monitor during grading activities would not itself cause any potentially significant effect on the environment. (State CEQA Guidelines, section 15074.1.) All of the mitigation measures contained in the Mitigation Monitoring and Reporting Program, including revised mitigation measure Cultural Resources-1, have been made conditions of project approval in accordance with State CEQA Guidelines section 15074.1.

D. The City Council approves and adopts Mitigated Negative Declaration AEIS2014-14 pursuant to Public Resources Code section 21080, subdivision (c) and approves the project.

E. Pursuant to Public Resources Code section 21081.6, the City Council approves and adopts the Mitigation Monitoring and Reporting Program prepared for the project, attached to this Resolution as Exhibit "C" and made a condition of project approval.

F. The City Council directs staff to file a Notice of Determination with the San Diego County Clerk and the Office of Planning and Research within five (5) working days of approval of the project.

SECTION 2: The amendment to change the land use designation for an approximately 0.48-acre site identified by Assessor's Parcel Numbers 380-202-08 from Neighborhood Commercial (NC) as depicted in Exhibit A attached hereto to Medium-High Density Residential (R-14) as depicted in Exhibit B, attached hereto is compatible with surrounding residential uses and development in keeping with the "Adjacent Land Use Compatibility Guide" of the Land Use Element, is consistent with, and furthers the goals and objectives of the General Plan by:

1. Allowing for a wide range of housing types as stated as Objective 2.0 of the Land Use Element. Supporting this objective is Policy 2.2 in which the City should encourage the development of higher density residential developments along major roads. Carlton Oaks Drive is designated as a Collector Street in the Circulation Element of the General Plan. This area of Carlton Oaks Drive is served and planned for continued bus service by the San Diego Metropolitan Transit System which connects to a multi-modal transit station at Santee Trolley Square.

2. Supporting Objective 5.0 of the Housing Element which encourages a wide range of housing by location, type of unit, and price. Policy 5.1 of the Housing Element states that the City should provide a variety of residential development opportunities ranging from low density estate homes to high density development. The units in this project are attached units, a product type that supports affordability. The residential development would contribute 10 units to the Housing Element Housing Inventory.

3. Supporting Circulation Element Objective 4.0 which desires to maximize the utilization of site planning techniques to improve traffic safety. Policy 4.1 of the Circulation Element encourages new subdivision development be designed so that driveways do not take direct access from prime arterials, major roads, or

collector streets. Carlton Oaks Drive is designated as a Collector Street in the Circulation Element of the General Plan. The project would limit vehicular access to E. Heaney Circle.

4. Supporting Objective 11.0 of the Conservation Element which promotes a balanced mix of open space uses with development throughout the City to enhance visual resources, avoid hazards, and conserve resources. In Policy 11.5 of the Conservation Element, the City shall encourage compact development plans when appropriate to maximize the preservation of open space. This project would create dense development on a previously developed site adjacent to a Collector Street that supports open space preservation elsewhere.

5. Supporting Objective 9.0 of the Community Enhancement Element of the General Plan by designing the project with enhanced landscaping and architecture. The project provides a landscape buffer with a unifying tree scheme and sidewalks with parkways similar to other multiple-family residential developments along Carlton Oaks Drive.

SECTION 3: The General Plan Land Use Element Map is hereby amended to change the land designation to Medium-High Density Residential (R-14) as depicted in Exhibit B attached hereto and incorporated herein.

SECTION 4: The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee CA 92071.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

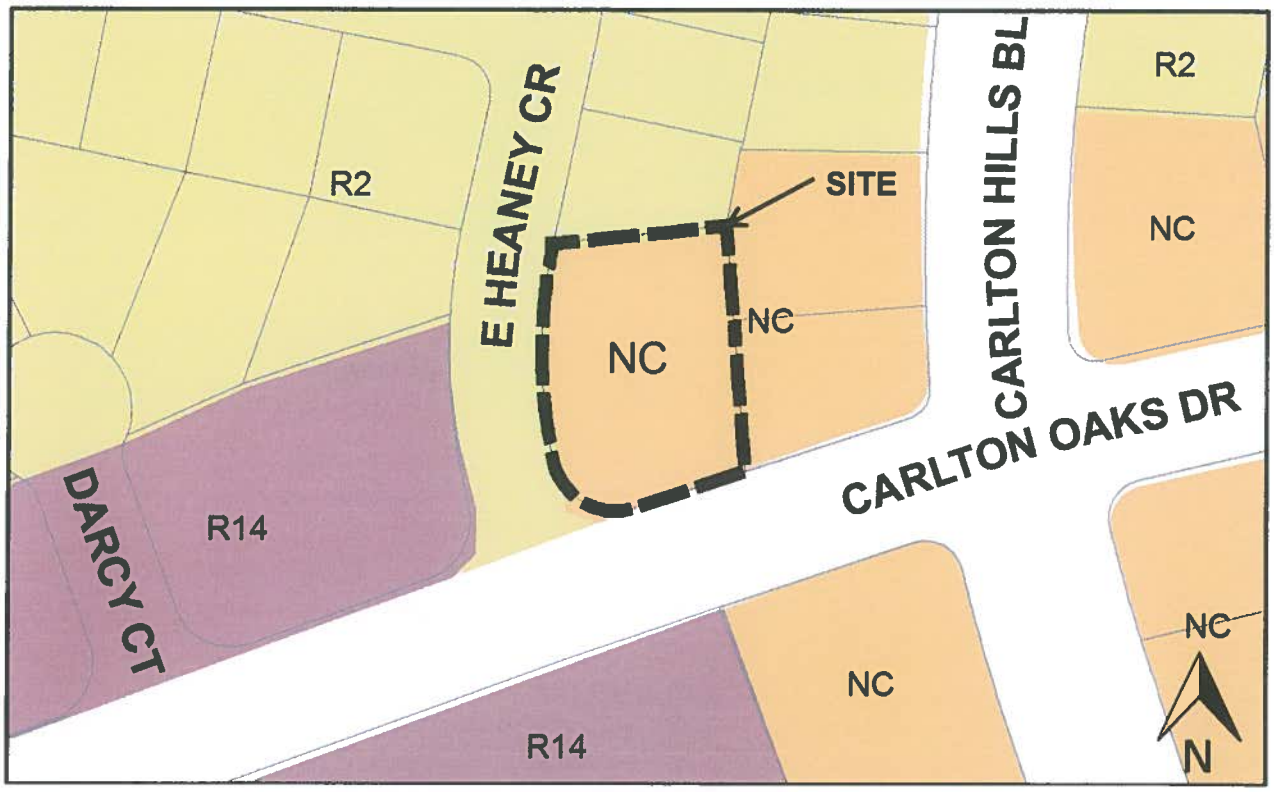
ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

Attachments: Exhibits A, B, C, & D

RESOLUTION NO. _____

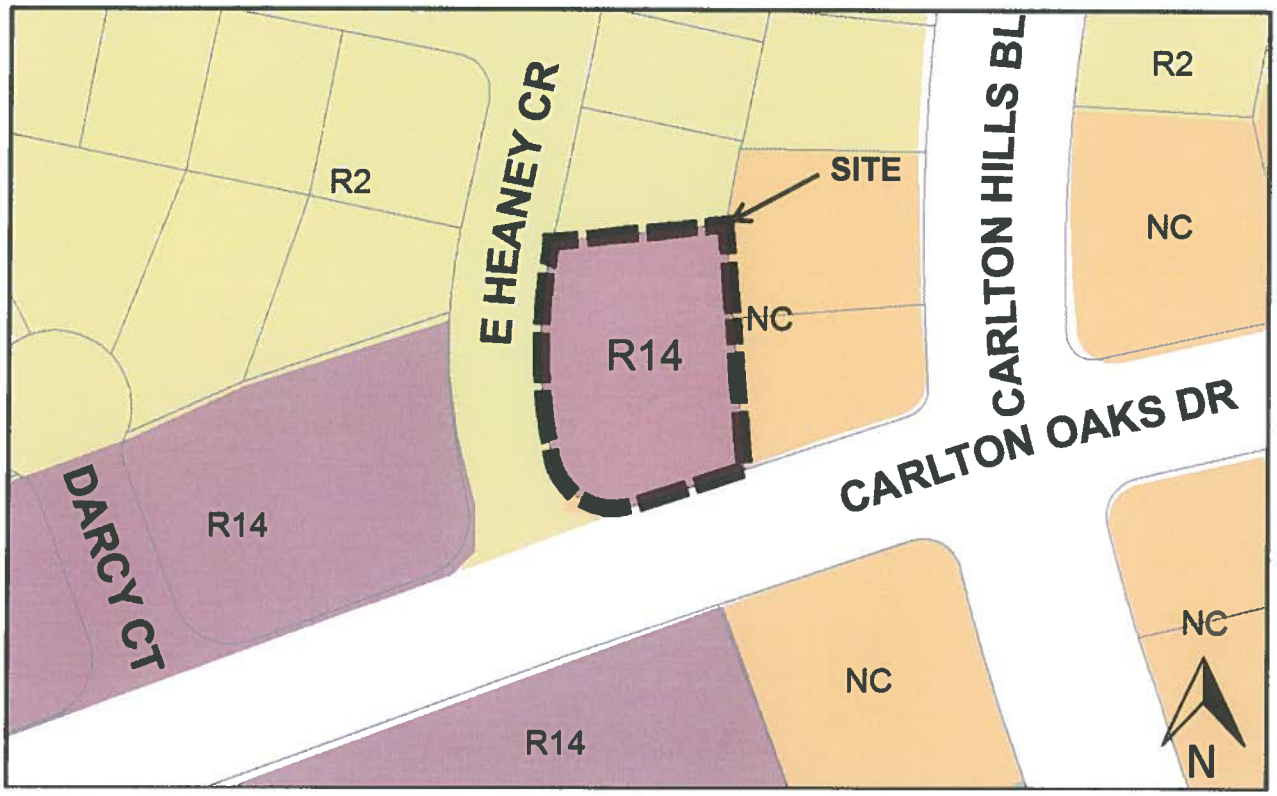
EXHIBIT A (General Plan Amendment GPA2014-4)
Existing General Plan Land Use Designation



	GENERAL PLAN DESIGNATION
NC – Neighborhood Commercial	This designation includes neighborhood shopping centers and small convenience centers which provide for a range of necessary day-to-day retail goods and services required by residents in the immediate vicinity. It encourages concentrated and consolidated shopping opportunities including, but not limited to, personal services, food and convenience stores, eating and drinking establishments, gas stations, banks and other neighborhood serving uses. Office and Professional services are intended under this category as uses that are secondary to the other neighborhood serving commercial uses. This category has been distributed throughout the City along major travel routes to provide adequate neighborhood shopping opportunities.

RESOLUTION NO. _____

EXHIBIT B (General Plan Amendment GPA2014-4)
Proposed General Plan Land Use Designation



	GENERAL PLAN DESIGNATION
R14 – Medium-High Density Residential	This designation is intended for residential development characterized at the lower end of the density range by multiple family attached units and at the upper end of the density range by apartment and condominium buildings. It is intended that this category utilize innovative site planning, provide on-site recreational amenities and be located in close proximity to major community facilities, business centers and streets of at least major capacity.

RESOLUTION NO. _____

EXHIBIT C
RESPONSE TO COMMENTS

LETTER

San Diego County Archaeological Society, Inc.
Environmental Review Committee

20 March 2017

RECEIVED
MAR 21 2017
Dept of Development Services
City of Santee

To: Mr. Michael Coyne, AICP
Department of Development Services
City of Santee
10601 Magnolia Avenue
Santee, California 92071

Subject: Draft Mitigated Negative Declaration
Santee Townhomes Project
GPA2014-4, R2014-2, TM2014-2, DR2014-7, AEIS2014-14

Dear Mr. Coyne:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the Santee Environmental Information Form and the Helix Environmental Planning letter report of April 20, 2016, we have the following comments:

We concur with the conclusion of the Helix report, that, while no cultural resources were discovered during either of the surveys of the property, an archaeological and Native American monitoring program should be a condition of project approval. It should, however, provided specific details of the monitoring program.

However, Mitigation Measure CUL-1 in the Environmental Information Form does not at all meet even the general standards identified in the Helix report. Construction equipment operators cannot be relied upon to identify archaeological resources should any be encountered. First and foremost, they have an inherent conflict. Their job is to get done promptly, not find reasons to delay completion. We recommend that the City obtain a detailed monitoring program (from the preconstruction meeting through to a report and curation, per General Plan Policy 8.2) from Helix and replace the existing CUL-1.

Thank you for the opportunity to participate in the environmental review process for this project.

Sincerely,

James W. Royle, Jr., Chairperson
Environmental Review Committee

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

RESPONSE

Response: This letter was received from the San Diego County Archaeological Society during Public Review of the Mitigated Negative Declaration for the subject project. The letter indicates the committee of the San Diego Archaeological Society concurs with the conclusion of the cultural resources report, however recommends that the mitigation measure be revised to require an archeological and Native American motoring program for the project. The comment has been noted and Cultural Resources Mitigation Measure No. 1 (CUL-1) of the MND has been revised to include this recommendation. No further changes or mitigation are necessary. This comment does not raise an environmental issue that requires changes to or new mitigation in the Initial Study/Mitigated Negative Declaration (IS/MND). No additional response or action is required in accordance with CEQA Section 15073.5(c).

RESOLUTION NO. _____

EXHIBIT D

MITIGATION MONITORING AND REPORTING PROGRAM FOR TENTATIVE MAP TM2014-2 / DEVELOPMENT REVIEW PERMIT DR2014-7

Section 21081.6 of the Public Resources Code requires that public agencies "adopt a reporting or monitoring program for the changes which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designated to ensure compliance with during project implementation." This mitigation monitoring and reporting program has been prepared in conformance with Section 21081.6 of the Public Resources Code. In accordance with State CEQA Guidelines, section 15074.1, each and every one of these mitigation measures are expressly made conditions of project approval.

Non-compliance with any of these conditions, as identified by City staff or a designated monitor, shall result in the issuance of a Cease and Desist Order for all construction activities. The order shall remain in effect until compliance is assured. Non-compliance situations that may occur subsequent to project construction will be addressed on a case-by-case basis and may be subject to penalties according to the City of Santee Municipal Code. When phasing of development has been established, it may be necessary for this Monitoring Program to be amended, with City approval.

CULTURAL RESOURCES – ARCHAEOLOGY/PALEONTOLOGY:

A. **Impact:**

Due to the development and the disturbed nature of the project site, the potential for undiscovered archaeological resources is low. In addition, the Conservation Element of the General Plan does not identify the project site as having moderate potential for archaeological sites. However, the potential to encounter unknown subsurface archaeological resources still exists given the project site's proximity to the San Diego River corridor. Therefore, impacts to unknown subsurface archaeological resources could occur.

With the implementation of Mitigation Measure Cultural Resources 1, impacts to archaeological and paleontological resources would be reduced to below a level of significance.

B. **Mitigation**

<u>Cultural Resources 1 (CUL-1)</u>

Prior to commencement of grading activities, the project applicant or construction contractor shall implement an archaeological monitoring and recovery program consisting of the following:

1. The project applicant or construction contractor shall be required to retain the services of a qualified archaeological monitor and a tribal cultural monitor to be present on-site during grading activities.

2. The archeological monitor and would ensure that if any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines section 15064.5.

3. If any find is determined to be significant, representatives from the City and the archaeologist will meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be instituted. Work may proceed on other parts of the project site while mitigation for cultural resources is being carried out.

4. The qualified archaeological monitor will attend the project pre-construction meeting to discuss the grading plan with the grading and excavation contractors(s).

5. If human skeletal remains are uncovered during project construction, the archaeological monitor will direct the contractor or appropriate representative to halt work, contact the San Diego County Coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the CEQA Guidelines. If the coroner determines that the remains are Native American, the project proponent will contact the Native American Heritage Commission (NAHC), in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the contractor has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98) with the most likely descendants regarding their

recommendations, if applicable, taking into account the possibility of multiple human remains.

C.	**Monitoring**:	Responsibility:	Applicant
		Inspection:	City of Santee Department of Development Services – Planning Division
		Financial:	Applicant

Santee Townhomes

Mitigated Negative Declaration

These documents can be reviewed at:

1. Santee City Clerk's Office
2. Department of Development Services
3. On the City's Website at:

http://www.ci.santee.ca.us/Index.aspx?page=164

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AMENDING THE ZONE DISTRICT MAP R2014-2 TO CHANGE THE ZONE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL (NC) TO MEDIUM-HIGH DENSITY RESIDENTIAL ON A 0.48-ACRE SITE ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE

(APPLICANT: HEANEY PROPERTIES, LLC)
APN: 383-202-08

RELATED CASE FILES: GPA2014-4, TM2014-2, DR2014-7, AEIS2014-14

WHEREAS, on August 28, 2013, the City Council authorized staff to consider a Rezone to change the zone from Neighborhood Commercial (NC) to Medium-High Density Residential (R-14) for a 0.48-acre site in connection with the construction of 10 multiple-family condominium units on the northeast corner of E. Heaney Circle and Carlton Oaks Drive; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from Neighborhood Commercial (NC) to Medium-High Density Residential), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, on April 26, 2017, the City Council held a duly advertised public hearing on Zone Reclassification R2014-2, and related General Plan Amendment GPA2014-4, Tentative Map TM2014-2, and Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017; and

WHEREAS, on May 10, 2017, the City Council of the City of Santee approved General Plan Amendment GPA2014-4 to change the General Plan Land Use Designation from Neighborhood Commercial (NC) to Medium-High Density Residential (R-14) under adopted Resolution _____; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/ Mitigated Negative Declaration, all recommendations by staff, and public testimony.

NOW, THEREFORE, the City Council of the City of Santee, after considering the evidence presented at the public hearing, does ordain as follows:

ORDINANCE NO. _____

SECTION 1: CEQA Compliance. On May 10, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearing House Number 2017021075) and its associated Mitigation Monitoring and Reporting Program, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Zone Change contemplated in this Ordinance. No further environmental review is required for the City to adopt this Ordinance.

SECTION 2: The request to change the zoning classification for a 0.48-acre site legally described as Lot 545 of Carlton Hills Unit No. 2 (Assessor's Parcel Numbers 380-202-08) currently designated Neighborhood Commercial (NC) as depicted in Exhibit A to Medium-High Density Residential (R-14) as depicted in Exhibit B attached hereto and incorporated herein, is consistent with, and furthers the goals and objectives of the General Plan by:

1. Allowing for a wide range of housing types as stated as Objective 2.0 of the Land Use Element. Supporting this objective is Policy 2.2 in which the City should encourage the development of higher density residential developments along major roads. Carlton Oaks Drive is designated as a Collector Street in the Circulation Element of the General Plan. This area of Carlton Oaks Drive is served and planned for continued bus service by the San Diego Metropolitan Transit System which connects to the multi-modal transit station at Santee Trolley Square.

2. Supporting Objective 5.0 of the Housing Element which encourages a wide range of housing by location, type of unit, and price. Policy 5.1 of the Housing Element states that the City should provide a variety of residential development opportunities ranging from low density estate homes to high density development. The units in this project are attached units, a product type that supports affordability. The residential development would contribute 10 units to the Housing Element Housing Inventory.

3. Supporting Circulation Element Objective 4.0 which desires to maximize the utilization of site planning techniques to improve traffic safety. Policy 4.1 of the Circulation Element encourages new subdivision development be designed so that driveways do not take direct access from prime arterials, major roads, or collector streets. Carlton Oaks Drive is designated as a Collector Street in the Circulation Element of the General Plan. The project would limit vehicular access to E. Heaney Circle.

4. Supporting Objective 11.0 of the Conservation Element which promotes a balanced mix of open space uses with development throughout the City to enhance visual resources, avoid hazards, and conserve resources. In Policy 11.5 of the Conservation Element, the City shall encourage compact development plans when appropriate to maximize the preservation of open space. This project would create dense development on a previously developed site adjacent to a Collector Street that supports open space preservation elsewhere.

5. Supporting Objective 9.0 of the Community Enhancement Element of the General Plan by designing the project with enhanced landscaping and architecture. The project provides a landscape buffer with a unifying tree scheme and sidewalks with parkways similar to other multiple-family residential developments along Carlton Oaks Drive.

SECTION 3: The request to change the zoning classification for a 0.48-acre site from Neighborhood Commercial (NC) to Medium-High Density Residential (R-14) as depicted in Exhibit B attached hereto and incorporated herein, is consistent with, and furthers the goals and objectives of the Zoning Ordinance Sections 17.10.030(A) and 17.10.020(G) because: 1) the R-14 Zone implements the General Plan Land Use Designation on the site; and 2) the R-14 Zone encourages Medium-High Density Residential development along major roads and in close proximity to community services and transit.

SECTION 4: The Zoning District Map is hereby amended to change the zone classification of one parcel (APN 380-202-08) from Neighborhood Commercial to Medium-High Density Residential (R-14) as depicted in Exhibit B attached hereto and incorporated herein.

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 10th day of May 2017, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the 24th day of May 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

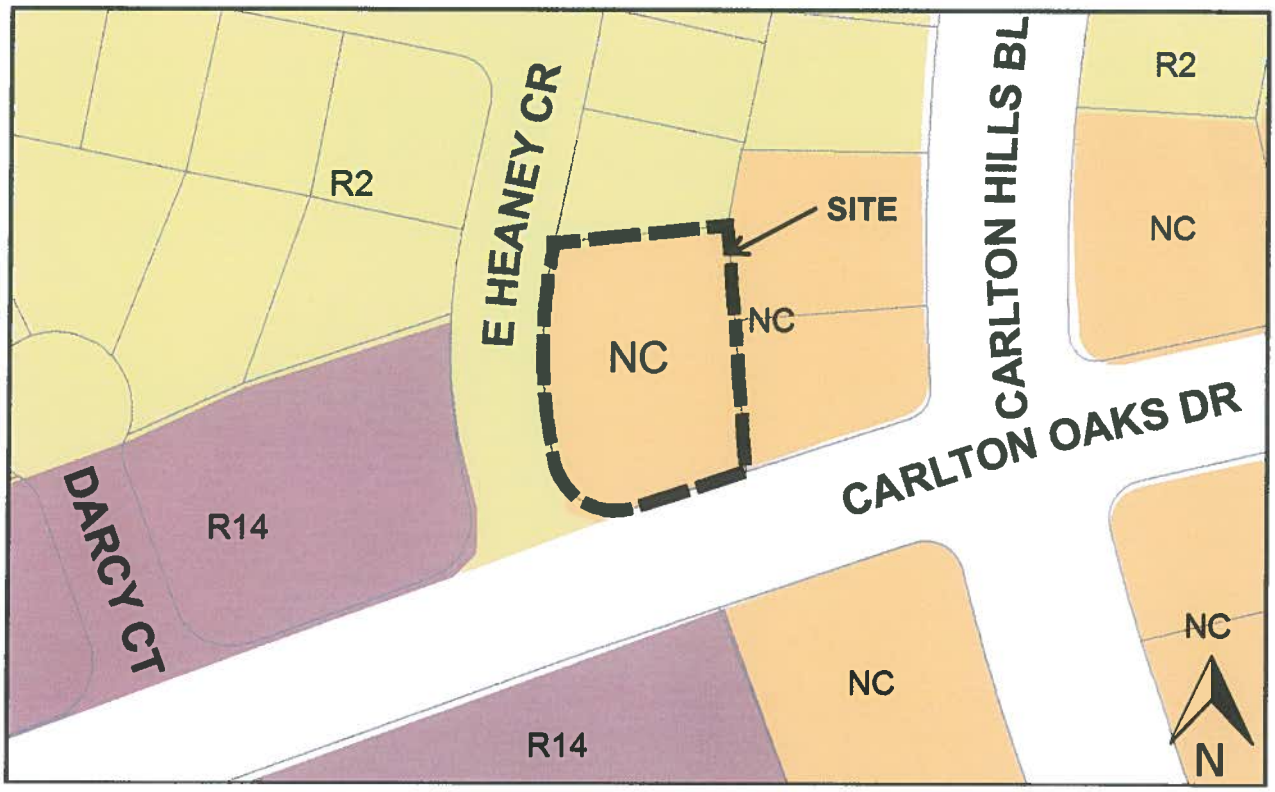
ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

Attachments: Exhibits A & B

ORDINANCE NO. _____

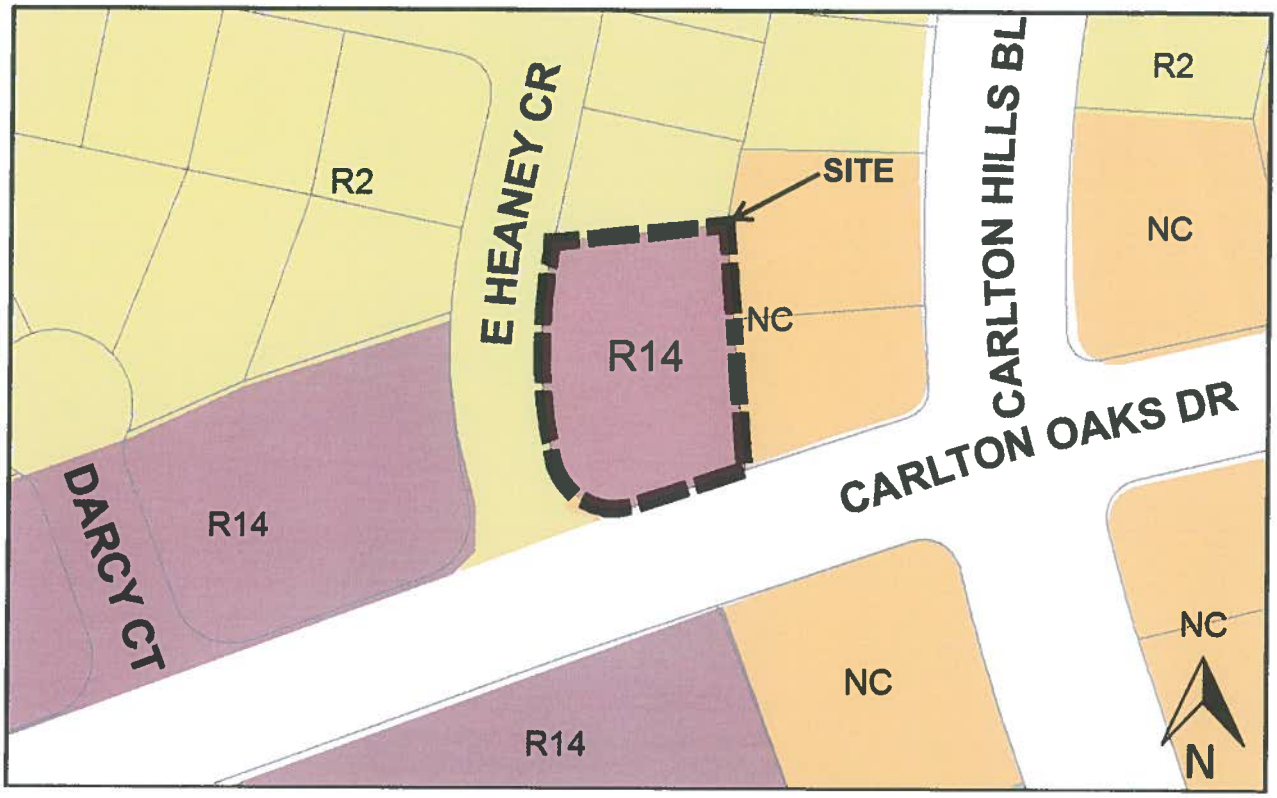
EXHIBIT A (Rezone R2014-2)
Existing Zone District



	ZONE DISTRICT
NC – Neighborhood Commercial	This district is intended to provide areas for immediate day to day convenience shopping and services for the residents of the immediate neighborhood. Site development regulations and performance standards are intended to make such uses compatible to and harmonious with the character of surrounding residential or less intense land use area.

ORDINANCE NO. _____

EXHIBIT B (Rezone R2015-2)
Proposed Zone District



	ZONE DISTRICT
R-14 – Medium-High Density Residential	This designation is intended for residential development characterized at the lower end of the density range by multiple family attached units and at the upper end of the density range by apartment and condominium buildings. It is intended that this category utilize innovative site planning, provide onsite recreational amenities and be located in close proximity to major community facilities, business centers and streets of at least major capacity. (Fourteen to Twenty-two Dwelling Units/Gross Acre).

Alternative One

RESOLUTION NO._____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING TENTATIVE MAP (TM2014-2) FOR 10 RESIDENTIAL CONDOMINIUM UNITS LOCATED ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE, IN THE MEDIUM-HIGH DENSITY RESIDENTIAL (R-14) LAND USE DESIGNATION AND ZONE

(APPLICANT: HEANEY PROPERTIES, LLC)
APN: 383-202-08
RELATED CASE FILES: GPA2014-4, R2014-2, DR2014-7, AEIS2014-14

WHEREAS, on December 12, 2014 Heaney Properties, LLC submitted an application for a General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, and Development Review Permit DR2014-7 to change the General Plan Land Use and Zone Designation for a 0.48-acre site and develop 10 residential condominium units on property located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive and legally described as Lot 545 of Carlton Hills Unit No. 2, in the City of Santee, County of San Diego, State of California, according to Map thereof No. 4066, filed in the Office of the County Recorder of San Diego County, January 28, 1959; and

WHEREAS, on March 27, 2017 the application was deemed complete and the Director of Development Services scheduled General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7 for public hearing on April 26, 2017; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from General Commercial (GC) to Medium-High Density Residential), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, on April 26, 2017 the City Council held a duly advertised public hearing on General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/Mitigated Negative Declaration, all recommendations by staff, public testimony, project alternatives, and all other relevant information contained in the administrative record regarding the project.

RESOLUTION NO._____

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: CEQA Compliance. On May 10, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearing House Number 2017021075) and its associated Mitigation Monitoring and Reporting Program, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Tentative Map contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution.

SECTION 2: The findings in accordance with the State Subdivision Map Act (Government Code Section 66410 et. seq.) are made as follows:

A. The Tentative Map as conditioned is consistent with all Elements of the Santee General Plan because the site is planned and zoned R-14, Medium-High Density Residential. This designation allows a residential density of 14 to 22 dwelling units per acre. The project proposes 20.8 units per acre, which falls within this density range. The proposed development is compatible with existing multiple-family development in the area, which ranges from 21 to 32 units per acre.

B. The design and improvements of the proposed development are consistent with all Elements of the Santee General Plan as well as City Ordinances because all necessary services and facilities are, or will be, available to serve this subdivision.

    1. On-site drainage improvements will be provided as well as drainage fees paid for any increase in surface water run-off.

    2. The project will be served by internal private roads developed to City standards.

    3. Traffic Impact and Traffic Signal fees totaling $24,150, as required.

    4. An in-lieu cash deposit of $68,310 toward the future construction of parks shall be provided to mitigate the impact on City parks.

    5. Public Facilities Fees of $56,120 for improvements to public facilities.

    6. Regional Transportation Congestion Improvement Program (RTCIP) of $23,570 to help with regional congestion reduction programs.

C. The site is physically suitable for density and type of development because the use is compatible with the adjacent multiple-family residential development, access is provided to the site and utilities are available to serve the development.

D. The discharge of sewage waste from the subdivision into the Padre Dam Municipal

Water District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board specified by the Health and Safety Code Section 5411.

E. The design of the subdivision or the type of improvements will not cause serious public health problems since the project will be connected to a public sewer system.

F. Neither the design of the subdivision nor the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no habitat or endangered wildlife species currently exist on the site.

G. The design of the subdivision or the type of improvements do not conflict with easements acquired by the public at large, for access through, or use of property with the proposed subdivision as defined under Government Code Section 66474.

H. The design of the subdivision has provided, to the extent feasible, for future passive or natural heating or cooling opportunities as defined under Section 66473.1 of the State Subdivision Map Act.

I. The effects of the subdivision on the housing need for the San Diego region have been considered and balanced against the public service needs of the City of Santee residents and available fiscal and environmental resources. Ten residences will be added to the City's housing stock.

SECTION 3: Tentative Map TM2014-2 dated February 10, 2017 consisting of a one-lot subdivision of approximately 0.48 gross acres into 10 residential condominiums located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive is hereby approved subject to the following conditions:

A. The applicant shall obtain approval of General Plan Amendment GPA2014-4.

B. The applicant shall obtain approval of Zone Reclassification R2014-2.

C. The applicant shall obtain approval of Development Review Permit DR2014-7.

D. The applicant shall be responsible for complying with all the provisions of the Mitigation Monitoring and Reporting Program adopted by the City Council on May 10, 2017 and attached to Resolution No. __ as Exhibit "D". Each and every mitigation measure contained in the Mitigation Monitoring and Reporting Program is hereby expressly made a condition of project approval in accordance with State CEQA Guidelines, section 15074.1.

E. Prior to Final map, unless other timing is indicated, the subdivider shall complete

the following or have plans submitted and approved, agreements executed and securities posted:

1. Following project approval the applicant shall schedule with the City Project Planner a post approval meeting to discuss the project conditions of approval, timing of design and construction and implementation of the project conditions. The meeting shall be scheduled within thirty days of project approval and prior to any plan submittals. The applicant should include their project design team including project architect, their design engineer and their landscape architect.

2. The applicant shall include provisions in their design contract with their design consultants that following acceptance by the City, all construction drawings or technical reports accepted by the City, exclusive of architectural building plans, shall become the property of the City. Once accepted, these plans may be freely used, copied or distributed by the City to the public or other agencies as the City may deem appropriate. An acknowledgement of this requirement from the design consultant shall be included on all construction drawings at the time of plan submittal.

3. To coordinate with the City Geographic Information System, horizontal and vertical control for all construction drawings, grading plans, landscape plans, street improvement plans, plot plans, etc., shall be obtained from ROS 11252. All plans, exclusive of the map and building plans, shall be prepared at an engineering scale of 1" = 20' unless otherwise approved by the project engineer.

4. If plans are prepared in digital format using computer aided drafting (CAD), then in addition to providing hard copies of the plans the applicant shall submit a copy of the plans in a digital .DXF file format at the time of its approval or as requested by the Director of Development Services. The digital file shall be based on accurate coordinate geometry calculations. The digital file for the final map shall specifically include each of the following items in a separate layer:

   a. Lot boundaries
   b. Lot numbers
   c. Subdivision boundary
   d. Right-of-way
   e. Street centerlines
   f. Approved street names

5. Obtain the basis of bearings for the Final Map from ROS 11252 and install street survey monumentation (SDRSD M-10) in accordance with San Diego Regional Standards and County mapping standards. All other monumentation shall be in accordance with the Santee Municipal Code and

shall be to the satisfaction of the Director of Development Services.

6. Final Map shall be submitted to the Department of Development Services Engineering Division. The first and last submittal of the map shall be made by appointment only with the City project engineer administering the map review. Submittal requirements are listed below. Incomplete submittals will not be accepted for plan check.

   Please include the following with the first submittal:

   a. Two sets of prints bound and stapled.
   b. Two copies of a current preliminary title report (dated within six months of submittal date).
   c. Two copies of all documents listed in the preliminary title report.
   d. Two copies of all reference maps used to prepare the final map.
   e. Two copies of closure calculations for the map.
   f. One copy of the Resolution of Approval approving the project.
   g. Map check fees in the amount of $3,000.00.

   Please include the following with the last submittal (signature submittal):

   a. Previous submittal check prints.
   b. Two sets of prints bound and stapled.
   c. Two copies of the map in AutoCAD format on separate disk, CD or DVD for incorporation into the City GIS data base.
   d. Mylars of the map with all required signatures and notaries obtained including Padre Dam Municipal Water District if they are to sign the map.
   e. Copies of certified receipts for all signature omission letters.
   f. Subdivision Map Guarantee.

7. Starting with the first plan check submittal, all plan sets including the Final Map shall be submitted concurrently to Padre Dam Municipal Water District for review and approval. The City does not coordinate the review process with Padre Dam, this is the responsibility of the design engineer and the landscape architect. Failure to properly coordinate this review may result in delay of issuance of permits required for construction. It is incumbent upon the applicant to oversee the plan submittals of their design consultants.

8. Street Improvement Plans shall be submitted to the Department of Development Services Engineering Division and be completed and accepted prior to issuance of a building permit for any given phase. Improvements will be phased to coincide with the specific development for any given phase. Phase specific conditions shall be specified at the time of approval for a given development phase.

   Prior to the start of construction of any improvements, public or private, within the limits of the public right-of-way, the applicant shall have plans accepted, agreements executed, securities posted and an Encroachment

Permit issued. All improvements shall be installed in accordance with City standards and at the applicant's cost unless otherwise indicated. The following improvements are conditions as part of this development:

a. Repair or replace failed or inadequate pavement to the centerline of the street and/or failed sidewalks on Carlton Oaks Drive and East Heaney Circle to the satisfaction of the Director of Development Services.

b. Construct a 26-foot wide driveway entrance on East Heaney Circle per San Diego Regional Standard Drawing G-17, modified to the satisfaction of the Director of Development Services.

c. Construct a Type A pedestrian curb ramp per San Diego Regional Standard Drawing G-27 at the northeast corner of Carlton Oaks Drive and East Heaney Circle.

d. Remove and replace damaged cross-gutter at the intersection of Carlton Oaks Drive and East Heaney Circle.

e. Street improvement plans shall be one hundred percent **(100%)** complete at the time of plan submittal, be prepared in accordance with City guidelines and the requirements set forth herein, and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan check submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the improvement plan submittal package:

   1. Six sets of plans bound and stapled.
   2. Plan check fees.
   3. Preliminary cost estimate for the improvements.
   4. One copy of the resolution of Approval or Director's Decision approving the project.

   Plan check and inspection fees shall be paid in accordance with the City Fee Schedule.

9. Rough Grading Plans may be submitted to the Department of Development Services Engineering Division and accepted prior to map recordation. The following conditions shall apply to acceptance of the Grading Plans and issuance of a Grading Permit:

   a. Project landscape and irrigation plans for all slope planting on all slopes over three feet in height shall be included in the grading plan set and

shall be prepared at the same scale as the grading plans 1" = 20'. Design shall include a temporary high line for irrigation to permit slope planting to occur immediately following grading until such time as individual meters are installed to permit connection of the irrigation to the home owner's meter.

b. Project improvement plans shall be completed to the satisfaction of the Director of Development Services and ready for approval prior to issuance of a grading permit. Plans shall be prepared at a scale of 1" = 20'.

c. Project plot plans shall be completed and approved prior to issuance of any building permits or start of construction of the street improvements.

d. Obtain a grading permit and complete rough grading in accordance with City standards prior to the issuance of any building permits.

e. All recommended measures identified in the approved geotechnical and soil investigation shall be incorporated into the project design and construction.

f. The grading plans shall be prepared at a scale of 1" = 20'. Plans shall include a note that requires immediate planting of all slopes within sixty days following installation of water mains to serve the project. Slope planting shall be fully established prior to occupancy of any unit.

g. Excess soil generated from grading operations shall be hauled to a legal dumping site as approved by the Director of Development Services.

h. Grading plans shall be one hundred percent complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. At the time of plan submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading plan submittal package:

    1. Six sets of plans bound and stapled (grading and landscape).
    2. Plan check fees.
    3. A completed grading permit application.
    4. A cost estimate for the cost of construction.
    5. Three copies of the Drainage Analysis specified here within.
    6. Three copies of the Geotechnical Study specified here within.

All grading shall be completed to the satisfaction of the Director of Development Services. Plan check and inspection fees shall be paid in accordance with the City Fee Schedule.

10. Precise Grading Plans shall be submitted to the Department of Development Services Engineering Division for review and acceptance.

    a. Horizontal and vertical control for <u>all</u> plans shall be obtained from ROS 11252 and shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the City project engineer.

    b. Project landscape and irrigation plans shall be excluded from the grading plan set but must be submitted by the second grading plan check.

    c. All recommended measures identified in the approved geotechnical study shall be incorporated into the project design and construction.

    d. Grading plans shall include preliminary recommendations for all pavement design sections within the project limits. The pavement structural section shall be designed based on the "R" value method using a minimum traffic index of 5.0 on site. Structural sections shall consist of asphalt concrete over approved aggregate base material. Minimum concrete section shall be 5 1/2 inches PCC over compacted, non-expansive soil. Mix design shall be a minimum class 520-C-2500. R-value test data and design calculations shall be submitted for approval to the Department of Development Services Engineering Division a minimum of seven days prior to placement of paving. The pavement design report shall conform to City of Santee Form 435 – PAVEMENT DESIGN AND R-VALUE TEST SUBMITTAL PROCEDURES.

    e. Grading, landscape and irrigation plans shall be one hundred percent **(100%)** complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading, landscape and irrigation plan submittal package:

        1. Six sets of grading, landscape and irrigation plans bound and stapled.
        2. Plan check fees.
        3. A completed grading permit application.
        4. A cost estimate for the cost of construction.
        5. Three copies of the Drainage Analysis specified here within.

6. Three copies of the Geotechnical Study specified here within.
7. Three copies of the Storm Water Quality Management Plan specified here within.
8. A copy of any letters of permission from any adjoining property owners if grading is proposed off-site. Letters shall be in a form acceptable to the City.
9. A letter of acknowledgement, signed and sealed, from each design consultant acknowledging City ownership of all construction drawings following City approval as specified here within.
10. One copy of the Resolution of Approval or Director's Decision approving the project.

Plan check and inspection fees shall be paid in accordance with the City Fee Schedule prior to issuance of the permit.

11. The applicant shall notify all contractors, subcontractors and material suppliers that the following work schedule restrictions apply to this project:

    a. No site work, building construction, or related activities, including equipment mobilization will be permitted to start on the project prior to 7:00 am and all work for the day shall be completed by 7:00 pm.

    b. No work is permitted on Sundays or City Holidays.

    c. No deliveries, including equipment drop off and pick-up, shall be made to the project except between the hours of 8:00 am and 6:00 pm, Monday through Saturday, excluding City Holidays. Deliveries of emergency supplies or equipment necessary to secure the site or protect the public are excluded.

    d. If the applicant fails or is unable to enforce compliance with their contractors, subcontractors and material suppliers regarding the specified work hours, a reduction of permissible work hours may be imposed by the Director of Development Services.

    In addition to the above the applicant shall erect one or more signs stating the work hour restrictions. Signs shall be installed as may be required, in the vicinity of the project construction trailer if a job site trailer is used, or at such other locations as may be deemed appropriate by the Department of Development Services. The sign shall be a minimum of 24" x 36" and shall be weather proofed. The sign content shall be provided by the Department of Development Services.

12. Trench work when required within City streets shall be completed within two weeks of the initial start date, including placement of the final trench patch. Trench plates or temporary pavement placement shall be installed at the end

of each work day. Advance warning signs on lighted barricades notifying the public of trench plates and or uneven pavement shall placed be and maintained until permanent pavement repairs are made. The maximum length of time including weekends and holidays that trench plates may remain on the street is 72 hours after which temporary or permanent asphalt paving shall be placed.

13. Applicant consents to annexation of the property under development to the Santee Roadway Lighting District and agrees to waive any public notice and hearing of the transfer. Applicant shall pay the necessary annexation costs and upon installation of any street lights required for the development, pay the necessary street light energizing and temporary operating costs.

14. A grading permit to allow early subdivision grading in accordance with Section 15.58.170 of the Grading Ordinance may be obtained following approval of the tentative map.

15. Provide three copies of a preliminary drainage study prepared by a registered Civil Engineer, with demonstrated expertise in drainage analysis and experience in fluvial geomorphology and water resources management. Storm drainage shall be designed to adequately convey storm water runoff without damage or flooding of surrounding properties or degradation of water quality.

    a. The drainage study shall identify and calculate storm water runoff quantities expected from the site and upstream of the site and verify the adequacy of all on-site or off-site facilities necessary to discharge this runoff. The drainage system design shall be capable of collecting and conveying all surface water originating within the site, and surface water that may flow onto the site from upstream lands, and shall be in accordance with the latest adopted Master Drainage Plan, the requirements of the City of Santee Public Works Standards, including analysis of the 10-year and 100-year frequency storms, and be based on full development of upstream areas.

    b. The drainage study shall compute rainfall runoff characteristics from the project area including, at a minimum, peak flow rate, flow velocity, runoff volume, time of concentration, and retention volume. These characteristics shall be developed for the 2-year, 10-year and 100-year frequency six-hour storm during critical hydrologic conditions for soil and vegetative cover. Storm events shall be developed using isopluvial maps and in accordance with the San Diego County Hydrology Manual.

16. Provide three copies of a complete Storm Water Quality Management Plan (SWQMP) as required by the City of Santee Storm Water Management and Discharge Control Ordinance and in accordance with the City of Santee BMP

Design Manual (latest version. All requirements developed in the approved SWQMP shall be incorporated into the project design. The SWQMP shall include the following:

a. Develop and implement appropriate Best Management Practices (BMPs) to ensure to the maximum extent practicable (MEP) that the project does not increase pollutant loads from the site. A combination of respective storm water BMPs, including Site Design, Source Control, and Structural Treatment Control shall be implemented in accordance with the approved SWQMP.

b. The project design shall incorporate Low Impact Development (LID) and site design BMPs to minimize directly connected impervious areas and to promote infiltration using LID techniques as outlined in the County of San Diego's LID handbook. Parking areas shall be designed to drain to landscape areas. Private roads shall be designed to drain to vegetated swales or landscaped areas.

c. Provide a copy of an Operation & Maintenance (O&M) plan in accordance with the City of Santee BMP Design Manual. A Storm Water Facilities Maintenance Agreement accepting responsibility for all structural BMP maintenance, repair and replacement as outlined in said O&M plan binding on the land throughout the life of the project will be required prior to issuance of building permit.

d. The site shall comply with full trash capture requirements by providing completely enclosed trash and recycling enclosures, fitting all storm drain inlets with a grate/screen or trash rack, and retrofitting any adjacent storm drain inlet structures to which the site discharges with trash capture devices. Said devices must be designed to capture debris of 5 mm or greater, while preventing flooding potential. In addition, all inlets must be labeled with brass embossed marker or equivalent – stating, "No Dumping – Drains to Waterways."

17. Provide three copies of geotechnical study prepared in accordance with the requirements of the Santee General Plan. All recommended measures identified in the approved study shall be incorporated into the project design. Copies of the Geotechnical/Seismic Hazard Study for the Safety Element of the Santee General Plan which details, in Table A-1, study criteria necessary to conform to the General Plan requirements, can be purchased from the Department of Development Services Engineering Division.

    a. The geotechnical report shall analyze any proposed infiltration techniques (trenches, basins, dry wells, permeable pavements with underground reservoir for infiltration) for any potential adverse geotechnical concerns. Geotechnical conditions such as: slope stability, expansive soils, compressible soils, seepage, groundwater depth, and loss of foundation

or pavement subgrade strength should be addressed, and mitigation measures provided.

18. Applicant shall place all new utilities required to serve the project underground. No overhead facilities or extension of overhead facilities is permitted. In addition, the applicant shall underground any existing overhead facilities on-site and underground any overhead facilities adjacent to the project to the satisfaction of the Director of Development Services. Adjacent facilities are defined as existing overhead facilities in the abutting half street and may include extension of the undergrounding to either side of the project to the nearest existing utility pole.

19. Provide certification to the Director of Development Services that sewer and water can be provided to the site and that financial arrangements have been made to provide said services. If private sewer or water mains are allowed to serve the project, then a building permit for these facilities will be required and they shall be maintained by a homeowner's association.

20. The applicant shall comply with all applicable sections of the Municipal Code, Land Development Manual and Public Works Standards of the City of Santee.

SECTION 4: The applicant shall 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 or set aside, void, or annul the approval of the City of Santee concerning this Tentative Map, or any action relating to or arising out of its approval.

SECTION 5: The terms and conditions of the Tentative Map TM2014-2 approval shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Tentative Map and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 6: The approval of the Tentative Map TM2014-2 expires on May 10, 2020 at 5:00 p.m. The Final Map or Maps conforming to this conditionally approved Tentative Map shall be filed with the City Council in time so that City Council may approve the Final Map or Maps before this approval expires unless a time extension for obtaining such approval of the Final Map is approved as provided by the Santee Subdivision Ordinance. 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 7: 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, shall begin on May 10, 2017.

SECTION 8: The City of Santee hereby notifies the applicant that State Law (AB3158), effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. 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, County of San Diego" in the amount of $2,266.25. This fee includes an authorized County administrative fee of $50. Failure to remit the required fee in full within the time specified above will result in notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089 (b) of the Public Resources Code, and Section 711.4 (c) of the Fish and Game Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

SECTION 9: The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

Alternative Two

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING TENTATIVE MAP (TM2014-2) FOR 10 RESIDENTIAL CONDOMINIUM UNITS LOCATED ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE, IN THE MEDIUM-HIGH DENSITY RESIDENTIAL (R-14) LAND USE DESIGNATION AND ZONE

(APPLICANT: HEANEY PROPERTIES, LLC)
APN: 383-202-08
RELATED CASE FILES: GPA2014-4, R2014-2, DR2014-7, AEIS2014-14

WHEREAS, on December 12, 2014 Heaney Properties, LLC submitted an application for a General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, and Development Review Permit DR2014-7 to change the General Plan Land Use and Zone Designation for a 0.48-acre site and develop 10 residential condominium units on property located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive and legally described as Lot 545 of Carlton Hills Unit No. 2, in the City of Santee, County of San Diego, State of California, according to Map thereof No. 4066, filed in the Office of the County Recorder of San Diego County, January 28, 1959; and

WHEREAS, on March 27, 2017 the application was deemed complete and the Director of Development Services scheduled General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7 for public hearing on April 26, 2017; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from General Commercial (GC) to Medium-High Density Residential), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, on April 26, 2017 the City Council held a duly advertised public hearing on General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017 to re-evaluate on-site guest parking needs; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/Mitigated Negative Declaration, all recommendations by staff, public testimony, project alternatives, and all other relevant information contained in the administrative record regarding the project.

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: CEQA Compliance. On May 10, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearing House Number 2017021075) and its associated Mitigation Monitoring and Reporting Program, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Tentative Map contemplated in this Resolution. Because the project modifications are minor in nature and do not result in a substantially different project or a more intense project with additional dwelling units, the prepared Initial Study/Mitigated Negative Declaration covers the project as amended. No further environmental review is required for the City to adopt this Resolution.

SECTION 2: The findings in accordance with the State Subdivision Map Act (Government Code Section 66410 et. seq.) are made as follows:

A. The Tentative Map as conditioned is consistent with all Elements of the Santee General Plan because the site is planned and zoned R-14, Medium-High Density Residential. This designation allows a residential density of 14 to 22 dwelling units per acre. The project proposes 20.8 units per acre, which falls within this density range. The proposed development is compatible with existing multiple-family development in the area, which ranges from 21 to 32 units per acre.

B. The design and improvements of the proposed development are consistent with all Elements of the Santee General Plan as well as City Ordinances because all necessary services and facilities are, or will be, available to serve this subdivision.

    1. On-site drainage improvements will be provided as well as drainage fees paid for any increase in surface water run-off.

    2. The project will be served by internal private roads developed to City standards.

    3. Traffic Impact and Traffic Signal fees totaling $24,150, as required.

    4. An in-lieu cash deposit of $68,310 toward the future construction of parks shall be provided to mitigate the impact on City parks.

    5. Public Facilities Fees of $56,120 for improvements to public facilities.

    6. Regional Transportation Congestion Improvement Program (RTCIP) of $23,570 to help with regional congestion reduction programs.

C. The site is physically suitable for density and type of development because the use is compatible with the adjacent multiple-family residential development, access is

provided to the site and utilities are available to serve the development.

D. The discharge of sewage waste from the subdivision into the Padre Dam Municipal Water District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board specified by the Health and Safety Code Section 5411.

E. The design of the subdivision or the type of improvements will not cause serious public health problems since the project will be connected to a public sewer system.

F. Neither the design of the subdivision nor the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no habitat or endangered wildlife species currently exist on the site.

G. The design of the subdivision or the type of improvements do not conflict with easements acquired by the public at large, for access through, or use of property with the proposed subdivision as defined under Government Code Section 66474.

H. The design of the subdivision has provided, to the extent feasible, for future passive or natural heating or cooling opportunities as defined under Section 66473.1 of the State Subdivision Map Act.

I. The effects of the subdivision on the housing need for the San Diego region have been considered and balanced against the public service needs of the City of Santee residents and available fiscal and environmental resources. Ten residences will be added to the City's housing stock.

SECTION 3: Tentative Map TM2014-2 dated February 10, 2017 consisting of a one-lot subdivision of approximately 0.48 gross acres into 10 residential condominiums located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive is hereby approved subject to the following conditions:

A. The applicant shall obtain approval of General Plan Amendment GPA2014-4.

B. The applicant shall obtain approval of Zone Reclassification R2014-2.

C. The applicant shall obtain approval of Development Review Permit DR2014-7.

D. The applicant shall be responsible for complying with all the provisions of the Mitigation Monitoring and Reporting Program adopted by the City Council on May 10, 2017 and attached to Resolution No. _____ as Exhibit "D". Each and every mitigation measure contained in the Mitigation Monitoring and Reporting Program is hereby expressly made a condition of project approval in accordance with

State CEQA Guidelines, section 15074.1.

E. Prior to Final map, unless other timing is indicated, the subdivider shall complete the following or have plans submitted and approved, agreements executed and securities posted:

1. Following project approval the applicant shall schedule with the City Project Planner a post approval meeting to discuss the project conditions of approval, timing of design and construction and implementation of the project conditions. The meeting shall be scheduled within thirty days of project approval and prior to any plan submittals. The applicant should include their project design team including project architect, their design engineer and their landscape architect.

2. The applicant shall include provisions in their design contract with their design consultants that following acceptance by the City, all construction drawings or technical reports accepted by the City, exclusive of architectural building plans, shall become the property of the City. Once accepted, these plans may be freely used, copied or distributed by the City to the public or other agencies as the City may deem appropriate. An acknowledgement of this requirement from the design consultant shall be included on all construction drawings at the time of plan submittal.

3. To coordinate with the City Geographic Information System, horizontal and vertical control for all construction drawings, grading plans, landscape plans, street improvement plans, plot plans, etc., shall be obtained from ROS 11252. All plans, exclusive of the map and building plans, shall be prepared at an engineering scale of 1" = 20' unless otherwise approved by the project engineer.

4. If plans are prepared in digital format using computer aided drafting (CAD), then in addition to providing hard copies of the plans the applicant shall submit a copy of the plans in a digital .DXF file format at the time of its approval or as requested by the Director of Development Services. The digital file shall be based on accurate coordinate geometry calculations. The digital file for the final map shall specifically include each of the following items in a separate layer:

   a. Lot boundaries
   b. Lot numbers
   c. Subdivision boundary
   d. Right-of-way
   e. Street centerlines
   f. Approved street names

5. Obtain the basis of bearings for the Final Map from ROS 11252 and install street survey monumentation (SDRSD M-10) in accordance with San Diego Regional Standards and County mapping standards. All other monumentation shall be in accordance with the Santee Municipal Code and shall be to the satisfaction of the Director of Development Services.

6. Final Map shall be submitted to the Department of Development Services Engineering Division. The first and last submittal of the map shall be made by appointment only with the City project engineer administering the map review. Submittal requirements are listed below. Incomplete submittals will not be accepted for plan check.

   Please include the following with the first submittal:

   a. Two sets of prints bound and stapled.
   b. Two copies of a current preliminary title report (dated within six months of submittal date).
   c. Two copies of all documents listed in the preliminary title report.
   d. Two copies of all reference maps used to prepare the final map.
   e. Two copies of closure calculations for the map.
   f. One copy of the Resolution of Approval approving the project.
   g. Map check fees in the amount of $3,000.00.

   Please include the following with the last submittal (signature submittal):

   a. Previous submittal check prints.
   b. Two sets of prints bound and stapled.
   c. Two copies of the map in AutoCAD format on separate disk, CD or DVD for incorporation into the City GIS data base.
   d. Mylars of the map with all required signatures and notaries obtained including Padre Dam Municipal Water District if they are to sign the map.
   e. Copies of certified receipts for all signature omission letters.
   f. Subdivision Map Guarantee.

7. Starting with the first plan check submittal, all plan sets including the Final Map shall be submitted concurrently to Padre Dam Municipal Water District for review and approval. The City does not coordinate the review process with Padre Dam, this is the responsibility of the design engineer and the landscape architect. Failure to properly coordinate this review may result in delay of issuance of permits required for construction. It is incumbent upon the applicant to oversee the plan submittals of their design consultants.

8. Street Improvement Plans shall be submitted to the Department of Development Services Engineering Division and be completed and accepted prior to issuance of a building permit for any given phase. Improvements will be phased to coincide with the specific development for any given phase. Phase specific conditions shall be specified at the time of approval for a given development phase.

Prior to the start of construction of any improvements, public or private, within the limits of the public right-of-way, the applicant shall have plans accepted, agreements executed, securities posted and an Encroachment Permit issued. All improvements shall be installed in accordance with City standards and at the applicant's cost unless otherwise indicated. The following improvements are conditions as part of this development:

a. Repair or replace failed or inadequate pavement to the centerline of the street and/or failed sidewalks on Carlton Oaks Drive and East Heaney Circle to the satisfaction of the Director of Development Services.

b. Construct a 26-foot wide driveway entrance on East Heaney Circle per San Diego Regional Standard Drawing G-17, modified to the satisfaction of the Director of Development Services.

c. Construct a Type A pedestrian curb ramp per San Diego Regional Standard Drawing G-27 at the northeast corner of Carlton Oaks Drive and East Heaney Circle.

d. Remove and replace damaged cross-gutter at the intersection of Carlton Oaks Drive and East Heaney Circle.

e. Street improvement plans shall be one hundred percent **(100%)** complete at the time of plan submittal, be prepared in accordance with City guidelines and the requirements set forth herein, and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan check submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the improvement plan submittal package:

   1. Six sets of plans bound and stapled
   2. Plan check fees
   3. Preliminary cost estimate for the improvements
   4. One copy of the resolution of Approval or Director's Decision approving the project

   Plan check and inspection fees shall be paid in accordance with the City Fee Schedule.

9. Rough Grading Plans may be submitted to the Department of Development Services Engineering Division and accepted prior to map recordation. The following conditions shall apply to acceptance of the Grading Plans and issuance of a Grading Permit:

a. Project landscape and irrigation plans for all slope planting on all slopes over three feet in height shall be included in the grading plan set and shall be prepared at the same scale as the grading plans 1" = 20'. Design shall include a temporary high line for irrigation to permit slope planting to occur immediately following grading until such time as individual meters are installed to permit connection of the irrigation to the home owner's meter.

b. Project improvement plans shall be completed to the satisfaction of the Director of Development Services and ready for approval prior to issuance of a grading permit. Plans shall be prepared at a scale of 1" = 20'.

c. Project plot plans shall be completed and approved prior to issuance of any building permits or start of construction of the street improvements.

d. Obtain a grading permit and complete rough grading in accordance with City standards prior to the issuance of any building permits.

e. All recommended measures identified in the approved geotechnical and soil investigation shall be incorporated into the project design and construction.

f. The grading plans shall be prepared at a scale of 1" = 20'. Plans shall include a note that requires immediate planting of all slopes within sixty days following installation of water mains to serve the project. Slope planting shall be fully established prior to occupancy of any unit.

g. Excess soil generated from grading operations shall be hauled to a legal dumping site as approved by the Director of Development Services.

h. Grading plans shall be one hundred percent complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. At the time of plan submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading plan submittal package:

    1. Six sets of plans bound and stapled (grading and landscape).
    2. Plan check fees.
    3. A completed grading permit application.
    4. A cost estimate for the cost of construction.
    5. Three copies of the Drainage Analysis specified here within.
    6. Three copies of the Geotechnical Study specified here within.

All grading shall be completed to the satisfaction of the Director of Development Services. Plan check and inspection fees shall be paid in accordance with the City Fee Schedule.

10. Precise Grading Plans shall be submitted to the Department of Development Services Engineering Division for review and acceptance.

    a. Horizontal and vertical control for <u>all</u> plans shall be obtained from ROS 11252 and shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the City project engineer.

    b. Project landscape and irrigation plans shall be excluded from the grading plan set but must be submitted by the second grading plan check.

    c. All recommended measures identified in the approved geotechnical study shall be incorporated into the project design and construction.

    d. Grading plans shall include preliminary recommendations for all pavement design sections within the project limits. The pavement structural section shall be designed based on the "R" value method using a minimum traffic index of 5.0 on site. Structural sections shall consist of asphalt concrete over approved aggregate base material. Minimum concrete section shall be 5 1/2 inches PCC over compacted, non-expansive soil. Mix design shall be a minimum class 520-C-2500. R-value test data and design calculations shall be submitted for approval to the Department of Development Services Engineering Division a minimum of seven days prior to placement of paving. The pavement design report shall conform to City of Santee Form 435 – PAVEMENT DESIGN AND R-VALUE TEST SUBMITTAL PROCEDURES.

    e. Grading, landscape and irrigation plans shall be one hundred percent **(100%)** complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading, landscape and irrigation plan submittal package:

        1. Six sets of grading, landscape and irrigation plans bound and stapled.
        2. Plan check fees.
        3. A completed grading permit application.
        4. A cost estimate for the cost of construction.
        5. Three copies of the Drainage Analysis specified here within.
        6. Three copies of the Geotechnical Study specified here within.

7. Three copies of the Storm Water Quality Management Plan specified here within.
8. A copy of any letters of permission from any adjoining property owners if grading is proposed off-site. Letters shall be in a form acceptable to the City.
9. A letter of acknowledgement, signed and sealed, from each design consultant acknowledging City ownership of all construction drawings following City approval as specified here within.
10. One copy of the Resolution of Approval or Director's Decision approving the project.

Plan check and inspection fees shall be paid in accordance with the City Fee Schedule prior to issuance of the permit.

11. The applicant shall notify all contractors, subcontractors and material suppliers that the following work schedule restrictions apply to this project:

    a. No site work, building construction, or related activities, including equipment mobilization will be permitted to start on the project prior to 7:00 am and all work for the day shall be completed by 7:00 pm.

    b. No work is permitted on Sundays or City Holidays.

    c. No deliveries, including equipment drop off and pick-up, shall be made to the project except between the hours of 8:00 am and 6:00 pm, Monday through Saturday, excluding City Holidays. Deliveries of emergency supplies or equipment necessary to secure the site or protect the public are excluded.

    d. If the applicant fails or is unable to enforce compliance with their contractors, subcontractors and material suppliers regarding the specified work hours, a reduction of permissible work hours may be imposed by the Director of Development Services.

    In addition to the above the applicant shall erect one or more signs stating the work hour restrictions. Signs shall be installed as may be required, in the vicinity of the project construction trailer if a job site trailer is used, or at such other locations as may be deemed appropriate by the Department of Development Services. The sign shall be a minimum of 24" x 36" and shall be weather proofed. The sign content shall be provided by the Department of Development Services.

12. Trench work when required within City streets shall be completed within two weeks of the initial start date, including placement of the final trench patch. Trench plates or temporary pavement placement shall be installed at the end of each work day. Advance warning signs on lighted barricades notifying the

public of trench plates and or uneven pavement shall be placed and maintained until permanent pavement repairs are made. The maximum length of time including weekends and holidays that trench plates may remain on the street is 72 hours after which temporary or permanent asphalt paving shall be placed.

13. Applicant consents to annexation of the property under development to the Santee Roadway Lighting District and agrees to waive any public notice and hearing of the transfer. Applicant shall pay the necessary annexation costs and upon installation of any street lights required for the development, pay the necessary street light energizing and temporary operating costs.

14. A grading permit to allow early subdivision grading in accordance with Section 15.58.170 of the Grading Ordinance may be obtained following approval of the tentative map.

15. Provide three copies of a preliminary drainage study prepared by a registered Civil Engineer, with demonstrated expertise in drainage analysis and experience in fluvial geomorphology and water resources management. Storm drainage shall be designed to adequately convey storm water runoff without damage or flooding of surrounding properties or degradation of water quality.

    a. The drainage study shall identify and calculate storm water runoff quantities expected from the site and upstream of the site and verify the adequacy of all on-site or off-site facilities necessary to discharge this runoff. The drainage system design shall be capable of collecting and conveying all surface water originating within the site, and surface water that may flow onto the site from upstream lands, and shall be in accordance with the latest adopted Master Drainage Plan, the requirements of the City of Santee Public Works Standards, including analysis of the 10-year and 100-year frequency storms, and be based on full development of upstream areas.

    b. The drainage study shall compute rainfall runoff characteristics from the project area including, at a minimum, peak flow rate, flow velocity, runoff volume, time of concentration, and retention volume. These characteristics shall be developed for the 2-year, 10-year and 100-year frequency six-hour storm during critical hydrologic conditions for soil and vegetative cover. Storm events shall be developed using isopluvial maps and in accordance with the San Diego County Hydrology Manual.

16. Provide three copies of a complete Storm Water Quality Management Plan (SWQMP) as required by the City of Santee Storm Water Management and Discharge Control Ordinance and in accordance with the City of Santee BMP Design Manual (latest version. All requirements developed in the approved

SWQMP shall be incorporated into the project design. The SWQMP shall include the following:

a. Develop and implement appropriate Best Management Practices (BMPs) to ensure to the maximum extent practicable (MEP) that the project does not increase pollutant loads from the site. A combination of respective storm water BMPs, including Site Design, Source Control, and Structural Treatment Control shall be implemented in accordance with the approved SWQMP.

b. The project design shall incorporate Low Impact Development (LID) and site design BMPs to minimize directly connected impervious areas and to promote infiltration using LID techniques as outlined in the County of San Diego's LID handbook. Parking areas shall be designed to drain to landscape areas. Private roads shall be designed to drain to vegetated swales or landscaped areas.

c. Provide a copy of an Operation & Maintenance (O&M) plan in accordance with the City of Santee BMP Design Manual. A Storm Water Facilities Maintenance Agreement accepting responsibility for all structural BMP maintenance, repair and replacement as outlined in said O&M plan binding on the land throughout the life of the project will be required prior to issuance of building permit.

d. The site shall comply with full trash capture requirements by accommodating bin storage in garages, fitting all storm drain inlets with a grate/screen or trash rack, and retrofitting any adjacent storm drain inlet structures to which the site discharges with trash capture devices. Said devices must be designed to capture debris of 5 mm or greater, while preventing flooding potential. In addition, all inlets must be labeled with brass embossed marker or equivalent – stating, "No Dumping – Drains to Waterways."

17. Provide three copies of geotechnical study prepared in accordance with the requirements of the Santee General Plan. All recommended measures identified in the approved study shall be incorporated into the project design. Copies of the Geotechnical/Seismic Hazard Study for the Safety Element of the Santee General Plan which details, in Table A-1, study criteria necessary to conform to the General Plan requirements, can be purchased from the Department of Development Services Engineering Division.

    a. The geotechnical report shall analyze any proposed infiltration techniques (trenches, basins, dry wells, permeable pavements with underground reservoir for infiltration) for any potential adverse geotechnical concerns. Geotechnical conditions such as: slope stability, expansive soils, compressible soils, seepage, groundwater depth, and loss of foundation

or pavement subgrade strength should be addressed, and mitigation measures provided.

18. Applicant shall place all new utilities required to serve the project underground. No overhead facilities or extension of overhead facilities is permitted. In addition, the applicant shall underground any existing overhead facilities on-site and underground any overhead facilities adjacent to the project to the satisfaction of the Director of Development Services. Adjacent facilities are defined as existing overhead facilities in the abutting half street and may include extension of the undergrounding to either side of the project to the nearest existing utility pole.

19. Provide certification to the Director of Development Services that sewer and water can be provided to the site and that financial arrangements have been made to provide said services. If private sewer or water mains are allowed to serve the project, then a building permit for these facilities will be required and they shall be maintained by a homeowner's association.

20. The applicant shall comply with all applicable sections of the Municipal Code, Land Development Manual and Public Works Standards of the City of Santee.

SECTION 4: The applicant shall 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 or set aside, void, or annul the approval of the City of Santee concerning this Tentative Map, or any action relating to or arising out of its approval.

SECTION 5: The terms and conditions of the Tentative Map TM2014-2 approval shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Tentative Map and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 6: The approval of the Tentative Map TM2014-2 expires on May 10, 2020 at 5:00 p.m. The Final Map or Maps conforming to this conditionally approved Tentative Map shall be filed with the City Council in time so that City Council may approve the Final Map or Maps before this approval expires unless a time extension for obtaining such approval of the Final Map is approved as provided by the Santee Subdivision Ordinance. 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 7: 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, shall begin on May 10, 2017.

SECTION 8: The City of Santee hereby notifies the applicant that State Law (AB3158), effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. 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, County of San Diego" in the amount of $2,266.25. This fee includes an authorized County administrative fee of $50. Failure to remit the required fee in full within the time specified above will result in notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089 (b) of the Public Resources Code, and Section 711.4 (c) of the Fish and Game Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

SECTION 9: The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

RESOLUTION NO. _____

Alternative Three

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING TENTATIVE MAP (TM2014-2) FOR 9 RESIDENTIAL CONDOMINIUM UNITS LOCATED ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS DRIVE, IN THE MEDIUM-HIGH DENSITY RESIDENTIAL (R-14) LAND USE DESIGNATION AND ZONE

(APPLICANT: HEANEY PROPERTIES, LLC)
APN: 383-202-08
RELATED CASE FILES: GPA2014-4, R2014-2, DR2014-7, AEIS2014-14

WHEREAS, on December 12, 2014 Heaney Properties, LLC submitted an application for a General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, and Development Review Permit DR2014-7 to change the General Plan Land Use and Zone Designation for a 0.48-acre site and develop 9 residential condominium units on property located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive and legally described as Lot 545 of Carlton Hills Unit No. 2, in the City of Santee, County of San Diego, State of California, according to Map thereof No. 4066, filed in the Office of the County Recorder of San Diego County, January 28, 1959; and

WHEREAS, on March 27, 2017 the application was deemed complete and the Director of Development Services scheduled General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7 for public hearing on April 26, 2017; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from General Commercial (GC) to Medium-High Density Residential), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, on April 26, 2017 the City Council held a duly advertised public hearing on General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017 to re-evaluate on-site guest parking needs; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/Mitigated Negative Declaration, all recommendations by staff, public testimony, project alternatives, and all other relevant information contained in the administrative record regarding the project.

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: CEQA Compliance. On May 10, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearing House Number 2017021075) and its associated Mitigation Monitoring and Reporting Program, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Tentative Map contemplated in this Resolution. Because the project modifications are minor in nature and do not result in a substantially different project or a more intense project with additional dwelling units, the prepared Initial Study/Mitigated Negative Declaration covers the project as amended. No further environmental review is required for the City to adopt this Resolution.

SECTION 2: The findings in accordance with the State Subdivision Map Act (Government Code Section 66410 et. seq.) are made as follows:

A. The Tentative Map as conditioned is consistent with all Elements of the Santee General Plan because the site is planned and zoned R-14, Medium-High Density Residential. This designation allows a residential density of 14 to 22 dwelling units per acre. The project proposes 20.8 units per acre, which falls within this density range. The proposed development is compatible with existing multiple-family development in the area, which ranges from 21 to 32 units per acre.

B. The design and improvements of the proposed development are consistent with all Elements of the Santee General Plan as well as City Ordinances because all necessary services and facilities are, or will be, available to serve this subdivision.

    1. On-site drainage improvements will be provided as well as drainage fees paid for any increase in surface water run-off; and

    2. The project will be served by internal private roads developed to City standards; and

    3. Traffic Impact and Traffic Signal fees totaling $24,150, as required; and

    4. An in-lieu cash deposit of $68,310 toward the future construction of parks shall be provided to mitigate the impact on City parks.

    5. Public Facilities Fees of $56,120 for improvements to public facilities.

    6. Regional Transportation Congestion Improvement Program (RTCIP) of $23,570 to help with regional congestion reduction programs.

C. The site is physically suitable for density and type of development because the use is compatible with the adjacent multiple-family residential development, access is

provided to the site and utilities are available to serve the development.

D. The discharge of sewage waste from the subdivision into the Padre Dam Municipal Water District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board specified by the Health and Safety Code Section 5411.

E. The design of the subdivision or the type of improvements will not cause serious public health problems since the project will be connected to a public sewer system.

F. Neither the design of the subdivision nor the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no habitat or endangered wildlife species currently exist on the site.

G. The design of the subdivision or the type of improvements do not conflict with easements acquired by the public at large, for access through, or use of property with the proposed subdivision as defined under Government Code Section 66474.

H. The design of the subdivision has provided, to the extent feasible, for future passive or natural heating or cooling opportunities as defined under Section 66473.1 of the State Subdivision Map Act.

I. The effects of the subdivision on the housing need for the San Diego region have been considered and balanced against the public service needs of the City of Santee residents and available fiscal and environmental resources. Ten residences will be added to the City's housing stock.

SECTION 3: Tentative Map TM2014-2 dated February 10, 2017 consisting of a one-lot subdivision of approximately 0.48 gross acres into 9 residential condominiums located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive is hereby approved subject to the following conditions:

A. The applicant shall obtain approval of General Plan Amendment GPA2014-4.

B. The applicant shall obtain approval of Zone Reclassification R2014-2.

C. The applicant shall obtain approval of Development Review Permit DR2014-7.

D. The applicant shall be responsible for complying with all the provisions of the Mitigation Monitoring and Reporting Program adopted by the City Council on May 10, 2017 and attached to Resolution No. _____ as Exhibit "D". Each and every mitigation measure contained in the Mitigation Monitoring and Reporting Program is hereby expressly made a condition of project approval in accordance with

State CEQA Guidelines, section 15074.1.

E. Prior to Final map, unless other timing is indicated, the subdivider shall complete the following or have plans submitted and approved, agreements executed and securities posted:

1. Following project approval the applicant shall schedule with the City Project Planner a post approval meeting to discuss the project conditions of approval, timing of design and construction and implementation of the project conditions. The meeting shall be scheduled within thirty days of project approval and prior to any plan submittals. The applicant should include their project design team including project architect, their design engineer and their landscape architect.

2. The applicant shall include provisions in their design contract with their design consultants that following acceptance by the City, all construction drawings or technical reports accepted by the City, exclusive of architectural building plans, shall become the property of the City. Once accepted, these plans may be freely used, copied or distributed by the City to the public or other agencies as the City may deem appropriate. An acknowledgement of this requirement from the design consultant shall be included on all construction drawings at the time of plan submittal.

3. To coordinate with the City Geographic Information System, horizontal and vertical control for all construction drawings, grading plans, landscape plans, street improvement plans, plot plans, etc., shall be obtained from ROS 11252. All plans, exclusive of the map and building plans, shall be prepared at an engineering scale of 1" = 20' unless otherwise approved by the project engineer.

4. If plans are prepared in digital format using computer aided drafting (CAD), then in addition to providing hard copies of the plans the applicant shall submit a copy of the plans in a digital .DXF file format at the time of its approval or as requested by the Director of Development Services. The digital file shall be based on accurate coordinate geometry calculations. The digital file for the final map shall specifically include each of the following items in a separate layer:

   a. Lot boundaries
   b. Lot numbers
   c. Subdivision boundary
   d. Right-of-way
   e. Street centerlines
   f. Approved street names

5. Obtain the basis of bearings for the Final Map from ROS 11252 and install

street survey monumentation (SDRSD M-10) in accordance with San Diego Regional Standards and County mapping standards. All other monumentation shall be in accordance with the Santee Municipal Code and shall be to the satisfaction of the Director of Development Services.

6. Final Map shall be submitted to the Department of Development Services Engineering Division. The first and last submittal of the map shall be made by appointment only with the City project engineer administering the map review. Submittal requirements are listed below. Incomplete submittals will not be accepted for plan check.

   Please include the following with the first submittal:

   a. Two sets of prints bound and stapled.
   b. Two copies of a current preliminary title report (dated within six months of submittal date).
   c. Two copies of all documents listed in the preliminary title report.
   d. Two copies of all reference maps used to prepare the final map.
   e. Two copies of closure calculations for the map.
   f. One copy of the Resolution of Approval approving the project.
   g. Map check fees in the amount of $3,000.00.

   Please include the following with the last submittal (signature submittal):

   a. Previous submittal check prints.
   b. Two sets of prints bound and stapled.
   c. Two copies of the map in AutoCAD format on separate disk, CD or DVD for incorporation into the City GIS data base.
   d. Mylars of the map with all required signatures and notaries obtained including Padre Dam Municipal Water District if they are to sign the map.
   e. Copies of certified receipts for all signature omission letters.
   f. Subdivision Map Guarantee.

7. Starting with the first plan check submittal, all plan sets including the Final Map shall be submitted concurrently to Padre Dam Municipal Water District for review and approval. The City does not coordinate the review process with Padre Dam, this is the responsibility of the design engineer and the landscape architect. Failure to properly coordinate this review may result in delay of issuance of permits required for construction. It is incumbent upon the applicant to oversee the plan submittals of their design consultants.

8. Street Improvement Plans shall be submitted to the Department of Development Services Engineering Division and be completed and accepted prior to issuance of a building permit for any given phase. Improvements will be phased to coincide with the specific development for any given phase. Phase specific conditions shall be specified at the time of approval for a given development phase.

Prior to the start of construction of any improvements, public or private, within the limits of the public right-of-way, the applicant shall have plans accepted, agreements executed, securities posted and an Encroachment Permit issued. All improvements shall be installed in accordance with City standards and at the applicant's cost unless otherwise indicated. The following improvements are conditions as part of this development:

a. Repair or replace failed or inadequate pavement to the centerline of the street and/or failed sidewalks on Carlton Oaks Drive and East Heaney Circle to the satisfaction of the Director of Development Services.

b. Construct a 26-foot wide driveway entrance on East Heaney Circle per San Diego Regional Standard Drawing G-17, modified to the satisfaction of the Director of Development Services.

c. Construct a Type A pedestrian curb ramp per San Diego Regional Standard Drawing G-27 at the northeast corner of Carlton Oaks Drive and East Heaney Circle.

d. Remove and replace damaged cross-gutter at the intersection of Carlton Oaks Drive and East Heaney Circle.

e. Street improvement plans shall be one hundred percent **(100%)** complete at the time of plan submittal, be prepared in accordance with City guidelines and the requirements set forth herein, and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan check submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the improvement plan submittal package:

   1. Six sets of plans bound and stapled.
   2. Plan check fees.
   3. Preliminary cost estimate for the improvements.
   4. One copy of the resolution of Approval or Director's Decision approving the project.

   Plan check and inspection fees shall be paid in accordance with the City Fee Schedule.

9. Rough Grading Plans may be submitted to the Department of Development Services Engineering Division and accepted prior to map recordation. The following conditions shall apply to acceptance of the Grading Plans and issuance of a Grading Permit:

a. Project landscape and irrigation plans for all slope planting on all slopes over three feet in height shall be included in the grading plan set and shall be prepared at the same scale as the grading plans 1" = 20'. Design shall include a temporary high line for irrigation to permit slope planting to occur immediately following grading until such time as individual meters are installed to permit connection of the irrigation to the home owner's meter.

b. Project improvement plans shall be completed to the satisfaction of the Director of Development Services and ready for approval prior to issuance of a grading permit. Plans shall be prepared at a scale of 1" = 20'.

c. Project plot plans shall be completed and approved prior to issuance of any building permits or start of construction of the street improvements.

d. Obtain a grading permit and complete rough grading in accordance with City standards prior to the issuance of any building permits.

e. All recommended measures identified in the approved geotechnical and soil investigation shall be incorporated into the project design and construction.

f. The grading plans shall be prepared at a scale of 1" = 20'. Plans shall include a note that requires immediate planting of all slopes within sixty days following installation of water mains to serve the project. Slope planting shall be fully established prior to occupancy of any unit.

g. Excess soil generated from grading operations shall be hauled to a legal dumping site as approved by the Director of Development Services.

h. Grading plans shall be one hundred percent complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. At the time of plan submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading plan submittal package:

    1. Six sets of plans bound and stapled (grading and landscape).
    2. Plan check fees.
    3. A completed grading permit application.
    4. A cost estimate for the cost of construction.
    5. Three copies of the Drainage Analysis specified here within.
    6. Three copies of the Geotechnical Study specified here within.

All grading shall be completed to the satisfaction of the Director of Development Services. Plan check and inspection fees shall be paid in accordance with the City Fee Schedule.

10. Precise Grading Plans shall be submitted to the Department of Development Services Engineering Division for review and acceptance.

    a. Horizontal and vertical control for <u>all</u> plans shall be obtained from ROS 11252 and shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the City project engineer.

    b. Project landscape and irrigation plans shall be excluded from the grading plan set but must be submitted by the second grading plan check.

    c. All recommended measures identified in the approved geotechnical study shall be incorporated into the project design and construction.

    d. Grading plans shall include preliminary recommendations for all pavement design sections within the project limits. The pavement structural section shall be designed based on the "R" value method using a minimum traffic index of 5.0 on site. Structural sections shall consist of asphalt concrete over approved aggregate base material. Minimum concrete section shall be 5 1/2 inches PCC over compacted, non-expansive soil. Mix design shall be a minimum class 520-C-2500. R-value test data and design calculations shall be submitted for approval to the Department of Development Services Engineering Division a minimum of seven days prior to placement of paving. The pavement design report shall conform to City of Santee Form 435 – PAVEMENT DESIGN AND R-VALUE TEST SUBMITTAL PROCEDURES.

    e. Grading, landscape and irrigation plans shall be one hundred percent **(100%)** complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan submittal the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading, landscape and irrigation plan submittal package:

        1. Six sets of grading, landscape and irrigation plans bound and stapled.
        2. Plan check fees.
        3. A completed grading permit application.
        4. A cost estimate for the cost of construction.
        5. Three copies of the Drainage Analysis specified here within.

6. Three copies of the Geotechnical Study specified here within.
7. Three copies of the Storm Water Quality Management Plan specified here within.
8. A copy of any letters of permission from any adjoining property owners if grading is proposed off-site. Letters shall be in a form acceptable to the City.
9. A letter of acknowledgement, signed and sealed, from each design consultant acknowledging City ownership of all construction drawings following City approval as specified here within.
10. One copy of the Resolution of Approval or Director's Decision approving the project.

Plan check and inspection fees shall be paid in accordance with the City Fee Schedule prior to issuance of the permit.

11. The applicant shall notify all contractors, subcontractors and material suppliers that the following work schedule restrictions apply to this project:

    a. No site work, building construction, or related activities, including equipment mobilization will be permitted to start on the project prior to 7:00 am and all work for the day shall be completed by 7:00 pm.

    b. No work is permitted on Sundays or City Holidays.

    c. No deliveries, including equipment drop off and pick-up, shall be made to the project except between the hours of 8:00 am and 6:00 pm, Monday through Saturday, excluding City Holidays. Deliveries of emergency supplies or equipment necessary to secure the site or protect the public are excluded.

    d. If the applicant fails or is unable to enforce compliance with their contractors, subcontractors and material suppliers regarding the specified work hours, a reduction of permissible work hours may be imposed by the Director of Development Services.

    In addition to the above the applicant shall erect one or more signs stating the work hour restrictions. Signs shall be installed as may be required, in the vicinity of the project construction trailer if a job site trailer is used, or at such other locations as may be deemed appropriate by the Department of Development Services. The sign shall be a minimum of 24" x 36" and shall be weather proofed. The sign content shall be provided by the Department of Development Services.

12. Trench work when required within City streets shall be completed within two weeks of the initial start date, including placement of the final trench patch. Trench plates or temporary pavement placement shall be installed at the end

of each work day. Advance warning signs on lighted barricades notifying the public of trench plates and or uneven pavement shall placed be and maintained until permanent pavement repairs are made. The maximum length of time including weekends and holidays that trench plates may remain on the street is 72 hours after which temporary or permanent asphalt paving shall be placed.

13. Applicant consents to annexation of the property under development to the Santee Roadway Lighting District and agrees to waive any public notice and hearing of the transfer. Applicant shall pay the necessary annexation costs and upon installation of any street lights required for the development, pay the necessary street light energizing and temporary operating costs.

14. A grading permit to allow early subdivision grading in accordance with Section 15.58.170 of the Grading Ordinance may be obtained following approval of the tentative map.

15. Provide three copies of a preliminary drainage study prepared by a registered Civil Engineer, with demonstrated expertise in drainage analysis and experience in fluvial geomorphology and water resources management. Storm drainage shall be designed to adequately convey storm water runoff without damage or flooding of surrounding properties or degradation of water quality.

    a. The drainage study shall identify and calculate storm water runoff quantities expected from the site and upstream of the site and verify the adequacy of all on-site or off-site facilities necessary to discharge this runoff. The drainage system design shall be capable of collecting and conveying all surface water originating within the site, and surface water that may flow onto the site from upstream lands, and shall be in accordance with the latest adopted Master Drainage Plan, the requirements of the City of Santee Public Works Standards, including analysis of the 10-year and 100-year frequency storms, and be based on full development of upstream areas.

    b. The drainage study shall compute rainfall runoff characteristics from the project area including, at a minimum, peak flow rate, flow velocity, runoff volume, time of concentration, and retention volume. These characteristics shall be developed for the 2-year, 10-year and 100-year frequency six-hour storm during critical hydrologic conditions for soil and vegetative cover. Storm events shall be developed using isopluvial maps and in accordance with the San Diego County Hydrology Manual.

16. Provide three copies of a complete Storm Water Quality Management Plan (SWQMP) as required by the City of Santee Storm Water Management and Discharge Control Ordinance and in accordance with the City of Santee BMP

Design Manual (latest version. All requirements developed in the approved SWQMP shall be incorporated into the project design. The SWQMP shall include the following:

a. Develop and implement appropriate Best Management Practices (BMPs) to ensure to the maximum extent practicable (MEP) that the project does not increase pollutant loads from the site. A combination of respective storm water BMPs, including Site Design, Source Control, and Structural Treatment Control shall be implemented in accordance with the approved SWQMP.

b. The project design shall incorporate Low Impact Development (LID) and site design BMPs to minimize directly connected impervious areas and to promote infiltration using LID techniques as outlined in the County of San Diego's LID handbook. Parking areas shall be designed to drain to landscape areas. Private roads shall be designed to drain to vegetated swales or landscaped areas.

c. Provide a copy of an Operation & Maintenance (O&M) plan in accordance with the City of Santee BMP Design Manual. A Storm Water Facilities Maintenance Agreement accepting responsibility for all structural BMP maintenance, repair and replacement as outlined in said O&M plan binding on the land throughout the life of the project will be required prior to issuance of building permit.

d. The site shall comply with full trash capture requirements by accommodating bin storage in garages, fitting all storm drain inlets with a grate/screen or trash rack, and retrofitting any adjacent storm drain inlet structures to which the site discharges with trash capture devices. Said devices must be designed to capture debris of 5 mm or greater, while preventing flooding potential. In addition, all inlets must be labeled with brass embossed marker or equivalent – stating, "No Dumping – Drains to Waterways."

17. Provide three copies of geotechnical study prepared in accordance with the requirements of the Santee General Plan. All recommended measures identified in the approved study shall be incorporated into the project design. Copies of the Geotechnical/Seismic Hazard Study for the Safety Element of the Santee General Plan which details, in Table A-1, study criteria necessary to conform to the General Plan requirements, can be purchased from the Department of Development Services Engineering Division.

    a. The geotechnical report shall analyze any proposed infiltration techniques (trenches, basins, dry wells, permeable pavements with underground reservoir for infiltration) for any potential adverse geotechnical concerns. Geotechnical conditions such as: slope stability, expansive soils,

compressible soils, seepage, groundwater depth, and loss of foundation or pavement subgrade strength should be addressed, and mitigation measures provided.

18. Applicant shall place all new utilities required to serve the project underground. No overhead facilities or extension of overhead facilities is permitted. In addition, the applicant shall underground any existing overhead facilities on-site and underground any overhead facilities adjacent to the project to the satisfaction of the Director of Development Services. Adjacent facilities are defined as existing overhead facilities in the abutting half street and may include extension of the undergrounding to either side of the project to the nearest existing utility pole.

19. Provide certification to the Director of Development Services that sewer and water can be provided to the site and that financial arrangements have been made to provide said services. If private sewer or water mains are allowed to serve the project, then a building permit for these facilities will be required and they shall be maintained by a homeowner's association.

20. The applicant shall comply with all applicable sections of the Municipal Code, Land Development Manual and Public Works Standards of the City of Santee.

SECTION 4: The applicant shall 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 or set aside, void, or annul the approval of the City of Santee concerning this Tentative Map, or any action relating to or arising out of its approval.

SECTION 5: The terms and conditions of the Tentative Map TM2014-2 approval shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Tentative Map and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 6: The approval of the Tentative Map TM2014-2 expires on May 10, 2020 at 5:00 p.m. The Final Map or Maps conforming to this conditionally approved Tentative Map shall be filed with the City Council in time so that City Council may approve the Final Map or Maps before this approval expires unless a time extension for obtaining such approval of the Final Map is approved as provided by the Santee Subdivision Ordinance. 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 7: 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, shall begin on May 10, 2017.

SECTION 8: The City of Santee hereby notifies the applicant that State Law (AB3158), effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. 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, County of San Diego" in the amount of $2,266.25. This fee includes an authorized County administrative fee of $50. Failure to remit the required fee in full within the time specified above will result in notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089 (b) of the Public Resources Code, and Section 711.4 (c) of the Fish and Game Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

SECTION 9: The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

Alternative One

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, APPROVING DEVELOPMENT REVIEW PERMIT DR2014-7 FOR 10 RESIDENTIAL CONDOMINIUM UNITS LOCATED ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS, IN THE MEDIUM-HIGH DENSITY RESIDENTIAL (R-14) LAND USE DESIGNATION AND ZONE

(APPLICANT: HEANEY PROPERTIES, LLC)
APN: 380-202-08
RELATED CASE FILES: GPA2014-4, R2014-2, TM2014-2, AEIS2014-14

WHEREAS, on December 12, 2014, Heaney Properties, LLC submitted an application for a General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, and Development Review Permit DR2014-7 to change the General Plan Land Use and Zone Designation for a 0.48-acre site and develop 10 residential condominium units on property located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive and legally described as Lot 545 of Carlton Hills Unit No. 2, in the City of Santee, County of San Diego, State of California, according to Map thereof No. 4066, filed in the Office of the County Recorder of San Diego County, January 28, 1959; and

WHEREAS, on March 27, 2017, the application was deemed complete and the Director of Development Services scheduled General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7 for Public Hearing on April 26, 2017; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from General Commercial ("GC") to Medium-High Density Residential ("R-14"), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7)) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, on April 26, 2017, the City Council held a duly advertised Public Hearing on General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/Mitigated Negative Declaration, all recommendations by staff, public testimony, and all other relevant information contained in the administrative record regarding the Project.

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:

RESOLUTION NO. _____

SECTION 1: CEQA Compliance. On May 10, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearing House Number 2017021075) and its associated Mitigation Monitoring and Reporting Program, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Development Review Permit contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution.

SECTION 2: The findings in accordance with Chapter 17.10 "Residential Districts" of the Santee Municipal Code for a Development Review Permit (Section 17.08.080) are made as follows:

A. That the proposed project as conditioned meets the purpose and design criteria prescribed in the Zoning Ordinance and the Municipal Code because the site is zoned R-14 Medium-High Density Residential. The project proposes 20.8 units per acre which is within the allowed density range of 14 to 22 dwelling units per acre. The proposed development is compatible with existing multiple family residential development in the area which range from 21 du/ac to 32 du/ac, and is compatible with the Development Review criteria contained in Section 17.08.070 of the Municipal Code. As conditioned, the project complies with lot size and dimensions, parking, lot coverage, landscaping, and recreational amenities of the Development Code. The project design is consistent with the requirements of the Fire Code, and all proposed private improvements will meet the public works standards of the City.

B. That the proposed development conforms to the Santee General Plan. The project provides a variety of housing types and increased density along major road corridors (Land Use Element Objective 2.0 and Policy 2.2). The project is consistent with the Objective 5.0 of the Housing Element which encourages a wide range of housing by location, type of unit, and price. It also supports the Circulation Element Objective 4.0 which desires to maximize the utilization of site planning techniques to improve traffic safety. Policy 4.1 of the Circulation Element encourages new subdivision development be designed so that driveways do not take direct access from prime arterials, major roads, or collector streets. Carlton Oaks Drive is designed as a Collector Street in the Circulation Element of the General Plan. The project would eliminate two existing driveways to Carlton Oaks Drive. Vehicle access to the site is taken from E. Heaney Circle. It also is consistent with the Conservation Element which promotes a compact development to preserve open space (Objective 11.0 and Policy 11.5.) The project also is consistent with the Safety Element which promotes shared driveways and reducing curb cuts to major roads. The project is also consistent with Carlton Oaks Drive standards of the Community Enhancement Element (Section 8.4) of the General Plan by providing a landscape buffer with a unifying tree scheme and meandering sidewalk similar to other recent developments along Carlton Oaks Drive.

SECTION 3: The Development Review Permit DR2014-7 consisting of a 10 residential condominium units located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive is hereby approved subject to the following conditions:

A. The applicant shall obtain approval of General Plan Amendment GPA2014-4.

B. The applicant shall obtain approval of Zone Reclassification R2014-2.

C. The applicant shall obtain approval of Tentative Map TM2014-2.

D. The applicant shall be responsible for complying with all the provisions of the Mitigation Monitoring and Reporting Program adopted by the City Council on May 10, 2017, and attached to Resolution No. 031-2017 as Exhibit "D". Each and every mitigation measure contained in the Mitigation Monitoring and Reporting Program is hereby expressly made a condition of project approval in accordance with State CEQA Guidelines, Section 15074.1.

E. Prior to Building Permit Issuance:

1. The submitted plans shall be in substantial conformance with the approvals and conditions of approval for Tentative Map TM2014-2 and Development Review Permit DR2014-7.

2. All construction shall be in substantial conformance with the approved plans dated February 10, 2017, as amended herein.

3. Minor or Major Revisions to the Development Review Permit, such as changes to the building elevations, site design, or landscaping design, shall be approved by the Director of Development Services unless in the Director's judgment a Major Revision should be reviewed by the City Council.

4. The applicant shall submit for approval of the Director of Development Services all materials, notices, wordings, etc. for the purposes of public disclosure to homeowners of any and all present or anticipated future assessment districts.

5. Applicant shall complete a Debris Management Plan form and submit a waste diversion security deposit prior to receiving any building permit or demolition permit, unless specifically exempt pursuant to the City's Municipal Code.

6. Submit a landscape plan that meets the requirements of the City's Water Efficient Landscape Ordinance (Chapter 17.36 of the Santee Municipal Code).

7. A bond, equal to the cost of full landscape installation, shall be deposited with the Department of Development Services and retained for a minimum of one year or until the landscaping is established to the satisfaction of the Director of Development Services.

8. Provide trash enclosures that adequately serve the residents of the site and meet the requirements of the City of Santee. Contact Waste Management for additional information.

9. Should temporary sales office and/or model home(s) be desired, the applicant shall comply with the requirements of Subsection 17.06.070 E.2 of the Santee Zoning Ordinance without the requirement to file an application for a Temporary Use Permit. Any required building permits shall first be obtained prior to the operation of a sales office and or model home(s).

10. The project shall include a roof-mounted solar photo-voltaic system to the maximum feasible extent given roof space.

11. The garage for each dwelling unit shall be equipped with a dedicated 40A circuit and receptacle to support a future, plug-in, AC Level 2 electric vehicle charging station.

12. The project shall include a rain harvesting system to collect and reuse rainwater for landscape irrigation.

13. A decorative 6-foot block wall shall be provided along the entire length of the eastern and northern perimeters of the project site. Final design, materials, and colors shall be approved by the Director of Development Services.

14. Draft Covenants, Conditions & Restrictions ("CC&R's") shall be submitted to Department of Development Services for approval by the City Attorney and the Director of Development Services prior to recordation and recorded prior to occupancy of any unit to ensure consistency with City codes and applicable project permits and approved plans. A recorded copy shall be provided to Department of Development Services prior to the occupancy of first residential unit. The provisions of the CC&R's shall include the following:

    a. The permittee and all persons, firms or corporations, owning the property subject to this subdivision map, their heirs, administrators, executors, successors, and assigns shall operate, maintain and repair the landscape areas and onsite drainage improvements as shown on the Final Map, site plan, and landscape plan in accordance with the approved CC&Rs primarily for the benefit of the residents of the subject development and shall continue to operate, maintain and repair said areas until such time as the operation and maintenance of said areas is assured by some public agency, district, corporation or legal entity approved by the City Council.

    b. Conditions that require residents of the development to make their required parking spaces available for parking of automobiles at all times, including language that grants the Homeowners Association (HOA) the right to inspect private garages to ensure residents' compliance with this requirement and language that requires the HOA to enforce this requirement.

c. A condition that requires guest parking spaces to be maintained for short-term parking by visitors of the development.

15. Applicant shall obtain final map approval and record the final map. Once recorded, the applicant shall within thirty days of recordation, provide one mylar copy of the recorded map to the Department of Development Services Engineering Division together with three printed copies of the map for the City's permanent record. The prints and mylar shall be in accordance with City standards.

16. Following issuance of a grading permit the applicant shall complete rough grading in accordance with the approved grading plans and the recommendations of the project's geotechnical engineer. Following completion of the rough grading and prior to issuance of any building permits, provide <u>three</u> originals of a rough grading report, which shall include a compaction report prepared by the geotechnical engineer, and a certification by the project civil engineer that all property corners, slopes, retaining walls, drainage devices and building pads are in conformance with the approved grading plans.

17. The applicant shall pay all development impact fees in effect at the time of issuance of building permits. At present, the fees are estimated to be as follows:

a.	Drainage	$ 19,010.00	or	$ 1,901.00 /unit
b.	Traffic	$ 21,890.00	or	$ 2,189.00 /unit
c.	Traffic Signal	$ 2,260.00	or	$ 226.00 /unit
d.	Park-in-Lieu	$ 68,310.00	or	$ 6,831.00 /unit
e.	Public Facilities. . .	$ 56,120.00	or	$ 5,612.00 /unit
f.	RTCIP Fee	$ 23,570.00	or	$ 2,357.00 /unit

Impact fee amounts shall be calculated in accordance with current fee ordinances in effect at the time of issuance of building permit. The drainage fee shall be calculated based on the actual impermeable area created by the project including off-site street improvements or other improvements beyond the project boundary. The applicant shall provide certification of final site and building areas by their engineer of work to be approved by the Director of Development Services for use in calculating the final fee amounts. Fees shall be adjusted on an annual basis in the accordance with the Municipal Code.

18. Provide a minimum 26' wide, clear area (no parking), all-weather, paved (or other approved surface) emergency access roadway for the site prior to the delivery of combustible construction materials. All underground utilities including fire mains, fire hydrants and fire service underground devices shall be installed and approved prior to the delivery of combustible materials. An emergency access plan for the site shall be submitted for approval prior to construction.

19. Provide a minimum 26' wide, paved "fire lane" access roadway throughout the complex. The fire lane width shall be measured curb to curb (or distance between parking spaces) and shall extend vertically from grade to the highest

point of any structures or obstacles constructed adjacent to the fire lane. No building elements, balconies, drains, projections, or any other object shall encroach into this clear space. The fire lane(s) shall be identified by painting curbs red with white-stenciled letters indicating "NO PARKING – FIRE LANE" every 30 feet along all portions of the fire lane. Red stripes with white stenciled letters shall be painted on the asphalt in front of garages along fire lanes as well. Exact placement shall be approved by the Fire Department prior to installation.

20. Address numbers shall be placed near the roofline of all structures visible from the street. Numbers shall be block style, 12" in height, black in color (or other approved color), in contrast with their background. Address numbers shall also be illuminated for nighttime visibility. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address placement for indication of fire sprinkler activation. Exact location and color of address numbers shall be approved by the Fire Department prior to installation.

21. Address numbers shall be placed near the front door of each unit visible from the street or private drive. Numbers shall be block style, 4" in height minimum, black in color (or other approved color), in contrast with their background. In multifamily residential developments, address numbers shall also be placed at an approved location on the garage side of each unit.

22. The buildings are required to be constructed with an approved automatic fire sprinkler system installed by a licensed fire sprinkler contractor. Separate plans are required to be submitted to the Fire Department for approval prior to installation. If the fire sprinkler system has 20 or more sprinkler heads, the sprinkler system is required to be monitored by an approved central station monitoring company. Contact the Fire Department for specific requirements for the automatic fire sprinkler system. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address placement for indication of fire sprinkler activation.

23. Provide a Potter "SASH-120", all weather, exterior horn/strobe (or equivalent) in lieu of exterior bell for audio/visual notification of sprinkler activation. The horn/strobe is to be installed near the address placement for the building. Exact installation location of the horn/strobe is to be determined by the Fire Department prior to installation.

24. A separate plan for the underground fire service (providing water supply to the fire sprinkler system) is required to be submitted to the Fire Department for approval prior to construction. Thrust block inspections are required for the underground fire service piping prior to filling with water. An underground hydrostatic test shall be conducted (at 250 psi for two hours) and flush of the fire service is required during construction. Contact the Santee Fire Department at least 48 hours in advance to schedule the inspections.

25. A permanent engraved or punched hydraulic calculation card is required for each system, permanently affixed to riser.

26. After the overhead portion of the automatic fire sprinkler system has been installed, a hydrostatic test of the system shall be conducted at 200 PSI for two hours. Contact the Santee Fire department to schedule an inspection of this test.

27. Each building or address (equipped with an automatic fire sprinkler system) shall have a fire sprinkler riser enclosure accessible from the outside of the building or address. The exact size and location of the enclosure shall be approved by the Fire Department prior to construction. The enclosure shall contain the fire sprinkler riser for the building, pressure gauges for the system, applicable valves, sprinkler head box, and any required diagrams or documentation for the fire sprinkler system. The enclosure shall have exterior locking hardware and a Knox box shall be located at an approved location near the room for easy Fire Department access. The exterior side of the riser enclosure door shall have labeling or signage approved by the Fire Department indicating "FIRE RISER INSIDE".

28. This device that supplies water to the automatic fire sprinkler system shall be placed in an approved location within 50' of a fire hydrant. The device shall be installed per San Diego County Regional Standard WF-05. The finished height of the Fire Department Connection ("FDC") shall be no higher than 48" from grade. The entire device may be painted dark green or brown to blend in with adjacent landscaping. The FDC shall be painted red. The FDC, once installed, shall be "pinned" in place for theft protection. The Reduced Pressure Detector Assembly ("RPDA") device shall be stenciled with 2" white numbers indicating the address served. The assembly shall be equipped with a chain and breakaway locks for security. Location of these devices shall be approved prior to installation. If the building is equipped with central station monitoring of the sprinkler system, the control valves on the device shall be monitored for tamper of the valves.

29. A manual and/or automatic fire alarm system is required for the buildings. Separate plans shall be submitted to the Fire Department for any fire alarm system(s) or devices for approval prior to installation. The fire alarm control panel or a remote keypad for the system shall be located in the "Fire Riser Room". Plans and documentations for the fire alarm system shall include manufacturer cut sheets for all fire alarm devices, California State Fire Marshal Listing sheets for all appropriate devices, plans showing locations of all devices, line diagram and point to point diagram of the alarm system and complete battery and voltage drop calculations for the system.

30. A minimum of one, 2A10BC fire extinguisher shall be located every 75' of travel distance throughout the complex. Exact extinguisher location to be determined by the Fire Department prior to installation.

F. Prior to obtaining occupancy the following actions shall be taken:

1. Prior to occupancy of the first dwelling unit, the applicant shall submit a copy

of the recorded CC&Rs pursuant to the conditions imposed for Tentative Map TM2014-2 and Development Review DR2014-7.

2. The applicant shall complete construction of all improvements shown on the approved plans to the satisfaction of the Director of Development Services.

3. All post-construction BMPs that protect the site shall be in operation and certified in accordance with the approved Storm Water Quality Management Plan.

4. The applicant shall plant all new trees in and within 10 feet of the public right-of-way with root control barriers.

5. At the time of mid-construction or Rough Fire Inspections, an electronic or digital submission of vector data such as: AutoCAD (rectified dwgs or include world file), GIS Data (Geodatabase or Shapefiles), or Image Type such as (Tiff & Jpegs) of the site-plan shall be provided to the Fire Department for emergency response mapping. If CAD drawings are not available, a PDF shall be provided. The site plan shall show all fire access roadways/driveways, buildings, address numbers, fire hydrants, fire sprinkler connections, and other details as required. Please contact the Fire Department for exact details to be submitted for your project.

6. The applicant shall obtain final clearance for occupancy by signature on the final inspection request form from the Building Division, Fire Department and the Planning and Engineering Divisions of the Department of Development Services.

G. Upon establishment of the use pursuant to this Development Review Permit DR2014-7, the following conditions shall apply:

1. All required landscaping shall be adequately watered and maintained in a healthy and thriving condition, free from weeds, trash, and debris.

2. The parking areas and driveways shall be well maintained.

3. All groundcover installed pursuant to an approved landscape plan shall provide 100 percent coverage within 9 months of planting or additional landscaping, to be approved by the Director, shall be required in order to meet this standard. Heaney Properties, LLC shall be responsible for this planting even if their involvement in the project is otherwise complete.

4. All storm water best management practices (BMPs) outlined in the Storm Water Management Plan must be installed and operational to the satisfaction of the Director of Development Services. Failure to maintain a required BMP will subject property owners and/or the Homeowners Association to civil penalties.

5. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises, and shall otherwise conform to the requirements of Title 17 of the Santee Municipal Code.

SECTION 4. The terms and conditions of this Development Review Permit DR2014-7 shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Development Review Permit DR2014-7 and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 5. This Development Review Permit DR2014-7 expires on May 10, 2020 at 5:00 p.m. unless prior to that date a Final Map has been recorded pursuant to Tentative Map TM2014-2, or unless a time extension for obtaining such approval of the Final Map is approved as provided by the Santee Subdivision Ordinance. 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 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 exaction imposed pursuant to this approval, shall begin on May 10, 2017.

SECTION 7. The applicant shall 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 or set aside, void, or annul the approval of the City of Santee concerning this Resolution or any action relating to or arising out of its approval.

SECTION 8. The City of Santee hereby notifies the applicant that State Law (AB3158), effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. 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 $2,266.25. This fee includes an authorized County administrative fee of $50. Failure to remit the required fee in full within the time specified above will result in notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089 (b) of the Public Resources Code and Section 711.4 (c) of the Fish and Game Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

SECTION 9. The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May, 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____

JOHN W. MINTO, MAYOR

ATTEST:

_____

PATSY BELL, CMC, CITY CLERK

Alternative Two

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, APPROVING DEVELOPMENT REVIEW PERMIT DR2014-7 FOR 10 RESIDENTIAL CONDOMINIUM UNITS LOCATED ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS, IN THE MEDIUM-HIGH DENSITY RESIDENTIAL (R-14) LAND USE DESIGNATION AND ZONE

(APPLICANT: HEANEY PROPERTIES, LLC)
APN: 380-202-08
RELATED CASE FILES: GPA2014-4, R2014-2, TM2014-2, AEIS2014-14

WHEREAS, on December 12, 2014, Heaney Properties, LLC submitted an application for a General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, and Development Review Permit DR2014-7 to change the General Plan Land Use and Zone Designation for a 0.48-acre site and develop 10 residential condominium units on property located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive and legally described as Lot 545 of Carlton Hills Unit No. 2, in the City of Santee, County of San Diego, State of California, according to Map thereof No. 4066, filed in the Office of the County Recorder of San Diego County, January 28, 1959; and

WHEREAS, on March 27, 2017, the application was deemed complete and the Director of Development Services scheduled General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7 for Public Hearing on April 26, 2017; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from General Commercial ("GC") to Medium-High Density Residential ("R-14"), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7)) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, on April 26, 2017, the City Council held a duly advertised Public Hearing on General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017 to re-evaluate on-site guest parking needs; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/Mitigated Negative Declaration, all recommendations by staff, public testimony, and all other relevant information contained in the administrative record regarding the Project.

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:

RESOLUTION NO. _____

SECTION 1: CEQA Compliance. On May 10, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearing House Number 2017021075) and its associated Mitigation Monitoring and Reporting Program, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Development Review Permit contemplated in this Resolution. Because the project modifications are minor in nature and do not result in a substantially different project or a more intense project with additional dwelling units, the prepared Initial Study/Mitigated Negative Declaration covers the project as amended. No further environmental review is required for the City to adopt this Resolution.

SECTION 2: The findings in accordance with Chapter 17.10 "Residential Districts" of the Santee Municipal Code for a Development Review Permit (Section 17.08.080) are made as follows:

A. That the proposed project as conditioned meets the purpose and design criteria prescribed in the Zoning Ordinance and the Municipal Code because the site is zoned R-14 Medium-High Density Residential. The project proposes 20.8 units per acre which is within the allowed density range of 14 to 22 dwelling units per acre. The proposed development is compatible with existing multiple family residential development in the area which range from 21 du/ac to 32 du/ac, and is compatible with the Development Review criteria contained in Section 17.08.070 of the Municipal Code. As conditioned, the project complies with lot size and dimensions, parking, lot coverage, landscaping, and recreational amenities of the Development Code. The project provides common open space recreational amenities in accordance with the Municipal Code and is within walking distance of public parks and recreational amenities. The project design is consistent with the requirements of the Fire Code, and all proposed private improvements will meet the public works standards of the City.

B. That the proposed development conforms to the Santee General Plan. The project provides a variety of housing types and increased density along major road corridors (Land Use Element Objective 2.0 and Policy 2.2). The project is consistent with the Objective 5.0 of the Housing Element which encourages a wide range of housing by location, type of unit, and price. It also supports the Circulation Element Objective 4.0 which desires to maximize the utilization of site planning techniques to improve traffic safety. Policy 4.1 of the Circulation Element encourages new subdivision development be designed so that driveways do not take direct access from prime arterials, major roads, or collector streets. Carlton Oaks Drive is designed as a Collector Street in the Circulation Element of the General Plan. The project would eliminate two existing driveways to Carlton Oaks Drive. Vehicle access to the site is taken from E. Heaney Circle. It also is consistent with the Conservation Element which promotes a compact development to preserve open space (Objective 11.0 and Policy 11.5.) The project also is consistent with the Safety Element which promotes shared driveways and reducing curb cuts to major roads. The project is also consistent with Carlton Oaks Drive standards of the Community Enhancement Element (Section 8.4) of the General Plan by providing a landscape buffer with a unifying tree scheme and meandering sidewalk similar to other recent developments along Carlton Oaks Drive.

SECTION 3: The Development Review Permit DR2014-7 consisting of a 10 residential condominium units located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive is hereby approved subject to the following conditions:

A. The applicant shall obtain approval of General Plan Amendment GPA2014-4.

B. The applicant shall obtain approval of Zone Reclassification R2014-2.

C. The applicant shall obtain approval of Tentative Map TM2014-2.

D. The applicant shall be responsible for complying with all the provisions of the Mitigation Monitoring and Reporting Program adopted by the City Council on May 10, 2017, and attached to Resolution No. 031-2017 as Exhibit "D". Each and every mitigation measure contained in the Mitigation Monitoring and Reporting Program is hereby expressly made a condition of project approval in accordance with State CEQA Guidelines, Section 15074.1.

E. Prior to Building Permit Issuance:

1. The submitted plans shall be in substantial conformance with the approvals and conditions of approval for Tentative Map TM2014-2 and Development Review Permit DR2014-7.

2. All construction shall be in substantial conformance with the approved plans dated February 10, 2017, as amended herein.

3. Minor or Major Revisions to the Development Review Permit, such as changes to the building elevations, site design, or landscaping design, shall be approved by the Director of Development Services unless in the Director's judgment a Major Revision should be reviewed by the City Council.

4. The applicant shall submit for approval of the Director of Development Services all materials, notices, wordings, etc. for the purposes of public disclosure to homeowners of any and all present or anticipated future assessment districts.

5. Applicant shall complete a Debris Management Plan form and submit a waste diversion security deposit prior to receiving any building permit or demolition permit, unless specifically exempt pursuant to the City's Municipal Code.

6. Submit a landscape plan that meets the requirements of the City's Water Efficient Landscape Ordinance (Chapter 17.36 of the Santee Municipal Code).

7. A bond, equal to the cost of full landscape installation, shall be deposited with the Department of Development Services and retained for a minimum of one year or until the landscaping is established to the satisfaction of the Director of Development Services.

8. Provide trash and recycling services to each individual unit that adequately serves the site and meets the requirements of the City of Santee. Contact Waste Management for additional information.

9. Should temporary sales office and/or model home(s) be desired, the applicant shall comply with the requirements of Subsection 17.06.070 E.2 of the Santee Zoning Ordinance without the requirement to file an application for a Temporary Use Permit. Any required building permits shall first be obtained prior to the operation of a sales office and or model home(s).

10. The project shall include a roof-mounted solar photo-voltaic system to the maximum feasible extent given roof space.

11. The garage for each dwelling unit shall be equipped with a dedicated 40A circuit and receptacle to support a future, plug-in, AC Level 2 electric vehicle charging station.

12. The project shall include a rain harvesting system to collect and reuse rainwater for landscape irrigation.

13. A decorative 6-foot block wall shall be provided along the entire length of the eastern and northern perimeters of the project site. Final design, materials, and colors shall be approved by the Director of Development Services.

14. Draft Covenants, Conditions & Restrictions ("CC&R's") shall be submitted to Department of Development Services for approval by the City Attorney and the Director of Development Services prior to recordation and recorded prior to occupancy of any unit to ensure consistency with City codes and applicable project permits and approved plans. A recorded copy shall be provided to Department of Development Services prior to the occupancy of first residential unit. The provisions of the CC&R's shall include the following:

    a. The permittee and all persons, firms or corporations, owning the property subject to this subdivision map, their heirs, administrators, executors, successors, and assigns shall operate, maintain and repair the landscape areas and onsite drainage improvements as shown on the Final Map, site plan, and landscape plan in accordance with the approved CC&Rs primarily for the benefit of the residents of the subject development and shall continue to operate, maintain and repair said areas until such time as the operation and maintenance of said areas is assured by some public agency, district, corporation or legal entity approved by the City Council.

    b. Conditions that require residents of the development to make their required parking spaces available for parking of automobiles at all times, including language that grants the Homeowners Association (HOA) the right to inspect private garages to ensure residents' compliance with this requirement and language that requires the HOA to enforce this requirement.

c. A condition that requires five (5) guest parking spaces to be maintained for short-term parking by visitors of the development.

15. Applicant shall obtain final map approval and record the final map. Once recorded, the applicant shall within thirty days of recordation, provide one mylar copy of the recorded map to the Department of Development Services Engineering Division together with three printed copies of the map for the City's permanent record. The prints and mylar shall be in accordance with City standards.

16. Following issuance of a grading permit the applicant shall complete rough grading in accordance with the approved grading plans and the recommendations of the project's geotechnical engineer. Following completion of the rough grading and prior to issuance of any building permits, provide <u>three</u> originals of a rough grading report, which shall include a compaction report prepared by the geotechnical engineer, and a certification by the project civil engineer that all property corners, slopes, retaining walls, drainage devices and building pads are in conformance with the approved grading plans.

17. The applicant shall pay all development impact fees in effect at the time of issuance of building permits. At present, the fees are estimated to be as follows:

a.	Drainage	$ 19,010.00	or	$ 1,901.00 /unit
b.	Traffic	$ 21,890.00	or	$ 2,189.00 /unit
c.	Traffic Signal	$ 2,260.00	or	$ 226.00 /unit
d.	Park-in-Lieu	$ 68,310.00	or	$ 6,831.00 /unit
e.	Public Facilities. . .	$ 56,120.00	or	$ 5,612.00 /unit
f.	RTCIP Fee	$ 23,570.00	or	$ 2,357.00 /unit

Impact fee amounts shall be calculated in accordance with current fee ordinances in effect at the time of issuance of building permit. The drainage fee shall be calculated based on the actual impermeable area created by the project including off-site street improvements or other improvements beyond the project boundary. The applicant shall provide certification of final site and building areas by their engineer of work to be approved by the Director of Development Services for use in calculating the final fee amounts. Fees shall be adjusted on an annual basis in the accordance with the Municipal Code.

18. Provide a minimum 26' wide, clear area (no parking), all-weather, paved (or other approved surface) emergency access roadway for the site prior to the delivery of combustible construction materials. All underground utilities including fire mains, fire hydrants and fire service underground devices shall be installed and approved prior to the delivery of combustible materials. An emergency access plan for the site shall be submitted for approval prior to construction.

19. Provide a minimum 26' wide, paved "fire lane" access roadway throughout the complex. The fire lane width shall be measured curb to curb (or distance

between parking spaces) and shall extend vertically from grade to the highest point of any structures or obstacles constructed adjacent to the fire lane. No building elements, balconies, drains, projections, or any other object shall encroach into this clear space. The fire lane(s) shall be identified by painting curbs red with white-stenciled letters indicating "NO PARKING – FIRE LANE" every 30 feet along all portions of the fire lane. Red stripes with white stenciled letters shall be painted on the asphalt in front of garages along fire lanes as well. Exact placement shall be approved by the Fire Department prior to installation.

20. Address numbers shall be placed near the roofline of all structures visible from the street. Numbers shall be block style, 12" in height, black in color (or other approved color), in contrast with their background. Address numbers shall also be illuminated for nighttime visibility. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address placement for indication of fire sprinkler activation. Exact location and color of address numbers shall be approved by the Fire Department prior to installation.

21. Address numbers shall be placed near the front door of each unit visible from the street or private drive. Numbers shall be block style, 4" in height minimum, black in color (or other approved color), in contrast with their background. In multifamily residential developments, address numbers shall also be placed at an approved location on the garage side of each unit.

22. The buildings are required to be constructed with an approved automatic fire sprinkler system installed by a licensed fire sprinkler contractor. Separate plans are required to be submitted to the Fire Department for approval prior to installation. If the fire sprinkler system has 20 or more sprinkler heads, the sprinkler system is required to be monitored by an approved central station monitoring company. Contact the Fire Department for specific requirements for the automatic fire sprinkler system. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address placement for indication of fire sprinkler activation.

23. Provide a Potter "SASH-120", all weather, exterior horn/strobe (or equivalent) in lieu of exterior bell for audio/visual notification of sprinkler activation. The horn/strobe is to be installed near the address placement for the building. Exact installation location of the horn/strobe is to be determined by the Fire Department prior to installation.

24. A separate plan for the underground fire service (providing water supply to the fire sprinkler system) is required to be submitted to the Fire Department for approval prior to construction. Thrust block inspections are required for the underground fire service piping prior to filling with water. An underground hydrostatic test shall be conducted (at 250 psi for two hours) and flush of the fire service is required during construction. Contact the Santee Fire Department at least 48 hours in advance to schedule the inspections.

25. A permanent engraved or punched hydraulic calculation card is required for each system, permanently affixed to riser.

26. After the overhead portion of the automatic fire sprinkler system has been installed, a hydrostatic test of the system shall be conducted at 200 PSI for two hours. Contact the Santee Fire department to schedule an inspection of this test.

27. Each building or address (equipped with an automatic fire sprinkler system) shall have a fire sprinkler riser enclosure accessible from the outside of the building or address. The exact size and location of the enclosure shall be approved by the Fire Department prior to construction. The enclosure shall contain the fire sprinkler riser for the building, pressure gauges for the system, applicable valves, sprinkler head box, and any required diagrams or documentation for the fire sprinkler system. The enclosure shall have exterior locking hardware and a Knox box shall be located at an approved location near the room for easy Fire Department access. The exterior side of the riser enclosure door shall have labeling or signage approved by the Fire Department indicating "FIRE RISER INSIDE".

28. This device that supplies water to the automatic fire sprinkler system shall be placed in an approved location within 50' of a fire hydrant. The device shall be installed per San Diego County Regional Standard WF-05. The finished height of the Fire Department Connection ("FDC") shall be no higher than 48" from grade. The entire device may be painted dark green or brown to blend in with adjacent landscaping. The FDC shall be painted red. The FDC, once installed, shall be "pinned" in place for theft protection. The Reduced Pressure Detector Assembly ("RPDA") device shall be stenciled with 2" white numbers indicating the address served. The assembly shall be equipped with a chain and breakaway locks for security. Location of these devices shall be approved prior to installation. If the building is equipped with central station monitoring of the sprinkler system, the control valves on the device shall be monitored for tamper of the valves.

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30. A minimum of one, 2A10BC fire extinguisher shall be located every 75' of travel distance throughout the complex. Exact extinguisher location to be determined by the Fire Department prior to installation.

F. Prior to obtaining occupancy the following actions shall be taken:

1. Prior to occupancy of the first dwelling unit, the applicant shall submit a copy of the recorded CC&Rs pursuant to the conditions imposed for Tentative Map TM2014-2 and Development Review DR2014-7.

2. The applicant shall complete construction of all improvements shown on the approved plans to the satisfaction of the Director of Development Services.

3. All post-construction BMPs that protect the site shall be in operation and certified in accordance with the approved Storm Water Quality Management Plan.

4. The applicant shall plant all new trees in and within 10 feet of the public right-of-way with root control barriers.

5. At the time of mid-construction or Rough Fire Inspections, an electronic or digital submission of vector data such as: AutoCAD (rectified dwgs or include world file), GIS Data (Geodatabase or Shapefiles), or Image Type such as (Tiff & Jpegs) of the site-plan shall be provided to the Fire Department for emergency response mapping. If CAD drawings are not available, a PDF shall be provided. The site plan shall show all fire access roadways/driveways, buildings, address numbers, fire hydrants, fire sprinkler connections, and other details as required. Please contact the Fire Department for exact details to be submitted for your project.

6. The applicant shall obtain final clearance for occupancy by signature on the final inspection request form from the Building Division, Fire Department and the Planning and Engineering Divisions of the Department of Development Services.

G. Upon establishment of the use pursuant to this Development Review Permit DR2014-7, the following conditions shall apply:

1. All required landscaping shall be adequately watered and maintained in a healthy and thriving condition, free from weeds, trash, and debris.

2. The parking areas and driveways shall be well maintained.

3. All groundcover installed pursuant to an approved landscape plan shall provide 100 percent coverage within 9 months of planting or additional landscaping, to be approved by the Director, shall be required in order to meet this standard. Heaney Properties, LLC shall be responsible for this planting even if their involvement in the project is otherwise complete.

4. All storm water best management practices (BMPs) outlined in the Storm Water Management Plan must be installed and operational to the satisfaction of the Director of Development Services. Failure to maintain a required BMP will subject property owners and/or the Homeowners Association to civil penalties.

5. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises, and shall otherwise conform to the requirements of Title 17 of the Santee Municipal Code.

SECTION 4. The terms and conditions of this Development Review Permit DR2014-7 shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Development Review Permit DR2014-7 and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 5. This Development Review Permit DR2014-7 expires on May 10, 2020 at 5:00 p.m. unless prior to that date a Final Map has been recorded pursuant to Tentative Map TM2014-2, or unless a time extension for obtaining such approval of the Final Map is approved as provided by the Santee Subdivision Ordinance. 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 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 exaction imposed pursuant to this approval, shall begin on May 10, 2017.

SECTION 7. The applicant shall 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 or set aside, void, or annul the approval of the City of Santee concerning this Resolution or any action relating to or arising out of its approval.

SECTION 8. The City of Santee hereby notifies the applicant that State Law (AB3158), effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. 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 $2,266.25. This fee includes an authorized County administrative fee of $50. Failure to remit the required fee in full within the time specified above will result in notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089 (b) of the Public Resources Code and Section 711.4 (c) of the Fish and Game Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

SECTION 9. The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May, 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____

JOHN W. MINTO, MAYOR

ATTEST:

_____

PATSY BELL, CMC, CITY CLERK

Alternative Three

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, APPROVING DEVELOPMENT REVIEW PERMIT DR2014-7 FOR 9 RESIDENTIAL CONDOMINIUM UNITS LOCATED ON THE NORTHEAST CORNER OF E. HEANEY CIRCLE AND CARLTON OAKS, IN THE MEDIUM-HIGH DENSITY RESIDENTIAL (R-14) LAND USE DESIGNATION AND ZONE

(APPLICANT: HEANEY PROPERTIES, LLC)
APN: 380-202-08
RELATED CASE FILES: GPA2014-4, R2014-2, TM2014-2, AEIS2014-14

WHEREAS, on December 12, 2014, Heaney Properties, LLC submitted an application for a General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, and Development Review Permit DR2014-7 to change the General Plan Land Use and Zone Designation for a 0.48-acre site and develop 9 residential condominium units on property located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive and legally described as Lot 545 of Carlton Hills Unit No. 2, in the City of Santee, County of San Diego, State of California, according to Map thereof No. 4066, filed in the Office of the County Recorder of San Diego County, January 28, 1959; and

WHEREAS, on March 27, 2017, the application was deemed complete and the Director of Development Services scheduled General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, and Development Review Permit DR2014-7 for Public Hearing on April 26, 2017; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), an Initial Study (AEIS2014-14) was conducted for the project (which includes General Plan Amendment GPA2014-4, an amendment to Zoning District Map R2014-2 to change the zone designation from General Commercial ("GC") to Medium-High Density Residential ("R-14"), Tentative Map (TM2014-2), and Development Review Permit (DR2014-7)) that determined that all environmental impacts of the project would be less than significant with mitigation and a Mitigated Negative Declaration (State Clearing House Number 2017021075) was prepared and advertised for public review from February 23, 2017 to March 27, 2017; and

WHEREAS, on April 26, 2017, the City Council held a duly advertised Public Hearing on General Plan Amendment GPA2014-4, Zone Reclassification R2014-2, Tentative Map TM2014-2, Development Review Permit DR2014-7; and

WHEREAS, the City Council continued the project to a duly noticed public hearing on May 10, 2017 to re-evaluate on-site guest parking needs; and

WHEREAS, the City Council considered the Staff Report, the Initial Study/Mitigated Negative Declaration, all recommendations by staff, public testimony, and all other relevant information contained in the administrative record regarding the Project.

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:

RESOLUTION NO. _____

SECTION 1: CEQA Compliance. On May 10, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearing House Number 2017021075) and its associated Mitigation Monitoring and Reporting Program, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Development Review Permit contemplated in this Resolution. Because the project modifications are minor in nature and do not result in a substantially different project or a more intense project with additional dwelling units, the prepared Initial Study/Mitigated Negative Declaration covers the project as amended. No further environmental review is required for the City to adopt this Resolution.

SECTION 2: The findings in accordance with Chapter 17.10 "Residential Districts" of the Santee Municipal Code for a Development Review Permit (Section 17.08.080) are made as follows:

A. That the proposed project as conditioned meets the purpose and design criteria prescribed in the Zoning Ordinance and the Municipal Code because the site is zoned R-14 Medium-High Density Residential. The project proposes 18.75 units per acre which is within the allowed density range of 14 to 22 dwelling units per acre. The proposed development is compatible with existing multiple family residential development in the area which range from 21 du/ac to 32 du/ac, and is compatible with the Development Review criteria contained in Section 17.08.070 of the Municipal Code. As conditioned, the project complies with lot size and dimensions, parking, lot coverage, landscaping, and recreational amenities of the Development Code. The project provides common open space recreational amenities in accordance with the Municipal Code and is within walking distance of public parks and recreational amenities. The project design is consistent with the requirements of the Fire Code, and all proposed private improvements will meet the public works standards of the City.

B. That the proposed development conforms to the Santee General Plan. The project provides a variety of housing types and increased density along major road corridors (Land Use Element Objective 2.0 and Policy 2.2). The project is consistent with the Objective 5.0 of the Housing Element which encourages a wide range of housing by location, type of unit, and price. It also supports the Circulation Element Objective 4.0 which desires to maximize the utilization of site planning techniques to improve traffic safety. Policy 4.1 of the Circulation Element encourages new subdivision development be designed so that driveways do not take direct access from prime arterials, major roads, or collector streets. Carlton Oaks Drive is designed as a Collector Street in the Circulation Element of the General Plan. The project would eliminate two existing driveways to Carlton Oaks Drive. Vehicle access to the site is taken from E. Heaney Circle. It also is consistent with the Conservation Element which promotes a compact development to preserve open space (Objective 11.0 and Policy 11.5.) The project also is consistent with the Safety Element which promotes shared driveways and reducing curb cuts to major roads. The project is also consistent with Carlton Oaks Drive standards of the Community Enhancement Element (Section 8.4) of the General Plan by providing a landscape buffer with a unifying tree scheme and meandering sidewalk similar to other recent developments along Carlton Oaks Drive.

SECTION 3: The Development Review Permit DR2014-7 consisting of a 9 residential condominium units located on the northeast corner of E. Heaney Circle and Carlton Oaks Drive is hereby approved subject to the following conditions:

A. The applicant shall obtain approval of General Plan Amendment GPA2014-4.

B. The applicant shall obtain approval of Zone Reclassification R2014-2.

C. The applicant shall obtain approval of Tentative Map TM2014-2.

D. The applicant shall be responsible for complying with all the provisions of the Mitigation Monitoring and Reporting Program adopted by the City Council on May 10, 2017, and attached to Resolution No. 031-2017 as Exhibit "D". Each and every mitigation measure contained in the Mitigation Monitoring and Reporting Program is hereby expressly made a condition of project approval in accordance with State CEQA Guidelines, Section 15074.1.

E. Prior to Building Permit Issuance:

1. The submitted plans shall be in substantial conformance with the approvals and conditions of approval for Tentative Map TM2014-2 and Development Review Permit DR2014-7.

2. All construction shall be in substantial conformance with the approved plans dated February 10, 2017, as amended herein.

3. Minor or Major Revisions to the Development Review Permit, such as changes to the building elevations, site design, or landscaping design, shall be approved by the Director of Development Services unless in the Director's judgment a Major Revision should be reviewed by the City Council.

4. The Director of Development Services may reduce the number of guest parking spaces from nine (9) to seven (7) based final engineering plans.

5. The applicant shall submit for approval of the Director of Development Services all materials, notices, wordings, etc. for the purposes of public disclosure to homeowners of any and all present or anticipated future assessment districts.

6. Applicant shall complete a Debris Management Plan form and submit a waste diversion security deposit prior to receiving any building permit or demolition permit, unless specifically exempt pursuant to the City's Municipal Code.

7. Submit a landscape plan that meets the requirements of the City's Water Efficient Landscape Ordinance (Chapter 17.36 of the Santee Municipal Code).

8. Provide trash and recycling services to each individual unit that adequately serves the site and meets the requirements of the City of Santee. Contact

Waste Management for additional information.

9. A bond, equal to the cost of full landscape installation, shall be deposited with the Department of Development Services and retained for a minimum of one year or until the landscaping is established to the satisfaction of the Director of Development Services.

10. Should temporary sales office and/or model home(s) be desired, the applicant shall comply with the requirements of Subsection 17.06.070 E.2 of the Santee Zoning Ordinance without the requirement to file an application for a Temporary Use Permit. Any required building permits shall first be obtained prior to the operation of a sales office and or model home(s).

11. The project shall include a roof-mounted solar photo-voltaic system to the maximum feasible extent given roof space.

12. The garage for each dwelling unit shall be equipped with a dedicated 40A circuit and receptacle to support a future, plug-in, AC Level 2 electric vehicle charging station.

13. The project shall include a rain harvesting system to collect and reuse rainwater for landscape irrigation.

14. A decorative 6-foot block wall shall be provided along the entire length of the eastern and northern perimeters of the project site. Final design, materials, and colors shall be approved by the Director of Development Services.

15. Draft Covenants, Conditions & Restrictions ("CC&R's") shall be submitted to Department of Development Services for approval by the City Attorney and the Director of Development Services prior to recordation and recorded prior to occupancy of any unit to ensure consistency with City codes and applicable project permits and approved plans. A recorded copy shall be provided to Department of Development Services prior to the occupancy of first residential unit. The provisions of the CC&R's shall include the following:

    a. The permittee and all persons, firms or corporations, owning the property subject to this subdivision map, their heirs, administrators, executors, successors, and assigns shall operate, maintain and repair the landscape areas and onsite drainage improvements as shown on the Final Map, site plan, and landscape plan in accordance with the approved CC&Rs primarily for the benefit of the residents of the subject development and shall continue to operate, maintain and repair said areas until such time as the operation and maintenance of said areas is assured by some public agency, district, corporation or legal entity approved by the City Council.

    b. Conditions that require residents of the development to make their required parking spaces available for parking of automobiles at all times, including language that grants the Homeowners Association (HOA) the right to inspect private garages to ensure residents' compliance with this

requirement and language that requires the HOA to enforce this requirement.

c. A condition that requires guest parking spaces to be maintained for short-term parking by visitors of the development.

16. Applicant shall obtain final map approval and record the final map. Once recorded, the applicant shall within thirty days of recordation, provide one mylar copy of the recorded map to the Department of Development Services Engineering Division together with three printed copies of the map for the City's permanent record. The prints and mylar shall be in accordance with City standards.

17. Following issuance of a grading permit the applicant shall complete rough grading in accordance with the approved grading plans and the recommendations of the project's geotechnical engineer. Following completion of the rough grading and prior to issuance of any building permits, provide three originals of a rough grading report, which shall include a compaction report prepared by the geotechnical engineer, and a certification by the project civil engineer that all property corners, slopes, retaining walls, drainage devices and building pads are in conformance with the approved grading plans.

18. The applicant shall pay all development impact fees in effect at the time of issuance of building permits. At present, the fees are estimated to be as follows:

a. Drainage	$ 17,109.00	or	$ 1,901.00 /unit
b. Traffic	$ 19,701.00	or	$ 2,189.00 /unit
c. Traffic Signal	$ 2,034.00	or	$ 226.00 /unit
d. Park-in-Lieu	$ 61,479.00	or	$ 6,831.00 /unit
e. Public Facilities. . .	$ 50,508.00	or	$ 5,612.00 /unit
f. RTCIP Fee	$ 21,213.00	or	$ 2,357.00 /unit

Impact fee amounts shall be calculated in accordance with current fee ordinances in effect at the time of issuance of building permit. The drainage fee shall be calculated based on the actual impermeable area created by the project including off-site street improvements or other improvements beyond the project boundary. The applicant shall provide certification of final site and building areas by their engineer of work to be approved by the Director of Development Services for use in calculating the final fee amounts. Fees shall be adjusted on an annual basis in the accordance with the Municipal Code.

19. Provide a minimum 26' wide, clear area (no parking), all-weather, paved (or other approved surface) emergency access roadway for the site prior to the delivery of combustible construction materials. All underground utilities including fire mains, fire hydrants and fire service underground devices shall be installed and approved prior to the delivery of combustible materials. An emergency access plan for the site shall be submitted for approval prior to construction.

20. Provide a minimum 26' wide, paved "fire lane" access roadway throughout the complex. The fire lane width shall be measured curb to curb (or distance between parking spaces) and shall extend vertically from grade to the highest point of any structures or obstacles constructed adjacent to the fire lane. No building elements, balconies, drains, projections, or any other object shall encroach into this clear space. The fire lane(s) shall be identified by painting curbs red with white-stenciled letters indicating "NO PARKING – FIRE LANE" every 30 feet along all portions of the fire lane. Red stripes with white stenciled letters shall be painted on the asphalt in front of garages along fire lanes as well. Exact placement shall be approved by the Fire Department prior to installation.

21. Address numbers shall be placed near the roofline of all structures visible from the street. Numbers shall be block style, 12" in height, black in color (or other approved color), in contrast with their background. Address numbers shall also be illuminated for nighttime visibility. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address placement for indication of fire sprinkler activation. Exact location and color of address numbers shall be approved by the Fire Department prior to installation.

22. Address numbers shall be placed near the front door of each unit visible from the street or private drive. Numbers shall be block style, 4" in height minimum, black in color (or other approved color), in contrast with their background. In multifamily residential developments, address numbers shall also be placed at an approved location on the garage side of each unit.

23. The buildings are required to be constructed with an approved automatic fire sprinkler system installed by a licensed fire sprinkler contractor. Separate plans are required to be submitted to the Fire Department for approval prior to installation. If the fire sprinkler system has 20 or more sprinkler heads, the sprinkler system is required to be monitored by an approved central station monitoring company. Contact the Fire Department for specific requirements for the automatic fire sprinkler system. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address placement for indication of fire sprinkler activation.

24. Provide a Potter "SASH-120", all weather, exterior horn/strobe (or equivalent) in lieu of exterior bell for audio/visual notification of sprinkler activation. The horn/strobe is to be installed near the address placement for the building. Exact installation location of the horn/strobe is to be determined by the Fire Department prior to installation.

25. A separate plan for the underground fire service (providing water supply to the fire sprinkler system) is required to be submitted to the Fire Department for approval prior to construction. Thrust block inspections are required for the underground fire service piping prior to filling with water. An underground hydrostatic test shall be conducted (at 250 psi for two hours) and flush of the fire service is required during construction. Contact the Santee Fire

Department at least 48 hours in advance to schedule the inspections.

26. A permanent engraved or punched hydraulic calculation card is required for each system, permanently affixed to riser.

27. After the overhead portion of the automatic fire sprinkler system has been installed, a hydrostatic test of the system shall be conducted at 200 PSI for two hours. Contact the Santee Fire department to schedule an inspection of this test.

28. Each building or address (equipped with an automatic fire sprinkler system) shall have a fire sprinkler riser enclosure accessible from the outside of the building or address. The exact size and location of the enclosure shall be approved by the Fire Department prior to construction. The enclosure shall contain the fire sprinkler riser for the building, pressure gauges for the system, applicable valves, sprinkler head box, and any required diagrams or documentation for the fire sprinkler system. The enclosure shall have exterior locking hardware and a Knox box shall be located at an approved location near the room for easy Fire Department access. The exterior side of the riser enclosure door shall have labeling or signage approved by the Fire Department indicating "FIRE RISER INSIDE".

29. This device that supplies water to the automatic fire sprinkler system shall be placed in an approved location within 50' of a fire hydrant. The device shall be installed per San Diego County Regional Standard WF-05. The finished height of the Fire Department Connection ("FDC") shall be no higher than 48" from grade. The entire device may be painted dark green or brown to blend in with adjacent landscaping. The FDC shall be painted red. The FDC, once installed, shall be "pinned" in place for theft protection. The Reduced Pressure Detector Assembly ("RPDA") device shall be stenciled with 2" white numbers indicating the address served. The assembly shall be equipped with a chain and breakaway locks for security. Location of these devices shall be approved prior to installation. If the building is equipped with central station monitoring of the sprinkler system, the control valves on the device shall be monitored for tamper of the valves.

30. A manual and/or automatic fire alarm system is required for the buildings. Separate plans shall be submitted to the Fire Department for any fire alarm system(s) or devices for approval prior to installation. The fire alarm control panel or a remote keypad for the system shall be located in the "Fire Riser Room". Plans and documentations for the fire alarm system shall include manufacturer cut sheets for all fire alarm devices, California State Fire Marshal Listing sheets for all appropriate devices, plans showing locations of all devices, line diagram and point to point diagram of the alarm system and complete battery and voltage drop calculations for the system.

31. A minimum of one, 2A10BC fire extinguisher shall be located every 75' of travel distance throughout the complex. Exact extinguisher location to be determined by the Fire Department prior to installation.

F. Prior to obtaining occupancy the following actions shall be taken:

1. Prior to occupancy of the first dwelling unit, the applicant shall submit a copy of the recorded CC&Rs pursuant to the conditions imposed for Tentative Map TM2014-2 and Development Review DR2014-7.

2. The applicant shall complete construction of all improvements shown on the approved plans to the satisfaction of the Director of Development Services.

3. All post-construction BMPs that protect the site shall be in operation and certified in accordance with the approved Storm Water Quality Management Plan.

4. The applicant shall plant all new trees in and within 10 feet of the public right-of-way with root control barriers.

5. At the time of mid-construction or Rough Fire Inspections, an electronic or digital submission of vector data such as: AutoCAD (rectified dwgs or include world file), GIS Data (Geodatabase or Shapefiles), or Image Type such as (Tiff & Jpegs) of the site-plan shall be provided to the Fire Department for emergency response mapping. If CAD drawings are not available, a PDF shall be provided. The site plan shall show all fire access roadways/driveways, buildings, address numbers, fire hydrants, fire sprinkler connections, and other details as required. Please contact the Fire Department for exact details to be submitted for your project.

6. The applicant shall obtain final clearance for occupancy by signature on the final inspection request form from the Building Division, Fire Department and the Planning and Engineering Divisions of the Department of Development Services.

G. Upon establishment of the use pursuant to this Development Review Permit DR2014-7, the following conditions shall apply:

1. All required landscaping shall be adequately watered and maintained in a healthy and thriving condition, free from weeds, trash, and debris.

2. The parking areas and driveways shall be well maintained.

3. All groundcover installed pursuant to an approved landscape plan shall provide 100 percent coverage within 9 months of planting or additional landscaping, to be approved by the Director, shall be required in order to meet this standard. Heaney Properties, LLC shall be responsible for this planting even if their involvement in the project is otherwise complete.

4. All storm water best management practices (BMPs) outlined in the Storm Water Management Plan must be installed and operational to the satisfaction of the Director of Development Services. Failure to

maintain a required BMP will subject property owners and/or the Homeowners Association to civil penalties.

5. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises, and shall otherwise conform to the requirements of Title 17 of the Santee Municipal Code.

SECTION 4. The terms and conditions of this Development Review Permit DR2014-7 shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Development Review Permit DR2014-7 and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 5. This Development Review Permit DR2014-7 expires on May 10, 2020 at 5:00 p.m. unless prior to that date a Final Map has been recorded pursuant to Tentative Map TM2014-2, or unless a time extension for obtaining such approval of the Final Map is approved as provided by the Santee Subdivision Ordinance. 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 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 exaction imposed pursuant to this approval, shall begin on May 10, 2017.

SECTION 7. The applicant shall 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 or set aside, void, or annul the approval of the City of Santee concerning this Resolution or any action relating to or arising out of its approval.

SECTION 8. The City of Santee hereby notifies the applicant that State Law (AB3158), effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. 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 $2,266.25. This fee includes an authorized County administrative fee of $50. Failure to remit the required fee in full within the time specified above will result in notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089 (b) of the Public Resources Code and Section 711.4 (c) of the Fish and Game Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

RESOLUTION NO. _____

SECTION 9. The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 10th day of May, 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

_____
JOHN W. MINTO, MAYOR

ATTEST:

_____
PATSY BELL, CMC, CITY CLERK

City of Santee

COUNCIL AGENDA STATEMENT

4A

MEETING DATE May 10, 2017

AGENDA ITEM NO.

ITEM TITLE **REALIGNMENT OF COUNCIL MEMBER APPOINTMENTS TO OUTSIDE COMMITTEES**

DIRECTOR/DEPARTMENT John W. Minto, Mayor

SUMMARY

Council Members were appointed to serve on various outside boards and committees at the January 25, 2017 Council meeting. Since then, the Council filled a vacant seat, requiring realignment of the committees.

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW ☒ N/A ☐ Completed

RECOMMENDATION MDB

Discuss realignment of Council Member appointments to outside committees.

ATTACHMENTS

None.

City of Santee

COUNCIL AGENDA STATEMENT

6A

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **OVERVIEW OF MELLO-ROOS COMMUNITY FACILITIES DISTRICT FINANCING AND THE CASTLEROCK COMMUNITY FACILITIES DISTRICT FINANCING PROPOSAL, AND THE APPROVAL OF STIFEL NICOLAUS TO SERVE AS UNDERWRITER**

DIRECTOR/DEPARTMENT Tim K. McDermott, Finance TM

SUMMARY On April 13, 2016, the City Council considered a request from Pardee Homes, Inc. ("Pardee") to form a Mello-Roos Community Facilities District ("CFD") to assist in the financing of various public improvements. At that time, the City Council approved entering into a Reimbursement Agreement and a Deposit Agreement to ensure that all costs incurred in connection with the proposed CFD formation will be paid by the applicant. Staff has also recommended that the City consider formation of a separate CFD to help fund public services required by the development. A fiscal analysis of the impact of the Castlerock project on the City has been prepared by the City's special tax consultant Albert A. Webb Associates, the preliminary results of which are discussed in the attached staff report. The fiscal analysis will provide a basis for any services CFD special tax to be considered by the City Council.

Given that the City has not previously formed a CFD for facilities, staff felt it was appropriate to provide an overview on the topic of Mello-Roos financing in general, as well as what has been proposed for the Castlerock development. The primary action being sought at this time is direction regarding whether staff, the financing team and Pardee should continue work on developing the documents required for the formation of the proposed CFDs for subsequent City Council consideration.

On April 13, 2016, the City Council authorized the hiring of certain key members of its financing team, including the special tax consultant, bond counsel and financial advisor. This team is necessary to assist the City in considering the proposal and developing the necessary documents if the City proceeds; their costs are financed out of the Deposit Agreement. Appointment of an underwriter is necessary to continue this work, in particular as it relates to the facilities CFD. Based on responses to a request for proposals, staff recommends approving Stifel Nicolaus to serve as underwriter for any bonds issued for this purpose.

The attached staff report includes additional discussion and information.

FINANCIAL STATEMENT TM The proposed actions require no financial commitment by the City. The previously executed reimbursement and deposit agreements are designed to cover any costs incurred by the City arising out of its consideration of the formation of the CFD(s).

CITY ATTORNEY REVIEW ☐ **N/A** ☑ **Completed**

RECOMMENDATION MSB

1. Provide direction to staff regarding whether to proceed with the development of the various resolutions and other documents required for subsequent City Council consideration of forming Community Facilities Districts for the financing of public facilities and public services in connection with the Castlerock project.
2. Approve Stifel Nicolaus to serve as underwriter for any bonds to be issued for the Castlerock CFD.

ATTACHMENTS (Listed Below)

1. Staff Report
2. Proposed CFD Authorized Facilities List
3. Resolution No. 075-2007 "Statement of Goals and Policies Regarding the Establishment of Community Facilities Districts"

STAFF REPORT

OVERVIEW OF MELLO-ROOS COMMUNITY FACILITIES DISTRICT FINANCING AND THE CASTLEROCK COMMUNITY FACILITIES DISTRICT FINANCING PROPOSAL, AND THE APPROVAL OF STIFEL NICOLAUS TO SERVE AS UNDERWRITER

CITY COUNCIL MEETING
MAY 10, 2017

Background

The Mello-Roos Community Facilities Act was adopted in 1982 to provide an alternative means for financing public infrastructure and services following the passage of Proposition 13. It has been amended many times to make it an increasingly useful tool, and to add additional requirements to protect the interests of taxpayers, sponsoring public agencies and bond investors. The key feature of the Mello-Roos Act is the creation of a financing district empowered to levy special taxes to finance a wide range of public improvements and services. The levy of the special tax requires a two-thirds vote of the qualified electors within the boundaries of the proposed community facilities district. The Mello-Roos Act provides that the qualified electors are the property owners when less than twelve registered voters reside in the proposed community facilities district. As such, it has become a useful tool for financing public improvements and services in connection with the original development of property.

In 2007, the City Council considered a request by Lennar Homes to form a community facilities district ("CFD") to finance various public improvements related to the Sky Ranch development. As a result, on September 12, 2007 the City Council adopted a Statement of Goals and Policies Regarding the Establishment of Community Facilities Districts. Lennar subsequently withdrew its request following the housing market collapse in 2008.

Project Overview

Pardee Homes, Inc. ("Pardee") has requested that the City form a CFD to assist in the financing of approximately $8.5 million in public improvements for its Castlerock development. A list of these improvements is included as Attachment 2. In addition, staff recommends that the City Council also consider either the formation of a separate CFD or the annexation of Castlerock to the recently formed CFD No. 2015-1 in order to fund public safety and other public services required to serve the Castlerock development.

Castlerock is anticipated to consist of 415 dwelling units, 142 of which will be configured as detached multiple-family condominiums. The remaining units will be two-story single-family units with attached two-car garages. The development will include a 4.5-acre improved public park at the north end, accessed from internal streets and from a north-south aligned public trail along the property's eastern boundary.

On April 13, 2016, the City Council took the first, preliminary actions in connection with considering the formation of the CFDs, approving deposit and reimbursement agreements to ensure that any preliminary costs incurred would be financed by Pardee as the applicant, and that tax-exempt bond proceeds, if issued, could be used to reimburse such costs. Pardee has deposited with the City $43,500 (facilities CFD) and $27,000 (services CFD) to pay for initial costs incurred in the City's processing of the proposed CFDs. Pardee is required to make additional deposits as needed so that all costs are fully covered.

Facilities CFD: As previously stated, Pardee has requested that the City form a CFD to assist in the financing of approximately $8.5 million in public improvements. A list of these improvements is included as Attachment 2. Based on this request it is estimated that the annual special tax that would be levied through a facilities CFD to pay for debt service on bonds issued for this purpose and related CFD administration costs would range from approximately $1,380 to $1,960 per residential unit.

Services CFD: Among the tasks undertaken to date has been the preparation of a fiscal impact analysis by the City's special tax consultant, Albert A. Webb Associates ("Webb"), to assist in identifying the appropriate special tax that could be levied through a services CFD to ensure that Castlerock does not adversely impact the City's fiscal condition. Based on this analysis, Castlerock would have a net adverse annual fiscal impact of approximately $168,860. In order to mitigate this impact an annual special tax of approximately $407 per residential unit would be required.

Based on the above information and including both a facilities CFD and services CFD, the total property tax rate would be approximately 1.54% of the estimated base home price, well within the maximum allowable total tax rate of 2.0% as stated in the adopted Goals and Policies Regarding the Establishment of Community Facilities Districts.

No action is being requested of the City Council this evening that would commit the City to the formation of one or both of the proposed CFDs. Rather, staff is requesting that the City Council provide direction to staff, the finance team and Pardee regarding whether to proceed with the development of the various resolutions and other documents required for City Council consideration of the formation of CFDs for financing public facilities and public services in connection with the Castlerock project.

Selection of Bond Underwriter

On April 13, 2016 the City Council authorized the hiring of several key members of the financing team, including the special tax consultant (Webb), bond counsel (Best Best & Krieger) and KNN Public Finance ("KNN") to serve as financial advisor. In order to fully evaluate the formation of a CFD and assist in preparing subsequent documents, the addition of a municipal bond underwriter to the team is appropriate.

Last year, the City, conducted an RFP for underwriters, assisted by its financial advisor KNN. As a result of that process, Stifel Nicolaus ("Stifel") was selected to serve as underwriter for this project. Stifel (and its predecessor firms of Stone & Youngberg and De La Rosa & Co.) have long been leaders in the Mello-Roos and land-secured finance sectors in California. Furthermore, Stifel maintains four offices in San Diego County serving retail investors. Stifel's efforts will be led by Sara Oberlies Brown, a Managing Director, who has helped to bring to market more than 135 land-secured bond issues totaling over $3 billion.

Overview of Mello-Roos Community Facilities Districts

Since the Castlerock project represents the first time in ten years that the City has considered forming a CFD that would support a bond issue, staff concluded that it would be appropriate to provide an overview on this topic, reviewing key considerations in the formation of a district and providing an overview of the Castlerock project. A presentation has been prepared by Stifel Nicolaus with input from City staff and other members of the financing team that is intended to frame that discussion.

If the City Council directs staff to proceed with this project, following are the subsequent steps.

- **Preparation of a rate and methodology for setting the special tax:** This is a key step in consideration of a CFD. The Rate and Method of Apportionment (RMA) establishes the parameters for setting the special tax on all properties within the district. Webb, serving as special tax consultant to the City, will prepare the RMA with the assistance of other members of the financing team.
- **Adoption by the City Council of Boundary Maps and a Resolution of Intention:** These actions represent the first official acts towards the formation of a CFD. They set forth the parameters of a CFD including the RMA, set a public hearing date at least 30 days but no more than 60 days later to consider the establishment of the CFD, and set forth the procedures for an election of the qualified electors (which are expected to be the property owner). It is anticipated that these actions would be brought before the City Council in August 2017.
- **Public hearing:** The City Council holds a public hearing and determines if there is a majority protest of the registered voters or property owners against the formation of the CFD. It is anticipated that this actions would be brought before the City Council in September 2017.
- **Adoption of a Resolution of Formation and election of property owners:** Upon the conclusion of the public hearing, provided there is not a majority protest against the formation of the CFD, the City Council may adopt a resolution forming the CFD and submit the levy of special taxes to the property owners as the qualified electors of the CFD. Once the property owner election has been completed and two-thirds of votes cast are in favor of levying the special tax, the City Clerk will record a special tax lien against property within the CFD. The adoption of the Resolution of Formation and election of the property owners is typically done at the same meeting as the public hearing. At this meeting the Council may also approve a resolution determining the necessity for the facilities CFD to incur bonded indebtedness. It is anticipated that these actions would be brought before the City Council in September 2017.
- **Issuance of bonds and the levy of taxes:** The actual issuance of the bonds requires the completion of various documents, including bond documents prepared by bond counsel (Best, Best & Krieger) and a preliminary official statement prepared by disclosure counsel. The preliminary official statement will include a description of the bonds, the security for the bonds, the CFD, the developer and the RMA, an appraisal and an absorption study to validate expected housing prices and sales rates. The bonds will be sold to investors by the underwriter (Stifel). The City's financial advisor (KNN) will coordinate the efforts of the various consultants and validate the bond pricing.

Conclusion

While the actions recommended herein represent the next steps towards the formation of a CFD(s) for the Castlerock development, they do not commit the City or Pardee to the formation or bond financing. Several additional steps will be required as previously outlined in this report.

Recommendation

Staff recommends that the City Council:

1. Provide direction to staff regarding whether to proceed with the development of the various resolutions and other documents required for subsequent City Council consideration of forming Community Facilities Districts for the financing of public facilities and public services in connection with the Castlerock project.
2. Approve Stifel Nicolaus to serve as underwriter for any bonds to be issued for the Castlerock CFD.

Draft

Pardee Homes - Castlerock
Proposed City of Santee Community Facilities District
Proposed CFD Authorized Facilities List
December 6, 2016

Description		Estimated Total
City of Santee - Public Improvements		
1) Mast Blvd:		
Street improvements, including traffic control, compact & finegrade, paving, curb, gutter, sidewalk, pedestrian ramps, slot patching, DG trail, street light relocation, striping & signage, and appurtenant facilities and expenses.	$	636,400
Subtotal Hard Costs	**$**	**636,400**
Prevailing Wage estimated @ 0.0% of Hard Costs		*Included*
Soft Costs estimated @ 15.0% of Hard Costs		95,460
Contingency estimated @ 5.0% of Hard Costs		31,820
Subtotal Mast Blvd.	**$**	**763,680**
2) Castlerock Road (Street A):		
Street improvements, including compact & finegrade, paving, curb, gutter, sidewalk, driveways, pedestrian ramps, striping & signage, and appurtenant facilities and expenses.	$	915,670
Subtotal Hard Costs	**$**	**915,670**
Prevailing Wage estimated @ 0.0% of Hard Costs		*Included*
Soft Costs estimated @ 15.0% of Hard Costs		137,351
Contingency estimated @ 5.0% of Hard Costs		45,784
Subtotal Castlerock Road (Street A)	**$**	**1,098,804**
3) Bridge (Vistamount Way):		
Bridge improvements including construction, excavation, backfill, temporary crossing, and appurtenant facilities and expenses.	$	962,782
Subtotal Hard Costs	**$**	**962,782**
Prevailing Wage estimated @ 18.0% of Hard Costs		173,301
Soft Costs estimated @ 15.0% of Hard Costs		144,417
Contingency estimated @ 5.0% of Hard Costs		48,139
Subtotal Bridge (Vistamount Way)	**$**	**1,328,639**
4) Traffic Signal:		
4-Way Traffic Signal (Mast Blvd. & Castlerock Rd.)	$	220,000
Subtotal Hard Costs	**$**	**220,000**
Prevailing Wage estimated @ 5.0% of Hard Costs		11,000
Soft Costs estimated @ 15.0% of Hard Costs		33,000
Contingency estimated @ 5.0% of Hard Costs		11,000
Subtotal Traffic Signal	**$**	**275,000**

5) Public Park (5-Acre):

Park Improvements	$	2,340,000
Subtotal Hard Costs	**$**	**2,340,000**
Prevailing Wage estimated @ 30.0% of Hard Costs		702,000
Soft Costs estimated @ 15.0% of Hard Costs		351,000
Contingency estimated @ 5.0% of Hard Costs		117,000
Subtotal Public Park	**$**	**3,510,000**

6) Trail & Fencing:

DG Trail and PCC Gutter	$	377,412
Lodge Pole Fencing		211,688
Subtotal Hard Costs	**$**	**589,100**
Prevailing Wage estimated @ 15.0% of Hard Costs		88,365
Soft Costs estimated @ 15.0% of Hard Costs		88,365
Contingency estimated @ 5.0% of Hard Costs		29,455
Subtotal Trail & Fencing	**$**	**795,285**

7) Dry Utilities *:

Dry Utilities - Mast Blvd.	$	282,600
Dry Utilities - Mast Blvd. to Toyopa Ct.		350,000
Subtotal Hard Costs	**$**	**632,600**
Prevailing Wage estimated @ 0.0% of Hard Costs		*Included*
Soft Costs estimated @ 15.0% of Hard Costs		94,890
Contingency estimated @ 5.0% of Hard Costs		31,630
Subtotal Dry Utilities *	**$**	**759,120**

** Dry Utilities actually funded shall be limited to 5% of net construction proceeds per Internal Revenue Code rules applicable to tax exempt municipal bonds.*

GRAND TOTAL	**$**	**8,530,528**

RESOLUTION NO. 075 – 2007

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ADOPTING A STATEMENT OF LOCAL GOALS AND POLICIES CONCERNING THE USE OF THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, AS AMENDED

WHEREAS, the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, now provides that a local government, including the City of Santee (the "City"), may initiate proceedings to establish a community facilities district pursuant to the Act only if the legislative body thereof has first considered and adopted local goals and policies concerning the use of the Act; and,

WHEREAS, the City Council now desires to state its goals and policies concerning the use of the Act.

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

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

SECTION 2. The "City of Santee Statement of Statement of Goals and Policies for the Use of the Mello-Roos Community Facilities Act of 1982" (the "Goals and Policies") attached as Exhibit "A" hereto and incorporated herein by this reference are hereby adopted. A copy of the Goals and Policies shall be kept on file in the Office of the City Clerk.

SECTION 3. This resolution shall become effective upon its adoption.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 12th day of September 2007 by the following roll call vote to wit:

AYES: **DALE, JONES, MINTO, RYAN, VOEPEL**

NOES: **NONE**

ABSENT: **NONE**

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

LINDA A. TROYAN, MMC, CITY CLERK

Attachment: Exhibit A – Goals and Policies

RESOLUTION NO. 075 – 2007

Exhibit A

CITY OF SANTEE

STATEMENT OF GOALS AND POLICIES REGARDING THE ESTABLISHMENT OF COMMUNITY FACILITIES DISTRICTS

PURPOSE AND SCOPE

The City Council of the City of Santee (the "City Council") hereby establishes and states its goals and policies concerning the use of the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 of Part I of Division 2 of Title 5 of the Government Code of the State of California) (the "Act"), as amended, in providing adequate public infrastructure improvements and public services for the City of Santee (the "City"). The following goals and policies shall apply to all community facilities districts hereafter formed or proposed to be formed by the City. Any policy or goal stated herein may be supplemented, amended or waived by resolution or motion adopted by the City Council.

The purpose of this Statement of Goals and Policies is to provide the City staff, the residents of the City and the owners and developers of property located within the City with guidance in the application for and consideration of the establishment of community facilities districts within the City for the purpose of financing or assisting in financing the acquisition or construction of public infrastructure or the provision of authorized public services to benefit and serve either existing or new development or a combination thereof. The underlying principles behind this policy are the protection of the public interest, assuring fairness in the application of special taxes to current and future property owners, assuring full disclosure of the existence of any special tax liens, insuring the creditworthiness of any community facilities district special tax bonds, protecting the City's credit rating and financial position and assuring that applicants for all community facilities district proceedings other than City initiated proceedings pay all costs associated with the formation of any community facilities district.

The scope of this policy is limited to the proposed formation of community facilities districts for the limited purpose of financing or assisting in financing the acquisition or construction of public infrastructure and/or the provision of authorized public services.

INTRODUCTORY STATEMENT

The City will consider applications initiated by owners or developers of vacant property proposed to be developed, owners of property within existing developed areas or registered voters residing in existing developed areas or the City itself for the establishment of community facilities districts to finance authorized public improvements or to provide authorized public services which benefit or serve existing or new development or a combination thereof. A community facilities district proposed to be established to finance public improvements or authorized services to serve new development may be referred to as a "Development Related CFD."

Each application for the establishment of a community facilities district must comply with the applicable goals and policies contained herein unless the City Council expressly grants an exception to or waiver of such policy or policies as they apply to a specific application.

FINDING OF PUBLIC INTEREST OR BENEFIT

The City Council may authorize the initiation of proceedings to form a community facilities district to finance authorized public improvements or to provide authorized public services if the City Council determines that the public improvements to be financed or public services to be provided or, in the case of a Development Related CFD, the attributes of the new development will provide, in the opinion of the City Council, a public benefit to the community at large as well as the benefit to be derived by the properties within the community facilities district.

Examples of public benefit to the community at large may include, but are not limited to, the following:

1. Construction of a major public facility which meets a community need including, but not limited to, a major arterial which will provide a vital roadway facility to alleviate congestion, water storage facilities which will remedy inadequate fire flow, and storm drainage facilities which are a part of the storm drainage master plan.

2. Provision of public infrastructure sooner than would otherwise be required for a particular development project.

3. Construction of public infrastructure to serve commercial or industrial projects which will expand the City's employment and/or sales tax base.

4. Provision of new development that meets specific land use goals and objectives of the City.

5. Provision of maintenance or other authorized public services such as landscaping, lighting, storm drain, flood control or open space maintenance necessary to promote or maintain quality of life and public safety within existing or developing areas of the City.

AUTHORIZED PUBLIC FACILITIES

Facilities eligible to be financed by a community facilities district must, upon the completion of the construction or acquisition thereof financed through such a community facilities district, be owned by the City, another public agency or a public utility and must have a useful life of five (5) years or more. The list of eligible facilities include, but are not limited to, the types of facilities specified in Government Code Section 53313, as it currently exists, or may hereafter be amended.

The funding of facilities to be owned, operated or maintained by public agencies other than the City shall be considered on a case-by-case basis. If such facilities are consistent with the approved land use plans for the proposed community facilities district, the City may consider entering into a joint community facilities agreement in order to permit the financing of such facilities through such community facilities district.

The City Council shall have the final determination as to the eligibility of any facility for financing.

PRIORITIZATION OF FACILITIES

It is the policy of the City to give first priority to the provision of public facilities benefiting the City in any community facilities district established by the City. It is secondarily the policy of the City, in any community facilities district established by the City, to assist in the financing of other public facilities to be owned, operated or maintained by other public agencies or public utilities. The City Council shall have the final determination as to the prioritization of financing of any facilities.

AUTHORIZED PUBLIC SERVICES

Except as provided in the following paragraph, public services proposed to be financed through a community facilities district may include such services as may be authorized by the Act. The City Council shall have the final determination as to the prioritization of financing of such services.

A community facilities district formed by the City may not finance public services provided by any other public agency.

SPECIAL TAX REQUIREMENTS

Reasonable Basis of Apportionment.

Special taxes must be allocated and apportioned on a reasonable basis to all categories and classes of property (other than exempt property) within the community facilities district.

Exemptions from the special tax may be given to parcels which are publicly owned, are held by property owners associations, are used for a public purpose such as permanent open space or wetlands, or are affected by public utility easements making impractical their utilization for other than the purposes set forth in the easement.

Maximum Special Taxes and Aggregate Tax and Assessment Burden.

It is the policy of the City that the maximum annual special tax applicable to any parcel used for residential purposes within a community facilities district formed by the City shall not exceed one percent (1 %) of the base sale price, i.e., excluding upgrades and lot premiums, of residential properties to be subject to the levy of the special tax (the "Developed Residential Properties"), determined as of the date of formation of the community facilities district. The base sales price of such Residential Properties shall be based upon (a) a price point analysis undertaken by a market absorption consultant retained by the City or (b) a price point analysis undertaken by a market absorption consultant retained by the applicant for a proposed community facilities district and which conclusions have been verified by a market absorption consultant retained by the City. As a distinct and separate requirement, the total of the following property taxes, assessments and special taxes described below, shall not exceed two (2%) of such base sales price of Developed Residential Properties:

A. Ad valorem property taxes.

B. Voter approved ad valorem property taxes in excess of one percent (1 %) of the assessed value of the subject properties.

C. The maximum annual special taxes levied by the community facilities district under consideration and any other community facilities district or other public agency.

D. The annual assessment installments, including any administrative surcharge, for any existing assessment district where such assessment installments are utilized to pay debt service on bonds issued for such assessment district.

E. Annual assessments levied within an assessment district to pay for maintenance or services.

The foregoing requirement shall apply not only to property taxes, assessments and special taxes which are being levied at the time of formation of the community facilities district but such additional property taxes, assessments and special taxes which have been authorized but not yet levied, as estimated by the City.

Rate and Method of Apportionment of Special Taxes.

The rate and method of apportionment of the special tax for any community facilities district shall adhere to the following requirements:

A. The rate and method of apportionment for special taxes for a community facilities district must be structured so as to produce special tax revenues sufficient to (a) pay scheduled debt service on all bonds issued for the community facilities district (the "Bonds"), (b) pay annual services or maintenance expense if applicable, (c) pay amounts equal to existing or projected delinquencies in special tax payments, (d) fund any amounts required to establish or replenish any reserve fund established for such Bonds, and (e) pay reasonable and necessary annual administrative expenses of the community facilities district. Additionally, the rate and method of apportionment may be structured so as to produce amounts sufficient to fund (a) amounts to pay directly the costs of public facilities authorized to be financed by the community facilities district, (b) the accumulation of funds reasonably required for future debt service on Bonds, (c) remarketing, credit enhancement or liquidity fees, and (d) any other costs or payments permitted by law. The special tax revenues necessary to fund all required expenses or deposits for a community facilities district may be referred to as the "Special Tax Requirement."

B. In any case, the rate and method of apportionment must be structured such that the projected maximum special tax that could be levied in any fiscal year would produce special tax

revenues at least equal to (a) 110% of projected annual debt service on all Bonds for the calendar year commencing in such fiscal year, plus (b) projected administrative expenses of the community facilities district for the calendar year commencing in such fiscal year.

C. A backup special tax shall be required for any Development Related CFD to protect against changes in density resulting in the generation of insufficient special tax revenues to pay annual debt service and administrative expenses. The City Council may additionally or alternatively require that as a condition of approval of the downsizing of the development in a Development Related CFD at the request of the applicant or the applicant's successor-in-interest, as applicable, must prepay such portion of the special tax obligation as may be necessary in the determination of the City to ensure that adequate debt service coverage exists with respect to any outstanding bonds or otherwise provides security in a form and amount deemed necessary by the City Council to provide for the payment of debt service on the bonds.

D. An option to permit the prepayment, in whole or in part, of the special tax obligation for an individual parcel shall be included in any rate and method of apportionment of special taxes to pay for public facilities. Such prepayment shall be permitted only if (a) the payment of all special taxes for such a parcel is current and (b) following such prepayment, the projected maximum special taxes that could be levied in any fiscal year on all remaining taxable property within the community facilities district will produce the special tax revenues required in paragraph B above. No prepayment shall be permitted of a special tax levied to finance authorized services or maintenance.

E. The maximum special tax to pay for public facilities shall be levied against any parcel used for private residential purposes in the first fiscal year following the fiscal year in which the building permit for the construction of a residential dwelling unit on such parcel is issued and such maximum special tax may not escalate.

F. The rate and method of apportionment of a special tax to pay for public facilities shall specify a fiscal year beyond which the special tax may not be levied on any parcel used for private residential purposes. In most cases, that final date will be ten (10) years after the stated maturity of any bonds issues. Such a special tax will cease to be levied when all bonds and the City's administrative costs have been paid. A special tax to pay for public services or maintenance shall have no termination date unless established by the City Council.

CREDIT QUALITY REQUIREMENTS FOR SPECIAL TAX BONDS

Terms and Conditions of Special Tax Bonds.

All terms and conditions of any special tax bonds issued by the City for any community facilities district, including, without limitation, the sizing, timing, term, interest rates, discount, redemption features, flow of funds, investment provisions and foreclosure covenants, shall be established by the City. Each special tax bond issue shall be structured to adequately protect bond owners and to avoid negatively impacting the City's access to the municipal bond market. Unless otherwise approved by the City Council, the following shall serve as minimum bond requirements:

A. A reserve fund shall be established for each bond issue to be funded out of the bond proceeds in an amount equal to 10% of the original proceeds of the bonds or such lesser amount as may be required by federal tax law.

B. Interest shall be capitalized for a bond issue only so long as necessary to place the special tax installments on the assessment roll; provided, however, interest may be capitalized for a term to be established in the sole discretion of the City Council on a case-by-case basis, not to exceed an aggregate of 18 months, taking into consideration the value-to-debt ratio, the expected timing of initial occupancies, expected absorption and buildout of the project, the expected construction and completion schedule for the public improvements to be funded from the proceeds of the bond issue in question, the size of the bond issue, the development pro forma and the equity position of the applicant and such other factors as the City Council may

deem relevant. Irrespective of the term or amount of capitalized interest included in any bonds issued for a community facilities district, the maximum special tax shall be levied against any parcel used for private residential purposes in the first fiscal year following the fiscal year in which the building permit for the construction of such residential dwelling unit is issued.

C. In instances where multiple series of bonds are to be issued, the City shall determine what improvements shall be financed from the proceeds of each series of bonds.

D. The City shall not be required or expected to make any payment of the bonds out of its general funds or other available funds. The sole source of revenue for the payment of the bonds shall be the special taxes, capitalized interest, if any, and moneys on deposit in the reserve fund established for such bonds.

Credit Enhancement.

Where a substantial amount of a property within a community facilities district is undeveloped at the time of issuance of Bonds for such community facilities district, the City may, in its discretion, require credit enhancement to increase the security of the Bonds, particularly where the value-to-debt ratio of a significant portion of the property in such community facilities district is less than 4:1, or in such other situations where the City determines such an increase in credit quality to be necessary, appropriate or prudent. Such credit enhancement will usually be in the form of an irrevocable standby letter of credit, will be required to be in an amount not less than 200% of the share of debt service allocable to the applicable developer owned parcels for which such credit enhancement is required and will be required to remain in effect until the share of debt service allocable to such developer owned parcels is less than 20% of the annual debt service on all outstanding bonds issued for such community facilities district. The credit enhancement will generally be required to be issued or guaranteed by an entity, the long term unsecured obligations of which are rated at least "A" by Moody's Investor Services or Standard & Poor's Ratings Services.

REQUIRED-VALUE-TO-DEBT RATIO

It is the policy of the City that the value-to-debt ratio, i.e., the full market value of the properties subject to the levy of special taxes, including the value of the improvements to be financed from the proceeds of the issue or series of special tax bonds for which the value-to-debt ratio is being computed, compared to the aggregate amount of the special tax lien proposed to be created plus any prior fixed assessment liens and/or special tax liens, for a community facilities district must be at least 4:1. A community facilities district with a value-to-debt ratio of less than 4:1 but equal to or greater than 3:1 may be approved, in the sole discretion of the City Council, upon a determination by the City Manager, after consultation with the Finance Director, the bond counsel, the underwriter and the financial advisor, that a value-to-debt ratio of less than 4:1 is financially prudent under the circumstances of the particular community facilities district. In addition, the City Council may, in its sole discretion, accept a form or forms of credit enhancement such as a letter of credit, bond insurance or the escrow of bond proceeds to offset a deficiency in the required value-to-debt ratio as it applies to the taxable property within the community facilities district in the aggregate or with respect to any development area.

The value-to-debt ratio shall be determined based upon the full market value of the properties subject to the levy of the special tax as shown on the ad valorem assessment roll or upon an appraisal of the properties proposed to be assessed. The City Manager may require that the value-to-debt ratio be determined by an appraisal if, in his judgment, the assessed values of the properties proposed to be assessed do not reflect the current full cash value of such properties. The appraisal shall be coordinated by, done under the direction of, and addressed to the City. The appraisal shall be undertaken by a state certified real estate appraiser, as defined in Business and Professions Code Section 11340. The appraiser shall be selected and retained by the City. The costs associated with the preparation of the appraisal report shall be paid by the applicant for the community facilities district, but shall be subject to possible reimbursement as provided for herein. The appraisal shall be conducted in accordance with assumptions and

criteria established by the City, based upon the definitions, standards and assumptions contained in the following section.

APPRAISALS

The definitions, standards and assumptions to be used in appraisals required in connection with the City's use of the Act for community facilities districts are as set forth in the Appraisal Standards for Land Secured Financings published by the California Debt Advisory Commission and originally dated May 1994 and modified July 2004 (the "CDIAC Guidelines").

Notwithstanding the foregoing, if there is a conflict between the definitions, standards or assumptions in the CDIAC Guidelines and the corresponding definitions, standards or assumptions in the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation ("USPAP"), USPAP shall govern.

ABSORPTION STUDY

An independent absorption study of any proposed residential development project within a proposed community facilities district, and in such other cases as may be appropriate, shall be required for the formation of such community facilities district. The independent absorption study shall be used (1) as a basis to verify proposed base pricing of the finished products (lots or completed buildings or dwelling units) subject to the levy of the special tax, (2) to determine the projected market absorption of such finished products and (3) as a basis for verification that sufficient special tax revenues can be generated to fund the Special Tax Requirement for the community facilities district. The City may require an independent absorption study of any proposed industrial or commercial development within a proposed community facilities district. Additionally, the projected absorption rates will be provided to the appraiser for use in the appraisal.

DISCLOSURE TO PROPERTY PURCHASERS IN DEVELOPMENT RELATED CFD'S

The developer of property within a Development Related CFD who is selling lots, parcels or developed properties therein shall provide disclosure notice to prospective purchasers that comply with all of the requirements of the Act, including but not limited to Government Code Section 53341.5.

The applicant must keep an executed copy of each disclosure document and agree to provide a copy of all applicable executed disclosure documents to the City upon request.

PREFORMATION COST DEPOSITS AND REIMBURSEMENTS

Except for those applications for community facilities districts where the City is the applicant, all City and consultant costs incurred in the proceedings to form a community facilities district and issue special tax bonds therefor will be paid by the applicant by advance deposit with the City of moneys sufficient to pay all such costs.

Each application for the formation of a community facilities district shall be accompanied by an initial deposit in an amount to be determined by the City Manager or the Director of Finance to be adequate to fund the evaluation of the application and undertake the proceedings to form the community facilities district and issue the special tax bonds therefor. The City Manager or the Director of Finance may, in his or her sole discretion, permit an applicant to make periodic deposits to cover such expenses rather than a single lump sum deposit; provided, however, no preformation costs shall be incurred by the City in excess of the amount then on deposit for such purposes. If additional funds are required to pay required preformation costs, the City Manager or the Director of Finance may make written demand upon the applicant for such additional funds and the applicant shall deposit such additional funds with the City within seven (7) working days of the date of receipt of such demand. Upon the depletion of the funds deposited by applicant for preformation costs, all proceedings shall be suspended until receipt by the City of such additional funds as the City Manager or the Director of Finance may demand.

The deposits shall be used by the City to pay for costs and expenses incurred by the City incident to the evaluation of the application and the proceedings for the formation of the community facilities district and the issuance of the special tax bonds therefor, including, but not limited to, legal, special tax consultant, engineering, appraisal, market absorption, financial advisor, City administrative and staff costs and expenses, required notifications, printing and publication costs.

The City shall refund any unexpended and unencumbered portion of the deposits upon the occurrence of one of the following events:

A. The formation of the community facilities district and the issuance of the special tax bonds for such community facilities district;

B. The formation of the community facilities district or the issuance of the special tax bonds is disapproved by the City Council;

C. The proceedings for the formation of the community facilities district and the issuance of the special tax bonds are abandoned at the written request of the applicant; or

D. It is determined for some other reason that the special tax bonds may not be issued and sold.

Except as otherwise provided herein, the applicant shall be entitled to reimbursement of all amounts deposited with the City to pay for costs incident to the proceedings for the formation of the community facilities district and the issuance of the special tax bonds therefor upon the formation of the community facilities district and the successful issuance and sale of the special tax bonds for the community facilities district. Any such reimbursement shall be payable solely from the proceeds of the special tax bonds.

The City shall not accrue or pay interest on any moneys deposited with the City.

SELECTION OF CONSULTANTS

The City shall select and retain all consultants necessary for the evaluation of any application and the proceedings for the formation of a community facilities district and the issuance of the special tax bonds therefor, including, but not limited to, special tax consultant, bond counsel, disclosure counsel, financial advisor, underwriter, appraiser, and market absorption analyst after consultation with the applicant.

LAND USE APPROVALS

Properties proposed to be included in a Development Related CFD must have received such discretionary land use approvals as may, in the determination of the City, be necessary to enable the City to adequately evaluate the community facilities district including the properties to be included and the improvements proposed to be financed. The City will issue bonds secured by the levy of special taxes within a Development Related CFD only when (i) the properties included within such community facilities district have received those applicable discretionary land use approvals which would permit the development of such properties consistent with the assumptions utilized in the development of the rate and method of apportionment of the special taxes for such community facilities district and (ii) applicable environmental review has been completed. The final rate and method of apportionment of the special taxes approved at the time of the adoption of the resolution of formation of a community facilities district will be based upon the final map of the property within the community facilities district. Bond proceeds will only be released to the extent that such bonds are secured by the levy of special taxes on properties that require no further discretionary land use approvals or regulatory permits the denial of which could prohibit or delay the development of such property, including but not limited to, rough or finish grading, construction of both in tract and offsite public improvements,

construction of all private improvements and/or the issuance of building permits for such property.

It is the policy of the City Council in granting approval for development such as zoning, specific plan or subdivision approval to grant such approval as a part of the City's ongoing planning and land use approval process. In granting such approval, the City reserves such rights as may be permitted by law to modify such approvals in the future as the City Council determines the public health, safety, welfare and interest may require. Such approval when granted is subject to a condition that the construction of any part of the development does not, standing alone, grant any rights to complete the development of the remainder of such development. Construction of public improvements to serve undeveloped land financed through a community facilities district shall not vest any rights to the then existing land use approvals for the property assessed for such improvements or to any particular level, type or intensity of development or use. Applicants for a Development Related CFD must include an express acknowledgment of this policy and shall expressly waive on their behalf and on behalf of their successors and assigns any cause of action at law or in equity including, but not limited to, taking or damaging of property, for reassessment of property or denial of any right protected by USC Section 1983 which might be applicable to the properties to be assessed.

City of Santee

COUNCIL AGENDA STATEMENT

6B

MEETING DATE May 10, 2017 **AGENDA ITEM NO.**

ITEM TITLE **AUTHORIZATION TO EXECUTE A COOPERATIVE AGREEMENT FOR THE STATE ROUTE 67 / WOODSIDE AVENUE INTERCHANGE IMPROVEMENTS (CIP 2015-07)**

DIRECTOR/DEPARTMENT Melanie Kush, Director of Development Services MK

SUMMARY

This item requests City Council authorize the City Manager to execute a Cooperative Agreement with Caltrans for the design and construction of a roundabout at the SR-67 and Woodside Avenue interchange. The project is included in the adopted Capital Improvement Program budget for FY15/16-19/20. The project would remove the 4-way stop and install a hybrid 2-lane roundabout on Woodside Avenue at the SR-67 off ramp as shown on the attached overview exhibit. The project would reduce traffic congestion and improve safety without the need for a signalized intersection, thereby reducing overall maintenance and operational cost to the City. Design is currently underway by Dokken Engineering and is anticipated to be completed by June of 2018. Upon completion of the design staff would bid the project and bring forth to the City Council the lowest responsive and responsible bidder for award of a construction contract.

Because the project lies mostly within State right-of-way, coordination with Caltrans and the execution of a Cooperative Agreement is required. The City would oversee all design and construction of the project and Caltrans would perform quality control oversight to ensure compliance with State requirements and act as the lead agency for CEQA environmental document quality control.

Staff recommends City Council authorize the City Manager to execute the attached Cooperative Agreement with Caltrans.

ENVIRONMENTAL REVIEW

This project is located in Caltrans right-of-way therefore Caltrans is the lead CEQA Agency for this project.

FINANCIAL STATEMENT

Funding for this project is provided by Regional Transportation Congestion Improvement Program funds in the amount of $2,800,000 and is included in the adopted FY15/16-19/20 Capital Improvement Program Budget.

CITY ATTORNEY REVIEW

☐ N/A ☒ Completed

RECOMMENDATION

MSB

Authorize the City Manager to execute the Cooperative Agreement with Caltrans on behalf of the City.

ATTACHMENTS

Cooperative Agreement No. 11-8440
Overview Exhibit

COOPERATIVE AGREEMENT

This AGREEMENT, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Santee, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System per the California Streets and Highways Code sections 114 and 130.

2. For the purpose of this AGREEMENT, *construct interchange improvements on State Route 67 @ Woodside Avenue/North Woodside Avenue, in San Diego County,* will be referred to hereinafter as PROJECT. The PROJECT scope of work is defined in the project initiation and approval documents (e.g. Project Study Report, Permit Engineering Evaluation Report, or Project Report).

3. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENTS will be referred to hereinafter as WORK:

   - PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED)
   - PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E)

   Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

4. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

   This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

   PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

   If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

   Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

   This Agreement shall terminate upon completion of WORK or on June 30, 2019, whichever is earlier in time, unless PARTIES agree to an extension of time. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.

5. No PROJECT deliverables have been completed prior to this AGREEMENT.

6. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.

7. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

RESPONSIBILITIES

Sponsorship

8. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds obligated in this AGREEMENT.

   PROJECT changes, as described in the CALTRANS Project Development Procedures Manual, will be approved by CALTRANS as the owner/operator of the State Highway System.

9. CITY is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

10. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.

    - CITY is the Project Approval and Environmental Document (PA&ED) IMPLEMENTING AGENCY.

      PA&ED includes the completion of the Final Environmental Document and the Project Report (documenting the project alternative selection).

    - CITY is the Plans, Specifications, and Estimate (PS&E) IMPLEMENTING AGENCY.

      PS&E includes the development of the plans, specifications, and estimate; obtaining any resource agency permits; and the advertisement/award of the construction contract.

11. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will provide a Quality Management Plan (QMP) for the WORK in that component. The QMP describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The QMP will include a process for resolving disputes between the PARTIES at the team level. The QMP is subject to CALTRANS review and approval.

12. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

Funding

13. The WORK does not use funds administered by CALTRANS. PARTIES will amend this AGREEMENT should this condition change.

14. Each PARTY is responsible for the costs they incur in performing the WORK unless otherwise stated in this AGREEMENT.

CALTRANS' Quality Management

15. CALTRANS, as the owner/operator of the State Highway System, will perform quality management work including independent quality assurance, environmental document quality control, and owner/operator approvals for the portions of WORK within the existing and proposed State Highway System right-of-way.

16. CALTRANS' independent quality assurance efforts are to ensure that CITY's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). Independent quality assurance does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

    When CALTRANS performs independent quality assurance it does so for its own benefit. No one can assign liability to CALTRANS due to its independent quality assurance.

17. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.

18. Per California Environmental Quality Act (CEQA) statutes, CALTRANS will perform environmental document quality control. CALTRANS quality control and quality assurance procedures for all environmental documents are described in the Jay Norvell Memos dated October 1, 2012 (available at http://www.dot.ca.gov/ser/memos.htm#LinkTarget_705). This also includes the independent judgment analysis and determination under CEQA that the environmental documentation meets CEQA requirements.

19. CITY will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.

20. The cost of CALTRANS' quality management work is to be borne by CALTRANS.

CEQA Lead Agency

21. CALTRANS is the CEQA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

22. CITY will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to CITY's responsibilities in this AGREEMENT.

23. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.

24. It is expected that the PROJECT requires the following environmental permits/approvals:

ENVIRONMENTAL PERMITS/REQUIREMENTS
National Pollutant Discharge Elimination System (NPDES), State Water Resources Control Board
Local Agency Concurrence/Permit

Project Approval and Environmental Document (PA&ED)

25. As the PA&ED IMPLEMENTING AGENCY, CITY is responsible for all PA&ED WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

26. CALTRANS will be responsible for completing the following PA&ED activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.10.10.xx Quality Management
175.20 Project Preferred Alternative
180.10.05.05.xx CEQA Lead Final Env. Doc QA/QC and Approval
180.15.10 Notice of Determination (CEQA)

27. Any PARTY preparing environmental documentation, including studies and reports, will ensure that qualified personnel remain available to help resolve environmental issues and perform any necessary work to ensure that the PROJECT remains in environmental compliance.

28. CITY will provide written notice of the initiation of environmental studies to the CEQA Lead Agency prior to completing any other PA&ED phase work.

California Environmental Quality Act (CEQA)

29. Environmental documentation will be prepared in compliance with the California Public Resources Code §§ 21080.3.1(d)(e). CALTRANS will provide, and CITY will use, a letter template and a list of California Native American tribes requesting notification. CITY will prepare consultation documentation for CALTRANS' signature and transmittal in compliance with the statutorily required time frames.

30. The CEQA Lead Agency will determine the type of CEQA documentation and will cause that documentation to be prepared in accordance with CEQA requirements.

31. Any PARTY involved in the preparation of CEQA documentation will prepare the documentation to meet CEQA requirements and follow the CEQA Lead Agency's standards that apply to the CEQA process.

32. Any PARTY preparing any portion of the CEQA-documentation, including any studies and reports, will submit that portion of the documentation to the CEQA Lead Agency for review, comment, and approval at appropriate stages of development prior to public availability.

33. CITY will submit CEQA-related public notices to CALTRANS for review, comment, and approval prior to publication and circulation.

34. CITY will submit all CEQA-related public meeting materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to the public meeting date.

    If the CEQA Lead Agency makes any changes to the materials, then the CEQA Lead Agency will allow CITY to review, comment, and concur on those changes at least three (3) working days prior to the public meeting date.

35. The CEQA Lead Agency will attend all CEQA-related public meetings.

36. If a PARTY who is not the CEQA Lead Agency holds a public meeting about the PROJECT, that PARTY must clearly state its role in the PROJECT and the identity of the CEQA Lead Agency on all meeting publications. All meeting publications must also inform the attendees that public comments collected at the meetings are not part of the CEQA public review process.

    That PARTY will submit all meeting advertisements, agendas, exhibits, handouts, and materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to publication or use. If that PARTY makes any changes to the materials, it will allow the CEQA Lead Agency to review, comment on, and approve those changes at least three (3) working days prior to the public meeting date.

    The CEQA Lead Agency maintains final editorial control with respect to text or graphics that could lead to public confusion over CEQA-related roles and responsibilities.

Plans, Specifications, and Estimate (PS&E)

37. As the PS&E IMPLEMENTING AGENCY, CITY is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

38. CALTRANS will be responsible for completing the following PS&E activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.15.10.xx Quality Management

39. This AGREEMENT does not include the RIGHT-OF-WAY PROJECT COMPONENT. Completion of PS&E may depend upon completion of some RIGHT-OF-WAY activities. PARTIES acknowledge that the WORK may not result in a product that can be used to advertise and award a contract for the CONSTRUCTION PROJECT COMPONENT without completing some activities under a separate agreement or by later amending this AGREEMENT.

40. CITY will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.

    CITY will provide CALTRANS a copy of Utility Conflict Maps for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the Utility Agreement. All utility conflicts will be addressed in the PROJECT plans, specifications, and estimate.

41. CITY will determine the cost to positively identify and locate, accommodate, protect, relocate, or remove any utility facilities whether inside or outside the State Highway System right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.

Schedule

42. PARTIES will manage the WORK schedule to ensure the timely use of obligated funds and to ensure compliance with any environmental permits, right-of-way agreements, construction contracts, and any other commitments. PARTIES will communicate schedule risks or changes as soon as they are identified and will actively manage and mitigate schedule risks.

Additional Provisions

Standards

43. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; FHWA standards; and CALTRANS standards. CALTRANS standards include, but are not limited to, the guidance provided in the:

- CALTRANS policies and directives
- Project Development Procedures Manual (PDPM)
- Workplan Standards Guide
- Standard Environmental Reference
- Highway Design Manual
- Right of Way Manual

Qualifications

44. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

Consultant Selection

45. CITY will invite CALTRANS to participate in the selection of any consultants that participate in the WORK.

Encroachment Permits

46. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within State Highway System right-of-way. Contractors and/or agents, and utility owners will not work within the State Highway System right-of-way without an encroachment permit issued in their name. CALTRANS will provide encroachment permits to PARTIES, their contractors, consultants and agents at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT will prevail.

47. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

48. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

Disclosures

49. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code section 6254.5(e) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.

    PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.

50. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public documents. PARTIES will consult with each other prior to the release of any public documents related to the WORK.

Hazardous Materials

51. HM-1 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law, irrespective of whether it is disturbed by the PROJECT or not.

    HM-2 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

    The management activities related to HM-1 and HM-2, including and without limitation, any necessary manifest requirements and disposal facility designations are referred to herein as HM-1 MANAGEMENT and HM-2 MANAGEMENT respectively.

52. If HM-1 or HM-2 is found the discovering PARTY will immediately notify all other PARTIES.

53. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing State Highway System right-of-way. CALTRANS will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

    CALTRANS, independent of the PROJECT will pay, or cause to be paid, the cost of HM-1 MANAGEMENT related to HM-1 found within the existing State Highway System right-of-way.

54. CITY, independent of the PROJECT, is responsible for any HM-1 found within the PROJECT limits and outside the existing State Highway System right-of-way. CITY will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

    CITY, independent of the PROJECT, will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the PROJECT limits and outside of the existing State Highway System right-of-way.

55. The CONSTRUCTION IMPLEMENTING AGENCY is responsible for HM-2 MANAGEMENT within the PROJECT limits.

56. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

Claims

57. CITY will accept, reject, compromise, settle, or litigate claims of any consultants or contractors hired to complete WORK.

58. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.

59. If the WORK expends state or federal funds, each PARTY will comply with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.

Accounting and Audits

60. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.

61. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with Chapter 10 of the Local Assistance Procedures Manual.

Interruption of Work

62. If WORK stops for any reason, IMPLEMENTING AGENCY will place the PROJECT right-of-way in a safe and operable condition acceptable to CALTRANS.

63. If WORK stops for any reason, each PARTY will continue to implement the obligations of this AGREEMENT, including the commitments and conditions included in the environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, and will keep the PROJECT in environmental compliance until WORK resumes.

Penalties, Judgements and Settlements

64. Any PARTY who action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

Project Files

65. CITY will furnish CALTRANS with the Project History Files related to the PROJECT facilities on State Highway System within sixty (60) days following the completion of each PROJECT COMPONENT. CITY will prepare the Project History File in accordance with the Project Development Procedures Manual, Chapter 7. All material will be submitted neatly in a three-ring binder and on a CD ROM in PDF format.

GENERAL CONDITIONS

Venue

66. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.

Exemptions

67. All CALTRANS' obligations under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

Indemnification

68. Neither CALTRANS nor any of their officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this AGREEMENT. It is understood and agreed that CITY, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

69. Neither CITY nor any of their officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless CITY and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

70. PARTIES do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights in PARTIES not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.

71. PARTIES will not assign or attempt to assign obligations to PARTIES not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

72. CITY will not interpret any ambiguity contained in this AGREEMENT against CALTRANS. CITY waives the provisions of California Civil Code section 1654.

    A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

73. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

74. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

75. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS district director and the executive officer of CITY will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

    Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

    Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

    PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS district office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

    PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

76. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

77. When WORK falls within the Labor Code § 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code § 1771, PARTIES will conform to the provisions of Labor Code § 1720-1815, and all applicable provisions of California Code of Regulations found in Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

    Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. § 276(a).

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

DEFINITIONS

PARTY – Any individual signatory party to this AGREEMENT.

PARTIES – The term that collectively references all of the signatory agencies to this AGREEMENT.

WORK BREAKDOWN STRUCTURE (WBS) – A WBS is a standardized hierarchical listing of project work activities/products in increasing levels of detail. The CALTRANS WBS defines each PROJECT COMPONENT as a group of work activities/products. The CALTRANS Work Breakdown Structure is defined in the CALTRANS Workplan Standards Guide.

SIGNATURES

PARTIES are empowered by California Streets and Highways Code to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT.

Signatories may execute this AGREEMENT through individual signature pages provided that each signature is an original. This AGREEMENT is not fully executed until all original signatures are attached.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

LAURIE BERMAN
District Director

VERIFICATION OF FUNDS AND AUTHORITY:

Carmen Golembiewski
Budget Manager

Approved as to form and procedure:

Attorney, Department of Transportation

CITY OF SANTEE

MARLENE BEST
City Manager

SR-67 AND WOODSIDE AVENUE INTERSECTION IMPROVEMENTS

OVERVIEW EXHIBIT

DOKKEN ENGINEERING
www.dokkenengineering.com

CITY OF SANTEE, CALIFORNIA
INCORPORATED 1980

Caltrans