



REGULAR CITY COUNCIL MEETING AGENDA

City Hall - Council Chambers
4381 Broadway St., Suite 201, American Canyon
September 3, 2024
6:30 PM

Mayor: Leon Garcia
Vice Mayor: David Oro
Councilmembers: Mariam Aboudamous, Mark Joseph, Pierre Washington

Tonight's meeting is a limited public forum. American Canyon promotes respectful and responsible behavior among its meeting participants, whether they are present in person or remotely. Using offensive language or remarks that promote, foster, or perpetuate discrimination based on race, creed, color, age, religion, gender marital status, status regarding public assistance, national origin, physical or mental disability or sexual orientation/gender identification, as well as any other category protected by federal, state or local laws will not be tolerated. In the case of an occurrence, the speaker will be immediately disconnected from the microphone.

PUBLIC PARTICIPATION

City Council and other public meetings will be conducted in person. This meeting is also available via Zoom, is broadcast live to residents on Napa Valley TV, on our [website](#) and on [YouTube](#).

Zoom Link: [Click here](#). **Webinar ID:** 862 3299 1024; **Passcode:** 12345. **Phone in to Zoom:** 408-638-0968

Oral comments, during the meeting: Oral comments can be made in person during Open and Closed Session or through Zoom in Open Session only. On Zoom use the "raise your hand" tool during any public comment period. To avoid confusion, hands raised outside of Public Comment periods will be lowered.

Written comments: Submit written comments by the [eComments link](#), located on the Meetings & Agendas page of our website. eComments are available to council members in real time. To allow for Council review of comments, eComments will close at 3:00 pm on the day of the meeting.

The above identified measures exceed all legal requirements for participation in public comment, including those imposed by the Ralph M. Brown Act. For more information, please call the Office of the City Clerk at (707) 647-4369 or email cityclerk@cityofamericancanyon.org.

AGENDA MATERIALS: City Council agenda materials are published 72 hours prior to the meeting and are available to the public via the City's website at www.americancanyon.gov.

AMERICANS WITH DISABILITIES ACT: The City Council will provide materials in appropriate alternative formats to comply with the Americans with Disabilities Act. Please send a written request to City Clerk at 4381 Broadway, Suite 201, American Canyon, CA 94503 or by email to cityclerk@cityofamericancanyon.org. Include your name, address, phone number and brief description of the requested materials, as well as your preferred alternative format or auxiliary aid, at least three calendar days before the meeting.

5:30 P.M. – CLOSED SESSION

The mayor will call the meeting to order and conduct roll call. Council will immediately convene into Closed Session after hearing any public comment on Closed Session items. At 6:30 p.m. the Council will reconvene into Open Session and then resume Closed Session at the end of the meeting to address outstanding items, if necessary.

CALL TO ORDER - CLOSED SESSION

ROLL CALL - CLOSED SESSION

PUBLIC COMMENTS - CLOSED SESSION ITEMS

This time is reserved for members of the public to address the City Council on Closed Session Items only. Comments must be made in person and are limited to 3 minutes. Comments for items on the Open Session agenda will be taken when the item is called in Open Session. Comments for Items not on the Closed Session or Open Session agenda will be heard during the Open Session Public Comment period.

MEETING RECESS - COUNCIL TO CONVENE IN CLOSED SESSION

5:30 P.M. CLOSED SESSION ITEMS

1. **Conference with Legal Counsel – Anticipated Litigation. Authorized pursuant to Government Code Section 54956.9 (d)(2). Three (3) Matters.**
Recommendation:

2. **Conference with Legal Counsel - Existing Litigation. Authorized pursuant to Government Code Section 54956.9(d)(1):**
 - a. ***City of American Canyon v. City of Vallejo, et al.*** (Sacramento Superior Court Case No. 34-2022-00327471).
 - b. ***City of American Canyon v. Leon Dale Schmidt*** (Napa County Superior Court Cases No. 22CV001041 and 23PR00161).
 - c. ***City of Vallejo v. City of American Canyon et al.*** (Sacramento County Superior Court Case No. 23WM000055).
 - d. ***City of Vallejo v. City of American Canyon et al.*** (Sacramento County Superior Court Case No. 24WM000078).
 - e. ***City of Vallejo v. City of American Canyon et al.*** (Napa County Superior Court Case No. 24CV000544).
 - f. ***Joanne Perez v. City of American Canyon*** (Napa County Superior Court Case No. 23CV001474).

6:30 P.M. OPEN SESSION - REGULAR MEETING

CALL TO ORDER - COUNCIL TO RECONVENE IN OPEN SESSION

PLEDGE OF ALLEGIANCE

ROLL CALL - OPEN SESSION

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

PROCLAMATIONS AND PRESENTATIONS

3. **National Hispanic Heritage Month**

PUBLIC COMMENTS - ITEMS NOT ON CLOSED SESSION OR OPEN SESSION AGENDA

This time is reserved for members of the public to address the City Council on items that are not on the Closed Session or Open Session agenda and are within the subject matter jurisdiction of the City Council. Comments are limited to 3 minutes. Comments for items on the Open Session agenda will be taken when the item is called in Open Session. The City Council is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the City Council does not respond to public comment at this time.

AGENDA CHANGES

The Mayor and Council may change the order of the Agenda or request discussion of a Consent Item. A member of the Public may request discussion of a Consent Item by making that request during Public Comment.

CONSENT CALENDAR

4. **Minutes of Regular City Council Meeting of August 20, 2024**
Recommendation: Approve the minutes of the Regular City Council meeting of August 20, 2024.
5. **Minutes of Special Joint Meeting of August 20, 2024**
Recommendation: Approve the minutes of the Special Joint City Council/Planning Commission meeting of August 20, 2024.
6. **Water Treatment Plant Membrane Replacement**
Recommendation: Adopt a Resolution authorizing the City Manager to purchase ultra-membrane filters from Veolia Water Technologies & Solutions for the Water Treatment Plant in the amount not to exceed \$1,103,777.
7. **Notice of Completion for Via Bellagio Playground Surface Project (PR23-0800)**
Recommendation: Adopt a Resolution accepting the project as complete and authorizing the Public Works Director to file a Notice of Completion in conjunction with the Via Bellagio Playground Surface Project (PR23-0800).

PUBLIC HEARINGS

There are no Public Hearing items.

BUSINESS

- 8 **2024 National Community Survey Report**
Recommendation: Receive and file the 2024 National Community Survey Report.
- 9 **City Council Code of Conduct and Governance Protocols**
Recommendation: Provide feedback on a draft City Council Code of Conduct and Governance Protocols

MANAGEMENT AND STAFF ORAL REPORTS

MAYOR/COUNCIL COMMENTS AND COMMITTEE REPORTS

The Mayor and Council may comment on matters of public concern and announce matters of public interest; no collective council action will be taken.

FUTURE AGENDA ITEMS

10. [Future Agenda Items of Note](#)

ADJOURNMENT

CERTIFICATION

I, Nicolle Hall, Deputy City Clerk for the City of American Canyon, do hereby declare that the foregoing agenda of the City Council was posted in compliance with the Brown Act prior to the meeting date.

Nicolle Hall, Deputy City Clerk

CITY OF AMERICAN CANYON PROCLAMATION



Hispanic Heritage Month

WHEREAS, National Hispanic Heritage Month, known as “Mes de Herencia Hispana” is celebrated nationwide from September 15th through October 15th of each year. The observation started in 1968 as Hispanic Week and was expanded by President Ronald Reagan in 1988, to cover the month at which it is celebrated today. Understanding that September 15 is significant because it is the anniversary of the independence of Latin American countries Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. In addition, Mexico and Chile celebrate their independence days on September 16th and 18th, respectively; and

WHEREAS, the City of American Canyon looks forward to celebrating “Mes de Herencia Hispana”, highlighting the rich heritage, arts, histories, food, music, and traditions of all 26+ Latin-American nations. While recognizing that these nations are not monogamous and this month celebrates, honors, and pays tribute to all for their contributions to our city and our community; and

WHEREAS, the City of American Canyon has a long history of welcoming immigrants and is home to a growing multiethnic and multicultural Latino population, all of whom are welcome and very much appreciated; and

WHEREAS, the diverse Latino population of American Canyon makes a significant economic contribution and has other profound positive influences on our community through their strong commitment to family, faith, education, hard work, culture, and service; and

WHEREAS, this community thrives on the diversity and ingenuity of all people and depends on the continued support and success of our diverse Latino population, and we will continue to be enriched by the transcultural contributions of our Latino friends and neighbors for many decades to come.

NOW, THEREFORE, BE IT RESOLVED that I, Mayor Leon Garcia, on behalf of the entire City Council, do hereby proclaim September 15th through October 15th, 2024, as Hispanic Heritage Month - “Mes de Herencia Hispana” in the City of American Canyon.

Dated: September 3, 2024

Leon Garcia, Mayor

**CITY OF AMERICAN CANYON
REGULAR CITY COUNCIL MEETING**

ACTION MINUTES
August 20, 2024

CALL TO ORDER - CLOSED SESSION

The City Council meeting was called to order at 5:30 p.m.

ROLL CALL - CLOSED SESSION

Present: Councilmember Mark Joseph, Councilmember Pierre Washington, Vice Mayor David Oro, Mayor Leon Garcia

Absent: None

Excused: Councilmember Mariam Aboudamous

PUBLIC COMMENTS - CLOSED SESSION ITEMS

Mayor Garcia called for public comments for Closed Session items. Written comments: none. Oral comments: none. The public comment period was closed.

MEETING RECESS - COUNCIL TO CONVENE IN CLOSED SESSION

5:30 P.M. CLOSED SESSION ITEMS

1. Conference with Legal Counsel – Anticipated Litigation. Authorized pursuant to Government Code Section 54956.9 (d)(2). Two (2) Matters.

Action:

2. Conference with Legal Counsel - Existing Litigation. Authorized pursuant to Government Code Section 54956.9(d)(1):

- a) City of American Canyon v. City of Vallejo, et al. (Sacramento Superior Court Case No. 34-2022-00327471).
- b) City of American Canyon v. Leon Dale Schmidt (Napa County Superior Court Cases No. 22CV001041 and 23PR00161).
- c) City of Vallejo v. City of American Canyon et al. (Sacramento County Superior Court Case No. 23WM000055).
- d) City of Vallejo v. City of American Canyon et al. (Sacramento County Superior Court Case No. 24WM000078).
- e) City of Vallejo v. City of American Canyon et al. (Napa County Superior Court Case No. 24CV000544).
- f) Joanne Perez v. City of American Canyon (Napa County Superior Court Case No. 23CV001474).

6:30 P.M. OPEN SESSION - REGULAR MEETING

CALL TO ORDER - COUNCIL TO RECONVENE IN OPEN SESSION

The City Council meeting was called to order at 6:41 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - OPEN SESSION

Present: Councilmember Mark Joseph, Councilmember Pierre Washington, Vice Mayor David Oro, Mayor Leon Garcia

Excused: Councilmember Mariam Aboudamous

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

A report on Closed Session and confirmation of reportable action was given by City Attorney William Ross.

PROCLAMATIONS AND PRESENTATIONS

There were no proclamation or presentation items.

PUBLIC COMMENTS - ITEMS NOT ON CLOSED SESSION OR OPEN SESSION AGENDA

Mayor Garcia called for public comments. Written comments: none. Oral comments: Terrence McGrath was called to speak. The public comments period was closed.

AGENDA CHANGES

There were no changes to the agenda.

CONSENT CALENDAR

Action: Motion to adopt CONSENT CALENDAR made by Councilmember Mark Joseph, seconded by Councilmember Pierre Washington, and CARRIED by roll call vote.

Ayes: Councilmember Mark Joseph, Councilmember Pierre Washington, Vice Mayor David Oro, Mayor Leon Garcia

Nays: None

Abstain: None

Absent: Councilmember Mariam Aboudamous

Excused: None

3. Minutes of August 6, 2024

Action: Approved the minutes of the Regular City Council Meeting of August 6, 2024.

4. Green Island Road Project Design Amendment

Action: Adopted Resolution 2024-63 approving Amendment #8 (Agreement 2024-A119) to Agreement 2016-15 with CONSOR North America, Inc., in the amount of \$135,000 for design services, for a total contract amount not to exceed \$1,549,030, in conjunction with the Green Island Road Reconstruction and Widening Project (TR16-0700).

5. Brightview Landscape Services Amendment #11

Action: Adopted Resolution 2024-64 approving Amendment #11 (Agreement 2024-A120) to Agreement # 2017-A111 with Brightview Landscape Services in the amount of \$400,000 for a total amount not to exceed \$3,312,497 for annual landscape maintenance services.

6. Janitorial Services FY24/25

Action: Adopted Resolution 2024-65 approving Amendment #1 (Agreement 2024-A121) to Agreement #2021-79 for \$105,000, with Quali Serv Janitorial, for a total not to exceed of \$540,000.

PUBLIC HEARINGS

There were no public hearing items.

BUSINESS

7. Green Island Road Project CFD Financing

Council received a Green Island Road Project CFD Financing staff report from City Manager Jason Holley with Ralph Holmes of Piper-Sandler available to answer questions. Mayor Garcia called for public comments. Written comments: none. Oral comments: none. The public comments period was closed.

Action: Motion to adopt Resolution 2024-66 authorizing the following in conjunction with the Green Island Road Reconstruction and Widening Project (TR16-0700):

The issuance and sale of special tax bonds for and on behalf of the City of American Canyon Community Facilities District No. 2018-1 (Green Island Road Project); and
The City Manager to execute approved agreements related to the issuance and sale of such bonds, a preliminary office statement, and other related documents and actions.
made by Vice Mayor David Oro, seconded by Councilmember Pierre Washington, and
CARRIED by roll call vote.

Ayes: Councilmember Mark Joseph, Councilmember Pierre Washington, Vice Mayor David Oro, Mayor Leon Garcia

Nays: None

Abstain: None

Excused: Councilmember Mariam Aboudamous

8. Voting Delegate and Alternate(s) for the League of California Cities 2024 Annual Business Meeting

Council received a staff report from City Clerk Taresa Geilfuss. Mayor Garcia called for public comments. Written comments: none. Oral comments: none. The public comments period was closed.

Action: Motion to adopt Minute Order 2024-07 designating Mayor Leon Garcia as the Voting Delegate and Vice Mayor David Oro as the alternate for the League of California Cities 2024 Annual Business Meeting made by Councilmember Mark Joseph, seconded by Councilmember Pierre Washington, and CARRIED by roll call vote.

Ayes: Councilmember Mark Joseph, Councilmember Pierre Washington, Vice Mayor David Oro, Mayor Leon Garcia

Nays: None

Abstain: None

Excused: Councilmember Mariam Aboudamous

MANAGEMENT AND STAFF ORAL REPORTS

No management staff reports

MAYOR/COUNCIL COMMENTS AND COMMITTEE REPORTS

None

MANAGEMENT AND STAFF ORAL REPORTS

MAYOR/COUNCIL COMMENTS AND COMMITTEE REPORTS

The mayor and council members provided oral reports and announced items of community interest.

FUTURE AGENDA ITEMS

9. Future Agenda Items of Note

Action: Motion to add to a future agenda an informational update on Newell Drive made by Councilmember Mark Joseph, seconded by Vice Mayor David Oro, and CARRIED by roll call vote.

Ayes: Councilmember Mark Joseph, Councilmember Pierre Washington, Vice Mayor David Oro, Mayor Leon Garcia

Nays: None

Abstain: None

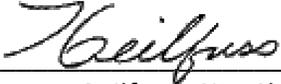
Excused: Councilmember Mariam Aboudamous

ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

CERTIFICATION

Respectfully Submitted,



Taresa Geilfuss, City Clerk

CITY OF AMERICAN CANYON
SPECIAL JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
ACTION MINUTES
August 20, 2024

7:30 P.M. SPECIAL MEETING

CALL TO ORDER

The City Council meeting was called to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: Commissioner Eric Altman, Commissioner Andrew Goff, Commissioner Crystal Mallare, Vice Chair Davet Mohammed, Chair Brando Cruz, Councilmember Mark Joseph, Councilmember Pierre Washington, Vice Mayor David Oro, Mayor Leon Garcia

Absent: None

Excused: Councilmember Mariam Aboudamous

PUBLIC COMMENT - ITEMS NOT ON THE AGENDA

Mayor Garcia called for public comments. Written comments: none. Oral comments: Yvonne Baginski was called to speak; Beth Marcus was called to speak. The public comment period was closed.

WORKSHOP

1. Objective Design Standards

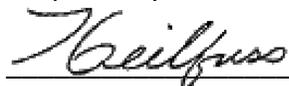
Council received an Objective Design Standards staff report and presentation from Community Development Director Brent Cooper with consultant Kimmie Nguyen, AICP, RRM Design Group. Mayor Garcia called for public comments. Written comments: none. Oral comments: Fran Lemos was called to speak; Beth Marcus was called to speak. The public comment period was closed.

ADJOURNMENT

The meeting was adjourned at 9:12 p.m.

CERTIFICATION

Respectfully Submitted,



Taresa Geilfuss, City Clerk



TITLE

Water Treatment Plant Membrane Replacement

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to purchase ultra-membrane filters from Veolia Water Technologies & Solutions for the Water Treatment Plant in the amount not to exceed \$1,103,777.

CONTACT

Erica Ahmann Smithies, P.E., Public Works Director
Dominic Patrick, Water Systems Manager

BACKGROUND & ANALYSIS

The treatment of drinking water at the City's Water Treatment Plant (WTP) is accomplished by two separate facilities: a conventional plant and a membrane plant. The membrane plant utilizes ultra-membrane filtration process to treat City water. The membranes use a vacuum driven separation in which particulate matter larger than 1 um is rejected by a non-fibrous, engineered barrier (membrane material), primarily through a size exclusion mechanism.

The original membranes were purchased from General Electric (GE) Water and Process Technologies. They were installed in October 2004 and were replaced in November 2014. At the time, the manufacturer estimated they would last between 7 to 10 years. This estimate was based on incoming water quality, membrane cleaning frequency and maximum flux rates to achieve desired production flow rates. The membranes have reached the end of their useful life, and over the last several years the WTP has experienced reduced treatment capabilities. In 2017 Veolia Water Technologies & Solutions finalized the acquisition of GE Water and Process Technologies and is now the sole source for the ZW 500D membrane modules and cassettes.

The membrane plant has the capacity of utilizing sixteen (16) membrane cassettes, each cassette includes (60 membrane modules). One (1) membrane cassette was replaced with new membrane modules in March 2023. Currently the membrane plant utilizes twelve (12) "ZW 500D" membrane cassettes; replacing the membrane modules in eleven (11) cassettes and the addition of three (3) cassettes will require only fifteen (15) units in total.

The manufacture recommends refurbishment of the twelve existing cassettes that will be receiving new membrane modules. Cassette refurbishment service allows the membrane plant to be fully reconditioned and costs less than purchasing all new cassettes. Refurbished cassettes include the following: removal of all existing plastic parts and associated hardware and return the cassette and modules to initial factory slack position. Veolia Water Technologies & Solutions will remove all existing membrane modules, refurbish existing cassettes, install new membrane cassettes, and upload required revisions to the PLC program furthermore, the replacement and addition of membrane cassettes will enhance the City's ability to meet potable water supply and demand.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Infrastructure: "Develop and maintain infrastructure resources to support sustainable growth."

FISCAL IMPACT

Sufficient funds are available in the Public Works Department's Water Division Fund 510-50-560-42310 for General Repairs and Maintenance to cover the membrane purchase of \$1,103,777.

ENVIRONMENTAL REVIEW

15378(b) - The action is not a "Project" subject to the California Environmental Quality Act ("CEQA") because it does not qualify as a "Project" under Public Resources Code Sections 21065 and 21080 and in Section 15378(b) of Title 14 of the California Code of Regulations.

ATTACHMENTS:

- [1. Resolution WTP Membrane Replacement](#)
- [2. WTP Membrane Replacement](#)
- [3. Veolia Sole Source](#)

RESOLUTION NO. 2024-

AUTHORIZING THE PURCHASE OF ULTRA-MEMBRANE FILTERS FROM VEOLIA WATER TECHNOLOGIES & SOLUTIONS FOR THE WATER TREATMENT PLANT IN THE AMOUNT NOT TO EXCEED \$1,103,777

WHEREAS, the City Water Treatment Plant (WTP) utilizes an ultra-membrane filtration process to treat City water; and

WHEREAS, the original membranes were installed in October 2004 and replaced in November 2015. At the time, the manufacturer estimated the membranes would last 7 to 10 years; and

WHEREAS, the membranes have reached the end of their useful life and over the last several years the WTP has experienced reduced treatment capabilities; and

WHEREAS, sufficient funds are available in the Public Works Department's Water Division Fund 510-50-560-42310 for General Repairs and Maintenance to cover the membrane purchase of \$1,103,777.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of American Canyon adopt a resolution authorizing the purchase of ultra-membrane filters from Veolia Water Technologies & Solutions for the Water Treatment Plant in the amount not to exceed \$1,103,777.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 3rd day of September, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVE AS TO FORM:

Taresa Geilfuss, CMC, City Clerk

William D. Ross, City Attorney



Membrane Replacement & Expansion

To:	City of American Canyon, referred to here as American Canyon or Buyer	Date:	July 5, 2024	
		No. of Pages:	26 including cover	
Attention:	Dominic Patrick	Email:	dpatrick@cityofamericancanyon.org	
Plant Address:	250 Kirkland Ranch Road American Canyon, CA 94558 USA	Telephone No.:	707 258 1269	
From:	Jason Diamond Regional Lifecycle Manager Western USA	Email:	jason.diamond@veolia.com	
		Cell No.:	905 399 7055	
CC:	Brad Leidecker (CHC)			
Subject:	<u>Membrane replacement & expansion:</u> materials, off-site and on-site support	Proposal No.:	593587-1	
		Original Project No.:	500186	
Plant Data:	<p>Please provide corrections if inaccurate American Canyon Water Treatment Plant (WTP). Municipal drinking water treatment. -ZW500D plant, 2 trains, each train contains 6 x 20/20M cassettes with 440ft² membrane modules and 2 empty cassette spaces/train. -Plant upgraded from ZW500C to ZW500D in 2015. -1 x 20/20M cassette with 440ft² membranes was provided in March 2024. Original installation substantial completion on November 16, 2004- 2 trains, each train contained 7 x 26/26M cassettes with ZW500C 250ft² membrane modules and 1 empty cassette spaces/train.</p>			



Proposal Provisos

This proposal has been issued based on the information provided by the customer and on information currently available to Veolia Water Technologies & Solutions at the time of proposal issuance. Any changes or discrepancies in site conditions, including but not limited to changes in system influent water characteristics, changes in environmental health and safety (EH&S) conditions, changes in the reissued state/provincial disposal system permit, changes in buyer financial standing, buyer requirements, or any other relevant change or discrepancy in the factual basis upon which this proposal was created may lead to changes in the offering, including but not limited to changes in pricing, guarantees, quoted specifications, or terms and conditions.

Confidential and Proprietary Information

The enclosed materials are considered proprietary property of Veolia Water Technologies & Solutions (Veolia). No assignments, either implied or expressed, of intellectual property rights, data, know how, trade secrets or licenses of use thereof are given. All information is provided exclusively to the addressee and agents of the addressee for the purposes of evaluation and is not to be reproduced or divulged to other parties, nor used for manufacture or other means, without the express written consent of Veolia. The acceptance of this document will be construed as an acceptance of the foregoing.

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+100, ABMet, Absolute.Z, Absolute.Za, AccuSensor, AccuTrak, AccuTrak PLUS, ActNow, Acufeed, ALGAECAP, AmmCycle, Apogee, APPLICATIONS ATLAS, AquaFloc, AquaMax, Aquamite, Aquaplex, AquaSel, Aquatrex, Argo Analyzer, AutoSDI, BENCHMARK, Betz, BetzDearborn, BEV Rite, BioHealth, BioMate, BioPlus, BIOSCAN, Bio-Trol, Butaclean, Certified Plus, CheckPoint, ChemFeed, ChemSensor, ChemSure, CHEX, CleanBlade, CLOROMAT, CoalPlus, COMP-METER, COMP-RATE, COMS (Crude Overhead Monitoring System), Continuum, CopperTrol, CorrShield, CorTrol, Custom Clean, Custom Flo, Cyto3, DataGuard, DataPlus, DataPro, De:Odor, DELTAFLOW, DEOX, DeposiTrol, Desal, Dianodic, Dimetallic, Dispatch Restore, Durasan, DuraSlick, Durasolv, Duratherm, DusTreat, E-Cell, E-Cellerator, ELECTROMAT, Embreak, EndCor, EXACT, FACT-FINDER, Feedwater First, Ferrameen, Ferroquest, FilterMate, Fleet View, FloGard, Flotrex, Flotronics, FoamTrol, FoodPro, Fore4Sight, ForeSight, FRONTIER, FS CLEAN FLOW, FuelSolv, Full-Fit, G.T.M., GenGard, GEWaterSource, Glegg, Heat-Rate Pro, High Flow Z, HPC, HPD Process, HyperSpense, Hypure, Hytrex, InfoCalc, InfoScan, InfoTrac, InnovOx, InSight, IONICS, IONICS EDR 2020, IPER (Integrated Pump & Energy Recovery), iService, ISR (Integrated Solutions for Refining), JelCleer, KlarAid, Kleen, LayUp, Leak Trac, Leakwise, LEAPmbr, LEAPprimary, Learning Source, LOGIX, LoSALT, M-PAK, MACarrier, Mace, Max-Amine, MegaFlo, Membrex, MemChem, Memtrex, MerCURxE, MetClear, MiniWizard, MK-3, MOBILEFLOW, MobileRO, Modular Pro, ModuleTrac, MonitAll, Monitor, Monitor Plus, Monsal, MP-MBR, MULTIFLOW, Muni.Z, NEWater, NGC (Next Generation Cassette), Novus, NTBC (Non Thermal Brine Concentrator), OptiGuard, OptiSpense, OptiTherm, Osmo, Osmo PRO, Osmo Titan, Osmonics, Pacesetter, PaceSetter, Petroflo, Petromeen, pHlimPLUS, PICOPORE, PlantGuard, PolyFloc, PowerTreat, Predator, PRO E-Cell, Pro Elite, ProCare, Procera, ProChem, Proof Not Promises, ProPAK, ProShield, ProSolv, ProSweet, Purtrex, QSO (Quality System Optimization), QuickShip, RCC, RE:Sep, Rec-Oil, Recurrent, RediFeed, ReNEW, Renewell, Return on Environment, RMS (Rackless Modular System), ROSave.Z, SalesEdge, ScaleTrol, SeaPAK, SeaPRO, SeaSMART, Seasoft, SeaTECH, Selex, Sencicore, Sentinel, Sepa, Sevenbore, Shield, SIDTECH, SIEVERS, SmartScan, SoliSep, SolSet, Solus, Spec-Aid, Spectrus, SPLASH, Steamate, SteriSafe, Styrex, SUCROSOFT, SUCROTEST, Super Westchar, SuperStar, TFM (Thin Film Membrane), Therminator, Thermoflo, Titan RO, TLC, Tonkaflo, Travelab, Trend, TruAir, TrueSense, TurboFlo, Turboline, Ultrafilic, UsedtoUseful, Vape-Sorber, VeriFeed, VersaFlo, Versamate, VICI (Virtual Intelligent Communication Interface), V-Star, WasteWizard, WATER FOR THE WORLD, Water Island, Water-Energy Nexus Game, WaterGenie, WaterNODE, WaterNOW, WaterPOINT, WellPro.Z, XPlat, YieldUp, Z-BOX, Z-MOD, Z-PAK, Z-POD, ZCore, ZeeBlok, ZeeLung, ZeeWeed, ZENON, and Z.Plex.



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1 Introduction

Veolia Water Technologies & Solutions is pleased to present this proposal at the request of the City of American Canyon for membrane replacement and expansion at the American Canyon Water Treatment Plant (WTP).

Veolia will provide 240 x ZW500D 440ft² membranes to replace the existing full plant, plus 3 x 20/20M cassettes populated with ZW500D 440ft² membranes to populate current spare cassette spaces.

Included as an option is on-site refurbishment of the 12 existing cassettes.

Veolia is a proven leader in delivering tangible value to our clients over the life of the plant. Our measure of success is how well we deliver **solutions** that help our clients meet their critical business objectives.

Through long-acquired technical experience, Veolia has clearly distinguished itself from other membrane manufacturers. A mature service culture and deep technical expertise are ready to serve and support American Canyon through this next membrane lifecycle.

Veolia would like to note that under the current exceptional circumstances across global supply chains and logistics networks, Veolia may not be in a position to guarantee and comply with the planned schedule for product / project delivery or performance. Veolia reserves the right to modify the schedule / contract accordingly. Veolia will promptly inform you of any changes which may impact the contract or the project.



2 Veolia Scope & Price

Veolia's scope includes the material and services outlined in the table below. The sections that follow provide additional detail regarding each scope item.

Item Description	Part #	Quantity	Price
ZW500D 20/20M cassettes populated with 440ft ² membranes, section 3.1	3148809	3	891,960
ZW500D 440ft ² membranes in 30M shipping frames, section 3.1	3136098 ¹	240	
2-year full replacement membrane warranty, section 10		Incl.	
Cassette hardware, section 3.2		Lot	
<i>Estimated applicable tax on materials only (7.75%)²</i>		<i>Incl.</i>	69,127
Materials, including estimated applicable tax			961,087
Off-site support, project management, section 4.1		Incl.	24,240
International shipment, fees, and duties, section 5		Incl.	80,610
Freight, DDP project site, section 5	3095534	Incl.	
Off-site labor, delivery		Sub-total	104,850
Materials, off-site labor, delivery		Sub-total	1,065,937
On-site support, 2 x FSRs, each on-site for 7 x 10-hour days plus travel & living, section 4.2	135491	1 visit	37,840
On-site support		Sub-total	37,840
All figures are in USD. Please make purchase order to ZENON Environmental Corporation. Estimated taxes have been included, but tax rates applicable at time of invoicing will be used.		Total Price	1,103,777

*Note 1: 240 membrane modules are expected to arrive on site in 30M shipping frames (product #3136098).

*Note 2: Sales tax estimated at current rate of 7.750% for American Canyon, CA on materials as per <https://www.cdtfa.ca.gov/taxes-and-fees/rates.aspx> Actual tax rate at time of invoicing will be added on all invoices.

Optional – Cassette refurbishment of 12 x existing cassettes (includes materials and additional on-site support)		Incl.	37,163
<i>Estimated applicable tax on materials only (7.75%)²</i>		<i>Incl.</i>	1,309



Proposal Notes:

- **Price Review.** Notwithstanding the terms set forth herein or of any agreement or acceptance of Seller’s quotation, Seller reserves the right at any time and from time to time by notice in writing to the Buyer to (a) determine periodic price reviews based on Goods’ raw material increase arising from currency devaluations (b) increase Prices (or impose temporary price adjustments) based on increases in the cost of base components for the Goods or Services provided, where the increase is due to increased global demand, limited supply, temporary product shortages, allocation of supply, or such other similar inflationary pressures; and (c) impose a surcharge equal to any increase in the cost of the Goods or Services as a result of a modification of exchange rates, duties, taxes or other levies imposed by public authorities.

- Veolia’s proposed price for ZeeWeed membranes is subject to adjustment between the period from the expiry of the proposal validity up to shipment of membranes according to upward changes in the following indices:

- 40%: PPI Industry Index for Hungary: [LINK to Industry Index](#)
- 60%: PPI Chemical Industry for European Union: [LINK to EU Chemical PPI](#)

In the event that either index becomes unavailable, a suitable equivalent replacement index will be agreed between the parties. The buyer has the right to request that the supplier supports any price increase with market pricing data, within the bounds of commercial confidentiality.

- **Shipment/Collection Delays:** *The membrane sale will be subject to price adjustment if not collected within 1 month of Readiness for Shipment. After the one month of Readiness for Shipment if Purchaser does not send his agreement to receive or collect the membranes (depending on Incoterms), Seller is entitled to reallocate the membranes to another customer.*

Invoicing Schedule	Approximate % of Sub-Total	Invoice Value Excluding Tax	
		Base Offer	with Refurb
An invoice will be issued upon acceptance by Veolia of customer purchase order. Approximate percent calculation based on the materials, and off-site labor, delivery sub-totals of the purchase order. Shipment of membranes is contingent on receipt of this initial milestone payment.	30%	299,040	305,550
An invoice for the balance of the materials, and off-site labor, delivery sub-totals will be issued when membrane module shipping documents are supplied to the carrier.	70%	697,770	712,940
A final invoice for the on-site support sub-total will be issued upon completion of installation.	100%	37,840	51,040
		1,034,650	1,069,530

3 Material Description

The following materials are provided within Veolia's scope of supply.

3.1 Membrane Modules

Veolia will provide the following ZW500D 440ft² drinking water membrane modules:

- Qty of 240 – to replace the existing full plant of membranes;
- Qty of 60 – populated in 3 x 20/20M operational cassettes for installation in the 3 empty cassette spaces.

3.2 Hardware

- 10 x #118 EPDM permeate spigot o-rings – 3033690;
- 4 x ZW500D element end cap keys – 3040447;
- 3 x blank header sets – 3111171;
- Permeate and aeration connections for all existing and new cassettes*;
- Hanger arms, including associated installation equipment, for 4 x new ZW500D 20M cassettes*;
- 1 x set safety hoist rings (4) for the 20M cassettes – 3111838;
- 1 x ZW fiber repair kit – 3080827;
- 1 x o-ring lubricant (food grade) – 3089920;
- 1 x anti-seize lubricant (food grade) – 3158322.

*A total of 4 sets of hanging arms are required to install the 4 new cassettes provided for in combination with this offer and Veolia proposal #544482-3. Veolia proposal #544482-3 did not include pricing for hanger arms for the single cassette provided therein, so it has been included in the price for this offer.

3.3 Cassette Refurbishment – Optional

If this option is taken, Veolia will supply components for refurbishment of 12 x ZW500D 20/20M cassettes, including spares.

Cassette refurbishment service allows you to fully recondition your cassettes at less cost than purchasing new cassettes. Cassettes will be refurbished at the American Canyon facility. Cassette refurbishment includes the following:

- Removal of all existing plastic parts and associated hardware;
- If slack adjustment has been completed on cassettes, return the cassette to the initial factory membrane slack position;



- Installation of all new, current design parts (module mountings, securing mechanisms), and all associated hardware;
- On-site cassette refurbishment service by trained Veolia field service representatives – details provided in sections 4.2 and 7.2.

4 Veolia Support

4.1 Off-Site Support

Controls

Provide system controls programming adjustments as required for the new membranes including adjustment of set points for permeate and air flow.

If there is a requirement for the EEPROM (Electrically Erasable Programmable Read-Only Memory) to be stored, a period of plant shutdown must be arranged by American Canyon.

Documentation

The base level of documentation updates will include:

- Programmer's table of code changes (change description recorded by tag with one distinct marker bit per change);
- **P&IDs** - Update the process (piping) & instrumentation drawings and reissue electronically;
- **Controls documents** – Update control narrative (CN), controls logic sequence chart (CLSC, also known as CSC) and the operation sequence chart (OSC).

These updates should be filed in the O&M manual as interim documentation.

Due to the very high cost of comprehensive updating of plant documentation with each system upgrade, Veolia recommends planning a complete documentation update every 1-4 years to coincide with a selected system upgrade.

Veolia will be pleased to develop a documentation update price quotation on request which may include some or all of the following scope according to its relevance:

- **O&M manual** - Provide a fully updated version of the operation & maintenance manual that indicates the changes made with this membrane replacement/expansion upgrade;
- **Electrical drawings** – Update the electrical drawings and reissue electronically.

Project Management

Provide planning and off-site assistance during the membrane replacement & expansion project.



4.2 On-Site Technical Services

The proposal includes a provision for technical services during installation and commissioning process to support American Canyon's staff as outlined in section 2. Please see section 7.2 for recommendations on the plant staff necessary to perform the work.

Installation and commissioning of membranes will be executed in a manner that minimizes down-time and returns the system to beneficial use in a timely manner.

The following activities will be completed by Veolia with plant staff assistance:

- Remove existing membranes/cassettes;
- Install cassette refurbishment components in existing cassettes if this option is taken;
- Install the new membrane modules and return cassettes to the system;
- Install the new expansion cassettes in the system;
- Upload required revisions to the PLC program with adjusted set-points;
- Perform bubble test where applicable to test membrane integrity and review trans membrane pressure (TMP) on the installed membranes and compare to expected values for new membranes; complete repairs/adjustments necessary to provide new membrane performance.

Operating Responsibility - American Canyon retains control of the work site and retains final responsibility for the installation and commissioning process.

Veolia will perform the services specified in the scope section of this document, but Veolia will not operate the system. For the purposes of this agreement, the term "operate the system" shall mean to run or control the functioning of the equipment or to otherwise conduct or manage the affairs of any aspect of water or wastewater treatment or other functions at American Canyon's site, and shall include functions such as providing operators or laborers to adjust or control water treatment ("WT") equipment, wastewater treatment ("WWT") equipment or sludge management facilities ("SMF"), providing program oversight or directing on-site or contract operators/laborers to adjust or control WWT or SMF, providing personnel responsible for or providing oversight of water treatment residual quality, wastewater effluent quality, sludge quality, waste characterization, or waste disposal activities, or providing personnel with continual or daily operational responsibilities with respect to water or wastewater treatment, influent or effluent compliance monitoring, process monitoring, government reporting or notification, or permit compliance.

Waiting Time - Any overtime or waiting times required due to unforeseen site events outside the control of Veolia will be invoiced according to the prevailing Veolia service labor rates sheet, available on request.



Reporting - Before leaving site, Veolia will record observations and discuss with operators concerning the condition of the equipment, tasks accomplished during the visit, and key operating and maintenance issues requiring further attention. Veolia will provide a copy of a written report before leaving site and/or provide a service visit report to the plant operator within a reasonable timeframe of the Veolia service representative's return to the office. In any case, American Canyon will be asked to sign a work order that describes the hours on site and tasks accomplished.

Veolia Duties for On-Site Services

- Veolia will coordinate its work under this agreement in a reasonable manner with the operating staff of the facility.
- Veolia will maintain public liability and property damage insurance covering all operations undertaken by Veolia and its sub-contractors with a limit of \$5,000,000 inclusive for any one accident or occurrence. If for any reason additional insurance coverage (e.g. general construction/erection all risk, general liability) is required above and beyond Veolia's standard insurance terms for on-site commissioning supervision, American Canyon must inform Veolia in writing 60 days prior to work commencement at site. American Canyon will be billed for all additional insurance costs and processing fees.
- Veolia will maintain workers compensation and employers' liability coverage as per statutory requirements.

5 Delivery

- **Freight**
 - **DDP** - Delivery will be by standard ocean/ground on the basis of DDP American Canyon WTP, or other named place of destination; Incoterms 2020. DDP = delivery duty paid. Partial shipments will be acceptable unless otherwise specified. Where delivery cannot be accepted at this destination, American Canyon shall specify an alternate, equivalent destination without delay.

Due to varying origins and availability, non-membrane items included in this proposal may be shipped separately from the membranes. Should separate shipments be required, where possible, Veolia will strive to provide these items on or before the delivery of the membranes.
 - **Title & Risk** - Title and risk of loss or damage to membrane modules, shipping frames, cassette frames, cassette refurbishment components, hardware and crating shall pass to American Canyon upon delivery at the named place of destination.



○ **International Shipment, Fees, and Duties**

- **Origin** - Delivery of ZeeWeed membranes originates from the Veolia Water Technologies & Solutions, ZENON Membrane Products (ZEM), Bláthy Ottó u 4, Oroszlány, 2840 Hungary facility. Costs to transport membranes into North America are included in Veolia’s quoted price.
- **Export Documents** - All ZeeWeed membrane module shipments into the USA require clearance documentation from the EPA. Veolia will prepare and provide the required EPA documentation to the Carrier.
- **MPF** - Merchandise processing fee is a fee assessed for formal custom entries based on 0.35% of the invoice value, with a minimum of USD \$25 per formal entry and a maximum of USD \$485. On the basis of DDP terms, this fee will be paid by Veolia within the quoted price.
- **Duty** - A US Customs duty of 3.9% applies to all ZeeWeed membranes shipped individually or in shipping frames; not in operational cassette frames. On the basis of DDP terms, this duty will be paid by Veolia within the quoted price for all modules included with this offer that are not installed in operational cassettes. Any new duty imposed after the date of this proposal is the responsibility of American Canyon.
- **Taxes** - All applicable local, state, or federal taxes are the responsibility of American Canyon.
- **Temperature** - UF membranes cannot be allowed to freeze or overheat and may require temperature-controlled freight and handling according to the season and the planned routing. If required, the price of temperature control will be included within the firm quote on freight by Veolia.
- **Packaging** – Membranes will be provided in a combination of factory-installed in operational cassettes & shipping frames, and individually bagged, boxed and crated.
- **Unloading** - may require one of or a combination of a loading dock, extended forks and an experienced forklift driver at delivery destination. Please consult with Veolia at the time of purchase order (PO) preparation on this.

Shipping crate information (estimated)

Qty	Description	Dimensions (in)	Weight (lb)
3	ZW500D 20M cassette crate	L=107 x W=35 x H=80	1,700
8	ZW500D 30M shipping frame	L=37 x W=89 x H=94	2,286

Notes:

- Only crates for membrane/cassette transport have been shown above to identify the largest and heaviest items that will need to be unloaded;
- Smaller crates/skids will be used for hardware items (hanger arms, spool connection components, cassette refurbishment components, etc.).



- **Handling** – ZW500D 20M membrane cassette frames are shipped and will arrive on-site on their sides. An eye bolt kit, included in this proposal, should be used to safely turn the cassette(s) upright. Adequate work area and height and equipment will also be needed to be available to safely turn the cassettes upright for installation.
- **Availability** - Delivery of membrane modules and cassette refurbishment components is typically 10-20 weeks after receipt of order. With current global logistics and freight delays we are experiencing significantly increase lead times.

Delivery is tentatively planned for November 2024 subject to availability – which will be confirmed upon receipt of purchase order from American Canyon and issue of purchase order acknowledgement by Veolia.

6 ZeeWeed Configuration

Configuration Data	Units	Existing Plant Configuration	Proposed Configuration After Replacement & Expansion
Number of trains, plant			
Number of trains as configured		2	2
Type of ZeeWeed membrane		500D	500D
Module surface area	ft ²	440	440
Total number of cassette spaces per train		8	8
Maximum number of modules per cassette		20	20
Fully populated cassettes installed per train		6	8
Total module count, train		120	160
Total surface area in operation, train	ft ²	52,800	70,400
Total module count, plant		240	320
Total surface area in operation, plant	ft ²	114,400	140,800
% surface area change from existing, plant	%	---	33.3%

7 Scope - American Canyon

7.1 Installation Preparation

- Receive, off-load, handle and provide temperature-controlled storage of the equipment and materials required for Seller to perform the duties outlined in the Seller’s scope of supply. Prior to off-loading, Buyer to confirm temperature indicators have not been tripped.



- Membranes must be stored in a sheltered area, protected from freezing, direct sunlight or extreme heat, and sealed as shipped until ready for use. Storage should be in a dark, dry, level area at a temperature of 5-30°C (41-86°F). Membranes have a shelf life of 1 year before requiring re-preservation and should not be stored longer than necessary prior to installation. American Canyon is responsible for risk of loss of Seller's parts while in storage at the customer's plant.
- Inspect, evaluate and make repairs as required for the membrane tanks, mounting brackets, hoses and all connections prior to Veolia arriving at site.
- Provide all access structures (such as scaffolding) and mechanical lifting equipment including cranes, forklifts and scissor lifts.
- Assure availability of a copy of the operating manual, all process and instrumentation drawings, and all electrical drawings on site and accessible for reference.
- Maintain adequate insurance coverage for the risks of fire, theft, vandalism, floods and personal injury to authorized or unauthorized visitors.

7.2 Installation

- Provide at least 1 plant staff person to work continuously for the full duration of the Veolia site visit during installation and commissioning of the modules. Veolia recommends that the personnel be experienced with the ZeeWeed system.
- American Canyon will afford Seller's personnel free access and egress of the facility for all authorized work. American Canyon will provide reasonable access to workshop facilities with standard workshop tools and equipment as is necessary to meet any repair and maintenance requirements of the system during installation. American Canyon will provide Seller's personnel reasonable access to the facility amenities, including washrooms and break rooms.
- Provide adequate illumination and emergency lighting for all areas in which the Seller will be executing the scope of supply. Provide all site utilities such as raw water, instrument quality air, potable water and power required for operation of the proposed equipment included in this scope of supply. Assure that adequate quantities of membrane cleaning and neutralizing chemicals are on hand for wash procedures including sodium hypochlorite, sodium bisulphite, citric acid and sodium hydroxide. Supply telephone/fax/modem access while Seller's staff members are on-site.
- American Canyon will provide assistance to:
 - Remove cassettes from the system as required;
 - Install cassette refurbishment components if this option is taken;
 - Place new replacement modules into each cassette;
 - Return the replaced cassettes to the system;



- Install 3 x new 20M cassettes into the system, including hanger arms, and permeate and aeration connections.
- American Canyon will:
 - Dispose of membrane module preservative as well as all retired membrane modules and cassette components;
 - Dispose of shipping and packaging materials unless specifically requested not to do so by Veolia;
 - Prepare shipping frames for return to Veolia, see section 7.3;
 - Load shipping frames onto the truck for return to Veolia – Veolia will be responsible for organizing the logistics of delivery back to Veolia.

7.3 Empty Shipping Frame Preparation

All shipping frames returning to Veolia must be well cleaned and packaged appropriately for trans-oceanic transport in shipping containers. Shipping frames should be cleaned using high pressure washers and mounted on wood skids to facilitate moving them in and out of the freight containers. Veolia will provide American Canyon offsite assistance to facilitate the return of shipping frames.

All wooden packaging material used for international shipments must conform to current phytosanitary standards to reduce the risk of introduction and spread of quarantine pest species associated with the movement in international trade of wood packaging material made from raw wood.

All wood packaging material used to transport shipping frames internationally, must comply with ISPM15 which is the standard for phytosanitary measures and be properly stamped indicating compliance with the standard. Failure to comply with the standard may lead to shipment refusal and subsequent project delays. For detailed information on ISPM15 please visit the [ISPM15](#) website.

Whenever possible, save and re-use the wooden skids that the shipping frames arrived on for return freight purposes.

8 Solution Design Notes

8.1 Permits

Regulatory Requirements

American Canyon is responsible to review and report to the permit granting agency on the impact of any of the proposed changes on the regulatory permit. Veolia will provide the necessary manufacturer's technical support on regulatory issues. No provision is made in the price proposed for the cost of control code changes to update the LRV for the plant



following the installation of the membranes and any changes in membrane integrity testing methods would be at additional cost.

Please speak with your regional lifecycle manager (RLM) if there are any regulatory requirements or concerns.

Utilization

Veolia understands that 240 of the modules included with this offer are required as replacements for currently installed modules and will not be used to provide expanded flow beyond the current plant flow rating.

Veolia understands that the 60 x ZW500D 440ft² expansion modules provided in 3 x 20M operational cassettes can be used to expand the capacity of the existing treatment plant. However, verification of the capacity of other equipment and systems, including but not limited to permeate pumps, reject pumps, blowers, piping etc., has not been considered. Veolia makes no guarantees, implied or otherwise as to the performance of these modules in any other capacity than what is limited by the system's hydraulic capacity and will work with American Canyon to modify the system capacity when all cassettes are in service. Full membrane capacity utilization may require additional equipment modifications or replacement.

Production Interruption

During installation of the ZeeWeed cassettes, trains will be shut down which will affect American Canyon treatment capacity. After the purchase order is acknowledged, Veolia's project manager for the installation will consult with American Canyon to jointly develop the installation plan and work schedule with due regard for membrane delivery to the plant and plant preparation.

8.2 Maintenance Notes for Replacement Membranes

At the time of any full plant membrane replacement, it is recommended to evaluate whether it is the right time to address any tank coating repairs which may be required.

Preferential Flow

Mixing a small proportion of new modules in trains with large amounts of older modules is not recommended as it creates a risk of over-fluxing of new modules which can shorten their lives. Veolia recommends that American Canyon plan membrane module replacement on a complete cassette and complete train basis wherever possible to achieve both optimal performance and best value from the new membrane modules. In this case, by replacing all membrane modules in the plant, this risk has been neutralized.

Membrane Slack

Veolia's membranes are supplied and shipped with an initial factory fiber slack designed to optimize membrane air scouring during operation as well as accommodate a degree of shrinkage. Membranes shrink in length early in their lifecycle when exposed to higher temperature water. The pace of shrinkage slows with age. With the installation of new membranes, the requirements for slack adjustment start a new cycle.



Due to the wide variety of operating environments in which our products can be utilized, it is difficult to generally predict the rate of shrinkage. If membranes operate in a condition of insufficient slack for an extended period of time, irreversible damage to the fiber-urethane bond may occur. Please refer below to the recommended inspection frequencies based on your plant’s membrane tank operating temperature. Visual inspections should begin during the membrane installation and be repeated over time on the same cassette. Digital pictures will allow for comparative analysis of the fiber slack over time.

Maximum Operating Temperature	Recommended Slack Inspection Frequency
0-24 °C / 32-76 °F	every 2 years
25-30 °C / 77-86 °F	once per year
>30 °C / > 86 °F	twice per year

Membrane Repairs

All new modules are factory tested at our manufacturing facilities and are in good working order as they are packaged and crated for shipment. On occasion, a limited number of modules arriving at site may require repairs due to uncontrollable factors during shipping and receiving, in particular with multi-modal shipments. This membrane replacement proposal includes a provision for one fiber repair kit for drinking water modules and 3 blank header sets for use as membrane substitutes, allowing the cassette to be placed back in operation as modules are repaired.

8.3 Technical

Pumps

The range of capacity increase for the pump has been assumed to be adequate for this upgrade. Veolia will work with American Canyon to determine the pump capacities and target flow rates for the new plant configuration.

Blowers

For the purposes of this proposal, the range of capacity increase for the blower has been assumed to be adequate for this upgrade. Should resheaving parts be required they will be supplied by Veolia at additional cost to American Canyon.

Mechanical and electrical adjustments required to meet new air flow will be completed by American Canyon or their 3rd party designate. Veolia will assist American Canyon in determining correct air flow requirements for the new plant configuration.

Pre-Screen

To ensure effective operation and to maximize membrane life, Veolia recommends operation of a pre-treatment screen, upstream of the pretreatment process, with mesh or punched-hole openings less than or equal to 0.5 mm and with no possibility of bypass or carryover. All processes after this screening must be covered and protected from outside elements such that no leaves, twigs or any foreign material can enter the membrane tank.

9 Health & Safety

American Canyon

- American Canyon will provide orientation to Seller's personnel to ensure site-specific safety protocols are known. American Canyon will identify and inform Seller's personnel of any site-specific hazards present in the workplace that could impact the delivery of Seller's scope of supply and agrees to work with Seller to remove, monitor, and control the hazards to a practical level.
- American Canyon will provide any site-specific or standard company operating procedures and practices for Seller's personnel to perform work on site, if required by American Canyon's policies. Such programs may include, but are not limited to, general environmental health & safety (EHS), HAZOP, fire protection, drug testing, incident notice, site conduct, standard first aid, chemical receiving, electrical safety, etc. American Canyon will provide a certificate of program completion for Seller's personnel. This program will be fully documented, training materials will be provided, and attendance list will be kept.
- If any type of lifting devices will be used on site, American Canyon will provide proof of its maintenance, inspection and certification documentation upon request and will assist the Veolia service representative to complete a safety inspection checklist.
- Where confined space entry may be required, American Canyon will provide early notice and will collaborate with Veolia in planning adequate staffing and in advising the local fire/rescue department as required.
- No time or cost provision has been made for preparations such as safety record clearances, drug testing, insurance confirmations or pre-job-training in excess of 1 hour. Prior to finalizing the Purchase Order and the work schedule, American Canyon will advise Veolia of any pre-job or pre-mobilization requirements. Where these requirements exceed 1 hour, this time will be charged to American Canyon at rates set out in the prevailing Veolia labor rate sheet.
- Where certain short duration activities require two people for safety and the Veolia Service representative is alone at site, American Canyon will cooperate as required to assure that correct safety precautions are taken.
- American Canyon is responsible for the following environmental provisions:
 - Environmental use and discharge permits for all chemicals at American Canyon's facility either listed in this document or proposed for use at a later date;
 - Any special permits required for Seller's or American Canyon's employees to perform work related to the water treatment system at the facility;
 - All site testing, including soil, ground and surface water, air emissions, etc.;



- Disposal of all solid and liquid waste from the Seller's system including waste materials generated during construction, start up and operation.
- American Canyon is responsible for provision of health and safety facilities to Seller's field service representatives to the same extent that they are provided to American Canyon's own employees, including provision of:
 - Eyewash and safety showers in the water treatment area;
 - Chemical spill response;
 - Security and fire protection systems per local codes.

Veolia

- All work on site will be performed in accordance with applicable law and will be performed reasonably, in a clean and safe manner. The Veolia service representative will abide by the more stringent of the applicable health, safety and environmental policies and procedures of either American Canyon or Veolia.
- Veolia will provide all applicable safety training required by Veolia policies or by state or national health and safety regulations. The Veolia service representative will have undergone workplace hazardous material information system (WHMIS) training and will come equipped with necessary personal protective equipment (PPE).
- Emergencies - In emergencies affecting the safety of persons, work or property at the site and adjacent thereto, Veolia will act, without previous instructions from American Canyon, as the situation warrants. Veolia will notify American Canyon immediately thereafter.

10 ZeeWeed Membrane Module Standard Warranty

This schedule sets out the warranty with respect to ZeeWeed membrane modules ("membrane modules"). No other warranties, expressed or implied are made in connection with the sale of these products, including, without limitation, warranties as to fitness for any purpose or use or merchantability of these products. The warranty provided herein will be the exclusive and sole remedy of Buyer. This warranty is not transferable.

1. Definitions

The follow terms shall have the meaning set forth below when used in the warranty document:

- a. "Buyer" means the party purchasing the ZeeWeed Modules from the Seller
- b. "Seller" means a business component of, or legal entity within the Veolia Water Technologies & Solutions business which is selling the ZeeWeed membranes.



2. Warranty Product

This warranty applies to only the membrane modules supplied under the contract of sale. Membrane module means the hollow fiber ultrafiltration membranes and the potted plastic headers. This warranty does not cover air piping to the membrane module, permeate piping from the membrane module, piping connection fittings, connecting hardware and cassette frames with their associated components including but not limited to spacers, aerator tubes, aerator assemblies, screen, module dummies or module blanks.

3. Scope of Warranty

The Seller warrants that its membrane module(s) will be free of defects due to faulty materials or errors in manufacturing workmanship.

Regular membrane module inspection and normal fiber repair shall be the responsibility of Buyer.

All replacement membrane modules will be shipped on the basis of INCOTERMS 2020 FCA Veolia manufacturing facility.

All ancillary costs including but not limited to bagging, boxing, crating, freight, freight insurance, applicable taxes, import duties, certifications, brokerage, receiving, forklift services, storage at site, reattachment hardware, hose/clamp/camlock replacement, crane services, installation, fiber repair materials, glycerin flushing, commissioning and waste disposal are the responsibility of Buyer.

4. Warranty Start Date

Membrane warranty will start on the earlier of:

- a. The date that installation of the original membrane module(s) has been substantially completed, or
- b. Three (3) months from the date of delivery of the original membrane module(s) to Buyer.

5. Warranty Duration

Total Warranty Duration: a total of **24** months of full replacement warranty coverage.

6. Notification Of Claim

All claims filed under this warranty shall be made in writing by Buyer within 30 days of identifying a defect.

Buyer shall provide the following information:

- a. A description of the defect giving rise to the claim;
- b. Photographs showing the manufacturing defect;
- c. The serial number(s) of the membrane module(s) which is (are) the subject of the warranty claim; and
- d. Operating data and repair history for the life of membrane modules which are the subject of a warranty claim.

7. Verification of Claim

After receipt of written notification of a defect, the Seller will promptly undertake such investigations as, in the Seller's opinion, are necessary to verify whether a defect exists. The Seller reserves the



right to require additional data as necessary to validate claims. Buyer may, in the course of these investigations, be requested to return membrane module(s) to the Seller for examination (see item 11). The Seller may also conduct reasonable tests and inspections at Buyer's plant or premises. If the results of the investigation do not validate the defect claimed, Buyer will reimburse the Seller for all reasonable expenses associated with said investigation, including expenses for all tests, inspections, and associated travel.

8. Satisfaction of Claims

The Seller will have the right to satisfy claims under this warranty in a flexible manner. Such flexibility may include the repair of existing membrane modules or changes in operating protocols or membrane module replacement or by upgrading failed membrane modules with newer membrane module(s) that may embody design and efficiency improvements. Buyer consents to the supply of replacement membrane modules which may be of a different design than original membrane modules.

9. Operating Information

To maintain the membrane module warranty, membrane system operation records from initial start-up date until claim must be maintained by Buyer and made available to the Seller upon request. Records must be provided in sufficient detail as applicable to verify the subject of a warranty claim and can include but is not limited to, operation data including information on feed water quality, temperatures, flows, trans-membrane pressures, aeration rates, permeate quality, cleaning intervals, cleaning chemical concentrations, elapsed time since start-up, relevant analytical data and reporting of any screen bypass events.

Buyer shall maintain and share access to a single reference copy in electronic form of a membrane module map containing the history of activity by membrane module and the serial number for each module. Buyer shall log its procedures performed related to a membrane module including relocation of membrane modules, repairs, replacements and any other noteworthy events.

Buyer authorizes the Seller to conduct any reasonable review of operation and maintenance records or to inspect facilities where membrane modules are installed, upon reasonable notice to Buyer. Such reviews and/or inspections are intended to also assist the Seller and Buyer in detection of membrane system faults and to optimize the care and operation of the membrane modules.

10. Limitation of Warranties

Occurrence of any of the following as reasonably determined by the Seller will void this warranty:

- a. A material failure to operate the membrane system in accordance with Seller's operations and maintenance manual supplied to Buyer as part of the contract, including material failure to adhere to the Seller's specified membrane module cleaning procedures and the use of anything other than Seller-approved membrane module cleaning agents.
- b. Failure to adhere to the preventive maintenance program as presented in the Seller's operations and maintenance manual, in published product manuals and in specifications.
- c. Failure to adhere to all transportation and storage requirements. ZeeWeed membrane modules may be stored up to 12 months from date of receipt and must be transported and stored in original intact packaging out of direct sunlight in ambient temperatures between 5-



35 Degrees Celsius. Storage beyond 12 months from date of receipt requires a written request to Veolia to maintain membrane module warranties.

- d. Introduction of destructive foreign materials and chemical agents into the membrane module.
- e. Failure to maintain and provide system operating data and repair history for the life of membrane modules which are the subject of a warranty claim.
- f. Physical abuse or misuse, incorrect removal or installation of membrane modules by non-Seller personnel including fiber damage caused by operator error in handling of membrane modules or cassettes.
- g. Unauthorized alteration of any components or parts originally supplied by the Seller.
- h. Intentional damage.

11. Return Procedure

In the event that the return of a membrane module is required pursuant to this warranty, Buyer will first obtain a Return Goods Authorization (RGA) number from the Seller. Membrane module(s) shipped to the Seller for warranty examination must be shipped freight prepaid in environmentally controlled freight and storage with ambient air temperature between 5-35 degree Celsius. If Buyer desires temporary replacement membrane module(s) to replace those alleged to be defective and returned to the Seller for warranty examination, Buyer shall be responsible for the cost associated with any such replacements until examination of the returned membrane modules pursuant to this warranty is complete. Any membrane module examined by Seller as part of a warranty claim where the membrane module is subsequently found to be performing as warranted or where a membrane module failure is not covered under the warranty will be returned to Buyer, freight collect or disposed of by Seller and the cost associated with any membrane analysis and diagnostic work will be levied against the Buyer based on Veolia standard labor rates.

12. Disclaimer and Limitation on Liability

To the maximum extent permitted by law, in no event shall Seller be liable for any loss of profit or revenues, loss of production, loss of use of equipment or services or any associated equipment, interruption of business, cost of capital, cost of replacement water or power, downtime costs, increased operating costs, claims of Buyer's customers for such damages, or for any special, consequential, incidental, indirect, punitive or exemplary damages arising out of or relating to the performance or actual or alleged breach of the agreement, regardless of whether a claim is based in contract (including warranty or indemnity), extra-contractual liability, tort (including negligence or strict liability), statute, equity or any other legal theory.



11 Terms and Conditions of Sale

A - Specific Terms and Conditions of Sale

These terms take precedence over the general terms and conditions of sale.

1 Legal Entity for Contracting

ZENON Environmental Corporation is the name of the Seller, and means a business component of, or legal entity within the Veolia Water Technologies & Solutions business (Veolia).

Please advise us if this Veolia entity is not set up in your purchasing system as a vendor and you do have another Veolia entity set up. We are keen to make the purchase process as convenient as possible for American Canyon.

short form: Where a short reference is required in this document, for convenience, we are called simply **Veolia**.

2 Payment

Veolia prefers to receive payment by wire transfer and will also accept payment by courier check.

Wire transfer information for ZENON Environmental Corporation	
send details to: SHD WATS REMIT-NAM vtc.vwts.remit-nam.all@veolia.com	
Bank of America Merrill Lynch C/O ZENON Environmental Corporation 901 Main Street Dallas, TX 75202	ACCT# 4426318136 ABA# 026009593 SWIFT# BOFAUS3N ACH# 111000012

3 Payment Terms

On approved credit, payment terms are **net 30 days** from customer receipt of invoice. Please see the invoicing schedule in the price section. In the event an invoice is issued on shipment of goods from a Veolia Hungarian production facility, payment terms will be extended by an additional 45 days to account for the additional transit time to the delivery location.

4 Proposal Validity

Prices quoted and proposal terms are valid up to **sixty (60) days** after the date of issue of this proposal unless confirmed with a purchase order.

5 Bonds

Performance or payment bonds are not included in the price. These can be purchased on request but will be at an additional cost.

6 Assignment of Membrane Warranty

The Buyer will be entitled to assign to a subsequent owner of the membranes the warranties of the Seller under this Agreement, provided that a prior written notification is sent to the Seller and the assignment agreement contains terms and conditions which provide the Seller with the protections of the warranties and limitations on liability contained in the Agreement. Subject to Buyer's compliance with the foregoing requirement, such warranty rights are expressly assignable by the Buyer to a subsequent owner of the membranes. Except as provided herein, Buyer is not entitled to extend or transfer this warranty to any other party.

7 Flight Booking

Prices quoted for installation which include airfare are either based on timely confirmation of a visit schedule or based on receipt of a purchase order in time to book any flights seven days in advance. Additional airfare charges related to late arrival of a purchase order will be extra and billed through to American Canyon without mark-up.



8 Warranty on Programming

Veolia warrants that the PLC program will conform to the specifications in the relevant sections of the CLSC and OSC (revised for the project) and will be free from defects in workmanship when operated at all times in accordance with Veolia's written instructions. If any defects are found and reported by American Canyon within a period not exceeding twelve (12) months beyond the completion of the site acceptance test, Veolia will make modifications to the PLC code as deemed necessary. Any changes requested by American Canyon after this period will be at the customer's expense.

9 Purchase Order Guidelines

Please confirm that your purchase order has covered the following points. This will ensure accurate and prompt order entry, product delivery, invoicing and accounts receivables processing and will prevent administrative delays for all parties.

- **Documentation** – Our strong preference is to receive a hard or digital copy of your purchase order (PO) rather than a PO number alone. Your PO can be sent by email to nam.service.pocentral@veolia.com. If you are not able to provide a PO, please contact us for alternatives.
- **Veolia legal entity** – Please be sure your purchase order is issued in the name of the specific Veolia legal entity outlined in the quote. We will be glad to work with your purchasing department to set this entity up as an approved supplier/vendor. Please advise us if this Veolia entity is not set up in your purchasing system as a vendor and you do have another Veolia entity set up.
- **Quotation Number** – Please reference the quotation number in your PO.
- **Product** – Please note which product(s) you wish to purchase along with the quoted price, particularly if quantities or scope differ from the quotation.
- **Taxes** – Please provide any required tax exemption certificates. Please indicate if taxes have been added in your PO.
- **Payment Terms** – Please acknowledge the payment terms included with the quotation.
- **Bill-to Address** – Please include contact information for your accounts payable.
- **Ship-to Address** – Please clearly define the delivery location and the receiver's email & telephone. Please specify receiving hours and any special off-loading requirements.
- **Delivery Date** – Please include your requested delivery date.

B – General Terms and Conditions of Sale

The sale of products and services included with this offer will be governed by the CITY OF AMERICAN CANYON STANDARD AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES NO. 2022-A187 as entered into between the City of American Canyon and ZENON Environmental Corporation on December 12, 2022.



12 Signed Agreement

Through the issue of this proposal, Veolia signals their intent to enter into an agreement with American Canyon. American Canyon and Veolia acknowledge that they have read and understood this agreement and agree to be bound by the terms and conditions specified in it.

**Offered by
Legal Entity:** ZENON Environmental Corporation, also known as Veolia or Seller

**Accepted
by Legal
Entity:** City of American Canyon, also known as American Canyon or Buyer

**Authorized
Signature
by:**

Title:

**Signature
Date:**

Signature:

x

Purchase Order No:

Email:

nam.service.pocentral@veolia.com

Upon acceptance of this proposal, please forward the following either

- by email with .pdf attachments or • by postal mail.
- 1) this signature page completed, and/or
- 2) a hard copy of your purchase order, and
- 3) any required tax exemption certificates

Postal Mail:

Veolia Water Technologies & Solutions

attention: Contracts Administrator

Please contact

nam.service.pocentral@veolia.com

for correct address

This agreement comes into force when Veolia has issued a formal acceptance of American Canyon's Purchase order or formal acceptance of this American Canyon signed agreement.

Doc. control: Author: JE
Last modified: 7/5/2024 10:13 AM

Filename: American Canyon DWTP 593587-1 Membrane Replacement & Expansion Jul-5 2024
Technical review: RM Commercial review: RM/JD DOA: Blkt/DS(validity)



Attachment A ZENON W9 Form

Form **W-9** (Rev. October 2018) Department of the Treasury Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Zenon Environmental Corporation

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) 5

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
3600 Horizon Blvd.

6 City, state, and ZIP code
Trevose, PA 19053

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			-						
--	--	--	---	--	--	--	--	--	--

Or

Employer identification number

3	8	-	2	5	4	9	3	2	6
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  Date ▶ 02/02/2024

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Cat. No. 10231X

Form W-9 (Rev. 10-2018)



ZENON ENVIRONMENTAL CORPORATION
ADDENDUM TO FORM W-9

Zenon Environmental Corporation owns or leases various properties in its business activities in addition to the Trevoise, PA property listed as the official Tax mailing address on lines 5 and 6 of Form W-9.

Specifically, Zenon Environmental Corporation operates from the following address:

3239 Dundas Street West
Oakville, Ontario, L6M 4B2 Canada

This address should be used for your billing records.



Dominic Patrick
Water Systems Manager
City of American Canyon
250 Kirkland Ranch Road
American Canyon, CA, 94503

Jason Diamond
Municipal Regional Lifecycle Manager

August 19, 2024

Dear Mr. Patrick:

This letter is provided to confirm that a Sole Source Purchase from ZENON Environmental Corporation will be required to procure parts and/or services for ZeeWeed® hollow fiber immersed ultrafiltration membrane systems. The membrane systems are a proprietary technology developed by ZENON Environmental Corporation, a wholly owned business of Veolia Water Technologies & Solutions, subject to multiple patents.

Research and Development work by Veolia Water Technologies & Solutions is regularly producing process and technology upgrade options. At the point where system upgrades are required, Veolia will work closely with each client to select the best options specific for your plant.

Veolia Water Technologies & Solutions has structured the after-purchase support of our ZeeWeed® clients to assure access to a very high level of service and product support. Veolia has a service team with extensive experience and the capabilities to provide technical and engineering services distinctive to maintaining a high level of performance from the ZeeWeed® hollow fiber, ultrafiltration membranes. Veolia offers these unique services:

1. Insight™ Remote Process Monitoring
2. 24/7 Emergency Telephone Technical Support
3. On-Site Service Visits
4. Membrane Maintenance services & system upgrades
5. Membrane Replacement Planning
6. Entire system Recommended spare parts

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Jason Diamond".

Jason Diamond, P.Eng.
Regional Lifecycle Manager - Veolia Water Technologies & Solutions



TITLE

Notice of Completion for Via Bellagio Playground Surface Project (PR23-0800)

RECOMMENDATION

Adopt a Resolution accepting the project as complete and authorizing the Public Works Director to file a Notice of Completion in conjunction with the Via Bellagio Playground Surface Project (PR23-0800).

CONTACT

Erica Ahmann Smithies, P.E., Public Works Director
Alexandra Ikeda, Parks and Recreation Director

BACKGROUND & ANALYSIS

The Via Bellagio Playground Surface included the removal of the existing play bark and installed a rubberized playground surface at Via Bellagio Park to provide an all-access universal play experience for all.

On October 17, 2023, City Council awarded a construction contract to Miracle PlaySystems, Inc. in the amount of \$148,544.57. During the course of the work, it was determined that the removal of existing materials was not included in the original proposal therefore one contract change order was issued in the amount of \$4,362.00: increasing the total construction contract to \$152,906.57.

The project has been completed and inspected to the satisfaction of the Parks and Recreation Director and Public Works Director. Staff recommends the Council accept the work as complete and approve a Notice of Completion.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Outdoors and Recreation: "Expand opportunities for use of outdoor recreation and an active and healthy lifestyle."

FISCAL IMPACT

The total expenditures for the project are \$152,906 which is less the adopted project budget of

\$165,000. Any unexpended funds will be returned to the original fund account, Special Revenue Fund – LLAD Zone 1, LaVigne (261-85-450-48310).

ENVIRONMENTAL REVIEW

15302 - The Project is exempt from review under the California Environmental Quality Act ("CEQA") under the Class 2 exemption of replacement or reconstruction of existing facilities of Section 15302 of Title 14 of the California Code of Regulations and said exemption is not negated by any exception under Section 15300.2 of said Regulations.

ATTACHMENTS:

1. [Resolution NOC Via Bellagio](#)
2. [Notice of Completion PR23-0800](#)

RESOLUTION NO. 2024-_____

A RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION IN CONJUNCTION WITH THE VIA BELLAGIO PLAYGROUND SURFACE PROJECT (PR23-0800)

WHEREAS, Via Bellagio Park is an important community amenity that provides recreational opportunities, contributes to the health and wellness of our community, and creates valuable greenspace that is enjoyable and loved by the residents in the LaVigne community in American Canyon; and

WHEREAS, after receiving feedback from community members, the Parks and Community Services Commission, and City Council Members on the desired playground design and features for Via Bellagio Park, City staff worked exclusively with Miracle PlaySystems, Inc. to resurface Via Bellagio Park playground to provide an all access and universal play experience for all; and

WHEREAS, on October 17, 2023, City Council awarded a construction contract to Miracle PlaySystems, Inc. in the amount of \$148,544.57 for the Via Bellagio Playground Surface Project (PR23-0800); and

WHEREAS, there was one change order in the amount of \$4,362.00 to remove the existing materials from the playground increasing the total contract amount to \$152,906.57; and

WHEREAS, the adopted project budget of \$165,000 covered all expenditures for the project and any unexpended funds will be returned to the original fund account, Special Revenue Fund – LLAD Zone 1, LaVigne (261-85-450-48310); and

WHEREAS, Miracle PlaySystems, Inc. has completed all of the contracted work to the satisfaction of the Public Works Director.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of American Canyon hereby accepts the Via Bellagio Playground Surface Project (PR23-0800) as complete and authorizes the Public Works Director to file a Notice of Completion.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 3rd day of September 2024, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Taresa Geilfuss, CMC, City Clerk

William D. Ross, City Attorney

RECORDING REQUESTED BY:

City of American Canyon
4381 Broadway, Ste. 201
American Canyon, CA 94503

WHEN RECORDED RETURN TO:

City of American Canyon
4381 Broadway, Ste. 201
American Canyon, CA 94503

Exempt from recording fee pursuant to Government Code Section 27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

1. That the interest or estate stated in Paragraph 3 herein in the real property herein described is owned by:

City of American Canyon
4381 Broadway, Ste. 201
American Canyon, CA 94503

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the original contract, if any, for said work of improvement was: the VIA BELLAGIO PLAYGROUND SURFACE PROJECT (PR23-0800) which consists of removing bark and installing rubberized playground surface at the Via Bellagio Park, in American Canyon.
4. That on the 8th day of February, 2024 a work of improvement on the real property herein described was completed.
5. That the name of the original contractor for said work of improvement was:

Miracle PlaySystems, Inc.
1276 S. Main Street
Salinas, CA. 93901

6. That the name and address of the transferor is:

Miracle PlaySystems, Inc.
1276 S. Main Street
Salinas, CA. 93901

7. That the real property referred to herein is situated in the County of Napa, State of California, at the following location within the City of American Canyon, California:
Andrew Road, from Thayer Way to Crawford Way.

By: CITY OF AMERICAN CANYON

Erica Ahmann Smithies, P.E.
Public Works Director



TITLE

2024 National Community Survey Report

RECOMMENDATION

Receive and file the 2024 National Community Survey Report.

CONTACT

Jason B. Holley, City Manager
Jen Kansanback, Communications Manager

BACKGROUND & ANALYSIS

The National Community Survey™ (The NCS™) report is about the “livability” of American Canyon. A livable community is a place that is not simply habitable, but that is desirable. It is not only where people do live, but where they want to live. The survey was developed by the experts from the National Research Center (NRC) at Polco.

American Canyon participated in The NCS™ in 2022 and established a goal of conducting the survey every other year. The recent iteration was conducted over several weeks this past May and June.

The NCS™ report includes a detailed analysis of how the survey was conducted and analyzed, as well as a sample of the survey itself. The report will be added to the Community Survey page of the Virtual City Hall the week of September 9. Communication will commence then to share the results with the community. The survey will be conducted next in 2026.

Conducting the survey

All households within the city limits of American Canyon were eligible to participate in the survey. The survey was available in English, Spanish and Tagalog. All mailings contained paragraphs in all 3 languages instructing participants on how to complete the survey in their preferred language.

NRC conducted the selection of a “probability sample” of households and mailed survey invitations to 3,500 randomly selected households beginning on May 7, 2024, and data collection for the survey remained open for six weeks. The first mailing was a postcard inviting the household to participate in the survey, followed by a reminder postcard. Further communication efforts included:

- May 1 and 17 media releases
- Social media post to encourage residents to check mailboxes for mailed survey
- May 3 & 17 City Manager's Updates

In addition to the randomly selected "probability sample" of households, an online open-participation survey was published. The open-participation survey was identical to the random sample survey, with two small updates; it asked a question to confirm the respondent was a resident of American Canyon and a question about where they heard about the survey. The open-participation survey was open to all city residents and became available on June 2, 2024. The survey remained open for two weeks. Communication efforts for the open participation survey included:

- 4 social media posts promoting open participation (May 22 - June 4)
- May 31 City Manager's Update
- Facebook boosted post
- Google ad
- "Last chance" social media post
- "Last chance" GovDelivery email blast
- June 14 City Manager's Update
- Provided paper copies of surveys to multi-family property managers
- Provided paper copies of surveys at Active Adult Center

The results

Between May 7, 2024, and June 16, 2024, the opinions of 519 American Canyon residents were gathered through The NCS™. A summary of key findings is included below.

Highest-performing areas:

- Safety related services received high praise from residents, with ratings for Police/Sheriff services increasing 10 percentage points since 2022 and scoring higher than national averages.
- Despite a slight decline, residents praised the community for attracting people from diverse backgrounds, scoring higher than national averages.
- American Canyon's cultural opportunities received positive reviews, showing significant improvement from the previous iteration in 2022.
- Ratings for some mobility related items increased over previous survey results, including traffic signal timing and enforcement, as well as ease of travel by car.

Lowest-performing areas:

- Evaluations of economic related items underperformed, with many items scoring below national comparison groups.
- Availability and affordability of all health-related services scored below national averages, indicating a potential area of opportunity.
- A few items related to inclusivity and engagement saw significant declines from the previous

survey but were in line with national averages.

Other notable ratings:

- The majority of residents reported that they primarily use City parks to enjoy the outdoors and nature, or to walk, run, or bike for exercise.
- Most residents identified their families like to participate in running, walking, and biking on trails, followed by community events, recreational swimming, and picnicking.

Comparisons to trends

Of the 122 evaluative questions included on both the 2022 and current survey iterations, 88 were statistically similar to previous results. Upward trends were seen in 19 items, while 15 ratings decreased since 2022. The most significant of those trends are listed below.

Increases since 2022:

- Community support for the arts (+16%)
- Opportunities to attend cultural/arts/music activities (+16%)
- Crime prevention (+15%)
- Opportunities to participate in social events (+14%)
- Ease of travel by car (+12%)
- Feelings of safety from violent and property crime (+12%)

Decreases since 2022:

- Bus or transit services (-15%)
- American canyon as a place to visit (-12%)
- Taking care of vulnerable residents (-11%)
- Public information services (-11%)
- Overall economic health (-10%)

Comparisons to benchmarks

NRC's database of comparative resident opinion is comprised of resident perspectives gathered in surveys from hundreds of communities whose residents evaluated the same kinds of topics on The NCS™. The comparison evaluations are from the most recent survey completed in each community in the last five years. NRC adds the latest results quickly upon survey completion, keeping the benchmark data fresh and relevant. The communities in the database represent a wide geographic and population range.

American Canyon benchmarked as #31 of 366 in the quality in police services and #21 in 343 in fire services. The lowest results for American Canyon in the benchmarks were in how the community rates as a place to visit and the vibrancy of the downtown/commercial area.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

The cost of administering The NCS™ was included and expended as part of the FY 23/24 Budget.

ENVIRONMENTAL REVIEW

15378(b) - The action is not a "Project" subject to the California Environmental Quality Act ("CEQA") because it does not qualify as a "Project" under Public Resources Code Sections 21065 and 21080 and in Section 15378(b) of Title 14 of the California Code of Regulations.

ATTACHMENTS:

- [1. The NCS Report - American Canyon](#)

American Canyon, CA

The National Community Survey

Report of Results
2024

Report by:



Visit us online!
www.polco.us



National Research Center at Polco is a charter member of the AAPOR Transparency Initiative, providing clear disclosure of our sound and ethical survey research practices.

About The NCS™

The National Community Survey™ (The NCS™) report is about the “livability” of American Canyon. A livable community is a place that is not simply habitable, but that is desirable. It is not only where people do live, but where they want to live. The survey was developed by the experts from National Research Center at Polco.

Great communities are partnerships of the government, private sector, community-based organizations and residents, all geographically connected. The NCS captures residents’ opinions considering ten central facets of a community:

- Economy
- Mobility
- Community Design
- Utilities
- Safety
- Natural Environment
- Parks and Recreation
- Health and Wellness
- Education, Arts, and Culture
- Inclusivity and Engagement



POWERED BY POLCO



The report provides the opinions of a representative sample of 519 residents of the City of American Canyon collected from May 7, 2024 to June 16, 2024. The margin of error around any reported percentage is 4% for all respondents and the response rate for the 2024 survey was 5%. Survey results were weighted so that the demographic profile of respondents was representative of the demographic profile of adults in American Canyon.



How the results are reported

For the most part, the percentages presented in the following tabs represent the “percent positive.” Most commonly, the percent positive is the combination of the top two most positive response options (i.e., excellent/good, very safe/somewhat safe, etc.). On many of the questions in the survey respondents may answer “don’t know.” The proportion of respondents giving this reply is shown in the full set of responses included in the tab “Complete data.”

However, these responses have been removed from the analyses presented in most of the tabs. In other words, the tables and graphs display the responses from respondents who had an opinion about a specific item.

Comparisons to benchmarks

NRC's database of comparative resident opinion is comprised of resident perspectives gathered in surveys from over 500 communities whose residents evaluated the same kinds of topics on The National Community Survey. The comparison evaluations are from the most recent survey completed in each community in the last five years. NRC adds the latest results quickly upon survey completion, keeping the benchmark data fresh and relevant. The communities in the database represent a wide geographic and population range. In each tab, American Canyon's results are noted as being "higher" than the benchmark, "lower" than the benchmark, or "similar" to the benchmark, meaning that the average rating given by American Canyon residents is statistically similar to or different (greater or lesser) than the benchmark. Being rated as "higher" or "lower" than the benchmark means that American Canyon's average rating for a particular item was more than 10 points different than the benchmark. If a rating was "much higher" or "much lower," then American Canyon's average rating was more than 20 points different when compared to the benchmark.

Trends over time

Trend data for American Canyon represent important comparison data and should be examined for improvements or declines.¹ Deviations from stable trends over time represent opportunities for understanding how local policies, programs, or public information may have affected residents' opinions. Changes between survey years have been noted with an arrow and the percent difference. If the difference is greater than seven percentage points between the 2022 and 2024 surveys, the change is statistically significant.

1. In 2020, The NCS survey was updated to include new and refreshed items. Consequently, some of the trends may be impacted due to wording modifications that could have potentially altered the meaning of the item for the respondent.

Methods

Selecting survey recipients

All households within the City of American Canyon were eligible to participate in the survey. A list of all households within the zip codes serving American Canyon was purchased from Polco's mailing vendor, Go-Dog Direct, based on updated listings from the United States Postal Service. Since some of the zip codes that serve the City of American Canyon households may also serve addresses that lie outside of the community, the exact geographic location of each housing unit was compared to community boundaries using the most current municipal boundary file. Addresses located outside of the City of American Canyon boundaries were removed from the list of potential households to survey. From that list, addresses were randomly selected as survey recipients, with multi-family housing units (defined as those with a unit number) sampled at a rate of 5:3 compared to single family housing units.

An individual within each household was randomly selected using the "birthday method". The birthday method selects a person within the household by asking the "person who most recently had a birthday" to complete the questionnaire. The underlying assumption in this method is that day of birth has no relationship to the way people respond to surveys. This instruction was contained in the introduction of the survey.

Conducting the survey

The 3,500 randomly selected households received mailings beginning on May 7, 2024 and data collection for the survey remained open for 6 weeks. The first mailing was a postcard inviting the household to participate in the survey. The final mailing was a reminder postcard inviting the household one final time to participate in the survey. All mailings included a web link to give residents the opportunity to respond to the survey online, as well as QR codes to further encourage participation. All follow-up mailings asked those who had not completed the survey to do so, and those who had already done so to refrain from completing the survey again.

The survey was available in English, Spanish and Tagalog. All mailings contained paragraphs in all languages instructing participants on how to complete the survey in their preferred language.

About 1% of the 3,500 mailed invitations or surveys were returned because the household address was vacant or the postal service was unable to deliver the survey as addressed. Of the remaining 3,478 households that received the invitations to participate, 177 completed the survey, providing an overall response rate of 5%. The response rate was calculated using AAPOR's response rate #2 for mailed surveys of unnamed persons.²

In addition to the randomly selected "probability sample" of households, a link to an online open-participation survey was publicized by the City of American Canyon. The open-participation survey was identical to the random sample survey, with two small updates; it asked a question to confirm the respondent was a resident of American Canyon and also a question about where they heard about the survey. The open-participation survey was open to all city residents and became available on June 2, 2024. The survey remained open for 2 weeks and 342 responses were received.

It is customary to describe the precision of estimates made from surveys by a "level of confidence" and accompanying "confidence interval" (or margin of error). A traditional level of confidence, and the one used here, is 95%. The 95% confidence interval can be any size and quantifies the sampling error or imprecision of the survey results because some residents' opinions are relied on to estimate all residents' opinions. The margin of error for the City of American Canyon survey is no greater than plus or minus 4 percentage points around any given percent reported for all respondents (517 completed surveys).

Analyzing the data

Responses from mailed surveys were entered into an electronic dataset using a "key and verify" method, where all responses are entered twice and compared to each other. Any discrepancies were resolved in comparison to the

original survey form. Range checks as well as other forms of quality control were also performed. Responses from surveys completed on Polco were downloaded and merged with the mailed survey responses.

The demographics of the survey respondents were compared to those found in the 2020 Census and 2022 American Community Survey estimates for adults in the City of American Canyon. The primary objective of weighting survey data is to make the survey respondents reflective of the larger population of the community. The characteristics used for weighting were age, sex, race, Hispanic origin, housing type, and housing tenure. No adjustments were made for design effects. Weights were calculated using an iterative, multiplicative raking model known as the ANES Weighting Algorithm.³ The results of the weighting scheme for the probability sample are presented in the following table.

NRC aligns demographic labels with those used by the U.S. Census for reporting purposes, when possible. Some categories (e.g., age, race/Hispanic origin, housing type, and length of residency) are combined into smaller subgroups.

		Unweighted	Weighted	Target ⁴
Age	18-34	6%	28%	31%
	35-54	42%	36%	34%
	55+	53%	36%	34%
Hispanic origin	No, not of Hispanic, Latino/a/x, or Spanish origin	82%	72%	73%
	Yes, I consider myself to be of Hispanic, Latino/a/x, or Spanish origin	18%	27%	27%
Housing tenure	Own	90%	78%	79%
	Rent	10%	21%	21%
Housing type	Attached	11%	27%	27%
	Detached	89%	72%	73%
Race & Hispanic origin	Not white alone	58%	80%	77%
	White alone, not Hispanic or Latino	42%	19%	23%
Sex	Man	35%	44%	48%
	Woman	65%	53%	52%
Sex/age	Man 18-34	2%	10%	16%
	Man 35-54	13%	16%	16%
	Man 55+	20%	18%	17%
	Woman 18-34	3%	16%	16%

4

Woman 35-54	30%	19%	19%
Woman 55+	31%	18%	17%

The survey datasets were analyzed using all or some of a combination of the Statistical Package for the Social Sciences (SPSS), R, Python and Tableau. For the most part, the percentages presented in the reports represent the “percent positive.” The percent positive is the combination of the top two most positive response options (i.e., excellent/good, very safe/somewhat safe, essential/very important, etc.), or, in the case of resident behaviors/participation, the percent positive represents the proportion of respondents indicating “yes” or participating in an activity at least once a month.

On many of the questions in the survey respondents may answer “don’t know.” The proportion of respondents giving this reply is shown in the full set of responses included in the tab “Complete data”. However, these responses have been removed from the analyses presented in the reports. In other words, the tables and graphs display the responses from respondents who had an opinion about a specific item.

Contact

The City of American Canyon funded this research. Please contact Jen Kansanback of the City of American Canyon at jkansanback@cityofamericancanyon.org if you have any questions about the survey.

Study Limitations

All public opinion research is subject to unmeasured error. While the methodologies employed for this survey were designed to minimize this error as much as possible, these other sources of potential error should be acknowledged. **Non-response error** arises when those who were selected to participate in the survey did not do so, and may have different opinions or experiences than those who did respond. **Coverage error** refers to the possibility that some respondents that should have been included in the surveyed population were not (e.g., for a general resident survey, USPS mailing lists may exclude certain types of housing units, such as multi-family buildings where mail is delivered to a common area rather than to a specific unit (though this is rare), or where mail is received at a PO box instead of the at household's physical location. Finally, **recall bias** occurs when respondents may not perfectly remember their experiences in the past year (such as participation in social or civic events), and **social desirability bias** may cause respondents to answer in ways they think cast their responses in a more favorable light.

Survey Validity

See the Polco Knowledge Base article on survey validity at <https://info.polco.us/knowledge/statistical-vali>

2. See AAPOR's Standard Definitions for more information at [https://aapor.org/standards-and-ethics/standard-definitions/..](https://aapor.org/standards-and-ethics/standard-definitions/)

Key Findings

Highest-performing areas:

- Safety related services received high praise from residents, with ratings for Police/Sheriff services increasing 10 percentage points since 2022 and scoring higher than national averages.
- Despite a slight decline, residents praised the community for attracting people from diverse backgrounds, scoring higher than national averages.
- American Canyon's cultural opportunities received positive reviews, showing significant improvement from the previous iteration in 2022.
- Ratings for some mobility related items increased over previous survey results, including traffic signal timing and enforcement, as well as ease of travel by car.

Lowest-performing areas:

- Evaluations of economic related items underperformed, with many items scoring below national comparison groups.
- Availability and affordability of all health-related services scored below national averages, indicating a potential area of opportunity.
- A few items related to inclusivity and engagement saw significant declines from the previous survey, but were in line with national averages.

Other notable ratings:

- The majority of residents reported that they primarily use City parks to enjoy the outdoors and nature, or to walk, run, or bike for exercise.
- Most residents identified their families like to participate in running, walking, biking on trails, followed by community events, recreational swimming, and picnicking.

Areas of greatest change since 2022:

Of the 122 evaluative questions included on both the 2022 and current survey iterations, 88 were statistically similar to previous results. Upward trends were seen in 19 items, while 15 ratings decreased since 2022. The most significant of those trends are listed below.

Increases

- Community support for the arts (+16%)
- Opportunities to attend cultural/arts/music activities (+16%)
- Crime prevention (+15%)
- Opportunities to participate in social events (+14%)
- Ease of travel by car (+12%)
- Feelings of safety from violent and property crime (12%)

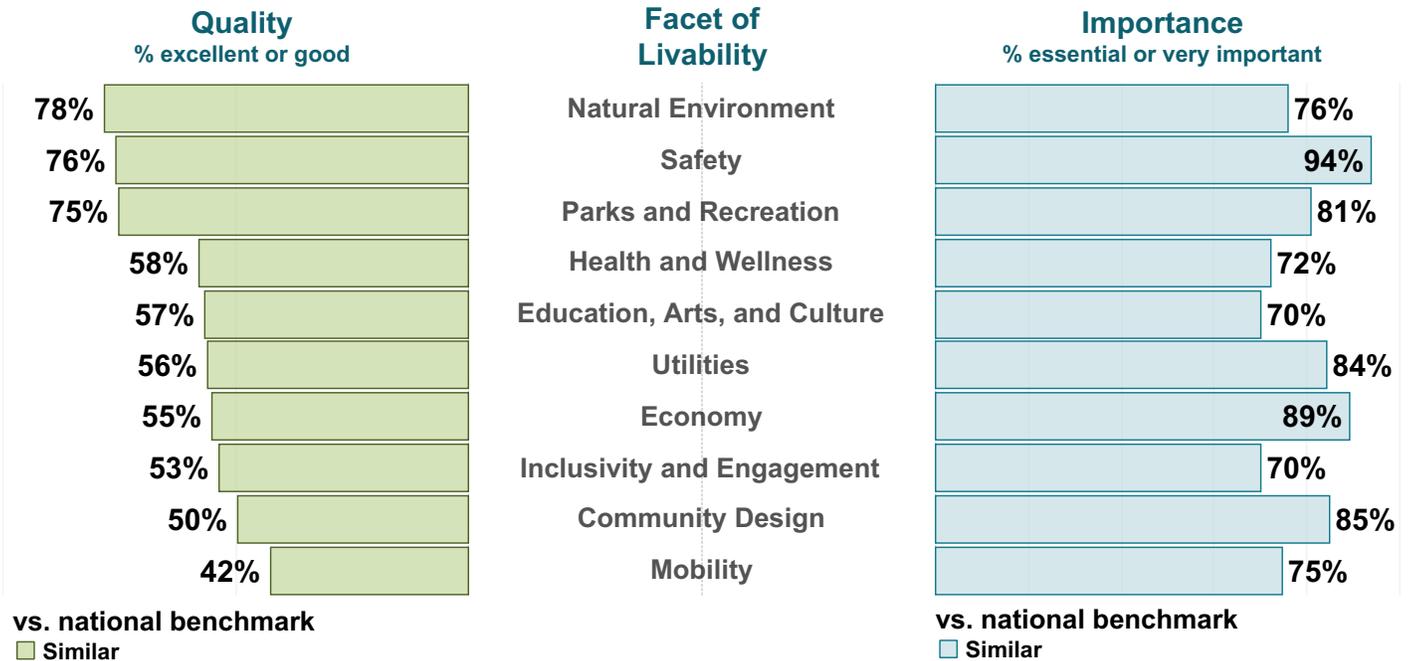
Decreases

- Bus or transit services (-15%)
- American canyon as a place to visit (-12%)
- Taking care of vulnerable residents (-11%)
- Public information services (-11%)
- Overall economic health (-10%)

Every jurisdiction must balance limited resources while meeting resident needs and striving to optimize community livability. To this end, it is helpful to know what aspects of the community are most important to residents and which they perceive as being of higher or lower quality. It is especially helpful to know when a facet of livability is considered of high importance but rated as lower quality, as this should be a top priority to address.

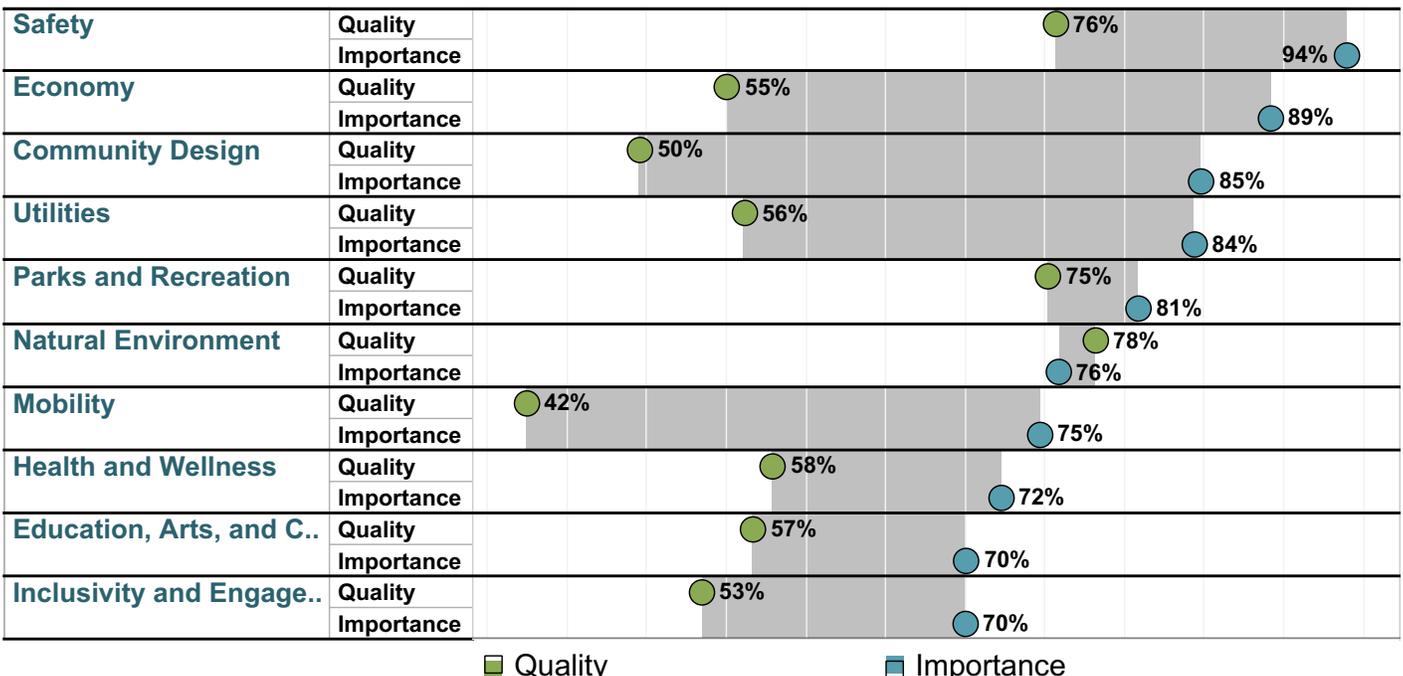
Quality and Importance by the Numbers

The table below shows the proportion of residents who rated the community facets positively for quality and the priority (importance) placed on each. Also displayed is whether local quality ratings were lower, similar, or higher t..



Quality/Importance Gap Analysis

The gap analysis chart below shows the same data as above; however, this chart more clearly illustrates the comparative differences in quality and importance ratings for each facet, as well as the absolute ratings for each.



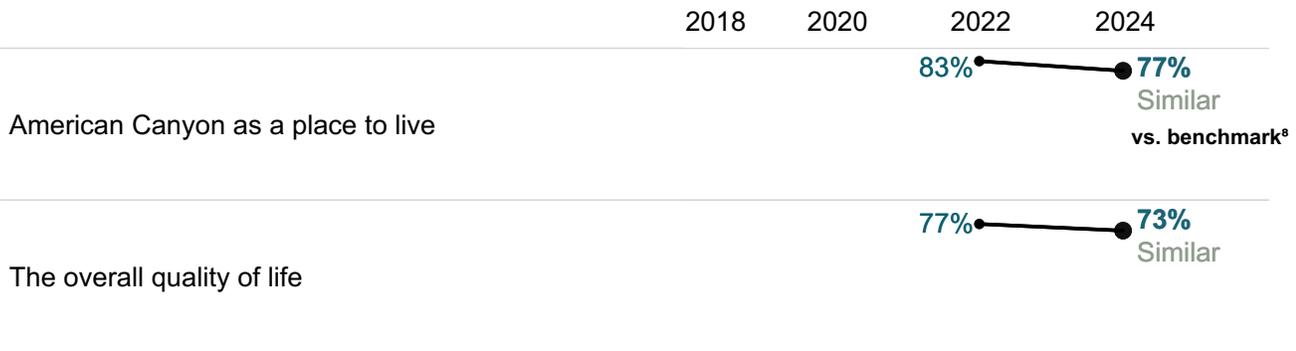
Quality of Life

Measuring community livability starts with assessing the quality of life of those who live there, and ensuring that the community is attractive, accessible, and welcoming to all.

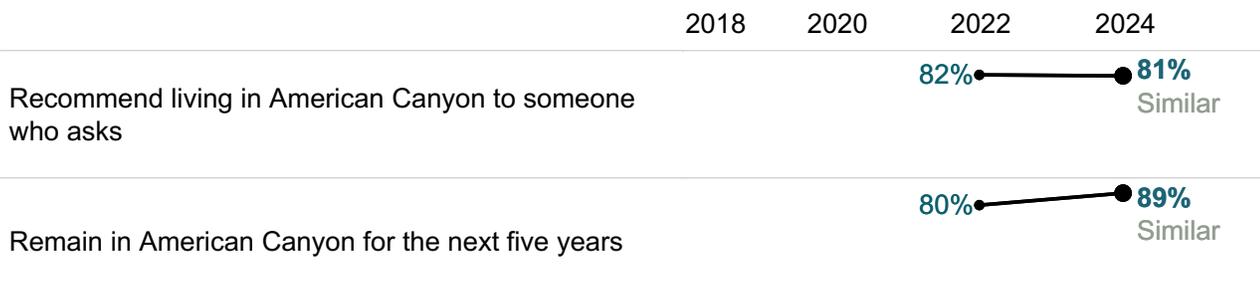
The overall quality of life in American Canyon, 2024



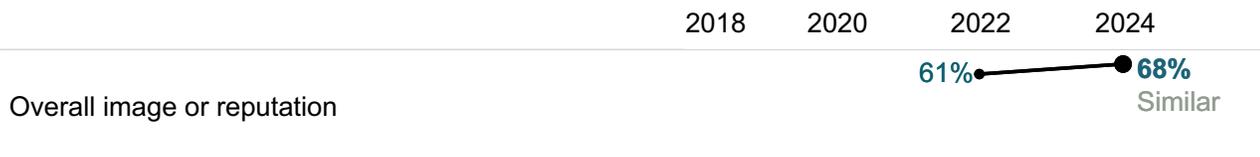
Please rate each of the following aspects of quality of life in American Canyon. (% excellent or good)



Please indicate how likely or unlikely you are to do each of the following. (% very or somewhat likely)



Please rate each of the following in the American Canyon community. (% excellent or good)



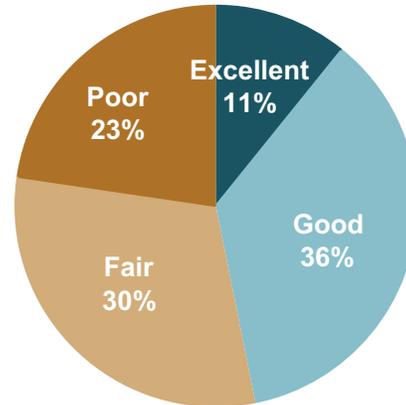
8. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.



Governance

Strong local governments produce results that meet the needs of residents while making the best use of available resources, and are responsive to the present and future needs of the community as a whole.

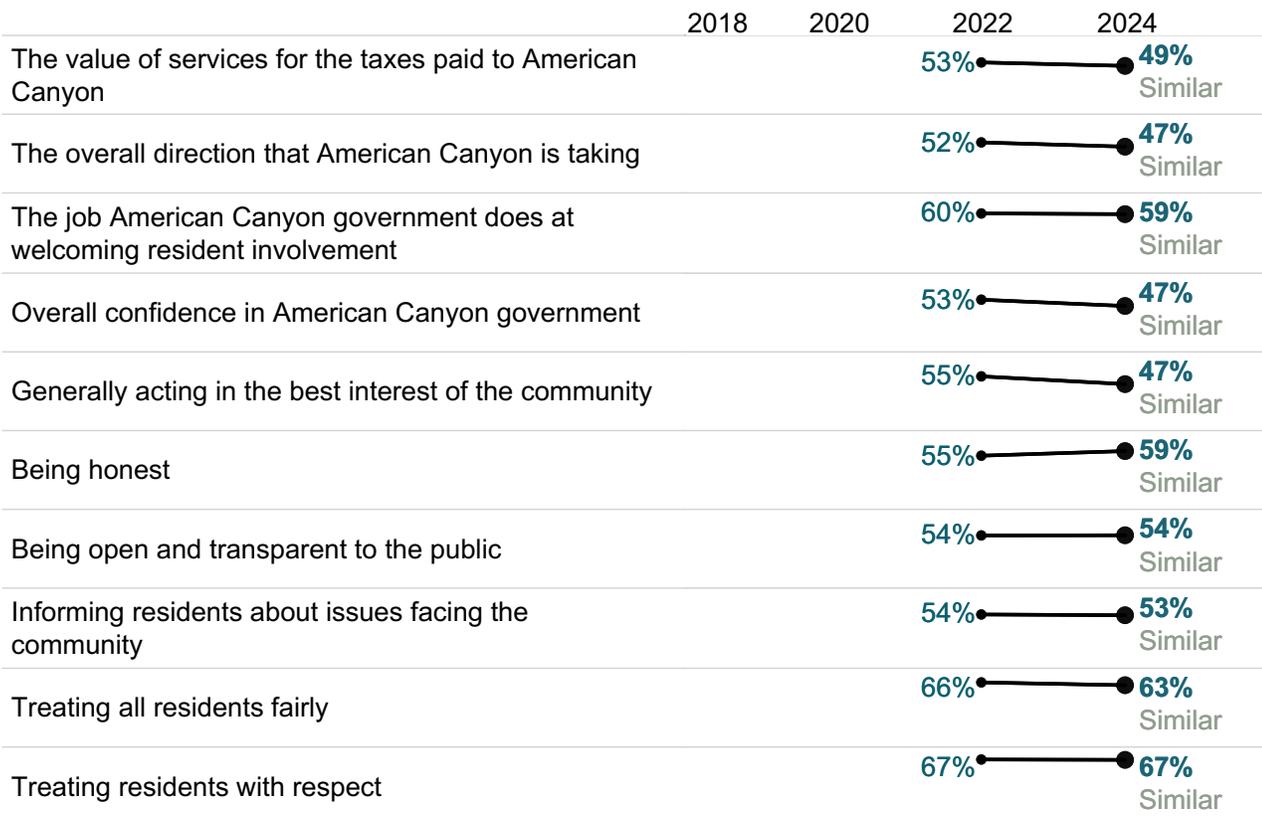
Overall confidence in American Canyon government, 2024



Please rate the quality of each of the following services in American Canyon.
(% excellent or good)



Please rate the following categories of American Canyon government performance.
(% excellent or good)



Please indicate whether or not you have done each of the following in the last 12 months.
 (% excellent or good)



Overall, how would you rate the quality of the services provided by each of the following?
 (% excellent or good)



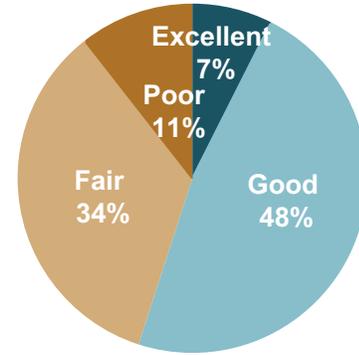
9. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.



Economy

Local governments work together with private and nonprofit businesses, and with the community at large, to foster sustainable growth, create jobs, and promote a thriving local economy.

Overall economic health of American Canyon, 2024



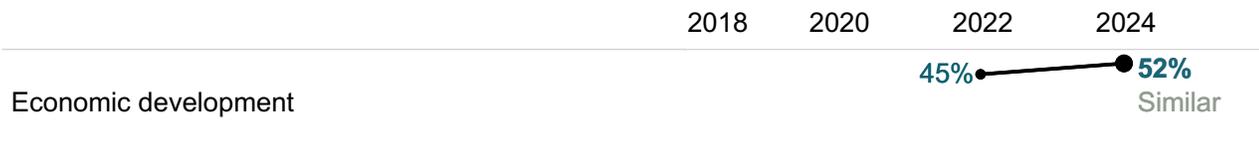
Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



Please rate each of the following aspects of quality of life in American Canyon. (% excellent or good)

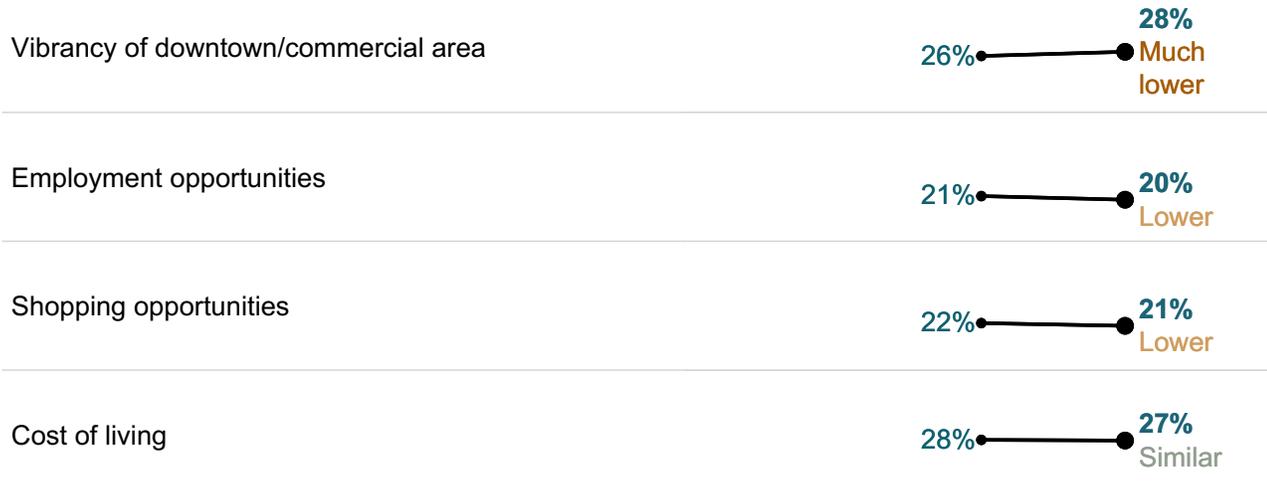


Please rate the quality of each of the following services in American Canyon. (% excellent or good)

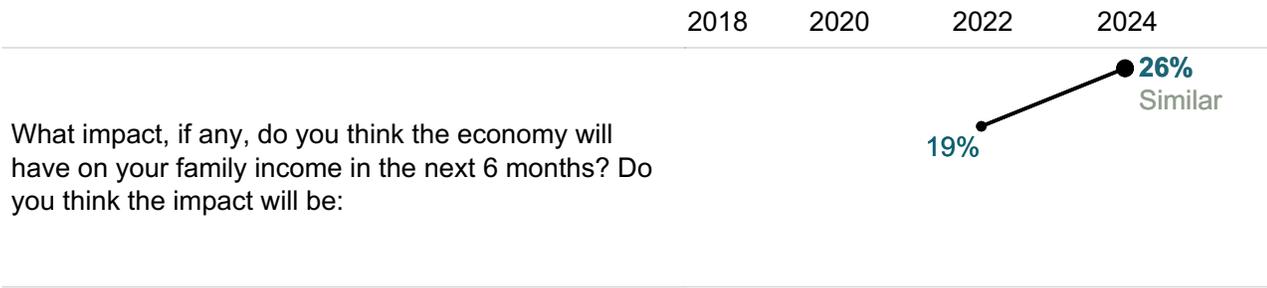


Please rate each of the following in the American Canyon community. (% excellent or good)





What impact, if any, do you think the economy will have on your family income in the next 6 months? Do you think the impact will be:
 (% very or somewhat positive)

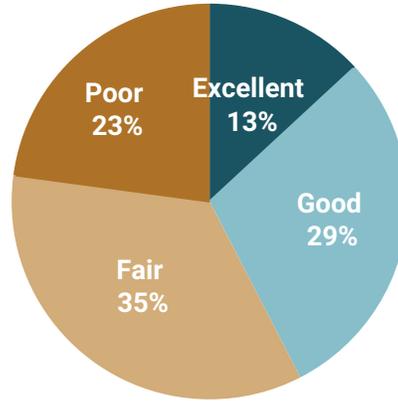


10. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

Overall quality of the transportation system in American Canyon, 2024

Mobility

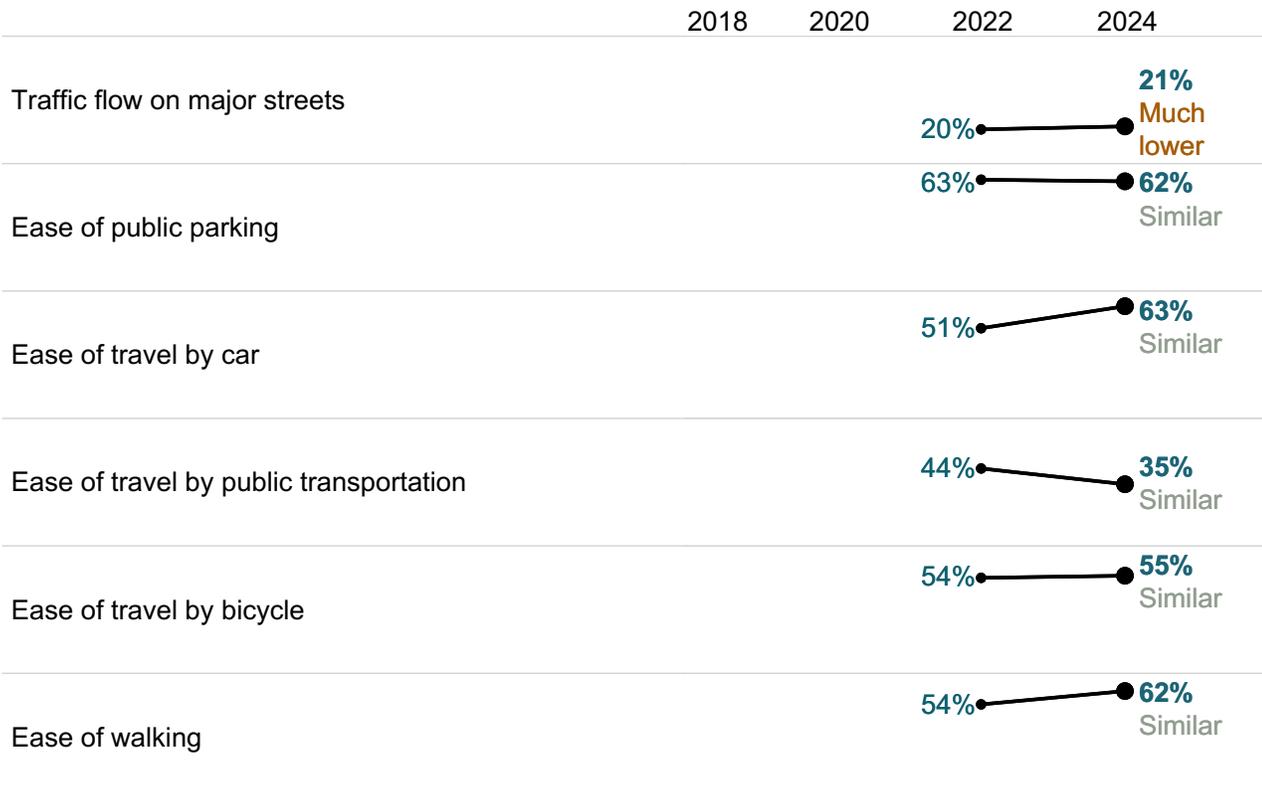
The ease with which residents can move about their communities, whether for commuting, leisure, or recreation, plays a major role in the quality of life for all who live, work, and play in the community.



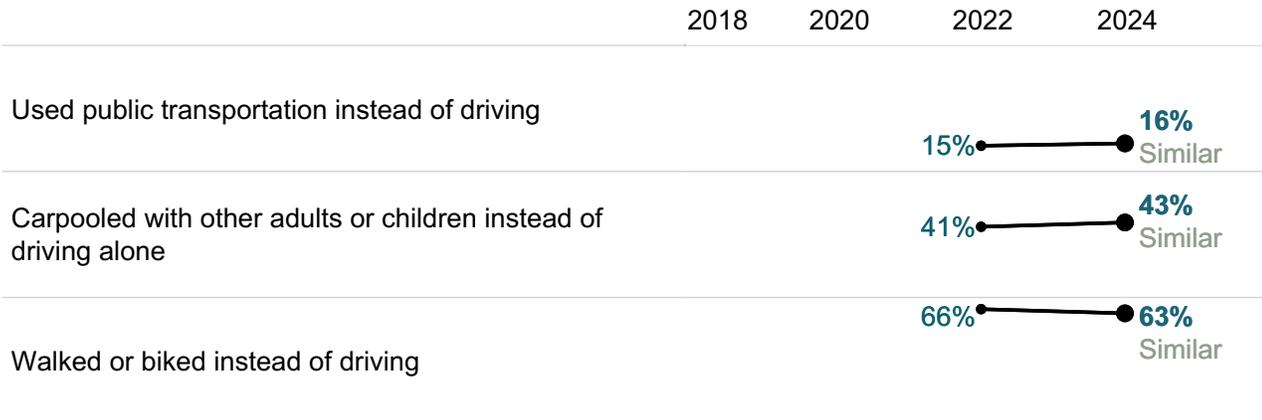
Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



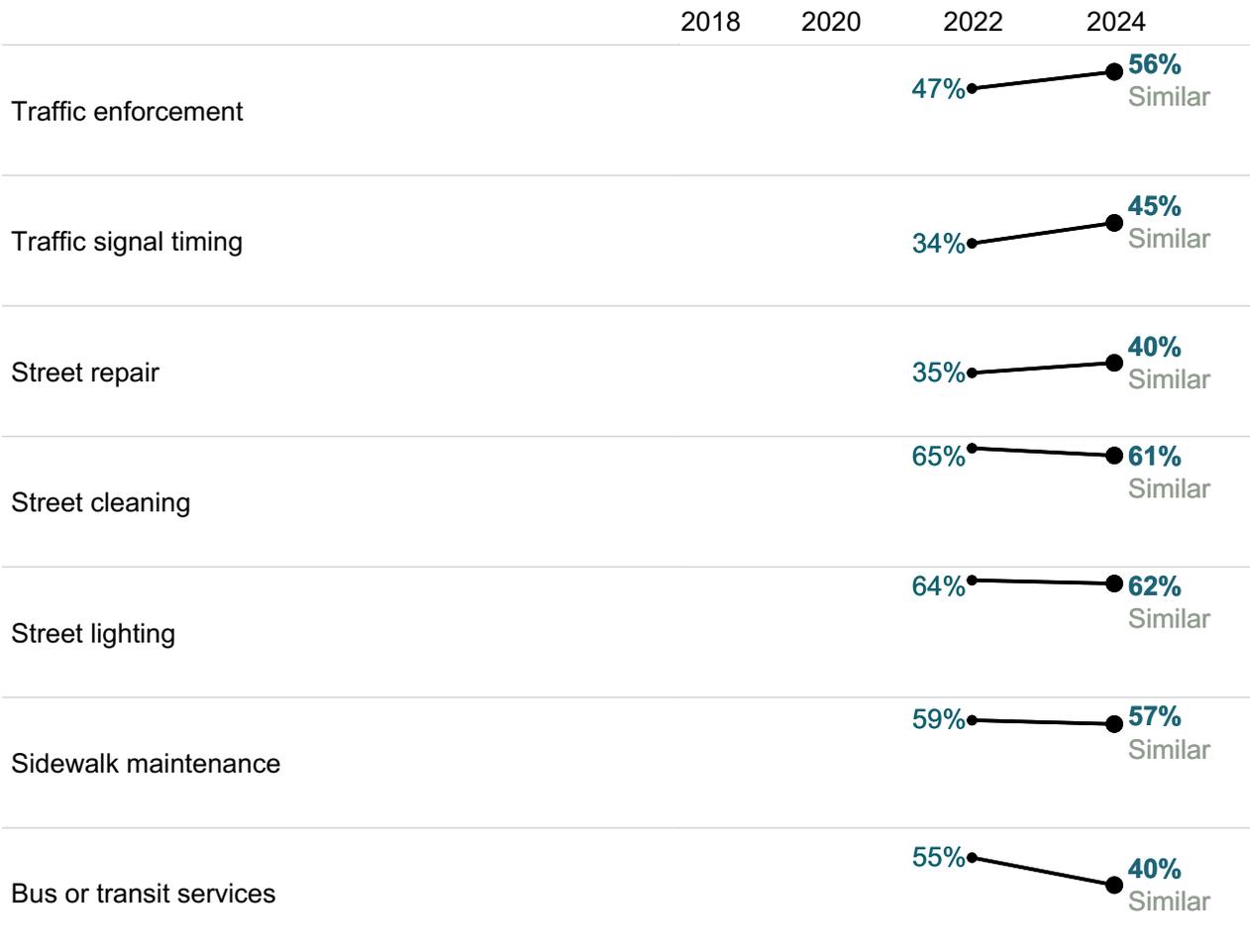
Please also rate each of the following in the American Canyon community. (% excellent or good)



Please indicate whether or not you have done each of the following in the last 12 months.
 (% yes)



Please rate the quality of each of the following services in American Canyon.
 (% excellent or good)

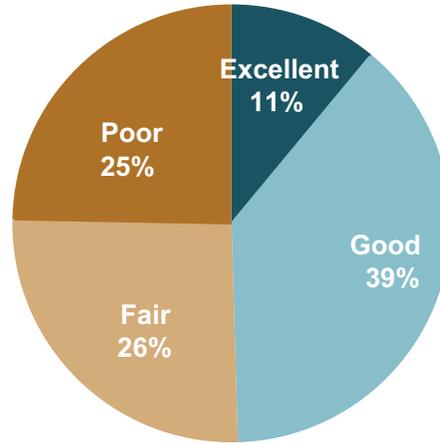


11. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

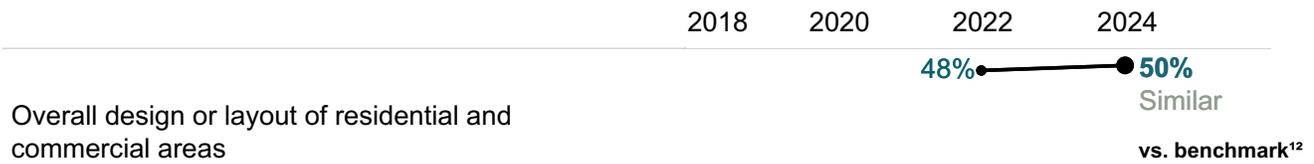
Overall design or layout of American Canyon's residential and commercial areas, 2024

Community Design

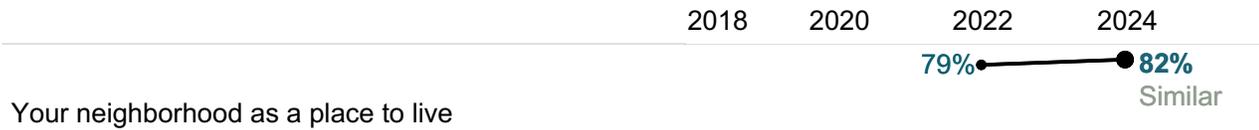
A well-designed community enhances the quality of life for its residents by encouraging smart land use and zoning, ensuring that affordable housing is accessible to all, and providing access to parks and other green spaces.



Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)

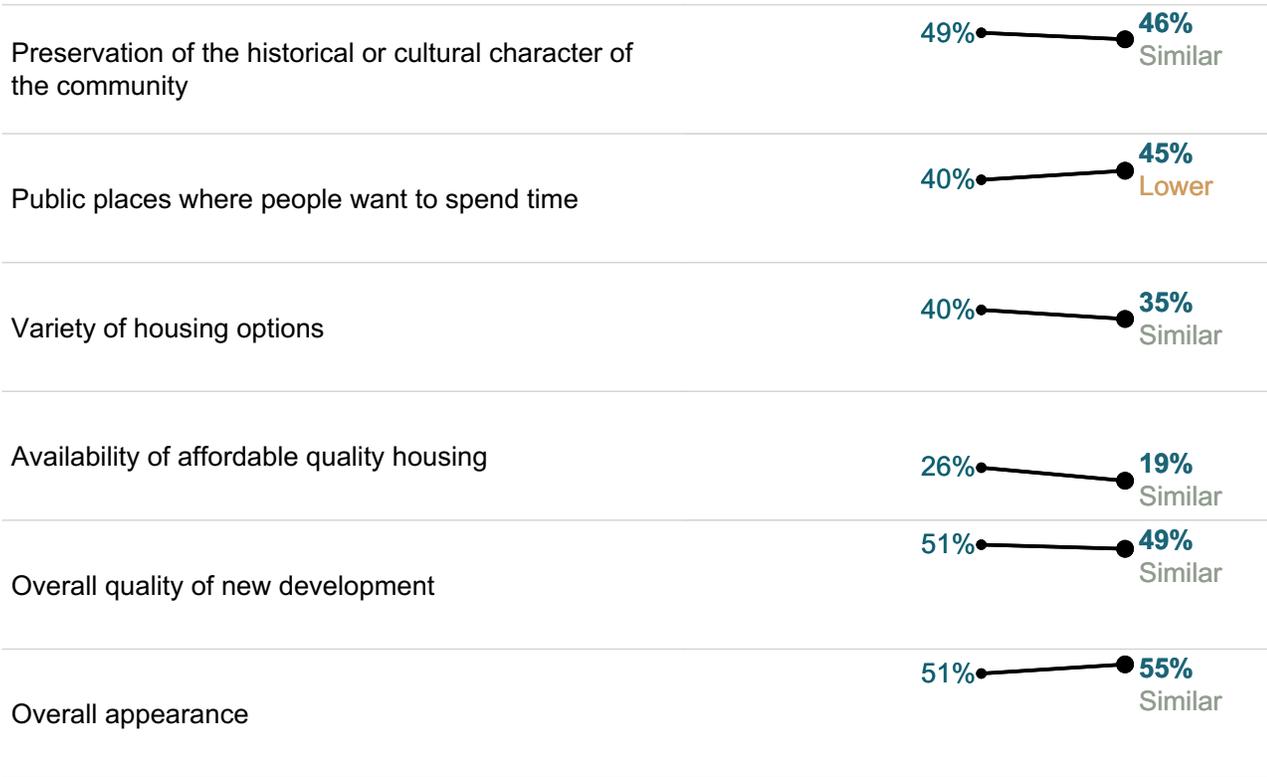


Please rate each of the following aspects of quality of life in American Canyon. (% excellent or good)

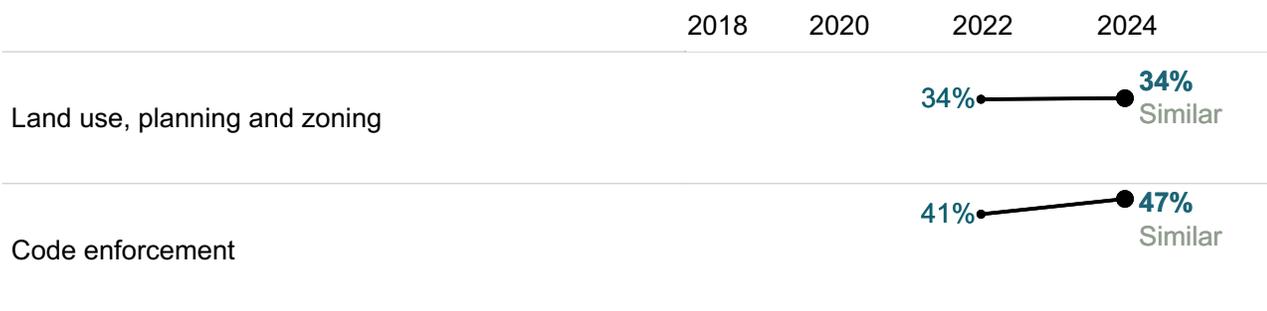


Please also rate each of the following in the American Canyon community. (% excellent or good)





**Please rate the quality of each of the following services in American Canyon.
(% excellent or good)**

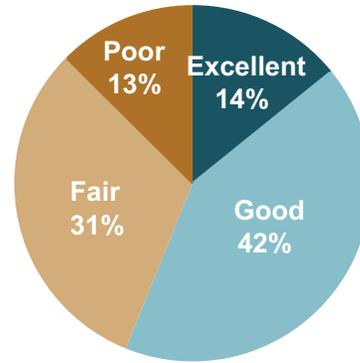


12. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

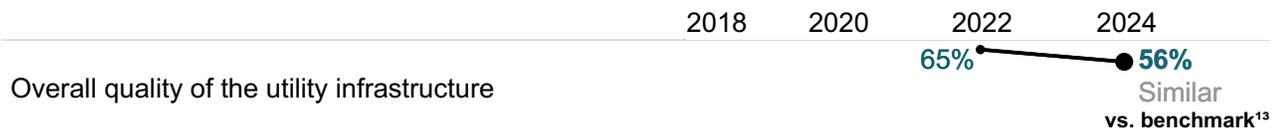
Overall quality of the utility infrastructure in American Canyon, 2024

Utilities

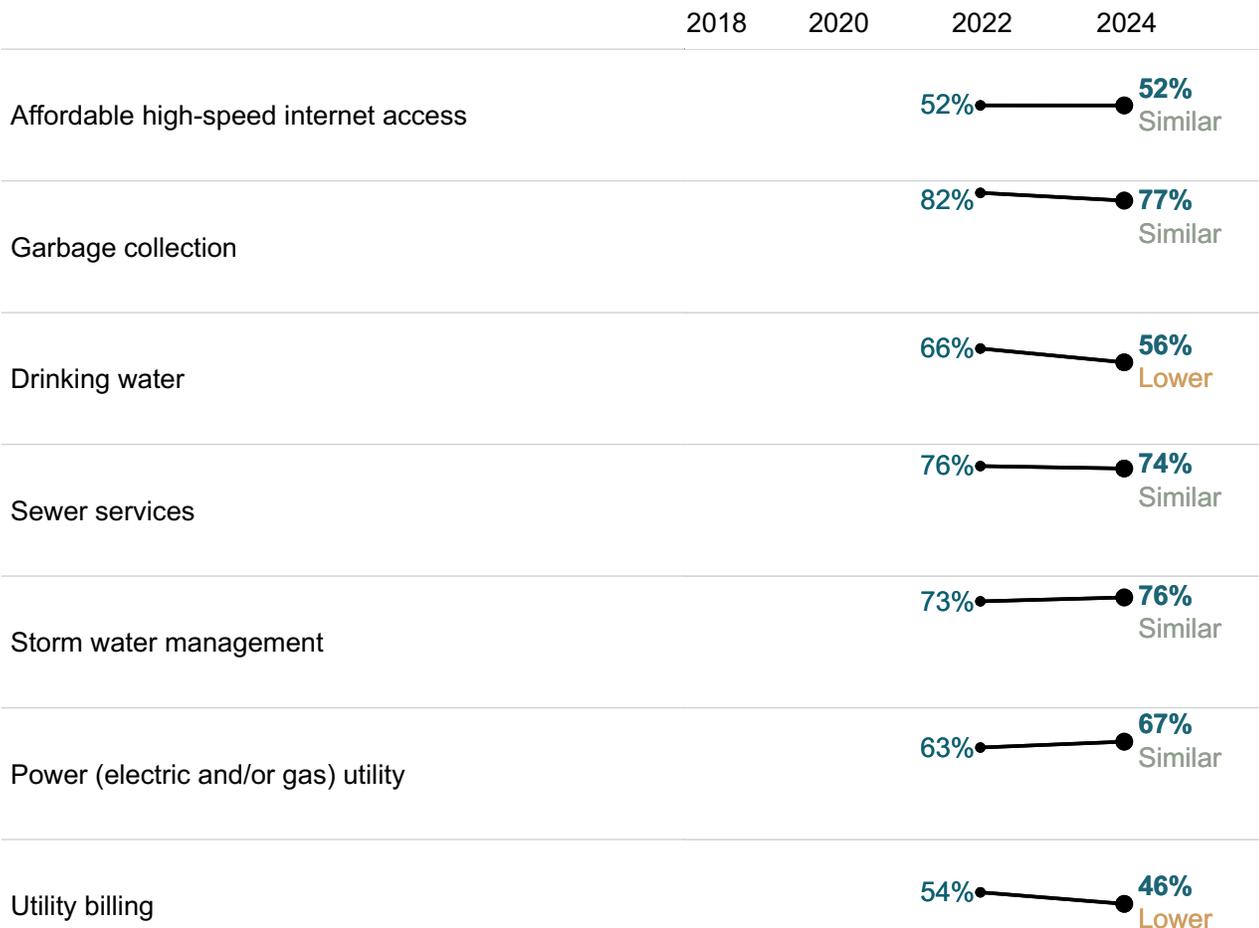
Services such as water, gas, electricity, and internet access play a vital role in ensuring the physical and economic health and well-being of the communities they serve.



Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



Please rate the quality of each of the following services in American Canyon. (% excellent or good)

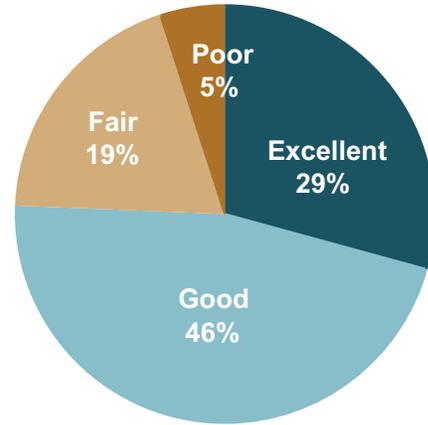


13. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

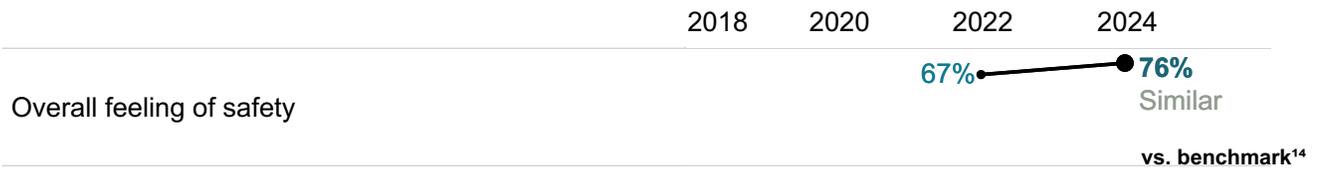
Overall feeling of safety in American Canyon, 2024

Safety

Public safety is often the most important task facing local governments. All residents should feel safe and secure in their neighborhoods and in the greater community, and providing robust safety-related services is essential to residents' quality of life.



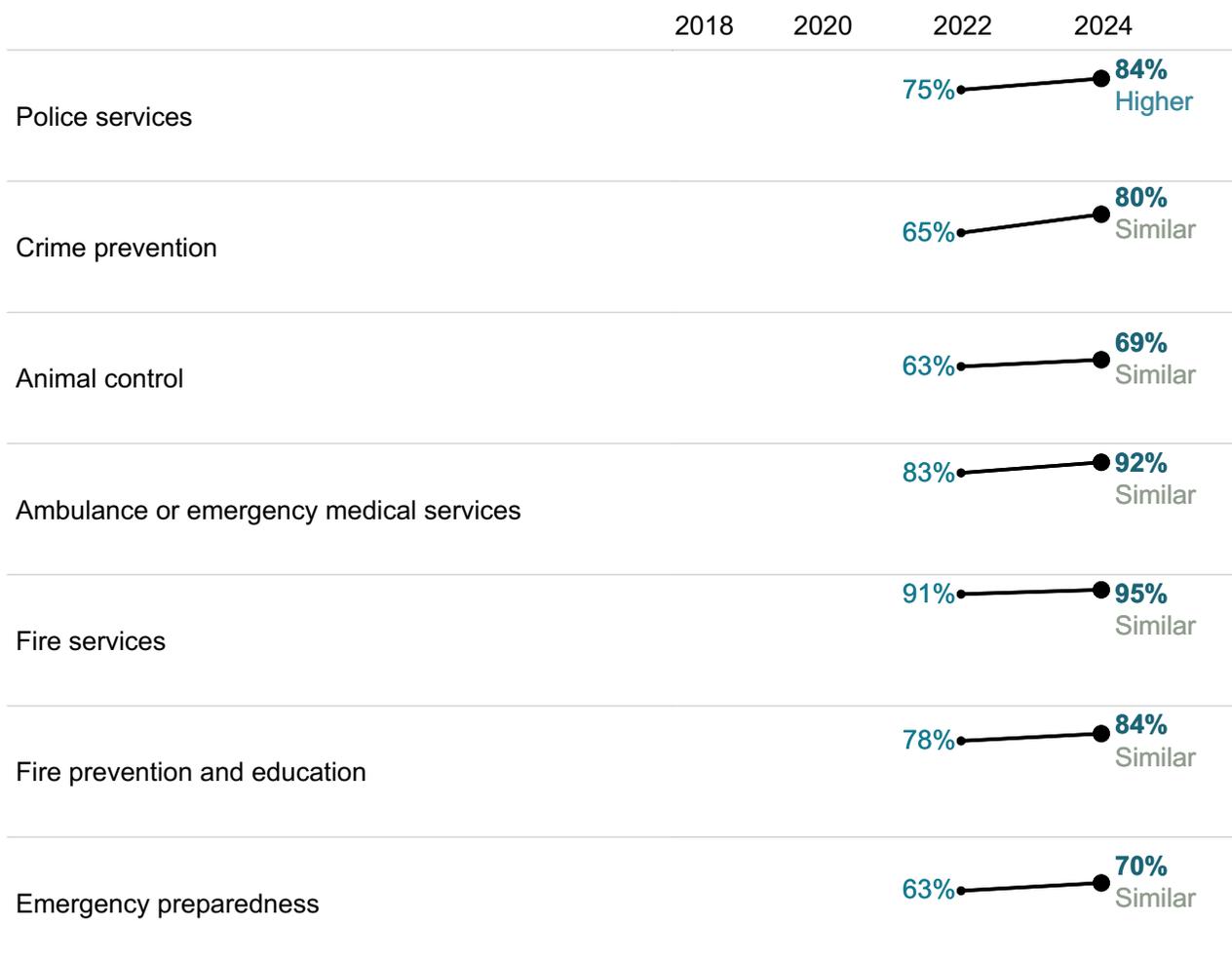
Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



Please rate how safe or unsafe you feel: (% very or somewhat safe)



Please rate the quality of each of the following services in American Canyon.
 (% excellent or good)

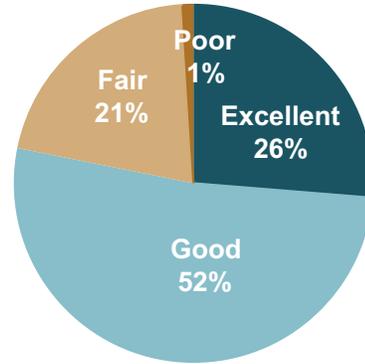


14. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

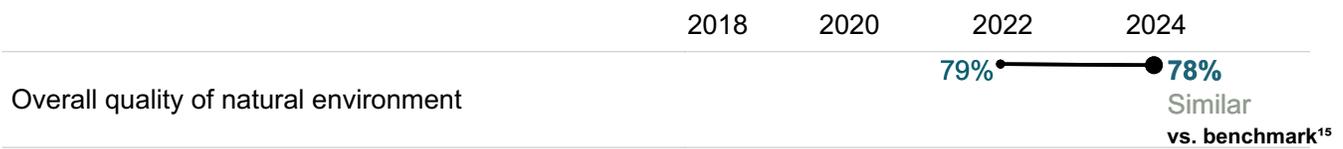
Overall quality of natural environment in American Canyon, 2024

Natural Environment

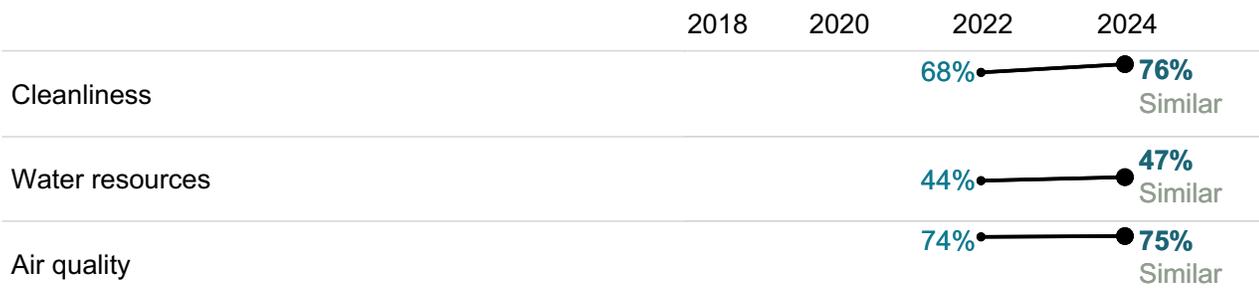
The natural environment plays a vital role in the health and well-being of residents. The natural spaces in which residents live and experience their communities has a direct and profound effect on quality of life.



Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



Please also rate each of the following in the American Canyon community. (% excellent or good)



Please rate the quality of each of the following services in American Canyon. (% excellent or good)



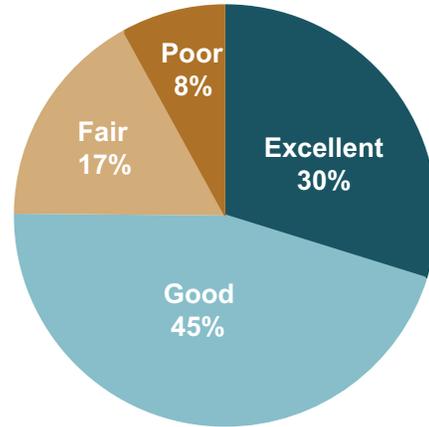
¹⁵ Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

Overall quality of parks and recreation opportunities, 2024

Parks and Recreation

"There are no communities that pride themselves on their quality of life, promote themselves as a desirable location for businesses to relocate, or maintain that they are environmental stewards of their natural resources, without such communities having a robust, active system of parks and recreation programs for public use and enjoyment."

- National Recreation and Park Association



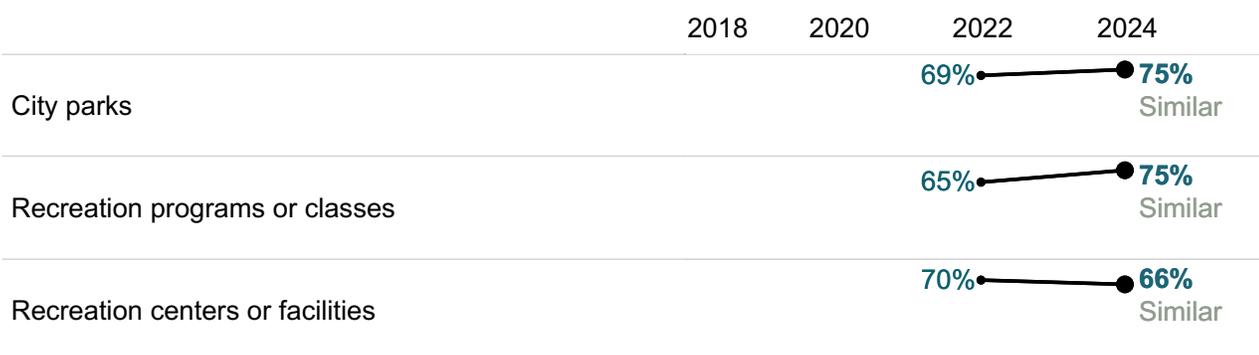
Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



Please also rate each of the following in the American Canyon community. (% excellent or good)



Please rate the quality of each of the following services in American Canyon. (% excellent or good)

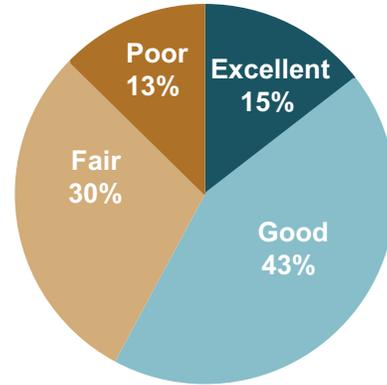


¹⁶. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

Polco
Health and Wellness

The characteristics of and amenities available in the communities in which people live has a direct impact on the health and wellness of residents, and thus, on their quality of life overall.

Overall health and wellness opportunities in American Canyon, 2024



Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



Please also rate each of the following in the American Canyon community. (% excellent or good)



Please rate the quality of each of the following services in American Canyon. (% excellent or good)



Please rate your overall health. (% excellent or very good)



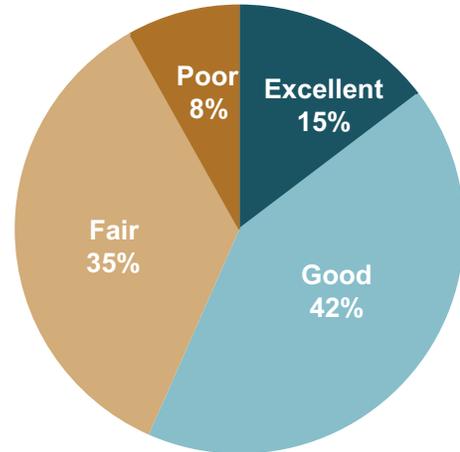
17. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.



Overall opportunities for education, culture and the arts, 2024

Education, Arts, and Culture

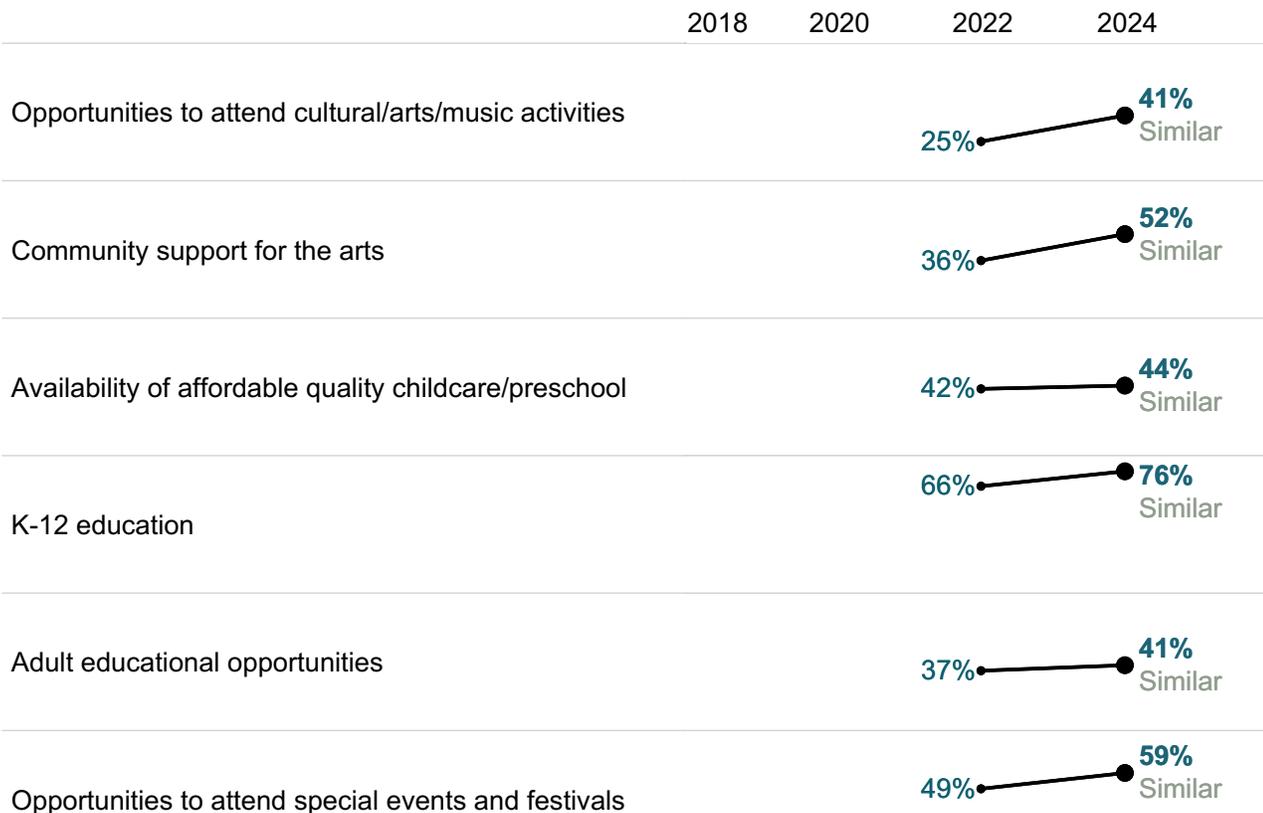
Participation in the arts, in educational opportunities, and in cultural activities is linked to increased civic engagement, greater social tolerance, and enhanced enjoyment of the local community.



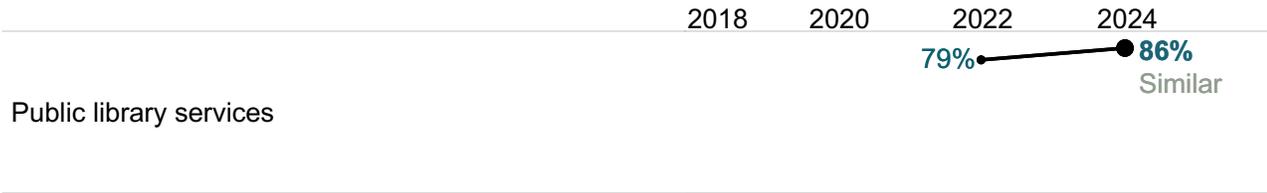
Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)



Please also rate each of the following in the American Canyon community. (% excellent or good)



Please rate the quality of each of the following services in American Canyon.
(% excellent or good)

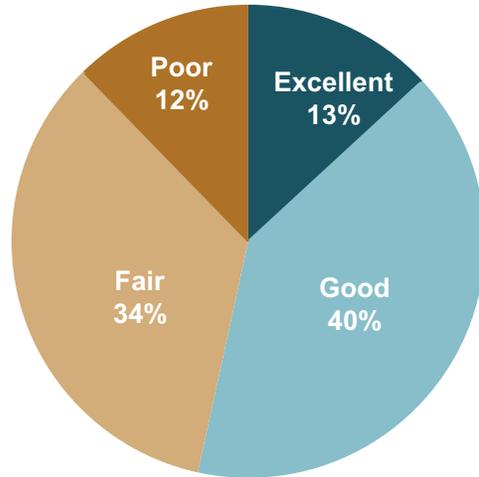


18. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

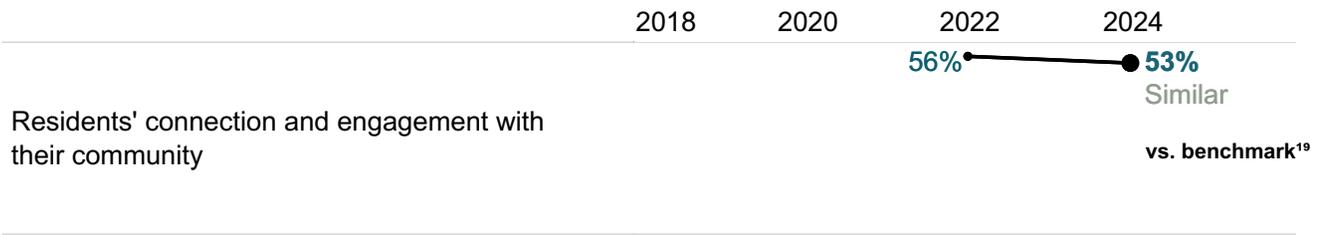
Residents' connection and engagement with their community, 2024

Inclusivity and Engagement

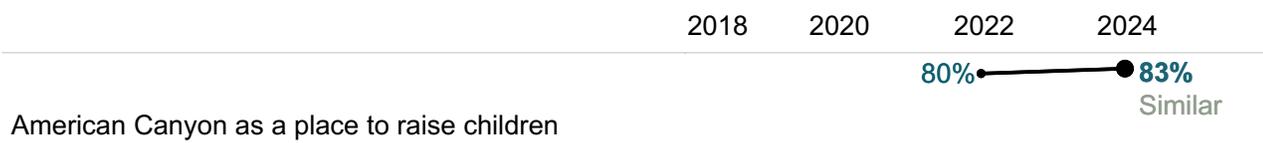
Inclusivity refers to a cultural and environmental feeling of belonging; residents who feel invited to participate within their communities feel more included, involved, and engaged than those who do not.



Please rate each of the following characteristics as they relate to American Canyon as a whole. (% excellent or good)

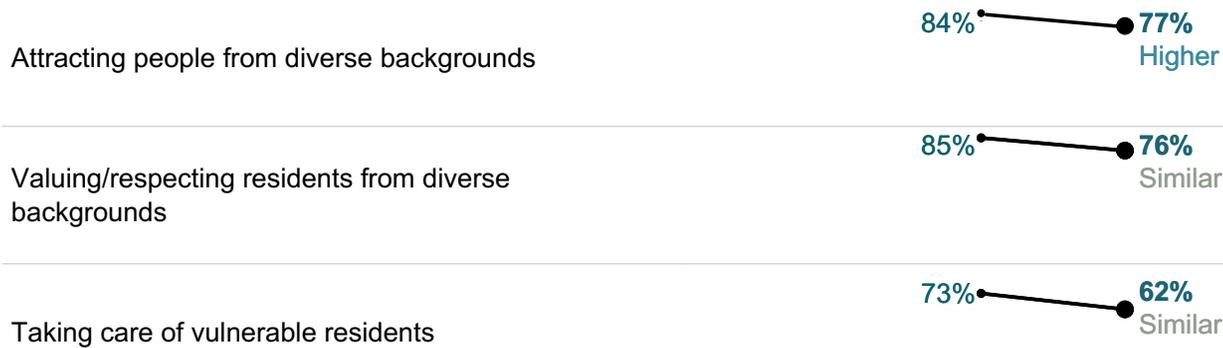


Please rate each of the following aspects of quality of life in American Canyon. (% excellent or good)

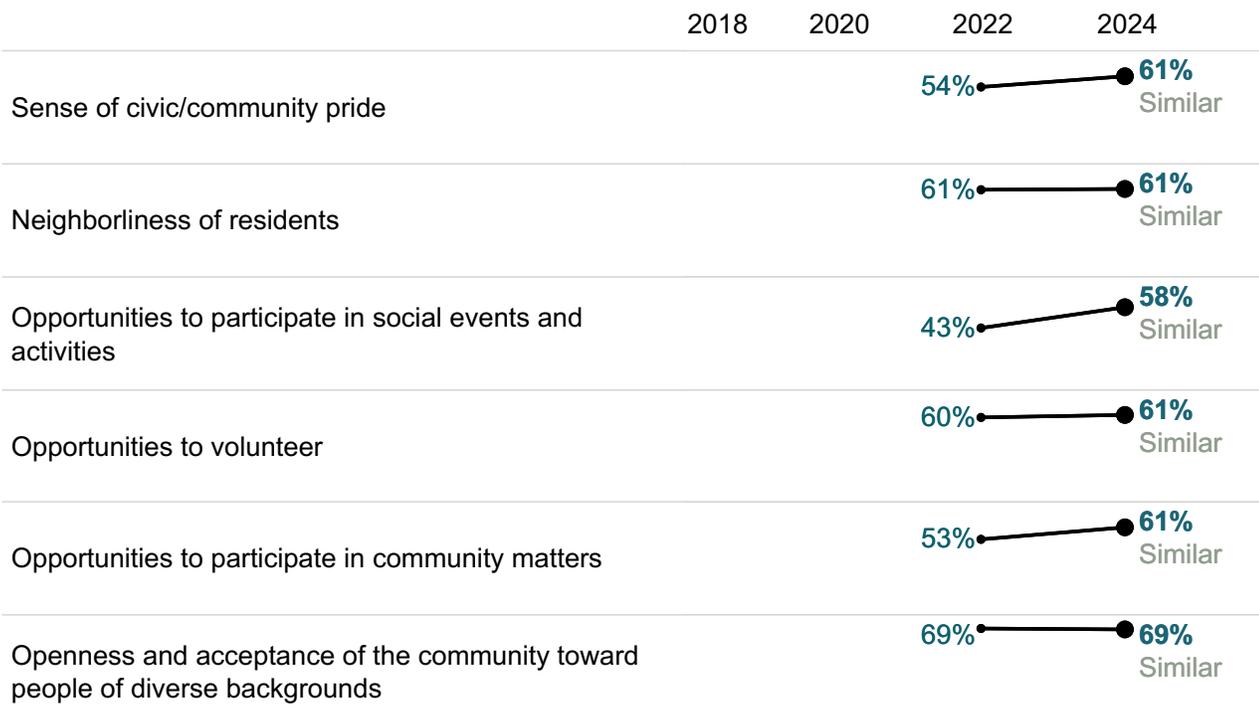


Please rate the job you feel the American Canyon community does at each of the following. (% excellent or good)

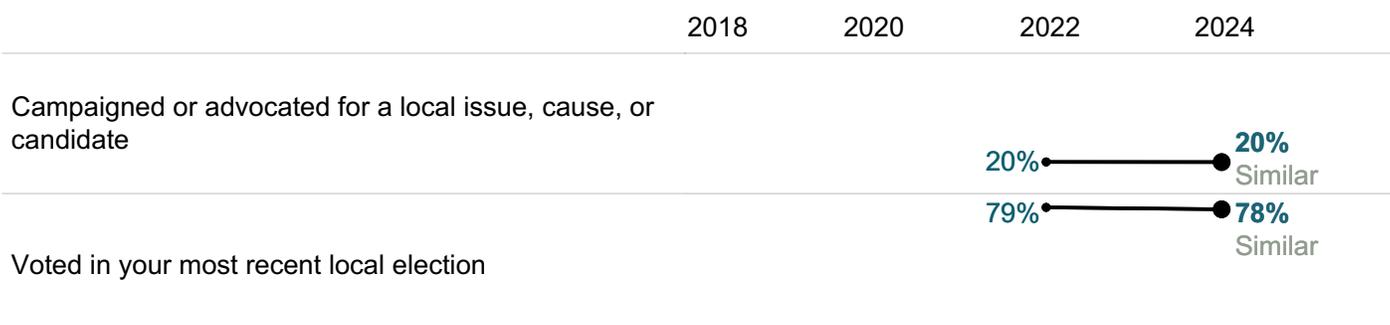




Please also rate each of the following in the American Canyon community.
 (% excellent or good)



Please indicate whether or not you have done each of the following in the last 12 months.
 (% excellent or good)

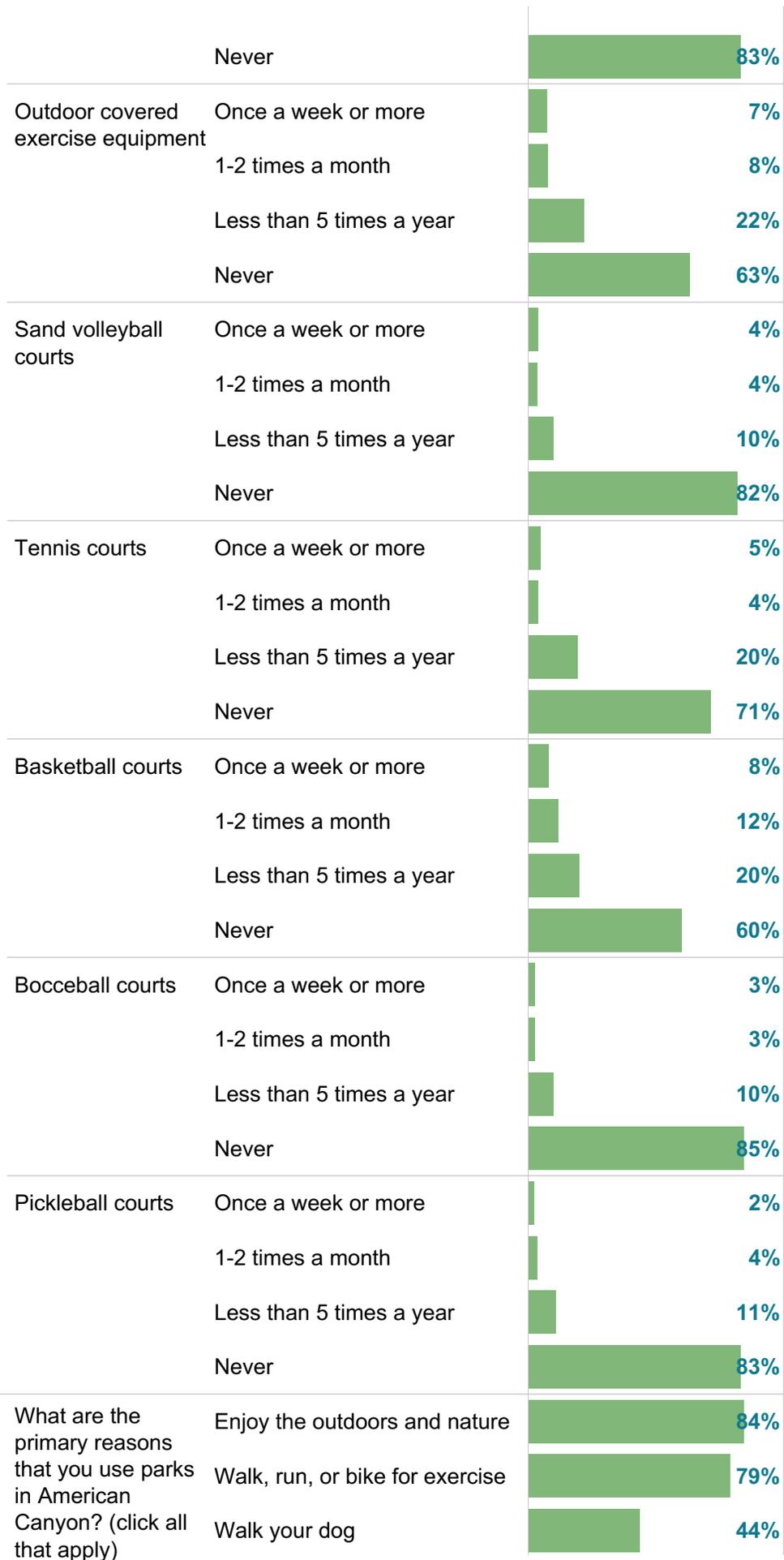


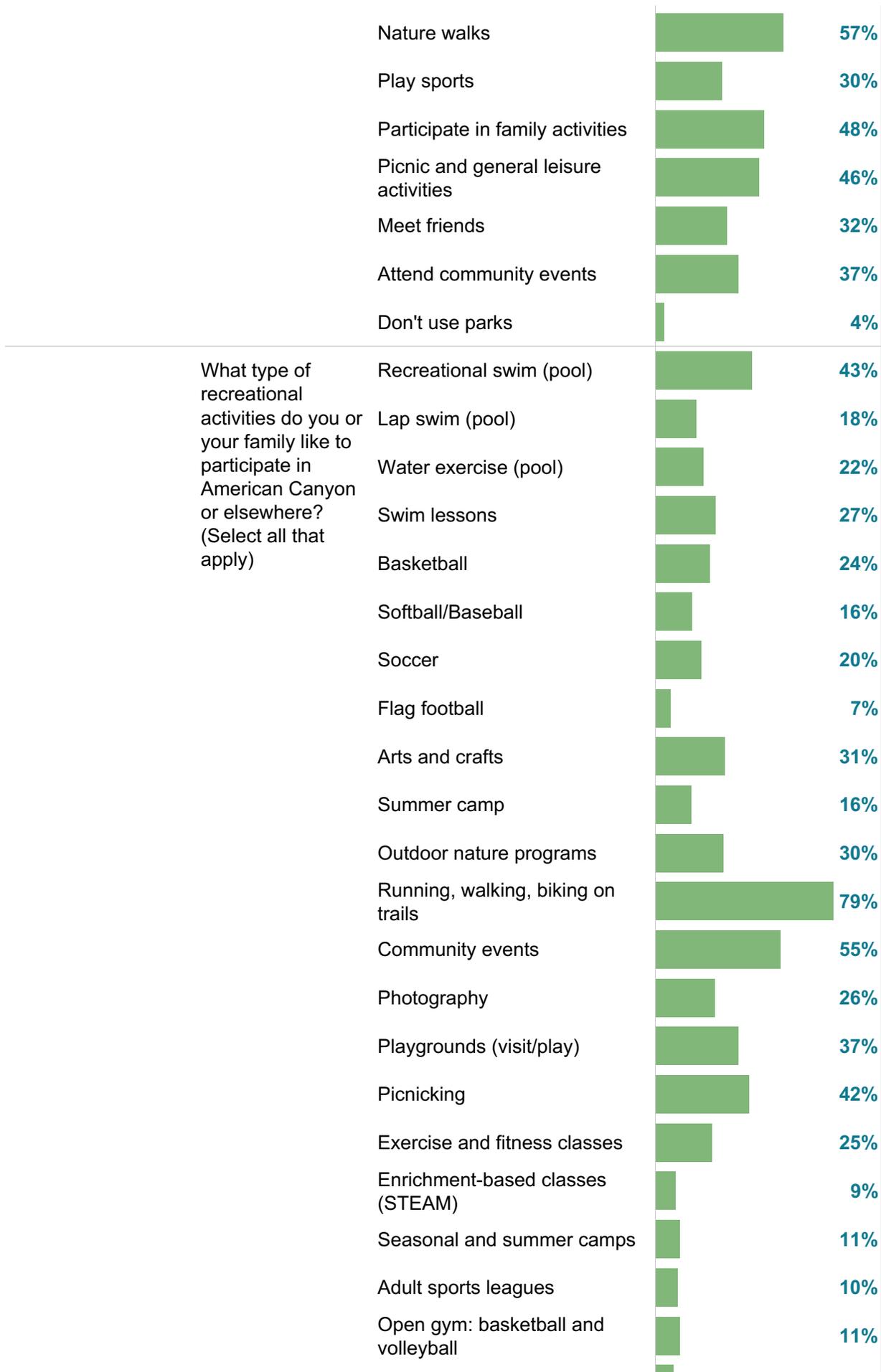
19. Comparison to the national benchmark is shown. If no comparison is available, this is left blank.

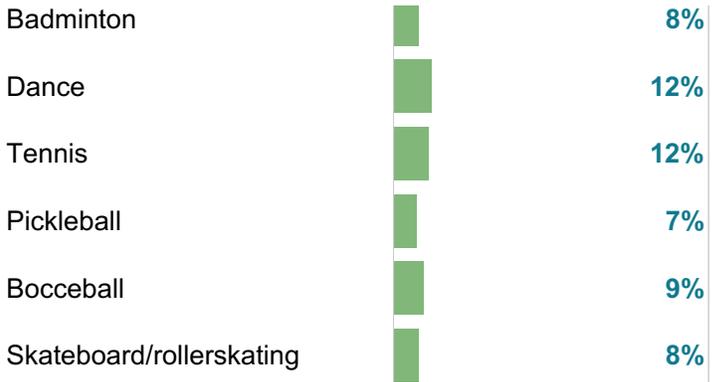
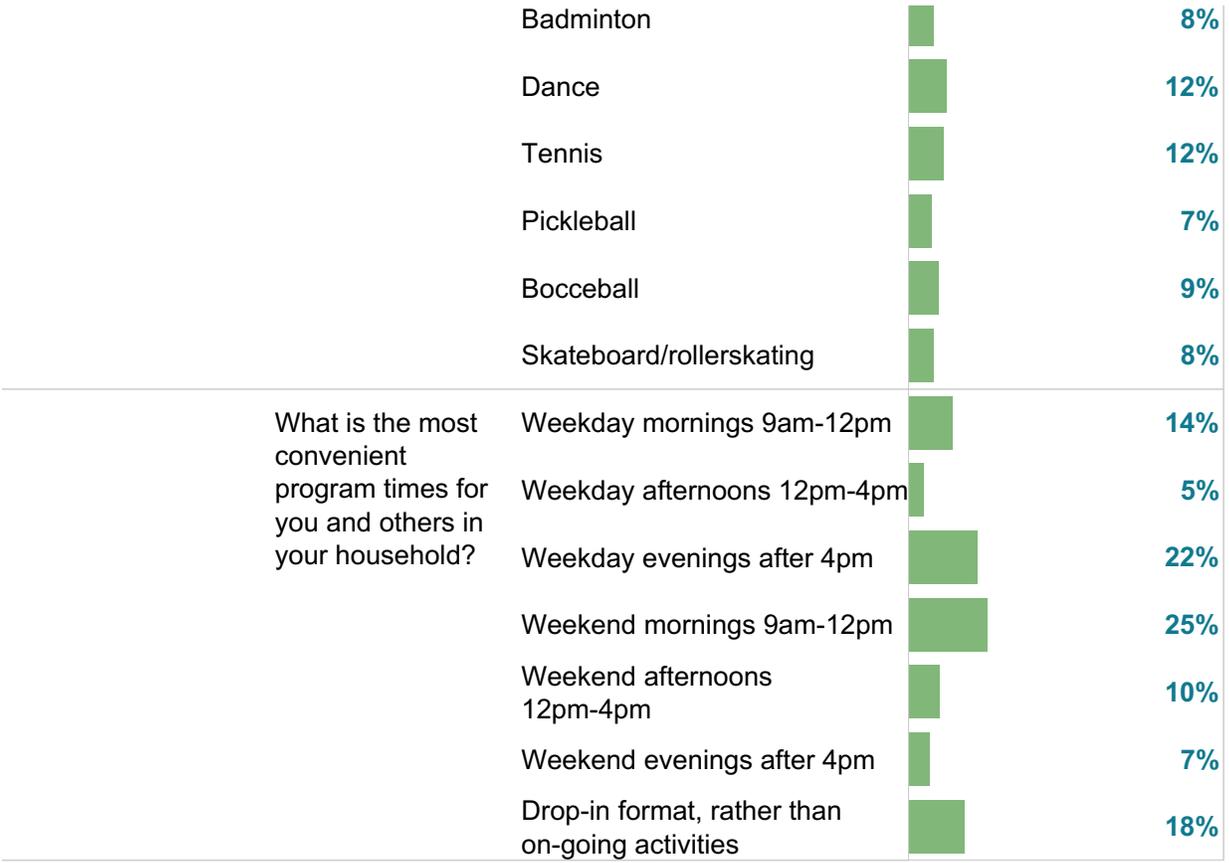
Custom questions

Below are the complete set of responses to each custom question on the survey. By default, “don’t know” responses are excluded, but may be added to the table using the response filter below.

			Include "don't know" No	
How frequent do you visit the following parks in American Canyon?	Sports field	Once a week or more		21%
		1-2 times a month		22%
		Less than 5 times a year		24%
		Never		33%
Neighborhood parks	Once a week or more		40%	
	1-2 times a month		31%	
	Less than 5 times a year		24%	
	Never		5%	
Open spaces	Once a week or more		25%	
	1-2 times a month		34%	
	Less than 5 times a year		31%	
	Never		11%	
Trails	Once a week or more		30%	
	1-2 times a month		34%	
	Less than 5 times a year		23%	
	Never		12%	
Dog park	Once a week or more		8%	
	1-2 times a month		3%	
	Less than 5 times a year		16%	
	Never		74%	
Skate park	Once a week or more		2%	
	1-2 times a month		3%	
	Less than 5 times a year		12%	







The City of American Canyon 2024 Community Survey

Please complete this survey if you are the adult (age 18 or older) in the household who most recently had a birthday (the year of birth does not matter). Your responses are confidential and no identifying information will be shared.

1. Please rate each of the following aspects of quality of life in American Canyon.

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
American Canyon as a place to live.....	1	2	3	4	5
Your neighborhood as a place to live	1	2	3	4	5
American Canyon as a place to raise children	1	2	3	4	5
American Canyon as a place to work.....	1	2	3	4	5
American Canyon as a place to visit.....	1	2	3	4	5
American Canyon as a place to retire.....	1	2	3	4	5
The overall quality of life in American Canyon	1	2	3	4	5
Sense of community.....	1	2	3	4	5

2. Please rate each of the following characteristics as they relate to American Canyon as a whole.

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
Overall economic health of American Canyon.....	1	2	3	4	5
Overall quality of the transportation system (auto, bicycle, foot, bus) in American Canyon.....	1	2	3	4	5
Overall design or layout of American Canyon's residential and commercial areas (e.g., homes, buildings, streets, parks, etc.)	1	2	3	4	5
Overall quality of the utility infrastructure in American Canyon (water, sewer, storm water, electric/gas, broadband).....	1	2	3	4	5
Overall feeling of safety in American Canyon	1	2	3	4	5
Overall quality of natural environment in American Canyon.....	1	2	3	4	5
Overall quality of parks and recreation opportunities	1	2	3	4	5
Overall health and wellness opportunities in American Canyon.....	1	2	3	4	5
Overall opportunities for education, culture, and the arts.....	1	2	3	4	5
Residents' connection and engagement with their community	1	2	3	4	5

3. Please indicate how likely or unlikely you are to do each of the following.

	<u>Very likely</u>	<u>Somewhat likely</u>	<u>Somewhat unlikely</u>	<u>Very unlikely</u>	<u>Don't know</u>
Recommend living in American Canyon to someone who asks.....	1	2	3	4	5
Remain in American Canyon for the next five years.....	1	2	3	4	5

4. Please rate how safe or unsafe you feel:

	<u>Very safe</u>	<u>Somewhat safe</u>	<u>Neither safe nor unsafe</u>	<u>Somewhat unsafe</u>	<u>Very unsafe</u>	<u>Don't know</u>
In your neighborhood during the day.....	1	2	3	4	5	6
In American Canyon's downtown/commercial area during the day	1	2	3	4	5	6
From property crime.....	1	2	3	4	5	6
From violent crime.....	1	2	3	4	5	6
From fire, flood, or other natural disaster	1	2	3	4	5	6

5. Please rate the job you feel the American Canyon community does at each of the following.

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
Making all residents feel welcome	1	2	3	4	5
Attracting people from diverse backgrounds.....	1	2	3	4	5
Valuing/respecting residents from diverse backgrounds.....	1	2	3	4	5
Taking care of vulnerable residents (elderly, disabled, homeless, etc.).....	1	2	3	4	5

6. Please rate each of the following in the American Canyon community.

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
Overall quality of business and service establishments in American Canyon.....	1	2	3	4	5
Variety of business and service establishments in American Canyon	1	2	3	4	5
Vibrancy of downtown/commercial area	1	2	3	4	5
Employment opportunities	1	2	3	4	5
Shopping opportunities.....	1	2	3	4	5
Cost of living in American Canyon.....	1	2	3	4	5
Overall image or reputation of American Canyon	1	2	3	4	5

7. Please also rate each of the following in the American Canyon community.

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
Traffic flow on major streets.....	1	2	3	4	5
Ease of public parking.....	1	2	3	4	5
Ease of travel by car in American Canyon.....	1	2	3	4	5
Ease of travel by public transportation in American Canyon.....	1	2	3	4	5
Ease of travel by bicycle in American Canyon.....	1	2	3	4	5
Ease of walking in American Canyon.....	1	2	3	4	5
Well-planned residential growth.....	1	2	3	4	5
Well-planned commercial growth.....	1	2	3	4	5
Well-designed neighborhoods.....	1	2	3	4	5
Preservation of the historical or cultural character of the community.....	1	2	3	4	5
Public places where people want to spend time.....	1	2	3	4	5
Variety of housing options.....	1	2	3	4	5
Availability of affordable quality housing.....	1	2	3	4	5
Overall quality of new development in American Canyon.....	1	2	3	4	5
Overall appearance of American Canyon.....	1	2	3	4	5
Cleanliness of American Canyon.....	1	2	3	4	5
Water resources (beaches, lakes, ponds, riverways, etc.).....	1	2	3	4	5
Air quality.....	1	2	3	4	5
Availability of paths and walking trails.....	1	2	3	4	5
Fitness opportunities (including exercise classes and paths or trails, etc.)... ..	1	2	3	4	5
Recreational opportunities.....	1	2	3	4	5
Availability of affordable quality food.....	1	2	3	4	5
Availability of affordable quality health care.....	1	2	3	4	5
Availability of preventive health services.....	1	2	3	4	5
Availability of affordable quality mental health care.....	1	2	3	4	5
Opportunities to attend cultural/arts/music activities.....	1	2	3	4	5
Community support for the arts.....	1	2	3	4	5
Availability of affordable quality childcare/preschool.....	1	2	3	4	5
K-12 education.....	1	2	3	4	5
Adult educational opportunities.....	1	2	3	4	5
Sense of civic/community pride.....	1	2	3	4	5
Neighborliness of residents in American Canyon.....	1	2	3	4	5
Opportunities to participate in social events and activities.....	1	2	3	4	5
Opportunities to attend special events and festivals.....	1	2	3	4	5
Opportunities to volunteer.....	1	2	3	4	5
Opportunities to participate in community matters.....	1	2	3	4	5
Openness and acceptance of the community toward people of diverse backgrounds.....	1	2	3	4	5

8. Please indicate whether or not you have done each of the following in the last 12 months.

	<u>No</u>	<u>Yes</u>
Contacted the City of American Canyon (in-person, phone, email, or web) for help or information.....	1	2
Contacted American Canyon elected officials (in-person, phone, email, or web) to express your opinion.....	1	2
Attended a local public meeting (of local elected officials like City Council or County Supervisors, advisory boards, town halls, etc.).....	1	2
Watched (online or on television) a local public meeting.....	1	2
Volunteered your time to some group/activity in American Canyon.....	1	2
Campaigned or advocated for a local issue, cause, or candidate.....	1	2
Voted in your most recent local election.....	1	2
Used public transportation instead of driving.....	1	2
Carpooled with other adults or children instead of driving alone.....	1	2
Walked or biked instead of driving.....	1	2

The City of American Canyon 2024 Community Survey

9. Please rate the quality of each of the following services in American Canyon.

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
Public information services.....	1	2	3	4	5
Economic development.....	1	2	3	4	5
Traffic enforcement.....	1	2	3	4	5
Traffic signal timing.....	1	2	3	4	5
Street repair.....	1	2	3	4	5
Street cleaning.....	1	2	3	4	5
Street lighting.....	1	2	3	4	5
Sidewalk maintenance.....	1	2	3	4	5
Bus or transit services.....	1	2	3	4	5
Land use, planning, and zoning.....	1	2	3	4	5
Code enforcement (weeds, abandoned buildings, etc.).....	1	2	3	4	5
Affordable high-speed internet access.....	1	2	3	4	5
Garbage collection.....	1	2	3	4	5
Drinking water.....	1	2	3	4	5
Sewer services.....	1	2	3	4	5
Storm water management (storm drainage, dams, levees, etc.).....	1	2	3	4	5
Power (electric and/or gas) utility.....	1	2	3	4	5
Utility billing.....	1	2	3	4	5
Police services.....	1	2	3	4	5
Crime prevention.....	1	2	3	4	5
Animal control.....	1	2	3	4	5
Ambulance or emergency medical services.....	1	2	3	4	5
Fire services.....	1	2	3	4	5
Fire prevention and education.....	1	2	3	4	5
Emergency preparedness (services that prepare the community for natural disasters or other emergency situations).....	1	2	3	4	5
Preservation of natural areas (open space, farmlands, and greenbelts).....	1	2	3	4	5
American Canyon open space.....	1	2	3	4	5
Recycling.....	1	2	3	4	5
Yard waste pick-up.....	1	2	3	4	5
City parks.....	1	2	3	4	5
Recreation programs or classes.....	1	2	3	4	5
Recreation centers or facilities.....	1	2	3	4	5
Health services.....	1	2	3	4	5
Public library services.....	1	2	3	4	5
Overall customer service by American Canyon employees (police, receptionists, planners, etc.).....	1	2	3	4	5

10. Please rate the following categories of American Canyon government performance.

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
The value of services for the taxes paid to American Canyon.....	1	2	3	4	5
The overall direction that American Canyon is taking.....	1	2	3	4	5
The job American Canyon government does at welcoming resident involvement.....	1	2	3	4	5
Overall confidence in American Canyon government.....	1	2	3	4	5
Generally acting in the best interest of the community.....	1	2	3	4	5
Being honest.....	1	2	3	4	5
Being open and transparent to the public.....	1	2	3	4	5
Informing residents about issues facing the community.....	1	2	3	4	5
Treating all residents fairly.....	1	2	3	4	5
Treating residents with respect.....	1	2	3	4	5

11. Overall, how would you rate the quality of the services provided by each of the following?

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>	<u>Don't know</u>
The City of American Canyon.....	1	2	3	4	5
The Federal Government.....	1	2	3	4	5

12. Please rate how important, if at all, you think it is for the American Canyon community to focus on each of the following in the coming two years.

	<u>Essential</u>	<u>Very important</u>	<u>Somewhat important</u>	<u>Not at all important</u>
Overall economic health of American Canyon.....	1	2	3	4
Overall quality of the transportation system (auto, bicycle, foot, bus) in American Canyon	1	2	3	4
Overall design or layout of American Canyon’s residential and commercial areas (e.g., homes, buildings, streets, parks, etc.).....	1	2	3	4
Overall quality of the utility infrastructure in American Canyon (water, sewer, storm water, electric/gas, broadband).....	1	2	3	4
Overall feeling of safety in American Canyon.....	1	2	3	4
Overall quality of natural environment in American Canyon.....	1	2	3	4
Overall quality of parks and recreation opportunities.....	1	2	3	4
Overall health and wellness opportunities in American Canyon.....	1	2	3	4
Overall opportunities for education, culture, and the arts.....	1	2	3	4
Residents’ connection and engagement with their community	1	2	3	4

13. How frequent do you visit the following parks in American Canyon?

	<u>Once a week or more</u>	<u>1-2 times a month</u>	<u>Less than 5 times a year</u>	<u>Never</u>
Sports field.....	1	2	3	4
Neighborhood parks.....	1	2	3	4
Open spaces.....	1	2	3	4
Trails.....	1	2	3	4
Dog park.....	1	2	3	4
Skate park.....	1	2	3	4
Outdoor covered exercise equipment.....	1	2	3	4
Sand volleyball courts.....	1	2	3	4
Tennis courts	1	2	3	4
Basketball courts.....	1	2	3	4
Bocceball courts	1	2	3	4
Pickleball courts	1	2	3	4

14. What are the primary reasons that you use parks in American Canyon (click all that apply)

- Enjoy the outdoors and nature
- Walk, run, or bike for exercise
- Walk your dog
- Nature walks
- Play sports
- Participate in family activities
- Picnic and general leisure activities
- Meet friends
- Attend community events
- Don't use parks

15. What type of recreational activities do you or your family like to participate in American Canyon or elsewhere? (Select all that apply)

- Recreational swim (pool)
- Lap swim (pool)
- Water exercise (pool)
- Swim lessons
- Basketball
- Softball/Baseball
- Soccer
- Flag football
- Arts and crafts
- Summer camp
- Outdoor nature programs
- Running, walking, biking on trails
- Community events
- Photography
- Playgrounds (visit/play)
- Picnicking
- Exercise and fitness classes
- Enrichment-based classes (STEAM)
- Seasonal and summer camps
- Adult sports leagues
- Open gym: basketball and volleyball
- Badminton
- Dance
- Tennis
- Pickleball
- Bocceball
- Skateboard/rollerskating

16. What is the most convenient program times for you and others in your household?

- Weekday mornings 9am-12pm
- Weekday afternoons 12pm-4pm
- Weekday evenings after 4pm
- Weekend mornings 9am-12pm
- Weekend afternoons 12pm-4pm
- Weekend evenings after 4pm
- Drop-in format, rather than on-going activities

The City of American Canyon 2024 Community Survey

Our last questions are about you and your household.
Again, all of your responses to this survey are confidential and no identifying information will be shared.

D1. In general, how many times do you:	Several <u>times a day</u>	Once <u>a day</u>	A few times <u>a week</u>	Every <u>few weeks</u>	Less often <u>or never</u>	Don't <u>know</u>
Access the internet from your home using a computer, laptop, or tablet computer	1	2	3	4	5	6
Access the internet from your cell phone	1	2	3	4	5	6
Visit social media sites such as Facebook, Twitter, Nextdoor, etc.	1	2	3	4	5	6
Use or check email	1	2	3	4	5	6
Share your opinions online	1	2	3	4	5	6
Shop online	1	2	3	4	5	6

D2. Please rate your overall health.

- Excellent Very good Good Fair Poor

D3. What impact, if any, do you think the economy will have on your family income in the next 6 months?

Do you think the impact will be:

- Very positive Somewhat positive Neutral Somewhat negative Very negative

D4. How many years have you lived in American Canyon?

- Less than 2 years
 2-5 years
 6-10 years
 11-20 years
 More than 20 years

D5. Which best describes the building you live in?

- Single-family detached home
 Townhouse or duplex (may share walls but no units above or below you)
 Condominium or apartment (have units above or below you)
 Mobile home
 Other

D6. Do you rent or own your home?

- Rent
 Own

D7. About how much is your monthly housing cost for the place you live (including rent, mortgage payment, property tax, property insurance, and homeowners' association (HOA) fees)?

- Less than \$300 \$2,500 to \$3,999
 \$300 to \$599 \$4,000 to \$6,999
 \$600 to \$999 \$7,000 to \$9,999
 \$1,000 to \$1,499 \$10,000 or more
 \$1,500 to \$2,499

D8. Do any children 17 or under live in your household?

- No Yes

D9. Are you or any other members of your household aged 65 or older?

- No Yes

D10. How much do you anticipate your household's total income before taxes will be for the current year? (Please include in your total income money from all sources for all persons living in your household.)

- Less than \$25,000 \$100,000 to \$149,999
 \$25,000 to \$49,999 \$150,000 to \$199,999
 \$50,000 to \$74,999 \$200,000 to \$299,999
 \$75,000 to \$99,999 \$300,000 or more

D11. Are you of Hispanic, Latino/a/x, or Spanish origin?

- No Yes

D12. What is your race? (Mark one or more races to indicate what race you consider yourself to be.)

- American Indian or Alaskan Native
 Asian
 Black or African American
 Native Hawaiian or Other Pacific Islander
 White
 A race not listed

D13. In which category is your age?

- 18-24 years 55-64 years
 25-34 years 65-74 years
 35-44 years 75 years or older
 45-54 years

D14. What is your gender?

- Woman
 Man
 Identify in another way → go to D14a

D14a. If you identify in another way, how would you describe your gender?

- Agender/I don't identify with any gender
 Genderqueer/gender fluid
 Non-binary
 Transgender man
 Transgender woman
 Two-spirit
 Identify in another way

Thank you!



TITLE

City Council Code of Conduct and Governance Protocols

RECOMMENDATION

Provide feedback on a draft City Council Code of Conduct and Governance Protocols

CONTACT

Jason Holley, City Manager

Taresa Geilfuss, City Clerk

Mark Joseph, Governance Ad-Hoc Subcommittee Member

David Oro, Governance Ad-Hoc Subcommittee Member

BACKGROUND & ANALYSIS

The City Council Code of Conduct and Governance Protocol was first established in 2007 and most recently updated in 2021 (Attachment 2).

The City Council appointed an Ad-Hoc Committee (Oro/Joseph) to prepare a new version of the document. After hours of hard work by the Subcommittee, the City Clerk and staff, the latest draft is brought forward for Council consideration and feedback (Attachment 1).

The Code of Conduct and Governance Protocol is designed to establish standards of behavior and operational procedures for council members, ensuring transparency, accountability, and ethical governance. Its primary purpose is to foster a professional and respectful environment, guiding council members in their interactions with each other, city staff, and the public.

The Code and Protocol outlines expectations for ethical conduct, including integrity, impartiality, and adherence to legal and procedural norms. Governance protocols cover meeting procedures, decision-making processes, and public engagement strategies, aiming to enhance the efficiency and effectiveness of municipal operations. By setting clear standards and procedures, it helps maintain public trust and promotes a collaborative and responsible approach to local government.

Further refinement incorporating Council comments and legal review will be needed.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

Not applicable

ENVIRONMENTAL REVIEW

15378(b) - The action is not a "Project" subject to the California Environmental Quality Act ("CEQA") because it does not qualify as a "Project" under Public Resources Code Sections 21065 and 21080 and in Section 15378(b) of Title 14 of the California Code of Regulations.

ATTACHMENTS:

[Attachment 1 - Draft Governance Protocols 2024-09-03](#)

[Attachment 2 - Current Governance Protocol Handbook - Revised 03 17 2020](#)

CITY OF
AMERICAN
CANYON



**CITY COUNCIL
CODE OF CONDUCT
AND
GOVERNANCE
PROTOCOLS**

PREFACE

As this Code of Conduct and Governance Protocols (Code and Protocols) is read, it is hoped that a general philosophy of governance emerges: the public good is best served when the City Council and staff work together as a team, when they understand their roles and responsibilities; and when all sides understand that there is rarely a single right answer—often there is a continuum of options, from one extreme to the other. The Council’s job, with input from staff, stakeholders and the public, is to decide where to land on that continuum.

This Code and Protocols is intended to apply to elected officials (i.e. City Council Members) as well as all City Council-appointees to boards, commissions and committees. The term “Council Member” as used herein shall be construed to apply individually to Council Members and City Council-appointees. The term “City Council” as used herein shall be construed to apply collectively to the City Council and City boards, commissions and committees.

INTRODUCTION

This Code of Conduct and Governance Protocols (Code and Protocols) serves four specific and important goals:

Reflect Governance Philosophy. Articulate the City Council’s philosophy on governance, including its code of conduct, roles, responsibilities, and relationships, and how it conducts its business.

Commitment to Transparency. Ensure that the public can easily review and compare the City Council’s actions with its stated policies, demonstrating a commitment to transparency.

Training and Guidance. Serve as a training tool and guidance for new Council Members and serve as a reference document for the entire Council when deliberating on current issues.

Basis for Review and Revision. Provide for future review and revisions, allowing future City Councils to examine these protocols and adapt them to evolving conditions.

Relationship between the City Council “Code of Conduct and Governance Protocols” and City Council “Policies”.

The Code and Protocols detail how the City Council governs and performs its duties as elected officials – essentially, “how the City Council collectively conducts business” and “how Council Members individually conduct themselves.”

In contrast, City Council “Policies” outline the entire City Council’s positions on various issues, from finance to customer service to economic development. An example list of common Policies is shown in the Appendix.

While the Code and Protocols are expected to remain consistent over time, they can be amended as necessary. City Council Policies, however, are expected to evolve more regularly in response to changing circumstances.

City Council Policies are further distinguished from Administrative Policies and Procedures which are proffered by the City Manager and not subject to City Council approval.

Future Changes

The Code and Protocols are adopted by Ordinance and incorporated into the American Canyon Municipal Code (ACMC). They may be modified according to the process established by the Ordinance.

SECTION ONE: AMERICAN CANYON'S COMMUNITY VISION, MISSION, AND VALUES

The Community's Vision, Mission and Values listed below were by the City Council in 2013, after two years of community engagement. The Council reconfirmed the Mission, Vision and Values in 2022 and 2023. The Community will change as it grows, and every 5-10 years, the City Council should re-examine the Vision, Mission and Values. .

Our Vision. The Vision Statement expresses future desire. It reflects what the Community wants to become. This Vision drives the work the City does, guides how business is done, and informs the priorities pursued.

VISION*
American Canyon ...

HOME TO AN ENGAGED, DIVERSE COMMUNITY

DESTINATION FOR OUTDOOR RECREATION and NATURAL BEAUTY

HUB OF OPPORTUNITY and ECONOMIC VITALITY

Our Mission The Mission Statement expresses the purpose of the primary organization supporting the Community's Vision, namely the City of American Canyon. It fundamentally defines what the organization stands for and what we do.

OUR
MISSION

OUR MISSION IS TO DELIVER EXEMPLARY SERVICES THAT ARE RESPONSIVE TO COMMUNITY PRIORITIES, ENSURE A HEALTHY and SUSTAINABLE ORGANIZATION, AND DRIVE US TOWARD OUR SHARED VISION FOR THE FUTURE.

Our Values. The following value express how the Community expects to be served by the City of American Canyon:.

Creativity and Innovation. We encourage creative thinking and embrace innovative solutions to stay ahead in a dynamic environment. Our culture of innovation drives us to explore new possibilities and improve our services continually.

Collaboration and Teamwork. We believe in the power of working together. By fostering a collaborative environment, we leverage diverse perspectives and talents to achieve our goals and deliver exceptional results.

Leadership. We lead by example, inspiring others through our actions and decisions. Our leadership is characterized by vision, courage, and a commitment to doing what is right.

Community Engagement. We actively engage with our community, building strong relationships and contributing positively to society. Our community involvement reflects our dedication to social responsibility and collective progress.

Results Oriented. We focus on delivering tangible results that drive success. Our approach is disciplined and goal-driven, ensuring that we achieve our objectives efficiently and effectively.

SECTION TWO: COUNCIL MEMBER CODE OF CONDUCT

Code of Conduct

To promote equitable, principled, and responsible governance at the local level, the City of American Canyon adopts the following Code of Conduct for Council Members:

- 1) Comply with the Law - Council Members shall adhere to the legal requirements of the United States of America, the State of California, and the City of American Canyon while carrying out their official responsibilities. These requirements encompass, among other things, the United States and California Constitutions, laws and regulations pertaining to conflicts of interest, election campaigns, financial disclosures, employer obligations, and transparent government processes as well as city ordinances and policies. Members shall comply with both the explicit rules and the underlying principles of governmental operations.
- 2) Act in the Public Interest - The foremost responsibility of individuals representing American Canyon is the public interest. Council Members shall prioritize the collective welfare of the community over any personal or private concerns. They will ensure equitable and impartial treatment for all individuals, claims, and matters presented to the City Council.
- 3) Personal Conduct - Council Members must maintain the highest standards of professional and personal conduct, steering clear of any actions that might be seen as improper. They should abstain from engaging in abusive behavior, making personal accusations, or launching verbal assaults on the character or intentions of fellow Members, staff, or the public. As esteemed community representatives, Members are expected to exhibit a personal and professional demeanor that enhances the reputation of the legislative body and reflects positively on the entire City. Public office shall be used for the betterment of the community, rather than personal enrichment.
- 4) Respect for Process - Council Members will perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions by City staff. The Council acts as a collaborative decision-making body. Once the Council, acting as a body, has reached a decision, individual Members will respect and support the collective decision, regardless of their individual vote on the matter.
- 5) Conduct During Public Meetings - Council Members are prepared, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. Members shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings. Public discussions and procedures shall be conducted transparently in an atmosphere of respect and courtesy. Members shall keep an open mind and consider all

written and public testimony first, before making a decision.

- 6) Ethics Training - Council Members shall participate in ethics training promptly after assuming office and periodic thereafter as prescribed by law. Members shall provide certificate of attendance to the City Clerk.
- 7) Policy Role of Council - Council Members will respect and adhere to the Council-Manager form of government. The City Council determines City policies with the advice, information, and analysis provided by the public, boards, commissions, committees and staff. Members will not interfere with the administrative functions of the City or the professional duties of City staff, nor use their position to unduly influence the deliberations or outcomes of board, commission, and committee proceedings.
- 8) Independence of Boards, Commissions and Committees - Preserving the autonomy of boards, commissions, and committees in providing unbiased advice during the public decision-making process is essential. Council Members shall refrain from using their positions to inappropriately sway the deliberations or outcomes of board, commission, and committee proceedings and shall exhibit independence, impartiality, and fairness in their decisions and behaviors.
- 9) Positive Work-Place Environment - Council Members will support the maintenance of a positive and constructive work-place environment for City employees and for citizens and businesses dealing with the City. Members recognize their unique role and refrain from creating the perception of inappropriate direction to staff.
- 10) Staff Relations - All requests of City staff should be directed to the City Manager. All concerns or complaints regarding staff should be directed to the City Manager, unless the complaint relates to the City Manager. In this instance, the concern should be directed to the City Attorney for investigation
- 11) Religious Invocations - Religious invocations are allowable. Religious displays and religious speech (including prayer) by the Council or individual Council Members during Council Meeting are prohibited.
- 12) Conflict of Interest - Council Members shall refrain from acting upon conflicts of interest and in manner prescribed by law, which generally requires Members:
 - a) Disclose their financial investments, real property holdings, income sources, and gifts.
 - b) Refrain from leveraging their official positions to influence decisions involving financial interests or personal relationships.
 - c) Not accept any gift, grant or contract contingent upon a specific action by the City Council.
 - d) Refrain investment or monetary interest in any contract with the City.

- e) Seek advice from the City Manager and/or the City Attorney prior to any conduct that may be consistent with this provision.
- 13) Incompatible Employment - Council Members are prohibited for any private employment, or render services for private interest, when such employment or service is incompatible with proper discharge of their official duties or would tend to impair their independence of judgment or action in the performance of those duties.
- 14) Disclosure of Confidential Information - Council Members are prohibited from disclosing confidential information nor shall they use such information to advance their financial interests.
- 15) Ex-Parte Communications - Council Members are expected to openly disclose substantive and pertinent information - including all *ex-parte* communications - they may have acquired from external sources unrelated to the public decision-making process.
- 16) Political Participation and Advocacy - Council Members may engage in political activities. However, if a Member chooses to adopt a stance on a political matter, they must proactively ensure the public is aware of the clear differentiation between their personal opinions and the City Council's positions. While Members may hold their title while engaging in political activities, they must explicitly state that they are not representing the City nor the Council. Moreover, Members will publicly respect and support collective City Council decisions, regardless of their individual vote or individual political stance on the matter. Members shall represent the official policies or positions of the Council to the best of their ability when designated as delegates for this purpose.
- 17) Use of Public Resources - Members are prohibited from utilizing public resources, such as City staff time, equipment, supplies, or facilities, for personal or political gain, or to support campaign activities for candidates or ballot measures, unless those resources are available to the public. Moreover, they are not permitted to use the City's name or logo to endorse any political candidate or business.

Implementation, Compliance and Enforcement

The Code of Conduct outlines standards of ethical conduct expected for Council Members and is intended to be self-enforcing. Members are expected to have a thorough understanding of it and adhere to its provisions. Members bear the primary responsibility for ensuring these ethical standards are understood and upheld. The Code of Conduct will be integrated into the standard orientations for City Council candidates, applicants seeking positions on boards, commissions, and committees, as well as newly elected and appointed officials.

The Mayor, in consultation with the City Manager and City Attorney, will be responsible for addressing a Council Member who violates the Code of Conduct. The Vice Mayor will be responsible for confronting the Mayor in the event of a violation of any of the above provisions.

If an informal discussion does not resolve the issue, a more formal approach may be considered. Any Council Member may seek to have another Member censured at a regular City Council meeting. The Council may impose sanctions on a Member(s) whose conduct does not comply with the Code and Protocols, such as reprimand, formal censure, loss of seniority, or committee assignment. Prior to the imposition of any sanctions the Council shall follow applicable due process procedures with respect to the affected Member.

Statement Of Acknowledgement

Members of American Canyon legislative bodies shall sign a Statement of Commitment, agreeing to uphold the Code of Conduct

Name, Position

Date

SECTION THREE: CITY COUNCIL GOVERNANCE

Effective organizations are proactive and anticipate issues before they escalate into crises. Organizational leaders must understand the hierarchical nature of the "Big Picture." The City Council's primary role is to understand the Community's vision for the future and develop goals and strategies to achieve it. In this capacity, the City Council should rely on the technical expertise of staff and the input of the community.

Goals, Strategies and Key Initiatives

Goals. Setting goals are a primary City Council role as they represent actionable expressions in support of Community's Vision, Mission and Values. The Council has the following goals:

Public Safety. Ensure that American Canyon remains a safe community.

Community and Sense of Place. Build on the strength of our local community to develop a clear sense of place and establish our unique identity.

Economic Development and Vitality. Attract and expand diverse business and employment opportunities.

Outdoors and Recreation. Expand opportunities for use of outdoor recreation and an active lifestyle.

Transportation. Improve the City's transportation network to mitigate traffic and enhance the quality of life for the community.

Infrastructure. Develop and upgrade infrastructure resources to support sustainable growth.

Quality Services & Organizational Effectiveness. Deliver exemplary government.

Environmental Sustainability. Demonstrate leadership in environmental sustainability.

The image below expresses the hierarchy between the Community’s Vision, Mission, Values, the Council’s Goals and Strategies and the Key Initiatives and day-to-day Tasks undertaken by staff.



Strategies – Strategies are concrete ideas to support the Council’s Goals. Strategies are not measurable and do not have a finite conclusion, but should have a 3 to 5-year horizon. Each goal should have between 2 and 5 strategies. Strategy development is coordinated between the Council and staff.

Key Initiatives - Key Initiatives are specific actions achievable within a 12-to-24-month timeframe. They have an identifiable start and finish, and in some instances, may be led by 3rd parties. Staff proposes a set of initiatives as part of recurring process each year, and then tracks their implementation throughout the year, reporting back to Council as necessary.

For example, the interplay of this hierarchy as it pertains to the issue of “traffic congestion” can be expressed as follows:

“The community believes the highway is a hub of opportunity for new business, so the City engages and collaborates with regional partners to make improvements that will alleviate traffic congestion. The phrase “fix traffic” is not a goal nor strategy. Instead, a mid-term strategy to “Improve traffic flow along Highway 29” is identified, and then shorter-term Key Initiative such as “Complete the Hwy 29 Multi-Modal Operation Improvement Project” is identified. Although this initiative is fairly complex and led by a 3rd-party (Napa Valley Transportation Authority), staff still identifies and monitors progress on milestones (for

example in 2024, the milestone is for the NVTA to hire a consultant to initiate the “Project Approval Environmental Document” phase).”

Prioritization - Resources will always be limited, so setting priorities is essential. The Council should solicit input from the public and staff in determining these priorities. Once priorities are set, the Council should adopt a budget with sufficient staffing and resources. Lower-priorities can be deferred until later or when additional resources become available. This process ensures that priorities are more likely to be accomplished and helps avoid overloading staff with too many priorities. If a more critical issue arises, the Council can adjust its priorities and timelines accordingly.

Establishing policies and setting priorities for the various services and functions of the city is often considered the main job of the City Council. This can be the most demanding task, as there are never enough funds to achieve everything desired. In making these decisions, the most important elements the City Council needs are options. Staff are expected to provide analysis and options for the City Council to deliberate. Soliciting input from the community and stakeholders is critical in ensuring that community values are integrated into the decision-making process. Opportunity costs must also be considered when evaluating options, as spending on one priority means less spending on another.

One effective method to develop priorities is for the Council to meet with staff to review the previous year's progress, adjust priorities as needed, and to improve working relationships between Council Members and between the Council and staff. Part of this strategic planning should involve identifying the milestones of key initiatives in the upcoming year and a schedule to review their progress more frequently.

Organizational Values

The following Organizational Values are an expression of how the City Council expects the City will conduct business.

Leadership and Service. Leadership and service are traditional roles of any elected body. Community service and staying engaged with the public are critical elements. Symbolic gestures, such as proclamations or attendance at annual events, are important parts of the job. Equally important is leading by example. The public's perception of city government is often a reflection of its elected officials; Council Members need to reflect this in their actions and statements.

Accountability and Oversight. We operate with openness, providing clear and honest communication. We hold ourselves accountable for our actions, ensuring that our stakeholders can trust our processes and outcomes. Accountability ensures success, rather than punishes failure. The City Council sets standards and deadlines, define “success”, and holds staff accountable for achieving those standards and deadlines. Regular “status reports” are critical to track progress and develop strategies to correct any shortcomings. Effective oversight requires a strong understanding of city services and the issues surrounding their delivery. Council Members

are expected to learn as much as they can about city programs and receive at least an annual report from various City Departments. Oversight also involves the use of outside experts. These technical experts can serve as a "second set of eyes" and may be effective in evaluating large capital projects, potential legal conflicts, and other circumstances as warranted. Tra

Ethical and Fiduciary Responsibilities - Ethical standards go beyond mere compliance with the law. The City Council conducts itself in a manner above reproach. Additionally, the Council must recognize its financial responsibility to the community. Residents, visitors, and businesses pay taxes and fees, often without the right to decline; therefore, ensuring that these funds are spent in the most efficient, productive, and equitable manner possible is one of the Council's main responsibilities. We manage our resources wisely to ensure long-term financial stability and sustainability. Our decisions are driven by careful planning and prudent management to achieve optimal outcomes for our stakeholders.

Professional Excellence. We strive for the highest standards in our work, continuously improving our skills and knowledge. Our commitment to excellence ensures that we deliver superior results in every endeavor.

Customer Focus. Our customers are at the heart of everything we do. We are dedicated to understanding their needs and exceeding their expectations through exceptional service and innovative solutions.

Integrity. We conduct our business with the utmost honesty and ethical standards. Integrity guides our decisions and actions, fostering trust and respect with our clients, partners, and community.

Roles and Responsibilities

Mayor - The Mayor is directly elected by the voters to serve as the head of the City Council. The Mayor chairs the Council meetings, is involved in setting the agenda with the city manager, and often acts as the ceremonial leader of the community. Additionally, the mayor may take on a leadership role beyond ceremonial duties, such as delivering an annual State of the City address, outlining the city's priorities for the upcoming year. In this capacity, the mayor should collaborate with the rest of Council to set these priorities.

Vice-Mayor - The Vice-Mayor is selected by the rest of the City Council and generally serves for a 12-month period. The Vice-Mayor's primary role is to fulfill the duties of the Mayor in their absence. The Vice-Mayor is responsible for scheduling regular performance reviews of the City Manager and other officials reporting directly to the Council.

Council Standing Committees - Standing Committees are comprised of two (2) Council Members who make specific recommendations to the City Council. Committee Members are responsible for reporting their ongoing activities during Council meetings. Standing Committee meetings are

coordinated by the City Manager and may be called by either Member assigned to the committee. The City Manager assigns staff to support Standing Committees. Standing Committees are subject to public meeting requirements.

Council Ad Hoc Committees – Ad Hoc Committees are comprised of two (2) Council Members who make specific recommendations to the City Council. Ad Hoc Committees are formed by the Council on “as needed” basis with a clearly defined purpose and term. Ad Hoc Committees are single-purpose, and meetings are held as needed. Once the Ad Hoc Committees has completed its work, it is disbanded. Committee Members are responsible for reporting their activities during Council meetings. Ad Hoc Committee meetings are coordinated by the City Manager and may be called by either Member assigned to the committee. The City Manager assigns staff to support Ad Hoc Committees. Ad-Hoc Committees are not subject to public meeting requirements.

City Council and Citizen Advisory Bodies - The City Council may appoint one or “citizen advisory bodies”. These boards, commissions and committee exist to help distribute the workload that would otherwise fall to the Council. They are advisory to the City Council, which should rely on these bodies to study matters within their purview and make recommendations. Staff provide administrative and technical support to these bodies as needed. The City Manager will schedule regular “joint meetings” between the Council and these bodies to focus on broad policy issues, work plans, and working relationships. The City Clerk will solicit candidates for these bodies. Who will be screened by the City Council. Individuals selected on these bodies serve at the Council's pleasure, and may be removed at anytime for any reason – including but not limited to - violations of the Code and Protocols.

City Council and the General Public - The City Council represents the best interests of the public, requiring active and engaged participation in the community. This also means Council actions may sometimes be unpopular, particularly regarding fiscal matters or land use decisions. The Council must provide a clear and consistent rationale for its decisions, ensure transparency in its actions and the data relied upon, and offer ample opportunity for public debate.

City Council and Outside Jurisdictions/Agencies - Council Members serve on several outside agencies, generally commissions or committees that are countywide in nature. In these cases, Members are expected to represent the best interests of the community as expressed by the City Council, not their own self-interests. Members are expected to attend all meetings and are responsible for reporting on the actions of the outside bodies on which they serve. Depending on the issue, a Council Member may request that a topic be scheduled for the full Council to consider. City Council's goal is to establish positive and cooperative relationships with other jurisdictions. Either individually or collectively, the Council should be involved in regional bodies and organizations such as the Association of Bay Area Governments (ABAG) and the League of California Cities (CalCities).

City Council and Staff - The City Council's direction is achieved through staff actions. While the Council sets policy and staff administer it, the distinction can often blur. For example, the Council relies on staff for policy analysis and alternatives; the quality of this analysis influences the

Council deliberation and action. Similarly, the Council needs a basic understanding of how city services and programs are implemented to provide proper oversight and ensure policy implementation. It is important to remember staff works for the City Manager. It is not appropriate for Members to direct staff or to become involved in the administrative or operational concerns of the city. While staff can provide routine information on ongoing projects, a request to the City Manager must be made for staff involvement in major projects.

Key City Officials

City Manager. The City Manager is the Chief Executive Officer of the City, responsible for overseeing the day-to-day operations and implementing the policies set by the City Council. The City Manager acts as a bridge between the Council and staff, ensuring Council directives are effectively executed and that City services run smoothly. Key responsibilities include:

Administration of City Departments: The City Manager supervises all city departments and staff, ensuring that they operate efficiently and deliver services effectively. This involves managing budgets, overseeing personnel, and coordinating activities across different departments.

Policy Implementation: The City Manager translates the policies and goals established by the City Council into actionable plans. This includes preparing detailed reports, recommending policy initiatives, and ensuring that council decisions are executed in accordance with legal and procedural requirements.

Budget Preparation and Management: The City Manager is responsible for preparing the city's budget, working with finance staff to develop a financial plan that reflects the priorities of the City Council. This includes monitoring expenditures, ensuring fiscal responsibility, and making recommendations for budget adjustments as needed.

Advisory Role: The City Manager provides the City Council with expert advice and information to aid in decision-making. This involves conducting research, analyzing data, and offering recommendations on a wide range of issues affecting the city.

Community Relations: Acting as a representative of the city, the City Manager engages with residents, businesses, and other stakeholders to address concerns, provide information, and foster positive relationships within the community.

Crisis Management: In times of emergency or crisis, the City Manager plays a key role in coordinating response efforts, managing resources, and communicating with the public and other agencies to ensure effective and timely resolution.

Overall, the City Manager's role is integral to the efficient operation of the City government, balancing administrative duties with the implementation of the City Council's vision and maintaining effective governance in American Canyon.

City Attorney. The City Attorney provides legal counsel and representation for the City government. This position is essential for ensuring that the city's operations and policies comply with legal standards and that the city is protected from legal risks. Key responsibilities include:

Legal Advice and Counsel: The City Attorney provides legal guidance to the City Council, City Manager, and various city departments on a wide range of issues such as municipal regulations, contracts, land use, and employment matters, ensuring that the City's actions and decisions adhere to the law.

Drafting and Reviewing Legal Documents: The City Attorney is responsible for drafting and reviewing legal documents, including ordinances, resolutions, contracts, and agreements. This ensures that these documents are legally sound and protect the city's interests.

Representation in Legal Matters: The City Attorney represents the City in legal proceedings, including lawsuits and administrative hearings. This involves preparing legal arguments, presenting cases, and negotiating settlements to safeguard the City's legal and financial interests.

Compliance and Risk Management: The City Attorney helps the City comply with federal, state, and local laws, regulations, and ordinances. They also identify and mitigate potential legal risks, providing advice on how to avoid or address legal issues that may arise.

Training and Education: The City Attorney provides training and educational sessions to city officials and staff on legal issues relevant to their roles. This helps ensure that city employees are aware of legal requirements and best practices.

Public Records and Transparency: The City Attorney works with the City Clerk to ensure compliance with public records laws and transparency requirements, helping the city manage requests for public records and maintain open communication with the public.

Ethics and Conduct: The City Attorney provides guidance on ethical issues and conduct standards, helping to maintain integrity within city operations and addressing any allegations of misconduct.

Performance Evaluations

Annual Review – The City Council reviews the performance of all City Officials reporting to the Council (City Manager and City Attorney) annually. Regular "check-ins" should also be scheduled to ensure ongoing performance and alignment with goals. The review process should evolve over time, reflecting the incumbent's experience in their position. Initial reviews aim to confirm that the employee possesses the necessary skills, knowledge, and abilities. Subsequent reviews should focus on the accomplishment of projects and priorities set during the previous review. The performance review process begins with a written review which is presented to the employee, followed by a general discussion between the Council and the City Official.

Review Documents - A review document that ranks specific attributes based on general categories should be used. This document will include an overall ranking and space for comments, allowing the Council Members to provide examples supporting their rankings. Each Member will complete their own review, which will then be consolidated and presented to the employee.

Compensation-Based Reviews - The annual review should serve as the basis for determining the employee's compensation. Salary increases will be based on the employees' success in achieving their goals.

Relationship Between Protocols and Employment Contracts - Employees covered by an employment contract will follow these guidelines. However, if a conflict arises between the employment contract and these guidelines, the terms of the contract will prevail.

SECTION FOUR: MEETINGS

State law requires the City Council to conduct business and make decisions together as a group, rather than as individuals. Generally, the group is required to meet in a manner that is “open to public” instead of “behind closed doors”. These “Public Meeting” requirements generally apply to citizen advisory bodies too, regardless of whether they are decision-making or advisory in nature.

What is a “Public Meeting”?

When a majority of the Council gathers together to hear, discuss or deliberate topics, a “meeting” occurs – regardless of whether the Members intended upon having a meeting. The Council may only conduct lawful meetings and to be lawful, a meeting must be noticed, have an agenda, include public participation, and follow other procedural rules.

Importantly, meetings need not occur at the same time or place. For example, a private email from one Council Member to the entire Council might (inadvertently) become a “meeting” if two other Members respond at a later time and date. However, since the procedural rules about notice and participation cannot be followed, this (email) meeting would not be lawful. This standard applies for all scenarios by which a majority of Members uses any communication technology (telephone, text message, e-mail, blog, social media, etc.) to hear, discuss or deliberate topics within the Council’s purview.

In addition, interaction between individual Council Members can (inadvertently) become meetings too. For example, a private email exchange from one Council Member to another could later become a meeting if one of the Council Members then forwards the email exchange a 3rd Council Member, who then initiates a response an exchange back with that Council Member. In this case, a “serial meeting” can occur. Serial meetings are unlawful because there is no way to notice such meetings or to provide for public participation.

Something as simple as pressing "Reply All" to an email sent by city staff to all Members can inadvertently trigger such a serial meeting violation. For example, if your "Reply All" message tries to convince other Members to join your point of view on an issue could become unlawful because Members are considering an issue outside of the public's view.

State law also prohibits Members from using social media platforms to hold meetings. You may not respond to another Member’s social media posts regarding items in Council, which prohibition includes even a thumbs up or emoji indicating agreement or disagreement.

Although Members may attend a purely social gathering or attend conferences or seminars, they must take care not discuss city business among themselves.

Persons with matters pending before Council may approach individual Members to discuss matters in private. It is up that Members sole discretion whether to honor the request, but

Members must remember they are acting in an official capacity if they do and must disclose the occurrence all private discussions to ensure the Council has access to all resulting information.

There are civil remedies and criminal misdemeanor penalties for violations of the Brown Act. The civil remedies include injunctions against further violations, orders nullifying any unlawful action and orders determining the validity of any rule to penalize or discourage the expression of a Member. Criminal penalties may result if a person is found guilty of a wrongful deliberate intent to deprive the public of information to which it is entitled under the Brown Act.

The most effective approach to prevent these penalties is to hold the Council's meetings in a public forum, stick to the agenda items, and consult the City Attorney, City Manager or City Clerk if you have any uncertainties regarding whether an action might violate the Brown Act.

City Council Meetings

The purpose of Council Meetings is to conduct City business. Matters not on the Agenda are not discussed. Council Members prepare for Council Meetings by reviewing the *entire* Agenda Packet and informing the City Manager of any questions, comments or concerns prior to the Council Meeting. While Council Meetings follow parliamentary procedures, they also maintain a natural, respectful flow, allowing for public input and reasonable deliberations.

Regular City Council Meetings. Regular meetings are held on the first (1st) and third (3^r) Tuesdays of the month. Closed Session starts at 5:30 PM, with Open Session beginning at 6:30 PM. Meetings are adjourned by 10:00 PM unless extended by a majority vote.

Special City Council Meetings. Special meetings may be held at any date or time following a 24-hour notice by the Mayor or a majority of Council Members. Only the matters in the notice may be considered.

Meeting Calendar. A calendar of next year's Regular Council Meetings is adopted by the City Council at the end of each calendar year. Additional Special Council Meetings may be scheduled as needed throughout the year.

Attendance. Council Members are expected to attend all Regular and Special Council Meetings. Attendance is defined as being marked "present" during Roll Call and remaining present until the Council Meeting is adjourned. Members who do not attend a Council Meeting are deemed "absent". The City Clerk is responsible for tracking Council Member attendance.

Excused Absences. To be eligible for an "Excused Absence" from a Regular City Council Meeting, the requesting Council Member must notify the Mayor and City Manager at least 24 hours prior to Roll Call. To be eligible for an "Excused Absence" from a Special City Council Meeting, the requesting Member must notify the Mayor and City Manager prior to Roll Call. Assuming requisite prior notification occurs, the Mayor shall grant an Excused Absence without further inquiry. However, the Mayor may not grant more than four (4) Excused Absences per calendar

year (per Member). After the fourth Excused Absence, the City Council must determine whether reasonable circumstances exist to grant any Member a fifth (5th) (or more) Excused Absence. Upon being granted an Excused Absence, the requesting Member will be compensated in the usual manner provided they have been briefed by the Mayor or City Manager on the matters discussed during the Excused Absence.

Unexcused Absences. Council Members who do not attend a Council Meeting or fail to provide the requires notice are deemed to be “Unexcused”. Council Members are ineligible for compensation after three (3) or more Unexcused Absence in any calendar year. In addition to withholding compensation after three (3) or more Unexcused Absences, the Member may also be sanctioned by the City Council for violation of the Code and Protocols.

Teleconferencing. Council Members are expected to attend all Regular and Special Council Meetings in person. Notwithstanding this expectation, there may be instances where a Member chooses to attend a Council Meeting remotely by phone or video conference (ie. “teleconferencing”). Attending a Council Meeting remotely can impose a burden on staff and the City Council. Instances of teleconferencing are expected to be limited and a Member’s desire to attend planned out well in advance of the meeting. Procedures for remote Council Meeting attendance are prescribed by State law and it is the remote-attending Member’s responsibility to ensure compliance with State law.

Quorum. A Council majority constitutes a quorum, with motions passed 2-1 if only three Members attend. However, certain actions, such as adopting ordinances and approving payment orders, require three affirmative votes. If a majority is disqualified due to conflicts of interest, the Council selects Members by lot or other impartial means to form a quorum.

Participation and Voting Required. A Member in attendance at a City Council meeting is required to participate in each agenda item and then vote when called upon by the City Clerk. If the Member believes they have a disqualifying conflict of interest, they must publicly explain the nature of their conflict and then remove themselves from the Council Chambers prior to the item being considered so they will be considered to have abstained from voting. A detailed list of disqualifying conflicts of interest is shown in the Appendix. Importantly, having to make a difficult or unpopular decision is not a disqualifying conflict of interest or basis for abstention.

Rule of Necessity (“Legally Required Participation”). If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the Council shall determine, that number of its disqualified Members which, when added to the Members eligible to vote, shall constitute a quorum. Those Members may vote but not discuss.

Minutes. “Action minutes” prepared by the City Clerk’s Office represent the official summary of the Council’s actions. Video recordings supplement the minutes. Council may direct additional specificity be included in the minutes to avoid misunderstandings and ensure the direction is

implemented.

Agenda-Setting Process. The City Clerk maintains a twelve-month rolling calendar of future agenda items of which the City Manager is generally responsible coordinating and assigning the respective dates for those items. . This calendar is available for review by Council Members by request of the City Manager. Each Council Meeting Agenda also includes a list of notable future items.

Council-Requested Items. Members may request future agenda items. This first should be requested informally through consultation with the City Manager and then if necessary, based on formal consensus of the Council.

Agenda Packet Preparation & Delivery. The agenda contains topics for consideration. The City Clerk, in consultation with staff, prepares a “packet” of information containing all the supporting documents for each agenda item (Agenda Packet). The Agenda Packet is delivered electronically to Members no later than 5:00 p.m. on Friday preceding the Tuesday meeting to which it pertains. The Agenda Packet is only provided in an electronic format. Once the Agenda Packet is distributed to the Members, it is made available to the public.

Agenda Posting. The City Clerk is responsible for posting regular meeting agendas at least 72 hours prior to the meeting. Agendas shall be physically posted on the bulletin board outside of City Hall and electronically posted at the Virtual City Hall. Agendas are also electronically delivered to those who have registered to receive them.

Agenda Order. The Mayor conducts the meeting in the order shown on the agenda or otherwise modified by the Council.

Meeting Decorum. To ensure proper decorum, the City Council enforces measures to minimize interruptions, such as requiring cellular phones and pagers to be turned off or set to vibrate. Public input is time-limited and should occur prior to Council Member comment or deliberation. Council Members are encouraged to be concise in their remarks. While at a City Council meeting, be mindful of electronic devices, such as smart phones, laptops and tablets. Do not use such devices to communicate with other Members, commissioners, Members of the public, or undertake ad hoc research while the Council is considering a matter. Doing so results in parts of the decision-making process occurring outside of the public's view (and implies due process concerns for some Council decisions).

Parliamentary Procedure. The Council follows Rosenberg’s Rules of Order. The purpose of the rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings. The Rules should be clear and user-friendly. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate. So, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process. Also, the Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Closed Session

All Council Meetings are open to the public. However, the Council may hold “closed sessions”, from which the public may be excluded. Topics that may be discussed are limited the following: personnel matters, property negotiations, labor negotiations, existing litigation, anticipated litigation and any other topics allowed by law.

Closed Session attendees consist of the City Manager, City Attorney, City Council and any other person deemed necessary by the participants to further the discussion of the items for consideration. Each Closed Session participant must independently determine for themselves whether their participation in Closed Session is appropriate or lawful, and reliance upon the City Attorney’s advice is insufficient justification.

Call to Order. he Mayor (or Vice-Mayor) calls the Closed Session to order at the appointed time. In the absence of both, the meeting shall be called to order by the City Manager and those Council Members present shall proceed to select a “temporary presiding officer”.

Roll Call. Immediately after Call to Order, the City Clerk conducts a “roll call” of the Members present whose names that are recorded as “present” (i.e. in attendance.).

Public Comments. This time is reserved for the public to address the City Council on Closed Session items only. Comments must be made in person and are limited to 3 minutes. The City Clerk physically departs from the Closed Session at the conclusion of Public Comment.

Personnel Matters. The Council may consider the appointment, employment, or dismissal of a public employee or to hear complaints or charges brought against such a person or employee. The Council may also review the performance of City Officials reporting directly to the Council

Property Negotiations. The Council may meet discuss the terms and conditions under which real property may be acquired or sold but the actual purchase agreement or contract must be approved in an open session.

Labor Negotiations. The Council may discuss the terms and conditions for meeting the City’s obligations of negotiating in good faith with represented employees regarding wages, benefits, and working conditions.

Existing Litigation. The Council may discuss existing legal matters to which the City is an actual party.

Anticipated Litigation. The Council may discuss legal matters in which the City *could* become a party; however this exception must be narrowly construed to apply only to matters with specific facts and circumstances.

Threats Against the City. The Council may discuss threats threat to the security of public buildings, essential public services - including water, drinking water, wastewater treatment, natural gas service, and electric service - or a threat to the public's right of access to public services or facilities.

Confidentiality. Matters discussed in Closed Session shall not be discussed outside of the Closed Session by the Council or Council Members. Members who violate this policy are subject to sanctions by the Council. Sanctions may include, but are not limited to, removal of the Council Member from other boards and commissions where the Member represents the City. This policy ensures that the City Council conducts sensitive discussions appropriately while maintaining transparency and accountability to the public where required.

Open Session

Call to Order. The Mayor (or Vice-Mayor) calls the meeting to order at the appointed time. In the absence of both, the meeting shall be called to order by the City Manager and those Council Members present shall proceed to select a “temporary presiding officer”.

Pledge of Allegiance. The Mayor leads the Pledge of Allegiance.

Open Session Roll Call. Immediately after the Pledge, the City Clerk conducts a “roll call” of the Members present whose names that are recorded as “present” (i.e. in attendance.)

Report on Closed Session/Confirmation of Reportable Action. The City Attorney announces any reportable action taken by City Council during Closed Session.

Proclamations. The Council issue proclamations to recognize, honor and/or celebrate various community interests. The Council generally takes a photo with recipients immediately after presenting the proclamation. A calendar of next year’s Proclamations is adopted by the City Council at the end of each calendar year. Additional Proclamations may be scheduled as needed throughout the year.

Presentations. The Council receives pertinent information from 3rd parties generally related to area of interest.

Public Comments. City Council meetings are a *limited* public forum. Any person may address the Council on any subject pertaining to city business, and which is not listed on the regular or closed

session agendas. Generally, each person will be allowed up to three (3) minutes of time to address the Council. One two-minute extension may be granted by the mayor at their discretion.

American Canyon promotes respectful and responsible behavior among its meeting participants, whether they are present in person or remotely. Using offensive language or remarks that promote, foster, or perpetuate discrimination based on race, creed, color, age, religion, gender marital status, status regarding public assistance, national origin, physical or mental disability or sexual orientation/gender Identification, as well as any other category protected by federal, state or local laws will not be tolerated. In the case of offensive language or remarks and in the sole discretion of the Mayor, a speaker may immediately disconnected from the microphone.

Agenda Review and Changes. The Council may vote to modify the order of the agenda, to expedite the business of the City or to accommodate Members of the audience.

Consent Calendar. Items of a routine or non-controversial nature shall be placed on the Consent Calendar. A brief description of the item and/or the action to be taken shall be included to provide a better understanding of the issue. Item on the Consent Calendar are approved a group, with single motion, second and vote. Typical items include:

- Prior meeting minutes.
- Monthly or informational reports.
- Purchases or awards of contracts of an insignificant amount already budgeted.
- Actions approved in concept at a prior meeting.

Public Hearings - Public hearings will follow the noticing requirements as stipulated by applicable law. Public hearings are conducted in the following order:

1. Council Member *Ex Parte* disclosure
2. Staff review
3. Questions of staff by Council
4. Hearing opened by the mayor
5. Testimony from the applicant (if appropriate)
6. Testimony from the public
7. If desired, hearing closed.
8. Discussion by Council
9. Council action

Quasi-judicial hearings (such as when the Council is considering an appeal of a land use decision by the Planning Commission) shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.

At any public hearing before the City Council, testimony of witnesses under oath may be requested by the Council.

Business Items - Business items will be introduced and summarized by the city staff. The appropriate departmental representative will be available to answer questions that may be asked by Members or the public. Business items are conducted in the following order:

1. Staff review
2. Questions of Staff by Council
3. Testimony from the Applicant (if appropriate)
4. Public comment period is opened.
5. When finished, public comment period is closed.
6. Discussion by Council
7. Action by Council by roll call vote

Management and Staff Oral Reports - Informational reports by staff not requiring formal action.

Mayor/Council Comments and Committee Reports - Members are encouraged to submit a written report to the City Clerk for inclusion in the meeting packet. Alternatively, an oral update can be provided at this time.

Future Agenda Items - Future agenda items are reviewed. New items are proposed by City Council through a motion and affirmative vote by the Council majority.

SECTION FIVE: COMPENSATION

Salary. Council Members receive a salary as stipulated by State law which may be adjusted from time to time by the Legislature. Currently, the salary amount is \$315 per month. However, effective November 6, 2024, Members will receive a salary of \$950 per month.

Cost of Living Increase. Effective the first full pay period in January 2025, and annually each January thereafter, Council Members will receive a minimum 5% cost-of-living increase plus an amount equivalent to the California Consumer Price Index of the prior 12 months up to maximum of 10%.

Payment Schedule. Council Members are paid twenty-six (26) times per year.

Additional Payment: Council Members sit *defacto* as the American Canyon Fire Protection District Board of Directors (Fire District) and receive compensation separately and directly from the Fire District. Although Members will consider matters related to the former American Canyon County Water District ("Water District") from time to time, they will receive no additional compensation.

Retirement and Medical Benefit: Council Members are covered under the City's PERS retirement program, which includes medical coverage. If a Member is vested in the City's retirement program, they will be eligible for retiree medical insurance benefits.

Dental and Vision: Council Members are eligible for the same dental and vision care coverage and benefits as the Management Team.

Deferred Compensation and Equipment Loan Programs: Council Members are eligible to participate in the City's Section 457 Deferred Compensation program and the city's Computer Equipment Loan program.

Vehicle Stipend. Council Members are eligible to receive an auto stipend.

Telephone Stipend. Council Members are eligible to receive a phone stipend.

No "Cash in Lieu" of Benefits: Council Members are not eligible for "cash-in lieu of" any benefits they have declined.

SECTION SIX: ADMINISTRATIVE SUPPORT

The City Manager will ensure that routine matters, such as distributing Council mail and providing clerical support, are handled as needed. Customized stationery will be provided for each Council Member, recognizing that individual Members do not represent the full Council. City resources, including funds, equipment (e.g., cell phone, laptop personal computer, small file storage), supplies (including letterhead), and staff time must only be used for authorized City of American Canyon activities and purposes. When in doubt, Council Members should contact the the City Manager for advice before making any commitments.

Master Calendar - A calendar events, functions, and meetings will be maintained and kept current by the City Clerk. This calendar will include functions, events, and regularly scheduled meetings attended by individual Council Members and will be distributed to the full Council.

Request for Information - Council Members may request information or research from the City Manager if the request can be completed in less than an hour. Often, the City Manager will delegate this request to staff. Requests anticipated to take more than one hour should be directed to the City Council during a Council meeting under "Future Council Item." Requests for new information or policy direction will be brought to the full Council at a Regular Meeting for consideration. All written reports will be copied to the full Council.

Tickets to City Events - One ticket for each Council Member will be provided for events hosted by the City or in which the City is a Member . Departments hosting City events will coordinate ticket distribution with the City Manager's Office. The availability of tickets for events hosted by other organizations will be at the discretion of the organizing agency. When the City is a major sponsor of an event, staff will endeavor to include ticket availability in the sponsorship agreement or contract.

Council Notification of Significant Incidents The City Manager's Office, in conjunction with the City's public safety departments, will coordinate notifications to the Council in conjunction with the City Communication Policy. Notifications will occur in the event of a natural disaster, riots, large-scale evacuation, gang activity involving murder, injury and hospitalization of a city employee while on the job, an officer-involved shooting, or a financial issue that could result in controversy or disgrace for the City of American Canyon. This will be done via email and/or telephone.

Business Cards and Name Tags - Members will be issued business cards to be used in the duties and functions of the office. Name tags will be issued to wear during meetings, events, or at any function where Members are representing the City in their role as Council Member. At the conclusion of a term, name tags and unused business cards shall be returned to the City Clerk.

Travel and Training Council Members follow the same policies for as staff for travel for official business or for training and educational purposes is considered. Members are responsible for

making their own travel arrangements and accommodation and avoid unnecessary expenditures and negative public perception.

Technology – Each Council Member is provided with a City-issued electronic tablet to facilitate their Council work. The tablet is a valuable tool that will assist Members in staying connected and contribute to the success of their role, and the organization's goals.

LIST OF APPENDICES

Public facing communications, Council notifications and Social Media Policy

State and Federal Conflict of Interest Laws

Brown Act and Teleconference Meeting Requirements

Public Records Act

List of City Policies

APPENDIX ABC - EXAMPLE STATE AND FEDERAL LAWS

An Overview of Conflicts of Interest Under the Political Reform Act. The Political Reform Act (the “Act”) (GC § 87100) prohibits a public official at any level of state or local government from making, participating in making, or attempting to use the official’s position to influence a governmental decision in which the official knows or has reason to know the official has a financial interest.

If an official has a “financial interest” within the meaning of (GC § 87100) if it is reasonably foreseeable that the decision will have a material financial effect on one or more of the official’s interests as identified and distinguishable from the decision’s effect on the public generally. (GC § 87103).

Statement of Economic Interest (Form 700 Filers). All persons holding designated positions shall file a statement of economic interest with the city clerk at the times specified in Section 5 of the model code which has been adopted and incorporated by reference in the Municipal Code.

Recognizing Conflicts of Interest. Recognizing Conflicts of Interest – A Guide to the Conflict of Interest Rules of the Political Reform Act is a guide provided by the Fair Political Practices Commission (FPPC) as a general overview of a public official’s obligations under the rules provided for in the Political Reform Act (the Act). It is intended to help the user spot situations and issues that may give rise to a conflict.

Types of Financial Interests that May be the Basis of Conflict. These provisions of the Act prohibit an elected or appointed Member of a legislative body “an official” from taking part in a decision if it is reasonably foreseeable that the decision would have a material financial effect on one or more of the official’s financial interests identified in (GC § 87103) distinguishable from the decision’s effect on the public generally. An Overview of Conflicts of Interest Under the Political Reform Act guide is available from the FPPC.

There are five types of interests that may result in disqualification:

1. **Business Investment, Employment or Management.** An official has a financial interest in a business entity in which the official, or the official’s spouse, registered domestic partner, or dependent children or an agent has invested \$2,000 or more. An official also has a financial interest in a business entity for which the official is a director, officer, partner, trustee, employee, or holds any position of management.
2. **Real Property.** An official has a financial interest in real property in which the official, or the official’s spouse, registered domestic partner, or dependent children, or an agent has invested \$2,000 or more, and also in certain leasehold interests of terms of more than a month (excluding a month-to-month lease and leases for terms of less than a month).

3. **Sources of Income.** An official has a financial interest in anyone, whether an individual or an organization, from whom the official has received (or from whom the official has been promised) \$500 or more in income within 12 months prior to the decision. A “source of income” includes a community property interest in the spouse’s or registered domestic partner’s income. Therefore, a person from whom the official’s spouse or registered domestic partner receives income of \$1,000 or more, such that the official’s community property share is \$500 or more, may also be a source of a conflict of interest. In addition, if the spouse, registered domestic partner or dependent children own 10 percent or more of a business, the official is considered to be receiving “pass-through income” from the business’s clients. In other words, under such circumstances, the business’s clients may be considered sources of income to the official as well.
4. **Gifts.** An official has a financial interest in anyone, whether an individual or an organization, who has given gifts to the official that total \$460 or more within 12 months prior to the decision.
5. **Personal Finances.** An official has a financial interest in decisions that affect the official’s personal expenses, income, assets, or liabilities, as well as those of the official’s immediate family. This is known as the “personal financial effects” rule.

Conflict of Interest Code. In compliance with the Political Reform Act of 1974, California, GC §81000, et seq., the city adopted the Fair Political Practices Commission (FPPC) standard Conflict of Interest Code which shall be applicable to all Council Members, officials and designated employees and consultants of the city pursuant to GC §87300.

In compliance with AB 1234 and to maintain their impartiality for the greater public benefit, Members shall refrain from leveraging their official positions to influence government decisions involving significant financial interests or personal relationships that could create a perception of a conflict of interest. In adherence to both legal mandates and FPPC guidelines, Members must disclose their financial investments, real property holdings, income sources, and gifts. Furthermore, they should abstain from engaging in discussions or making decisions in situations where conflicts of interest might be present.

SB-1439

Members shall not accept any gift, grant or contract which creates a conflict of financial interest and is given by any person, firm, or corporation which to their knowledge is interested, directly or indirectly, in any manner whatsoever in business dealings with the City regardless of amount, retainer or compensation that is contingent upon a specific action by the city Council, a city commission or a city agency. No Council Member, official or employee shall have an investment or monetary interest in any contract with the city made by them in their official capacity, or by any board or body of which they are Members except as permitted by (GC §1090, et seq.) Cross-

Ex-Parte Communications (ACMC 2.40.080) Council Members are expected to openly disclose substantive and pertinent information, which they may have acquired from external sources unrelated to the public decision-making process, in relation to matters being deliberated by the Council or the various boards, commissions, and committees.

No Council Member, official or employee shall encourage, make or accept any ex-parte or other unilateral application or communication that excludes the interests of other parties in a matter under consideration when such application or communication is designed to influence the official decision or conduct of the official or other officials, employees or agencies in order to obtain a more favored treatment or special consideration to advance their personal or private interests. The purpose of this provision is to ensure that all interested parties to any matter shall have equal opportunity to express and represent their interests.

Any written ex-parte communication received by a Council Member, official or employee in matters where all interested parties should have an equal opportunity to be heard shall be made a part of the record by the recipient.

Any oral ex-parte communication received under such conditions should be written down in substance by the recipient and be made a part of the record.

A communication concerning only the status of a pending matter shall not be regarded as an ex-parte communication. (Ord. 92-11 § 8, 1992)

Teleconferencing

These procedures are intended to comply with and are governed by the Ralph M. Brown Act, Government Code Section 54950 et seq. (The "Brown Act")

Traditional Teleconferencing Rules

The Brown Act's traditional (pre-COVID) teleconferencing rules are effect and remain an option. The traditional Brown Act teleconferencing rules for public meetings requires:

- a) at least a quorum to meet physically in-person within the City's boundaries.
- b) that location available to public to physically attend.
- c) and that any Member who participates remotely must have the address of their remote location listed on the Agenda and allow in-person public access at that remote location.

Because the traditional rules require listing any Member's remote location on the agenda and making it available to the public, it is not well equipped for unexpected events arising after the agenda is posted that may necessitate a Member's remote attendance.

Requirements and Limits of AB 2449

AB 2449 marks a partial move back towards the traditional teleconferencing rules, while still providing a degree of flexibility for remote attendance. AB 2449 adds new teleconferencing procedures that do not require a state of emergency. (GC§ 54953(f)).

AB 2449 requires at least a quorum of Members to participate in person from a single, publicly available location that is identified on the meeting agenda. (GC§ 54953(f)(1)). A Member may no longer participate from a remote location within the City and cannot count as a part of the quorum. If the physical quorum requirement is met, AB 2449 permits any absent Member to attend virtually under two situations: (1) for "just cause;" and, (2) due to "emergency circumstances."

- a) Virtual Attendance for "Just Cause". AB 2449 lists specific grounds that are considered "just cause":
 - ☐ There is a childcare or caregiving need (for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner) that requires the Member to participate remotely;
 - ☐ A contagious illness prevents the Member from attending in person;
 - ☐ There is a need related to a defined physical or mental disability that is not otherwise accommodated for; or
 - ☐ Traveling while on official City business or for another state or local agency. (GC§ 54953(j)(2)).

Notification - For "just cause" remote attendance, a Member must:

- notify the legislative/advisory body at the earliest opportunity of the need for remote participation, and

- provide a general description of the circumstances justifying their virtual attendance. (GC§ 54953(f)(2)(A)(i)). This notification can be made as late as the start of a regular meeting. (Id.)

No Vote or Approval Necessary – The legislative/advisory body does not need to vote on or approve a notification for “just cause” remote attendance. The Member’s remote attendance, however, should be noted on the record and in the meeting minutes.

Limited to two (2) Annual Uses - A Member can only utilize the “just cause” authorization twice per calendar year. (GC§ 54953(f)(2)(A)(i)).

- b) Virtual Attendance Due to “Emergency Circumstances”. “Emergency Circumstance” Defined - AB 2449 defines “emergency circumstances” as “a physical or family medical emergency that prevents a Member from attending the meeting in person.” (GC§ 54953(j)(1)).

Timing and Procedure: Unlike remote attendance for “just cause,” remote attendance due to “emergency circumstances” is not granted as a matter of course – instead it requires the remote Member to submit a request and that a vote be conducted by the legislative/advisory body to approve or deny the request. That vote should be conducted at the start of the meeting. (GC§ 54953(f)(2)(A)(ii)).

The Member must further provide a general description of the emergency circumstance justifying such attendance. (GC 54953(f)(2)(A)(ii)). However, the Member is not required to disclose any medical diagnosis, disability, or personal medical information. (GC§ 54953 (f)(2)(A)(ii)).

The request to participate remotely must be made “as soon as possible.” (GC§ 54953(f)(2)(A)(ii)(I)). However, if the request does not allow enough time for it to be placed on the agenda, the legislative body may still act on the request. (GC§ 54954.2(b)(4)). If the legislative body votes not to accept the Member’s basis for virtual attendance, then that Member may only participate as a general Member of the public and cannot vote on any agenda item.

- c) Additional Requirements for Remote Participation under AB 2449. In addition to requiring justification as either “just cause” or an “emergency circumstance” for remote appearance, AB 2449 imposes the following additional requirements:

- Quorum: As stated above, at least a quorum must participate from the same physical location that is available to the public.
- Noted for the Record: The request for remote attendance should be stated on the record at the beginning of each public meeting. Staff should keep a record of how many times each Member has appeared remotely and the grounds for appearing remotely.
- Disclosure of other Individuals Present: Before any action is taken during the meeting, the remote Member must publicly disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the Member and describe the general nature of the Member’s relationship with any such individuals.

- **Audio AND Visual Required:** The Member participating remotely must participate through both audio and visual technology. That is, appearance by telephone without video is not authorized, and a Member should not turn off their camera during the meeting.
- **Limited Number of Uses:** Each Member's total remote participation cannot be for more than three (3) consecutive months, nor 20 percent of the regular meetings within a calendar year. For legislative bodies that have less than 10 regular meetings in a calendar year, a Member cannot participate remotely for more than two (2) meetings.
- **Each Meeting Treated Separately:** A notification (for just cause grounds) or request (for emergency grounds) is required for each meeting a Member remotely attends. That is, a single notification/request cannot be made for multiple meeting dates.
- **No Resolution Required.** Unlike AB 361, which required monthly resolutions of the Council, AB 2449 contains no such requirement.

The Ralph M. Brown Act (Brown Act) is California's "sunshine" or open meetings law for local government. In a nutshell, it requires local government business to be conducted in open and public meetings. The Brown Act is based upon State policy that the public must be informed so it can keep control over its own government. Open & Public – Brown Act Guide.

Who is Covered?

Legislative bodies are the basic local governmental unit subject to the Brown Act. A legislative body includes a commission or committee, whether the commission or committee is decision-making or advisory in nature.

Public Meetings

The Brown Act requires that all Council meetings shall be open to the public. A meeting, generally, occurs when a majority of the legislative body gathers at the same time and in the same place to hear, discuss or deliberate upon anything that is within the subject matter jurisdiction of the legislative body or city. In order to be lawful, a meeting must be noticed, have an agenda and follow other procedural rules.

While at a City Council meeting, be mindful of electronic devices, such as smart phones, laptops and tablets. Do not use such devices to communicate with other Members, commissioners, Members of the public, or undertake ad hoc research while the Council is considering a matter. Doing so results in parts of the decision-making process occurring outside of the public's view (and implies due process concerns for some Council decisions).

Serial Meetings

These are meetings by which a quorum of Members uses any direct communication or technological device, such as telephone, e-mail, blog, etc., to develop collective concurrence on actions outside of a public meeting. These serial meetings are unlawful because there is no way to notice such meetings or to provide for public participation. Something as simple as pressing "Reply All" to an email sent by city staff to all Members can inadvertently trigger such a serial meeting violation. For example, if your "Reply All" message tries to convince other Members to join your point of view on an issue coming before Council, that is a Brown Act violation because Members are considering an issue outside of the public's view.

State law also prohibits Members from using social media platforms to hold an unnoticed virtual meeting. You may not respond to another Member's social media posts regarding items in Council, which prohibition includes even a thumbs up or emoji indicating agreement or disagreement.

A majority of Council, however, may attend a purely social gathering or attend conferences or seminars without running afoul of the Brown Act, so long as a majority does not discuss among themselves city business of a specific nature.

Private Meetings

Persons with applications or other matters pending before Council may approach individual Members. Whether to meet privately with such people is always a decision for a Member to make. To help make that decision, Members should consider the following points:

- The public's business should be discussed in public whenever possible.
- City staff can advise you regarding the legality and/or propriety of private meetings.
- City Council will make better decisions when all Members have access to the same information.
- You should inform the full Council at the public meeting when you have held such a private meeting.

Penalties

There are civil remedies and criminal misdemeanor penalties for violations of the Brown Act. The civil remedies include injunctions against further violations, orders nullifying any unlawful action and orders determining the validity of any rule to penalize or discourage the expression of a Member. Criminal penalties may result if a person is found guilty of a wrongful deliberate intent to deprive the public of information to which it is entitled under the Brown Act.

The most effective approach to prevent these penalties is to hold the Council's meetings in a public forum, stick to the agenda items, and consult the City Attorney, City Manager or City Clerk if you have any uncertainties regarding whether an action might violate the Brown Act.

Appendix XYZ - Example list of Council policies

Fiscal and Budgetary Policies

- Basis of Accounting/Operating Budget
- Accounting, Auditing, and Financial Reporting
- Reserves, Unallocated Funds, and Capital Set-Aside
- Revenue Management
- Expenditure Control
- Investments and Cash Management
- Asset Management
- Debt Management
- Internal Controls
- Travel Policy
- Capital Set-Aside

Capital Improvement Program Policies

- Complete Streets
- Pavement Condition Index

Private Development and Economic Development Policies

- Economic Analysis of New Development
- Public Improvement Requirements & Nexus Fees
- Public Notice/Engagement
- Economic Incentives

Risk Management Policies

- Claims Review & Acceptance
- Claims Avoidance
- Insurance Requirements
- Use of Risk Pools

General

- Religious expression
- Political expression at City Events
- Flag Display at City Facilities

Issuance and Setup

- a) Upon commencement of their role, Members will receive a designated electronic tablet for official use.
- b) Assistance will be provided in setting up each tablet with necessary applications, security features, and access permissions.
- c) Members are required to read and sign an Electronic Tablet Use Policy Agreement.

Responsible Use

- a) The tablet is provided for official duties only. Personal use should be kept to a minimum.
- b) Tablets are subject to public records act (PRA) requests and may become viewable to Members of the public. There is no expectation of privacy for any content sent or received with the tablet. To learn more about PRA requests, review the PRA Guide.

Software and Applications

- a) Tablets will be issued with the software necessary to perform Council duties.
- b) Should another application be desired, contact the City Clerk for assistance.

Reporting Issues

- a) Report any technical issues, glitches, or concerns related to your tablet promptly to the City Clerk. The City Clerk will coordinate IT support.
- b) Do not attempt to troubleshoot or repair the device without consulting with IT personnel.

Device Return and Exit Process

- a) When a terms concludes, the tablet shall be returned to the City Clerk's office.

Using the iLegislate App

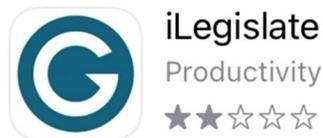
iLegislate for Windows and OSX enables elected officials and government staff to review meeting agendas, supporting documents, and archived video, and to bookmark items for easy retrieval. Notes and bookmarks are automatically backed up to the Granicus cloud.

[Click here](#) for a demo video on the features of iLegislate.

[Click here](#) to download iLegislate for use on your laptop or desktop computer.

To use iLegislate on your iPad or other tablet, visit your app store and search for "Granicus iLegislate".

The correct app looks like this:



Launching and signing into iLegislate:

1. Open iLegislate from your tablet or desktop application.

2. In the first field, enter the name of your Granicus Platform host site:
americancanyon.granicus.com.
3. Enter your username in the second field.
4. Enter your password in the third field.
5. Tap **Save**.

Note: Your notes and bookmarks are private and only accessible with your personal login.

A complete iLegislate User Guide with instructions in both written and video format is available on the Granicus support page [here](#).

The People’s Business – Public Records Act Guide

In California, the Public Records Act (PRA) is a state law that grants the public the right to access government records. It ensures transparency and accountability by allowing individuals to request and obtain documents, files, and other materials maintained by state and local government agencies. The PRA aims to promote open government and enable citizens to stay informed about governmental activities and decisions. [The People’s Business A Guide to the California Public Records Act.](#)

DRAFT

CITY OF AMERICAN CANYON

GOVERNANCE PROTOCOL HANDBOOK



**Adopted by the City Council
& the Fire District Board of Directors**

REVISED MARCH 17, 2020

**CITY OF AMERICAN CANYON
CITY COUNCIL / FIRE DISTRICT BOARD
GOVERNANCE PROTOCOL HANDBOOK**

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RESOLUTIONS

2007-106	May 3, 2007	Establishing Governance Protocols
2007-120	July 5, 2007	Revisions
2008-107	August 5, 2008	Revisions
2009-10	August 16, 2009	Revising 14.3.9 Meals (ACFPD)
2009-86	August 16, 2009	Revising 14.3.9 Meals
2009-14	October 6, 2009	Revising V(1) Meetings (ACFPD)
2009-15	October 6, 2009	Revising IV – Fiscal Policies (ACFPD)
2009-101	October 6, 2009	Revising IV – Fiscal Policies
2011-105	November 15, 2011	Revising V - Absences
2012-21	April 3, 2012	Revising II – Code of Ethics and Conduct and VI – Agenda Process
2013-35	May 7, 2013	Revising II – Code of Ethics and Conduct and V – Rules of Procedures for Council, Boards and Commissions
2013-94	December 2, 2013	Revising VII Council Member Administrative Support
2015-87	November 17, 2015	Revising IV - Fiscal and Budgetary Policies
2018-36	April 17, 2018	Revising V – Agenda Format Changes
2019-34	May 7, 2019	Revising IV – Fiscal and Budgetary Policies
2019-46	June 18, 2019	Revising IV – Fiscal and Budgetary Policies 5. Expenditure Control (Purchasing)
2020-28	March 17, 2020	Revising IV – Adding Section 15. Budgeting for Community Service Providers.

II CODE OF ETHICS AND CONDUCT FOR ELECTED OFFICIALS AND MEMBERS OF APPOINTED BOARDS, COMMISSIONS, AND COMMITTEES

Statement of Purpose

The City of American Canyon has adopted a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees. In order to facilitate fair, ethical, and accountable local government, the City of American Canyon has developed the following guidelines:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial, and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
- public officials comply with all provisions of AB 1234 including attendance at ethics training within one year of being elected and every two years thereafter. The certificate of attendance must be filed with the City Clerk.

1. Act in the Public Interest

Stewardship of the public interest must always be principal duty of individuals representing the City. Members will work for the common good of the people of American Canyon and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the American Canyon City Council, boards, commissions, and committees.

2. Comply with the Law

Members will comply with the laws of the nation, the State of California, and the City of American Canyon in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members will refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of Council, boards, commissions, and committees, the staff, or public. As respected representatives of the community, Council

members shall conduct themselves in a personal and professional manner that reflects positively on the on the collective action of the City Council and the City as a whole.

4. Respect for Process

Members will perform their duties in accordance with the processes and rules of order established by the City Council and boards, commissions, and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff. The City Council acts as a collaborative decision-making body. Once the City Council, acting as a body, has reached a decision, individual Council members will respect and support the collective decision, regardless of their individual vote on the matter.

5. Conduct of Public Meetings

Members will prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members will base their decisions on the merits and substance of the matter at hand.

7. Communication

Members will publicly share substantive information that is relevant to a matter under consideration by the Council or boards, commissions, and committees which they may have received from sources outside the public decision-making process.

8. Conflict of Interest

In accordance with AB 1234, to assure their independence and impartiality on behalf of the common good, members will not use their official positions to influence government decisions in which they have a material financial interest or personal relationship which may give the appearance of a conflict of interest. In accordance with the law and FPPC requirements, members will disclose investments, interests in real property, sources of income, and gifts; and they will abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

Members will comply with the requirements of the Political Reform Act relating to the acceptance and reporting of gifts.

10. Confidential Information

Members will respect the confidentiality of information concerning City property, personnel, or proceedings of the City. They will neither disclose confidential information without proper legal authorization, nor use such information to advance their personal interests.

11. Use of Public Resources

Members will not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes. Members will not utilize the City's name or logo for the purpose of endorsing any political candidate or business.

12. Representation of Private Interests and Ex Parte Communications

In keeping with their role as stewards of the public interest, members of Council will not appear on behalf of the private interests of third parties before the Council or any board, commission, committee, or proceeding of the City, nor will members of boards, commissions, and committees appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

Also, members of the Council will use extreme caution before engaging in ex parte communications. The Brown Act allows the public contact with public officials; however, it does not permit discussions that allow a majority of a council to arrive at a "collective concurrence." That is, if before a meeting enough of the council agree to support or deny an item, for example a construction project, a violation of the law occurs. This occurs even if the members didn't know what the others had decided. The Brown Act mandates that all public business must be done in public.

Even if such discussions don't violate the Brown Act, such "ex parte contacts" may result in an unfair proceeding. In an ex parte contact, the proponent or opponent is allowed to present ideas or opinions to one or several officials that the rest of the public never hears, violating the Constitutional due process rights of the opposing point of view.

If a Council Member chooses to engage in ex parte communications, they must disclose this activity at the time the item is considered by the Council.

13. Advocacy

Members shall represent the official policies or positions of the City Council, board, commission, or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members will explicitly state they do not represent their body or the City of American Canyon, nor will they allow the inference that they do.

14. Policy Role of Members

Members will respect and adhere to the council-manager structure of American Canyon city government as outlined in the City Municipal Code Section 2.08 and others related of the Municipal Code with respect to the City Manager's relationship with the City Council. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, boards, commissions, and committees and City staff. As provided by the City ordinance, members will not interfere with the administrative functions of the City or the professional duties of City staff. Members will not impair the ability of staff to implement Council policy decisions. They will refrain from any direct interference in personnel matters or during labor negotiations, except through the City Manager and/or the duly appointed chief negotiator.

15. Independence of Boards, Commissions and Committees

Independent advice of boards, commissions, and committees during the public decision-making process is vital. Members of Council will refrain from using their position to unduly influence the deliberations or outcomes of board, commission, and committee proceedings.

16. Positive Work Place Environment

Members will support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members will recognize their special role in dealing with City employees and refrain from creating the perception of inappropriate direction to staff.

17. Staff Relations

City Councilmembers, board members, commission members and City Staff will treat each other with mutual respect. All concerns or complaints regarding staff should be directed to the City Manager. All work requests should be directed to the City Manager. Councilmembers should not attempt to coerce or influence staff in the appointment of new employees, awarding of contracts, selection of consultants, processing of development applications or granting of City licenses or permits. The Council should not attempt to

change or interfere with the operating policies and practices of any City department.

18. Implementation

The Code of Ethics and Conduct is intended to be self-enforcing. Members should be thoroughly familiar with the policies and abide by the provisions. Ethical standards will be included in the regular orientations for candidates for City Council, applicants to boards, commissions, and committees and newly elected and appointed officials.

Members entering office will sign a statement affirming they have read and understood the City of American Canyon Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be reviewed bi-annually by the City Council, boards, commissions, and committees, and the City Council shall consider all recommendations from boards, commissions, and committees and update it as necessary.

19. Compliance and Enforcement

The American Canyon Code of Ethics and Conduct outlines standards of ethical conduct expected for members of the American Canyon City Council, boards, commissions, and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards, commissions, and committees and the Mayor have the additional responsibility to intervene when members' actions appear to be in violation of the Code of Ethics and Conduct when brought to their attention. After consideration and consultation, the City Council may impose sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority, or committee assignment. The City Council also may act to remove members of boards, commissions, and committees from office. Prior to the imposition of any sanctions to a member of the City Council, the City Council shall follow applicable due process procedures with respect to the affected member.

STATEMENT OF COMMITMENT

As a member of the American Canyon City Council or of an American Canyon board, commission, or committee, I agree to uphold the Code of Ethics and Conduct for elected and appointed officials adopted by the City Council and conduct myself by the following model of behavior. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, City staff, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Treat all people with whom I come in contact in the way I wish to be treated;
- Before I speak or act I will ask myself the following four questions:
 1. Is it the truth?
 2. Is it fair to all concerned?
 3. Will it build goodwill and better friendships, partnerships and collaborations?
 4. Will it be beneficial to all concerned?

I affirm that I have read and that I understand, accept and support the City of American Canyon Code of Ethics and Conduct. I also commit to abiding by the provisions of AB 1234 including the ethics training requirement.

Name of Elected or Appointed Body:

Position:

Print Name:

Signature:

Date: _____

III RULES OF ENGAGEMENT IN LABOR RELATIONS MATTERS

Statement of Purpose

Labor negotiations are important to the City, the staff, and the community. The Ralph M. Brown Act provides the ability for the City Council to meet in closed session to discuss labor negotiations. Closed sessions are used to allow the City's labor negotiator and the City Council to have candid discussions about the process.

City Council members should not communicate directly with parties outside the established labor negotiation procedure. Doing so can result in the following:

- undermines the negotiator's or labor relations representative's authority;
- destroys any strategy for reaching compromise;
- causes the union to believe that one or more City Councilmembers speak for the City Council as a whole;
- forces the City to work/negotiate from a position of weakness;
- may waive the privacy privilege of closed session communication;
- results in win/lose negotiations instead of win/win;
- adversely impacts long term working relationships between management and labor;
- encourages the union to continuously go to the City Council rather than relying on the approved negotiations process;
- generally results in a more costly settlement; and
- demoralizes internal working relationships

American Canyon City Council Rules of Engagement Principles

Following are principles that the American Canyon City Council adhere to with respect to the City's labor relations:

- The American Canyon City Council gives their designated negotiator or City representative full authority to speak for the City Council. The City Council recognizes that negotiators are agents of the City Council and will speak for them in negotiations. The parameters for this authority are:
 - Negotiators should be allowed considerable flexibility to customize agreements within parameters established in closed session by the City Council.

- Council guidance, advice and direction will be limited to closed session discussions as they relate to the value of the total package, allowing for tradeoffs within established parameters, and other related factors.
 - Council will meet with the City's designated negotiator on a regular basis to receive information from negotiations and give ongoing direction to the negotiators.
 - Only the City Council can approve the final agreement; not the City negotiator.
- Inform the union representatives that only the negotiator speaks for the Council as a whole.
 - Include an express provision in the MOU that employees and their representatives cannot contact individual Councilmembers on issues within the scope of deliberations during negotiations. Likewise, non-authorized members of Council shall not make direct contact with employees and their labor representatives with respect to labor negotiations.

IV FISCAL AND BUDGETARY POLICIES

STATEMENT OF PURPOSE

The purpose of the Fiscal and Budgetary Policies is to identify and present an overview of policies dictated by state law, City ordinances, and administrative policies. The aim of these policies is to achieve long-term stability and a positive financial condition. These policies provide guidelines to the administration and finance staff in planning and directing the City and Fire District's day-to-day financial affairs and in developing financial recommendations to the City Council which also sits as the ex officio Board of Directors for the American Canyon Fire Protection District. These policies set forth the basic framework for the overall fiscal management of the City and Fire District. Operating independently of changing circumstances and conditions, these policies assist in the decision-making process. These policies provide guidelines for evaluating both current activities and proposals for future programs. In short, these policies are designed to achieve, year in and year out, a balanced budget for the City of American Canyon as defined within this policy document.

These policies represent long-standing principles, traditions and practices that will guide the City and Fire District and help maintain financial stability. An important aspect of the policies is the application of budget and fiscal policies in the context of a long-term financial approach. The scope of these policies span accounting, auditing, financial reporting, internal control, operating and capital budgeting, revenue management, cash and investment management, expenditure control, asset management, strategic plans and debt management.

The City Council, upon the recommendation of the Finance Committee, annually approves the Fiscal and Budgetary Policies, making recommendations regarding modifications to policies and for incorporating them into the budget process.

1. BASIS OF ACCOUNTING

Accounting in Accordance With GAAP

City and Fire District finances shall be accounted for in accordance with generally accepted accounting principles (GAAP) as established by the Governmental Accounting Standards Board, Financial Accounting Standards Board, and other authoritative sources.

Organization of Accounts

The accounts of the City / Fire District shall be organized and operated to provide fiscal accountability and compliance with all legal restrictions. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions.

- 1) **Governmental Fund Types.** Governmental funds are used to account for a government's general government activities. The five governmental funds are General, Special Revenue, Debt Service, Capital Project, and Permanent. The financial accounting model for these funds focuses on resources available for spending, using a modified accrual basis of accounting in which revenues are generally recognized when they can be measured and are available to pay the liabilities of the current period, which is about sixty days following the end of the fiscal year. Expenditures are recognized when the liability is incurred.
- 2) **Encumbrance Accounting.** The City and Fire District will utilize encumbrance accounting for its Governmental fund types, under which purchase orders (P.O.'s), contracts and other commitments such as contracted sewer and water capacity, are recorded in order to reserve that portion of the applicable appropriation.
- 3) **Proprietary Fund Types.** Two funds, Enterprise and Internal Service Funds, are classified as Proprietary fund types. They are used to account for business type activities (i.e., activities that receive a significant portion of their funding through user charges). The City uses Enterprise funds to account for its Water and Wastewater activities. Proprietary fund types are accounted for on a flow of economic resources measurement focus and use the full accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred. Enterprise funds receive their revenues primarily through user charges for service. The Internal Service fund is commonly used to account for activities like a motor pool, central stores, printing services, etc. that are provided on a cost reimbursable basis to other departments within the government. Currently, the City does not use internal service funds.

2. OPERATING BUDGET

Operating Budget

The operating budget is the City's annual financial operating plan. The budget process creates an opportunity for the City to dialogue with citizens regarding community goals and priorities and the level of services provided. It serves as a public document that can tout past accomplishments and promote communications between the citizens and the City Council. It should explain where the money to fund city operations comes from and where it goes. It can talk about major policy choices, tradeoffs, and recommendations. The City must carefully plan for its financial future to ensure that the inflow of resources will be adequate to meet its needs. The budget will help ensure adequate fiscal control in all funds.

Finance Committee Review

The City Manager and the Fire Chief will first review the Budget with the Finance Committee before submitting the annual budget to the full Council or Board of Directors. The Finance Committee shall be made up of the Mayor, Vice Mayor, Finance Director, City Manager, and when reviewing Fire Operations, the Fire Chief. Each Department Manager shall have an opportunity to meet with the Finance Committee prior to the budget being submitted to the City Council, to review Department goals, objectives, and budgetary priorities.

Budget Planning

Budgeting is an essential element of the financial planning, control, and evaluation process of municipal government. The budget planning process should look forward by a three to five year period recognizing that budgets are influenced by decisions made in prior year budgets and that decisions made in the current year budgets serve a precursor to future budget requirements. The City will recognize both short-term needs and objectives in relation to the long-term goals of the City. Accordingly the City will conduct an annual “mid-year” review that will cover various economic factors (i.e., State and National trends) influencing the budget as well as micro economic factors such as the impact of new development in the City. The mid-year review will establish goals and objectives for the coming fiscal year budget and make adjustments to the current year’s budget to reflect new conditions.

Fund Structure

An annual budget shall be prepared for the General, Debt Service, Special Revenue, Capital Projects, Enterprise and other funds as established by the City Council.

- 1) **Basis of Budget.** All operating budgets shall be adopted on a basis consistent with Generally Accepted Accounting Principles as promulgated by the Governmental Accounting Standards Board, Financial Accounting Standards Board, and other authoritative sources. A budget for depreciation is included in the Proprietary funds and Governmental funds to comply with GASB Statement No. 34.

Capital Projects funds are project length budgets. Revenues are included in the budget (normally through “transfers”) in the year they are expected to become measurable and available. Expenditures are included in the budget when they are measurable, a liability is incurred, and the liability will be liquidated with resources included in the budget. Once adopted, Capital Improvements budgets are encumbered into future years.

- 2) **Legal Level of Control (LLC).** This is the level which management, without prior City Council approval, loses the ability to reapply budgeted resources from one use to another and is known as the

budget's "legal level of control." At the Fund level, the LLC is the Chief Administrative Officer, as established by Ordinance, Resolution or Minute Order. Within a fund, the City has a number of levels of detail in the operating budgets – the fund, department, division, object and the line item within the fund.

- a) Example:
 - i) Fund – General Fund
 - ii) Department – Public Safety
 - iii) Division – Police
 - iv) Object – Salaries, Other Pay and Benefits
 - v) Line Item – Regular Salaries
 - b) In the above example, Department Managers may not exceed budget allocations at the Division level without Chief Administrative Officer approval.
 - c) Only the City Council may move resources from one fund to another.
- 3) Line Item. The City's automated financial system can accommodate a robust "Program Budget" format and the City will start moving in that direction.
- 4) Program Budget. As staff resources are available, the City will develop a program budget that represents the expenditure activity within a department by the program(s) each Department is responsible for executing. The plan is for each program budget section within a Department to list out the intended results of the program for the coming year and detail what the total cost of each program is in at least three areas:
- a. Area 1. Department Description. The Department description will include the City Council's approved Mission and Goals for the Department and a summary of total Department Cost.
 - b. Area 2. Will describe each program area of the Department.
 - (i) Each Program (i.e., Fire Suppression, Code Enforcement, City Clerk Imaging, etc.) will detail the program, number of personnel and its intended results, proposed changes if any from the previous year, and three to four key indicators of performance related to the program. Program area components will be listed as:

- (1) Labor
 - (a) Salary
 - (b) Benefits:
 - Retirement
 - Medical
 - Other
 - (c) Other

Total Labor

- (2) Operational and Maintenance (O&M)
 - (a) Energy
 - (b) Supplies
 - (c) Equipment

Total O&M

c. Area 3. Non-CIP Purchases

Identify Available Funds

The budget shall be sufficiently detailed to identify all available funds. The format will include estimated beginning fund balances, sources of funds, uses of funds, and estimated remaining funds at budget year end. Additionally, the format will provide two years of budget history. The Program Budget will also provide the estimated current year-end and the proposed budget.

Interfund Transfers

A summary showing the net budget totals will be shown, as well as gross budget totals, in order to prevent the “double counting” of revenues and expenditures. Net budget totals are derived by subtracting interfund transfers from the gross budget totals.

Periodic Reports

The City will maintain a budgetary control system to ensure adherence to the budget and will prepare periodic reports comparing actual revenues, expenditures and encumbrances with budgeted amounts.

Self Sufficient Enterprise Funds

Enterprise operations and Special Revenue Funds, including the Fire District, shall be totally self sufficient and will solely operate on revenues dedicated to the Funds mission.

Administrative Cost Reimbursement

The General Fund shall be reimbursed for administrative costs by all Enterprise, Special Revenue and other non-General Fund budgets. Documentation to support the transfer shall be presented to City Council during the budget process.

Appropriations Lapse

Annual Appropriations lapse at year end. Items purchased through the formal purchase order system or Capital Improvement Program may be carried over by the Finance Department into the next fiscal year. The Finance Director will be responsible for setting aside sufficient funds so as not to overstate available reserves/revenues to complete a purchase.

Preparation (Line Item or Program Budget)

The budget is to be prepared as provided by Ordinance or Resolution with the cooperation of all City Departments.

- 1) **Proposed Budget.** As provided by Ordinance or Resolution, the Chief Administrative Officer shall submit to the City Council or Board of Directors, a proposed budget at least 30 days prior to the end of the fiscal year that presents a complete financial plan for the ensuing year. Ideally the budget will be presented to the City Council or Board of Directors by May of each year. The budget is to be adopted prior to July 1 each year. In order to achieve this objective, the City Council / Board of Directors shall adopt a budget calendar. Members of the City Council and City Staff will modify their personal calendars to achieve the objectives of the adopted calendar.
 - a. Regardless of the budget format (Program or Line Item) the budget, at a minimum, shall include four basic segments for review and evaluation: (1) personnel costs, (2) base budget (same level of service) for operations and maintenance costs, (3) decision packages for capital and other (non-capital) project costs, and (4) revenues.
 - b. The budget review process shall include City Council / Board of Directors participation in the development of each of the four segments of the proposed budget.
 - c. The budget process will allow the opportunity for the City Council / Board of Directors to address policy and fiscal issues.
 - d. A copy of the proposed budget shall be filed with the City Clerk when it is submitted to the City Council.

- 2) **Modified Incremental Approach.** The operating budget for the prior year shall serve as the starting point for budget estimates adjusting for the San Francisco/Oakland Consumer Price Index and any contractual obligations that would increase or decrease the previous year's budget totals. Increases or decreases over the base budget shall be detailed in supporting documents on forms provided by the Finance Department. Detail supporting sheets shall be prepared for each

object series by the Department requesting modifications to the Incremental Budget, or as provided for by Ordinance or Resolution.

- 3) Adoption. Upon the presentation of a proposed budget document, the City Council / Board of Directors, shall call and publicize a public hearing. The City Council shall subsequently adopt by Resolution such budget, as it may have been amended, as the City's / Fire District's Annual Budget, effective for the fiscal year beginning July 1.

If the City Council / Board of Directors takes no action to adopt their respective budgets on or prior to July 1, twenty-five (25%) of the budget, as submitted per adopted Ordinance or Resolution, is deemed to have been adopted by either the City Council, and/or Board of Directors until such time as it is finally amended by the City Council and/or Board of Directors.

- 4) Budget Evaluation and Awards Program: The annual budget shall be submitted to the California Society of Municipal Financial Officers or Governmental Finance Officers Association for evaluation and consideration of a Budget Presentation Award.

Balanced Budget

The budget shall be balanced using a combination of current revenues and available funds. In principal, current year operating expenses shall be funded with current year generated revenues. A Proprietary Fund with outstanding revenue bonds shall not use debt proceeds to balance its operating budget. No budget shall be adopted unless the total of estimated revenues and available fund balance or resources is equal to or in excess of appropriations.

Reporting

Periodic financial reports shall be prepared to enable the Department Managers to manage their budgets and to enable monitoring and control of the budget. A quarterly to mid-year budget review shall be presented to City Council in sufficient detail to allow decision making.

Control

Operating Expenditure Control is addressed in Section 5 of these Policies.

Contingent Appropriation

As part of the budget, an adequate contingent appropriation of no less than 1% of the total expenditure appropriations in of the water, wastewater and City general operating funds will be established. This contingent appropriation, titled 'Unappropriated Contingency,' will be disbursed only by transfer to a departmental appropriation within that fund. Transfers from this contingency shall be authorized by the City Council. A contingent

appropriation will be established except when fiscal constraints do not allow such an appropriation, as authorized by the City Council.

3. RESERVES/UNALLOCATED FUNDS

Operating Reserves in Fund Balances

The City/Fire District shall use reserves, as appropriate, in each operating fund to pay expenditures caused by unforeseen emergencies or shortfalls caused by revenue declines, extraordinary opportunities to increase efficiency or add value and to eliminate any short-term borrowing for cash flow purposes. Unallocated reserves will be maintained as detailed below except when prior year revenues do not reach estimated projections or when the Governor declares a fiscal emergency.

City General Fund Reserve

Each July 1, City shall establish a General Fund Reserve in the amount of 25% of the final budget for the fiscal year just concluded. In the event this reserve requirement is not met, the reserve shall grow by a minimum of 3% of the total salary of the General Fund until it reaches 25% of the operating annual budget of the General Fund. The City General Fund Reserve shall only be used in the event the City experiences a 10% reduction in discretionary general fund revenue (Fund 100-Department 80-Division 810) compared to the prior Fiscal Year or in the event of a declared emergency as defined by Municipal Code 2.48.020.

Fire District General Fund Reserve

Beginning July 1, 2009, an initial Fire District General Fund reserve of 10% of fiscal year 2005 expenditures will be established. Thereafter, each July 1st, the reserve will grow by a minimum of 3% of the total salary of the Fire District General Fund until it reaches 20% of the Fire District's General Fund's annual operating budget. Unallocated reserves will not be used to support long-term, on-going operating expenditures unless they exceed the recommended reserve.

Capital Projects Reserve

Each July 1, City shall establish a Capital Projects Reserve in the amount of \$2 million. In the event this reserve requirement is not met, the reserve shall grow by a minimum of \$100,000 each year until it reaches \$2 million. The Capital Projects Reserve will only be used for capital projects consistent with the City's strategic goals. This reserve shall be assigned in the General Fund.

Economic Development Reserve

Each July 1, the City shall establish an Economic Development Reserve in the amount of \$1 million. Use of the Economic Development Reserve will be used to further the City's adopted Economic Development program and to foster Council's strategic goal of attracting and expanding diverse business and employment opportunities or any additional strategic economic development goals established by Council action. This reserve shall be assigned in the General Fund.

Fund Balances Used For Capital Projects

Reserves within Capital Projects funds will be used for one time capital expenditures only if:

- 1) There are surplus balances remaining after a reserve or fund allocation is made; or
- 2) The City has made a rational analysis with justifying evidence that it has an adequate level of short and long-term resources.

Specific Appropriation By City Council / Board of Directors

With the exception of the annual 1% contingency provided for in Section 3 Contingencies and Appropriations, if fund balances are used to support one time capital and one time non-operating expenditures, the funds must be specifically appropriated by the City Council.

Capital and Debt Service Funds

Monies in the Capital Projects Funds will be expended in accordance with an approved budget. Interest income will be used to offset construction costs or interest expense on the debt issue. Reserves in the Debt Service Fund and Interest accounts will be maintained as required by outstanding bond indentures. Reduction of reserves for debt shall be done only with City Council approval after Council has conferred with the City's Financial Advisor, Bond Counsel and the City Manager to insure there is no violation of bond covenants.

Debt Coverage Ratios

Debt Coverage Ratios shall be maintained as specified by the bond covenants.

4. REVENUE MANAGEMENT

Characteristics of the Revenue System

The City / District strives for the following optimum characteristics in its revenue system:

- 1) Simplicity and Certainty. The City shall strive to keep the revenue classification system simple to promote understanding of the revenue sources. The City shall describe its revenue sources and enact consistent collection policies to provide assurances that the revenue is collected according to budgets and plans.
- 2) Equity. The City / District shall make every effort to maintain equity in its revenue system structure. The City shall minimize all forms of subsidization between entities, funds, services, utilities, and customers.
- 3) Centralized Reporting. Receipts will be submitted daily to the Finance Department for deposit and investment. Daily transaction reports and supporting documentation will be prepared.
- 4) Review of Fees and Charges. The City / District shall review all fees and charges annually in order to match fees and charges with the cost of providing that service, except in cases where the social benefit impact outweighs the objective of full cost recovery (e.g. recreational programs, etc.)
- 5) Aggressive Collection Policy. The City / District shall follow an aggressive policy of collecting revenues. Utility services will be discontinued (i.e. turned off) for non-payment in accordance with established policies and ordinances. The Finance Director may place a delinquent account on a re-payment plan prior to turning the account over for collection. Other receivables that are 120 days or greater shall be sent to collections. The Finance Director is authorized to “write-off” all non-collectible accounts and specify said action in the annual audit.

Non-Recurring Revenues

One-time or non-recurring revenues will not be used to finance current ongoing operations. Non-recurring revenues will be used only for one-time expenditures such as capital needs.

Utility Rates

The City shall review and adopt utility rates annually, starting in 2007, that generate revenues required to cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital. This policy does not preclude drawing down cash balances to pay for debt service obligations, to retire bonded indebtedness or to undertake capital projects.

Interest Income

Interest earned from investment of available monies, whether pooled or not, may be distributed to the funds in accordance with the equity balance of the fund from which monies were invested.

User-Based Fees and Service Charges

With respect to utility user charges, and impact fees associated with development, the direct and indirect costs of that service shall be offset wholly by a fee. There shall be an annual review of fees and charges to ensure that the fees provide adequate coverage of costs of services. Full fee support shall be obtained from development application processing, compliance with CEQA and related development services.

Enterprise utilities and capital improvements for utilities shall be wholly offset by fees. However, from time to time, the Chief Administrative Officer may establish programs or certain procedures to place a delinquent account on a repayment program for delinquent utility charges. With respect to Special Revenue Funds and other City provided services (i.e. recreation programs), fees should partially offset services as deemed appropriate by the City Council / Board of Directors.

Intergovernmental Revenues/Grants

Grant revenues shall be spent for the purpose(s) intended. The City / District shall review grant match requirements and not rely on grants for the basic operating budget nor rely on one-time revenue sources.

Revenue Monitoring

Revenues actually received are to be regularly compared to the budgeted revenues and reported to the City Council quarterly.

Revenue Projections

The City shall project current year revenues based on the previous five year history and will update this projection annually. Each existing and potential revenue source shall be re-examined annually. Operating Revenues will be projected out five years for report at mid-year. Exception: In the event a new re-occurring land use or development will dramatically skew the projection history, then the Chief Administrative Officer is authorized to adjust the five year history "current year" revenue number to better reflect changed conditions.

5. EXPENDITURE CONTROL

Appropriations

The responsibility for budgetary control lies with the Department Manager. Department Managers may not approve expenditures that exceed monies available at the division level. Capital expenditures are approved by the City Council / Board of Directors on a per project basis.

Amendments to the Budget

The City Council may transfer any unencumbered appropriated balance or portion thereof from any office, department, to another at any time.

Authority to Amend Budget

1. Reserve for Future Allocation. The City Manager or Fire Chief may authorize transfers from within their “Legal Level of Control.” They must secure authorization from the City Council / Board of Directors to transfer money from one fund to another fund.

2. Reports to City Council / Board of Directors. Transfers from the Reserve for Future Allocation or transfers between divisions authorized by the Chief Administrative Officer shall be reported on a quarterly basis for review by the City Council / Board of Directors as part of the regular quarterly budget review.

Purchasing

All purchases shall be made in accordance with the Purchasing Ordinance and in compliance with Federal Law. All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200-326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. The City will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should the City have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.

**APPROVAL REQUIREMENTS
PURCHASES OF SUPPLIES & EQUIPMENT AND
PROFESSIONAL SERVICES**

Threshold	Department Head	City Manager or Fire Chief	City Council / BOD
SUPPLIES & EQUIPMENT			
less than \$5,000	√	√	
\$5,000 to \$25,000 (requires 3 informal proposals)	√	√	
exceeding \$25,000 (requires formal proposals)	√	√	<input checked="" type="checkbox"/>
PROFESSIONAL SERVICES			
less than \$10,000	√		
\$10,000 to \$50,000 (requires 3 informal proposals)	√	√	

exceeding \$50,000 (requires 3 formal proposals)	√	√	<input checked="" type="checkbox"/>
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Petty Cash Reimbursement

Limit

\$100.00

√ Denotes signature approval

Denotes Council Authorization

Prompt Payment

All invoices approved for payment by the proper City / Fire District authorities shall be paid by the Finance Department within thirty (30) calendar days of receipt, in accordance with the provisions of state law. Proper procedures shall be established that enables the City / Fire District to take advantage of all purchase discounts, except in the instance where payments can be reasonably and legally delayed in order to maximize the City's investable cash.

Mandatory Professional Services Review

In an effort to maintain the most up to date and competitive services, and effective with the adoption of the Fiscal Policies, the Finance Director shall establish a list of current and reoccurring professional services. Any such service that has not been competitively reviewed for more than three to five years, should be subject to a new RFQ/RFP process. The existing professional services providers will be encouraged to submit a proposal.

Expenditure Control Account (ECA)

Concurrent with the adoption of the Fiscal and Budget Policies, an "Expenditure Control Account" (ECA) was created for each Department. At the close of the fiscal year for each fund, 50% of the remaining unencumbered budget will be deposited into the Department's ECA. The remaining balance, the other 50%, will be returned to the Fund Balance. The Department's ECA may be used, upon review and approval of the Finance Committee, to further the Department's goals and objectives. The allocation in the ECA cannot be used to pay reoccurring expenses but are designed to be one-time allocations to a particular need of the Department. One exception to this ECA policy, is that when prior year revenues do not reach estimated projections or when the Governor declares a fiscal emergency in accordance with the provisions of Proposition 1A, allocations may be reduced or eliminated as recommended by the Finance Committee. In any event, at no time shall the expenditure control account for any department exceed 25% of the department's operating expenditures.

6. CITY CAPITAL IMPROVEMENT PROGRAM AND THE CAPITAL BUDGET

Program Planning

The City shall develop and maintain a multi-year plan for capital improvements and make capital improvements in accordance with the

approved plan. The Capital Improvements Program will be updated annually. The Capital Improvements Program (CIP) is a planning document and does not authorize or fund projects. The planning time frame for the CIP will normally be five years. The Planning Commission will review the CIP for consistency with the General Plan.

Budget Preparation

The Annual Capital Budget will be developed from the Capital Improvement Program. Capital project expenditures must be appropriated in the Annual Budget. A funding source/resource availability shall be presented to the City Council at the time a project is presented for funding. The City's Capital Budget is to be prepared annually in conjunction with the Operating Budget on a fiscal year basis to ensure that capital and operating needs are balanced against each other. Projects approved for funding from the Capital Improvements Program will be included in the Annual Budget.

Project Length Budget

A budget for a capital project shall be a project length budget. At the end of the fiscal year, the unspent budget of an approved capital project shall automatically carry forward to the subsequent fiscal year until the project is completed.

Financing Programs

Alternative financing sources will be explored. Debt shall be used only to acquire major assets with expected lives which equal or exceed the average life of the debt issue, with the exception of costs of marketing and issuing the debt.

Reporting

Periodic financial reports shall be prepared to enable the Department Heads to manage their capital budgets and to enable the Finance Department to monitor and control the authorized capital budget. Capital project status reports shall be presented to the City Council periodically.

Evaluation Criteria

Capital investments shall foster goals of economic vitality, neighborhood vitality, infrastructure preservation, providing service to areas lacking service and improving services in areas with deficient services. Evaluation criteria for selecting which capital assets and projects to include for funding shall include the following:

- mandatory projects
- efficiency improvement
- policy area projects
- project's expected useful life
- availability of state/federal grants
- prior commitments
- achieving stated economic development objectives
- maintenance projects
- project provides a new service

- extent of usage
- effect of project on operation and maintenance costs
- elimination of hazards

General Rule for Inclusion in the Capital Budget

If the item is over \$50,000, has a “life” of over ten years, and requires more than two people to lift it, the item should be in the Capital Budget.

7. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

Accounting

The Finance Director is responsible for establishing the Chart of Accounts and for recording financial transactions within the budget. The Finance Director shall periodically determine whether or not the City should consider refinancing existing debt.

Auditing

- 1) Use of Audited Comprehensive Annual Financial Report (CAFR).
The Finance Director, pursuant to Section 37208 of the Government Code, shall be responsible for preparing an audited Comprehensive Annual Financial Report.
- 2) Pursuant to Government Code Section 37208, payroll warrants and checks will not be audited bi-weekly by the legislative body prior to payment provided the City Council annually adopts a fiscal year budget and the Finance Department annually submits to the City Council a Comprehensive Annual Financial Report (CAFR).
- 3) The Chief Administrative Officer is directed to submit amendments to the municipal code for adoption by the City Council / Board of Directors to require the City Finance Department to annually prepare a CAFR.
- 4) Qualifications of the Auditor. In conformance with state law, the City shall be audited annually by independent accountants (“auditor”). The CPA firm must demonstrate that it has staff to conduct the City’s audit in accordance with generally accepted auditing standards and contractual requirements. The auditor must be licensed by the State of California.
- 5) Responsibility of Auditor to City Council and Finance Committee. The auditor is retained by and is accountable to the City Council / Board of Directors. The auditor shall communicate directly with the Finance Committee as necessary to fulfill its legal and professional responsibilities. The auditor’s report on the City’s financial statements shall be completed within 180 days of the City’s fiscal

year end. The auditor shall prepare and review a management letter with the Finance Committee.

- 6) Contract with Auditor. The agreement between the independent auditor and the City / Fire District shall be in the form of a written contract. A time schedule for completion of the audit shall be included.
- 7) Scope of Audit. All general purpose statements, combining statements and individual fund and account group statements and schedules shall be subject to a full scope audit.
- 8) Selection of Auditor. Effective September 30, 2007, the City shall request proposals for audit services at least once every three to five years. The City shall select the auditor by May 31, of each year.

City Financial Reporting

- 1) External Reporting. As a part of the audit, the auditor shall assist with preparation of a written Comprehensive Annual Financial Report (CAFR) to be presented to the City Council. The CAFR shall be prepared in accordance with generally accepted accounting principles (GAAP) and shall be presented annually to the Government Finance Officer's Association (GFOA) or the CSMFO for evaluation and consideration for the Certificate of Achievement for Excellence in Financial Reporting. The Budget and CAFR shall be posted on the City website.
- 2) Availability of Reports. The comprehensive annual financial report shall be approved by the City Council and be made available to the elected officials, bond rating agencies, creditors and citizens.
- 3) Internal Reporting. The Finance Department shall prepare internal financial reports, sufficient to plan, monitor, and control the City's financial affairs.
- 4) GASB (Governmental Accounting Standards Board) Statement No. 45. In compliance with GASB Statement No. 45, provisions to account for retiree health benefits, the City and the Fire District are required to report the annual cost of retiree health benefits along with the unfunded actuarial accrued liabilities (the difference between the total obligation and any assets that have been set aside for financing the benefits).

The calculation must be redone every two years. The actuarial valuation includes the following assumptions:

- Turnover rate and retiree rate
- Medical care inflation

- Mortality
- Discount rate
- Benefit design
- Health care cost factors such as age, gender, family size, geographic area
- The promise to retirees
- Salary scale assumption
- Expected long-term (or short-term) rate of return on plan assets

Although there is no requirement that the City / Fire District actually fund the benefit cost, not doing so could have a significant impact on our credit rating, consequently, affecting the cost of issuing debt financing. GASB Statement No. 45 requires that a liability, called the net OPEB obligation, be recorded on the financial statements to the extent that the actual OPEB contribution is less than the annual OPEB cost. This liability, if not funded, could increase rapidly over time. The City established an irrevocable trust for OPEB contributions in FY 2008-09 and the Fire District is in the process of opening a trust for FY 2009-10. The City and the Fire District will pay, to the extent that resources are available, the annual required contribution, as designated in the actuarial report. City departments will contribute a proportional share to the fund.

8. INVESTMENTS AND CASH MANAGEMENT

Depository Bank

No later than June 30, 2012, a Depository Bank shall be recommended by the City Manager to the City Council for a three to five year period. A request for proposal (RFP) shall be used as the means of selecting a Depository Bank. The Depository Bank shall specifically outline safekeeping requirements and other policies and practices for the City.

Depositing of Funds

The Finance Director shall promptly deposit all City funds with the Depository Bank in accordance with the provisions of the current Bank Depository Agreement and the City Council approved Investment Policies. Investments and reporting shall strictly adhere to the City Council approved Investment Policies.

Investment Policy

All funds shall be invested in accordance with the approved investment policy. Investment of City funds emphasizes preservation of principal.

Monthly Report

A monthly cash and investment report shall be prepared and distributed to the City Manager.

9. ASSET MANAGEMENT

Fixed Assets and Inventory

A fixed asset of the City is defined as a purchase or otherwise acquired piece of equipment, vehicle, furniture, fixture, capital improvement, or addition to existing land, buildings, etc. The cost or value of any such acquisitions, except for infrastructure assets, must be \$5,000 or more with an expected useful life greater than one year. The capitalization threshold for infrastructure assets including the Road and Storm Drain Systems Networks is \$50,000. Their estimated useful lives, for purposes of calculating depreciation expense are:

Road System Network	Years
Pavement	40
Curbs and Gutters	50
Sidewalks	50
Medians	50
Traffic Signals	30
Street Lights	40
Bridges	75
Trails - Asphalt	40
Trails – Concrete	50
Storm Drain System Network	
Storm drain lines	75
Manholes	75
Catch basins	75
Detention basins	75

Maintenance of Physical Assets

The Finance Director will maintain the City’s physical assets at a level adequate to protect the City’s capital investment and minimize future maintenance and replacement costs. The budget will provide for the adequate maintenance and the orderly replacement of fixed assets.

Operational Procedures Manual

Records shall be purged that do not meet these criteria and operational procedures shall be in accordance with a fixed asset records procedure manual approved by the Finance Committee.

Safeguarding of Assets

The City’s fixed assets will be reasonably safeguarded and properly accounted for. Responsibility for the safeguarding of the City’s fixed asset

lies with the Department Manager in whose department the fixed asset is assigned.

Maintenance of Records

The Finance Department shall maintain the records of the City's fixed assets including description, cost, department of responsibility, date of acquisition and depreciation where applicable.

Annual Inventory

An annual inventory of assets shall be performed by each department using guidelines established by the Finance Department. Such inventory shall be performed by the Department Head or the designated agent. The Department Manager shall use a detailed listing and shall be responsible for a complete review of assigned fixed assets. A signed inventory list shall be returned to the Finance Department.

10. DEBT MANAGEMENT

Debt Issuance

The City / Fire District shall issue debt only as specifically approved by the City Council / Board of Directors and expenditure of such monies shall be in strict accordance with the designated purpose.

Issuance of Long-Term Debt

The issuance of long-term debt is limited to capital improvements or projects that cannot be financed from current revenues or resources. For purposes of this policy, current resources are defined as that portion of fund balance in excess of the required reserves. The payback period of the debt will be limited to the estimated useful life of the capital projects or improvements. The City / Fire District may use long-term debt financing when it can be determined that future citizens will receive a benefit from the improvement.

Payment of Debt

When the City / Fire District utilizes long-term debt financing it will ensure that the debt is financed soundly by realistically projecting the revenue sources that will be used to pay the debt; and financing the improvement over a period not greater than the useful life of the improvement.

Types of Debt - City

- 1) General Obligation Bonds (G.O.'s). General obligation bonds shall be used only to fund capital assets of the general government, and not used to fund operating needs of the City. General obligation bonds are backed by the full faith and credit of the City as well as the ad valorem tax authority of the City. The term of a bond issue shall not exceed the useful life of the asset(s) funded by the bond issue. General obligation bonds must be authorized by a vote of the citizens of the City of American Canyon.

- 2) Revenue Bonds (R.B.'s). Revenue bonds shall be issued as determined by City Council to provide for the capital needs of any activities where the capital requirements are necessary for continuation or expansion of a service which produces revenue and for which the asset may reasonably be expected to provide for a revenue stream to fund the debt service requirements. The term of the obligation may not exceed the useful life of the asset(s) to be funded by the bond issue.
- 3) Certificates of Participation (C.O.P.'s) or Lease Purchase Notes. Certificates of Participation or lease purchase notes may be used in order to fund capital assets. Debt service for C.O.P.'s may be either from general revenues or backed by a specific revenue stream or streams or by a combination of both. Generally C.O.P.'s shall be used to fund capital assets where full bond issues are not warranted as a result of the cost of the asset(s) to be funded through the instrument. The term of the obligation may not exceed the useful life of the asset(s) to be funded by the proceeds of the debt issue.
- 4) Tax Anticipation Notes (T.A.N.'s). Tax Anticipation Notes may be used to fund capital assets of the general government or to fund operating needs of the City. Tax Anticipation Notes are backed by the full faith and credit of the City as well as the ad valorem tax authority of the City. The term of a note issue shall not exceed the useful life of the asset(s) funded by the debt issued or seven years whichever is less.

Method of Sale

The City may use a negotiated sale of bonds and certificates of participation, provided the total debt is less than \$20 million, unless some other method is specifically agreed to by Council / Board of Directors.

Financial Advisor

The Finance Committee may recommend to the City Council a financial advisor to oversee all aspects of any bond issue over \$10 million.

Analysis of Financing Alternatives

Staff and the Finance Committee shall explore and evaluate financing alternatives for capital acquisitions and construction projects.

Disclosure

Full disclosure of operations shall be made to the bond rating agencies and other users of financial information. The City Staff, with the assistance of financial advisors and bond counsel, shall prepare the necessary materials for presentation to the rating agencies, and shall aid in the production of Offering Statements.

Debt Structuring

The repayment schedule shall approximate level debt service unless operational matters dictate otherwise.

11. INTERNAL CONTROLS

Written Procedures

Wherever possible, written procedures shall be established and maintained by the Finance Director for all functions involving cash handling and/or accounting throughout the City. These procedures shall embrace the general concepts of fiscal responsibility set forth in this policy statement.

Department Manager Responsibilities

Each Department Manager is responsible to ensure that good internal controls are followed throughout the Department, that all Finance Department directives or internal controls are implemented, and that all independent auditor internal control recommendations are addressed.

12. RISK MANAGEMENT

Responsibility

The Director of Human Resources is responsible for the general risk liability insurance and the risk management function of the City. The Fire Chief is responsible for the general risk liability insurance and the risk management function of the Fire District. Recommendations for deductibles, limits of coverage, etc. shall be presented to the Finance Committee for review.

13. NEW CITY DEVELOPMENT PROJECTS

The City Council recognizes the need to periodically update its land use policies through use of various tools including, but not limited to, the periodic update of its General Plan Elements, adoption of Specific Plans, adoption of Sphere of Influence Boundaries, and related policy documents such as Master Plans or an Economic Development Strategic Plan. These various policy documents are designed to provide instruction as to how, when and under what conditions new development will occur in American Canyon.

Accordingly, the City Council desires to verify that new development and not the existing residents is paying its own way with respect to benefits and cost to the Community.

Staff is directed, following an initial environmental study, to determine whether or not a development project should utilize an Independent Fiscal Impact or a Facilities and Services Plan analysis. The development applicant will be responsible for paying for either analysis, and the City will

select and retain the firm to undertake the work. The City Manager will keep a City Council approved list of firms that may do the subject work.

Fiscal Impact Analysis (FIA) Contents

The FIA will demonstrate at 50%, 75% and 100% of build out what the cost in terms of new services a development will use and what the corresponding revenue will be to the City. Based on the analysis, additional conditions of approval may be placed on the development including but not limited to creating a special district to off-set the new cost burden to the City and not its existing residents. The FIA assumes that the City's existing infrastructure can accommodate the new development project. An FIA will be required for new commercial and industrial projects seeking a Traffic Impact Fee discount.

Facilities and Services Plan (FSP)

In the event that a development could have extraordinary impacts on City services or the City infrastructure, a FSP will be required. The FSP will include a test to determine whether or not existing development fees are sufficient so as not to compromise the City's capacity to absorb the new development.

14. ROLE OF THE FINANCE COMMITTEE OF CITY COUNCIL

The finance committee shall be made up of the Mayor and the Vice Mayor, the Finance Director, and the Chief Administrative Officer(s). The Finance Committee shall have responsibilities including:

- 1) Monitoring and recommending changes to the Investment Policy;
- 2) Managing the audit;
- 3) Overseeing of the City's Self Insurance Program;
- 4) Salary and Retirement Policy Review;
- 5) Employee Benefit Policy Review;
- 6) Make recommendations affecting these polices;
- 7) Review of Liability Insurance Coverages;
- 8) Quarterly Budget Review;
- 9) The City's Fiscal and Budget Policy Monitoring and Recommendations; and
- 10) Recommending the Retention of a Financial Advisor.

15. BUDGETING FOR COMMUNITY SERVICE PROVIDERS (Rev. March 2020)

Purpose

The City recognizes the benefit of strategically aligning itself with professional, non-profit organizations who provide programs and services to

the community that the City is not well positioned to offer. Example programs and services include:

- 1) Fundraising, enhancements to and supplemental parks, recreation, open space, and trails programs and improvements.
- 2) Business and tourism coordination, development, communication and assistance with economic development initiatives.
- 3) Provision of critical and important community health and family resources & services.
- 4) Programs and services that provide assistance to socioeconomically challenged and underserved populations, such as seniors.
- 5) Property maintenance, upkeep, and beautification, and landlord/tenant relationships.

Funding

- 1) Organizations will be funded annually through line-item appropriations in the City Budget.
- 2) The City Manager will recommend funding of various organizations as they deem appropriate in conjunction with the proposed City Budget.
- 3) The Council adopts the final determination of the amount (if any) to be appropriated for all organizations in the final City Budget and approves all funding agreements.
- 4) The Council may delegate authority to execute funding agreements.
- 5) Community preferences and needs will vary, and past grant awards are no assurance of future awards.

Ineligible Uses

Community service organizations may not use funding from the City for any of the following:

- 1) Any religious purpose, including for the promotion of any sect, church, creed or sectarian organization, nor to conduct any religious service or ceremony. A grantee shall not spend any portion of the grant to inhibit or promote religion, nor to convey a religious message.
- 2) Political advocacy efforts whether for or against a political candidate, ballot measure or bill.
- 3) Programs, projects or events not accessible to the public or that are held outside the City of American Canyon.
- 4) Purchase of capital equipment or real property.
- 5) Events where fund-raising is the primary purpose.
- 6) Costs of receptions and social activities, except when they are incidental and related to program activities; and
- 7) Deficit or debt reduction efforts.

Eligibility

Community service organizations must be able to meet all the following requirements to be considered eligible for funding from the City:

1) **Mission and Program**

- a. The organization must demonstrate a successful track-record of providing programs and service in American Canyon or comparable jurisdictions for at least three years.
- b. The organization must provide a proposal and/or scope of services outlining its offerings, its programs or service to American Canyon or its residents, businesses or visitors during the period for which it is seeking grant support.
- c. The organization must enter into a funding agreement with the City for the agreed upon programs and services.
- d. The organization must operate and offer its programs and services in a non-discriminatory manner and in compliance with all applicable laws, including, without limitation, laws protecting persons with disabilities.

2) **Corporate and Governance**

- a. The organization must be a 501(c)(3) not-for-profit public benefit corporation in good standing at the time of application.
- b. The organization must have a governing body (eg. Board of Directors, etc.) of at least five persons, a majority of whom must not be employees, the immediate family or spouses/domestic partners of employees of the organization.
- c. The organization must have a “governance plan” with goals and objectives that are strategically aligned with the City Strategic Plan.
- d. The organization must have an annual budget delineating continuing operating revenues and costs vs. one-time revenue and costs, and include identification of any possessory interests and/or debt obligations.
- e. The organization must present to the Council an annual summary of the program and service performed in the past year in conjunction with the funding agreement.

3) **Finance and Grant History**

- a. The organization’s operating revenues and expenditures must be at least \$50,000, not including in-kind support, in its three most recently completed fiscal years.
- b. The organization’s year-end Financial Reports must be compiled by a third-party accounting firm with no relation to the organization.
- c. The organization must be in compliance with the requirements of any current and previous grants it has received through the City.

- d. The organization may not receive more than 25% of its annual revenue from the City.

4) Proposal Requirements

Proposals become the exclusive property of the City of American Canyon. All documents received become a matter of public record and shall be regarded as such. Required information includes:

- a. General Information – Contact information and pertinent information about the organization and its governance structure.
- b. Sources of Funds Statement – Clearly identify how the organization is funded.
- c. Cover Sheet – Coversheet needs to describe the organization, its expertise in the field and a brief overview of the services proposed to be offered.
- d. Narrative – Detailed program/service plan or description of the community need the organization is serving, the manner it plans to address it, and the expected outcomes and impacts it expects to realize.
- e. Proposal Signature – The proposal needs to be signed by the person/people permitted to sign by the organization.
- f. Previous year's Financial Report: Audited, reviewed or compiled financial report for most recently completed fiscal year.
- g. Current Budget and Year to Date Financial Statements
- h. Future Year Proposed Budget
- i. Report of Activities: Include one page for each of the two previous fiscal years. This may be excerpts from the agency's annual report, not more than one for each year.
- j. Brief bios of key leadership, administrative and programmatic staff, including job titles and years with the organization.
- k. Board Roster, including occupation, city of residence and term of office.

Compliant Vendor Requirements

- 1) To receive funding, an organization must become a registered, compliant vendor and meet the City's insurance and business tax requirements. "Compliant vendor" means your organization must meet all of the following:
 - a. Listed in good standing with the Internal Revenue Service (IRS), which can be verified on the IRS website: <https://apps.irs.gov/app/eos/>
 - b. Be listed as "Current" status in the California Office of the Attorney General's Registry of Charitable Trusts (<http://rct.doj.ca.gov/Verification/Web/Search.aspx?facility=Y>).
 - c. The legal name of the organization must match the name provided in the California Secretary of State website and the

organization must be listed as “Active” status (<https://businesssearch.sos.ca.gov/>).

- 2) Organizations must have a current Business License. Not-for-profit organizations are normally exempt from paying City tax but must still apply for the license.
- 3) Organizations must submit an Annual Report and/or present it to City Council. The Annual Report needs to share program/service statistics including metrics, accomplishments, challenges and changes necessary to better meet the needs of residents. Recipients must be current on filing required reports before they can receive grant funding.
- 4) Organizations must acknowledge the City’s financial support in all appropriate materials and media. The acknowledgement should read, “**Supported in part by the City of American Canyon.**” If the City is a part of a list of supporters, the acknowledgement may simply state “**City of American Canyon.**” Organizations must display the City’s logo whenever other sponsor logos are displayed.

V RULES OF PROCEDURES FOR COUNCIL, BOARDS, COMMISSIONS AND STANDING COMMITTEE MEETINGS AND COUNCIL DECISION PROCESS

1. GENERAL PROCEDURE

City Council meetings are joint meetings with the American Canyon Fire District, and are held the first and third Tuesdays of the month, unless otherwise posted. Special Meetings or workshops are also called as needed during the course of the year. The Council, sitting as the ex-officio Board of Directors, will hold a non-joint Fire District Board meeting at 4381 Broadway, every fifth Tuesday (except for the month of July when there is a City Council recess).

The City Council is the legislative body of the City, and as such, prepares for meetings by carefully reviewing all agenda material and clarifying issues with the City Manager prior to the meeting.

A. The City's business on the City Council Agenda is the focus of the meeting. Matters that are not on the agenda are not acted upon, but may be placed on a later agenda for consideration. City Council will take reasonable measures to limit interruptions. Cellular phones and pagers must be turned off or set on vibrate during a Council meeting. It is the policy of the Council not to become involved in entanglements over "parliamentary procedure." Any issue of procedure relating to conduct of a meeting or hearing not otherwise provided for herein may be determined by the Mayor (a.k.a. Chair or Presiding Officer), subject to appeal to the full Council.

- 1) The mayor will, from time to time, recess the Council as needed.
- 2) To be eligible for an excused absence the requesting member of a Board, Commission, Standing Committee, or City Council must contact the Mayor, the Chair of the respective Board, Commission, Standing Committee or the City Manager, prior to the meeting informing them of the reason for the absence. An absence may be granted for illness, unanticipated or planned family matters, and vacations up to two times a calendar year. An excused absence may be granted whenever an individual attends a public meeting in consultation with the Mayor or Chairperson on behalf of the City.

After the second excused absence, the full Board, Commission, Standing Committee or City Council must rule on the request.

Upon being granted an excused absence the requesting member will be compensated in the usual manner provided they have been briefed following the missed meeting by the Chair, the Mayor, City Manager or their designee on the matters discussed during the excused absence.

After the second excused absence, any compensation due the member shall be withheld until the Council acts to consider the absence. Compensation will only be forthcoming if the City Council grants the absence as being an excused absence. Failure to secure the excuse absence after the second absence may result in the subject member not being eligible for compensation and being removed from the Board, Commission, or Standing Committee. In the case of a City Council Member, in addition to withholding compensation for an unexcused absence the member may be sanctioned by the City Council.

These procedures are intended to comply with and are governed by the Ralph M. Brown Act, Government Code Section 54950 et seq. (The "Brown Act")

2. POLICY DECISION MAKING PROCESSES

Several groups or individuals may be involved in the City Council Policy Decision making process. A request to Council for consideration of new policies or legislation or a review of existing laws or policies is not uncommon. This may be initiated by recommendations or reports from Standing or Ad Hoc Committees, or may involve requests or recommendations from individual citizens, citizen groups, outside public agencies, individual Councilmembers or City staff. State law also frequently dictates the Council Policy Decision making process. The final decision as to whether to proceed with a request to consider new or existing policy or law must be made by the City Council.

A. **Standing Committees** for the City Council are subject to Open Meeting Laws, frequently referred to as the "Brown Act". Standing Committees make specific recommendations to the City Council. It is the responsibility of committee members to report directly to the City Council their on-going activity during a regular or special council meeting.

Scheduling of Council Committee meetings will be coordinated by the City Manager. The City Manager will assign staff support to all Standing Council Committees including public notice presentations.

- B. **Ad Hoc Committees** are formed on an as-needed basis with a clearly-defined purpose and term. Generally, ad hoc committees are responsible for information gathering and reporting their research to the City Council.

Ad Hoc committees are single purpose, and therefore not subject to the Brown Act. Neither Minutes are taken nor are agenda items acted upon. Meetings are held on a regular basis. If further study needs to be done, the committee will continue to serve until such study is completed. Once the committee has completed its work, the Ad Hoc Committee will be automatically disbanded. Ad Hoc Committees will consist of two (2) Council Members recommended by the Mayor with concurrence of the full Council through a motion. The City Manager will assign staff support on an as-needed basis to the ad hoc committee and the City Clerk will be responsible for notifying the Council members of the date and time of any meetings.

- 1) Advance Administrative Reports – Administrative written reports prepared by Council Ad Hoc committees on major items are to be forwarded to the City Manager one week in advance, if possible, and will be placed on the City Council agenda.

3. **ADVISORY BOARDS AND COMMISSIONS**

The City Council shall follow the Maddy Act (Government Code 54970), with regard to seeking candidates for Boards and Commissions.

- A. Prior to the Council considering an appointment of a citizen to an advisory committee, the candidate will file a report (provided by the City Clerk) for review by the City Council prior to Council action. Appointments to Citizen Advisory Boards, Commissions, and Committees will be placed on the Consent Calendar. After Council action on the Consent Calendar, the Mayor may ask the appointee to stand and be recognized and sworn in by the City Clerk or City Attorney.
- B. The Advisory Board members shall only serve their respective term of office. Once the term of office has expired, the individual will no longer serve on the Board, unless reappointed by City Council.

4. **MEETINGS**

1.1 **REGULAR MEETINGS**

The City Council of the City of American Canyon holds regular meetings in the place specified in the Municipal Code, currently on the first and third Tuesdays of each month, and meet as the Fire District Board of Directors on the fifth Tuesdays of the Month when there is a fifth Tuesday.

Closed Sessions begin at 5:30 p.m. unless otherwise posted, and the Regular Joint Meeting Open Session begins at 6:30 p.m. When the day for a regular meeting of the Council falls on a legal holiday, the Council, at the preceding meeting, shall determine the time and date of any rescheduled meeting. The City Council may consider a meeting Calendar for the Year in January of each year.

Standard Adjournment – The Council establishes 10:00 PM as the hour of adjournment and will not continue beyond 10:00 PM without a majority vote of the Council. To assist in making the determination to continue an item under consideration, the Council should find that discussion, deliberation, and action on the item can be concluded by 12:00 Midnight.

1.2 ADJOURNED MEETINGS

Any meeting may be adjourned to a time, place, and date certain. Once adjourned, the meeting may not be reconvened.

1.3 SPECIAL MEETINGS

Special Meetings may be called, in consultation with the City Attorney, by the Mayor or majority of Councilmembers on 24-hour notice, as set forth in the Government Code of the State of California in Section 54956. Only matters contained in the notice may be considered and no ordinances (other than urgency ordinances) may be adopted.

1.4 NOTICE OF MEETINGS

Notice of regular meetings is not required unless special notice has been requested. Mailed or personally delivered notice to Council members, members of the media, and others who have previously requested such notice, is required for special meetings. Mailed and posted notice is required for meetings adjourned by the City Clerk for more than 24 hours. Posted notice is required for all other adjourned meetings (Section 54955 Government Code).

1.5 QUORUM

Unless otherwise provided for in the Municipal Code, a majority of the Council shall be sufficient to do business and motions may be passed 2-1 if only three (3) attend. The following matters, however, require three affirmative votes: a) adoption of ordinances, b) resolutions granting franchises, and c) orders for payment of money.

- 1.5.1 Legally Required Participation (“Rule of Necessity”): If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the Council shall determine, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum. Those members may vote but not discuss.

1.6 MEETINGS TO BE PUBLIC

All regular, adjourned or special meetings of the City Council shall be open to the public; provided, however, the Council may hold closed sessions from which the public may be excluded for the consideration of the following subjects.

- 1.6.1 Personnel Matters: To consider appointment, employment, or dismissal of a public employee or to hear complaints or charges brought against such person or employee unless such employee requests a public hearing. The Council may exclude from any such closed session during the examination of a witness any or all other witnesses in the matter being investigated.
- 1.6.2 Attorney-Client Matters: To consider potential or pending litigation in which the City is or could be a party.
- 1.6.3 Real Property Negotiations: To discuss the terms and conditions in which real property may be acquired. At the conclusion of these negotiations, the actual purchase agreement or contract must be approved in open session.
- 1.6.4 Labor Negotiations: To discuss the terms and conditions in which to meet the City’s obligations of meeting and conferring in good faith with represented employees regarding wages, benefits and working conditions. Generally, this is conducted through staff or outside counsel.
- 1.6.5 Other: As otherwise permitted by law.

Matters discussed in closed session shall not be discussed outside of closed session by the Council. Council members who violate this matter are subject to sanctions by the City Council. Sanctions may include, but are not limited to, removal of the Council member from other Boards and Commissions where the member represents the City.

1.7 USE OF ELECTRONIC COMMUNICATION DEVICES AT PUBLIC MEETINGS

Members of the City Council have the legal duty to ensure that their communications do not violate the Brown Act and this obligation extends to the use of electronic communication devices as well as face-to-face communications. It is also imperative that all hearings and deliberations occur in a manner that ensures the public that the council members are fully engaged and deliberating on policy matters with complete transparency. Therefore, members of the City Council should avoid receiving electronic communications concerning any matter before the City Council or during council meetings from another City Official participating in the same meeting. Each council member should only receive or send messages to family members or caregivers when absolutely necessary for the care of a family member; and receive or send messages to address urgent business matters of the council member, that do not involve city business.

1.8 COUNCIL ATTENDANCE BY TELECONFERENCE OR INTERNET

At times Council members may need to attend a meeting remotely either by telephone or internet (i.e. Skype). The posting rules for remote attendance are the same as for a normal agenda. It should be posted 72 hours at the place where the Council Member will be calling from. This may require assistance from hotel staff. It can also be posted as a special meeting notice using the 24 hour timeframe (this is recommended only for emergencies). In these cases the Council Member can usually post it themselves.

The agenda has to contain verbiage explaining that a Council Member will be attending either by teleconference or via skype (etc.) for the meeting. The verbiage should include the Council Member's name, the address and name of the place they are calling from (must be specific to include room numbers, suites, etc), and their telephone number.

The call has to be taken in a place accessible to the public and ADA compliant with the agenda posted in that area. The public must be given an opportunity to address the legislative body directly at any teleconference location and all votes during the meeting must be taken by roll call.

The connection must be sufficient that both sides of the proceedings can be clearly heard and understood. Because interruptions are distracting, if the connection is dropped more than one time, the offsite council member will not be reconnected, and will be marked absent from that point in the meeting.

5. ORDER OF BUSINESS ¹

2.1 AGENDA

¹ Amended April 17, 2018

2.1.1 Order of Items: The Order of each Joint meeting of the American Canyon Fire District and the American Canyon City Council shall be as contained in the Agenda prepared by the City Clerk. The Agenda shall be a listing by topic of the subjects which shall be taken up for consideration in the following format.

CLOSED SESSION - SPECIAL MEETING *(as needed)*

PUBLIC ADDRESS – CLOSED SESSION ITEMS

The Mayor will call the meeting to order and conduct the roll call. Council will immediately convene into closed session after hearing any public comment on Closed Session. At 6:30 p.m. the Council will reconvene into Open Session and then resume Closed Session at the end of the meeting to address outstanding items, if necessary.

This time has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Sections 54956 and 54957. The City Attorney will give an oral report regarding any action taken during the closed session at the beginning of the open session.

American Canyon Fire Protection District Closed Session
(as needed)

City of American Canyon Closed Session *(as needed)*

6:30 P.M. OPEN SESSION - REGULAR MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL - City Council & Fire Protection District Board

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

**CITY CLERKS ANNOUNCEMENT PURSUANT TO GOVT CODE
54952.3**

When the City Council sits jointly, or serially as more than one board it is required that the amount of compensation received for each board be disclosed at the meeting. Tonight the City Council is sitting jointly as the Council and the American Canyon Fire Protection District Board. Also, if there is a matter of consideration dealing with water outside the City limits but within the Water District Service Area, the Council will function as the former American Canyon County Water District. For sitting as the Council, a stipend of \$315 monthly is received; for the Fire District Board and as the Water Board, \$126 per meeting.

PROCLAMATIONS AND PRESENTATIONS

PUBLIC COMMENT

This time is reserved for members of the audience to address the City Council/Fire Protection District Board on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council/ Fire Protection District Board. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council/ Fire Protection District Board on items on the Agenda should complete a speaker card and deliver to the City Clerk prior to the start of the meeting, or notify the Mayor/Chairman when that Agenda item is called. The Council/ Fire Protection District Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Council/ Fire Protection District Board does not respond to public comment at this time. Speakers are asked to please use the microphone, and provide their name. Prior to addressing the Council/ Fire Protection District Board, any handouts are to be provided to City Clerk who will distribute to Council/ Fire Protection District Board and appropriate staff.

MATTERS RELATING TO THE AMERICAN CANYON FIRE PROTECTION DISTRICT BOARD *(as needed)*

CONSENT CALENDAR - ACFPD

BUSINESS - ACFPD

MATTERS RELATING TO THE AMERICAN CANYON CITY COUNCIL

AGENDA CHANGES

The Mayor/ Council may change the order of the Agenda or request discussion of a Consent Item. A member of the Public may request discussion of a Consent Item by completing a Speaker's Card and presenting it to the City Clerk prior to Public Comment.

CONSENT CALENDAR

PUBLIC HEARINGS

BUSINESS

MANAGEMENT AND STAFF ORAL REPORTS

MAYOR/COUNCIL COMMENTS, COMMITTEE REPORTS, AND FUTURE AGENDA REQUESTS

The Mayor and Council may comment on matters of public concern and announce matters of public interest; no collective council action will be taken.

1. COUNCIL REPORTS AND COMMENTS
2. FUTURE AGENDA ITEMS

Council members may suggest potential future agenda items at this time. A straw vote will be taken of Council members present, requiring a majority vote to move the item forward for further consideration.

ADJOURNMENT

CERTIFICATION

I, _____, City Clerk for the City of American Canyon, do hereby declare that the foregoing Agenda of the City Council/Fire District Board was posted in compliance with the Brown Act prior to the meeting date.

(Signature)
_____, City Clerk

Items denoted with ACDPD are American Canyon Fire Protection District Board items and will be acted upon by the Fire Protection District Board. Agendas for all City Council/Fire Protection District Board meetings are posted at least 72 hours prior to the meeting at City Hall, 4381 Broadway. The City of American Canyon complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. Requests for accommodations may be made by calling (707) 647-4369 (voice) or 711 for the California Relay Service or e-mailing the City Clerk at _____ no less than 72 hours in advance of the event. Copies of documents distributed at the meeting are available in alternative formats upon request. Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall located at 4381 Broadway, American Canyon, CA during normal business hours. In addition, most documents will be posted on the City's website at www.cityofamericancanyon.org.

- 2.1.2 The Mayor may modify the order of the Agenda, in order to expedite the business of the City or to accommodate members of the audience.

2.1.3 No matters other than those on the agenda shall be finally acted upon by the Council. However, the Council may take action on items of business which do not appear on the posted agenda under any of the following conditions or circumstances:

- 1) Upon a determination by a majority vote of the Council that an emergency situation exists, as defined in Section 54956.5 of the California Government Code;
- 2) Upon a determination by a two-thirds vote of the Council or, if less than two-thirds of the members present, a unanimous vote of those members present, that there is a need to take immediate action that cannot be postponed until another regular or special meeting and the need to take action arose subsequent to the agenda having been posted,
- 3) The item was posted for a prior meeting of the Council occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is proposed to be taken.

2.2 DELIVERY OF AGENDA

The Agenda for each regular meeting of the Council, and reports and other documentation related thereto, will be delivered electronically to the Members of the Council by the City Clerk no later than the 5:00 p.m. on Thursday preceding the Tuesday meeting to which it pertains. The Agenda is provided in an electronic format. In respect to every regular meeting, the Agenda shall conform to Section 54954.2 of the California Government Code and shall be posted at least 72 hours prior to the time scheduled for the meeting. Agendas shall be posted on the bulletin board outside the administrative offices of the City and at such other places within the City as the Council has designated for posting notices of Council meetings.

Once the agenda or any other non-privileged document is distributed to the City Council, all such documents shall be made available to the public. The Agenda and Minutes will be available in electronic format on the City's Website.

2.3 ROLL CALL

Before proceeding with the business of the Council, the City Clerk shall call the roll of the Councilmembers and the names of those present shall be entered in the minutes.

2.4 APPROVAL OF MINUTES

Unless requested by a majority of the City Council, minutes of the previous meeting may be approved without public reading if the clerk has previously furnished each Councilmember with a copy.

2.5 PUBLIC HEARINGS

Public hearings will follow the noticing requirements as stipulated by the Government Code or applicable law. When no such law exists, the City Clerk will post notices in three public places, including the City's Website.

2.5.1 Public hearings to adopt an Ordinance or as otherwise required by law, shall be conducted in the following order:

- 1) Staff review
- 2) Questions of Staff by Council
- 3) Hearing opened by Mayor
- 4) Testimony from the Applicant (if appropriate)
- 5) Testimony from the Public
- 6) If desired, hearing closed
- 7) Discussion by Council
- 8) Action by Council by roll call vote

2.5.2 Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Mayor may at the beginning of the hearing limit testimony, but in no event to less than three minutes per individual. One two minute exception may be granted to an individual by the Mayor. An individual's Public Comment may be cut off by the Mayor or any member of Council at the end of five minutes unless, by a vote of the Council, it is extended.

Based on the circumstances of the meeting, the Mayor may also impose a reasonable limit on the total amount of time allowed for a public hearing.

2.5.3 Quasi-judicial hearings (such as when the Council is considering an appeal of a land use decision by the Planning Commission) shall be conducted in accordance with the

principles of due process, and the City Attorney shall advise the City Council in this regard.

2.5.4 At any public hearing before the City Council, testimony of witnesses under oath may be requested by the Council.

2.6 PUBLIC COMMENTS

Any person may address the Council on any subject pertaining to City business, and which is not listed on the Agenda, during the Public Comments portion of the meeting. Based upon the extent of the Council's Agenda and the size of the audience, the Mayor may limit the length of the Public Comment section, including a limit on the length of time for each person addressing the Council. Generally, however, each person will be allowed up to three (3) minutes of time to address the Council. One two minute extension may be granted to an individual by the Mayor. An Individual's public comments may be cut off by any member of Council at the completion of the two minute extension. On a vote of the majority of the Mayor and City Council, a further extension may be granted.

2.6.1. Length of Council Comments – Council Members will govern themselves as to the length of their comments or presentation. The Council has delegated to the Mayor the responsibility to assist Council Members by signaling when the Council Member has been speaking for over five (5) minutes, before gaining the floor a second time.

2.6.2. Council Presentations – Council Member presentations are limited to the item or issue being deliberated. To ensure that the appropriate equipment is available, Council Members must provide the City Clerk and the City Manager advance notice of the intent to make a presentation.

2.7 CONSENT AGENDA

2.7.1 Items of a routine or non-controversial nature shall be placed on the Consent Agenda. Criteria for inclusion on the Consent Agenda include, but are not limited to, the following:

- 1) Monthly Treasurer's Report, or other informational reports;
- 2) Actions that have been approved in concept by Council at a prior meeting, and are included for ratification purposes only, or actions consistent with established Council policy and direction;
- 3) Award of contracts and agreements, provided the item has been included in the approved annual or amended budget; or

- 4) Contracts, agreements or other actions that have no negative fiscal impact, either because of offsetting revenues or sufficient cost savings from existing appropriations within the same Department.

2.7.2 All items may be approved by one blanket motion upon unanimous consent. Any Councilmember may request that any item be withdrawn from the consent agenda for separate consideration, during the Confirmation of the Agenda portion of the meeting. However, any Councilmember may abstain from voting on, or vote against, any consent agenda item without requesting its removal from the consent agenda, and the City Clerk shall be instructed to record such abstentions or negative votes in the minutes.

2.7.3 A brief description of the item and/or the action to be taken shall be included in any Consent Agenda item, in order to provide the Public with a better understanding of the issue and the basis for including it on the Consent Agenda.

2.7.4 Any member of the public may request an item be removed from the Consent Agenda for discussion. Such a request shall be made by completing a Speaker's Card and giving it to the City Clerk before the meeting.

2.8 CITY BUSINESS AGENDA

Business items will be introduced and summarized by the City Manager at the City Manager's discretion. The appropriate Departmental representative will be available to answer questions that may be asked by Councilmembers or the public.

2.9 PRESENTATION BY MEMBERS OF THE COUNCIL

The Mayor or any Councilmember may bring before the Council any new business under the Councilmember Comments portion of the agenda for the purpose of agendaizing to a future City Council meeting. Formal action on such matters shall be deferred until a subsequent Council meeting unless the legal criteria for adding the item to the agenda are met (see 2.1.3).

3.0 RULES, DECORUM AND ORDER

3.1 PRESIDING OFFICER

The Mayor shall be the Presiding Officer at all meetings of Council. In the absence of the Mayor, the Vice-Mayor shall preside. In the absence of both the Mayor and the Vice-Mayor, the Council shall elect a temporary Presiding Officer to serve until the arrival of the Mayor or the Vice-Mayor, or until adjournment.

3.2 SELECTION OF MAYOR AND VICE-MAYOR

3.2.1 Mayor Selection

The Mayor is elected to a term of four years, and is elected at large by the voters of American Canyon. The candidate receiving the highest number of votes cast for all candidates for the office at the election is elected. The Mayor continues in office until no later than the fourth Tuesday after the date of the general municipal election, and until his/her successor is elected and qualified. (See *Ord. 2006-12 § 1 (part), 2006*)

3.2.2 The Mayor is the Presiding Officer of all City Council and Fire District meetings.

3.2.3 Vice Mayor Selection

The City Council will annually nominate and select a member to serve as Vice Mayor for a one year term. Any member of the City Council may nominate a member; the Vice Mayor will be selected by a majority vote of the City Council.

The selection of Vice Mayor occurs at the first regular meeting of the City Council after the new City Council members have been sworn-in and have taken their seats, or at the first meeting in January in each year that a general municipal election is not held. (See Resolution 2008-46)

3.3 CALL TO ORDER

The meeting of the Council shall be called to order by the Mayor, or in his absence, by the Vice-Mayor. In the absence of both the Mayor and the Vice-Mayor, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer or may adjourn a Joint American Canyon Fire District Board and American Canyon City Council meeting to a future time.

3.4 PARTICIPATION OF PRESIDING OFFICER

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Councilmembers, and he/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his/her acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting. If he/she desires to personally engage in extended debate on questions before the

Council, he/she should consider turning the Chair over to the Vice-Mayor or another Councilmember.

3.5 QUESTIONS TO BE STATED

The Presiding Officer shall verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer shall verbally announce whether the question carried or was defeated. The Presiding Officer may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

3.6 SIGNING OF DOCUMENTS

The Mayor, or, in the absence of the Mayor, the Vice-Mayor, shall sign ordinances and resolutions adopted by the City Council. The City Clerk, or the Deputy City Clerk, shall attest to the signature of the Mayor or Vice-Mayor.

3.7 MAINTENANCE OF ORDER

The Mayor, or Presiding Officer, is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Mayor or Presiding Officer. All questions and remarks shall be addressed to the Mayor or Presiding Officer.

4.0 RULES, DECORUM, AND ORDER

4.1 POINTS OF ORDER

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER: COUNCILMEMBERS

4.2.1 Any Councilmember desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine him/herself to the question under debate.

4.2.2 A Councilmember desiring to question the staff shall address his/her question to the City Attorney or City Manager, as appropriate. If to the City Manager, he/she will either answer the inquiry him/herself or designate some member of his/her staff for that purpose.

4.2.3 A Councilmember, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer; unless a Point of Order is raised by another

Councilmember; or unless the speaker chooses to yield to questions from another Councilmember.

- 4.2.4 Any Councilmember called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with rules of the Council.
- 4.2.5 Councilmembers shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
- 4.2.6 Any Councilmember may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Council shall require him/her to so act.
- 4.2.7 Councilmembers are strongly encouraged to contact the City Manager or appropriate Department Head to make inquiries regarding any matter on the Council Agenda, prior to the actual meeting. This is intended to facilitate the City's business while ensuring each Councilmember is fully informed on the matters at hand. Councilmembers may wish to make the same inquiry during the public meeting, but should note that the matter had already been discussed and the purpose is to better inform the public.

4.3 DECORUM AND ORDER: EMPLOYEES

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The City Manager shall ensure that all City employees observe such decorum. Any staff members, including the City Manager, desiring to address the Council or members of the public shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to any one individual Councilmember or member of the public.

4.4 DECORUM AND ORDER: PUBLIC

Members of the public attending Council meetings shall observe the same rules of order and decorum applicable to the Council. Any person making impertinent and slanderous remarks or who becomes boisterous while addressing the Council or while attending the Council meetings shall be removed from the room if the sergeant-of-arms is so directed by the Presiding Officer, and such person may be

barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Presiding Officer, who may direct the sergeant-of-arms to remove such offenders from the room. Aggravated cases shall be prosecuted on an appropriate complaint signed by the Presiding Officer.

However, nothing in this section shall prohibit any person who has been recognized by the Presiding Officer from engaging in public criticism of the policies, procedures, programs or services of the City, or of the acts or omissions of the City Council, in an appropriate manner.

4.5 ENFORCEMENT OF DECORUM – COUNCIL MEETINGS

4.5.1 The head of the City's police agency or his/her designee shall be ex-officio sergeant-of-arms of the Council. He/she shall carry out all orders and instructions given him/her by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Upon instructions from the Presiding Officer, it shall be the duty of the sergeant-of-arms or his/her representative to eject any person from the Council Chambers or place him/her under arrest or both.

4.5.2 As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Council may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section.

4.5.3 Nothing in this section shall prohibit the Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

4.6 PERSONAL PRIVILEGE

The right of a member of the public to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned or impugned.

4.7 CONFLICT OF INTEREST

All Council members are subject to the provisions of California Law, including, but not limited to Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest the City's Code of Ethics contained these Council Protocols, and to conflicts of interest codes adopted by the Council. Any Councilmember prevented from voting because of a conflict of interest shall refrain from debate and voting. Councilmembers that have declared such a conflict of interest shall physically remove themselves from the meeting room, and avoid any actions that would influence the outcome of the vote.

4.8 DISSENTS, PROTESTS, AND COMMENTS

Any Councilmember shall have the right to express dissent from, or protest to, or comment upon, any action of the Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons..."

4.9 PROCEDURES IN ABSENCE OF RULES

In the absence of a rule herein to govern a point or procedure, Robert's Rules of Order, Newly Revised, shall be used as a guide.

4.10 RULINGS OF CHAIR/PRESIDING OFFICER FINAL UNLESS OVERRULED

In presiding over Council meetings, the Mayor, Vice-Mayor, or temporary Presiding Officer shall decide all questions or interpretations of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Councilmembers present and voting, and shall be binding and legally effective even if clearly erroneous) for purposes of the matter under consideration.

4.11 ACTION NOT INVALIDATED

Failure to strictly comply with these Rules of Procedure shall not necessarily invalidate any action taken by the City Council.

5.0 ADDRESSING THE COUNCIL

5.1 MANNER OF ADDRESSING THE COUNCIL

5.1.1 To the extent practical, any member of the public desiring to address the Council shall complete and turn into the City Clerk, a Speaker's Card, the form of which shall be maintained by the City Clerk. Once recognized by the Presiding Officer, that person shall proceed to the podium

and state his/her name and residence for the record, before addressing the Council.

- 5.1.2 All remarks and questions shall be addressed to the Chair and not to any individual Councilmember, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.

5.2 TIME LIMITATION

- 5.2.1 Any member of the public desiring to address the Council shall limit his/her address to no more than three (3) minutes, unless further time has been granted by the Presiding Officer in the individual case, or in accordance with Section 2.6.
- 5.2.2 Persons presenting an appeal, such as from the denial of a permit, or who have a hearing agendized before the Council, shall be given a reasonable amount of time to make their presentations.

5.3 ADDRESSING THE COUNCIL AFTER THE MOTION IS MADE

After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission by the Presiding Officer.

5.4 LIMITATIONS REGARDING ADDRESSING THE COUNCIL

The making of oral communications to the Council by any member of the public during the Public Comments" portions of the agenda shall be subject to the following limitations:

- 5.4.1 At any time, before or after the oral communication is commenced, the Presiding Officer may, if he/she deems it preferable, direct that the communication be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Councilmembers, pursuant to Section 5.5.
- 5.4.2 Those matters that are set to be deliberated by a City Commission, Board or other agency, should be deferred until the advisory body has completed its deliberations and has taken its final action.
- 5.4.3 The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting. Those whose presentations are postponed shall be given priority at the next meeting during the "Public Comments" portions of the agenda.

- 5.4.4 If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer may reasonably limit the number speaking as to each side of an issue. In this regard, preference may be given to speakers who represent groups or persons who have designated a spokesperson.
- 5.4.5 Except as otherwise permitted, no oral communication, except as allowed under applicable law, shall be allowed to include charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference which tends to identify him/her. All charges or complaints against employees shall be submitted to the City Manager for appropriate action. Charges or complaints against the City Manager shall be submitted to the full Council for appropriate action.

5.5 WRITTEN CORRESPONDENCE

- 5.5.1 The City Clerk is authorized to receive and open all mail addressed to the Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications, and not necessarily requiring Council action, may be disposed of between Council meetings. A copy of such communication shall be sent to each Councilmember marked "Information Only."
- 5.5.2 Any communication relating to a matter pending, or to be brought before the City Council shall be included in the agenda packet for the meeting at which such item is to be considered.
- 5.5.3 Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code, or other ordinances.
- 5.5.4 Copies of all other communications sent to the Council will be transmitted to them.

6.0 MOTIONS

6.1 PROCESSING OF MOTIONS

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

6.2 MOTIONS OUT OF ORDER

The Presiding Officer may at any time, by majority consent of the Council, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.

6.3 DIVISION OF QUESTION

If the question contains two or more dividable propositions, the Presiding Officer may, and upon request of a member shall, divide the same.

6.4 PRECEDENCE OF MOTIONS

When a motion is before the Council, no motion shall be entertained except the following which shall have precedence in the following order:

- 6.4.1 Adjournment
- 6.4.2 Fix hour of adjournment
- 6.4.3 Table
- 6.4.4 Limit or terminate discussion
- 6.4.5 Amend
- 6.4.6 Continue

6.5 MOTION TO ADJOURN (not debatable)

6.5.1 A motion to adjourn shall be in order at any time, except as follows:

- a) when repeated without intervening business or discussion;
- b) when made as an interruption of a member while speaking;
- c) when discussion has been ended, and vote on the motion is pending; and
- d) while a vote is being taken.

6.5.2 A motion to adjourn to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT

Such a motion shall be to set a definite time to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be taken from the table" at any time prior to the end of the next regular meeting; if not heard at that time, the item is no longer before the City Council.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION

Such a motion shall be used to limit or close debate on, or further amendments to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND

A motion shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted first, and then the main motion amended.

6.10 MOTION TO CONTINUE

Motions to continue to a definite time shall be amendable and debatable as to priority of postponement and time set.

7.0 VOTING PROCEDURE

7.1 VOTING PROCEDURE – DEFINED

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Councilmember present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be in random order. The City Clerk shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond aye, "no," or abstain," provided that when a vote is collectively taken by voice or when a method of voting other than voice or roll call is used, any Councilmember not audibly and clearly responding "no" or "abstain" or otherwise registering an objection shall have his vote recorded as aye."

7.2 ROLL CALL VOTING

Every ordinance and any resolution or orders for franchises or payments of money require three affirmative votes. A roll call vote shall be used for these changes. Any other question before the Council shall not require a roll call vote unless demanded by any member. It shall not be in order for members to explain their vote during roll call. Any Member may change his vote before the next order of business.

7.3 FAILURE TO VOTE

Every Councilmember must vote unless disqualified for cause. A Councilmember who abstains shall have his/her vote recorded in the minutes as an abstention.

7.4 RECONSIDERATION

Any Councilmember who voted with the majority may move a reconsideration of any action at the same or next meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of Council.

7.5 TIE VOTES

Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

8.0 RESOLUTIONS

8.1 DEFINITIONS

8.1.1 Generally, Legislative acts of the City Council are taken by ordinance or resolution, whereas more routine business and administrative matters usually more temporary and transitory in nature) are accomplished by motion. Three terms are in general use to denote such non-ordinance actions: "resolution", "minute order," and "motion" (thereafter recorded by minute entry). Technically, all three are equally as legally effective and binding; they just vary in formality of respective memorialization.

8.1.2 The most formal of non-ordinance actions is referred to locally as a "resolution". This, in addition to being referenced in the minutes, will be recorded by a separate document, numbered in a sequence and preserved in a separate set of books. Such "resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document with the additional "whereas" explanatory material it often recites to facilitate such future reference and research.

8.1.3 A “minute order” or “minute action” as used locally denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however, the “minute order” is drafted far more briefly than a “resolution” and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate certain administrative processes to which it pertains.

8.1.4 A “motion” (assuming it was one which passed), is a Council action which is recorded by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE

Where a resolution has been prepared in advance, the procedure shall be: Motion; second; discussion; vote, pursuant to methods prescribed in Section 7.1; and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any Member may require that the resolution be read in full.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE

Where a resolution has not been prepared in advance, the procedure shall be to instruct the City Manager or City Attorney to prepare a resolution for presentation at the next Council meeting.

8.4 URGENCY RESOLUTIONS

8.4.1 In matters of urgency, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure in 8.2 above shall be followed.

8.4.2 Urgency resolutions shall be avoided except when absolutely necessary; and shall be avoided entirely when resolutions are required by law, in improvement acts, zoning matters, or force account work on public projects. Where the resolution has been drafted in written form, either before or during the meeting, this paragraph shall not be deemed applicable.

9.0 ORDINANCES

9.1 INTRODUCTION AND ADOPTION OF ORDINANCES

9.1.1 Ordinances shall not be adopted within five (5) days of their introduction, and may only be adopted at a Regular Meeting or an adjourned regular meeting. However, an urgency ordinance may be adopted immediately upon introduction

and either at a regular or special meeting. All ordinances shall be read in full either at the time of introduction or adoption, except when further reading is waived by regular motion adopted unanimously by all Councilmembers present.

9.1.2 When ordinances, other than urgency ordinances, are altered after introduction, they shall be adopted only at a regular or at an adjourned regular meeting held at least five (5) days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this Section.

9.1.3 Urgency ordinances shall only be enacted when necessary to protect the public health, safety or welfare, or as otherwise permitted by State law.

9.2 EFFECTIVE DATE

All ordinances, except as provided in section 36937 of the Government Code, shall take effect thirty (30) days after adoption, but may be made operative at such later date as may be designated in the ordinance.

9.3 PUBLISHING

It shall be the duty of the City Clerk to post or publish all ordinances in accordance with Section 36933 of the Government Code within fifteen (15) days after adoption.

9.4 URGENCY ORDINANCES

All urgency ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an ordinance fails to receive a 4/5 majority, it may thereafter be considered and passed in the same manner as regular ordinances.

10.0 STUDY SESSIONS

10.1 SCHEDULE OF STUDY SESSIONS

10.1.1 Councilmembers able to attend scheduled study sessions will meet at the place specified in Chapter 2.04 of the City of American Canyon Municipal Code for the purpose of reviewing the agenda for a Council meeting, and meeting and conferring with commissions, civic organizations, and City officials relative to pending City business.

10.1.2 The time for study sessions as specified above may be altered by the Council or by the Mayor on individual occasions when appropriate to the convenience of the Councilmembers, provided that when this occurs, written notice of the change shall be delivered personally or by mail

to each local newspaper of general circulation, radio or television station at least 24 hours before the study session to be held at the changed time. Each Councilmember shall be notified of the changed time personally or by whatever means the Mayor or City Manager deem appropriate. A notice of the postponement of the meeting shall be posted at the door of the place where the study session was to be held and in all locations designated for the posting of Council agendas, and shall state the new date, time and place at which the study session will be held.

10.2 OPEN TO THE PUBLIC

City Council Meetings, Retreats, Workshops, Study Sessions and Standing Committee Meetings shall at all times be open to the public and the news media. The City Clerk will be responsible for advising the news media of the meeting.

10.3 PURPOSE

10.3.1 Study sessions are not intended to constitute a meeting of the City Council and they shall be carried on regardless of the number of Councilmembers in attendance.

10.3.2 At said study sessions, no formal action shall be taken, and no motions shall be offered. The sole purpose of said meetings is to provide background information to members of the Council for their review.

10.3.3 If an item is presented at a study session by a Councilmember for the purpose of placing it on the agenda of a regular Council meeting, if the majority of the Councilmembers concur, the item will then be placed on the agenda of a regular Council meeting at least one week later.

10.4 AGENDA

The City Manager shall be responsible for preparing an agenda of items for discussion at each study session.

11.0 MEETING MINUTES

11.1 The City Clerk or the City Clerk's designee is responsible for taking and preparing the minutes of City Council meetings.

11.2 Barring insurmountable difficulties, the minutes of any Council meeting will be included for approval at the next regular meeting of the Council.

11.3 The minutes of any Council meeting shall be in a "Modified Action Minutes" format. That is, the specific items that were

approved, including the formal motions and votes taken to accomplish that approval, shall be recorded. In addition, members of the public that comment on an item will be noted (but not necessarily a summary of those remarks). A brief discussion of any major issues or points of debate may be included. In the event that any Councilmember requests that their remarks be included in the minutes, such a request will be honored. The Presiding Officer may also request that any other relevant matter be included in the minutes, and will so direct the City Clerk during the meeting.

12.0 COUNCIL COMMITTEES

12.1 PURPOSE

The Council may establish ad hoc or standing committees consisting of two or more members of the Council. The purpose of such committees is to facilitate the City's business and to allow for more in-depth awareness or assessment of City services.

12.2 RESERVED

12.3 RESERVED

12.4 COUNCIL ADVISORY COMMITTEES - RESERVED

13.0 COUNCIL PAY AND COMPENSATION

13.1 PAY

13.1.1 Each Councilmember shall receive a salary as stipulated by law. Payment shall not be prorated, meaning that each Councilmember shall receive full payment if they serve any time during the month. Councilmembers will also receive a salary for each meeting of the American Canyon Fire Protection District ("Fire District") that they are present. Councilmembers will be paid for no more than four meetings per month.

13.1.3 Council members will be paid for each meeting they are present and in which they function as the former American Canyon County Water District ("Water District"). Councilmembers will be paid for no more than four meetings

per month. Councilmembers function as the former Water District when they consider "Will Serve" letters for parcels outside the City; when they are considering matters relating to the overall water supply or master planning efforts for the entire Water District Service Area; or when they are considering the expansion, repair or replacement of water

transmission lines outside City limits but within the Water District Service Area

- 13.1.4 Payment will be twenty-six (26) times per year for Councilmember salary. Payment for Fire District or Water District meetings will be made in the pay period in which the meeting occurred.

13.2 BENEFITS

13.2.1 Councilmembers will be covered under the City's PERS retirement program, which includes medical coverage. Consistent with that coverage, if a Councilmember is vested in the City's retirement program, they will be eligible for retiree medical insurance benefits. Councilmembers are also eligible for the same Dental and Vision Care coverage and benefits as the Management Team, so long as they are serving on the Council. They are also eligible for participation in the City's Section 457 Deferred Compensation program and the City's Computer Equipment Loan program.

13.2.2 There will be no monetary compensation "in lieu of" to a Councilmember if he/she declines one or all of the benefits listed above.

14.0 EXPENSES AND USE OF PUBLIC RESOURCES POLICY STATEMENT

14.2 AUTHORIZED EXPENSES

The City funds, equipment (e.g. cell phone, laptop personal computer, small file storage, etc.), supplies (including letterhead), and staff time must only be used for authorized City of American Canyon activities. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:

1. Communicating with representatives of regional, state and national government on proposed or adopted City policy positions;
2. Attending educational seminars designed to improve officials' skill and information levels;
3. Participating in local regional, state and national organizations whose activities affect the City of American Canyon's interests;

4. Recognizing service to the City of American Canyon (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
5. Attending City of American Canyon events;
6. Implementing a City of American Canyon-approved strategy for attracting or retaining businesses to the City of American Canyon, which will typically involve at least one staff member; and

All other expenditures require prior approval by the City of American Canyon governing body.

The following expenses incurred by the governing body, also require prior governing body approval: ²

1. International travel;
2. Expenses that are expected to exceed \$1,500 per trip.

City employees (non-elected) shall comply with the City's approved Human Resources Policies and Practices (Section 9.6)

Examples of personal expenses that the City of American Canyon will not reimburse include, but are not limited to:

1. The personal portion of any trip;
2. Political or charitable contributions or events;
3. Family expenses, including partner's expenses when accompanying official on agency-related business, as well as children- or pet-related expenses;
4. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;
5. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
6. Personal losses incurred while on City of American Canyon business. Any questions regarding the propriety of a particular

² This is consistent with the California League of Cities, Institute of Government Guidelines regarding compliance with AB1234, commonly known as Ethics Training Law.

type of expense should be resolved by the approving authority before the expense is incurred.

14.3 COST CONTROL

To conserve City of American Canyon resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. In the event that expenses are incurred which exceed these guidelines, the cost borne or reimbursed by the City of American Canyon will be limited to the costs that fall within the guidelines.

- 14.3.1 Transportation –Generally, the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements should be used, using the most direct and time-efficient route. Charges for rental vehicles may be reimbursed under this provision if more than one City of American Canyon official is attending an out of town conference, and it is determined that sharing a rental vehicle is more economical than other forms of transportation; or, if the area visited is a suburban or rural area and no other reasonable modes of transportation are available due to required travel distances. In making such determination, the cost of the rental vehicle, parking and gasoline will be compared to the combined cost of such other forms of transportation. Government and group rates must be used when available.
- 14.3.2 Airfare - Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities (www.cacities.org/travel), the California State Association of Counties (<http://www.csac.counties.org/default.asp?id=635>) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.
- 14.3.3 Automobile – Either an automobile allowance as outlined in the Unrepresented Compensation Resolution or automobile mileage is reimbursed at Internal Revenue Service rates presently in effect. (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable. The Internal Revenue Service rates will not be paid for rental vehicles; only receipted fuel expenses will be reimbursed.

- 14.3.4 Car Rental - Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.
- 14.3.5 Taxis/Shuttles - Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.
- 14.3.6 Lodging - Lodging expenses will be reimbursed or paid for when travel on official City of American Canyon business reasonably requires an overnight stay.
- 14.3.7 Conferences/Meetings - If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, see next section.
- 14.3.8 Other Lodging - Travelers must request government rates, when available. A listing of hotels offering government rates in different areas is available at <http://www.catravelmart.com/lodguideframes.htm>. Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable (see Publication 1542 at <http://www.irs.gov/> or www.gsa.gov).

- 14.3.9 Meals - Meal expenses and associated gratuities will be reimbursed at the actual cost but not to exceed the allowable amounts as approved by the City Council/Fire District Board (always obtain updated reimbursement form for current per meal amounts). City/District credit cards shall not be used for any meals that exceed the approved meal rates. Employees must submit receipts for all meals to be reimbursed.

In the event that the conference registration includes meals or travel includes partial days (travel ending before 1 p.m.), there will be no meal reimbursement.

14.3.10 Telephone/Fax/Cellular/Computer

Option #1. Officials may receive a City-issued cell phone or Personal Digital Assistant (PDA), and/or laptop computer in accordance with City equipment standards and specifications. Use of these devices by Officials is held to the same standards and guidelines that apply to employees which are outlined in the City's Human Resources Policies and Practices Manual (HR Manual), Section 9.7.

Option #2. Officials who elect to use their own phones/PDAs will be reimbursed for City usage at an amount that is equal to what the City would pay for the same service provided to Officials who are issued equipment. For instance, if the City pays \$50 per month for the service for a Blackberry PDA and an Official opts to use his/her own PDA for City business, the City will reimburse that Official \$50 per month. This amount will be evaluated each July and will be adjusted as rates that the City pays for the Officials who are issued City equipment increases or decreases. Any expenses above and beyond this flat rate may be reimbursed by submitting the proper proof and accounting of expenses to the Finance Director.

14.3.11 Internet

Option #1. An Official may elect to be issued a City computer with an internet connection to be used for official business only and per Section 9.7 of the City's Human Resources Policies and Practices Manual.

Option #2. Officials who elect to use their own computer and internet service will be reimbursed for City usage at an amount that is equal to what the City pays for the same service provided to Officials who are issued equipment. For instance, if the City pays \$50 per month for internet service and an Official opts to use his/her own internet service for City business, the City will reimburse that Official \$50 per month. This amount will be evaluated each July and will be adjusted as rates that the City pays for the Officials who are issued City equipment increases or decreases. Any expenses above and beyond this flat rate may be reimbursed by submitting the proper proof and accounting of expenses to the Finance Director.

14.3.12 Airport Parking - Long-term parking must be used for travel exceeding 24-hours.

14.3.13 Other - Baggage handling fees of up to \$1 per bag and gratuities of up to 15 percent will be reimbursed. Expenses for which City of American Canyon officials receive reimbursement from another agency are not reimbursable.

14.3.14 Cash Advance Policy - From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the City of American Canyon's behalf. Such request for an advance should be submitted to the Finance Director 14 days prior to the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of City of American Canyon;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

Any unused advance must be returned to the City of American Canyon treasury within two business days of the official's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.

In the event that the Finance Department is uncertain as to whether a request complies with this policy, such individual must seek resolution from the City of American Canyon governing board.

14.4 CREDIT CARD USE POLICY

City of American Canyon office holders may use a City of American Canyon credit card for purposes such as airline tickets and hotel reservations by following the same procedures for cash advances. Receipts documenting expenses incurred on the City of American Canyon credit card and compliance with this policy must be submitted within five business days of receipt of the credit card statement (receipts must be attached to the statement).

City of American Canyon credit cards may not be used for any personal expenses, even if the official subsequently reimburses the City of American Canyon.

14.5 EXPENSE REPORT CONTENT AND SUBMISSION DEADLINE

All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the City of American Canyon. This form includes the following advisory:

All expenses reported on this form must comply with the City of American Canyon's policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the City of American Canyon's policies include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability.

Expense reports must document that the expense in question met the requirements of this policy. For example, if the meeting is with a legislator, the local agency official should explain whose meals were purchased, what issues were discussed and how those relate to the City of American Canyon's adopted legislative positions and priorities.

Officials must submit their expense reports within 45 days of an expense being incurred, accompanied by receipts documenting each expense. If a City credit card is used, then Section 14.4 applies.

Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.

14.6 AUDITS OF EXPENSE REPORTS

All expenses are subject to verification that they comply with this policy.

14.7 REPORTS TO GOVERNING BOARD

At the following City of American Canyon governing body meeting, each official shall briefly report on meetings attended at City of American Canyon's expense. If multiple officials attended, a joint report may be made.

14.8 COMPLIANCE WITH LAWS

City of American Canyon officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act and other laws.

14.9 VIOLATION OF THIS POLICY

Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City of American Canyon, 3) the City reporting the expenses as income to

the elected official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, 5) prosecution for misuse of public resources, 6) notice of any action in a daily new paper ad for two Sunday's.

VI COUNCIL AGENDA PROCESS

1. The **Agenda Forecast** document will be amended by the responsible department. The Agenda Forecast is the document by which the City Council Agenda will be constructed.
 2. Electronic copies of **Staff Reports with all attachments** should be uploaded to the City's agenda processing software, Laserfiche Agenda Manager, no later than 5:00 p.m. the third Monday prior to the intended City Council meeting. When an item is uploaded into Agenda Manager, the system automatically routes the report through a pre-designated approval process. The Finance Director and City Manager each review and comment on all items. The submitting department is responsible to make the appropriate approval routing selection when submitting agenda items that require additional review.
 3. Any **Staff Report** comments are sent to the author no later than 9:00 a.m. the second Thursday prior to the intended meeting.
 4. The **Final Staff Report** is submitted no later than 5:00 p.m. the 2nd Friday prior to the meeting via Agenda Manager.
 5. City Council Agenda items should include:
 - Staff Report; and **If applicable:**
 - Resolution/Ordinance
 - Environmental Review Checklist
 - Agreement/Contract (properly executed)
 - Other relevant information
- The "Fiscal Impact" section should include:
- The source of funding
 - The budget line item number or state the need for a budget allocation
 - The cost for maintenance or any ongoing costs (if applicable)
 - Any economic impacts the item may have on the City.
6. The City Clerk's Office will prepare the Agenda Packet for distribution and publish to the City's Website, post and distribute the City Council Agenda by uploading a copy of the packet to Box.com for download via personal device and make available via the Granicus application, iLegislate to the City Council, City Manager, City Attorney, Department Managers and Media on Thursday prior to the next City Council meeting (exception: Special Meetings).
 7. Reports filed after the deadline of 5:00 p.m. on the 2nd Friday will require the approval of the City Manager.

VII COUNCIL MEMBER ADMINISTRATIVE SUPPORT

The City Manager is responsible for the administration and direction of staff resources as provided by the City Municipal Code. Except as provided elsewhere the Council will adhere to the following:

1. Council Mail/Correspondence – The City Clerk shall be responsible for opening Mayor and Council correspondence. All letters addressed to the Mayor requiring a response from staff are copied to all Council Members with a note as to which staff person will be preparing a response for the Mayor’s signature. Cards and other Council Member mail marked “Personal” will not be copied to the full Council. Correspondence marked “confidential” will not be opened by the City Clerk or any other staff members.
2. Clerical Support – The City Manager’s Office will coordinate the typing of correspondence requested by individual Council Members. All correspondence typed for Council Members will be on City letterhead and will be copied to the full Council.
3. Master Calendar – A Master Calendar of Council events, functions, or meetings will be provided to the full Council. Functions, events, or regularly scheduled meetings to be attended by individual Council Members will also be included on the Master Calendar. The City Clerk shall maintain, distribute and keep the master calendar current.
4. Requests for Research or Information – Council Members may request information or research from staff on a given topic directly when it is anticipated that the request can generally be completed by staff in less than an hour. Council Member requests for research or information that are anticipated to take staff more than one hour shall be directed to the City Manager unless the Council Member selects to bring the matter during a council meeting under “Council Comments.” Requests for new information or policy direction will be brought to the full Council at a Regular Meeting for consideration. All written reports will be copied to the full Council.
5. Tickets to City Events – Two tickets for each Council Member will be made available for events hosted by the City or in which the City is a member (e.g., NCLOG, etc). Departments hosting City events will coordinate the distribution of tickets to Council Members with the City Manager’s Office. The availability of tickets for events hosted by other organizations will be at the discretion of the organizing agency. When the City is a major sponsor of an event, staff will endeavor to include the availability of tickets in the sponsorship agreement or contract.
6. Council Notification of Significant Incidents – In conjunction with the City’s public safety departments, the City Manager’s Office will coordinate

notification to Council. Notification will occur in the event of a natural disaster, riots, large scale evacuation, gang activity involving murder or the injury and hospitalization of a City employee while on the job, an officer-involved shooting or a financial issue that could result in controversy or disgrace on the City of American Canyon. This will be accomplished by E-mail and/or telephone.

7. Council Member Stationery - It is customary for individual Council Members to correspond with residents, applicants, or other elected officials. Such correspondence does not necessarily bind the full Council or the City, but may involve making personal endorsements or recommendations, congratulating residents or other elected officials as appropriate, or responding to inquiries from constituents. Special letterhead indicating that it is from a specific Councilmember shall be developed and forwarded to each Councilmember, in both an electronic and hard copy format.

VIII MAYOR AND CITY COUNCIL CONFORMITY TO CITY COUNCIL ADOPTED PROTOCOLS

The Mayor and City Council recognizes that they and staff must self-regulate each other with respect to adhering to these protocols. The Mayor, in consultation with the City Manager and City Attorney, will be responsible for confronting a member of council who violates any of the above provisions. The Vice Mayor will be responsible for confronting the Mayor in the event of a violation of any of the above provisions. Any member of Council may seek to have a member of the City Council censured at a regular meeting

1. AMENDMENTS

A simple majority vote is required to amend these rules. Amendments may be considered under any of the following circumstances:

- A. Changes in State or Federal law;
- B. As requested by the Council; or
- C. Whenever a new Council is formed.

Future Agenda Items

September 4, 2024, Open Space, Active Transportation and Sustainability Commission, 6:30 p.m.

GIR Class I Bikeway
Wetlands Edge Outdoor Education Project
Newell Open Space Trail Head Project

September 12, 2024, Parks and Community Services Commission

Facility Naming Submissions
Utilization of City Parks and Facilities for Community Groups and Events
Parks and Community Services Master Plan

September 17, 2024, Regular City Council Meeting. 6:30p Open Session

Proclamation - National Recovery Month.
Proclamation – Suicide Prevention Month
SDG 217 Wastewater Capacity Fee Deferral Agreement

September 26, 2024, Planning Commission Meeting 6:30 p.m.

Commerce 220 Warehouse EIR and CUP
Crawford Way Apartment Townhome Design Permit

October 1, 2024, Regular City Council Meeting 6:30 pm

Appointment of Youth Commissioners
Proclamation - Filipino Heritage Month
Proclamation - National Code Enforcement Appreciation Month
Proclamation - National Community Planning Month
Notice of Completion - Playground Replacement Project (PR21-0100)
Russell Square/Oat Hill Major Modification

October 2, 2024, OSATS Commission 6:30 pm

Trail Standards
Newell Management Plan Part 1
E-Bike at Newell Open Space

October 10, 2024, Parks and Community Services Meeting 6:30 pm

Facility Naming Recommendation
Update Municipal Code for Skatepark Use
Parks and Recreation Refund Policy

October 15, 2024, Regular City Council Meeting 6:30 pm

Proclamation - Domestic Violence Awareness Month (NEWS)
Proclamation - Veterans Day
Quarterly Investment Report
FY 24/25 Q2 CIP Update
Commerce 220 Warehouse EIR and CUP
Newell Drive Extension Next Steps
Green Island Road Project (TR16-0700) Phase 2 Contract Award