



REGULAR CITY COUNCIL MEETING AGENDA

City Hall - Council Chambers
4381 Broadway St., Suite 201, American Canyon
December 7, 2021
6:30 PM

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

Consistent with Government Code Section 54953 and the American Canyon City Council Resolution Declaring the Existence of a Local Emergency due to the COVID-19 Pandemic, City Council, City Council and other public meetings are currently Teleconference Meetings Only to align with local and federal guidelines and social distancing recommendations for the containment of the coronavirus. This meeting will be broadcast live to residents on Napa Valley TV [here](#) and on YouTube [here](#).

You may submit public comments for any Agenda Item, Non-Agenda Item or make general public comments by one of the following methods:

Oral comments, during the meeting: A Zoom Webinar has been established for public participation during the meeting related to a specific agenda item, or matters not on the agenda. To give your public comment directly to the legislative body during the meeting, use the Register to Speak feature of [eComments](#) or connect via below Zoom link and follow the instructions or by calling 408-638-0968.

Zoom Meeting Link: [Click here](#)
Webinar ID: 835 0550 2038 **Passcode:** 918411

Written comments, Via eComments: The eComments link is located on the Meetings & Agendas page of our website [here](#). Comments received before the 3:00 p.m. day-of-meeting cutoff time will be routed to all Councilmembers at that time. eComments will remain open throughout the meeting, and all comments received will be posted online and become part of the meeting record.

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.cityofamericancanyon.org.

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.

PUBLIC ADDRESS – CLOSED SESSION 5:30 P.M.

The Mayor will call the meeting to order and conduct role 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.

5:30 P.M. CLOSED SESSION

- 1. Conference with Legal Counsel – Anticipated Litigation Pursuant to Government Code Section 54956.9 (d)(2) Three Matters.**

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MEETING ANNOUNCEMENT

Pursuant to AB 361 this meeting will be held entirely virtually. All methods available for public participation are detailed on the first page of the agenda.

ROLL CALL

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

PROCLAMATIONS AND PRESENTATIONS

- 2. Presentation - Community Events Committee Update**
Recommendation: Receive an update on the Community Events Committee.

PUBLIC COMMENT - ITEMS NOT ON THE AGENDA

*This time is reserved for members of the public to address the City Council on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the City Council. Comments are limited to 3 minutes. Comments for items on the Agenda will be taken when the item is called. 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. Speakers are asked to please speak clearly, and provide their name. Any handouts for distribution to the City Council must be emailed by 3:00 p.m. on meeting day. To comment via zoom during the meeting: click the “raise your hand” button if joining by computer, or press *9 if joining by phone, when the item is called. To avoid confusion, hands raised outside of Public Comment periods will be lowered.*

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

- 3. Minutes of November 16, 2021**

Recommendation: Approve the minutes of the Regular City Council meeting of November 16, 2021.

4. **City Attorney November 30, 2021 Closed Session Report**

Recommendation: Approve the City Attorney Closed Session Report of November 30, 2021 City Council Meeting.

5. **City Council Meeting Calendar of 2022**

Recommendation: Approve the Regular City Council Meeting Calendar of 2022.

6. **Water Treatment Plant Generator Purchase**

Recommendation: Adopt a Resolution approving the purchase of a Generator for the Water Treatment Plant from Generac Industrial Power in an amount not to exceed \$75,000.

PUBLIC HEARINGS

7. **Urgency Ordinance Applying the California Historic Building Code to the Napa Valley Ruins & Gardens and Future Sites**

Recommendation: Hold a Public Hearing and adopt an Urgency Ordinance modifying Chapter 16.08 of the California Historic Building Code of the Municipal Code to add Section 16.08.030 to provide for application of the Historic Building Code to designated sites of the Napa Valley Ruins & Gardens as a portion of Watson Ranch Specific Plan and such other sites and places as may be designated by Resolution of the City Council.

8. **Laborers International Union of North America, Local 324 (LIUNA) Appeal of the Planning Commission Approval of the SDG Commerce 217 Warehouse Distribution Center Conditional Use Permit**

Recommendation: Continue the Laborers International Union of North America, Local 324 (LIUNA) appeal to a future date to be determined.

9. **Measure T Maintenance of Effort (MOE) Validation and 5-Year Expenditure Plan**

Recommendation: Hold a Public Hearing and take the following actions: 1. Adopt a Resolution approving a five-year expenditure plan for FY 2022-23 through FY 2026-27 under Measure T (Napa Countywide Road Maintenance Act); and

2. Adopt a Resolution approving the Maintenance of Effort (MOE) certification of \$370,015 as required under Measure T (Napa Countywide Road Maintenance Act).

10. **Second Reading for Proposed "Lodging" in the Local-Serving Mixed-Use (LSMU) Zoning District and a Conditional Use Permit for a Hampton Inn Hotel**

Recommendation: Hold a Public Hearing and take the following actions: 1. Waive second reading, read by title only, and adopt an Ordinance to amend the Broadway District Specific Plan Table 2-3 to permit Lodging as a Conditionally Permitted Use in the Local Serving Mixed Use Zoning District (LSMU) Zoning District and add a new Special Development Requirement No. 3 to require Lodging Uses in the LSMU Zoning District qualify for a three Star Forbes Travel Guide Rating (File No. PL20-0030); and

2. Adopt a Resolution of the City Council of the City of American Canyon to approve a Conditional Use Permit for a 112-room Hampton Inn hotel on a 2.53-acre parcel at 3443 Broadway St, APN 058-312-010 (File No. PL20-0029).

BUSINESS

11. [Ballot Measure for June 7, 2022 Statewide Primary Election - Term Limits for the Mayor and Members of the City Council](#)

Recommendation: Adopt a Resolution submitting to the qualified voters of the City an Ordinance amending the American Canyon Municipal Code to add Section 2.04.120 regarding Mayor and Councilmember Term limits at the Regular Statewide Primary Election to be held June 7, 2022.

MANAGEMENT AND STAFF ORAL REPORTS

MAYOR/COUNCIL COMMENTS, COMMITTEE REPORTS, AND FUTURE AGENDA ITEMS

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

Anticipated Future Council Items of Note:

December 14, 2021 Special Meeting - Police Chief Interview

December 21, 2021

- Appointment of 2022 Board, Commission, Committee members by Minute Order, Oath of Office for OSAC Committee Members
- Steve McCollom Proclamation
- Selection of Vice Mayor and Council Committee Assignments for 2022
- Corp Yard Relocation Update
- 2021 Fiscal Year Auditors Report
- Mintier Harnish General Plan Contract Amendment

12. [City Council Committee Report - Mayor Leon Garcia](#)

13. [City Council Committee Report - Vice Mayor Mark Joseph](#)

14. [City Council Committee Report - Councilmember Pierre Washington](#)

ADJOURNMENT

CERTIFICATION

I, Taresa Geilfuss, 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.

Taresa Geilfuss, City Clerk

Community Events Committee Update December 7, 2021

Overview/Purpose:

Community events are very important to American Canyon as they serve as the primary community-building opportunity within the City. While the City provides a wide breadth of events, we are not the only providers of events in American Canyon. Several community organizations also offer events open to the public including schools, PTAs/PTOs, service clubs, special interest groups, cultural clubs, and more. In 2019, a committee was created with the primary focus on community events. This is not a Brown Act Committee. In partnership with American Canyon Chamber the City leads the group's communication and coordination. The goals of the group are to increase awareness of community events, help to coordinate calendars to minimize conflicts and form relationships that might develop into partnerships.

Committee Goals:

1. Bring event leaders together to coordinate event schedules minimizing conflicts and multiple events occurring at one time.
2. Have community events held within the City on the Community Events Calendar located on the City's website.
3. Serve as a conduit to share upcoming events increasing awareness and participation of events open to the general public. More participation can lead to more successful events and more vibrancy of the community.
4. Increase in volunteer support (cross pollination) from affiliated groups for events in the community.
5. Increase awareness of resources and opportunities to build relationships, partnerships and ultimately improve events held in American Canyon.
6. A future goal is to host trainings on event techniques and skills such as advertising/flyer tips, event planning techniques, sponsorship recruitment.

Committee Meetings:

Recently the committee met on September 15, 2021, to discuss an update on Covid-19 state guidelines, upcoming events, parking lot request forms, and established new meeting dates.

The committee currently meets via Zoom, quarterly on the 2nd or 3rd Wednesday of that month from 6-7:30pm. Upcoming meetings are December 15th and March 16th.

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

ACTION MINUTES
November 16, 2021

PUBLIC ADDRESS – CLOSED SESSION 5:00 P.M.

Present: Mayor Leon Garcia, Vice Mayor Mark Joseph, Councilmember Mariam Aboudamous, Councilmember David Oro, Councilmember Pierre Washington
Absent: None

5:00 P.M. CLOSED SESSION

- 1. Conference with Legal Counsel – Anticipate Litigation Pursuant to Government Code Section 54956.9 (d)(3) Three Matters.**
- 2. Conference with Labor Negotiators - Pursuant to Government Code Section 54957.6 Agency Representative: Jason Holley, City Manager. Employee Organizations: Teamsters Local 315 - General Unit and Teamsters Local 315 - Mid-Management Unit**

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

CALL TO ORDER

The meeting was called to order at 6:46 p.m.

PLEDGE OF ALLEGIANCE

Mayor Leon Garcia led the Pledge of Allegiance.

MEETING ANNOUNCEMENT

Mayor Leon Garcia read the meeting announcement.

ROLL CALL

Present: Mayor Leon Garcia, Vice Mayor Mark Joseph, Councilmember Mariam Aboudamous, Councilmember David Oro, Councilmember Pierre Washington
Absent: None

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

City Attorney William Ross provided an oral report on Closed Session. Closed Session commenced at 5:01 p.m. Closed Session adjourned at 6:35 p.m. A written report will be provided.

PROCLAMATIONS AND PRESENTATIONS

3. Climate Change Proclamation

Mayor Leon Garcia announced the Proclamation. Written Comments: Lori Stelling and Linda Brown.

4. Presentation - Fair Housing of Napa Valley (FHNV)

Council received a presentation from Fair Housing of Napa Valley (FHNV) FY 2020-21 on American Canyon activities from Pablo Zatarain, Napa Valley Fair Housing.

PUBLIC COMMENT - ITEMS NOT ON THE AGENDA

Mayor Leon Garcia opened Public Comments. Written comments: none. Oral comments: Tammy Wong was called to speak; Rick Hess was called to speak; Emily Bit was called to speak; Alisa Karesh was called to speak; Linda Brown was called to speak; Justin Hamilton Hole was called to speak; Jim Wilson was called to speak. Mayor Leon Garcia closed Public Comments.

CONSENT CALENDAR

5. Minutes of the City Council meeting on November 2, 2021

Action: Approved the minutes of the November 2, 2021 Regular City Council meeting.

6. Minutes of the Special City Council Meeting of November 9, 2021

Action: Approved the minutes of the November 9, 2021 Special City Council - Economic Forum meeting.

7. City Attorney November 3, 2021 Closed Session Report

Action: Approved the City Attorney Closed Session Report of November 3, 2021 Regular City Council Meeting.

8. Continued Use of Remote Teleconference for Meetings

Action: Adopted Resolution 2021-90 reaffirming that a local emergency exists, re-ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and authorizing continued use of remote teleconference meetings of legislative and advisory bodies of the City of American Canyon for the period of December 1, 2021 - December 31, 2021 pursuant to Ralph M. Brown Act.

9. FY 2020-21 Quarter 1 Investment Report

Action: Received and filed the City and Fire District Treasurer's Report for the quarter ended September 30, 2021.

10. Water Supply and Demand Drought Emergency Stage 2

Action: Received and filed a report on water supply and demand in the City of American Canyon Water Service Area.

11. SB1383 Solid Waste Ordinance

Action: Waived 2nd reading and adopted Ordinance 2021-08 of the City Council of the City of American Canyon modifying Title 8 (Health and Safety) of the American Canyon Municipal Code to add Chapter 8.20 Mandatory Municipal Solid Waste, Recycling and Compost Material Disposal Reduction.

AGENDA CHANGES

None.

PUBLIC HEARINGS

12. Rio Del Mar Tentative Parcel Map and Design Permit Extension

Council received a brief introduction of the staff report from Community Development Director Brent Cooper with Josh Smith and Tyler Kelly available for questions. Mayor Leon Garcia opened Public Comments. Justin Hamilton Hole was called to speak. Mayor Leon Garcia closed Public Comments.

Action: Motion to adopt Resolution 2021-91 of the City Council of the City of American Canyon, California, approving a twelve-month extension to the Rio Del Mar Tentative Parcel Map and Design Permit from December 17, 2021 to December 17, 2022; located at the northeast intersection of West Carolyn Drive and Rio Del Mar, APNs 058-162-012 and 058-162-013 (File No. PL21-0030) made by Councilmember David Oro, seconded by Councilmember Mariam Aboudamous, and CARRIED by roll call vote.

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

Nays: None

Abstain: None

Absent: None

13. Proposed "Lodging" in the Local Serving Mixed Use (LSMU) Zoning District and a Conditional Use Permit for a Hampton Inn Hotel

Council received a staff report from Associate Planner William He with the applicant team of Al Shaghagi, Jay Patel, Pinu Patel, James Heilbranner and Jeff Mac Adam available for questions. Mayor Leon Garcia opened Public Comments. Written comments: none. Oral comments: none. Mayor Leon Garcia closed Public Comments.

Action: Motion to waive first reading, read by title only, and introduce an Ordinance of the City Council of the City of American Canyon to amend the Broadway District Specific Plan Table 2-3 to permit Lodging as a Conditionally Permitted Use in the Local Serving Mixed Use Zoning District (LSMU) Zoning District and add a new Special Development Requirement No. 3 to require Lodging Uses in the LSMU Zoning District qualify for a Three Star or higher Forbes Travel Guide Rating

(File No. PL20-0030) made by Councilmember David Oro, seconded by Councilmember Pierre Washington, and CARRIED by roll call vote.

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

Nays: None

Abstain: None

Absent: None

Action: Motion to adopt Resolution 2021-92 of the City Council of the City of American Canyon to: 1) adopt an Addendum to the Broadway District Specific Plan Program Environmental Impact Report for the Hampton Inn Project: consisting of an amendment to the Broadway District Local Serving Mixed Use Zoning District and Conditional Use Permit for a 106-room Hampton Inn Hotel on a 2.53-acre parcel at 3443 Broadway Street; and 2) direct staff to file a Notice of Determination made by Councilmember David Oro, seconded by Vice Mayor Mark Joseph, and CARRIED by roll call vote.

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

Nays: None

Abstain: None

Absent: None

Action: Consider the following actions:

BUSINESS

14. City Workforce Demographics

Assistant City Manager Maria Ojeda introduced the City Workforce Demographics item. Council received a staff report from Human Resources Officer II Scott Corey, with Assistant City Manager Maria Ojeda. Mayor Leon Garcia opened Public Comments. Beth Marcus was called to speak. Mayor Leon Garcia closed Public Comments.

Action: Council received and filed the report.

MANAGEMENT AND STAFF ORAL REPORTS

Police Chief Rick Greenberg announced the promotion of Officer Nathalie Hurtado to the rank of Sergeant.

Public Works Director Erica Ahman Smithies announced the projects that have been added to the website and the signage that has been installed on the trails.

Maintenance & Utilities Director Felix Hernandez, III announced the recent recognitions that the city has been awarded and employee Rick Hall, Jr. has achieved a new certification.

MAYOR/COUNCIL COMMENTS, COMMITTEE REPORTS, AND FUTURE AGENDA ITEMS

Mayor Garcia commented on a band review he recently attended, local organizations available for Covid and flu vaccines, and a recent traffic incident on Highway 29 with a utility pole.

Vice Mayor Mark Joseph and Councilmember Pierre Washington volunteered reach out to community stakeholders and propose a climate resolution.

15. City Council Committee Report - Vice Mayor Mark Joseph

Action: Council received and filed the report.

16. City Council Committee Report - Councilmember David Oro

Action: Council received and filed the report.

ADJOURNMENT

The meeting was adjourned at 9:50 p.m.

CERTIFICATION

Respectfully Submitted,

Taresa Geilfuss, City Clerk

William D. Ross
David Schwarz
Kypros G. Hostetter

Law Offices of
William D. Ross
400 Lambert Avenue
Palo Alto, California 94306
Telephone: (650) 843-8080
Facsimile: (650) 843-8093

Los Angeles Office:

11420 Santa Monica Blvd
#25532
Los Angeles, CA 90025

File No: 199/3

December 2, 2021

VIA E-MAIL

The Honorable Leon Garcia, Chair
and Members of the Board of Directors
American Canyon Fire Protection District
911 Donaldson Way E.
American Canyon, CA 94503

Re: Report Upon Return from Closed Session; Regular Virtual Meeting of the City of
the American Canyon Fire Protection District Board of Directors; November 30,
2021

Dear Chair Garcia and Members of the Board of Directors:

This communication sets forth reportable action, if any, of the Board of Directors (“Board”) of the American Canyon Fire Protection District (“District”), consistent with provisions of the Ralph M. Brown Opening Meeting Act (Government Code Section 54950, *et seq.*) resulting from the Closed Session of the November 30, 2021 Virtual Regular Meeting, consistent with Government Code Section 54957.1.

After convening in Open Session at 5:34 p.m. and ascertaining that there were no comments on the agendaized Closed Session matters, your Board adjourned to Closed Session at 5:35 p.m. to address the matters agendaized for Closed Session consideration.

There were two matters agendaized for District Closed Session consideration.

1. Conference with Legal Counsel – Anticipated Litigation.
Pursuant to Government Code Section 54956.9(d)(2); and,
Three Matters.
2. Real Property Negotiations
Pursuant to Government Code Section 54956.8
Negotiator: Fire Chief Michael P. Cahill
Property Location: APN 059-020-004 – 659 Napa Junction Road, American
Canyon, CA

The Honorable Leon Garcia, Chair
and Members of the Fire District Board of Directors
December 2, 2021
Page 2

With respect to District Closed Session Agenda Item No. 1., for two of the matters considered, there was no reportable action under the common law attorney- client privilege and that provided by Government Code Section 54956.9(d)(2).

With respect to one matter considered under District Closed Session Agenda Item No. 1., there was reportable action in that the Board unanimously (5-0) voted to take no position on the Application of the owners of Green Island Vineyard for Amendment to the District Sphere of Influence before the Napa County Local Agency Formation Commission. Except as indicated, there was no other reportable action concerning the third matter considered under District Closed Session Agenda Item No. 1.

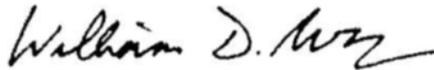
With respect to District Closed Session Agenda Item No. 2., there was no reportable action consistent with the provisions of Government Code Section 54956.8.

The Closed Session concluded at 6:35 p.m., with the Board convening in Open Session at 6:35 p.m. where it was indicated that a written report upon return consistent with Government Code Section 54957.1, would be prepared.

This communication should be reviewed under the Consent portion of the Agenda of your next Regular or Special District Board Meeting.

Should you have questions concerning this Report, it may be taken off the Consent calendar when agendized in the future, or our office may be contacted in the interim.

Very truly yours,



William D. Ross

WDR:jf

cc: Michael P. Cahill, District Chief
Martha Banuelos, Fire Executive Assistant/Office Administrator

**AMERICAN CANYON CITY COUNCIL
MEETING CALENDAR - 2022**

	Regular Meetings 1 st and 3 rd Tuesdays at 6:30 p.m.
January	4 (cancelled)
	18
February	1
	15
March	1
	15
April	5
	19
May	3
	17
June	7
	21
July	5 (cancelled)
	19
August	2
	16
September	6
	20
October	4
	18
November	1
	15
December	6
	20

Approved at the City Council meeting of December 7, 2021.



TITLE

Water Treatment Plant Generator Purchase

RECOMMENDATION

Adopt a Resolution approving the purchase of a Generator for the Water Treatment Plant from Generac Industrial Power in an amount not to exceed \$75,000.

CONTACT

Felix Hernandez, III, Maintenance and Utilities Director

BACKGROUND & ANALYSIS

On April 20, 2021, the City Council approved a Contract Change order No. 1 in the amount of \$459,996 to augment the Sustainability Program and purchase back-up generation solutions for four sites: the WRF, the Water Treatment Plant (WTP), City Hall and the Corporation Yard. The total cost for implementing back-up solutions at these four critical sites amounted to \$1,379,996 of which \$300,000 was funded from the Tax-Exempt Lease Purchase (TELP), \$20,000 from a Miscellaneous Energy Services Contract credit, and \$600,000 covered by the California Office of Emergency Services (Cal OES) grant.

Part of the initially-conceived back-up solution across sites included relocating the existing 250 kW emergency generator from the WRF to the WTP. Outreach to the Bay Area Air Quality Management District (BAAQMD) on the permitting process was started prior to the Change Order approval in attempt to initiate the lengthy review process as early as possible.

However, air quality requirements for combustion engines are becoming stricter over time and exhaust emissions allowed from backup generators have been significantly reduced over the last few decades. Although the engine has been maintained well over the years, used minimally, and can be permitted for the WRF location, it is deemed non-permittable under the new source location at the WTP (less than 1 mile away). Current emission standards set by the BAAQMD are not to exceed the following:

- Particulate Matter: 0.15 g/HP-hr
- Nitrogen Oxides (NO_x): 3.0 g/HP-hr
- Carbon Monoxide (CO): 2.6 g/HP-hr

The existing generator at the WRF is rated as a Tier 1 nonroad diesel engine, and the emissions report indicated PM, NOx, and CO emissions of 0.04, 8.96, and 0.21 g/HP-hr respectively. To move the existing generator to the WTP, a new permit would need to be issued, meaning the generator would need to be equipped with a NOx treatment system that could cost over \$100,000.

Instead, in order to ensure the continuous operation of the WTP, independent of electrical grid blackouts, staff proposes to procure and install a new Tier 3 backup generator, rated at 250 kW, that operates under the BAAQMD emission limits. Quotes were gathered from 3 different vendors, of which Generac bid at the lowest price. Staff therefore recommends procuring the generator from Generac, and the site team will perform the installation.

The procurement and installation scope includes:

1. Technical evaluation of the generator submittals
2. Procurement of the generator (22 to 28 week lead time)
3. Locating and marking the most suitable area for the generator (near the switchgear)
4. Pad area preparation with slots for feeders and grounding
5. Pouring the concrete pad 4 weeks prior to generator arrival
6. Generator installation on pad and feeder connections
7. Electrical wiring set-up
8. Start-up and commissioning

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

Sufficient funds are budgeted in the Water Enterprise Fund. An intrafund budget transfer of \$75,000 from account 510-50-560-42310 (Water General Repairs and Maintenance) to account 510-50-560-46130 (Major Equipment) will be made to accommodate this purchase.

ENVIRONMENTAL REVIEW

15301 - The Project is exempt from review under the California Environmental Quality Act ("CEQA") under the Class 1 exemption of existing facilities of Section 15301 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 - Generator Purchase](#)
2. [Engie_AmCan Council update 11.30.21](#)
3. [City of American Canyon Generator Quotes](#)

RESOLUTION NO. 2021-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING
THE PURCHASE OF A GENERATOR FOR THE WATER TREATMENT PLAN FROM GENERAC
INDUSTRIAL POWER IN AN AMOUNT NOT TO EXCEED \$75,000**

WHEREAS, On April 20, 2021, the City Council approved a Contract Change order No. 1 in the amount of \$459,996 to augment the Sustainability Program and purchase back-up generation solutions for four sites: the WRF, the Water Treatment Plant (WTP), City Hall and the Corporation Yard; and

WHEREAS, the total cost for implementing back-up solutions at these four critical sites amounted to \$1,379,996 of which \$300,000 was funded from the Tax-Exempt Lease Purchase (TELP), \$20,000 from a Miscellaneous Energy Services Contract credit, and \$600,000 covered by the California Office of Emergency Services (Cal OES) grant; and

WHEREAS, to ensure the continuous operation of the WTP, independent of electrical grid blackouts, staff proposes to procure and install a new Tier 3 backup generator, rated at 250 kW, that operates under the BAAQMD emission limits; and

WHEREAS, quotes were gathered from 3 different vendors (Attachment 2), of which Generac bid at the lowest price and Generac Industrial Power bid was deemed the lowest price; and

WHEREAS, sufficient funds are budgeted in the Water Enterprise Fund. An intrafund budget transfer of \$75,000 from account 510-50-560-42310 (Water General Repairs and Maintenance) to account 510-50-560-46130 (Major Equipment) will be made to accommodate this purchase.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of American Canyon hereby approves the purchase of a Generator for the Water Treatment Plant from Generac Industrial Power in an amount not to exceed \$75,000.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 7th day of December 2021, by the following vote:

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

Leon Garcia, Mayor

ATTEST:

Taresa Geilfuss, City Clerk

William D. Ross, City Attorney

City Council - December 7, 2021



Approved by Council May 2021

	Size	Electrical Work	Goals/Benefits
WRF	500 kW	New switchgear, New ATS	Entire plant load will be fed from new ATS and switchgear. This takes load off MCC breaker having nuisance tripping issues.
WTP	250 kW	Relocates 250kW unit from WRF, New ATS, Equipment Pad	Design repurposes current WRF unit, reducing City's cost and creates infrastructure for permanent unit.
City Hall	120 kW	New ATS and reconfigures the emergency circuit to include the "House Panel"	Previous temporary generator only served Suite 201. New electrical design will provide emergency power to both Suite 201 and the House Panel to cover critical loads.
Corp Yard	300 kW	New ATS and new switchgear	Replaces aging switchgear.

Emergency Generator Milestones	Completion Date
Council approves Emergency Generators project	April 2021
Procurement	May – June
Permit Applications submitted to BAAQMD	July
WRF installation - 500 kW	November
City Hall installation - 120 kW	November/December 2021
Council Approval to Procure New WTP Generator - 250 kW*	December 7th
Building E (Corp Yard) installation - 300 kW	January 2022

*Bay Area Air Quality Management District (BAAQMD) did not approve permitting of existing 25-year-old 250kW unit (Tier 1 engine) once it relocated from WTP to WRF

Available Options:

- Option 1: retrofit existing generator to meet current emission requirements
 - Costs: \$133,800.00
- Option 2: purchase new
 - Costs: Not to Exceed \$75,00.00 (recommend)



Date: September 29, 2021

To: ENGIE Services

Attn: Merna Nakhla

Reference: Cummins Replacement

Energy Systems is pleased to offer the following proposal:

SCOPE OF SUPPLY:

Quantity 1 – Miratech Tier 4 emissions equipment package for Cummins generator model DQAB – 4960443

- Selective Catalytic Reduction Housing – SP-EM6-TBD
 - EM,
 - 6-Track SCR Housing with Removable Catalyst Blocks
 - Carbon Steel
- DPF Housing & Catalyst – LTR9-7-06-XR1
 - Carbon Steel
 - Door Right
- Mixing Section – MS-BLU-06-10-3
 - Pre-Fabricated Mixing Section
 - 304 Stainless Steel
 - 6" Inlet / 10" Outlet
- SCR Control System – ACIS-BLU
 - Closed Loop NOx Control
 - HMI Operation Screen
 - NOx, Temperature, & Pressure Monitoring
 - Includes 50ft (15m) Prefabricated Cabling for
 - Reactant Pump
 - Injector
 - NOx Sensors
- Commissioning & Startup – Commissioning & Startup
 - One (1) trip which includes one (1) service technician; two (2) days of travel; and three (3) days of onsite commissioning, startup, use of portable analyzer, and operator training
- SCR Reactant Tank – SW60
- Reactant Tank Level Indicator

Quantity 1 - Generac Industrial diesel engine-driven generator set with turbocharged/aftercooled 6-cylinder 8.7L engine, consisting of the following features and accessories:

- Stationary Emergency-Standby rated
- 250 kW Rating, wired for 277/480 VAC three phase, 60 Hz
- Standard Weather Protective Enclosure, Steel
 - Industrial Grey Baked-On Powder Coat Finish
 - 82dBA Sound Data at Full Rated Load
- UL2200
- EPA Certified
- SCAQMD
- H-100 Control Panel
 - Meets NFPA 99 and 110 requirements
 - Temp Range -40 to 70 degrees C
 - Digital Microprocessor:
 - Two 4-line x 20 displays, full system status
 - 3 Phase sensing, +/-0.25% digital voltage regulation
 - RS232, RS485 and Canbus remote ports
 - Waterproof connections
 - All engine sensors are 4-20ma for minimal interference
 - Programmable I/O
 - Built-in PLC for special applications
 - Engine function monitoring and control:
 - Full range standby operation; programmable auto crank, Emergency Stop, Auto-Off- Manual switch
 - Isochronous Governor, +/-0.25% frequency regulation
 - Full system status on all AC output and engine function parameters
 - Service reminders, trending, fault history (alarm log)
 - I2T function for full generator protection
 - Selectable low-speed exercise
 - HTS transfer switch function monitoring and control
 - 2-wire start controls for any 2-wire transfer switch
- 110 AH, 925 CCA Group 31 Batteries, with rack, installed
- Air Filter Restriction Ind
- Battery Charger, 10 Amp, NFPA 110 compliant, installed
- Coolant Heater, 2000W, 240VAC
- 24" 500 Gallon Double-Wall UL142 Basetank
 - External fill and vent
 - 5-Gallon Spill/Fill box with locking provision
 - Mechanical fuel level indicator gauge
 - Electronic fuel level sender
 - Emergency Vent
 - Overfill Prevention Valve
- Stainless Steel Fire-Rated fuel supply and return hoses
- Std set of 3 Manuals
- 120V GFCI and 240V Outlet
- Engine Run Relay
- Primary MLCB, 100% rated thermal-magnetic

- 400 Amp
- Shunt trip and Auxiliary Contacts
- Standard 2-Year Limited Warranty
- SD0250KG178.7D18HPYY3

Pricing:

Miratech Tier 4 Equipment	\$ 133,800.00
250kW Generator Pricing	\$ 67,800.00
Start Up & Training	\$ 2,300.00

Optional Adders via change order:

● Level 1 Sound Enclosure	\$ 4,400.00
● Level 2 Sound Enclosure	\$ 5,000.00
● On-site Tank Testing	\$ 1,300.00
● Remote Emergency Stop button (surface mount)	\$ 700.00
● Remote Annunciator	\$ 600.00

Shipping:

Estimated lead time from factory, excluding transit: 18 - 22 Weeks

Scope Clarifications:

- Estimated Submittal Lead time: 5-7 business days
- No equipment will be ordered without written release to proceed
- Pricing includes freight to site.
- If transfer switch needs to be shipped separately, additional freight charges will apply
- Installation, provided by others, must be complete and the Energy Systems provided start-up checklist must be received by Supplier two weeks prior to technicians scheduling.
- Installation and mounting of exhaust not included
- All industrial products require a formal start up by a Generac factory certified technician
- Pricing is based on work being completed during regular business hours
- Load bank (if included) is resistive load
- All fueling, and connections must be terminated prior to technician arrival
- Training to be completed same day as start up. Additional charges will apply if a separate trip is required.
- Enclosure color is Generac Industrial grey. Custom colors can be quoted separately

- Not included: equipment offloading, installation, fuel, permits, signage, taxes, exhaust system backpressure test, exhaust emissions test, infrared scanning, NETA testing, harmonic testing, concrete pad, anchoring, fuel pipe, exhaust pipe, pipe insulation, BMS / Building communication integration.

Terms and Conditions:

1. Offer Validity: 45 days.
2. Credit is subject to approval by Energy Systems upon receipt of completed Energy Systems business credit application.
3. Manufacturer lead time to be confirmed upon approved release for production letter and receipt of a West Coast Energy Systems approved purchase order.
4. Equipment cannot be held by Energy Systems or its suppliers without prior written agreement.
5. Any orders changed or canceled after 14 days from confirmation of order will be subject to change or cancellation fees.
6. No taxes, permits, fuel or license fees are included unless specified otherwise in this quote.
7. Any sale of goods or services, and any extension of credit, is governed by and subject to West Coast Energy Systems' Terms and Conditions of Sales and Service ("Terms") located at <http://www.espowergen.com/terms> which is incorporated by reference. The Terms are subject to change at any time and you are advised to frequently re-review the Terms. Unless pursuant to a written agreement mutually executed by both parties, the Terms shall be binding upon the parties, and any other terms, communications or documents are to be disregarded and hereby expressly rejected.

Sincerely,

Chris Arndt
West Coast Energy Systems
(209) 986 - 9826



WALTERS - ENERGY MANAGEMENT DIV.
 200 N. BERRY STREET
 BREA, CA 92821-3924
 714-784-1900
 Fax 714-784-1339

SOLD TO:

ENGIE SERVICES US INC
 500 12TH ST STE 300
 OAKLAND, CA 94607-4087



Acknowledgement

ORDER DATE	ORDER NUMBER	PAGE NO.
11/02/2021	S119325555	1 of 2
CUST PO#:	QUOTE	
JOB/REL#:	American Canyon WTP	

SHIP TO:

ENGIE SERVICES US INC
 C/O AMERICAN CANYON WTP
 151 MEZZETTA CT
 AMERICAN CANYON, CA 94503-9604

CUSTOMER NUMBER	CUSTOMER PHONE	ORDERED BY	SALESPERSON	
187431	505-890-2888	Merna Nakhla	BRETT USHER 714-784-1900	
WRITER	SHIP VIA	TERMS	SHIP DATE	FREIGHT EXEMPT
LAUREN SMITH 714-784-1900	DIRECT	NET 60 DAYS	11/27/2021	No
ORDER QTY	DESCRIPTION		UNIT PRICE	EXT PRICE
1ea	City of American Canyon- Water Treatment Plant QUOTE ITEM: PER EA/1 -1- Generac Industrial Power Diesel Generator SD250, rated for 250kW, 277/480V, 3 Phase, 4 Wire, Weatherproof Unit for Outdoor Installation -1- Start/Test with Building Transfer Test, Fuel Tank Test, Training NOTES: Freight: FOB factory. Freight allowed to Jobsite, on Standard or Flatbed Truck, Off lifting by others Current Lead Time: Genset 24 - 30 weeks, from receipt of Purchase Order and Written Release for Production. Submittals will be released upon receipt of a Written Purchase Order, not before.		85000.000/ea	85000.00

** Continued on Next Page *

Subtotal	
Shipping Chgs	
Tax	
Amount Due	



WALTERS - ENERGY MANAGEMENT DIV.
 200 N. BERRY STREET
 BREA, CA 92821-3924
 714-784-1900
 Fax 714-784-1339

SOLD TO:

ENGIE SERVICES US INC
 500 12TH ST STE 300
 OAKLAND, CA 94607-4087



Acknowledgement

ORDER DATE	ORDER NUMBER	PAGE NO.
11/02/2021	S119325555	2 of 2
CUST PO#:	QUOTE	
JOB/REL#:	American Canyon WTP	

SHIP TO:

ENGIE SERVICES US INC
 C/O AMERICAN CANYON WTP
 151 MEZZETTA CT
 AMERICAN CANYON, CA 94503-9604

CUSTOMER NUMBER	CUSTOMER PHONE	ORDERED BY	SALESPERSON	
187431	505-890-2888	Merna Nakhla	BRETT USHER 714-784-1900	
WRITER	SHIP VIA	TERMS	SHIP DATE	FREIGHT EXEMPT
LAUREN SMITH 714-784-1900	DIRECT	NET 60 DAYS	11/27/2021	No

ORDER QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
	Notes & Exceptions unless otherwise noted: There is No Offloading or Installation of this Equipment included in our Proposal. There is No Fuel Included in our Proposal. Any Permits are not included in our proposal. We are Not including the services of any independent testing agency in our proposal. We are offering only the manufacturers standard lugs in our proposal. Any special Lugging will be quoted on an individual basis. PM Filter is Not included, pricing available upon request This quote may or may not meet all jobsite requirements. Please read any exceptions that we may have taken to the specification sections listed below. Any other specification sections may or may not comply.		

Customer product returns for credit are subject to inspection and review prior to issuing credit. Material must be returned in resalable condition and all non-stock items are subject to restocking charges.

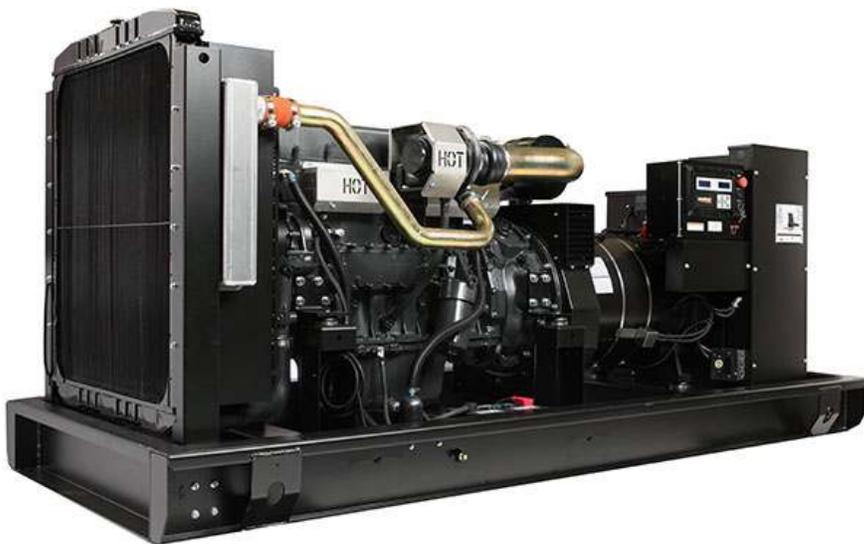
Subtotal	85000.00
Shipping Chgs	0.00
Tax	6587.50
Amount Due	91587.50

GENERAC®

INDUSTRIAL POWER

Engie – American Canyon
SD250 -277/480VAC 3-Phase

10/8/21



Prepared for: Merna Nakhla

Engie

Phone: (510) 421-4484

Email: merna.nakhla@engie.com

Prepared by: Tony Mente

Industrial Solutions Manager

Mobile: (262) 409-5273

Email: Tony.Mente@generac.com

**** PRICING ****

SD250:

Quote #	Description	Qty	Equipment Pricing
0020529249	SD250 Diesel Generator <ul style="list-style-type: none"> • 250kWe Standby Rated • 277/480VAC three phase output • Standard steel weather protective enclosure <ul style="list-style-type: none"> ○ 82dBA @7m • Diesel fuel system w/500gal basetank <ul style="list-style-type: none"> ○ 27hr full load runtime • 450A MLCB • EPA Emergency certification 	1	\$63,255.86
	Warranty: Standard 2 Year, 2,000hr		Included
	Start-up and commissioning support with load bank	1	\$3,200.00
	Estimated freight from WI to CA	1	\$2,500.00
Total			\$68,955.86

Terms / Start Up / Delivery:

Generac Dealer Startup (for Generator) - Inspection for warranty, load bank. This includes one roundtrip within 200 miles of the Generac dealers facility during normal business hours; additional mileage and/or testing can be quoted separately. Additional trips required due to incomplete site preparation will be invoiced to the customer at the dealers prevailing service rate. Start up will be done during normal business hours. Additional charges will be applied to start ups requested on weekends or off normal business hours.

Lead Time:

- SD250 = Current lead time is 22-28 weeks from receipt of purchase order

FOB Factory – Taxes are **excluded** and added at invoice.

Offloading is not included and is the responsibility of the purchaser.

Terms:

1. Quoted prices are valid for 30 days from the quote date and do not include any present or future sales tax, excise tax or duty of any nature.
2. Terms of payment will be 30 days from invoice date assuming established and satisfactory credit.
3. Warranty is invalid without factory start up.

Bill of Material

SD250:

Quantity 1 - Generac Industrial diesel engine-driven generator set with turbocharged/aftercooled 6-cylinder 8.7L engine, consisting of the following features and accessories:

- Stationary Emergency-Standby rated
- 250 kW Rating, wired for 277/480 VAC three phase, 60 Hz
- Standard Weather Protective Enclosure, Steel
 - Industrial Grey Baked-On Powder Coat Finish
- UL2200
- EPA Certified
- SCAQMD
- H-100 Control Panel
 - Meets NFPA 99 and 110 requirements
 - Temp Range -40 to 70 degrees C
 - Digital Microprocessor:
 - Two 4-line x 20 displays, full system status
 - 3 Phase sensing, +/-0.25% digital voltage regulation
 - RS232, RS485 and Canbus remote ports
 - Waterproof connections
 - All engine sensors are 4-20ma for minimal interference
 - Programmable I/O
 - Built-in PLC for special applications
 - Engine function monitoring and control:
 - Full range standby operation; programmable auto crank, Emergency Stop, Auto-Off-Manual switch
 - Isochronous Governor, +/-0.25% frequency regulation
 - Full system status on all AC output and engine function parameters
 - Service reminders, trending, fault history (alarm log)
 - I2T function for full generator protection
 - Selectable low-speed exercise
 - HTS transfer switch function monitoring and control
 - 2-wire start controls for any 2-wire transfer switch
- 110 AH, 925 CCA Group 31 Batteries, with rack, installed
- Standard MLCB, 80% rated thermal-magnetic
 - 450 Amp
- Air Filter Restriction Ind
- Battery Charger, 10 Amp, NFPA 110 compliant, installed
- Coolant Heater, 2000W, 240VAC
- 24" 500 Gallon Double-Wall UL142 Basetank
 - External fill and vent
 - 5-Gallon Spill/Fill box with locking provision
 - Mechanical fuel level indicator gauge
 - Electronic fuel level sender
 - Emergency Vent
 - Overfill Prevention Valve, Spill/Fill Return Hose
- Stainless Steel Fire-Rated fuel supply and return hoses
- Std set of 3 Manuals
- 12 Position 1PH Load Center
- 120V GFCI and 240V Outlet
- Alternator Strip Heater
- Optional Fan and Belt Guards
- Standard 2-Year Limited Warranty
- SD0250KG178.7D18HPYY3



TITLE

Urgency Ordinance Applying the California Historic Building Code to the Napa Valley Ruins & Gardens and Future Sites

RECOMMENDATION

Hold a Public Hearing and adopt an Urgency Ordinance modifying Chapter 16.08 of the California Historic Building Code of the Municipal Code to add Section 16.08.030 to provide for application of the Historic Building Code to designated sites of the Napa Valley Ruins & Gardens as a portion of Watson Ranch Specific Plan and such other sites and places as may be designated by Resolution of the City Council.

CONTACT

William D. Ross, City Attorney

BACKGROUND & ANALYSIS

In 2019 the City Council adopted the California Historic Building Code which is codified in the Municipal Code as Chapter 16.08. The intent and purpose of the California Historic Building Code is a supplemental comprehensive building code meant to maintain, repair, stabilize, rehabilitate, restore and preserve historical sites and places within enforcing agencies, which includes the City.

The Watson Ranch Specific Plan ("WRSP") designates a portion of the WRSP area, Napa Valley Ruins & Gardens ("NVRG"), in an area which was analyzed in the approval of the WRSP as having potential historic significance to the City.

In actions recently taken by the WRSP Applicant, AC-1, LLC, to develop portions of the WRSP area, it has become evident that both structures on the NVRG site and supporting facilities, are subject to collapse, deterioration, or damage thereby providing the basis for immediate adoption of the proposed Urgency Ordinance.

Based on this development history of the Property, the Applicant has requested that the California Historic Building Code be designated by the City to apply to the NVRG site. The proposed Urgency Ordinance accomplishes that application based on findings establishing the historical significance of NVRG, beginning well over one-hundred years ago.

Specifically, the Urgency Ordinance would apply the California Historic Building Code to the NVRG parcel and would amend Municipal Code Chapter 16.08 to provide that the City Council may, by resolution, subsequently apply the California Historic Building Code to other historic sites and places in the City upon a finding of their historical significance.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Not applicable.

FISCAL IMPACT

None

ENVIRONMENTAL REVIEW

The proposed Urgency Ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) because it is not a project which has a potential for the resulting in either, a direct physical change in the environment, or reasonably foreseeable indirect physical changes in the environment pursuant to CEQA Guidelines Section 15378.

Further, the action would be exempt under CEQA Guideline Section 15331 as an action that results in the in the maintenance, repairing, stabilizing, rehabilitating, restoring and preserving of historical resources.

ATTACHMENTS:

1. [Urgency Ordinance - Napa Valley Ruins](#)

ORDINANCE NO. 2021-_____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON
MODIFYING CHAPTER 16.08 OF THE CALIFORNIA HISTORIC BUILDING CODE OF THE
MUNICIPAL CODE TO ADD SECTION 16.08.030 TO PROVIDE FOR APPLICATION OF THE
HISTORIC BUILDING CODE TO DESIGNATED SITES OF THE NAPA VALLEY RUINS &
GARDENS AS A PORTION OF THE WATSON RANCH SPECIFIC PLAN AND SUCH OTHER
SITES AND PLACES AS MAY BE DESIGNATED BY RESOLUTION OF THE CITY COUNCIL**

WHEREAS, California Government Code Section 36937 authorizes the City Council to introduce and adopt an Ordinance it declares to be necessary as an emergency measure to preserve the public peace, health and safety at one and the same meeting and passed by at least a four-fifths affirmative vote; and,

WHEREAS, the City Council by Ordinance No. 2019-11, adopted the California Historic Building Code, 2019 Edition which is codified as Municipal Code Chapter 16.08; and,

WHEREAS, the prospective application of the California Historic Building Code to sites and places within the City will facilitate preservation of potentially historic sites and places within the City; and,

WHEREAS, the Napa Valley Ruins & Gardens (“NVRG”) as described in the Watson Ranch Specific Plan (“WRSP”) is a potential historic site and place for application of the California Historic Building Code because:

- The old remnants of the structures or ruins of the Standard Portland Cement Company Plant are locally recognized as a former manufacturing plant built around 1895 through 1935 with modifications being operated by subsequent owners through the plant’s closing in the 1970s;
- The mining of limestone to make cement at the NVRG site began at the turn of the 20th Century and according to the Napa Daily Journal on June 8, 1890, “the product from our new lime quarry will be shipped by rail to Oakland for treatment”;
- With the discovery of clay and limestone underneath part of what was to become the City of American Canyon, the first manufacturing facility in the Southern part of Napa County became possible; and,
- The scale of the ruins was large for the period in which they were constructed with nearly the scale of the operation being massive with a building for holding materials stock over 200 feet long warehouses, a machine shop, electrical plant, copper shop, kilns, crusher, storage, belms, grinders, tube mills and the quarry. Employment on the site reached about 200 individuals with 24-hour-day operation, using up to 25,000 gallons of water a day.

WHEREAS, the Project Applicant AC-1, LLC is actively pursuing the development of the NVRG Parcel consistent with the WRSP designation just described; and,

WHEREAS, the NVRG site, which is in current disrepair, has a need for immediate application of the California Historic Building Code in order to preserve the walls, tunnels and related structures and the historic site; and,

WHEREAS, the Application of the California Historic Building Code to the NVRG Parcel would facilitate its preservation as an historic site and place within the City; and,

WHEREAS, it is necessary to provide a means for application of the California Historic Building Code to other potential historic sites and places within the City, by amendment to Municipal Code Chapter 16.08.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council adopts the foregoing recitals as true and correct and hereby incorporates those recitals as findings into this Ordinance.

SECTION 2. The California Historic Building Code 2019 Edition, and any subsequent enacted provisions, shall be applicable in all respects to the Napa Valley Ruins & Gardens, as designated in the Watson Ranch Specific Plan.

SECTION 3. The American Canyon Municipal Code is amended by adding Section 16.08.030 to read as follows:

16.08.030: Application of California Historic Building Code to Historic Site and Places. The California Historic Building Code as adopted by city municipal code Section 16.08.020 may, by council resolution, be applied to any physical site and place with by referencing the significance of any such historic site and place and the need for its preservation.

SECTION 4. The City Council finds that this Ordinance is exempt because it is not a project which has a potential for the resulting in either a direct physical change in the environment or reasonably foreseeable indirect physical change in the environment pursuant to CEQA Guidelines Section 15378.

Further, the action is exempt under CEQA Guidelines Section 15331 for actions directed at the maintenance, repair, stabilization, rehabilitation, restoration, preservation, and conservation of historical resources.

SECTION 5. Vote Required, Effective Immediately as an Urgency Ordinance.

Based on the findings and evidence of this Urgency Ordinance, the Council determines that this Ordinance is necessary for the immediate preservation of the public health, peace and safety in the City of American Canyon including the Napa Valley Ruins & Gardens within the Watson Ranch Specific Plan to facilitate its preservation through immediate construction and restoration efforts which are facilitated and enhanced by financial incentives available to the Project Applicant and must therefore go into effect immediately upon a four-fifths vote of the City Council.

SECTION 6. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 4831 Broadway, Suite 201, American Canyon, CA 94503. The custodian of these records is the City Clerk.

SECTION 7. Effective Date. This Urgency Ordinance shall become effective immediately upon its adoption on December 7, 2021.

The foregoing Urgency Ordinance was adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 7th day of December, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Taresa Geilfuss, City Clerk

William D. Ross, City Attorney



TITLE

Laborers International Union of North America, Local 324 (LIUNA) Appeal of the Planning Commission Approval of the SDG Commerce 217 Warehouse Distribution Center Conditional Use Permit

RECOMMENDATION

Continue the Laborers International Union of North America, Local 324 (LIUNA) appeal to a future date to be determined.

CONTACT

William He, AICP, Associate Planner
William D. Ross, City Attorney

BACKGROUND & ANALYSIS

In March 2020, the Stravinski Development Group (SDG) submitted a conditional use permit application for a 217,294 square foot single story wine storage and distribution warehouse at 1075 Commerce Court, APN 058-030-065, File Number PL20-0008. A Project Location map is included as Attachment 1.

The project was evaluated consistent with the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration (MND) was prepared. The MND was sent to the State Clearinghouse and circulated for a 30-day public review from December 18, 2020 to January 18, 2021.

On February 25, 2021, the Planning Commission conducted a public hearing and approved the SDG Commerce 217 project consisting of the MND and Conditional Use Permit (Resolution 2021-02 and 2021-03).

On March 5, 2021, the Laborers International Union of North America, Local 324 (LIUNA) filed an appeal to the Planning Commission's approval. The appeal requests the City Council rescind the project approval and require a new MND or EIR. A copy of the March 5, 2021 LIUNA letter is included as Attachment 2.

On August 9, 2021, the Project Applicant requested additional time for review of the Lead Agency (City Staff) analysis of the Project. Accordingly, the Council directed Staff to report on the Project

analysis and the Appeal not later than December 7, 2021.

The *Sierra Watch v. County of Placer* (2021) 69 Cal.App.5th 86, 86 Court of Appeal opinion concluded that project CEQA analysis for traffic impacts using mandatory Vehicle Miles Traveled (VMT) methodology must consider regional cumulative VMT impact on the environmental setting, and regional environmental impacts, on among other things, air quality and noise. On the basis of the *Sierra Watch* case, staff has advised the applicant that additional environmental review is required, beginning with, but not limited to, a revised initial study. The supplemental environmental review, will specifically address the key issues from the *Sierra Watch* case and provide for a legally-defensible environmental review. This review will take several months. Thus, staff recommends continuing the LIUNA Appeal to a future date to be determined when the analysis is complete.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

N/A

ENVIRONMENTAL REVIEW

N/A

ATTACHMENTS:

- [1. Location Map](#)
- [2. LIUNA Appeal](#)

ATTACHMENT 1 – VICINITY MAP





Appeal
City of American Canyon
Community Development Department
4381 Broadway, Suite 201
American Canyon, CA 94503

For Office Use Only:
Date Received: _____ By: _____
Case Numbers: _____
Approved: _____

Appeal Form please print or type

Project or application name SDG Commerce 217 Distribution Center (PL20-0008)

Project or application address or APN(s) 1075 Commerce Court (Assessor Parcel Number 058-030-065)

Appellant name LIUNA Local No. 324 Appellant address 611 Berrellesa St

City, state, zip Martinez, CA 94553 Phone no. 510-836-4200 x. 1 Fax no. _____

Bus License # _____

Appellant representative Michael Lozeau, Lozeau Drury LLP Representative address 1939 Harrison Street, Suite 150

City, state, zip Oakland, CA 94612 Phone no. 510-836-4200 Fax no. _____

Bus License # _____

Type of appeal:

- Appeal of Staff administrative decision Date of decision _____
Appeal of Planning Commission decision Date of decision February 25, 2021

Description of matter appealed:

- Approval of project or application
Denial of project or application
Conditions of project approval - number(s) _____
Other _____

The grounds upon which this appeal is filed are (list all grounds relied upon in making this appeal; please attach additional sheets if more space is needed):

There is substantial evidence of fair arguments that the Project may have significant impacts from increases in vehicle miles travelled, significant wildlife impacts, air quality, GHG, and health risk impacts requiring the preparation of an EIR for the project. The MND also is not supported by substantial evidence.

Each of these issues were raised in the comments submitted to the Planning Commission and attached hereto.

The specific action which the appellant wants the City Manager, Planning Commission or City Council to take is:

LIUNA requests the City Council rescind the approval of the project and its associated MND and require the preparation of a new MND that fully mitigates the Project's potential impacts or preparation of an EIR.

Appellant's Signature [Redacted] Date March 5, 2021
Representative's Signature [Redacted] Date March 5, 2021

ATTACHMENTS



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
michael@lozeaudrury.com

Via Email

February 25, 2021

Tyrone Navarro, Chair
Crystal Mallare, Vice Chair
Eric Altman
Andrew Goff
Tammy Wong
City of American Canyon Planning Commission
Publiccomment@cityofamericancanyon.org

William He, AICP, Associate Planner
City of American Canyon Community
Development Department
4381 Broadway, Suite 201
American Canyon, CA 94503
whe@cityofamericancanyon.org

Re: SDG Commerce 217 Distribution Center (PL20-0008) - Mitigated Negative Declaration (February 25, 2021 Planning Commission Meeting, Agenda Item No. 5.2)

Dear Commissioners and Mr. He:

Please accept this brief comment on behalf of Laborers International Union of North America, Local 324 (“LIUNA”) and its members living and working in and around the City of American Canyon regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared for the proposed SDG Commerce 217 Distribution Center Project (the “Project”). Thank you for the responses prepared to our earlier comments submitted to the Commission on January 17, 2021.

We appreciate the acknowledgement in the responses that the original VMT analysis was incorrect and employed bike trip lengths that could not be substantiated in fact or based on any effort to gather information on bike commuting in general or in the American Canyon area. It appears, however, that the City’s consultant, in responding to those obvious shortcomings, has now embellished its VMT mitigation analysis with numerous other unsubstantiated claims and speculation. Rather than an objective analysis of the actual incremental VMT reductions that will

result from an 800-foot stretch of bike lane connecting two existing bike lanes, the effort seeks, without evidentiary basis, to achieve a desired outcome. The notion that an 800-foot connecting bike lane will, by itself, induce 96 new bike commuters to commute to jobs to the north of the Project and reduce VMTs by 1004 is farfetched. The only way the consultant generates such a number is by ignoring the terms of the federal guidance it claims to be applying, blatantly attempting to assign benefits of other parties' bike lane construction efforts to the applicant, and making believe that, without the connector bike lane, bike commuters from the neighborhood south of the Project heading north must ride on the shoulder of State Route 29. All of these efforts to invent a justification for not requiring sufficient VMT reductions to mitigate the Project's increases in VMT are not supported by the cited guidance or facts. These supplemental comments highlight this continued concern and the remaining fair argument that the Project may have significant environmental impacts from its unmitigated increase in VMTs.

1. GHD's analysis is inconsistent with the NCHRP guidelines it cites.

GHD claims to base its analysis of VMT reductions attributable to the bike lane connector on National Cooperative Highway Research Program Report 552, "Guidelines for Analysis of Investment in Bicycle Facilities." ("NCHRP Report"). The method set forth in the NCHRP Report for estimating induced bike commutes from a new bike facility relies on bike commuters from three buffer distances from a bike facility who would most likely use the facility. (NCHRP Report, p. 38.) These three buffers are less than 400 meters, 400 to 799 meters and 800 to 1599 meters. (*Id.*, pp. 38, Appendix B, B-6.) As the NCHRP Report explains:

Research for this project uncovered that people are more likely to ride a bicycle if they live within 1,600 m (1 mi) of a facility than if they live outside that distance (Appendix B). The likelihood of bicycling increases even more at 800 m and 400 m. The team therefore estimates existing and induced demand using 400-, 800-, and 1600-m buffers around a facility.

(*Id.*) The analysis identifies the population within each of those buffer areas and estimates the number of bike commuters in each buffer using the project region's "bicycle commute share."

(*Id.*) The analysis also provides a method to calculate the total adult cyclists in the buffer areas.

(*Id.*) The NCHRP Report developed "likelihood multipliers" for each of the three buffer zones to account for the fact that "people who live near a facility are more likely to bike than those that do not..." *Id.*, pp. 38-39. A different likelihood multiplier is provided for each of the three NCHRP buffer zones.

Rather than abide by the NCHRP Report's methodology, GHD took the liberty of adding a buffer zone beyond 1600 meters – from 1600 to 2400 meters from the proposed bike lane. (Agenda Packet ("AP"), pp. 302-303.) Substantial evidence includes "facts, reasonable assumptions predicated upon facts, and *expert opinion supported by facts.*" (CEQA Guidelines, § 15384(b) (emphasis added).) Because there is no justification based on the NCHRP Report to inflate induced bike commuter use by randomly expanding the buffers to include people living 1600 to 2400 meters away from a proposed bike lane, GHD's analysis is not based on substantial evidence.

The inconsistencies of GHD's analysis with the NCHRP Report do not however end there. In its analysis, GHD does not include the closest buffer zone identified in the NCHRP Report – 0 – 400 meters. Instead, it uses a 0 – 799 meter buffer, an 800 to 1599 meter buffer and its third made-up buffer from 1600 meters to 2400 meters. However, in calculating how many of the residents in each of these areas are induced to use the new bike lane, GHD then applies the NCHRP's "likelihood multipliers" for the original NCHRP buffer distances. GHD references the likelihood multipliers "[e]stablished by NCHRP 552 research; see Appendix B." AP, p. 304. However, the NCHRP Report and its Appendix B do not establish a likelihood multiplier for GHD's newly minted buffer zone from 1600 to 2400 meters from a facility. So, GHD could not have been applying a number from the NCHRP Report to that area. GHD does not explain which likelihood multipliers it applied to the three zones it selected. If GHD applied the three multipliers calculated by NCHRP for the 400, 800 and 1600 buffer zones to GHD's 800, 1600, and 2400 buffer zones, there would be no evidentiary basis for GHD's new, induced bike commuter computation. In any event, GHD provides no evidence supporting its application of a multiplier factor for the fictitious buffer it seeks to add surreptitiously to the NCHRP Report's methodology. GHD also does not provide evidence of which likelihood multipliers it applied to the 800 meter and 1600 meter zones in its analysis. Without this evidence, the analysis is not substantial evidence.

2. GHD's effort to credit the Project with mitigation for the already completed Bay Trail bike facility adjacent to Wetlands Edge Road is entirely arbitrary and is not supported by evidence that the bike lane gap along 800-feet of Commerce Court is "non-traversable."

GHD further attempts to inflate the VMTs attributable to the proposed 800 feet bike lane by claiming the VMT analysis should include all bike commuters induced by the 1.7 miles of Bay Trail bike access that was constructed along the western side of Wetlands Edge Road many years ago. (AP, pp. 290, 302.) According to GHD, the 800-foot stretch of Commerce Boulevard where it proposes to add bike lanes currently blocks or limits would-be bike commuters heading north from using the Bay Trail bike lanes to the west of Wetlands Edge Road.

First, there is no evidence that the 800-foot stretch of Commerce Boulevard currently blocks or will block any bike commuters from heading north towards the businesses clustered at the north end of Commerce Boulevard or even further north. The MND does not describe in any way the current condition of that road or, more importantly, the condition that will exist upon the completion of the Napa Junction Elementary School project at the corner of Commerce Boulevard and Eucalyptus. The elementary school is scheduled for occupancy this fall. (AP, p. 101.) Construction of the SDG Warehouse project is expected to be ongoing after the school is completed and open. (*Id.*, p. 124.)

The school project includes reconstructing Commerce Boulevard alongside the school property. (*See* Napa Junction Elementary School Replacement Project Draft Environmental Impact Report, p. 10-28 [available at <https://drive.google.com/open?id=13Ny2i9F6u2R6NFJBqlifGoNeUqaUoqTk>]; *see also id.*, p.

10-29 (“the proposed project would improve the roadway with asphalt concrete pavement and sidewalk”); Figures 3-5, 3-15 and 3-16 (plans showing bike lanes on Commerce Blvd.) Despite this brand new roadway running from Eucalyptus Avenue north to the existing SDG Commerce 330, GHD contends that this stretch of Commerce Boulevard is a “non-traversable” gap between the residential areas of American Canyon and the employment centers north that precludes viable bicycle commuting choices.” (AP, p. 287.) Only from this premise does GHD then claim that bike commuters cannot get through this stretch of Commerce Boulevard and must instead head to State Route 29 “since the only connection to employment destinations north of Eucalyptus today is along the shoulders of SR 29 – a route navigable the only the most experienced and fearless riders.” (AP, p. 302.) Contrary to GHD’s assertions, a newly constructed stretch of Commerce Boulevard adjacent to the elementary school does not pose any barrier to bike commuters to travel between Eucalyptus Avenue and the bike path across from SDG Commerce 330. As a result, GHD’s and the final MND’s assertions that the proposed new bike lanes will unlock additional potential from the 1.7 miles of existing bikeway along Wetlands Edge Road is not supported by any substantial evidence. Well before the Project is completed, any commuting biker will be able to peddle unobstructed along the brand-new stretch of Commerce Boulevard whether the new bikeway is constructed or not.

Even if the stretch of Commerce Boulevard adjacent to the new elementary school did pose some limited impediment to bikers that required them to slow down for 800 feet does not justify GHD’s random proposal to attribute half of the VMT reductions of an already completed 1.7 mile bikeway to the Project. This blatant effort to inflate the VMT benefits of the Project’s proposed 800-foot bike lane has no basis in fact and is not a mitigation measure attributable to the Project.

Applying the NCHRP buffer zones that are actually included in that methodology (800 and 1600 meters) and the actual length of the bike facility proposed by the Project (800 feet), and assuming the rest of GHD’s calculations are correct, the number of new bike commuters induced by the 800-foot bike lane is at most 22 cyclists. Assuming GHD’s estimate of bike commute distance is reasonable, that amounts to, at most, a VMT reduction of 229 VMTs. As a result, substantial evidence of a fair argument exists that the Project’s VMT increases may have a significant environmental impact.

3. GHD’s estimate of commuter bike trip lengths does not eliminate the substantial evidence of a fair argument that average bike commute lengths in California are 1.5 miles as published by the California Air Resources Board.

GHD relies on a study of Portland, Oregon to borrow an estimated bike commute length for American Canyon. (AP, p. 290, citing “Understanding and Measuring Bicycling Behavior: a Focus on Travel Time and Route Choice”, Oregon Transportation Research and Education Consortium, OTREC -RR -08 -03, December 2008.) GHD provides no rationale in its report why Portland bicycle commute lengths would be representative of American Canyon bicycle commute lengths. This is despite a CARB approved distance of 1.5 miles for bike trips used to calculate VMT reductions from bikeways. (AP, p. 684.) There is no substantial evidence to support the use of bike commute distances from a highly urbanized area like Portland versus a

more rural/suburban setting such as American Canyon. Using 1.5 miles as the lower end of a bike commute distance estimates yields a mere 33 VMT reduction from the 800-foot bike lane.

4. The inclusion of the new VMT calculations and efforts to justify the limited bike lane mitigation require the City to recirculate the MND for public review and comment.

The law is well-established that even if an EIR is not required, a revised negative declaration must be circulated for full public review if it adds new mitigation measures or identifies new impacts. *Gentry v. Murrieta*, 36 Cal.App.4th 1359, 1392, 1411, 1417. The MND's substantial 'changes to its VMT analysis and new mitigation proposals based on the so-called non-traversability of Commerce Boulevard are significant changes to the MND that should be recirculated to the public for review and comment.

Despite the responses to our earlier comments, substantial evidence of a fair argument still exists in the record that the Project may have significant health risks and impacts on wildlife. For all of these reasons and those discussed in our prior comment, the MND is inadequate and an EIR is required to analyze and mitigate the Project's potentially significant environmental impacts. Thank you for your attention to these supplemental comments.

Sincerely,

A solid black rectangular redaction box covering the signature of Michael Lozeau.

Michael Lozeau
Lozeau | Drury LLP



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
michael@lozeaudrury.com

Via Email

January 19, 2021

William He, AICP, Associate Planner
City of American Canyon Community
Development Department
4381 Broadway, Suite 201
American Canyon, CA 94503
whe@cityofamericancanyon.org

Re: SDG Commerce 217 Distribution Center (PL20-0008) - Mitigated Negative Declaration

Dear Mr. He:

I am writing on behalf of Laborers International Union of North America, Local 324 (“LIUNA”) and its members living and working in and around the City of American Canyon regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared for the proposed SDG Commerce 217 Distribution Center Project (the “Project”).

After reviewing the MND prepared for the Project along with our experts, we believe there is a fair argument that the Project may have significant adverse environmental impacts and that an environmental impact report (“EIR”) should therefore be prepared pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code §§ 21000, et seq.

LIUNA submits herewith the expert comments of wildlife ecologist Dr. Shawn Smallwood. Dr. Smallwood’s expert comments and resume are attached hereto as Exhibit A. LIUNA also submits herewith comments on the Project’s air and greenhouse gas emissions from the environmental consulting firm Soil/Water/Air Protection Enterprise (“SWAPE”). SWAPE’s comments and the resumes of their consultants are attached hereto as Exhibit B.

PROJECT DESCRIPTION

The Project proposes to issue a conditional use permit to construct and operate a 217,294 square foot wine distribution center on a 10.39-acre parcel in close proximity to the Napa River and an area identified by the Audubon Society as an “Important Bird Area.” In addition to the 10.39 acre building site, the Project also involves excavation and operation of a borrow area

covering most of the adjacent 10.17 acre parcel immediately to the south of the building site. The proposed building would be bordered by 134 parking stalls on the north edge of the building parcel and 21 truck docking bays on the north side of the proposed building. The building would be heavily insulated and refrigerated. Grading and filling will occur throughout the Project site as well as most of the adjacent borrow area parcel. During construction, about 17,000 cubic yards of stockpiled soil will be transported and another 21,000 cubic yards of soil will be excavated from the adjacent site. Construction of the project would be done in a single phase lasting approximately 9.5 months. Types of heavy diesel equipment to be used to construct the facility will include a self-loading dirt scraper, bulldozer, motor grader, compactor, roller, water truck, backhoe, excavator, trencher, drilling auger, front end loader, paving machine, laser screed, concrete finishing trowels, tractor, crane, forklift, generator, man lift, scissor lift, welding machine, and light tower. Operation of the Project is estimated to generate a total of 367 daily project trips and, prior to mitigation, increase the daily vehicle miles travelled (“VMT”) in the area by 2,355 VMT. The closest residence is about 500 feet from the Project’s borrow area.

LEGAL STANDARDS

As the California Supreme Court held, “[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR.”

(*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320 [“*CBE v. SCAQMD*”], citing, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504–505.) “The ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” (*Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal.App.4th 98, 109 [“*CBE v. CRA*”].)

The EIR is the very heart of CEQA. (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927.) The EIR is an “environmental ‘alarm bell’ whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return.” (*Bakersfield Citizens*, 124 Cal.App.4th at 1220.) The EIR also functions as a “document of accountability,” intended to “demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” (*Laurel Heights Improvements Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.) The EIR process “protects not only the environment but also informed self-government.” (*Pocket Protectors*, 124 Cal.App.4th at 927.)

An EIR is required if “there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.” (Pub. Resources Code, § 21080(d); see also *Pocket Protectors*, 124 Cal.App.4th at 927.) In limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR (14 Cal. Code Regs., § 15371 [“CEQA Guidelines”]), only if there is not even a “fair

argument” that the project will have a significant environmental effect. (Pub. Resources Code, §§ 21100, 21064.) Since “[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process,” by allowing the agency “to dispense with the duty [to prepare an EIR],” negative declarations are allowed only in cases where “the proposed project will not affect the environment at all.” (*Citizens of Lake Murray v. San Diego* (1989) 129 Cal.App.3d 436, 440.)

Where an initial study shows that the project may have a significant effect on the environment, a mitigated negative declaration may be appropriate. However, a mitigated negative declaration is proper *only* if the project revisions would avoid or mitigate the potentially significant effects identified in the initial study “to a point where clearly no significant effect on the environment would occur, and...there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (Public Resources Code §§ 21064.5 and 21080(c)(2); *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331.) In that context, “may” means a *reasonable possibility* of a significant effect on the environment. (Pub. Resources Code, §§ 21082.2(a), 21100, 21151(a); *Pocket Protectors*, 124 Cal.App.4th at 927; *League for Protection of Oakland's etc. Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 904–905.)

Under the “fair argument” standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency’s decision. (CEQA Guidelines, § 15064(f)(1); *Pocket Protectors*, 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-15; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602.) The “fair argument” standard creates a “low threshold” favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. (*Pocket Protectors, supra*, 124 Cal.App.4th at 928.)

The “fair argument” standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

This ‘fair argument’ standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency’s decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

(Kostka & Zishcke, *Practice Under CEQA*, §6.29, pp. 273-274.) The Courts have explained that “it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency’s determination. Review is de novo, with a *preference for resolving doubts in favor of environmental review.*” (*Pocket Protectors*, 124 Cal.App.4th at 928 [emphasis in

original].)

As a matter of law, “substantial evidence includes . . . expert opinion.” (Pub. Resources Code, § 21080(e)(1); CEQA Guidelines, § 15064(f)(5).) CEQA Guidelines demand that where experts have presented conflicting evidence on the extent of the environmental effects of a project, the agency must consider the environmental effects to be significant and prepare an EIR. (CEQA Guidelines § 15064(f)(5); Pub. Res. Code § 21080(e)(1); *Pocket Protectors*, 124 Cal.App.4th at 935.) “Significant environmental effect” is defined very broadly as “a substantial or potentially substantial adverse change in the environment.” (Pub. Resources Code, § 21068; see also CEQA Guidelines, § 15382.) An effect on the environment need not be “momentous” to meet the CEQA test for significance; it is enough that the impacts are “not trivial.” (*No Oil, Inc.*, 13 Cal.3d at 83.) In *Pocket Protectors*, the court explained how expert opinion is considered. The Court limited agencies and courts to weighing the admissibility of the evidence. (*Pocket Protectors*, 124 Cal.App.4th at 935.) In the context of reviewing a negative declaration, “neither the lead agency nor a court may ‘weigh’ conflicting substantial evidence to determine whether an EIR must be prepared in the first instance.” (*Id.*) Where a disagreement arises regarding the validity of a negative declaration, the courts require an EIR. As the Court explained, “[i]t is the function of an EIR, not a negative declaration, to resolve conflicting claims, based on substantial evidence, as to the environmental effects of a project.” (*Id.*)

CEQA requires that an environmental document include a description of the project’s environmental setting or “baseline.” (CEQA Guidelines, § 15063(d)(2).) The CEQA “baseline” is the set of environmental conditions against which to compare a project’s anticipated impacts. (*CBE v. SCAQMD*, 48 Cal.4th at 321.) CEQA Guidelines section 15125(a) states, in pertinent part, that a lead agency’s environmental review under CEQA:

...must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time [environmental analysis] is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant.

(See, *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal.App.4th 99, 124-125 [“*Save Our Peninsula*”].)

A threshold of significance may be useful to determine whether an environmental impact normally should be considered significant. (CEQA Guidelines, § 15064.7(a).) “A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.” (*CBE v. California Resources Agency*, 103 Cal.App.4th at 111.)

“A threshold of significance is not conclusive, however, and does not relieve a public agency of the duty to consider the evidence under the fair argument standard.” (*Mejia v. City of*

Los Angeles (2005) 130 Cal.App.4th 322, 342; see also *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1108-1109; *CBE v. California Resources Agency*, 103 Cal.App.4th at 110-114; CEQA Guidelines, § 15064(b.) A public agency cannot, as the City does here, apply a threshold of significance or regulatory standard “in a way that forecloses the consideration of any other substantial evidence showing there may be a significant effect.” (*CBE v. California Resources Agency*, 103 Cal.App.4th at 114.)

ANALYSIS

I. There is a Fair Argument That the Project May Have Significant Traffic and GHG Impacts Because the Purported Mitigation Measure for VMT is Not Supported by Substantial Evidence and Defies Common Sense.

The MND’s analysis of the Project’s VMT impacts is not based on substantial evidence because it relies upon entirely unrealistic assumptions about the distance a bike commuter would ride to and from work. The MND would have one believe that by constructing a 300 feet long Tier 1 bike lane down the street from the Project, 32 commuters would no longer drive an average of 34.6 miles to and from work, but would instead **bike 34.6 miles** to and from work. (MND, Appendix, GHD Draft Technical Memorandum, p. 6 (Nov. 19, 2020) (“VMT Memo”).

The MND identifies a threshold of significance for assessing a Project’s VMT-related impacts of requiring a 15 percent reduction in VMT for the Project “compared with current regional VMT generation for similar uses.” (MND, p. 91.) Relying on an analysis conducted by GHD, the MND identifies that the “[c]ountywide average daily VMTs for employees and visitors are 11.7 and 31.3 miles, with an average of 17.4 daily VMT.” (*Id.*) Based on these numbers, the MND states that the “average daily project trip length has been calculated to be 17.3 miles, with a total daily 2,355 VMT.” (*Id.*) The MND identifies a baseline threshold of 1,354 VMT as the VMT level that is 15 percent less than the County’s average VMT. (VMT Memo, p. 4.) Thus, in order to be consistent with the 15 percent reduction from the average VMT threshold, the MND states that the Project must reduce its estimated VMT of 2,355 by 1,001 VMT. (*Id.*)

GHD then recommends a single measure purporting to achieve this dramatic reduction in the Project’s estimated VMT. GHD and the MND state that extending by a mere 300 feet the Class I bike path on Commerce Court, which currently runs past the existing SDG Commerce 330 warehouse, to connect to the northern driveway of the elementary school under construction would reduce the Project’s VMT by 1,119 VMT. (*Id.*, p. 6.) GHD’s rationale for this assertion is based, in part, on an estimate of the number of new bike commuters that would be added to the City’s bike network by the addition of the 300-foot connector lane. GHD estimates the new lane would entice 32 new bike commuters. (*Id.*, p. 18.) GHD then claims that these 32 new bike commuters would take the place of 32 car commuters who otherwise would each have driven 34.6 miles to and from work. (*Id.*)

Assuming GHD’s estimate of 32 new commuters biking to work as a result of constructing the 300-foot bike lane is correct, the car trip lengths that GHD claims those users’ bike trips would replace are preposterous. There is no evidence that the new bike commuters

who would be enticed onto their bikes by the new 300-foot of bike lane would include any car commuter who currently travels 17.3 miles to and from their work. The 17.3 mile figure applied by GHD has nothing to do with the average length of bike commuter trips. Instead, that number is the average trip length for commuters traveling by *automobile* calculated for the project area. (*Id.*, p. 4.)

The average length of a bike commuter trip is much lower than the average length of a commute by car. The California Air Resources Board (“CARB”) has published a quantification methodology to estimate VMT reductions associated with bike facilities. (CARB, Quantification Methodology (Nov. 1, 2019) (attached as Exhibit C).) Equation 22 of that guidance provides a formula for estimating “VMT Reductions for Bicycle Facility or Walkway.” (*Id.*, p. 18.) GHD completely ignores this guidance in its analysis. Putting that aside, CARB’s factors include its expert determination of the average bike trip length to be used in a VMT reduction calculation. CARB pins the “[a]verage length of auto trip replaced” at “1.5 miles for cycling.” (*Id.* See also ITS Report, p. 5. See *id.*, p. 7 (“The trip length factor, L, is based on the average length of bicycle trips taken for any purpose, using the default 1.5-mile average from most recent California Household Travel Survey data”) (attached as Exhibit D).)

Even assuming GHD’s overly simplistic equation is otherwise correct, applying CARB’s 1.5 mile average of auto trip replaced by a bike trip dramatically reduces the MND’s inflated VMT reduction claim. Based on a realistic trip length for bicycles that would use the 300-foot lane, and according to GHD’s truncated equation, the new 300-foot bike lane would only reduce VMT by 97.5 VMT (65 daily commute trips by new bike commuters x 1.5 bicycle trip length). Thus, GHD’s claim that the 300-foot length of bike lane would miraculously remove 1,119 VMTs from Commerce Court is entirely without basis in evidence or common sense. Instead, that modest bike facility would only remove about 97.5 VMT, leaving the Project over 900 VMT short of the 15 percent reduction from the County average necessary to eliminate the Project’s significant transportation impacts. As a result, the MND is inconsistent with the CEQA Guidelines, 14 Cal.Admin Code § 15064.3 which requires that “[a]ny assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project.” Moreover, there is a fair argument that the Project may have significant transportation impacts requiring the preparation of a full EIR.

II. An EIR is Required because the Project will have Significant Impacts on Biological Resources.

A. THE MND Fails to Adequately Analyze Impacts to Biological Resources Because It Relies Upon an Incomplete Baseline and the Project May Have Adverse Impacts on Numerous Sensitive Species Currently Using the Site or Adjacent Areas.

On January 23, 2019 and January 5, 2021, Dr. Shawn Smallwood visited the site. (Smallwood Comments, p. 1.) His first-hand observations of wildlife at the site as well as his review of reliable bird sightings reported on eBird demonstrate that the MND relies upon a

truncated list of species present at the site and fails to address impacts on numerous sensitive species that currently use the site. Dr. Smallwood's observations and expert comments are substantial evidence that the Project may have significant biological impacts, including adverse impacts on bald eagles, northern harriers, peregrine falcons, Cooper's hawks, red-tailed hawks, great horned owls, Swainson's hawks, burrowing owls, Nuttall's woodpecker, and other bird species. (*Id.*, p. 2.)

During his brief visit on January 23, 2019, Dr. Smallwood observed a bald eagle flying over and hunting the site and identified a northern harrier and Cooper's hawk foraging on the project site. (Smallwood Comments, pp. 2, 5.) He also observed numerous other bird species. (*Id.*, pp. 2-9.) Many species were not just passing by the site but actively engaged in using the habitat available there. (*Id.*, p. 2.) For example, Dr. Smallwood observed many species spending considerable time at the site and displaying courtship or territorial behaviors indicative of breeding. (*Id.*) Such species included red-winged blackbirds, Say's phoebe, red-tailed hawks, and American kestrels. (*Id.*) He also observed a great-horned owl perched immediately adjacent to the site. (*Id.*)

Dr. Smallwood also has gathered information regarding numerous bird sightings in and around the site that are posted on a web-based service called eBird. (Smallwood Comments, pp. 13-16.) Dr. Smallwood's experience with this service indicates that it is reliable source of bird sighting information, being based on the observations of reputable birders. (*See id.*, p. 16.) He also points out the limitations of the MND only relying upon the California Natural Diversity Data Base ("CNDDDB") to document the potential presence of wildlife species at and around the Project site. (*Id.*, pp. 11, 16.) Numerous additional sensitive species are identified near the site that are not addressed in the biological report or the MND, including the endangered Willow flycatcher and species of concern including the Oak titmouse, Loggerhead shrike, tricolored blackbirds and many others. (*Id.*, pp. 13-15.)

As a result of the omission of numerous sensitive species using the site and evidence of even more additional species in the immediate vicinity of the site, the MND's evaluation of the project's biological impacts is not supported by substantial evidence. Dr. Smallwood's observations and expert comment is substantial evidence of a fair argument that the project may have an adverse impact on bald eagles, various hawks, and other species currently utilizing the site for courtship, foraging habitat and for movement.

The MND does mention a number of species, including Swainson's hawks and burrowing owls. However, the biological report fails to disclose information that these species have been observed much closer to the project site than is indicated in the MND or the biological report. (Smallwood Comments, p. 16.) For example, the MND indicates that Swainson's hawks and burrowing owls are, respectively, 2.5 and 2.6 miles away from the project site. However, Dr. Smallwood identifies sightings of these two species within 0.2 miles of the site. As he states, this indicates a high likelihood that these species are using this open foraging area as well.

The MND is particularly unreliable regarding its treatment of another species of special concern, the Northern harrier. As Dr. Smallwood explains:

Relying on CNDDDB records, Monk & Associates (2020) claim the nearest northern harrier location was 2.7 miles away. However, not only did I see a northern harrier fly over the project site, but multiple other observers reported northern harrier sightings nearby.

(Smallwood Comments, p. 16.)

Regarding impacts to burrowing owls, the MND improperly downplays potential impacts by claiming that, although the site contains many ground squirrel burrows that are frequently relied upon by burrowing owls, their significance is downplayed because Monk & Associates claims they are of “recent origin.” (Smallwood Comments, p. 12.) Dr. Smallwood, relying on his own studies of burrowing owls, refutes the relevance of the age of ground squirrel burrows to their likely use by burrowing owls. (*Id.*)

Likewise, the MND relies on a claim that because the site was cleared of eucalyptus trees in 2012, that somehow that activity over eight years ago continues to affect the site’s use by wildlife. The MND asserts that “[t]he loss of foraging habitat associated with the project is not considered substantial as the entire project site consisted of a eucalyptus grove until 2012, and thus did not historically provide potential foraging habitat.” (MND, p. 33.) Dr. Smallwood discusses the scientific problems with this assertion, concluding that “[t]he [MND] misleads where it claims that the removal of a eucalyptus grove years ago doomed the occurrence of wildlife species there today.” (Smallwood Comments, p. 12.)

Dr. Smallwood notes the likely presence of bats utilizing the site for foraging and movement. (Smallwood Comments, p. 16.) The MND claims that the Project will not impact bats because the Project site “contains no roosting or nesting habitat because it has no trees, rock faces, structures, or cliffs.” (MND, p. 34.) However, as Dr. Smallwood points out, “Trees surround the site. Bats undoubtedly roost in those trees. The site supports those roosts by providing forage. Night roosts of pallid bat, in particular, are typically located close to forage on open ground.” (Smallwood Comments, p. 16.)

Dr. Smallwood notes that the MND and accompanying biological report fail to provide the information necessary to corroborate the level of effort and adequacy of the reconnaissance level survey done by the City’s consultant. As Dr. Smallwood explains:

Monk & Associates reported no details of their surveys, such as who exactly did the surveys, when they arrived, how long they stayed, and what methods they used. The reporting did not include the most basic information that a wildlife ecologist would need for assessing whether the survey truly met due diligence standards.

(Smallwood Comments, p. 10.) This exacerbates the absence of substantial evidence to justify the MND’s wildlife baseline.

Dr. Smallwood also debunks the MND’s effort to bolster the cursory biological

assessment with a so-called peer review. As Dr. Smallwood notes, no description of the peer-review nor any responses to review comments is provided in the MND and the date of the peer review appears inconsistent with the date of Monk & Associates site visit. (Smallwood Comments, p. 10.)

The evidence of nearby sightings of numerous sensitive species and the flaws in the MND and accompanying biological report identified by Dr. Smallwood support a fair argument that the Project may have adverse impacts on their foraging and movement. For this reason and those discussed above, an EIR must be prepared to address impacts to these many sensitive bird and bat species.

B. The Project will have a Significant Impact on Wildlife Movement and Habitat Fragmentation.

The MND fails to adequately analyze the Project's impact on wildlife movement. Instead, the MND improperly dismisses the Project's potential to impact wildlife movement by claiming there needs to be a "corridor" on the site to effect wildlife movement, that other nearby areas are better movement areas, or otherwise asserting without evidence that this particular large warehouse would not disrupt wildlife movement. As Dr. Smallwood states:

The project would obviously interfere with wildlife movement in the region. Having studied millions of GPS telemetry data from 35 golden eagles tracked since 2013, I noticed a strong avoidance of anthropogenic structures such as warehouses and residential neighborhoods. I assume bald eagles express a similar level of avoidance. If this assumption is true, then the bald eagle I saw fly over the site in 2019 might not do so again since the SDG Commerce 330 warehouse was built. Many other species would continue to fly over the project site despite the neighboring warehouse. I have recorded many observations of animals moving across fields next to warehouses, including red-tailed hawks, peregrine falcons, and many others.

(Smallwood Comments, p. 20.) Dr. Smallwood's direct observations and expert opinion are substantial evidence of a fair argument that the Project may have adverse impacts on wildlife movement at the site and in the vicinity.

C. The MND Fails to Analyze the Project's Impacts on Wildlife from Additional Traffic Generated by the Project.

The MND contains no analysis of the impacts of the Project's added road traffic on special-status species of wildlife, including species such as the California red-legged frog and California tiger salamanders. (Smallwood Comments, p. 20-21.) Regardless of whether these species live on site, these and other special status species must cross roadways that will experience increased traffic volume as a result of the Project. (*Id.*)

As Dr. Smallwood explains, "[i]ncreased use of existing roads will increase wildlife

fatalities....” (*Id.*, p. 20.)

The traffic would effectively extend the project’s footprint well beyond the floor space, as trucks and cars traveling to and from the warehouse will drive over roads and highways that are also crossed by wildlife. On 23 January 2019 I saw two road-killed striped skunks on American Canyon Drive, and on 15 January 2021 I saw a road-killed striped skunk and an opossum killed on the same road—a road likely to be used by trucks and cars servicing the project. California red-legged frogs (*Rana draytonii*), which Monk & Associates (2020) concluded will suffer no impacts because CNDDDB records are lacking west of Highway 29, will cross roads used by vehicles servicing the project. A shortfall of the [MND] is its failure to analyze the impacts of the project’s added road traffic on special-status species of wildlife, including California red-legged frog, California tiger salamander (*Ambystoma californiense*), and American badgers (*Taxidea taxus*) that, regardless of whether they live on the site, must cross roadways that will experience increased traffic volume caused by this project.

(*Id.*) Given the fair argument of a threat to wildlife posed by existing traffic and additional traffic from the Project, as discussed by Dr. Smallwood, an EIR is necessary to evaluate the direct and cumulative impacts of the Project’s vehicle collisions with wildlife.

D. The MND Fails to Analyze the Project’s Impacts from the use of Pest Control Measures.

The MND does not discuss the potential impact of using pesticides inside and outside of the proposed warehouse. As a wine storage distribution facility, there will likely be steps taken to abate pests. There are many businesses that provide services for controlling stored products pests, perching birds, and rodents and other mammal pests within and around distribution warehouses. (Smallwood, p. 21.) These businesses advertise exclusion strategies and fumigation for stored products pests, glue boards for rodents, and other measures including anticoagulant poisons and acute toxicants. “[T]he use of toxicants can harm non-target wildlife through direct exposure and indirect exposure via predation and scavenging.” (*Id.*) “[P]est control involving toxicants can result in the spread of toxicants beyond the project site.” (*Id.*)

An EIR is needed to analyze the potential impacts of animal damage control associated with the proposed Project. Anticipated animal control strategies at the Project should be detailed, and impacts mitigated.

E. The Project will have Cumulative Impacts on Biological Resources.

Dr. Smallwood concludes that the Project will have a significant cumulative impact on biological resources. (Smallwood Comments, p. 22.) An EIR is needed to fully analyze and mitigate the Project’s cumulative biological impacts, including not only future projects but the existing impacts as well.

III. The IS Utilized Unsubstantiated Input and Output Parameters to Estimate Project Emissions.

A. The MND fails to explain how the City Calculated the Project's Average Daily Construction Emissions of ROGs and NOx.

The MND and Appendix B fail to provide sufficient information for a reviewer to understand and corroborate how the average daily emissions during construction were derived. As SWAPE explains, it is entirely unclear where the emissions estimates reported in the MND come from, because the estimates do not match those provided in any of the CalEEMod output files. (SWAPE Comments, pp. 2-3.) The MND provides the Project's emissions estimates in pounds per day. (MND, p. 22.) This indicates that the estimates should have come from either the winter or summer output file. (SWAPE Comments, pp. 2-3.) However, reviewing both the summer and winter output files and the emissions estimates, SWAPE's review could not match either. Insufficient details are provided in the MND either to inform the reader of the full extent of the air pollution and impacts that will result from the Project or how the insignificant determination was calculated and derived. The MND does not disclose a valid average daily emission calculation. For this reason, there is a fair argument that the Project may have significant air quality impacts.

B. The MND Used Improper Modeling Inputs, Including for Water Use for Parking and Solid Waste Generation.

Review of the Project's CalEEMod output files also demonstrates that the Project Applicant fails to adequately support substantial reductions in several air quality modelling inputs. In particular, the input for water use rate is decreased by almost 100 percent from the default value of 50,248,312.50 gallons per year ("gpy") to a mere 768 gpy. (SWAPE Comments, p. 8.) However, the Project is estimated to require an average of 142 gallons per day ("gpd") of potable water and 541 gpd of recycled water, resulting in a total daily water demand of 683 gpd or 249,295 gpy. Thus, the model underestimates the Project's total yearly water demand by approximately 239,186 gpy.

SWAPE also points out the lack of justification for the reduction in modeling inputs for solid waste generation by the Project. It is not explained how the Project would have dramatically lower solid waste rates than other typical projects. (SWAPE Comments, pp. 7-8.) Likewise, further corroboration that there would not be any weekend trips occurring at the facility or the lack of any potential for natural gas use by the Project should be further corroborated and explained in the MND. (*Id.*, pp. 5-7.) Lastly, the modelling relies on surface watering and limited vehicle speeds among other BMPs identified by BAAQMD. However, nothing in the MND sets forth these measures as mandatory BMPs or conditions of the Project. (*Id.*, pp. 9-11; MND, p. 23.) Because of the uncertainty resulting from inadequate justifications or miscalculation of annual water use, the MND's reliance on the CalEEMod analysis is not supported by substantial evidence that eliminates a fair argument that the Project may have significant air quality impacts.

IV. SWAPE’s CalEEMod Modeling Run Indicates a Fair Argument That the Project May Have a Significant Air Quality Impact.

SWAPE reran the CalEEMod run for the Project adjusting for the deficiencies in the inputs that it identified. (SWAPE Comments, p. 11.) The resulting model result indicates that the Project may exceed the BAAQGM daily emission threshold of 54 lbs/day. This is substantial evidence of a fair argument that the Project may have a significant air quality impact.

V. The IS Inadequately Evaluates Emissions of Diesel Particulate Matter.

Diesel particulate matter (“DPM”) is a known human carcinogen. The MND attempts to piggy-back on a health risk assessment performed for the nearby SDG Commerce 330 warehouse. (MND, p. 26.) This effort to borrow the HRA performed for that other project is problematic for a number of reasons.

A. The HRA Fails to Account for the Fact That the Nearest Sensitive Receptor to the Project’s Emissions is Located Only 500 Feet From the Soil Borrow Site.

Although the MND notes that there is “one residence about 1,000 feet east of the site (on the Couch property),” this is referring to the site of the proposed warehouse building. (MND, p. 74.) In fact, the closest receptor is only 500-feet from the borrow pit portion of the Project. (*Id.*, p. 77 (Table Noise-4).) For the SDG Commerce 330 project, the sensitive receptor distance was about 900 feet. Because the closest receptor to the Project’s affected area is only 500 feet, a new health risk assessment specific to the Project must be prepared. (SWAPE Comments, pp. 12-14.) Based on the current MND, there remains a fair argument that the Project may have a significant health risk impact on the nearest sensitive receptor.

B. SWAPE’s Analysis Provides Substantial Evidence of a Fair Argument that the Project may have Significant Health Risk Impacts from its Emissions of Toxic Air Contaminants.

Based on the limited information provided by the MND, a fair argument exists that the Project may have a significant health risk impact to nearby sensitive receptors. SWAPE has prepared a Level 2 health risk screening assessment (“HRSA”) for the project. BAAQMD recommends a significance threshold of an increased cancer risk of 10 in one million and an increased cumulative cancer risk of 100 in a million from all local sources. Applying the U.S. Environmental Protection Agency’s AERSCREEN model, as recommended by OEHHA and the California Air Pollution Control Officers Association, SWAPE calculates that construction and operation of the Project will result in cancer risks to adults, infants, children and nearby residents over the course of a 30-year residential lifetime of, respectively, 11 in one million, 86 in one million, 73 in one million, and 180 in one million, all in excess of BAAQMD’s threshold. (SWAPE Comment, pp. 14-18.) Based on this substantial screening evidence, a fair argument is present that the Project may have significant health risk impacts on nearby residents.

VI. There is a Fair Argument That the Project May Have Significant GHG Impacts.

SWAPE also reviewed the MND's discussion of the Project's potential GHG impacts. In addition to the deficiencies in the air modelling discussed above, a number of glaring problems with the analysis demonstrates that a fair argument remains that the Project may have significant GHG impacts.

A. The MND's Reliance on the 1,100 MT CO₂e Per Year Threshold is Only Designed to Achieve the GHG Reductions Required by 2020 and is Insufficient to Align the Project With the State's 2030 GHG Reduction Targets.

As the BAAQMD states in its 2017 CEQA guidelines, BAAQMD based its GHG "bright line" significance threshold on the amount of GHG reductions that were necessary in the Bay area to achieve the AB 32 reduction goals by 2020. (BAAQMD CEQA Guidelines, p. D-16 (available at https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.) The threshold referenced in the MND is a bright-line threshold of 1,100 MT CO₂e. (*Id.*, p. D-21. See SWAPE Comments, pp. 19-20.) That threshold was only intended to ensure compliance with AB 32's reduction goals required by 2020. (*Id.*) The 2020 GHG reduction goals sought to reduce business as usual GHG emissions to 1990 levels. In 2018, the Air Resources Board established the subsequent GHG reduction goal to reduce 1990 levels by another 40 percent by 2030. (California's 2017 Climate Change Scoping Plan, Executive Summary (Nov. 2017) (available at https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017_es.pdf.) That is the current goal with which the Project must ensure consistency order to claim no fair argument of a potential GHG impact.

As SWAPE points out, the Association of Environmental Professionals ("AEP") has derived a threshold of significance that is consistent with achieving the 2030 GHG reduction goals for projects coming online after 2020. AEP and SWAPE identify a "2030 Land Use Efficiency Threshold" of 2.6 metric tons of CO₂ equivalents per service population per year ("MT CO₂e/SP/year") as a threshold of significance necessary for any specific project to be consistent with the 2030 reduction goals. As AEP states:

Once the state has a full plan for 2030 (which is expected in 2017), and then a project with a horizon between 2021 and 2030 should be evaluated based on a threshold using the 2030 target. A more conservative approach would be to apply a 2030 threshold based on SB 32 for any project with a horizon between 2021 and 2030 regardless of the status of the Scoping Plan Update.

(*Final White Paper Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California*, October 18, 2016, p. 40 (available at: https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf.)

Applying the Project's estimate that it will create 50 new jobs, SWAPE calculates the

2030 Land Use Efficiency Threshold for the project to be 11.80 MT CO₂e/SP/year - well in excess of the calculated significance threshold of 2.6 MT CO₂e/SP/year. (SWAPE Comments, pp. 20-21.) Based on this substantial evidence, there is a fair argument that the Project may have significant GHG impacts.

B. The Project's Failure to Reduce its Expected VMT and Its Levels of VMT Per Capita are Evidence of a Fair Argument That the Project May Have Significant GHG Emission Impacts.

In addition to failing to reduce its VMT by fifteen percent of the Project area average, as discussed above, the MND also is inconsistent with CARB's 2017 Scoping Plan's guidance on evaluating GHG impacts using a Project's VMT per capita calculations. CARB has provided County- and State-based VMT per capita baseline calculations and the necessary per capita reductions necessary to be consistent with the Scoping Plan's GHG reduction targets. (SWAPE Comments, p. 22, n. 44.) SWAPE has applied that guideline to calculate the Project's VMT per capita. (*Id.*, p. 22 & Attachment C.) Using the tables provided by CARB, SWAPE calculates that VMT per capita within Napa County must be reduced to 19.37 in order to be consistent with the 2030 GHG reduction target. (*Id.*, p. 22.) SWAPE calculates the Project's daily VMT per capita to be 33.21, well in excess of the VMT per capita levels necessary to meet the State reduction goals for 2030. (*id.*, p. 22.) As a result, the MND is incorrect in asserting that the Project is consistent with the 2017 Scoping Plan and AB 32. SWAPE's analysis is substantial evidence of a fair argument that the Project may have significant GHG emission impacts.

CONCLUSION

For the foregoing reasons, the MND is inadequate and an EIR is required to analyze and mitigate the Project's potentially significant environmental impacts. LIUNA reserves the right to supplement these comments in advance of and during public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997). Thank you for your attention to these comments.

Sincerely,

A solid black rectangular box redacting the signature of Michael Lozeau.

Michael Lozeau
Lozeau | Drury LLP



TITLE

Measure T Maintenance of Effort (MOE) Validation and 5-Year Expenditure Plan

RECOMMENDATION

Hold a Public Hearing and take the following actions: 1. Adopt a Resolution approving a five-year expenditure plan for FY 2022-23 through FY 2026-27 under Measure T (Napa Countywide Road Maintenance Act); and

2. Adopt a Resolution approving the Maintenance of Effort (MOE) certification of \$370,015 as required under Measure T (Napa Countywide Road Maintenance Act).

CONTACT

Erica Ahmann Smithies, Public Works Director
Lincoln Bogard, Finance Director

BACKGROUND & ANALYSIS

The 2012 “Napa Countywide Road Maintenance Act” (also known as “Measure T”) imposes a ½ cent sales tax to pay for road repairs countywide. The Napa Valley Transportation Authority – Tax Agency (NVTATA) distributes these sales tax revenues to American Canyon annually.

In order to receive Measure T funds, the City must submit a list of projects to be funded to NVTATA. This list is known as the “Five Year Expenditure Plan” and is updated every 2 years. The Council last approved the current Five-Year Expenditure Plan (2020/21-2024/25) in March 2020.

In March 2020, the City had a robust list of citywide streets included in the annual paving cycle for FY 2020/21. However, with Covid-19 and a reduced revenue stream, the City focused efforts on reconstructing James Road from Donaldson Way South to American Canyon Road. The reconstruction of James Road included new Class III Bike Route and a sidewalk on the east side of James Road.

With Measure T revenues returning to normal, staff has prepared an updated Five-Year Expenditure Plan (2022/23-2026/27) that is similar to the prior plans with a focus on multiple streets being treated on an annual basis.

The 2012 “Napa Countywide Road Maintenance Act” (also known as “Measure T”) imposes a ½ cent sales tax to pay for road repairs countywide. The Napa Valley Transportation Authority – Tax Agency (NVTATA) will distribute these sales tax revenues over time and the City of American Canyon receives 7.7% of the sales tax revenues per year, as of July 1, 2018.

The intent of Measure “T” is to supplement, not supplant, existing local general fund revenues being used for the transportation improvements. American Canyon must demonstrate expending a minimum amount (known as the “maintenance of effort” or “MOE”) of local general fund revenues on transportation improvements.

The MOE is calculated to be average for fiscal years 2007-08, 2008-09, and 2009-10 for “Local Streets and Roads Maintenance” and supporting infrastructure within the public right-of-way. Examples include pavement sealing, overlays, reconstruction, and associated infrastructure.

American Canyon’s MOE is calculated to be \$370,015. This amount will remain constant throughout the term of Measure T. Each year American Canyon must certify to NVTA-TA Authority that it expended funds equal to the amount of the MOE on eligible transportation improvements based on an average of the most recent three years' expenditures. As shown in Attachment 2, Exhibits “A”, “B”, “C”, “D”, “E”, and “F”, American Canyon spent more than \$370,015 in General Fund revenues on eligible transportation improvements when using the three-year average for FY 2018-19, FY 2019-20, and FY 2020-21.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

By adopting this Resolution and submitting the five-year plan to NVTA-TA, the City of American Canyon will remain eligible to continue collecting 7.7% of the annual revenues available through the collection of the ½ cent sales tax. The Measure T revenue amount for FY 2021/22 is estimated to be \$1.49 million.

By adopting the MOE Certification resolution and submitting the certification to NVTA-TA, the City of American Canyon will remain eligible to continue collecting 7.7% of the annual revenues available through the collection of the ½ cent sales tax. This amount for FY 2020-21 was approximately \$1.22 million.

ENVIRONMENTAL REVIEW

Approval of the Five-Year Measure T Expenditure Plan and MOE certification is exempt from review under the California Environmental Quality Act (“CEQA”) because the action is not a “Project” as defined under CEQA, and because actions that have no potential to cause a significant effect on the environment and actions that will not result in a direct or reasonably foreseeable indirect physical change in the environment are exempt from CEQA. (Pub. Res. Code § 21065; CEQA Guidelines §§ 15061(b)(3); 15060(c)(2)), and 15378(b)

ATTACHMENTS:

1. Resolution - Measure T 5-Year Update 2021
2. Exhibit A - Proposed NVTA Measure T 5-Year List of Projects 2022
3. Exhibit B - Map Measure T 5-Year 2022
4. Exhibit C - Proposed Measure T List of Projects YEARS 6-10
5. Exhibit D - Map Measure T YEARS 6-10 Version 2
6. Resolution - Measure T FY 2019-20 MOE Certification
7. Exhibit A - Measure T FY 2020-21 Summary Trial Balance
8. Exhibit B - Measure T FY 2020-21 Additional FTE Direct Project Time
9. Exhibit C - Measure T FY 2019-20 Summary Trial Balance
11. Exhibit E - Measure T MOE Calculation - FY 2020-21
10. Exhibit D - Measure T FY 2018-19 Summary Trial Balance
12. Exhibit F - Measure T MOE Certification Form FY 2020-21
13. Exhibit G - Measure T MOE Calc

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING A FIVE-YEAR EXPENDITURE PLAN FOR FY 2022-23 THROUGH FY 2026-27 UNDER MEASURE T (NAPA COUNTYWIDE ROAD MAINTENANCE ACT)

WHEREAS, on November 6, 2012 the voters of Napa County passed the Napa Countywide Road Maintenance Act, also known as Measure T, which imposes a half cent transaction and use (sales) tax to provide supplemental funding for road maintenance as detailed in the Measure T Expenditure Plan; and

WHEREAS, the Napa Valley Transportation Authority – Tax Agency (NVTA-TA) is the designated agency that administers and oversees Measure T revenues; and

WHEREAS, the City of American Canyon is an eligible recipient of Measure T funds; and

WHEREAS, the tax proceeds will be used to pay for the projects outlined in the Measure T Expenditure Plan allocated to the County of Napa and the cities and town within Napa County ("Local Agencies") as set forth in Measure T; and

WHEREAS, under the Measure T Expenditure Plan, Measure T funds are provided to the Local Agencies to be used for streets and roads projects as defined in the Measure; and

WHEREAS, the City of American Canyon has entered into a Master Agreement with NVTA-TA that outlines procedures for Measure T expenditures, and

WHEREAS, Measure T project(s) will comply with the requirements under the California Environmental Quality Act (California Code Sections 21000 et seq.; as implemented through California Regulations Title 14, Chapter 3, Sections 15000 et seq.); and

WHEREAS, on this date, December 7, 2021 proper public notice was given in accordance with the law.

NOW, THEREFORE, the City Council of the City of American Canyon does resolve as follows:

1. The City Council of the City of American Canyon hereby adopts the Five-Year Expenditure Plan (for FY 2022-23 through FY 2026-27 attached hereto as Exhibit "A," and authorizes the Public Works Director to file the list with NVTA-TA.
2. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 7th day of December, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Taresa Geilfuss, City Clerk

William D. Ross, City Attorney

Measure T Napa Countywide Road Maintenance Active Five-Year List of Projects
Project Submittal Form

Jurisdiction Name: City of American Canyon

Primary Contract #1 Erica Smithies Email: esmithies@cityofamericancanyon.org Phone: 707-647-4366

Secondary Contract #2 Ron Ranada Email: rranada@cityofamericancanyon.org Phone: 707-647-4559

Staff Member Completing LS&R State Controller Report: Ron Ranada Email: rranada@cityofamericancanyon.org Phone: 707-647-4559

Maintenance of Effort (MOE)

Please provide the certified MOE amount of the jurisdiction: \$370,015

Please note: Eligible expenses include local streets and roads maintenance and supporting infrastructure within the public right of way-including, but not limited to pavement, sealing, overlays, reconstruction, associated infrastructure, as required, excluding any local revenues expended for the purpose of storm damage repair as verified by an independent auditor. One time allocations that have been expended for local streets and road maintenance, but which may not be available on an ongoing basis shall not be considered when calculating an Agency's annual maintenance of effort.

Planned Measure T Expenditures

Please provide 5 year planned streets and road maintenance projects beginning in FY 2022-23 (add more lines as needed). Per the Measure T Expenditure Plan, a *Project* is a single effort with a beginning and an end that would cause the construction or maintenance or reconstruction of some tangible portion of a transportation asset owned or operated by public agency that has independent utility. A *project* is not repeated on an annual basis, it does not appear without a detailed description as to cost and location in a local agency budget, and it must appear in a capital budget. Project numbers will be assigned by NVTA-TA.

Program	Project Description	Year	Total Cost	Measure T	Other	Length	Location	Start	End
Overlay	Mill+Overlay	2022/2023	\$ 136,012.80			560	BENTON WY	HUMMINGBIRD	HUNTINGTON WY
Overlay	Mill+Overlay	2022/2023	\$ 294,952.46			1214	BENTON WY	HUNTINGTON WY	ELLIOTT DR
Overlay	Mill+Overlay	2022/2023	\$ 80,514.72			468	BENTON WY	HUMMINGBIRD	WETLANDS EDGE RD
Overlay	Mill+Overlay	2022/2023	\$ 176,330.88			1056	BLANCO ST	MARLA DR	CAPRA DR
Overlay	Mill+Overlay	2022/2023	\$ 176,330.88			1056	BROPHY ST	KIMBERLY DR W.	KIMBERLY DR E.
Overlay	Mill+Overlay	2022/2023	\$ 88,165.44			528	CORSICANA DR	W CAROLYN DR	N. END
Overlay	Mill+Overlay	2022/2023	\$ 46,754.40			264	DODD CT	PAOLI LOOP RD	W. END
Overlay	Mill+Overlay	2022/2023	\$ 167,587.20			720	DONALDSON WY	EUCALYPTUS DR	1060 DONALDSON WAY
Overlay	Mill+Overlay	2022/2023	\$ 104,625.62			667	ELKE DR	DONALDSON WY	GISELA DR
Overlay	Mill+Overlay	2022/2023	\$ 160,169.24			833	ELLIOTT DR	KIMBERLY DR	FOLLAND RD
Overlay	Mill+Overlay & Pedestrian Imp	2022/2023	\$ 175,000.00			450	EUCALYPTUS DRIVE	450' E OF THERESA	THERESA AVE
Overlay	Mill+Overlay	2022/2023	\$ 98,629.52			629	GISELA DR	DONALDSON WY	RIO DEL MAR
Overlay	Mill+Overlay	2022/2023	\$ 96,180.48			528	KLAMATH CT	PAOLI LOOP RD	W. END
Reconstruct	Full Reconstruct (AC)	2023/2024	\$ 725,210.00			940	DONALDSON WY	RIO DEL MAR	AMARILLO
Overlay	Mill+Overlay	2023/2024	\$ 528,264.00			2900	CARTAGENA WAY	BROADWAY	EAST END
Surface Treatment	Slurry Seal	2023/2024	\$ 4,432.32			216	ARANDA CT	CARTAGENA WAY	N END
Surface Treatment	Slurry Seal	2023/2024	\$ 9,131.40			445	BARCELONA DR	CARTAGENA WAY	ENTRADA CIR
Surface Treatment	Slurry Seal	2023/2024	\$ 9,582.84			467	CATALONIA DR	CARTAGENA WAY	ENTRADA CIR
Surface Treatment	Slurry Seal	2023/2024	\$ 9,690.00			500	CONDOR CT	HIGHRIDGE DR	S END
Surface Treatment	Slurry Seal	2023/2024	\$ 4,001.40			195	EISENHOWER CT	VENTANA	S END
Surface Treatment	Slurry Seal	2023/2024	\$ 69,357.60			3380	ENTRADA CIR	CARTAGENA WAY W END	CARTAGENA WAY E END
Surface Treatment	Slurry Seal	2023/2024	\$ 40,424.40			1970	FORD DR	INDEPENDENCE	INDEPENDENCE
Surface Treatment	Slurry Seal	2023/2024	\$ 31,550.64			1628	GOLDFINCH DR	MONTEVINO	MONTEVINO
Surface Treatment	Slurry Seal	2023/2024	\$ 4,457.40			230	HIGHRIDGE CT	VENTANA	N END
Surface Treatment	Slurry Seal	2023/2024	\$ 34,806.48			1796	HIGHRIDGE DR	VENTANA	STARLING CT
Surface Treatment	Slurry Seal	2023/2024	\$ 9,496.20			490	HILLCREST CT	HIGHRIDGE DR	S END
Surface Treatment	Slurry Seal	2023/2024	\$ 4,247.64			207	INDEPENDENCE CT	VENTANA DR	SOUTH END
Surface Treatment	Slurry Seal	2023/2024	\$ 23,515.92			1146	INDEPENDENCE DR	VENTANA DR	EAST END
Surface Treatment	Slurry Seal	2023/2024	\$ 7,387.20			360	MARBELLA CT	CARTAGENA WAY	N END
Surface Treatment	Slurry Seal	2023/2024	\$ 9,690.00			500	MOCKINGBIRD DR	MONTEVINO	HIGHRIDGE DR
Surface Treatment	Slurry Seal	2023/2024	\$ 17,442.00			900	MONTEVINO DR	SOUTH GOLDFINCH	VENTANA
Surface Treatment	Slurry Seal	2023/2024	\$ 9,108.60			470	ORIOLE CT	HIDGERIDGE DR	S END
Surface Treatment	Slurry Seal	2023/2024	\$ 2,770.20			135	PALENCIA CT	CARTAGENA WAY	N END
Surface Treatment	Slurry Seal	2023/2024	\$ 5,038.80			260	STARLING CT	HIGHRIDGE DR	N. END
Surface Treatment	Slurry Seal	2023/2024	\$ 6,422.76			313	TRUMAN CT	VENTANA DR	S END
Surface Treatment	Slurry Seal	2023/2024	\$ 15,855.12			732	VENTANA DR	BROADWAY	HIGHRIDGE DR
Surface Treatment	Slurry Seal	2023/2024	\$ 22,059.00			1075	VENTANA DR	HIGHRIDGE	EAST WEST INDEPENDENCE DR
Surface Treatment	Slurry Seal	2023/2024	\$ 14,535.00			750	VINE TERRACE WAY	BROADWAY	GOLDFINCH
Reconstruct	Full Reconstruct (AC)	2024/2025	\$ 135,784.00			264	BRIXTON CT	NORTH HAMPTON DR	E. END
Reconstruct	Full Reconstruct (AC)	2024/2025	\$ 271,568.00			528	DORCHESTER PL	KNIGHTSBRIDGE WY	S. END
Overlay	Mill+Overlay	2024/2025	\$ 201,894.00			1140	FOLLAND DR	ELLIOTT DR	DANROSE DR
Overlay	Mill+Overlay	2024/2025	\$ 41,411.04			264	KEMP LN	SHEFFIELD WY	FOLLAND DR
Overlay	Mill+Overlay	2024/2025	\$ 41,411.04			264	KEMP WY	SHEFFIELD WY	FOLLAND DR
Overlay	Mill+Overlay	2024/2025	\$ 308,579.04			1848	MARLA DR	KILPATRIC ST	BLANCO
Overlay	Mill+Overlay	2024/2025	\$ 43,718.40			240	MARLA DR	KILPATRIC	240 FEET WEST
Overlay	Mill+Overlay	2024/2025	\$ 45,418.56			264	TYLER CT	KIMBERLY DR	N. END
Overlay	Mill+Overlay	2024/2025	\$ 174,013.40			905	WEST CAROLYN DR	RIO GRANDE	DONALDSON WY
Overlay	Mill+Overlay	2024/2025	\$ 222,235.20			1464	WETLANDS EDGE RD	KENSINGTON WAY	W. AM CANYON RD
Reconstruct	Reconstruct inc. SD & C&G	2025/2026	\$ 261,384.20			462	ANDREW RD	THAYER WY	CRAWFORD WY
Reconstruct	Reconstruct inc. SD & C&G	2025/2026	\$ 544,267.53			962	ANDREW RD	CRAWFORD WY	DONALDSON WY
Reconstruct	Reconstruct inc. SD & C&G	2025/2026	\$ 402,825.87			712	ANDREW RD	DONALDSON WY	WILSON WY
Reconstruct	Full Reconstruct (AC)	2026/2027	\$1,086,272.00			2640	FLOSDEN RD	AMERICAN CANYON ROAD	SOUTH CITY LIMITS
Surface Treatment	Slurry Seal	2026/2027	\$ 11,819.52			576	BETTONA WAY	SAN MARCO WAY	VINCI WAY
Surface Treatment	Slurry Seal	2026/2027	\$ 5,950.80			290	BLUE ELDER CT	RED CLOVER WY	EAST END
Surface Treatment	Slurry Seal	2026/2027	\$ 6,007.80			310	BRESSO CT	VINCI WAY	E END
Surface Treatment	Slurry Seal	2026/2027	\$ 3,303.72			161	BULLRUSH CT	RED CLOVER WY	EAST END
Surface Treatment	Slurry Seal	2026/2027	\$ 5,600.82			289	CARRARA CT	VINCI WAY	EAST END
Surface Treatment	Slurry Seal	2026/2027	\$ 4,709.34			243	GULL	PEACOCK	E END
Surface Treatment	Slurry Seal	2026/2027	\$ 27,907.20			1440	HUMMINGBIRD	BENTON WAY	W. AM. CAN. RD
Surface Treatment	Slurry Seal	2026/2027	\$ 13,461.12			656	KENSINGTON WY	CHAUCER	WETLANDS EDGE RD
Surface Treatment	Slurry Seal	2026/2027	\$ 8,614.98			458	KNIGHTSBRIDGE WY	W. END	CHAUCER LN
Surface Treatment	Slurry Seal	2026/2027	\$ 17,117.10			910	KNIGHTSBRIDGE WY	CHAUCER LN	ELLIOTT DR
Surface Treatment	Slurry Seal	2026/2027	\$ 4,709.34			243	LARK	PEACOCK	E END
Surface Treatment	Slurry Seal	2026/2027	\$ 2,872.80			140	NORTHHAMPTON DR	CHAUCER	SAN MARCO WAY
Surface Treatment	Slurry Seal	2026/2027	\$ 6,201.60			320	NORTHHRUP LN	CHAUCER	WEST END
Surface Treatment	Slurry Seal	2026/2027	\$ 5,620.20			290	NORTHHRUP LN	CHAUCER	WEST END
Surface Treatment	Slurry Seal	2026/2027	\$ 30,019.62			1549	PEACOCK	HUMMING BIRD	HUMMING BIRD
Surface Treatment	Slurry Seal	2026/2027	\$ 36,402.48			1774	RED CLOVER WY	NORTH END	SOUTH END
Surface Treatment	Slurry Seal	2026/2027	\$ 6,156.00			300	REED GRASS	REDCLOVER	E END

Program	Project Description	Year	Total Cost	Measure T	Other	Length	Location	Start	End
Surface Treatment	Slurry Seal	2026/2027	\$ 41,245.20			2010	SAN MARCO WAY	WETLANDS EDGE RD	BETTONA WAY
Surface Treatment	Slurry Seal	2026/2027	\$ 57,558.60			2805	SPIKE RUSH CIR	SOUTH WETLANDSEdge RD	NORTH WETLANDSEdge RD
Surface Treatment	Slurry Seal	2026/2027	\$ 19,124.64			932	VINCI WAY	SAN MARCO WAY	BETTONA WAY
Surface Treatment	Slurry Seal	2026/2027	\$ 6,894.72			336	WATER FERN	REDCLOVER	E END
Surface Treatment	Slurry Seal	2026/2027	\$ 2,967.42			137	WEST CAROLYN DR	RIO GRANDE	SPIKERUSH CIR
TOTAL			\$ 7,524,778						

Program Definitions:

Surface Treatment includes: slurry seal, fog seal, chip seal, microseal, etc.

Overlay - asphalt resurfacing

Reconstruction - includes in or all components associated with complete reconstruction of the roadway including road bed, widening to meet -complete streets requirements, and paving

Concrete work - includes ramps, sidewalks, curbs, gutters, and pavement

Drainage - includes any work required to address water run off and drainage including culverts, etc. associated with a roadway

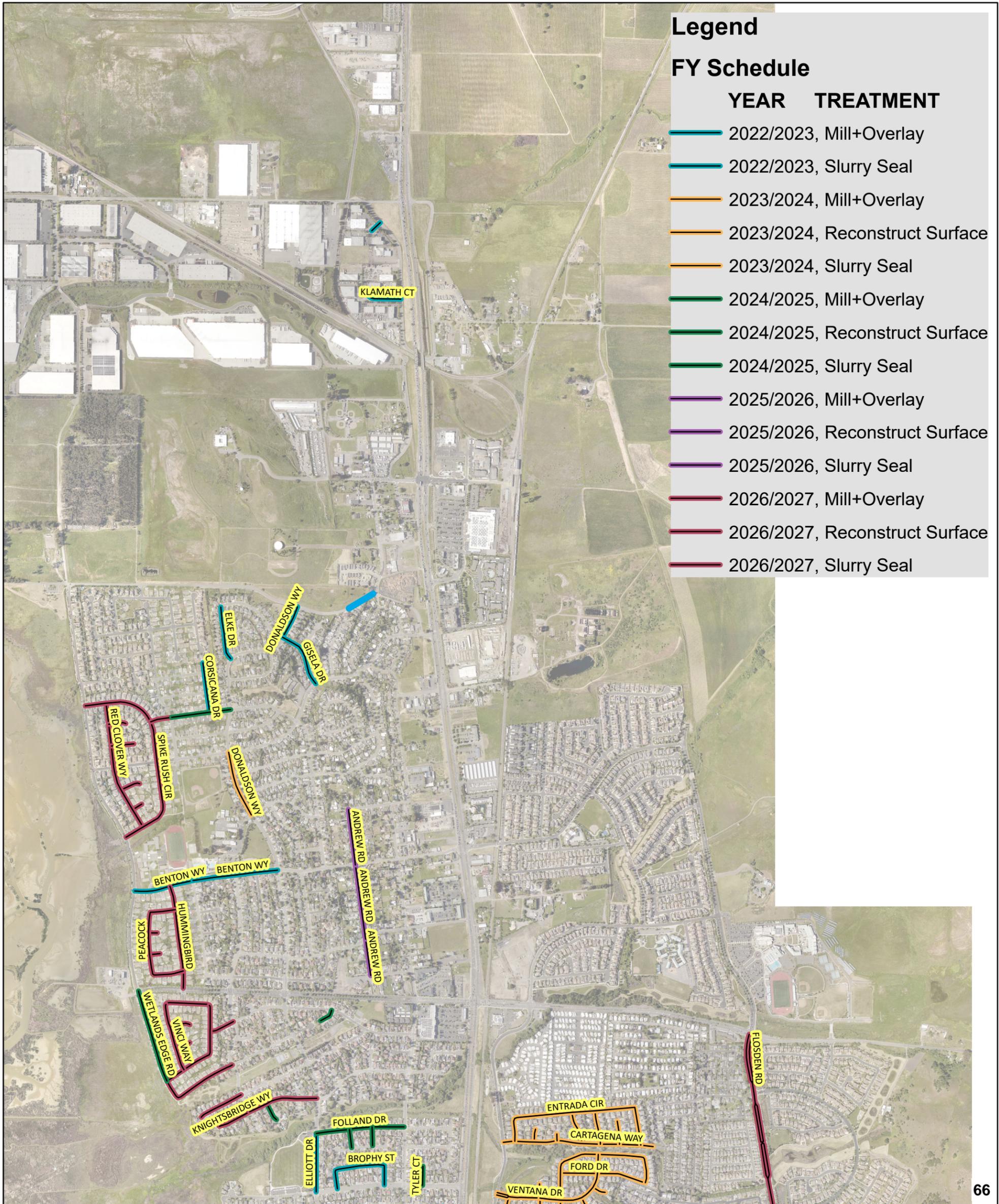
Safety includes lights, signage, striping, traffic signals and pavement markings

Intelligent Traffic Systems - includes traffic signal interconnects or other systems to improve traffic management/operations and safety on roadways

Note: Final project list to be determined, depending on available revenues and when revenues become available, but distributed proportionately unless otherwise agreed to as part of a funding exchange proportionately as outlined in the Measure T Expenditure Plan. Prior to any allocation, jurisdictions will also be required to submit all of the necessary documentation requested above as well as a Resolution of support of the proposed project list. Requirements associated with the Class 1 Bike Facility expenditures to be agreed upon between the jurisdictions and memorialized in resolutions of support by affected jurisdictions.

Note: The above Program Definitions and listed project types are not all-inclusive. Other project types and/or means and methods may be included in the work plan provided the type of work is consistent with the intent of the Measure T Ordinance language.

Map - Measure T 5 Year Expenditure Plan (Adopted 2022)



Measure T Napa Countywide Road Maintenance Active Five-Year List of Projects
Project Submittal Form

Jurisdiction Name: City of American Canyon

Primary Contract #1 Erica Smithies Email: esmithies@cityofamericancanyon.org Phone: 707-647-4366

Secondary Contract #2 Ron Ranada Email: rranada@cityofamericancanyon.org Phone: 707-647-4559

Staff Member Completing LS&R State Controller Report: Ron Ranada Email: rranada@cityofamericancanyon.org Phone: 707-647-4559

Maintenance of Effort (MOE)

Please provide the certified MOE amount of the jurisdiction: \$370,015

Please note: Eligible expenses include local streets and roads maintenance and supporting infrastructure within the public right of way-including, but not limited to pavement, sealing, overlays, reconstruction, associated infrastructure, as required, excluding any local revenues expended for the purpose of storm damage repair as verified by an independent auditor. One time allocations that have been expended for local streets and road maintenance, but which may not be available on an ongoing basis shall not be considered when calculating an Agency's annual maintenance of effort.

Planned Measure T Expenditures

Please provide 5 year planned streets and road maintenance projects beginning in FY 2027-28 (add more lines as needed). Per the Measure T Expenditure Plan, a *Project* is a single effort with a beginning and an end that would cause the construction or maintenance or reconstruction of some tangible portion of a transportation asset owned or operated by public agency that has independent utility. A *Project* is not repeated on an annual basis, it does not appear without a detailed description as to cost and location in a local agency budget, and it must appear in a capital budget. Project numbers will be assigned by NVTA-TA.

Program	Project Description	Year	Total Cost	Measure T	Other	Length	Location	Start	End
Overlay	Mill+Overlay	2027/2028	\$ 654,561.60			3696	BROADWAY	AMERICAN ROAD	SOUTH CITY LIMITS
Overlay	Mill+Overlay	2027/2028	\$ 387,444.20			2015	DANROSE DR	MARLA DR	KIMBERLY DR
Overlay	Mill+Overlay	2027/2028	\$ 378,892.80			672	DANROSE DR	KIMBERLY DR	KNIGHTSBRIDGE WAY
Overlay	Mill+Overlay	2028/2029	\$ 384,054.00			2300	CAROLYN DR	255 CAROLYN	RIO DEL MAR
Overlay	Mill+Overlay	2028/2029	\$ 225,878.40			992	DANROSE DR	KNIGHTSBRIDGE WY	WEST AMERICAN CANYON RD
Overlay	Mill+Overlay	2028/2029	\$ 209,969.76			1092	ELLIOTT DR	MARLA DR	KIMBERLY DR
Surface Treatment	Slurry Seal	2028/2029	\$ 8,208.00			400	BLACK DUCK CT	BUFFLEHEAD	S END
Surface Treatment	Slurry Seal	2028/2029	\$ 10,260.00			500	BLUE BELL ST	WETLANDS EDGE	E END
Surface Treatment	Slurry Seal	2028/2029	\$ 15,061.68			734	BUFFLEHEAD ST	REDHEAD	RIO GRANDE
Surface Treatment	Slurry Seal	2028/2029	\$ 13,391.58			691	CANYON MEADOWS DR	MARSH CREEK DR	MEADOW BAY DR
Surface Treatment	Slurry Seal	2028/2029	\$ 2,907.00			150	CATTAIL CT	CATTAIL DR	N END
Surface Treatment	Slurry Seal	2028/2029	\$ 13,449.72			694	CATTAIL DR	MARSH CREEK DR	MEADOW BAY DR
Surface Treatment	Slurry Seal	2028/2029	\$ 14,651.28			714	GADWALL CT	RINGNECK	S END
Surface Treatment	Slurry Seal	2028/2029	\$ 24,316.20			1185	GADWALL ST	RINGNECK	RINGNECK
Surface Treatment	Slurry Seal	2028/2029	\$ 17,031.60			830	GOLDENEYE CT	N END	S END
Surface Treatment	Slurry Seal	2028/2029	\$ 3,796.20			185	GREENWING ST	EUCALYPTUS ST	GADWALL ST
Surface Treatment	Slurry Seal	2028/2029	\$ 2,907.00			150	KIMBERLY CT	KIMBERLY DR	SOUTH END
Surface Treatment	Slurry Seal	2028/2029	\$ 21,422.88			1044	KIMBERLY DR	ELLIOTT	MEADOW BAY DR
Surface Treatment	Slurry Seal	2028/2029	\$ 38,372.40			1870	MARLA DR	KILPATRICK 240 FEET WEST	MEADOW BAY DR
Surface Treatment	Slurry Seal	2028/2029	\$ 19,227.24			937	MARSH CREEK DR	KIMBERLY DR	MARLA DR
Surface Treatment	Slurry Seal	2028/2029	\$ 16,039.80			938	MEADOW BAY DR	KIMBERLY DR	MARLA DR
Surface Treatment	Slurry Seal	2028/2029	\$ 19,224.96			992	POPPYFIELD DR	KIMBERLY DR	MARLA DR
Surface Treatment	Slurry Seal	2028/2029	\$ 24,008.40			1170	REDHEAD ST	BLUE BELL	N END
Surface Treatment	Slurry Seal	2028/2029	\$ 29,754.00			1450	RINGNECK ST	REDHEAD	GOLDENEYE
Surface Treatment	Slurry Seal	2028/2029	\$ 9,234.00			450	RIO GRANDE	CARMEL	RINGNECK
Surface Treatment	Slurry Seal	2028/2029	\$ 20,109.60			980	WOOD DUCK CT	RINGNECK	W END
Overlay	Mill+Overlay	2029/2030	\$ 327,888.00			1080	AMERICAN CANYON RD	FLOSDEN RD	VIA FRIENZA
Overlay	Mill+Overlay	2029/2030	\$ 40,075.20			264	LISA CT	ELLIOTT DR	E. END
Overlay	Mill+Overlay	2029/2030	\$ 82,822.08			528	SHEFFIELD WY	W. END	E. END
Overlay	Mill+Overlay	2029/2030	\$ 204,383.52			1122	THERESA AV	NAPA JUNCTION RD	422' NORTH OF EUCALYPTUS DR
Overlay	Mill+Overlay	2029/2030	\$ 273,240.00			1800	WETLANDS EDGE RD	BENTON WAY	W. AM. CAN RD
Overlay	Mill+Overlay	2029/2030	\$ 356,224.00			3200	WETLANDS EDGE RD	BENTON WAY	EUCALYPTUS
Reconstruct	Full Reconstruct (AC)	2030/2031	\$ 527,706.00			810	RIO DEL MAR	RIO GRANDE	DONALDSON WY
Reconstruct	Full Reconstruct (AC)	2030/2031	\$ 678,199.93			1041	RIO DEL MAR	DONALDSON WY	CAROLYN DR
Reconstruct	Full Reconstruct (AC)	2031/2032	\$ 307,777.07			528	THAYER WY	ANDREW RD	JAMES RD
Reconstruct	Full Reconstruct (AC)	2031/2032	\$ 633,658.67			1056	WILSON WY	ANDREW RD	MELVIN RD
Surface Treatment	Slurry Seal	2031/2032	\$ 4,309.20			210	BIELLA CT	VIA LAMORRA	S END
Surface Treatment	Slurry Seal	2031/2032	\$ 5,950.80			290	BRUNELLO DR	VIA BELLIGIO	PELLERIA DR
Surface Treatment	Slurry Seal	2031/2032	\$ 6,771.60			330	CAMERINO CT	TOLENTINO DR	E END
Surface Treatment	Slurry Seal	2031/2032	\$ 33,775.92			1646	CASTELLINA CIRCLE	VERONA	VERONA
Surface Treatment	Slurry Seal	2031/2032	\$ 4,945.32			241	ELBA CT	VIA PESCARA	NORTH END
Surface Treatment	Slurry Seal	2031/2032	\$ 5,807.16			283	MARCELLO CT	TOLENTINO DR	E END
Surface Treatment	Slurry Seal	2031/2032	\$ 32,836.56			1516	MONTECARLO WAY	N VIA BELLIGIO	S VIA BELLIGIO
Surface Treatment	Slurry Seal	2031/2032	\$ 9,952.20			485	PALESTRINA CT	TOLENTINO DR	EAST END
Surface Treatment	Slurry Seal	2031/2032	\$ 15,082.20			735	PALESTRINA DR	VIA MARCIANA	EAST END
Surface Treatment	Slurry Seal	2031/2032	\$ 16,416.00			800	PELLERIA DR	PLAZZO WAY	VIA MONTALCINO
Surface Treatment	Slurry Seal	2031/2032	\$ 16,272.36			793	PIENZA DRIVE	N MONTECARLO	S MONTECARLO
Surface Treatment	Slurry Seal	2031/2032	\$ 25,896.24			1262	PLAZZO WAY	VIA TREVISO	VIA MONTALCINO
Surface Treatment	Slurry Seal	2031/2032	\$ 29,651.40			1445	SARCEDO WAY	VIA LA MORRA	VIA TREVISO
Surface Treatment	Slurry Seal	2031/2032	\$ 14,877.00			725	TOLENTINO DR	PLAZZO WAY	PALESTRINA DR
Surface Treatment	Slurry Seal	2031/2032	\$ 2,736.00			120	TREVISO CT	VIA TREVISO	END
Surface Treatment	Slurry Seal	2031/2032	\$ 6,581.22			251	VERONA DR	VIA BELLIGIO	CASTELLINA CIRCLE
Surface Treatment	Slurry Seal	2031/2032	\$ 17,236.80			840	VIA FIRENZA	AMERICAN CANYON RD	VIA BELLIGIO
Surface Treatment	Slurry Seal	2031/2032	\$ 25,752.60			1255	VIA LAMORRA	EAST VIA BELLIGIO	SOUTH VIA BELLIGIO
Surface Treatment	Slurry Seal	2031/2032	\$ 16,826.40			820	VIA MARCIANA	PLAZZO WAY	PALESTRINA DR
Surface Treatment	Slurry Seal	2031/2032	\$ 6,361.20			310	VIA MONTALCINO	PALLERIA DR	PLAZZO WAY
Surface Treatment	Slurry Seal	2031/2032	\$ 12,435.12			606	VIA PESARO	SARCEDO WAY	SARCEDO WAY
Surface Treatment	Slurry Seal	2031/2032	\$ 35,520.12			1731	VIA PESCARA	N. VIA FIRENZA	S. VIA FIRENZA
Surface Treatment	Slurry Seal	2031/2032	\$ 23,967.36			1168	VIA TREVISO	SARCEDO WAY	SARCEDO WAY
		TOTAL	\$ 6,366,110						

Program Definitions:

Surface Treatment includes: slurry seal, fog seal, chip seal, microseal, etc.

Overlay - asphalt resurfacing

Reconstruction - includes in or all components associated with complete reconstruction of the roadway including road bed, widening to meet -complete streets requirements, and paving

Concrete work - includes ramps, sidewalks, curbs, gutters, and pavement

Drainage - includes any work required to address water run off and drainage including culverts, etc. associated with a roadway

Safety includes lights, signage, striping, traffic signals and pavement markings

Intelligent Traffic Systems - includes traffic signal interconnects or other systems to improve traffic management/operations and safety on roadways

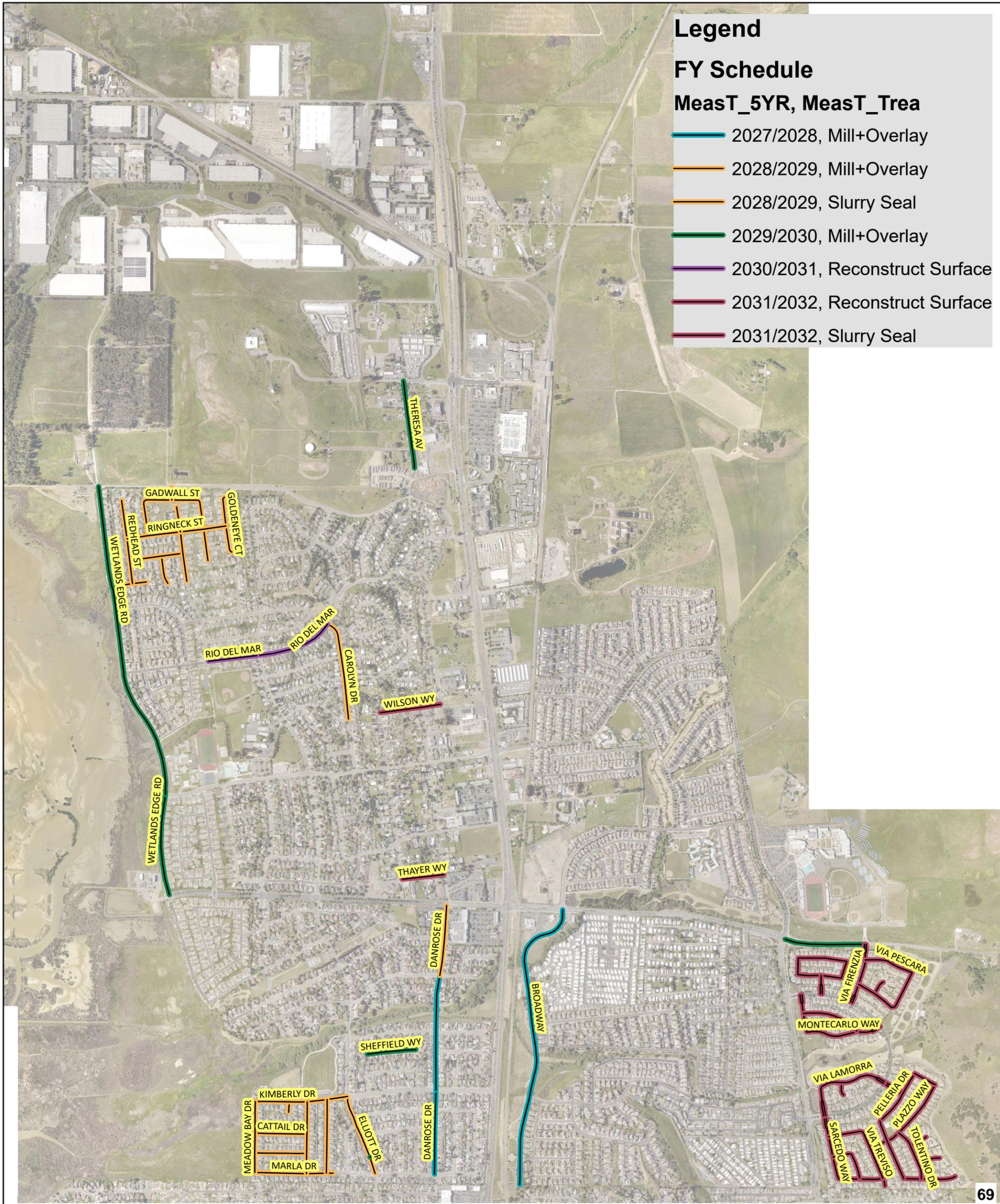
Note: Final project list to be determined, depending on available revenues and when revenues become available, but distributed proportionately unless otherwise agreed to as part of a funding exchange proportiona

Program	Project Description	Year	Total Cost	Measure T	Other	Length	Location	Start	End
---------	---------------------	------	------------	-----------	-------	--------	----------	-------	-----

as outlined in the Measure T Expenditure Plan. Prior to any allocation, jurisdictions will also be required to submit all of the necessary documentation requested above as well as a Resolution of support of the proposed project list. Requirements associated with the Class 1 Bike Facility expenditures to be agreed upon between the jurisdictions and memorialized in resolutions of support by affected jurisdictions.

Note: The above Program Definitions and listed project types are not all-inclusive. Other project types and/or means and methods may be included in the work plan provided the type of work is consistent with the intent of the Measure T Ordinance language.

Map - Measure T 10 Year Expenditure Plan (Years 6-10)



RESOLUTION NO. 2021-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING THE MAINTENANCE OF EFFORT (MOE) CERTIFICATION OF \$370,015 AS REQUIRED UNDER MEASURE "T" (THE NAPA COUNTYWIDE ROAD MAINTENANCE ACT)

WHEREAS, on November 6, 2012 the voters of Napa County passed the Napa Countywide Road Maintenance Act, also known as Measure T, which imposes a half cent transaction and use (sales) tax to provide supplemental funding for road maintenance as detailed in the Measure T Expenditure Plan; and

WHEREAS, the Napa Valley Transportation Authority – Tax Authority (NVTA-TA) is the designated agency that administers and oversees Measure T revenues; and

WHEREAS, the City of American Canyon is an eligible recipient of Measure T funds; and

WHEREAS, the tax proceeds will be used to pay for the projects outlined in the Measure T Expenditure Plan allocated to the County of Napa and the cities and towns within Napa County ("Local Agencies") as set forth in Measure T; and

WHEREAS, under the Measure T Expenditure Plan, Measure T funds are provided to the Local Agencies to be used for streets and roads projects as defined in the Measure; and

WHEREAS, the City of American Canyon has entered into a Master Agreement with NVTA-TA that outlines procedures for Measure T expenditures, and

WHEREAS, the City of American Canyon has determined and certified to NVTA-TA the average maintenance of effort amount for Fiscal Years 2007-08, 2008-09, and 2009-10, consistent with the criteria set forth in Section 9 of Ordinance No. 2012-01, including a memorandum detailing the supporting financial documentation and the methodology utilized to calculate the average fiscal year street and roads costs; and

WHEREAS, by January 1st each calendar year, the City of American Canyon must certify to, and provide NVTA-TA a copy of supporting documentation as well as a Resolution approved by the governing body of the City of American Canyon, including backup documentation, demonstrating that the Maintenance of Effort was met the prior fiscal year based on the average of the prior three fiscal years; and;

WHEREAS, Measure T project(s) will comply with the requirements under the California Environmental Quality Act (California Code Sections 21000 et seq.; as implemented through California Regulations Title 14, Chapter 3, Sections 15000 et seq.);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of American Canyon does resolve as follows:

1. The City Council of the City of American Canyon hereby certifies the Maintenance of Effort amount

of \$370,015 has been met as set forth in Exhibits "A", "B", "C", "D", "E", "F", and "G", and authorizes the Public Works Director to file the amount with NVTA-TA.

2. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 7th day of December, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVE AS TO FORM:

Taresa Guilfuss, City Clerk

William D. Ross, City Attorney

General Ledger

Summary Trial Balance

User: lbogard
 Printed: 11/22/2021 - 4:08PM
 Period: 01 to 15, 2021



Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
Fund 100	100 GENERAL FUND					
REVENUE						
Dept 40	PW UTILITIES AND MAINTENANC					
100-40-520-36330	Insurance Reimbursements	0.00	0.00	0.00	11,455.53	-11,455.53
100-40-520-37260	Transfer In from Gas Tax	300,000.00	0.00	0.00	300,000.00	-300,000.00
100-40-520-37270	Transfer In from Measure A	0.00	0.00	0.00	0.00	0.00
	100-40 REVENUE Totals:	300,000.00	0.00	0.00	311,455.53	-311,455.53
	REVENUE Totals:	300,000.00	0.00	0.00	311,455.53	-311,455.53
EXPENSE						
Dept 40	PW UTILITIES AND MAINTENANC					
100-40-520-41110	Wages - Full time	167,500.00	0.00	168,105.11	1,462.01	166,643.10
100-40-520-41120	Wages - Part Time	0.00	0.00	0.00	0.00	0.00
100-40-520-41140	Wages - Overtime	2,800.00	0.00	1,524.21	0.00	1,524.21
100-40-520-41210	Health Insurance	16,400.00	0.00	18,511.12	0.00	18,511.12
100-40-520-41230	Health-In-Lieu	7,400.00	0.00	7,350.00	0.00	7,350.00
100-40-520-41240	Cafeteria Plan Section 125	8,800.00	0.00	8,847.44	0.00	8,847.44
100-40-520-41250	PERS Retirement	36,100.00	0.00	36,730.90	649.13	36,081.77
100-40-520-41260	Social Security & Medicare	2,700.00	0.00	2,691.47	23.28	2,668.19
100-40-520-41270	Worker Comp Insurance	13,700.00	0.00	13,689.55	0.00	13,689.55
100-40-520-41290	Benefits - Other	700.00	0.00	717.06	5.47	711.59
100-40-520-42150	Info Tech Support Services	2,700.00	0.00	1,201.30	0.00	1,201.30
100-40-520-42190	Misc Contractual Services	28,900.00	0.00	10,813.81	0.00	10,813.81
100-40-520-42310	General Repairs & Maint	97,000.00	0.00	77,384.11	64.17	77,319.94
100-40-520-42315	Reimbursable Repairs	30,000.00	0.00	27,343.89	0.00	27,343.89
100-40-520-42425	Membership Dues & Subscription	5,000.00	0.00	2,063.48	0.00	2,063.48
100-40-520-42430	Conferences - Training	1,000.00	0.00	833.10	0.00	833.10
100-40-520-42484	ISF - Fleet	92,900.00	0.00	139,350.00	46,450.00	92,900.00

Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
100-40-520-42485	ISF - Info Tech	3,100.00	0.00	4,650.00	1,550.00	3,100.00
100-40-520-42487	ISF - Legal Services	5,800.00	0.00	8,700.00	2,900.00	5,800.00
100-40-520-43110	Office Supplies	1,000.00	0.00	405.43	0.00	405.43
100-40-520-43115	Operating Supplies	45,320.00	0.00	37,990.35	0.00	37,990.35
100-40-520-43210	Utilities - Gas & Elec	83,700.00	0.00	99,680.59	4,654.70	95,025.89
100-40-520-43220	Util-PhonesPgrrInternetCable	2,100.00	0.00	1,527.32	0.00	1,527.32
	100-40 EXPENSE Totals:	654,620.00	0.00	670,110.24	57,758.76	612,351.48
	EXPENSE Totals:	654,620.00	0.00	670,110.24	57,758.76	612,351.48
	Fund 100 Totals:	-354,620.00	0.00	670,110.24	369,214.29	300,895.95
	Report Totals:	-354,620.00	0.00	670,110.24	369,214.29	300,895.95

Project Management

Payroll PM Detail

User: jcruz

Printed: 11/22/21 13:34:50

Fiscal Year 0000 - Periods 00 to 15

Date Range 07/01/20 to 06/30/21

Sort Field	Description						
07/02/20	50DelosSan Employee Gross	Kristine Joy Delos Santos	32.50	1,484.60	-	1,484.60	
07/02/20	50DelosSan Employee Benefit	Kristine Joy Delos Santos	-	823.76	-	823.76	
07/16/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	143.37	-	143.37	
07/16/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	33.00	1,537.47	-	1,537.47	
07/30/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	64.50	3,005.06	-	3,005.06	
07/30/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	280.20	-	280.20	
08/13/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	1,417.21	-	1,417.21	
08/13/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	51.50	2,399.39	-	2,399.39	
08/27/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	53.00	2,469.27	-	2,469.27	
08/27/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	230.24	-	230.24	
09/10/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	66.00	3,074.94	-	3,074.94	
09/10/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	1,816.25	-	1,816.25	
09/24/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	66.75	3,109.88	-	3,109.88	
09/24/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	289.97	-	289.97	
10/08/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	2,091.43	-	2,091.43	
10/08/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	76.00	3,540.84	-	3,540.84	
10/22/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	35.50	1,653.95	-	1,653.95	
10/22/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	154.21	-	154.21	
11/05/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	605.41	-	605.41	
11/05/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	22.00	1,024.98	-	1,024.98	
11/19/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	58.65	-	58.65	
11/19/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	13.50	628.97	-	628.97	
12/03/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	19.00	885.21	-	885.21	
12/03/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	522.85	-	522.85	
12/17/20	55DelosSan Employee Gross	Kristine Joy Delos Santos	67.50	3,144.83	-	3,144.83	
12/17/20	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	293.23	-	293.23	
01/01/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	35.50	1,653.95	-	1,653.95	
01/01/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	1,025.25	-	1,025.25	
01/14/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	35.00	1,630.65	-	1,630.65	
01/14/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	152.04	-	152.04	
01/28/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	59.50	2,772.11	-	2,772.11	
01/28/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	258.48	-	258.48	
02/11/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	77.00	3,587.43	-	3,587.43	
02/11/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	2,223.79	-	2,223.79	
02/25/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	54.25	2,527.51	-	2,527.51	
02/25/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	235.67	-	235.67	
03/11/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	69.75	3,249.65	-	3,249.65	
03/11/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	2,014.40	-	2,014.40	
03/25/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	56.50	2,632.34	-	2,632.34	
03/25/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	245.45	-	245.45	
04/08/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	1,025.24	-	1,025.24	
04/08/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	35.50	1,653.95	-	1,653.95	
04/22/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	62.50	3,086.59	-	3,086.59	
04/22/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	246.52	-	246.52	

05/06/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	34.50	1,607.36	-	1,607.36
05/06/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	996.37	-	996.37
05/20/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	191.14	-	191.14
05/20/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	44.00	2,049.96	-	2,049.96
06/03/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	519.84	-	519.84
06/03/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	18.00	838.62	-	838.62
06/17/21	55DelosSan Employee Gross	Kristine Joy Delos Santos	11.00	512.49	-	512.49
06/17/21	55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	47.78	-	47.78
09/10/20	55HendryxR Employee Gross	Rebecca Hendryx	2.00	72.18	-	72.18
09/10/20	55HendryxR Employee Benefit	Rebecca Hendryx	-	50.94	-	50.94
10/08/20	55HendryxR Employee Gross	Rebecca Hendryx	5.00	180.45	-	180.45
10/08/20	55HendryxR Employee Benefit	Rebecca Hendryx	-	100.77	-	100.77
10/22/20	55HendryxR Employee Gross	Rebecca Hendryx	3.50	135.34	-	135.34
10/22/20	55HendryxR Employee Benefit	Rebecca Hendryx	-	9.43	-	9.43
02/11/21	55HendryxR Employee Gross	Rebecca Hendryx	1.50	54.14	-	54.14
02/11/21	55HendryxR Employee Benefit	Rebecca Hendryx	-	40.18	-	40.18
03/11/21	55HendryxR Employee Gross	Rebecca Hendryx	1.50	54.14	-	54.14
03/11/21	55HendryxR Employee Benefit	Rebecca Hendryx	-	40.18	-	40.18
06/17/21	55HendryxR Employee Gross	Rebecca Hendryx	0.50	18.05	-	18.05
06/17/21	55HendryxR Employee Benefit	Rebecca Hendryx	-	1.50	-	1.50
05/20/21	50JarviS Employee Gross	Steven Jarvi	6.00	194.52	-	194.52
05/20/21	50JarviS Employee Benefit	Steven Jarvi	-	16.22	-	16.22
05/20/21	50OrejaA Employee Gross	Anthony I Oreja	6.00	194.52	-	194.52
05/20/21	50OrejaA Employee Benefit	Anthony I Oreja	-	16.23	-	16.23
07/02/20	50MillerD Employee Gross	David Miller	6.00	274.08	-	274.08
07/02/20	50MillerD Employee Benefit	David Miller	-	24.44	-	24.44
10/08/20	55MillerD Employee Gross	David Miller	13.00	605.67	-	605.67
10/08/20	55MillerD Employee Benefit	David Miller	-	(51.98)	-	(51.98)
07/02/20	50RanadaR Employee Gross	Ronald V Ranada Jr	6.50	414.31	-	414.31
07/02/20	50RanadaR Employee Benefit	Ronald V Ranada Jr	-	182.55	-	182.55
07/16/20	55RanadaR Employee Gross	Ronald V Ranada Jr	14.50	942.79	-	942.79
07/16/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	133.84	-	133.84
07/30/20	55RanadaR Employee Gross	Ronald V Ranada Jr	7.00	455.14	-	455.14
07/30/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	64.61	-	64.61
08/27/20	55RanadaR Employee Gross	Ronald V Ranada Jr	11.50	747.73	-	747.73
08/27/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	69.85	-	69.85
09/10/20	55RanadaR Employee Gross	Ronald V Ranada Jr	10.00	650.20	-	650.20
09/10/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	296.01	-	296.01
09/24/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	18.22	-	18.22
09/24/20	55RanadaR Employee Gross	Ronald V Ranada Jr	3.00	195.06	-	195.06
10/08/20	55RanadaR Employee Gross	Ronald V Ranada Jr	34.50	2,243.19	-	2,243.19
10/08/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	807.51	-	807.51
10/22/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	88.07	-	88.07
10/22/20	55RanadaR Employee Gross	Ronald V Ranada Jr	14.50	942.79	-	942.79
11/05/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	444.00	-	444.00
11/05/20	55RanadaR Employee Gross	Ronald V Ranada Jr	15.00	975.30	-	975.30
11/19/20	55RanadaR Employee Gross	Ronald V Ranada Jr	3.00	195.06	-	195.06
11/19/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	18.21	-	18.21
12/03/20	55RanadaR Employee Gross	Ronald V Ranada Jr	7.00	455.14	-	455.14
12/03/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	207.20	-	207.20
12/17/20	55RanadaR Employee Gross	Ronald V Ranada Jr	17.00	1,105.34	-	1,105.34
12/17/20	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	103.25	-	103.25
01/01/21	55RanadaR Employee Gross	Ronald V Ranada Jr	9.50	617.69	-	617.69
01/01/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	294.33	-	294.33

01/14/21	55RanadaR Employee Gross	Ronald V Ranada Jr	10.00	650.20	-	650.20
01/14/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	60.74	-	60.74
01/28/21	55RanadaR Employee Gross	Ronald V Ranada Jr	19.00	1,235.38	-	1,235.38
01/28/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	115.39	-	115.39
02/11/21	55RanadaR Employee Gross	Ronald V Ranada Jr	26.00	1,690.52	-	1,690.52
02/11/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	805.54	-	805.54
02/25/21	55RanadaR Employee Gross	Ronald V Ranada Jr	15.50	1,007.81	-	1,007.81
02/25/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	94.15	-	94.15
03/11/21	55RanadaR Employee Gross	Ronald V Ranada Jr	25.00	1,625.50	-	1,625.50
03/11/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	774.55	-	774.55
03/25/21	55RanadaR Employee Gross	Ronald V Ranada Jr	24.50	1,592.99	-	1,592.99
03/25/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	148.81	-	148.81
04/08/21	55RanadaR Employee Gross	Ronald V Ranada Jr	14.00	910.28	-	910.28
04/08/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	433.75	-	433.75
05/06/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	402.78	-	402.78
05/06/21	55RanadaR Employee Gross	Ronald V Ranada Jr	13.00	845.26	-	845.26
05/20/21	55RanadaR Employee Gross	Ronald V Ranada Jr	3.00	195.06	-	195.06
05/20/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	18.22	-	18.22
06/03/21	55RanadaR Employee Gross	Ronald V Ranada Jr	2.50	162.55	-	162.55
06/03/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	77.45	-	77.45
06/17/21	55RanadaR Employee Gross	Ronald V Ranada Jr	4.50	292.59	-	292.59
06/17/21	55RanadaR Employee Benefit	Ronald V Ranada Jr	-	27.33	-	27.33
TR20-0100	2020 Annual Pavement Mgmt Proj					

Description	Name	Hours	Amount
50DelosSan Employee Benefit	Kristine Joy Delos Santos	-	823.76
50DelosSan Employee Gross	Kristine Joy Delos Santos	32.50	1,484.60
50RanadaR Employee Benefit	Ronald V Ranada Jr	-	182.55
50RanadaR Employee Gross	Ronald V Ranada Jr	6.50	414.31
55DelosSan Employee Benefit	Kristine Joy Delos Santos	-	17,084.99
55DelosSan Employee Gross	Kristine Joy Delos Santos	1,161.25	54,277.40
55HendryxR Employee Benefit	Rebecca Hendryx	-	243.00
55HendryxR Employee Gross	Rebecca Hendryx	14.00	514.30
55MillerD Employee Benefit	David Miller	-	(51.98)
55MillerD Employee Gross	David Miller	13.00	605.67
55RanadaR Employee Benefit	Ronald V Ranada Jr	-	5,503.81
55RanadaR Employee Gross	Ronald V Ranada Jr	303.50	19,733.57
		1,530.75	100,815.98

General Ledger

Summary Trial Balance

User: lbogard
 Printed: 12/28/2020 - 1:24PM
 Period: 01 to 15, 2020



Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
Fund 100	100 GENERAL FUND					
REVENUE						
Dept 50	PUBLIC WORKS					
100-50-520-35170	Developer Contributions In Lie	0.00	0.00	0.00	0.00	0.00
100-50-520-36330	Insurance Reimbursements	30,000.00	0.00	0.00	0.00	0.00
100-50-520-37260	Transfer In from Gas Tax	300,000.00	0.00	0.00	300,000.00	-300,000.00
100-50-520-37270	Transfer In from Measure A	0.00	0.00	0.00	0.00	0.00
	100-50 REVENUE Totals:	330,000.00	0.00	0.00	300,000.00	-300,000.00
	REVENUE Totals:	330,000.00	0.00	0.00	300,000.00	-300,000.00
EXPENSE						
Dept 50	PUBLIC WORKS					
100-50-520-41110	Wages - Full time	290,600.00	0.00	293,432.35	3,078.76	290,353.59
100-50-520-41120	Wages - Part Time	0.00	0.00	0.00	0.00	0.00
100-50-520-41140	Wages - Overtime	2,000.00	0.00	4,942.25	0.00	4,942.25
100-50-520-41210	Health Insurance	33,600.00	0.00	32,944.53	0.00	32,944.53
100-50-520-41230	Health-In-Lieu	10,800.00	0.00	10,800.00	0.00	10,800.00
100-50-520-41240	Cafeteria Plan Section 125	14,400.00	0.00	14,266.52	0.00	14,266.52
100-50-520-41250	PERS Retirement	47,800.00	0.00	48,143.60	0.00	48,143.60
100-50-520-41260	Social Security & Medicare	4,600.00	0.00	4,692.53	0.00	4,692.53
100-50-520-41270	Worker Comp Insurance	27,100.00	0.00	25,917.84	0.00	25,917.84
100-50-520-41290	Benefits - Other	1,000.00	0.00	995.94	0.00	995.94
100-50-520-42130	Engineering Contract Services	0.00	0.00	0.00	0.00	0.00
100-50-520-42150	Info Tech Support Services	1,000.00	0.00	3,546.34	0.00	3,546.34
100-50-520-42190	Misc Contractual Services	30,000.00	0.00	27,737.21	80.21	27,657.00
100-50-520-42310	General Repairs & Maint	97,100.00	0.00	57,802.53	9,847.56	47,954.97
100-50-520-42315	Reimbursable Repairs	30,000.00	0.00	6,169.00	0.00	6,169.00
100-50-520-42425	Membership Dues & Subscription	3,000.00	0.00	2,790.04	0.00	2,790.04

Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
100-50-520-42430	Conferences - Training	3,000.00	0.00	2,591.42	0.00	2,591.42
100-50-520-42484	ISF - Fleet	0.00	0.00	0.00	0.00	0.00
100-50-520-42485	ISF - Info Tech	5,200.00	0.00	2,600.00	0.00	2,600.00
100-50-520-43110	Office Supplies	1,000.00	0.00	313.27	0.00	313.27
100-50-520-43115	Operating Supplies	63,000.00	0.00	63,358.18	8.74	63,349.44
100-50-520-43125	Small Tools & Equip	0.00	0.00	0.00	0.00	0.00
100-50-520-43190	Supplies - Other	0.00	0.00	0.00	0.00	0.00
100-50-520-43210	Utilities - Gas & Elec	125,000.00	0.00	117,268.88	0.00	117,268.88
100-50-520-43220	Util-PhonesPgrsInternetCable	1,500.00	0.00	2,154.28	0.00	2,154.28
	100-50 EXPENSE Totals:	791,700.00	0.00	722,466.71	13,015.27	709,451.44
	EXPENSE Totals:	791,700.00	0.00	722,466.71	13,015.27	709,451.44
	Fund 100 Totals:	-461,700.00	0.00	722,466.71	313,015.27	409,451.44
	Report Totals:	-461,700.00	0.00	722,466.71	313,015.27	409,451.44

Measure T MOE Certification
City of American Canyon

2020-21
Additional Direct Project Costs
Annual Pavement Management Project

	2007-08	2008-09	2009-10	2018-19	2019-20	2020-21	
GROSS GENERAL FUND EXPENSES - 100-40-520							
41110 FT Salaries				255,276.85	290,353.59	166,643.10	
41120 PT Salaries				1,677.06	-	-	
41140 Overtime				2,435.07	4,942.25	1,524.21	
41210 Health Insurance				28,212.22	32,944.53	18,511.12	
41220 Dental Ins				-	-	-	
41230 Health In-lieu				10,390.00	10,800.00	7,350.00	
41240 Cafeteria Plan				12,389.90	14,266.52	8,847.44	
41250 PERS				40,674.45	48,143.60	36,081.77	
41260 Social Security				4,106.24	4,692.53	2,668.19	
41270 Worker's Comp				30,065.00	25,917.84	13,689.55	
41290 Benefits - Other				728.37	995.94	711.59	
total salaries	237,132.63	231,844.29	184,519.29	259,388.98	295,295.84	245,197.16	77,029.85
total benefits	94,217.81	92,924.43	78,075.68	126,566.18	137,760.96	111,645.79	23,786.13
42130 Engineering Contract Services		11,863.80		-	-	-	
42150 Information Technology Services		2,104.00	1,791.84	996.97	3,546.34	1,201.30	
42160 Other Professional Services	8,815.12	9,495.15	19,841.16	-	-	-	
42180 Temp Agency Services		9,125.81		-	-	-	
42190 Misc. Contractual Services	2,779.05	3,863.36	9,231.06	7,283.54	27,657.00	10,813.81	
42310 General Repairs and Maintenance	80,148.21	76,939.39	25,588.35	66,790.71	47,954.97	77,319.94	
Street Sweeping - citywide cleaning only	40,343.36	63,142.49	57,946.68	-	-	-	
42315 Reimbursable Repairs				29,800.00	6,169.00	27,343.89	
42425 Membership Dues	584.68	1,295.00	889.75	3,180.76	2,790.04	2,063.48	
42430 Training	4,238.70	3,998.67	1,810.47	2,327.28	2,591.42	833.10	
42440 Equipment Rental	1,107.48	3,820.47	1,361.43	-	-	-	
42484 ISF: Fleet				145,300.00	-	92,900.00	
42485 ISF: IT				5,000.00	2,600.00	3,100.00	
ISF: Building Maintenance				-	-	-	
42490 Other Services	79.67	163.81	75.99	-	-	-	
43110 Office Supplies	258.10	158.71	308.16	351.50	313.27	405.43	
43115 Operating Supplies	95,727.85	149,380.83	71,659.95	38,154.99	63,349.44	37,990.35	
43125 Small Tools & Equipment	3,374.71	679.61	7,742.38	-	-	-	
43190 Other Supplies	4,028.08	3,732.47	1,091.79	-	-	-	
43210 Electricity	99,704.86	102,124.48	105,216.70	120,996.65	117,268.88	95,025.89	
43220 Telephone	2,302.57	3,903.40	1,734.65	2,346.71	2,154.28	1,527.32	
46120 Major Equipment	30,649.47	-	-	-	-	-	
47110 Support Services (Finance, HR, etc.)	86,600.00	98,780.00	69,200.00	-	-	-	
48110 Fleet	38,100.00	33,940.00	30,900.00	-	-	-	
48110 Public Works Administration	24,750.00	133,680.00	82,240.65	-	-	-	
48110 Liability Insurance - streets	15,340.00	11,500.00	7,200.00	-	-	-	
48120 Retiree Health	24,200.00	9,600.00	26,800.00	-	-	-	
48140 Transfers to Other Funds	8,100.00	8,000.00	-	-	-	-	
Subtotal	902,582.35	1,066,060.17	785,225.98	808,484.27	709,451.44	707,367.46	
EXPENSE EXCLUSIONS							
One-Time Expenses: Capital Purchase	(30,649.47)	-	-	-	-	-	
One-time Expenses: Street Sweeping	(40,343.36)	(63,142.49)	(57,946.68)	-	-	-	
Reimbursable Repairs				(29,800.00)	(6,169.00)	(27,343.89)	
Retiree Health Insurance	(24,200.00)	(9,600.00)	(26,800.00)	-	-	-	
Support Services (Finance, HR)	(86,600.00)	(98,780.00)	(69,200.00)	-	-	-	
Employee home purchase	(8,100.00)	(8,000.00)	-	-	-	-	
ELIGIBLE STREET MAINTENANCE EXPENSES	709,007.00	807,364.00	655,995.00	778,684.27	703,282.44	680,023.57	
LESS: REVENUES RECEIVED FROM OTHER SOURCES							
Miscellaneous Revenues	13,629.46	3,037.94	3,654.34			11,455.53	
Prop 1B		400,000.00					
Gas tax	214,000.00	214,000.00	214,000.00	300,000.00	300,000.00	300,000.00	
NET GENERAL FUND EXPENDITURES ON ELIGIBLE STREET MAINTENANCE EXPENSES	481,377.54	190,326.06	438,340.66	478,684.27	403,282.44	368,568.04	
	370,015			MOE Met	MOE Met	MOE Not Met	
				-	-	(1,446.96)	
						3-Year Average	
						416,844.92	
						MOE Met	
						-	

General Ledger

Summary Trial Balance

User: lbogard
 Printed: 12/28/2020 - 1:22PM
 Period: 01 to 15, 2019



Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
Fund 100	100 GENERAL FUND					
REVENUE						
Dept 50	PUBLIC WORKS					
100-50-520-33110	Grants - Federal	0.00	0.00	0.00	0.00	0.00
100-50-520-33115	Grants - State & Local	0.00	0.00	0.00	0.00	0.00
100-50-520-33190	Grants - Other	0.00	0.00	0.00	0.00	0.00
100-50-520-35170	Developer Contributions In Lie	0.00	0.00	0.00	0.00	0.00
100-50-520-36330	Insurance Reimbursements	20,000.00	0.00	0.00	0.00	0.00
100-50-520-36390	Misc Revenues - Other	0.00	0.00	0.00	0.00	0.00
100-50-520-37260	Transfer In from Gas Tax	300,000.00	0.00	0.00	300,000.00	-300,000.00
100-50-520-37270	Transfer In from Measure A	0.00	0.00	0.00	0.00	0.00
	100-50 REVENUE Totals:	320,000.00	0.00	0.00	300,000.00	-300,000.00
	REVENUE Totals:	320,000.00	0.00	0.00	300,000.00	-300,000.00
EXPENSE						
Dept 50	PUBLIC WORKS					
100-50-520-41110	Wages - Full time	279,600.00	0.00	265,358.06	10,081.21	255,276.85
100-50-520-41120	Wages - Part Time	2,000.00	0.00	1,677.06	0.00	1,677.06
100-50-520-41140	Wages - Overtime	0.00	0.00	2,469.32	34.25	2,435.07
100-50-520-41210	Health Insurance	17,100.00	0.00	30,957.18	2,744.96	28,212.22
100-50-520-41230	Health-In-Lieu	15,400.00	0.00	11,340.00	950.00	10,390.00
100-50-520-41240	Cafeteria Plan Section 125	14,700.00	0.00	13,527.74	1,137.84	12,389.90
100-50-520-41250	PERS Retirement	45,400.00	0.00	41,500.45	826.00	40,674.45
100-50-520-41260	Social Security & Medicare	4,600.00	0.00	4,268.32	162.08	4,106.24
100-50-520-41270	Worker Comp Insurance	29,200.00	0.00	30,065.00	0.00	30,065.00
100-50-520-41290	Benefits - Other	1,000.00	0.00	736.65	8.28	728.37
100-50-520-42130	Engineering Contract Services	0.00	0.00	0.00	0.00	0.00
100-50-520-42150	Info Tech Support Services	3,000.00	0.00	996.97	0.00	996.97

Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
100-50-520-42160	Professional Services	0.00	0.00	0.00	0.00	0.00
100-50-520-42190	Misc Contractual Services	45,000.00	0.00	7,585.25	301.71	7,283.54
100-50-520-42310	General Repairs & Maint	72,000.00	0.00	69,878.83	3,088.12	66,790.71
100-50-520-42315	Reimbursable Repairs	49,800.00	0.00	29,800.00	0.00	29,800.00
100-50-520-42425	Membership Dues & Subscription	2,100.00	0.00	3,360.76	180.00	3,180.76
100-50-520-42430	Conferences - Training	4,000.00	0.00	2,327.28	0.00	2,327.28
100-50-520-42484	ISF - Fleet	145,300.00	0.00	145,300.00	0.00	145,300.00
100-50-520-42485	ISF - Info Tech	5,000.00	0.00	5,000.00	0.00	5,000.00
100-50-520-43110	Office Supplies	1,000.00	0.00	386.86	35.36	351.50
100-50-520-43115	Operating Supplies	76,000.00	0.00	48,120.58	9,965.59	38,154.99
100-50-520-43210	Utilities - Gas & Elec	125,000.00	0.00	120,996.65	0.00	120,996.65
100-50-520-43220	Util-PhonesPgrsInternetCable	1,500.00	0.00	2,346.71	0.00	2,346.71
	100-50 EXPENSE Totals:	938,700.00	0.00	837,999.67	29,515.40	808,484.27
	EXPENSE Totals:	938,700.00	0.00	837,999.67	29,515.40	808,484.27
	Fund 100 Totals:	-618,700.00	0.00	837,999.67	329,515.40	508,484.27
	Report Totals:	-618,700.00	0.00	837,999.67	329,515.40	508,484.27

City of American Canyon
 Measure T Maintenance of Effort (MOE) Certification for
 Fiscal Year 2020-2021

NVTA-TA Approved MOE	\$ 370,015.00
	<hr/>
MOE Amount Certified for FY 2020-21	\$ 380,023.57
MOE Amount Certified for FY 2019-20	\$ 403,282.44
MOE Amount Certified for FY 2018-19	\$ 478,684.27
3-Year Average MOE Amount FY 18-21	\$ 420,663.43
	<hr/>
Measure T funds Received in FY 2020-21	\$ 1,218,055.55
Measure T funds Expended in FY 2020-21	\$ 1,640,658.21
Measure T funds Balance in Account	\$ 1,537,381.18
	<hr/>

	(1)			(2)			(1)			(2)		
	2007/2008	Proration	MOE	2008/2009	Proration	MOE	2009/2010	Proration	MOE	2009/2010	Proration	MOE
GENERAL FUND EXPENSES - (GL 101-50-520-xxxxx)												
41110-40 FT, PT, OT Salaries	415,598	57%	237,133	352,598	61%	213,335	210,413	84%	175,743			
41210 Health Insurance	61,963	57%	35,355	60,732	61%	36,745	37,266	84%	31,126			
41220 Dental Ins	173	57%	99	-	61%	-	-	84%	-			
41230 Health In-lieu	-	57%	-	-	61%	-	-	84%	-			
41240 Cafeteria Plan	17,733	57%	10,118	16,384	61%	9,913	9,792	84%	8,179			
41250 PERS	51,683	57%	29,490	45,666	61%	27,630	26,735	84%	22,330			
41260 Social Security	9,585	57%	5,469	6,358	61%	3,847	3,683	84%	3,076			
41270 Worker's Comp	22,361	57%	12,759	21,454	61%	12,980	13,428	84%	11,216			
41290 Benefits - Other	255	57%	146	114	61%	69	219	84%	183			
42130 Engineering Contract Services	69,310	0%	-	54,319	0%	-	19,158	0%	-			
42150 Information Technology Services	-	57%	-	2,104	61%	1,273	1,792	84%	1,497			
42160 Other Professional Services	8,815	57%	5,030	9,495	61%	5,745	19,841	84%	16,572			
42180 Temp Agency Services	-	57%	-	9,126	61%	5,521	-	84%	-			
42190 Misc. Contractual Services	2,779	57%	1,586	3,863	61%	2,337	9,231	84%	7,710			
42310 General Repairs and Maintenance	80,148	100%	80,148	76,939	100%	76,939	25,588	100%	25,588			
42310 Street Sweeping	40,343	0%	-	63,142	0%	-	57,947	0%	-			
42425 Membership Dues	585	57%	334	1,295	61%	784	890	84%	743			
42430 Training	4,239	57%	2,419	3,999	61%	2,419	1,810	84%	1,512			
42440 Equipment Rental	1,107	57%	632	3,820	61%	2,312	1,361	84%	1,137			
42490 Other Services	80	57%	45	164	61%	99	76	84%	63			
43110 Office Supplies	258	57%	147	159	61%	96	308	84%	257			
43115 Operating Supplies	95,728	100%	95,728	159,710	100%	159,710	71,660	100%	71,660			
43125 Small Tools & Equipment	3,375	57%	1,926	680	61%	411	7,742	84%	6,467			
43190 Other Supplies	4,028	57%	2,298	3,732	61%	2,258	1,092	84%	912			
43210 Electricity	99,705	57%	56,890	102,124	61%	61,789	105,217	84%	87,880			
43220 Telephone	2,303	57%	1,314	3,903	61%	2,362	1,735	84%	1,449			
46120 Major Equipment	30,649	57%	17,488	-	61%	-	-	84%	-			
47110 Support Services (Finance, HR, etc.)	86,600	57%	49,412	98,780	61%	59,766	69,200	84%	57,798			
48110 Fleet	38,100	57%	21,739	33,940	61%	20,535	30,900	84%	25,809			
48110 Public Works Administration	24,750	57%	14,122	133,680	61%	80,882	82,241	84%	68,690			
48110 Liability Insurance - streets	15,340	57%	8,753	11,500	61%	6,958	7,200	84%	6,014			
48120 Retiree Health	24,200	57%	13,808	9,600	61%	5,808	26,800	84%	22,384			
48140 Transfers to Other Funds	8,100	57%	4,622	8,000	61%	4,840	-	84%	-			
Subtotal Expenses	1,219,892		709,007	1,297,381		807,364	843,325		655,995			

NON-GENERAL FUND REVENUE	<u>FY 2007/8</u>	<u>FY 2008/9</u>	<u>FY 2009/10</u>
Miscellaneous Revenues	13,629	3,038	3,654
Prop 1B	-	400,000	-
Gas tax	214,000	214,000	214,000
Subtotal Revenue	227,629	617,038	217,654
General Fund MOE (GF Expenses Less Non-GF Revenue)	481,377	190,326	438,340
Average General Fund MOE	\$ 370,015		



TITLE

Second Reading for Proposed "Lodging" in the Local-Serving Mixed-Use (LSMU) Zoning District and a Conditional Use Permit for a Hampton Inn Hotel

RECOMMENDATION

Hold a Public Hearing and take the following actions: 1. Waive second reading, read by title only, and adopt an Ordinance to amend the Broadway District Specific Plan Table 2-3 to permit Lodging as a Conditionally Permitted Use in the Local Serving Mixed Use Zoning District (LSMU) Zoning District and add a new Special Development Requirement No. 3 to require Lodging Uses in the LSMU Zoning District qualify for a three Star Forbes Travel Guide Rating (File No. PL20-0030; and

2. Adopt a Resolution of the City Council of the City of American Canyon to approve a Conditional Use Permit for a 112-room Hampton Inn hotel on a 2.53-acre parcel at 3443 Broadway St, APN 058-312-010 (File No. PL20-0029).

CONTACT

William He, AICP, Associate Planner

BACKGROUND & ANALYSIS

On November 16, 2021, the City Council introduced first reading to amend the Broadway District Specific Plan Table 2-3 to permit Lodging as a Conditionally Permitted Use in the Local Serving Mixed Use Zoning District (LSMU) Zoning District and added a new Special Development Requirement No. 3 to require Lodging Uses in the LSMU Zoning District qualify for a three Star Forbes Travel Guide Rating (File No. PL20-0030). Approval of the second reading would permit lodging in the LSMU Zoning District. A copy of the Ordinance is included as Attachment 1.

Hampton Inn Conditional Use Permit

Site Information

General Plan Designation	Local-Serving Mixed Use (LSMU)
Zoning District	Local-Serving Mixed Use (LSMU)
Site Size	2.53 acres
Present Use	Residence with an upholstery store

Surrounding Uses	North: LSMU / Commercial and duplexes South Community Commercial (CC) / Canyon Plaza Shopping Center East: LSMU / Navajo Rug and American Canyon Car Wash West: Residential Rural 10,000 and 20,000 (RR10,000 and RR20,000) / single-family residences
Access	From southbound Highway 29

Proposed Development

Ajani Management, LLC, AMS Associates Inc. proposed a 112-room, three-story Hampton Inn hotel on a 2.52-acre parcel located at 3443 Broadway. The hotel features 112 rooms, a swimming pool, a meeting room, and a fitness center. The 3-story hotel will be approximately 61,000 square feet. A Resolution to approve the proposed Hampton Inn Hotel Conditional Use Permit is included as Attachment 2. The Conditional Use Permit includes a site plan, architecture plans, and a landscaping plan, which is included as Attachments 3, 4, and 5. A map depicting the proposed hotel location is included as Attachment 6. An aerial site photograph and Street View is included as Attachment 7.

On October 28, 2021, the Planning Commission conducted a public hearing and unanimously recommended City Council approve the Hampton Inn hotel Conditional Use Permit.

PROJECT ISSUES:

Context-Sensitive Architecture: The initial Hampton Inn hotel architecture submittal represents a “Modern” architectural style. The Broadway District Specific Plan (BDSP) Design Guidelines call for a “Modern Farmhouse” or “Modern Industrial” architectural style. Whether the appropriate style is Modern Farmhouse or Modern Industrial depends on the architectural context of neighboring buildings.

The applicant revised the architecture into a more context-sensitive design and relocated the windmill to a landscape area at the front of the hotel. A photo-simulation depicting the initial and current Hampton Inn architecture is included as Attachment 8 with a portion of neighboring Canyon Plaza included for context.

Broadway Frontage Improvements: Currently, there are two vehicle entries to the site from southbound Highway 29. The Hampton Inn project will have one vehicle entry to Highway 29 and a pedestrian access to the public right-of-way. The project will provide a 17’-7” wide sidewalk and a 30’ landscape setback across the Broadway frontage. The preliminary landscape plan includes 5 London Plane, 2 Coast Live Oak, and 1 Pepper tree. The new sidewalk will connect to the Canyon Plaza shopping center to the south.

Pedestrian and Vehicle Connection: BDSP Policy 3-15 requires interconnections with reciprocal access easements between neighboring properties to improve access, and customer convenience, and reduce short vehicle trips on Broadway.

- **Connection to Canyon Plaza:** The site plan depicts a concrete path that leads to an approximately 25-foot long wooden bridge that spans a drainage swale on the Canyon Plaza property. The site plan depicts a 10-foot wide trail, consistent with the staff recommendation. Conditions of approval require a perpetual access and maintenance easement with the Canyon Plaza property owner.
- **Connection to Donaldson Way:** The “mid-block” Hampton Inn site configuration presents a challenge to hotel guests. On October 26, 2021, the applicant agreed to purchase a vacant parcel on Donaldson Way to accommodate vehicles, pedestrians, bicyclist connection to Donaldson Way. The parcel also accommodates 15 parking stalls.

Parking Reduction: The applicant proposes less parking than the Parking Code requires. To demonstrate that the hotel will have sufficient parking to meet its needs, the applicant submitted a letter from Hilton Hotels and a parking study. The study concludes a parking demand equal to 1.05 spaces per hotel room during weekdays and Saturday. Thus, the reduced parking will accommodate hotel parking demand. The Resolution includes a condition of approval that prohibits the hotel from using on-street parking. If the hotel finds there is insufficient parking to meet demand, the applicant may explore alternative means of parking, such as stacked parking spaces, valet parking service, or acquiring off-site parking at the owner’s expense. The Hilton Hotel Letter and Hampton Inn parking study are included as Attachments 9 and 10.

Overhead Utility Undergrounding: The BDSPP requires overhead utilities on-site and along property frontage to be placed underground in conjunction with the development of the site. The Hampton Inn Hotel site contains one overhead utility pole at the southeast property line. A graphic depicting the pole on the proposed Hampton Inn site is shown in Attachment 11. The applicant learned that Pacific Gas and Electric (PG&E) would approve the pole removal when power is obtained from Donaldson Way. The Hampton Inn Conditional Use Permit includes a condition of approval that requires removal of the existing utility pole and overhead wires across Highway 29.

Bicycle Parking: The Parking Code requires new development to provide bicycle parking in proportion to the amount of vehicle parking. For the Hampton Inn project, the Parking Code requires 7 bicycle parking spaces. Based on Planning Commission feedback, the applicant will provide 20 bicycle parking spaces. Six spaces will be located indoor if the need arises.

Electrical Vehicle (EV) Charging: The Municipal Code does not require EV charging spaces. The applicant proposed 7 EV charging spaces. Based on Planning Commission input, the applicant agreed to increase an additional 8 EV ready spaces for a total of 15 EV charging spaces.

West Napa Fault: The site is bisected by the West Napa Fault. According to State Law (Alquist-Priolo Earthquake Fault Act), occupied structures may not be located any closer than 50 feet from the fault setback. The applicant conducted a study which located the fault centerline. Fortunately,

the fault is located at the northeast corner of the site below a portion of the Broadway landscape setback and a parking lot drive aisle. The hotel is setback nearly 119 feet from the fault centerline which exceeds the required 50-foot setback.

Deceleration Lane: At the Planning Commission meeting and prior to the November 16, 2021 City Council meeting, a public comment suggested the hotel lacked a deceleration lane for the Broadway driveway entrance. As discussed during the Planning Commission meeting, a deceleration lane to serve the site already exists on Broadway. Therefore, there is no need for a new deceleration lane. A Google Street View image depicting the deceleration lane is included as Attachment 12.

Next Steps: Following the Zone Change second reading and Conditional Use Permit public hearing, the next steps include:

- The Ordinance and Conditional Use Permit would become effective 30 days following the second reading approval.
- Applicant may submit construction permit applications.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

The Hampton Inn CUP and Zone Change project required a developer's deposit from the Applicant for review and processing, so there is no fiscal impact for staff's time. If the City Council approves the project, the applicant will develop a new hotel in the City. The hotel can activate an underutilized parcel, bring jobs to the City, and bring additional customers to City stores and restaurants.

ENVIRONMENTAL REVIEW

The 2019 Broadway District Specific Plan (BDSP) Program Environmental Impact Report (PEIR) (SCH #2017042025) evaluated the development of the 292-acre site area along the Broadway corridor. The City made findings of overriding consideration for significant and unavoidable impacts. Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), an Addendum to the BDSP PEIR was prepared to evaluate the proposed project, as only some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The LSMU zoning district modification, which includes the proposed Hampton Inn project site and the amount of development are consistent with the PEIR.

ATTACHMENTS:

- [1. Hampton Inn CUP - Zone Change Ordinance 2nd Reading](#)
- [2. Hampton Inn CUP - Resolution](#)

3. Exhibit A - Hampton Inn CUP Site Plan 11.04.2021
4. Exhibit B - Hampton Inn CUP Architectural Plan 05.13.21
5. Exhibit C - Hampton Inn CUP Landscape Plans 07.06.2021
6. Vicinity Map
7. Aerial Site Photograph and Street View
8. Initial and Proposed Architecture
9. Hampton Inn by Hilton parking letter
10. Parking Study for the AC Hampton Inn
11. Overhead Utility Pole
12. Proposed Hampton Inn Deceleration Lane

ORDINANCE NO. 2021-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING AN AMENDMENT TO BROADWAY DISTRICT SPECIFIC PLAN TABLE 2-3 TO PERMIT LODGING AS A CONDITIONALLY PERMITTED USE IN THE LOCAL-SERVING MIXED-USE (LSMU) ZONING DISTRICT AND ADDING A NEW SPECIAL DEVELOPMENT REQUIREMENT NO. 3 TO REQUIRE LODGING USES IN THE LSMU ZONING DISTRICT QUALIFY FOR A THREE STAR OR HIGHER FORBES TRAVEL GUIDE RATING (FILE NO. PL20-0030)

WHEREAS, pursuant to Section 65300 of the State Planning and Zoning Law, the City of American Canyon (City) has adopted a General Plan to provide comprehensive long-range planning and a blueprint of the City's future form, including land use and circulation maps that specify the roadway network and the distribution of types and intensities of land; and

WHEREAS, on August 26, 2020, Anjani Management, LLC and AMS Associates submitted a Conditional Use Permit and Zone Change application to allow for the development of a 112-room Hampton Inn hotel at 3443 Broadway St (APN 058-312-010) (File No. PL20-0030); and

WHEREAS, the project site is located within the Local-Serving Mixed-Use zoning district in the Broadway District and lodging uses are not permitted in this zoning district; and

WHEREAS, on December 1, 2020, the City Council conducted a workshop to discuss issues regarding the Zone Change; and

WHEREAS, on October 5, 2021, the City Council and Planning Commission conducted a joint workshop to discuss the remaining issues regarding the Zone Change; and

WHEREAS, on July 29, 2021, the City Council reviewed a Marketing Study prepared by Economic and Planning Systems, Inc. that concludes the market for hotel rooms in American Canyon is favorable for the next five (5) years; and

WHEREAS, Visit Napa Valley reviewed the Marketing Study and agrees that the current South Napa County Hotel market has been more resilient to economic cycles and Covid restrictions than the northern neighboring Napa County jurisdictions; and

WHEREAS, on October 5, 2021, the City Council and Planning Commission conducted a workshop on the proposed LSMU zone change and hotel Conditional Use Permit; and

WHEREAS, the applicant provided assurance that the proposed Hampton Inn Hotel or equivalent quality hotel will be constructed at the 3443 Broadway site; and

WHEREAS, on June 4, 2019, the City Council certified the Broadway District Specific Plan (BDSP) Final Environmental Impact Report (SCH #2017042025) and made findings of overriding consideration for significant and unavoidable impacts (Ordinance No. 2019-07); and

WHEREAS, on August 23, 2021 an Addendum to the BDSP Program Environmental Impact Report (PEIR) was prepared to evaluate the proposed Zone Change and Hampton Inn Conditional Use Permit; and

WHEREAS, on October 28, 2021, the City of American Canyon Planning Commission conducted a duly-noticed public hearing and unanimously recommended City Council approval of the Hampton Inn Zone Change; and

WHEREAS, a duly-noticed public hearing was held by the City of American Canyon City Council on November 16, 2021 on the subject application, at which time all those in attendance were given the opportunity to speak on this proposal and to submit comments.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of American Canyon, having considered all the evidence, including any submitted by member of the public, hereby approves 1) an amendment to the Broadway District Specific Plan to permit lodging uses in the Local Serving Mixed Use Zoning District as depicted in Section 3 below:

SECTION 1: California Environmental Quality Act (CEQA)

The 2019 Broadway District Specific Plan (BDSP) Environmental Impact Report (EIR) evaluated the development of the 292-acre site area along the Broadway corridor. The City made findings of overriding consideration for significant and unavoidable impacts. Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), an Addendum to the BDSP PEIR was prepared to evaluate the proposed Zone Change and Development to evaluate the proposed project as only some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

On November 16, 2021, the City Council adopted Resolution 2021-XX approving the Hampton Inn Hotel Zone Change and Conditional Use Permit Addendum. This Addendum demonstrates that the BDSP PEIR contemplated impacts and mitigation measures sufficiently address the proposed zone change and Hampton Inn project. No new mitigation measures are required.

SECTION 2. Findings. Based on the following evidence and as required by Zoning Ordinance Section 19.48.040 C, the Planning Commission recommends the City Council finds that:

- a. The amendment is consistent with the goals and policies of the general plan.

The intent of the Local-Serving Mixed-Use zoning district is to accommodate a range of commercial uses and related services that will serve the local community. Adding "lodging" to the LSMU zone will enable hotels in the zone, which can provide new jobs to the community. All new lodging uses will be required to obtain a Conditional Use Permit, which requires applicants to comply with development standards and operate in a manner that is compatible with its neighbors and the broader community. The CUP process enables the Planning Commission to approve these projects with reasonable "conditions" or deny the project if substantial evidence shows the use may cause harm to public health, safety, or welfare. All lodging projects are subject to the Municipal Code development standards, the General Plan Policies, and the Broadway District Specific Plan development standards.

- b. The amendment is consistent with the purposes of this title, as set forth in Chapter 19.01, Authority, Purposes and Effects of the Zoning Ordinance.

The amendment is consistent with the purpose of the Zoning Ordinance to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare as the zone change will add opportunities for hotel uses in the Local-Serving Mixed-Use zoning district of the Broadway District Specific Plan. The amendment meets the design and development guidelines and standards of the General Plan.

SECTION 3. Broadway District Specific Plan Amendments

The Planning Commission recommends the City Council approve the following amendments to the BDSP Local-Serving Mixed-Use (LSMU) Zoning district as follows:

A. Amendment to BDSP Table 2-3

TABLE 2-3: BROADWAY ZONING DISTRICT PERMITTED USES

Use Classification (Per ACMC Chapter 19.05)	Broadway District Specific Plan Zoning District				
	Broadway Residential	Business Park ¹	Downtown Core	Local Serving Mixed Use	Home Improvement
Commercial					
Lodging services	-	P	P	<u>C</u>	-

B. Addition of a new Special Development Requirement #3 as follows:

3) Prior to approval of any discretionary application for lodging uses in the LSMU Zoning District, the Applicant shall demonstrate that their proposed project shall meet the criteria to achieve a “Three Star” or higher rating on the Forbes Travel Guide Rating System.

SECTION 4. Community Development Department. The Community Development Director is directed to provide a written report to the City Council at least ten (10) days prior to the expiration of this ordinance, describing the study conducted of the local conditions that led to the adoption of this ordinance.

SECTION 5. Effective Date. This ordinance shall become effective immediately upon the date of its adoption pursuant to Government Code section 65858.

SECTION 6. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 7. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk’s office located at 4831 Broadway, Suite 201, American Canyon, CA 94503. The custodian of these records is the City Clerk.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 16th day of November, 2021 by the following vote:

- AYES: Councilmembers Aboudamous, Oro, Washington, Vice Mayor Joseph, and Mayor Garcia
- NOES: None
- ABSTAIN: None
- ABSENT: None

The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 7th day of December, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Taresa Geilfuss, City Clerk

William D. Ross, City Attorney

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING A CONDITIONAL USE PERMIT FOR A 112-ROOM HAMPTON INN HOTEL ON A 2.53-ACRE PARCEL IN THE LOCAL SERVING MIXED USE ZONING DISTRICT AT 3443 BROADWAY ST, APN 058-312-010 (FILE NO. PL20-0029)

WHEREAS, on August 26, 2020, Anjani Management, LLC and AMS Associates submitted a Conditional Use Permit and Zone Change application to allow for the development of a 112-room Hampton Inn hotel at 3443 Broadway St (APN 058-312-010) (File No. PL20-0029 and PL20-0030); and

WHEREAS, the project site is located within the Local-Serving Mixed-Use (LSMU) zoning district in the Broadway District Specific Plan; and

WHEREAS, on June 4, 2019, the City Council certified the Broadway District Specific Plan (BDSP) Final Environmental Impact Report (EIR) (SCH #2017042025) and made findings of overriding consideration for significant and unavoidable impacts (Ordinance No. 2019-07); and

WHEREAS, on December 1, 2020, the City Council conducted a workshop on the proposed LSMU zone change and hotel conditional use permit; and

WHEREAS, on July 29, 2021, the City Council reviewed a Marketing Study prepared by Economic and Planning Systems, Inc. that concludes the market for hotel rooms in American Canyon is favorable for the next five (5) years; and

WHEREAS, Visit Napa Valley reviewed the Marketing Study and agrees that the current South Napa County Hotel market has been more resilient to economic cycles and Covid restrictions than the northern neighboring Napa County jurisdictions; and

WHEREAS, on October 5, 2021, the City Council and Planning Commission conducted a workshop on the proposed LSMU zone change and hotel Conditional Use Permit; and

WHEREAS, on August 23, 2021 an Addendum to the BDSP Program Environmental Impact Report (PEIR) was prepared to evaluate the proposed Zone Change and Development; and

WHEREAS, on October 28, 2021, the City of American Canyon Planning Commission conducted a duly-noticed public hearing and unanimously recommends City Council approval of the BDSP PEIR Addendum for the Hampton Inn Zone Change and Hampton Inn Conditional Use Permit; and

WHEREAS, on November 16, 2021, the City of American Canyon City Council conducted a duly-noticed public hearing and unanimously approved an Ordinance to amend the Broadway District Specific Plan Table 2-3 to permit "Lodging" as a conditionally permitted use in the Local-Serving Mixed-Use zoning district and the BDSP PEIR Addendum for the Hampton Inn Zone Change; and

WHEREAS, a duly-noticed public hearing was held by the City of American Canyon City Council on December 7, 2021 on the subject application, at which time all those in attendance were given the opportunity to speak on this proposal and to submit comments.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of American Canyon, having considered all the evidence, including any submitted by member of the public, hereby approves Conditional Use Permit PL20-0029 for the Project, based on the findings and subject to the conditions of approval set out in Section 3.

SECTION 1: CEQA FINDINGS

The 2019 Broadway District Specific Plan (BDSP) Environmental Impact Report (EIR) evaluated the development of the 292-acre site area along the Broadway corridor. The City made findings of overriding consideration for significant and unavoidable impacts. Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), an Addendum to the BDSP PEIR was prepared to evaluate the proposed Zone Change and Development to evaluate the proposed project. The Addendum demonstrates that the BDSP PEIR contemplated impacts and mitigation measures sufficiently address the proposed zone change and Hampton Inn project. No new mitigation measures are required. Thus, an Addendum to the BDSP PEIR is appropriate for this application.

SECTION 2: CONDITIONAL USE PERMIT FINDINGS

Approval of the Conditional Use Permit requires that all of the following findings be made, pursuant to American Canyon Municipal Code Section 19.42.020:

- A. The proposed use is consistent with the policies and programs of the general plan and any applicable master or specific plan.

The intent of the Local Serving Mixed-Use (LSMU) zoning district is to accommodate a range of commercial uses and related services that will serve the local community. The proposed hotel will provide new jobs to the community and activate an underutilized parcel within the Broadway District. The hotel complies with the General Plan because the project is designed to convey a high level of design quality. The hotel has architectural treatments on all sides of the building, provides a clear building entrance, screens rooftop equipment, and provides extensive landscaping to support the site.

- B. The proposed use is consistent with the purpose(s) and standards of the applicable zoning district(s).

The proposed hotel complies with the height, bulk, and setbacks regulations that apply to the LSMU zoning district. The architecture generally complies to the aesthetic standards described in the BDSP.

- C. The proposed use complies with applicable policies of the Napa County Airport land use compatibility plan.

The proposed use is located in the Napa County Airport Land Use compatibility plan E-Zone. Hotels are permitted uses within the E-Zone, as it is the furthest zone from the airport.

- D. The project site is physically suitable for the type and intensity of land use being proposed.

The project site consists of four buildings, of which two are actively used. The buildings will be removed or demolished prior to the hotel's construction. The site is relatively flat and utility connections are available. The site is physically suitable for a hotel.

- E. The proposed use will not be a nuisance or materially detrimental to the general health, safety, and welfare of the public or to property and residents in the vicinity.

The project, with conditions of approval, will not cause any nuisances or detrimental impacts to the property or residents in the vicinity. The project does not emit any noise, light, or smells that exceed normal levels from commercial uses. The Applicant conducted public outreach efforts and has received letters of support for the proposed project.

- F. The site for the proposed use has adequate access, and meets parking and circulation standards and criteria.

The site takes access from southbound Highway 29. As a condition of approval, the City requires the applicant to provide an additional vehicular access from Donaldson Way. The site will also provide a pedestrian and bicycle path connection southward to the Canyon Plaza shopping center. The hotel requires 123 parking spaces, and they are providing 119 parking spaces. The Applicant provided a parking study and letter of justification from Hilton Hotels that explains the reduction of parking is feasible. As a condition of approval, the hotel agrees that the public right-of-way shall not be used for customer or employee parking.

- G. There are adequate provisions for water and sanitary services, and other public utilities to ensure that the proposed use would not be detrimental to public health and safety.

The site will be connected to the City water and wastewater system. The site is ready for dry utilities such as electricity, telephone, and cable connection. In compliance with the Broadway District Specific Plan, the applicant is required to place a utility pole facing Highway 29 underground.

SECTION 3 CONDITIONS OF APPROVAL

General

1. The Conditional Use Permit approval is granted for a new three-story 112-room hotel with 119 parking spaces and 0.67-acres of landscaping on a 2.52-acre lot at 3443 Broadway St, APN 058-312-010, at which is on file in the in the Community Development Department, except as modified by conditions contained in this approval. Exhibit A includes the following:
 - a. Site Plan prepared by AMS Associates from Walnut Creek, CA, dated November 4, 2021, consisting of one sheet showing the site layout and pedestrian paths of travel.
 - b. Architectural Plans prepared by Architectural Dimensions from Oakland, CA, dated May 12, 2021 consisting of 9 sheets, including Proposed Site Plan, Floor Plan, elevations, and Roof Plan.
 - c. Landscaping Plans prepared by Batha Design Group from Oakland, CA, dated July 6, 2021, consisting of 2 sheets, showing the proposed landscaping and planting plan.
2. The applicant shall defend, indemnify, and hold harmless the City of American Canyon ("City"), its elected and appointed officials, officers, employees, attorneys, representatives, boards, commissions, consultants, volunteers and agents from and against all claims, actions, including actions to arbitrate or mediate, damages, losses, judgments, liabilities, expenses and other costs, or proceedings against the City, its elected officials, officers, employees, attorneys, representatives, boards, commissions, volunteers, or agents to attack, modify, set aside, void, or annul an approval, conditional approval,

permit, entitlement, environmental document, environmental clearance, mitigation plan, or any other document or any of the proceedings, acts, or determinations taken, done, or made prior to granting of such approval, conditional approval, permit, entitlement, environmental clearance, environmental document, mitigation plan, or other documents, by the City, including, without limitation, an action against an advisory agency, appeal board, or legislative body within the applicable limitation period.

The obligation to defend, indemnify and hold the City harmless shall include the payment of all legal costs and attorney's fees (including a third party award of attorney's fees), arising out of, resulting from, or in connection with the City's act or acts leading up to and including approval of any environmental document or mitigation plan granting approvals to the applicant, incurred on behalf of, or by, the City, its elected and appointed officials, officers, employees, representatives, attorneys, boards, commissions, volunteers and agents in connection with the defense of any claim, action, or proceeding challenging the entire or a portion of an approval, conditional approval, permit, entitlement or any other document of any related claim.

The obligation to defend, indemnify, and hold the City harmless shall include, but not be limited to, the cost of preparation of any administrative record by the City, staff time, copying costs, court costs, or attorney's fees arising out of a suit or challenge contesting the adequacy of a permit, approval, conditional approval, entitlement, environmental document, mitigation plan, environmental clearance, or any other document or approval related to the applicant's project.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or the City fails to cooperate fully in the defense, the applicant shall not be responsible to defend, indemnify, or hold harmless the City.

In the event a legal challenge to a City permit, approval, conditional approval, environmental document, environmental clearance, mitigation plan, entitlement or any other document, proceeding, determination, or action related to the applicant's project is successful, and an award of attorneys' fees is granted against the City, the applicant shall be responsible to timely pay the full amount of such an award.

3. This approval is subject to return of the "Applicant Confirmation of Conditions of Approval" form signed by the property owner.
4. The effective date of this approval is subject to the effective date of an amendment to the Local Serving Mixed Use zoning district to allow lodging (hotel) uses.
5. The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or the revocation of the approval of this application.
6. The date upon which the approval is final shall be considered the day of the imposition of the fees, dedications, reservations and exactions required by these conditions approval for the purposes of protesting the referenced imposition pursuant to California Government Code Section 66020.

7. If no construction permits have been issued and construction commenced within one (1) year of the date upon which this approval is final, the approval shall become null and void and of no effect. An extension of time may be granted by the Community Development Director upon the written request by a responsible party before the expiration of the one-year period, provided that the Director can make the findings that there have been no substantial changes in the approved plans, and that there has been no change of circumstances which would prevent any of the required findings of approval to be made.

Planning

8. The conditions of this Permit shall be printed on the first sheet of each plan set submitted for a building permit pursuant to this Conditional Use Permit, under the title "Conditional Use Permit Conditions." The second sheet may also be used if the first sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.
9. In accordance with Broadway District Specific Plan (BDSP) Policy 3-4, existing utility poles on-site and along the property frontage are required to be placed underground. Prior to issuance of the hotel building permit, the applicant shall remove the utility pole on the southeast corner of the site and overhead wires across Broadway. No replacement poles near or on the same site as the removed pole is permitted.
10. In accordance with BDSP Policy 3-15, City Council December 1, 2020 workshop, City Council/Planning Commission October 5, 2021 workshop, and Local Serving Mixed Use Special Development Requirement #3, prior to issuance of a building permit for the hotel, the applicant shall submit applicable permit applications to the City to construct the following:
 - a. A 10-foot-wide pedestrian/bike connection path and bridge between the hotel site and Canyon Plaza.
11. Prior to the occupancy of the Building Permit, the applicant shall complete the construction of the 10-foot-wide pedestrian/bike connection to Canyon Plaza and vehicle and pedestrian connection to Donaldson Way.
12. In accordance to American Canyon Municipal Code (ACMC) Section 19.21.030, the 112-room hotel will require 123 parking spaces. The site plan identifies 119 vehicle parking spaces for the project. If additional parking space is needed for the hotel, the applicant is required to obtain a minor modification permit and submit a revised site plan reviewed and found satisfactory to the Community Development Department. Alternative methods of increasing parking may include stacked parking spaces, valet parking service, or acquiring off-site parking at the property owner's expense. The public right-of-way shall not be used for customer or employee parking.
13. All new roof top equipment is required to be screened from view from the public rights-of-way. The plans submitted for building permit shall demonstrate that the building parapet heights are sufficient to provide such screening. Alternative methods and materials for screening will be subject to the review and approval of the Community Development Director.
14. In accordance to BDSP Section 2.2, all development shall exceed compliance with Title 24 Part 6 Energy Standards by 15 percent. Prior to the issuance of the hotel Building Permit, the applicant shall

provide a letter from the architect or energy consultant that certifies the site complies with this standard.

15. This permit does not include approval for signs. The applicant shall obtain a separate sign permit prior to installation of any sign. The signs shall be subject to ACMC Section 19.23.
16. Prior to building permit issuance, the applicant shall submit landscape plans that comply with ACMC Section 19.22.060 Water Efficient Landscape Ordinance (WELO). The landscape architect shall document and attest to the compliance with the landscape plans. The plans shall incorporate the following requirements:
 - a. A Water-efficient landscape worksheet that complies with 19.22.060.
 - b. Provide cross sections for the north and west landscaping areas showing trees, landscaping, etc. that ensure the proposed trees would not be planted above proposed utilities or inappropriately planted in bio-retention areas. Ensure the landscape plans are reconciled with the civil plans and continue to provide a robust tree palette.
17. Prior to the issuance of a certificate of occupancy, the project's landscape architect shall certify that all plant materials have been installed in accordance with the approved landscape plan.
18. All tree stakes and ties shall be removed within one year following installation or as soon as trees are able to stand erect without support.
19. Clear sight triangles shall be maintained at all driveways. Low-lying plantings and other site fixtures, including signs, shall be no taller than 30 inches within the site's vision triangles.
20. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.
21. Prior to issuance of the hotel building permit, the applicant shall remove the nonconforming pole sign adjacent to Broadway.
22. Prior to issuance of a building permit for the hotel, to ensure the hotel windows provide shadow and visual interest, the applicant shall provide a detail on the building permit plans that demonstrates the minimum window trim depth shall be one inch thick and the windows shall be recessed 2-inches from the exterior wall plane.
23. Prior to issuance of use and occupancy, the existing windmill on the site shall be installed in a landscape area located at the northeast corner of the hotel building.
24. Prior to issuance of a building permit for the hotel, the applicant shall obtain an off-site access and maintenance easement for the off-site 10-foot wide pedestrian bridge. The easement shall be

approved by the applicable property owner and the City Attorney shall approve the easement as to form.

Building and Safety

25. The applicant shall have the detailed building and site plans reviewed by a Certified Accessibility Specialist to verify that the proposed construction will comply with accessibility requirements. Each application for site construction or building permit shall be accompanied by a written report from a Certified Accessibility Specialist verifying that the site and building design as shown on the submitted plans comply with all accessibility requirements.
26. Prior to the issuance of a certificate of occupancy, the applicant shall submit a letter of certification to the Building Official from the project architect and civil engineer certifying that all improvements have been constructed in accordance with the approved building plans. Determination of consistency shall be subject to the review and approval of the Building Official.
27. Site Improvement plans shall show slopes of all sidewalks and walkways and paths of travel to use site facilities including trash/recycling facilities. The applicant shall have the detailed building and site plans reviewed by a Certified Accessibility Specialist to verify that the proposed construction will comply with accessibility requirements. Each application for site construction or building permit shall be accompanied by a written report from a Certified Accessibility Specialist verifying that the site and building design as shown on the submitted plans comply with all accessibility requirements.
28. Prior to issuance of a building permit the applicant shall submit a plan for the diversion of at least 70 percent of the debris from the building demolition and construction. The plan shall include the qualified recycler that will be used, the methods of managing diversion of construction materials on site, and the proposed documentation that will be submitted to confirm that the diversion goal has been met.
29. The kitchen is limited to beverage and breakfast service. Prior to any intensification of kitchen uses, such as a restaurant or commercial kitchen, the applicant is required to obtain a minor modification permit from the Community Development Department. Commercial kitchens shall include a grease interceptor and revised trash enclosures with adequate floor drains.
30. Prior to issuance of use and occupancy, the Architect of Record shall submit a letter certifying that all the building permit improvements were constructed and inspected in substantial conformance with the approved plans and City Standards.
31. Construction and grading activities on the site shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday. Work between the hours of 6:00 pm and 7:00 am and work on weekends and holidays requires prior written approval from the Building Official. If weekends and holiday work is approved construction and grading activities on the site shall be limited to between 8:00 a.m. to 6:00 p.m. on Saturdays, and between 10:00 a.m. and 6:00 p.m. on Sundays and State and Federal holidays.

Fire District

32. In accordance with the standard mitigation measures and conditions of approval set forth by the American Canyon Fire Protection District, the developer shall pay the Fire Impact Fees (see current Standard Fees and Charges adopted by resolution), prior to the issuance of any building permits.

33. Buildings in excess of two stories shall pay Aerial Apparatus mitigation fees prior to the issuance of any building permits. (see current Standard Fees and Charges adopted by resolution).
34. New buildings and additions to existing buildings shall conform to requirements set forth in the currently adopted editions of the California Building Code, California Fire Code, City of American Canyon standards and Nationally Recognized Standards.
35. For your information, there shall be no deferred submittals for fire protection equipment and related utilities. Fire protection plans shall not be attached to or bound with the building plan submittal package. This includes but is not limited to Automatic Fire Sprinkler, Fire Alarm, Fixed Fire Protection and Civil plans.
36. All Fire related underground piping and fire appurtenances shall be shown on the Civil plan submittal. In addition to the Civil plan submittal, at least (1) plan set under separate cover shall be submitted to American Canyon Building Division for routing to the American Canyon Fire Protection District detailing all underground piping and related fire appurtenances including but not limited to underground piping, underground sweep detail, underground trench details showing depth of burial, type of backfill, manufacturer's specifications of piping, valves joints, fittings and calculated size and locations of thrust blocks, hydrants locations (designate public or private), gate shut-off valves, PIV's, FDC's, fire pumps, fire pump and/or riser rooms.
37. Underground utility contractor, architect and fire sprinkler contractor shall coordinate the location of risers and control valves prior to the issuance of a building permit.
38. Fire Department plan review shall be based on the information submitted at the time of permit application. Any changes to the approved/permitted scope of work including additions, alterations, demolition, repair or a change in occupancy/use may impact the project requirements, including but not limited to the installation of additional fire protection systems or components.
39. An approved water supply capable of supplying the required fire flow for fire protection systems shall be provided to all premises upon which facilities or buildings are hereby constructed or moved into or within the City. Required fire flow and hydrant distribution shall be in accordance with Appendix B and C of the California Fire Code. Applicant shall demonstrate on plan submittal; square footage of each building on plan and provide the required fire flow information. Applicant shall demonstrate that the number and spacing of onsite fire hydrants meets with requirements of the California Fire Code. ***See sample below regarding fire flow and hydrant detail information needed.***

BUILDING FIRE FLOW REQUIREMENTS – CFC TABLES B105.2 & B105.1(2)
INFORMATION BELOW IS A SAMPLE AND FOR REFERENCE ONLY

Table B105.1(2) – Building size = 129, 600 square feet
 Construction type = Type IIA
 FF = 5,250 gpm at 20 psi
 Duration = 4 hours

Table B105.2 – Fire sprinkler allowance = - 50%
 5,250 – 2,625 = 2,625 gpm

FF = 2,625 gpm @ 20 psi
Duration = 2 hours

Table CC105.1 – Approximate number of hydrants = 3
Average spacing = 400 feet + 25% allowable increase = 500
Maximum distance from street or frontage = 225 feet = 50% allowable
increase = 337.5

40. Fire Protection systems shall be installed in accordance with provisions set forth in the California Fire Code as amended by the City of Napa and the applicable National Fire Protection Association Standard.
41. The fire protection equipment shall be located within an interior room having an approved exterior access door or in an exterior enclosure attached to the building, specifically, for the purpose of housing such equipment.
42. Fire apparatus access Roads shall be designed in accordance with provisions set forth in the California Fire Code Chapter 5 and Appendix D as amended by the City of American Canyon and the applicable Public Works Standard.
43. Fire apparatus access roads shall have an unobstructed minimum width of 20 feet (curb to curb) and a minimum unobstructed vertical clearance of 13' 6". They shall have an all-weather paved surface capable of supporting a GVW of 71,000 pounds.
44. Access roads shall be completed with all-weather surfaces prior to the stockpiling of combustible materials or beginning combustible construction. Fire apparatus access shall be provided to within 150 feet of the most remote portions of all building from an approved exterior route. If this cannot be achieved fire apparatus turn-arounds will be needed.
45. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Vertical traffic calming in the form of speed pumps, humps or dips are prohibited along fire access roads without prior approval of the Fire Code Official. The minimum width and clearances established in Section 503.2.1 shall be maintained at all times.
46. When required by the Fire Chief, fire apparatus access roads shall be designated as Fire Lanes and appropriate signs and/or markings installed in accordance with the California Vehicle Code and approved City standards.
47. Where applicable, improvement plan submittals for permits shall include locations of fire lane red curbing and fire lane signage. Please refer to and include City Public Works Standard FP-2A & 2B with plan submittals for permitting.
48. The City of American Canyon requires that a fire hydrant be in service within 250 feet of the furthest point of construction prior to the stockpiling of combustible materials for the beginning of construction.
49. Fire Department Connections (FDC) shall be located not more than 100 ft. from the nearest fire hydrant.

50. Fire hydrants and FDC shall be located as far away from the building as practical. Exact locations will be determined during the review of civil engineering plans. Currently, some hydrants and the FDC are located in planters almost immediately adjacent to the building. These should be relocated to the opposite side of the drive aisle.

Public Works

Public Works General Conditions of Approval

51. The Applicant shall be responsible for all City plan check and inspection costs. The Applicant shall establish a Developer Deposit Account with the City upon the initiation of plan check services. The amount of the initial deposit shall be determined by the City Engineer. Additional funds may be required based upon actual costs.
52. All improvements shall be designed in accordance with the American Canyon Municipal Code (ACMC), City of American Canyon Engineering Standard Plans and Specifications for Public Improvements (City Standards), except as specifically noted otherwise in these conditions.
53. All existing overhead utilities, both on-site and along project frontages, and all new utilities to serve the project, shall be placed underground. Exceptions may be allowed for surface mounted transformers, pedestal mounted terminal boxes and meter cabinets. **This condition applies to the existing utility pole along the south property line.**
54. Unless otherwise explicitly permitted, all existing wells, shall be abandoned, septic tanks and/or underground fuel storage tanks shall be removed under permit and inspection of Napa County Department of Environmental Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination.
55. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review. The report shall address, at a minimum, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
56. A drainage report prepared by a California Registered Civil Engineer shall be submitted for review with the initial submittal of the Improvement Plans. The report shall include detailed hydrologic and hydraulic calculations to support the design and sizing of all public and private drainage facilities including storm drains and detention facilities. The report shall address existing downstream storm drain facilities and hydraulic conditions which may impact the design of proposed facilities and improvements.
57. A final detailed post-construction Stormwater Control Plan (SWCP) that identifies and sizes all permanent post-construction stormwater treatment BMPs shall be prepared and submitted for review and approval. The SWCP shall be prepared in accordance with the latest edition of the *Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual* and the requirements of the State Water Resources Control Board Phase II Municipal Separate Storm Water System (MS4) General Permit (Order 2013-0001 DWQ). It is the City's discretion whether to accept alternative treatment facilities other than bioretention.

58. A Post Construction Stormwater Operations and Maintenance Plan that includes a plan sheet showing all storm drain and water quality infrastructure that is to be maintained, along with detailed instructions and schedules for the ongoing maintenance and operation of all post-construction stormwater BMPs shall be submitted for review and approval by the City Engineer. Once approved, the property owner(s) shall enter into an agreement with the City that provides the terms, conditions, and security associated with the ongoing requirements of the post-construction Stormwater Best Management Practices.
59. The Applicant shall secure all necessary rights-of-way and public and private easements for both onsite and offsite improvements, including the pedestrian bridge connection to Canyon Corners. The Applicant shall prepare all necessary legal descriptions and deeds.
60. To the extent any offsite public improvements require the acquisition of property not currently owned by the Applicant or the City, the Applicant shall first make a good-faith effort to acquire the necessary property rights, however if the Applicant makes such an effort and is unable to acquire such rights, then the Applicant may request the City acquire the necessary property rights through the exercise of eminent domain provided that the Applicant enters first into an agreement with the City to pay for all costs incurred by the City to acquire such rights and if the City does not acquire the rights necessary to allow the offsite public improvements to be completed by the Applicant within statutory timeline provided by law, then the Applicant shall be relieved of the obligation to construct those off-site improvements only to the extent they require property not currently owned by the Applicant or the City. The Applicant shall make a good-faith effort to identify and acquire the necessary property rights at the earliest opportunity.
61. The Applicant shall submit site Improvement Plans, prepared by a registered Civil Engineer, for review and approval of the City's Public Works Department. **Please be aware that this is separate submittal from the building permit application.** The final plan set shall include all civil, landscape and joint trench drawings under a single cover sheet. No final grading or other construction shall be performed until the Improvement Plans have been approved. The Applicant shall not begin clearing, grubbing, or rough grading at the site prior to approval of the Improvement Plans, unless explicitly approved by the City of American Canyon through the standard grading and utilities only permit process. An Encroachment Permit is required for any work within City right of way. Encroachment Permits will not be issued prior to the approval of the Improvement Plans.
62. Cathodic protection shall be provided for all water valves, fittings, hydrants, meters, backflow devices, ductile iron pipe, and other metal appurtenances, regardless of the findings of any soils corrosivity analysis.
63. The Applicant shall keep adjoining public and private streets free and clean of project dirt, mud, materials, and debris during the construction period in accordance with an approved SWPPP and Erosion and Sediment Control Plan using appropriate BMPs and as is found necessary by the City Engineer.
64. If any hazardous material is encountered during the construction of this project, all work shall be immediately stopped and the Fire Department, Napa County Department of Environmental Services or other designated agency, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.

65. Prior to final preparation of the subgrade and placement of base materials, all underground utilities shall be installed and service connections stubbed out behind the sidewalk. Public utilities, Cable TV, sanitary sewers, and water lines shall be installed in a manner that will not disturb the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.
66. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. Additionally, if field conditions warrant installation of any subdrains, the location, size and construction details must be provided to the City for review and approval prior to construction.
67. All new fire hydrants shall be covered with burlap sacks until the hydrants have been tested and found to be in conformance with City flow requirements. No storage of combustible materials or construction of building shall be permitted until all hydrants meet City flow requirements.
68. Prior to placing the final lift of asphalt, all public storm drains and sanitary sewer lines shall be video inspected at the Applicant's expense. All video media (CD, DVD, or portable hard drive) shall be submitted to the City. If any inadequacies are found, they shall be repaired prior to the placement of the final lift of asphalt.
69. All streets, curbs, gutters, sidewalks or other public facilities damaged in the course of construction associated with this Project shall be the responsibility of the Applicant and shall be repaired to the satisfaction of the City at the Applicant's expense.
70. After all of the new underground utilities within existing public streets have been installed, the entire affected areas shall be milled and repaved to present a neat, finished pavement area. Multiple trench patches are not acceptable.
71. All construction stormwater pollution prevention best management practices (BMP's) shall be installed as the first order of work and in accordance with the *State Water Resources Control Board's General Construction Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ, as amended)*, the Applicant's Storm Water Pollution Prevention Plan (SWPPP), and the City's Erosion and Sediment Control Plan in accordance with the City's MS4 Permit. All stormwater BMP's shall be maintained to the satisfaction of the Qualified SWPPP Developer (QSD), Qualified SWPPP Practitioner (QSP), and the City Engineer.
72. With the exception of water used for loading and testing of potable water lines, all construction water used for the project shall be obtained from a source other than American Canyon potable water sources. The Applicant shall provide verification that an outside source of construction water, *e.g.*, recycled water, has been established and will be available for the duration of the project construction.
73. The development shall comply with the City's Zero Water Footprint policy.

Public Works Special Conditions of Approval

74. All landscaping shall be designed to use recycled water for irrigation. Recycled water landscaping shall be designed to comply with California Code of Regulations Title 22 and shall include design details to

prevent runoff of recycled water. The irrigation system shall include an ET/SMART controller. Property shall connect to recycled water for irrigation once available.

75. The Applicant shall submit Improvement Plans prepared by a registered Civil Engineer (Engineer of Record) in substantial conformance with the preliminary civil plans titled "Hilton Hampton Inn, 3443 Broadway, American Canyon, California 94503, Napa County" prepared by AMS Associates, Inc., dated July 12, 2021 (Preliminary Plans), except as modified by these conditions.

76. Improvement Plans shall be tied to the State of California coordinate system.

77. The Applicant shall design and construct all of the "**Public Improvements**" generally shown on the Preliminary Plans and more specifically described below. Applicant shall be responsible for obtaining a Caltrans encroachment permit for all work within State Route 29.

a. State Route 29 Frontage Improvements:

Curb, gutter, sidewalk and driveway along the State Route 29 frontage beginning from the southern end of the property and extending to the north to connect to the existing curb, gutter and sidewalk. The frontage walk shall have a minimum unobstructed width of 12-feet. Also construct an 8.75-foot wide sidewalk to connect the new frontage sidewalk from the southern end of the property to the existing concrete sidewalk approximately 70 feet south of the property. The applicant shall also install a new streetlight and relocate the existing fire hydrant.

b. Storm Drainage in Donaldson Way

Install approximately 315 lineal feet of a new 12-inch storm drainage to convey onsite drainage to the public storm drainage system in Donaldson Way.

78. The Applicant shall construct all of the on-site private drive isles, parking spaces, walks, water, recycled water, sewer storm drainage and storm quality "**Private Improvements**" generally shown on the Preliminary Plans and more specifically described below. All private drive isles, parking spaces, walks, water, sewer, storm drainage and stormwater quality improvements shall be designed in accordance with the City of American Canyon Engineering Standard Plans and Specifications for Public Improvements (City Standards), except as specifically noted otherwise in these conditions.

a. Storm Drain Facilities:

Construct private on-site drainage facilities, detention facilities, and other appurtenances to collect and convey all surface drainage to an approved private storm drain facility or outfall. Onsite drainage facilities shall provide for the positive drainage of all adjacent upstream or upgrade properties to prevent ponding. Existing run-on from adjacent properties shall not be obstructed and shall be conveyed onsite. Off-site peak storm water discharge shall not exceed 90% of the undeveloped peak flow from the 24-hour, 100-year event. The storm drains and detention facilities shall be substantially consistent with the Preliminary Plans. However, the sizing of all storm drains and detention facilities shall be determined by the approved final drainage report.

b. Stormwater Quality Facilities:

Permanent on-site private post-construction stormwater treatment BMPs shall be designed and constructed in accordance with the approved final SWCP. Runoff from all roof drains shall be conveyed to the onsite stormwater treatment facilities.

c. Landscape Irrigation Water:

In the interim, on-site landscape irrigation water demand can be fulfilled by connecting to the city's potable water system. When the future recycled water system along SR29/Broadway Street, as noted in 2016 City of American Canyon Recycled Water Master Plan, is in place, on-site landscape irrigation water supply shall be converted at the developer's expense. Water demand allocated for irrigation in the interim shall be returned to the city. On-site landscape irrigation system shall conform to Title 22 of the California Code of Regulations.

d. Pedestrian and Cyclist Connection to Adjacent Property:

Construct a pedestrian and cyclist access connection to the adjacent Canyon Plaza property (APN 058-301-010). The minimum width of this connection shall be 10-feet.

79. Prior to SUBMITTAL OF THE IMPROVEMENT PLANS, the Applicant shall:

- e. Submit the City's "Improvement Plan Checklist".
- f. Pay an initial cash deposit for City plan check services in amount to be determined by the City prior to the time of submittal. The Project engineer shall contact City staff to discuss submittal details to determine initial deposit amount.
- g. Provide the following:
 - i. Public Street Repair Plan
 - ii. Utility Plan and Joint Trench Plan
 - iii. Construction Storm Water Pollution Prevention Plan (SWPPP) and a City Erosion and Sediment Control Plan (ESCP)
 - iv. Drainage Report
 - v. Post-Construction Stormwater Control Plan (SWCP)
 - vi. Geotechnical Report
 - vii. Construction Traffic Control Plan.

80. Pothole and physically determine (by way of a survey performed by the Engineer of record) the actual horizontal location and vertical depth of all existing underground utilities throughout the proposed area of work and provide the design of all new utility installations required to serve the project including a schedule for implementation of such work as to prevent disrupting of utility service to adjacent properties.

81. Prior to APPROVAL OF THE IMPROVEMENT PLANS, the Applicant shall:

- a. Provide written acknowledgment by the Geotechnical Engineer of Record that the Plans incorporate all design and construction criteria specified in the Geotechnical Report.
- b. Irrevocably offer for dedication to the State, right-of-way along the State Route 29 frontage of sufficient width to accommodate the new curb, gutter and sidewalk, storm drain and joint trench. Applicant shall prepare the legal description, plat and deed and submit them to the City and State for review.

- c. Record a private storm drain easement over the adjacent Lands of ZZB Growth LLC (APN 058-312-005). Applicant shall prepare the legal description, plat and deed and submit them to the City for review.
- d. Subject to the terms of Condition 59, furnish proof of the acquisition of all rights of entry and/or temporary and permanent easements necessary to construct the project and the location of all such rights on the Plans.
- e. Furnish proof that all permits that may be required by the California Department of Fish & Game, State and Regional Water Quality Control Board, US Army Corps of Engineers and any other regulatory agencies with jurisdiction over the proposed construction have been obtained.
- f. Complete and submit the City's Erosion and Sediment Control Plan (ESCP) Template. Applicant may refer to a SWPPP, as appropriate, by referencing page number within the SWPPP that addresses the requirements of the ESCP.
- g. Submit a copy of the Notice of Intent and WDID# for coverage under the State Water Resources Control Board' General Construction Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ).

82. Prior to COMMENCEMENT OF CONSTRUCTION ACTIVITIES, the Applicant shall:

- a. Pay off all current account balances with the City of American Canyon.
- b. Pay an inspection fee in amount to be determined at the time of commencement for the City's inspection of the Public Improvements.
- c. Conduct a pre-construction meeting with representatives of the City whereby the Applicant, the Legally Responsible Party (LRP), Qualified SWPPP Practitioner (QSP), Qualified SWPPP Developer (QSD), and/or the Contractor provides the following:
 - i. Six (6) full-size bond copies of the approved Improvement Plans for the City's use.
 - ii. One (1) job-site copy of the latest edition of the City Standards for the Contractor use.
 - iii. One (1) job-site copy of the SWPPP for use by the LRP, QSP, QSD, and Contractor.
 - iv. Electronic copies of Improvement Plans and SWPPP

83. Prior to APPROVAL OF A BUILDING PERMIT, the Applicant shall:

- a. Pay all account balances and current City and American Canyon Fire District fees (Mitigation & Capacity) based on the rates in effect at the time of permit issuance. These fees include, but may not be limited to the following: Traffic Mitigation, General Plan Update, Civic Facilities, Fire District, Water Capacity, and Wastewater Capacity.

84. Prior to ACCEPTANCE OF IMPROVEMENTS, the Applicant shall:

- a. Restore all adjacent off-site road surfaces to pre-project conditions.

- b. Submit a certification by the Geotechnical Engineer of Record that all the work has been completed in substantial conformance with the recommendations in Soils Investigation/Geotechnical Report.
- c. Provide a mylar and digital copy of the Improvement Plans that include all as-built or field changes, in digital pdf and AutoCAD Civil 3D (.dwg) format compatible with the City's current version, and tied to the NAD83 (California Zone 2, feet) coordinate system.
- d. Provide a letter stating that all of the Developer's Conditions of Approval have been met.
- e. Provide a letter from the Civil Engineer of Record certifying that all the site improvements were constructed and inspected in substantial conformance with the approved plans and City Standards.
- f. Enter into and record a post-construction Stormwater Operations and Maintenance Agreement with the City.

Mitigation Monitoring and Reporting Program

All applicable mitigations in the Mitigation Monitoring and Reporting Program for the Broadway District Specific Plan Project Environmental Impact Report (Resolution No. 2019-51, State Clearinghouse No. 2017042025) are incorporated as conditions of approval by reference.

85. BDSP EIR AIR-2: Prior to issuance of the first construction permit for projects that occur pursuant to the Specific Plan, the applicant shall submit construction plans to the City of American Canyon with the following notes on them. The dust abatement measures described in the notes shall be implemented during construction.

During construction activities, the following air pollution control measures shall be implemented:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or more as needed.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads and surfaces shall be limited to 15 miles per hour.
- e. All roadways, driveways, and sidewalks shall be paved as soon as possible.
- f. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes (beyond the 5 minute limit required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- i. A publicly visible sign shall be posted with a name and telephone number of the person to contact at the Lead Agency regarding dust complaints. This person shall respond and

take corrective action within 48 hours. The Bay Area Air Quality Management District's phone number shall also be visible to ensure compliance with applicable regulations.

86. BDSP EIR MM AIR-3: Prior to issuance of the first construction permit for development projects that occur pursuant to the Specific Plan, the applicant shall provide documentation to the City of American Canyon demonstrating that all off-road by diesel equipment proposed for use is powered with Tier 3 or cleaner engines.
87. BDSP EIR MM AIR-4a: Prior to issuance of building permits for any sensitive receptor use (residential areas, elementary school, daycare centers, etc.) that would be developed pursuant to the Specific Plan, the applicant shall complete either of the following two options:
 - a. Prepare and submit a toxic air contaminant risk screening assessment to the City of American Canyon that demonstrates the potential risk from roadways, rail, and stationary sources would not exceed the Bay Area Air Quality Management District's (BAAQMD's) cumulative risk threshold for toxic air contaminant impacts.
 - b. Prepare and submit a Health Risk Analysis to the City of American Canyon, consistent with BAAQMD's recommended methodology, that demonstrates the potential risk from roadways, rail, and stationary sources would not exceed the BAAQMD's cumulative risk threshold for toxic air contaminant impacts. If mitigation is required to reduce a potentially significant risk to less than the cumulative risk threshold, that mitigation shall be clearly identified, and the associated risk reduction quantified. The mitigation must be incorporated into the project and implemented.
88. BDSP EIR MM AIR-4b: Prior to the issuance of grading and building permits, the Project Applicant shall provide the City with documentation, to the City's satisfaction, that demonstrates the use of Tier 4 Final engines for all construction equipment equal to or greater than 100 horsepower, electric equivalents for all equipment less than 100 horsepower, and the prohibition of fossil-fueled generators to power electric equipment with the exception of generators rated at 5 horsepower or less which are intended for powering hand-held tools.
89. BDSP EIR MM BIO-1b: Prior to tree removal activities that occur during the nesting season (February 1 and August 31), the applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than 14 days prior to vegetation removal. If the biologist observes nesting birds to be present, a minimum 250-foot protective buffer shall be established around the nest until the young have fledged. This mitigation measure shall not apply to tree removal activities that occur outside the nesting season (September 1 to January 31).
90. BDP EIR MM CUL-1: If prehistoric or historic-period archaeological resources are encountered during ground disturbing activities associated with new development that occurs pursuant to the Specific Plan, all construction activities within 100 feet of the find shall halt and the City of American Canyon shall be notified. Prehistoric archaeological materials might include obsidian and chert flakedstone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. A Secretary of the Interior-qualified archaeologist shall inspect the findings within 24 hours of discovery. If it is determined that the project could damage a historical resource or a unique archaeological resource

(as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan in consultation with the City of American Canyon. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

91. BDSP EIR MM CUL-4: In the event of discovery or recognition of any human remains during construction activities, such activities within 100 feet of the find shall cease until the Napa County Coroner has been contacted to determine that no investigation of the cause of death is required. The Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American (PRC Section 5097.98), who in turn would make recommendations to the City of American Canyon for the appropriate means of treating the human remains and any associated funerary objects (CEQA Guidelines Section 15064.59(d)).
92. BDSP EIR MM CUL-3: If potential fossils are discovered during project implementation, all earthwork or other types of ground disturbance within 100 feet of the find shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find. The paleontologist shall report his/her findings to the City of American Canyon. Based on the scientific value or uniqueness of the find, the paleontologist shall either record the find and recommend that the City of American Canyon allow work to continue, or recommend salvage and recovery of the fossil. The paleontologist shall, if required, propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage is required, recommendations will be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice. If required, treatment for fossil remains shall include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and, if required, shall also include preparation of a report for publication describing the finds.
93. BDSP EIR MM GEO-1a: Prior to issuance of building permits for development projects that occur pursuant to the Specific Plan that are located within an Alquist-Priolo Special Study Zone, the City of American Canyon shall verify that the applicant has commissioned a fault investigation. The fault investigation shall be prepared by a licensed geologist or geotechnical engineer and determine the precise location of the West Napa Fault in relation to the proposed project. All recommended fault setbacks set forth in the fault investigation shall be shown on project plans.
94. BDSP EIR MM GEO-1b: Prior to issuance of building permits for development projects that occur pursuant to the Specific Plan, the City of American Canyon shall verify that the applicant has

commissioned a design-level geotechnical report. The report shall be prepared by a licensed geologist or geotechnical engineer and determine whether the geologic conditions of the site in question are suitable for development. All recommendations for grading, soil engineering, and construction shall be incorporated into the project plans.

95. BDSP EIR MM HYD-1a: Prior to issuance of grading permits for development projects that occur pursuant to the Specific Plan, the City of American Canyon shall verify that the applicant has prepared a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the statewide Construction General Permit. The SWPPP shall be designed to address the following objectives: (1) all pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity are controlled; (2) where not otherwise required to be under a Regional Water Quality Control Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; (3) site best management practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity; and (4) stabilization BMPs are installed to reduce or eliminate pollutants after construction are completed. The SWPPP shall be prepared by a qualified SWPPP developer. The SWPPP shall include the minimum BMPs required for the identified Risk Level. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook—Construction or the Caltrans Stormwater Quality Handbook Construction Site BMPs Manual.
96. BDSP EIR MM HYD-1b: Prior to issuance of building permits for development projects that occur pursuant to the Specific Plan, the project applicant shall prepare a Stormwater Control Plan that includes post-construction stormwater controls in the site design to satisfy requirements of the Phase II Small MS4 Permit. This shall include a review of the final Stormwater Control Plan by the City of American Canyon to ensure that the required controls are in place.

Provision E.12.h of the MS4 Permit requires that an operation and maintenance program be implemented for post-construction stormwater management features. Responsible parties and funding for long-term maintenance of all BMPs must be specified. This plan shall specify a regular inspection schedule of stormwater treatment facilities in accordance with the requirements of the MS4 Permit. Reports documenting inspections and any remedial action conducted shall be submitted regularly to the City for review and approval.

97. BDSP EIR MM NOI-1: Prior to issuance of building permits of noise-sensitive land uses within the 65 dBA L_{dn} roadway noise contours or within the 65 dBA L_{dn} roadway noise contours (within 350 feet of the centerline of Broadway Street or 127 feet of the centerline of American Canyon Road), the applicant shall retain an acoustical engineer to conduct a detailed acoustical analysis. The detailed acoustical analysis shall confirm the roadway noise levels impacting the sensitive receptors, and if necessary, shall identify mitigation measures to reduce interior noise levels at the sensitive land uses to within City noise standards.

The proposed Hampton Inn Hotel shall comply with the City's Municipal Code's construction noise limits provided in Section 8.12.080 of the Municipal Code. Techniques to ensure compliance include, but are not limited to, the following: 1) the proposed 8-foot-high masonry sound wall along the northern and western property lines should be constructed prior to the foundation preparation

activities for the proposed hotel structure; 2) no on-site operation of any heavy construction equipment shall be permitted between the hours of 7:00 p.m. and 7:00 a.m.

98. BDSP EIR MM NOI-2a: Prior to issuance of grading permits, if construction activities will (1) pile drive within 150 feet or (2) utilize mobile construction equipment within 20 feet of any existing structure with sensitive receptors, the applicant shall retain an acoustical engineer to conduct a vibration analysis for potential impacts from construction-related vibration impacts to the existing structure(s) with sensitive receptors. The vibration analysis shall determine the vibration levels created by construction activities at the existing structure(s) with sensitive receptors and, if necessary, develop mitigation to reduce the vibration levels to within the Caltrans threshold of 0.25 inch per second PPV.
99. BDSP EIR MM NOI-2B: Prior to issuance of building permits, if new vibration-sensitive land uses are located within 30 feet of a truck route or 80 feet of a rail line, the applicant shall retain an acoustical engineer to conduct a vibration analysis for potential impacts from vibration generated by trucks or trains to the vibration-sensitive land uses. The vibration analysis shall determine the vibration levels impacting the proposed structure(s) with sensitive receptors, and if necessary, develop mitigation to reduce the vibration levels to within the Caltrans threshold of 0.04 inch per second PPV.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 7th day of December, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Taresa Geilfuss, City Clerk

William D. Ross, City Attorney

EXHIBITS

- A. Hampton Inn CUP Site Plan
- B. Landscaping Plans
- C. Architecture Plans

Attachment 3

PROJECT SUMMARY

GENERAL INFORMATION

SITE AREA:	116,481 SF. (2.67 ACRES)
APN:	058-312-010-000, 058-312-005-000
ZONING:	LSMU: LOCAL-SERVING MIXED-USE DEVELOPMENT
SPECIFIC PLAN:	BDSP: BROADWAY DISTRICT SPECIFIC PLAN
PROPOSED USE:	HOTEL: 112 ROOMS, 3 STORIES
BUILDING OCCUPANCY:	MIXED: R-1, A-2, B AND F.
BUILDING CONSTRUCTION:	TYPE VA

PARKING SUMMARY

PARKING REQUIRED:	REQUIRED	PROVIDED
1 SPACE PER GUESTROOM:	112	
PLUS 1 SPACE PER 10 ROOMS OR UNITS:	11	
TOTAL	123	119

PARKING PROVIDED

STANDARD SPACES:	103 (INCL. 8 FUTURE EV SPACES)
ACCESSIBLE SPACES:	5
CLEAN AIR/VAN POOL/EV SPACES (CVA):	11 (7 EV SPACES)
TOTAL	119

PARKING SPACE SIZES:

STANDARD TYPE A =	9' WIDE X 18' LONG	(A)
STANDARD TYPE B =	9' WIDE X 16' LONG	(B)
(INCL. 24" OVERHANG AT LANDSCAPE)		
STANDARD VAN TYPE C =	13' WIDE X 18' LONG	(C)

DRIVE AISLE WIDTH: 25' U.N.O.

BICYCLE PARKING REQUIRED:

1 SPACE PER 20 CAR SPACES	6 REQUIRED	20 PROVIDED
		(INCL. 6 CLASS 1 FUTURE SPACES IF NEED ARISES)

BUILDING AREAS

GROUND FLOOR:	20,520 S.F.	(AREA OF PORTE COCHERE NOT INCLUDED)
2ND FLOOR:	20,307 S.F.	
3RD FLOOR:	20,307 S.F.	
TOTAL:	61,134 S.F.	

TRASH ENCLOSURE: 442 S.F.
 POOL EQUIPMENT: 275 S.F.
 TOTAL: 717 S.F.

BUILDING HEIGHT

MAXIMUM ALLOWED BUILDING HEIGHT:	42 FEET PER LSMU ZONING
PROPOSED BUILDING HEIGHT:	47'-5" FEET

SITE AREAS

BUILDING COVERAGE:	21,237 S.F.	18.2%
HARDSCAPE AREA:	12,342 S.F.	10.6% (INCL. POOL)
PAVEMENT AREA:	55,550 S.F.	47.7%
LANDSCAPE AREA:	27,352 S.F.	23.5%
TOTAL	116,481 S.F.	100.0%

F.A.R. .53

GUESTROOM SUMMARY

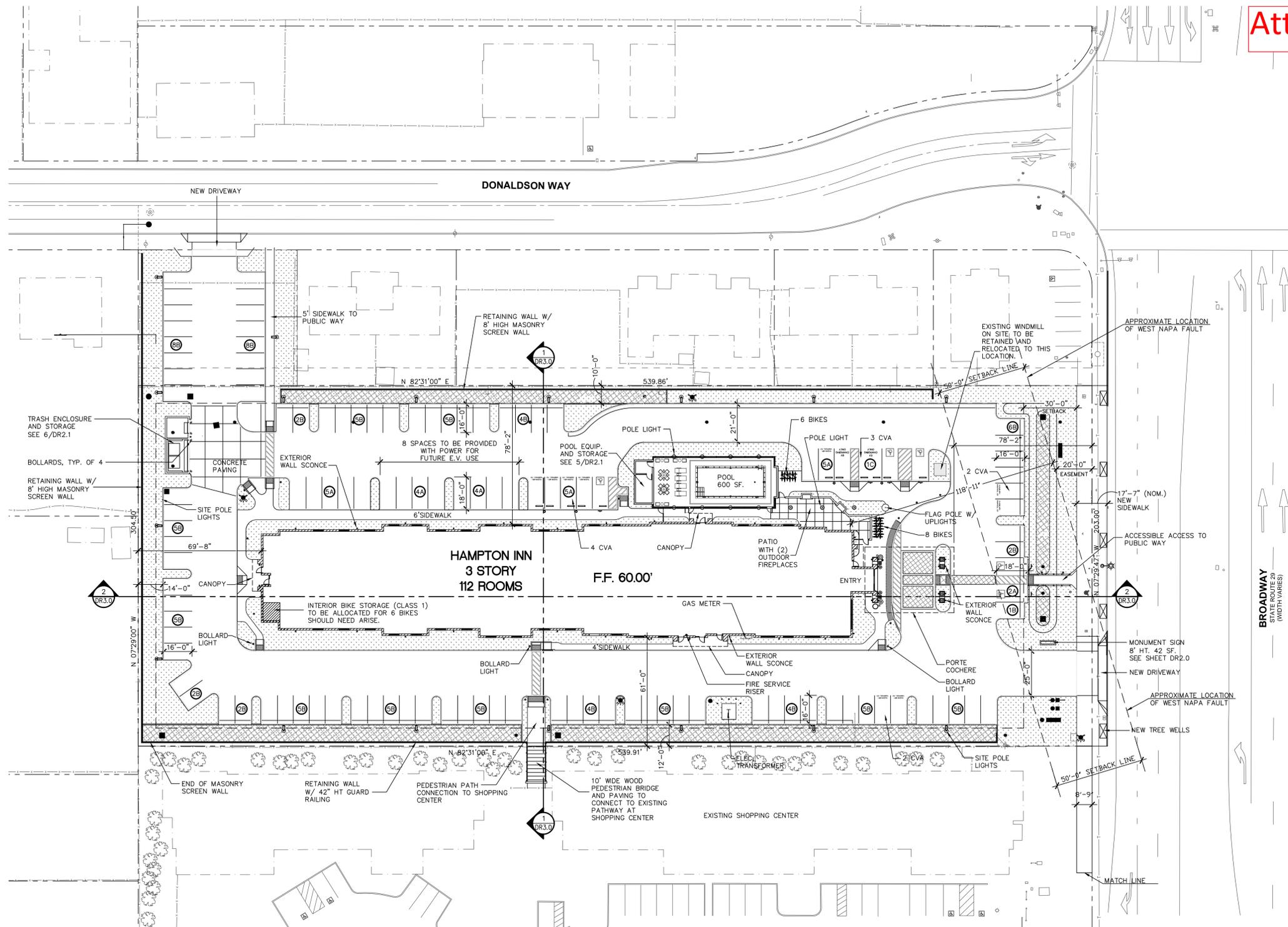
	GROUND FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
KING	16	21	21	58	52%
KING ACCESSIBLE	1	1	1	3	2%
DBL. QUEEN	6	20	20	46	41%
DBL. QUEEN ACCESSIBLE	1	2	2	5	5%
TOTAL	24	44	44	112	

ACCESSIBILITY REQUIREMENTS	REQUIRED	PROVIDED	C.B.C. REF.
MOBILITY FEATURES (SHOWER)	2	3	TABLE 11B-224.2
MOBILITY FEATURES (TUB)	5	5	TABLE 11B-224.2
COMMUNICATION FEATURES	12	19	TABLE 11B-224.4

LEGEND

- ☪ POLE MOUNTED SITE LIGHT - 25' HEIGHT
- BOLLARD LIGHT - 42" HEIGHT
- ☉ POLE MOUNTED POOL LIGHT - 15' HEIGHT
- WALL MOUNTED BUILDING LIGHT
- ⚡ FIRE HYDRANT

TRUNCATED DOMES	DECORATIVE PAVING
PAINTED STRIPING	LANDSCAPE
DECORATIVE PAVING	ASPHALT PAVING
BIO RETENTION	



SITE PLAN
SCALE: 1" = 30'-0"

- 1 RESPONSE TO CITY COMMENTS 01-25-21 REVISED FRONTAGE SIDEWALK WIDTH, ADDED PEDESTRIAN BRIDGE CONNECTION, REVISED TRASH ENCLOSURE.
- 2 03-15-2021 - REVISED SITE AREA CALCULATIONS
- 3 05-12-2021 - CITY CHANGED LANDSCAPE SETBACK TO BE 30' FROM BACK OF SIDEWALK, REVISED PARKING FRONTAGE MOVING PARKING STALLS FACING BROADWAY BACK 2' IN THE WEST DIRECTION, REVISED SITE AREA CALCULATIONS.
- 4 10-22-2021 - REVISED SITE PLAN TO INCORPORATE ADDITIONAL PARCEL 058-312-005-000 INTO PROJECT, ADDED 6 GUESTROOMS TO PROJECT, REVISED PROJECT SUMMARY AND CALCULATIONS.
- 5 11-04-2021 - REVISED SITE PLAN TO ADDRESS PLANNING COMMISSION COMMENTS, INCREASED BIKE PARKING, ENCREASE WIDTH OF PEDESTRIAN BRIDGE TO 10', ADDED 8 FUTURE E.V. PARKING SPACES, PROVIDED SIDEWALK FROM HOTEL TO DONALDSON, REVISED PROJECT SUMMARY AND CALCULATIONS.

Attachment 4

PROJECT SUMMARY

GENERAL INFORMATION

SITE AREA: 109,596 SF. (2.51 ACRES)
 APN: 058-312-010
 ZONING: LSMU: LOCAL-SERVING MIXED-USE DEVELOPMENT
 SPECIFIC PLAN: BDSF: BROADWAY DISTRICT SPECIFIC PLAN
 PROPOSED USE: HOTEL: 106 ROOMS, 3 STORIES
 BUILDING OCCUPANCY: MIXED: R-1, A-2, B AND F.
 BUILDING CONSTRUCTION: TYPE VA

PARKING SUMMARY

PARKING REQUIRED:	REQUIRED	PROVIDED
1 SPACE PER GUESTROOM:	106	106
PLUS 1 SPACE PER 10 ROOMS OR UNITS:	11	7
TOTAL	117	113

PARKING PROVIDED

STANDARD SPACES:	97
ACCESSIBLE SPACES:	5
CLEAN AIR/VAN POOL/EV SPACES (CVA):	11 (7 EV SPACES)
TOTAL	113

PARKING SPACE SIZES: STANDARD TYPE A = 9' WIDE X 18' LONG
 STANDARD TYPE B = 9' WIDE X 16' LONG
 (INCL. 24" OVERHANG AT LANDSCAPE)
 STANDARD VAN TYPE C = 13' WIDE X 18' LONG

DRIVE AISLE WIDTH: 25' U.N.O.
BICYCLE PARKING REQUIRED:
 1 SPACE PER 20 CAR SPACES 6 REQUIRED 8 PROVIDED

BUILDING AREAS

GROUND FLOOR:	19,691 S.F.	(AREA OF PORTE COCHERE NOT INCLUDED)
2ND FLOOR:	19,476 S.F.	
3RD FLOOR:	19,476 S.F.	
TOTAL:	58,643 S.F.	

TRASH ENCLOSURE: 442 S.F.
POOL EQUIPMENT: 275 S.F.
TOTAL: 717 S.F.

BUILDING HEIGHT
 MAXIMUM ALLOWED BUILDING HEIGHT: 42 FEET PER LSMU ZONING
 PROPOSED BUILDING HEIGHT: 47'-5" FEET

SITE AREAS

BUILDING COVERAGE:	20,408 S.F.	18.7%
HARDSCAPE AREA:	11,526 S.F.	10.5% (INCL. POOL)
PAVEMENT AREA:	48,962 S.F.	44.7%
LANDSCAPE AREA:	28,700 S.F.	26.1%
TOTAL	109,596 S.F.	100.0%

F.A.R. .54

GUESTROOM SUMMARY

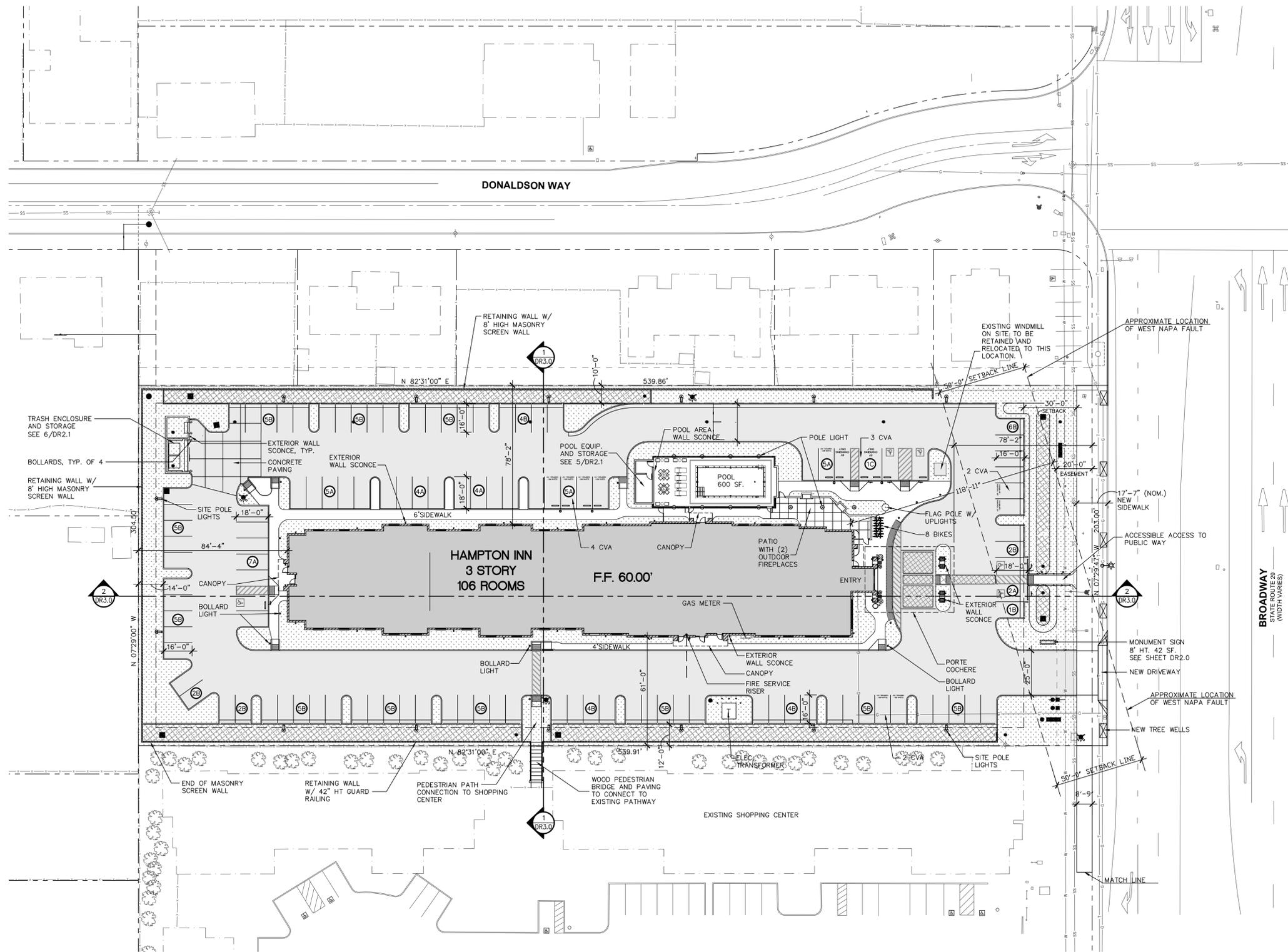
	GROUND FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
KING	14	19	19	52	49%
KING ACCESSIBLE	1	1	1	3	3%
DBL. QUEEN	6	20	20	46	43%
DBL. QUEEN ACCESSIBLE	1	2	2	5	5%
TOTAL	22	42	42	106	

ACCESSIBILITY REQUIREMENTS	REQUIRED	PROVIDED	C.B.C. REF.
MOBILITY FEATURES (SHOWER)	2	3	TABLE 11B-224.2
MOBILITY FEATURES (TUB)	5	5	TABLE 11B-224.2
COMMUNICATION FEATURES	12	19	TABLE 11B-224.4

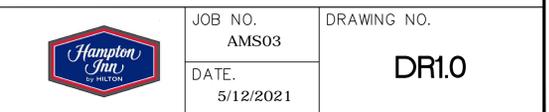
- LEGEND**
- ☪ POLE MOUNTED SITE LIGHT - 25' HEIGHT
 - BOLLARD LIGHT - 42" HEIGHT
 - ☉ POLE MOUNTED POOL LIGHT - 15' HEIGHT
 - WALL MOUNTED BUILDING LIGHT
 - ⚡ FIRE HYDRANT

- ▒ TRUNCATED DOMES
- ▨ PAINTED STRIPING
- ▤ DECORATIVE PAVING
- ▩ BIO RETENTION
- ▤ DECORATIVE PAVING
- ▨ ASPHALT PAVING
- ▤ DECORATIVE PAVING
- ▨ LANDSCAPE

- 1 RESPONSE TO CITY COMMENTS 01-25-21
REVISED FRONTAGE SIDEWALK WIDTH, ADDED PEDESTRIAN BRIDGE CONNECTION, REVISED TRASH ENCLOSURE.
- 2 03-15-2021 - REVISED SITE AREA CALCULATIONS
- 3 05-12-2021 - CITY CHANGED LANDSCAPE SETBACK TO BE 30' FROM BACK OF SIDEWALK. REVISED PARKING FRONTAGE MOVING PARKING STALLS FACING BROADWAY BACK 2' IN THE WEST DIRECTION. REVISED SITE AREA CALCULATIONS.



SITE PLAN
 SCALE: 1" = 30'-0"



Hampton Inn

LINEAR BUILDING LETTERS
SEE FOLLOWING SHEETS FOR TYPICAL NEON AND L.E.D. LAYOUTS
LETTERS 30" TALL and SMALLER WILL BE ONLY 8" DEEP and POWERED w/ VENTEX ELECTRONIC TRANSFORMERS.

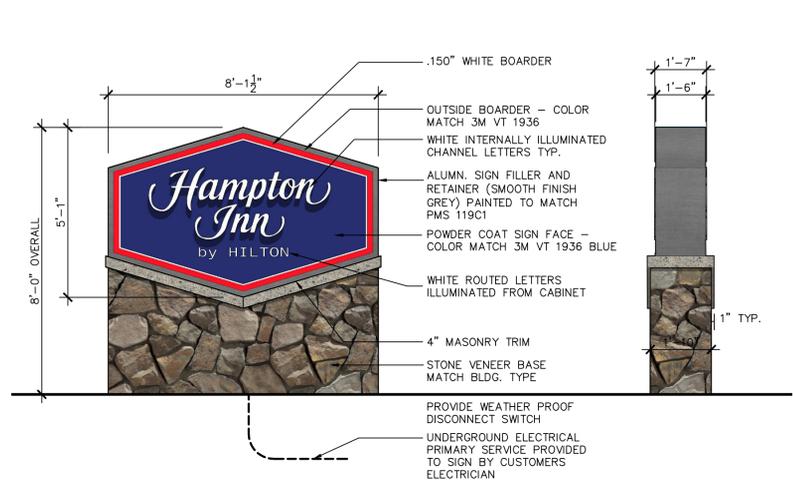
LIGHT COLORED BUILDING
8" DEEP SELF CONTAINED CHANNEL LETTERS. * .080" THK. ALUM. RETURNS WITH .080" THK. ALUM. CAP CUT BACKS. RETURNS PAINTED 313 DK. BRONZE. 1/8" THK. #2288 RED LEVIAN FACES. 1" DK. BRONZE TRIMCAP RETAINERS. CLEAR RED NEON ILLUMINATION OR GELCORE TETRA RED RED L.E.D. (8 PER FOOT), 30WA FRANCE PFCM TRANSFORMERS IN NEON ILLUMINATED LETTERS.

TRADEMARK DETAIL NTS

SIGN NUMBER	A	B	C	AREA (SQ. FT.)	NEON L.E.D.	NEON L.E.D.
HI BL36L	24"	19'-7"	4"	27.16	2.5 / 0.84	(1) 20A / (1) 20A
HI BL36L	30"	16'-11 1/2"	8"	42.84	2.5 / 0.84	(1) 20A / (1) 20A
HI BL36L	35"	22'-2"	6"	62.72	12.23 / 0.84	(1) 20A / (1) 20A
HI BL36L	48"	27'-7"	7"	118.68	15.71 / 1.07	(1) 20A / (1) 20A
HI BL36L	60"	34'-8"	8 1/2"	178.78	19.4 / 1.9	(1) 20A / (1) 20A

BUILDING SIGN - HI BL36L (62.75 SQ.FT.)
SCALE: N.T.S.

MONUMENT AND BUILDING SIGN DETAILS
SCALE: AS NOTED



MONUMENT SIGN (42 SQ.FT.)
SCALE: 3/8" = 1'-0"

- SHEET NOTES**
- ALUMINUM WINDOW SYSTEM
 - PAINTED METAL GUTTER AND DOWNSPOUT
 - POOL EQUIPMENT BUILDING BEYOND
 - STONE VENEER POOL AND PATIO PRIVACY WALL
 - PORTE COCHERE
 - SIDE ENTRANCE CANOPY BEYOND
 - E.V. CHARGING STATION
 - PAINTED METAL LOUVER
 - BOARD AND BATTEN PATTERN
 - HORIZONTAL SIDING
 - POOL AREA POLE LIGHT BEYOND
 - WALL LIGHT SCONE
 - ALUMINUM STOREFRONT SYSTEM
 - OPEN WEB WOOD TRUSS
 - METAL WALL COPING
 - WINDOW TRIM - TERRA NEO
 - BOLLARD LIGHT
 - FLAG POLE
 - RAISED PANEL
 - 6'-0" HIGH METAL FENCE BEYOND
 - ENTRY AREA PLANTER
 - BIKE RACK
 - BUILDING SIGN WITH BACKLIT CHANNEL LETTER
 - WALL COPING - TERRA NEO

LEGEND

	WOOD SIDING - COLONIAL SMOOTH MANUF: HARDIPLANK COLOR: WITH THE GRAIN (DET668) MANUF: DUNN EDWARDS		TERRA NEO WINDOW TRIM / WALL COPING COLOR: GLAZIER 207 MANUF.: DRYVIT SYSTEM INC.
	WOOD TRIM - COLONIAL SMOOTH MANUF: HARDIPLANK COLOR: WITH THE GRAIN (DET668) MANUF: DUNN EDWARDS		ALUMINUM WINDOW FRAME COLOR: DARK BRONZE ALUMINUM STOREFRONT COLOR: DARK BRONZE MANUF: KAWNEER
	WOOD TRIM - COLONIAL SMOOTH MANUF: HARDIPLANK COLOR: AGED WHISKEY (DET686) MANUF: DUNN EDWARDS		GLAZING COLOR: SMOKE GREY / OCEAN GREY VANCEVA MANUF.: GUARDIAN GLASS SUPERNEUTRAL 68
	FASCIA - COLONIAL SMOOTH MANUF: HARDIPLANK COLOR: GRAY MATTERS MANUF: SHERWIN WILLIAMS (7066)		STONE VENEER COLOR: COGNAC MANUF.: EL DORADO
	PAINTED METAL: GUTTER / DOWNSPOUT / COPING COLOR: GEORGIA CLAY (DE5181)		STANDING SEAM METAL ROOF COLOR: A606-4 WEATHERING STEEL MANUF.: CORTEN ROOFING

GENERAL NOTES

- COLORS INDICATED ON THIS DRAWING ARE APPROXIMATE AND WILL VARY DEPENDING ON PRINTER/MONITOR DISPLAY SOURCE. REFER TO COLORS AND MATERIALS BOARDS FOR TRUE REPRESENTATION OF ALL PROPOSED FINISHES.
- ALL LANDSCAPING INDICATED ON THIS DRAWING IS DIAGRAMMATIC AND INTENDED ONLY TO CONVEY A SENSE OF GENERAL LANDSCAPED AREAS. REFER TO ACTUAL LANDSCAPE PLAN FOR ALL PROPOSED LANDSCAPING.



1 EAST EXTERIOR (FRONT) ELEVATION
SCALE: 3/16" = 1'-0"

RESPONSE TO CITY COMMENTS 01-25-2021: REVISED MONUMENT SIGN.

SHEET NOTES

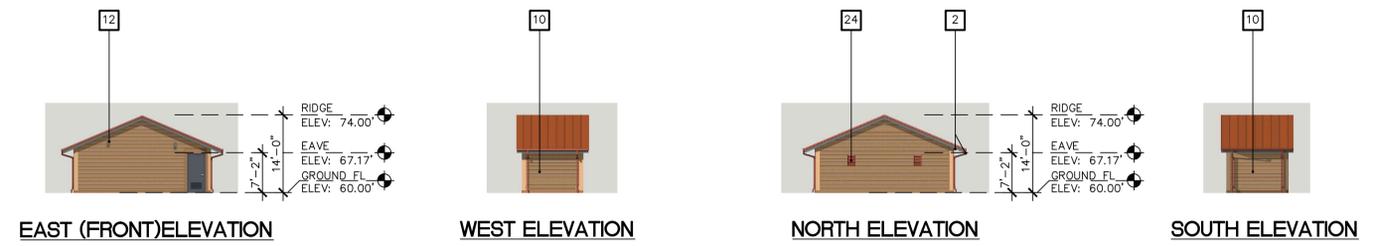
- | | | |
|---|-------------------------------|--------------------------------|
| 1 ALUMINUM WINDOW SYSTEM | 11 POOL AREA POLE LIGHT | 21 PAINTED METAL ROLL-UP DOOR |
| 2 PAINTED METAL GUTTER AND DOWNSPOUT | 12 WALL LIGHT SCONE | 22 BIKE RACK |
| 3 POOL EQUIPMENT BUILDING | 13 ALUMINUM STOREFRONT SYSTEM | 23 WALL COPING - TERRANELO |
| 4 7FT HIGH STONE VENEER POOL & PATIO PRIVACY WALL | 14 WOOD WINDOW TRIM | 24 16" W X 24" H LOUVERED VENT |
| 5 PORTE COCHERE | 15 METAL WALL COPING | |
| 6 SIDE ENTRANCE CANOPY BEYOND | 16 WINDOW TRIM - TERRANELO | |
| 7 E.V. CHARGING STATION | 17 BOLLARD LIGHT | |
| 8 PAINTED METAL LOUVER | 18 FLAG POLE | |
| 9 BOARD AND BATTEN PATTERN | 19 BOLLARD | |
| 10 HORIZONTAL SIDING | 20 72" HIGH METAL FENCE | |

LEGEND

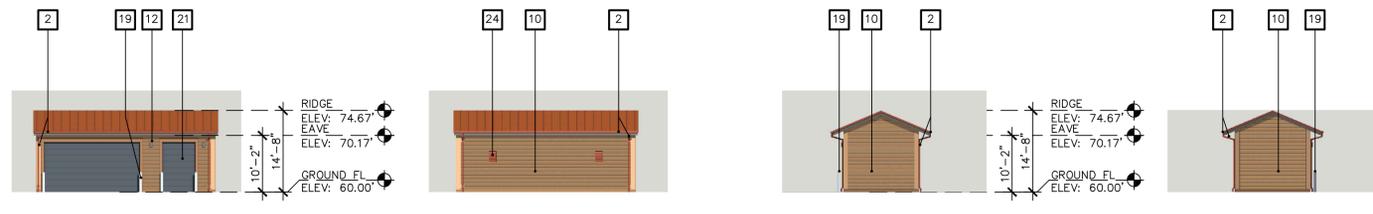
-  WOOD SIDING - COLONIAL SMOOTH
MANUF: HARDPLANK
COLOR: WITH THE GRAIN (DET668)
MANUF: DUNN EDWARDS
-  WOOD TRIM - COLONIAL SMOOTH
MANUF: HARDPLANK
COLOR: WITH THE GRAIN (DET668)
MANUF: DUNN EDWARDS
-  WOOD TRIM - COLONIAL SMOOTH
MANUF: HARDPLANK
COLOR: AGED WHISKEY (DET686)
MANUF: DUNN EDWARDS
-  FASCIA - COLONIAL SMOOTH
MANUF: HARDPLANK
COLOR: GRAY MATTERS
MANUF: SHERWIN WILLIAMS (7066)
-  PAINTED METAL: GUTTER / DOWNSPOUT / COPING
COLOR: GEORGIA CLAY (DE5181)
-  TERRANELO WINDOW TRIM / WALL COPING
COLOR: GLAZIER 207
MANUF: DRYVIT SYSTEM INC.
-  ALUMINUM STOREFRONT
COLOR: DARK BRONZE
ALUMINUM WINDOW FRAME
COLOR: DARK BRONZE
MANUF: KAWNEER
-  GLAZING
COLOR: SMOKE GREY / OCEAN GREY VANCEVA
MANUF: GUARDIAN GLASS SUPERNEUTRAL 68
-  STONE VENEER
COLOR: COGNAC
MANUF: EL DORADO
-  STANDING SEAM METAL ROOF
COLOR: A606-4 WEATHERING STEEL
MANUF: CORTEN ROOFING



2 WEST EXTERIOR ELEVATION
SCALE: 1/16" = 1'-0"



5 POOL EQUIPMENT EXTERIOR ELEVATION
SCALE: 1/16" = 1'-0"



6 TRASH ENCLOSURE EXTERIOR ELEVATION
SCALE: 1/16" = 1'-0"



3 NORTH EXTERIOR ELEVATION
SCALE: 1/16" = 1'-0"



4 SOUTH EXTERIOR ELEVATION
SCALE: 1/16" = 1'-0"

GENERAL NOTES

1. COLORS INDICATED ON THIS DRAWING ARE APPROXIMATE AND WILL VARY DEPENDING ON PRINTER/MONITOR DISPLAY SOURCE. REFER TO COLORS AND MATERIALS BOARDS FOR TRUE REPRESENTATION OF ALL PROPOSED FINISHES.
2. ALL LANDSCAPING INDICATED ON THIS DRAWING IS DIAGRAMMATIC AND INTENDED ONLY TO CONVEY A SENSE OF GENERAL LANDSCAPED AREAS. REFER TO ACTUAL LANDSCAPE PLAN FOR ALL PROPOSED LANDSCAPING.

RESPONSE TO CITY COMMENTS 01-25-2021:
REVISED TRASH ENCLOSURE



PHOTO SIMULATION IMAGE - NORTHWEST PERSPECTIVE OF HOTEL FROM SR-29

ARCHITECTURAL
DIMENSIONS

300 Frank H. Ogawa Plaza
Oakland, CA 94612
TEL. 510.463.8300 • FAX. 510.463.8395

PROJECT INFO.

HAMPTON INN
3443 BROADWAY STREET
AMERICAN CANYON, CA

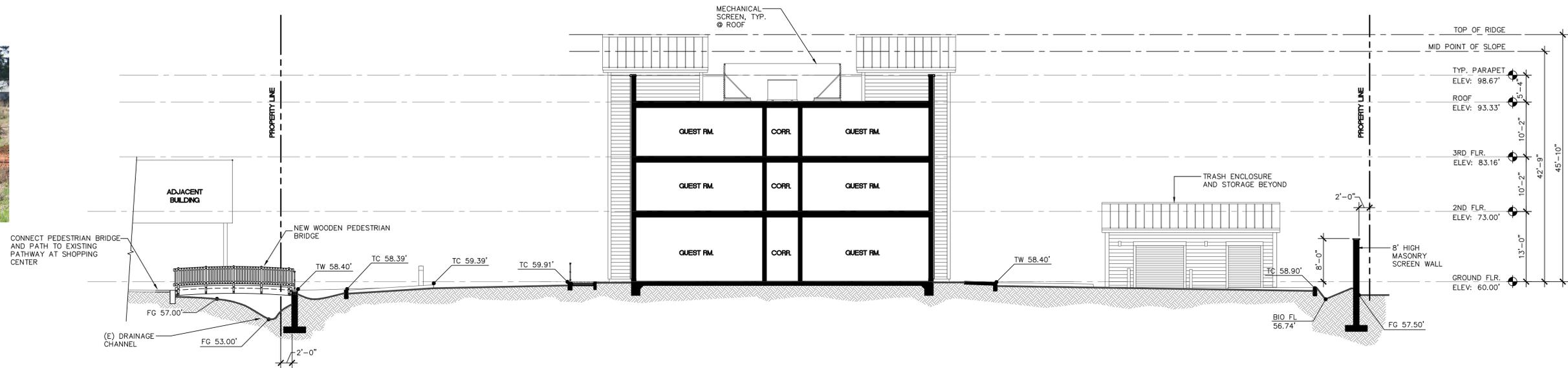


JOB NO.
AMS03
DATE.
3/11/2021

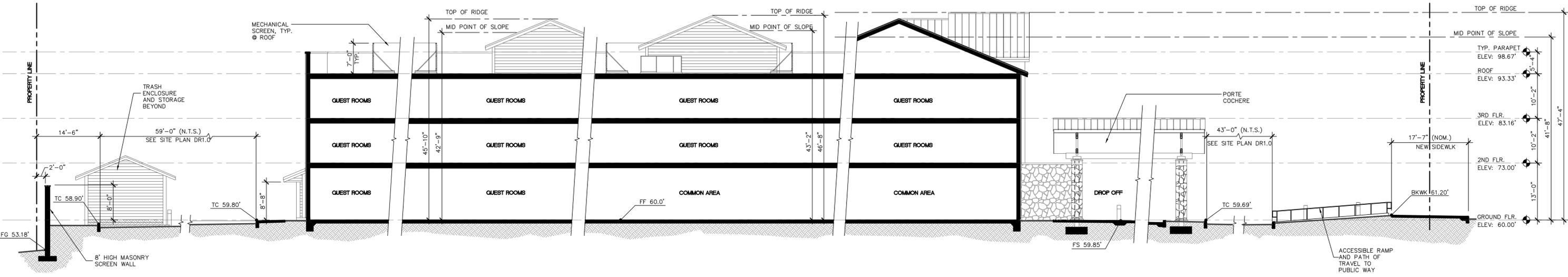
DRAWING NO.
DR2.2



PEDESTRIAN BRIDGE



1 SITE / BUILDING SECTION
SCALE: 3/32" = 1'-0"



2 SITE / BUILDING SECTION
SCALE: 3/32" = 1'-0"



3 STREETSCAPE
SCALE: N.T.S.

RESPONSE TO CITY COMMENTS 01-25-2021: REVISED TRASH ENCLOSURE AND ADDED PEDESTRIAN BRIDGE



300 Frank H. Ogawa Plaza
Oakland, CA 94612
TEL. 510.463.8300 • FAX. 510.463.8395

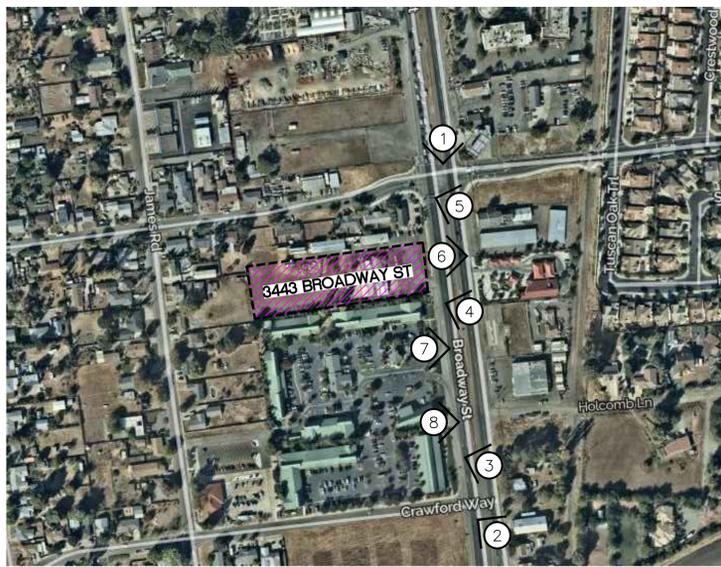
PROJECT INFO.

HAMPTON INN
3443 BROADWAY STREET
AMERICAN CANYON, CA



JOB NO. AMS03
DATE: 3/11/2021

DRAWING NO. DR3.0



SITE PHOTO LOCATIONS



1 BROADWAY + DONALSON INTERSECTION
LOOKING SOUTH



2 BROADWAY + CRAWFORD INTERSECTION
LOOKING NORTH



3 BROADWAY STREET
LOOKING WEST



4 BROADWAY STREET
LOOKING WEST



5 BROADWAY STREET
LOOKING WEST



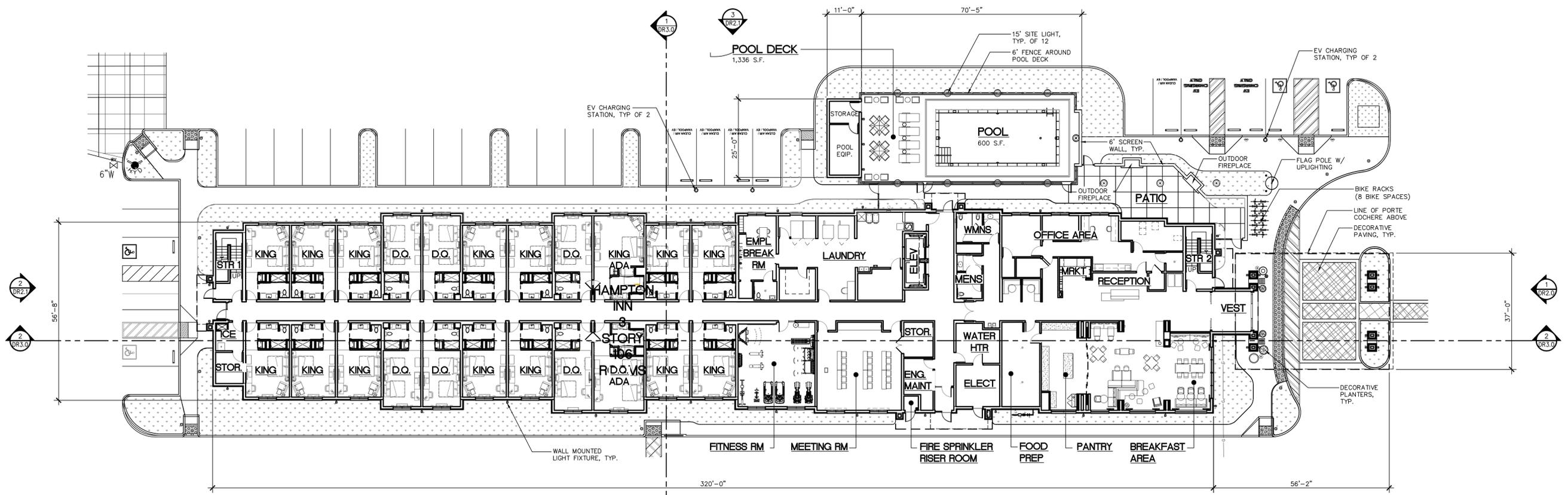
6 BROADWAY STREET
LOOKING EAST



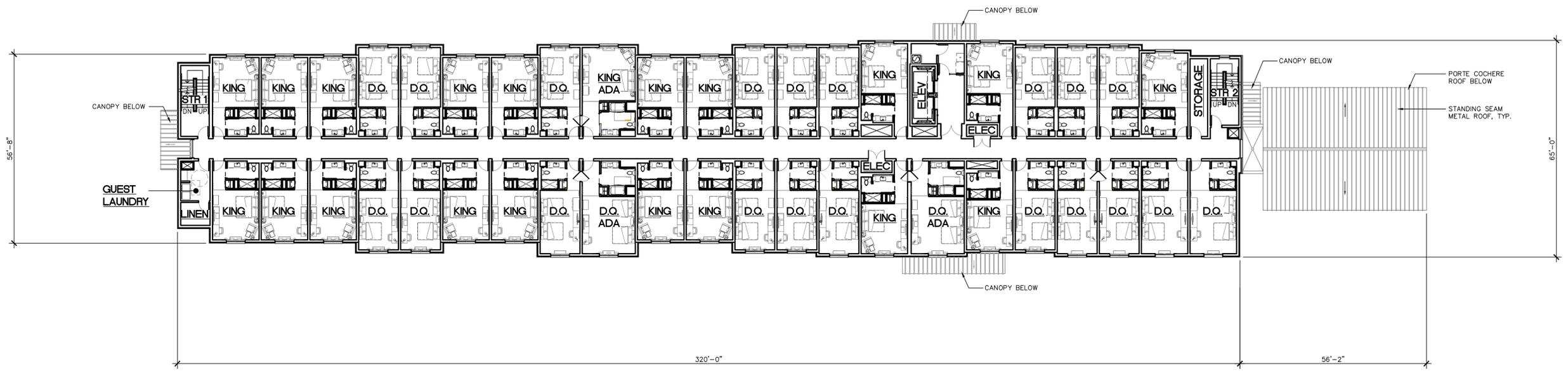
7 BROADWAY STREET
LOOKING EAST



8 BROADWAY STREET
LOOKING EAST



GROUND FLOOR PLAN
SCALE: 1/16"=1'-0"



SECOND FLOOR PLAN
SCALE: 1/16"=1'-0"



**ARCHITECTURAL
DIMENSIONS**

300 Frank H. Ogawa Plaza
Oakland, CA 94612
TEL. 510.463.8300 • FAX. 510.463.8395

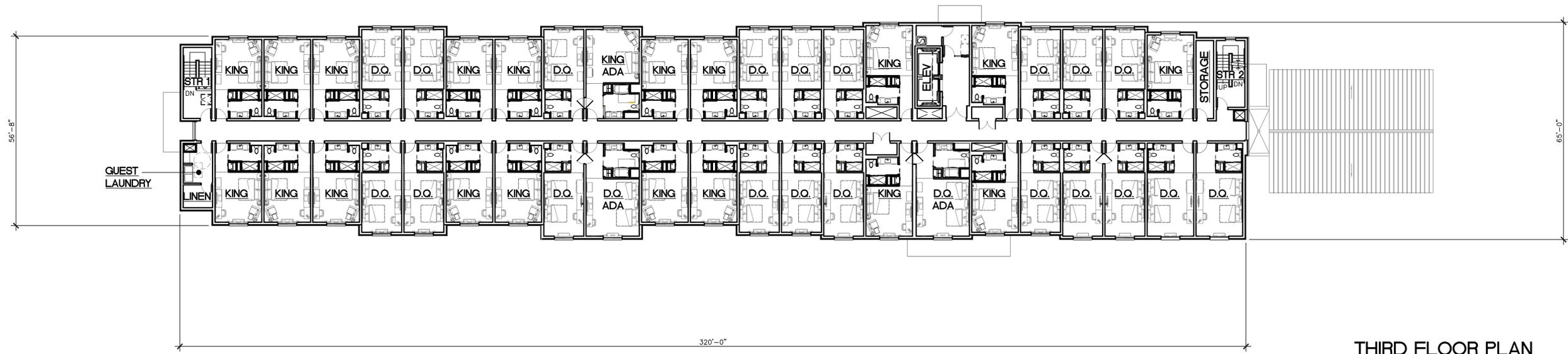
PROJECT INFO.

HAMPTON INN
3443 BROADWAY STREET
AMERICAN CANYON, CA

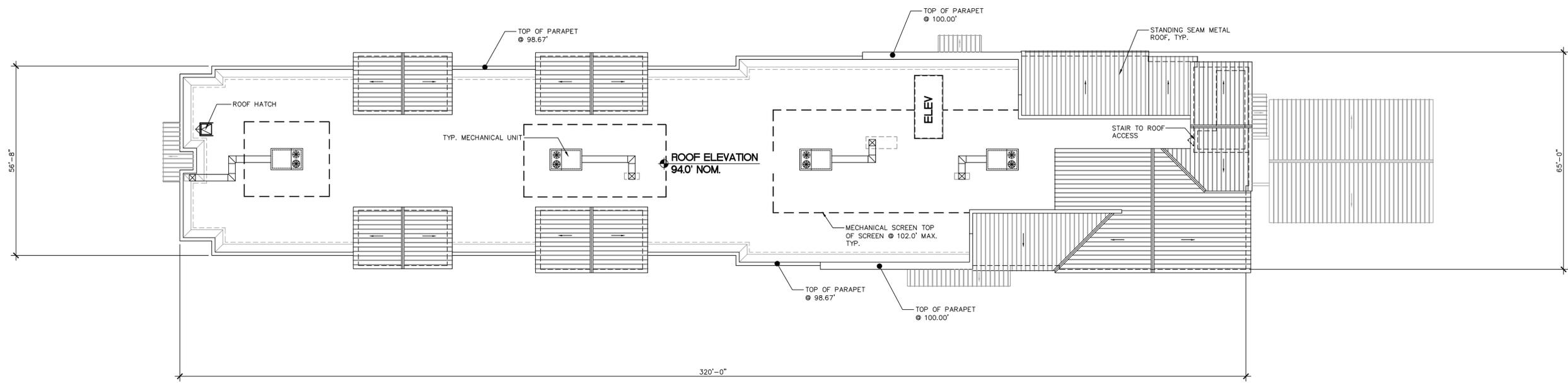


JOB NO.
AMS03
DATE.
3/11/2021

DRAWING NO.
DR4.0



THIRD FLOOR PLAN
SCALE: 1/16"=1'-0"



ROOF PLAN
SCALE: 1/16"=1'-0"



**ARCHITECTURAL
DIMENSIONS**

300 Frank H. Ogawa Plaza
Oakland, CA 94612
TEL. 510.463.8300 • FAX. 510.463.8395

PROJECT INFO.

HAMPTON INN
3443 BROADWAY STREET
AMERICAN CANYON, CA



JOB NO.
AMS03
DATE.
3/11/2021

DRAWING NO.
DR4.1

BEGA > Products > Exterior > Bollard > System bollard head

System bollard head

Unshielded with safety guard



[View all photos](#)

Unshielded with safety guard · 360°

	LED		A	B
99 760	6.0W	204 lm	5%	5%
99 765	16.5W	566 lm	7%	7%
99 777	29.4W	768 lm	10%	8%

Unshielded with safety guard · 180°

	LED		A	B
99 770	6.0W	102 lm	5%	5%
99 776	16.5W	313 lm	7%	7%
99 778	29.4W	398 lm	10%	8%

[Technical Specs](#)

[Photography](#)

[Extra Info.](#)

System bollard head

Unshielded with safety guard

BEGA > Products > Exterior > Bollard > System bollard tube

System bollard tube

Integral PIR motion sensor



[View all photos](#)

Bollard tube · Integral PIR motion sensor

			A	B
99 658		lm	7%	32
99 659		lm	10%	34%

[Technical Specs](#)

[Extra Info.](#)



System bollard tube

Integral PIR motion sensor

BEGA LED system bollard luminaire tube with passive infrared motion sensor. BEGA LED system bollard tubes are designed for easy attachment to system bollard heads using an interlocking mechanism. An accompanying bollard head must be selected for proper installation, see list of compatible head options.

Passive infrared motion sensor ramps lighting ON to 100% light output when motion is detected. After the motion sensor stops detecting motion for 30 minutes, light output fades to 10% of full output. Consult factory for custom

1/2

BEGA > Products > Exterior > Pole-top > Pole-top luminaire

Pole-top luminaire

Single and twin



[View all photos](#)

Asymmetric wide beam · Single

	LED		A	B	C
77 928	15.8W	2160 lm	11%	4%	23%
77 939	23.6W	3195 lm	11%	4%	23%
77 954	51.6W	4543 lm	13	5%	26%

Asymmetric wide beam · Twin

	LED		A	B	C
84 123	(2) 15.8W	4320 lm	11%	4%	47%

2 POLE MOUNTED SITE LIGHT · 25' HEIGHT

SCALE: N.T.S.

BEGA > Products > Exterior > Pole > Aluminum gantry pole

Aluminum gantry pole

Tapered round



[View all photos](#)

Square fixed base

Aluminum gantry pole

Tapered round aluminum gantry pole with square fixed base.

Tapered round 3" outer top diameter with four galvanized steel anchor bolts and nut covers.

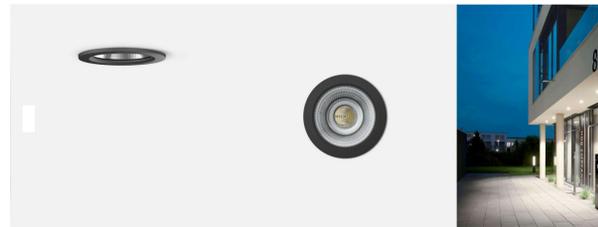
1 BOLLARD LIGHT · 42" HEIGHT

SCALE: N.T.S.

BEGA > Products > Exterior > Recessed Ceiling > Downlight

Downlight

Symmetric



[View all photos](#)

Narrow beam

	LED	EXPRESS	β	A	B	C
24 817	8.3W		1234 lm	21°	5%	5 18
24 820	16.6W	✓	2310 lm	21°	5%	5 18
24 818	11.5W		1629 lm	16°	6%	5 18
24 821	24.5W	✓	3057 lm	16°	6%	5 18
24 819	17.3W		2484 lm	20°	8%	5 18
24 822	36.0W	✓	4683 lm	20°	8%	5 18

Wide beam

	LED	EXPRESS	β	A	B	C
24 823	8.3W		1221 lm	38°	5%	5 18
24 826	16.6W	✓	2277 lm	38°	5%	5 18
24 824	11.5W		1619 lm	29°	6%	5 18
24 827	24.5W	✓	3039 lm	29°	6%	5 18
24 825	17.3W		2421 lm	32°	8%	5 18

3 CANOPY DOWN LIGHT FIXTURE

SCALE: N.T.S.

BEGA > Products > Exterior > Pole-top > Pole-top luminaire

Pole-top luminaire

Unshielded



[View all photos](#)

[symmetric](#)

	LED		A	B
77 120	23.4W	2654 lm	25%	23%

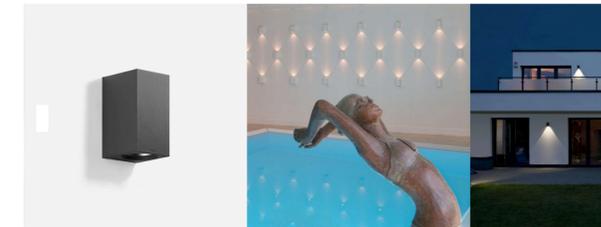
4 POLE MOUNTED POOL LIGHT · 15'

SCALE: N.T.S.

BEGA > Products > Exterior > Wall > Wall luminaire

Wall luminaire

Directed light



[View all photos](#)

Narrow beam downward

	LED	EXPRESS	β	A	B	C
33 579	1.9W	✓	158 lm	23°	3	5% 3%
33 580	4.0W	H&G	318 lm	23°	4%	7% 5
33 581	7.9W	✓	747 lm	20°	5%	9 6
24 582	16.5W		1667 lm	15°	5%	10% 6%

Very narrow beam upward · Narrow downward

	LED		β	A	B	C
24 594	3.8W		276 lm	13/20°	3	5% 3%
24 595	8.0W		438 lm	12/17°	4%	7% 5
24 596	15.8W		1044 lm	9/20°	5%	9 6
24 597	33.0W		1888 lm	9/20°	5%	10% 6%

5 WALL MOUNTED BUILDING LIGHT

SCALE: N.T.S.

ARCHITECTURAL
DIMENSIONS

300 Frank H. Ogawa Plaza
Oakland, CA 94612
TEL. 510.463.8300 • FAX. 510.463.8395

PROJECT INFO.

HAMPTON INN
3443 BROADWAY STREET
AMERICAN CANYON, CA

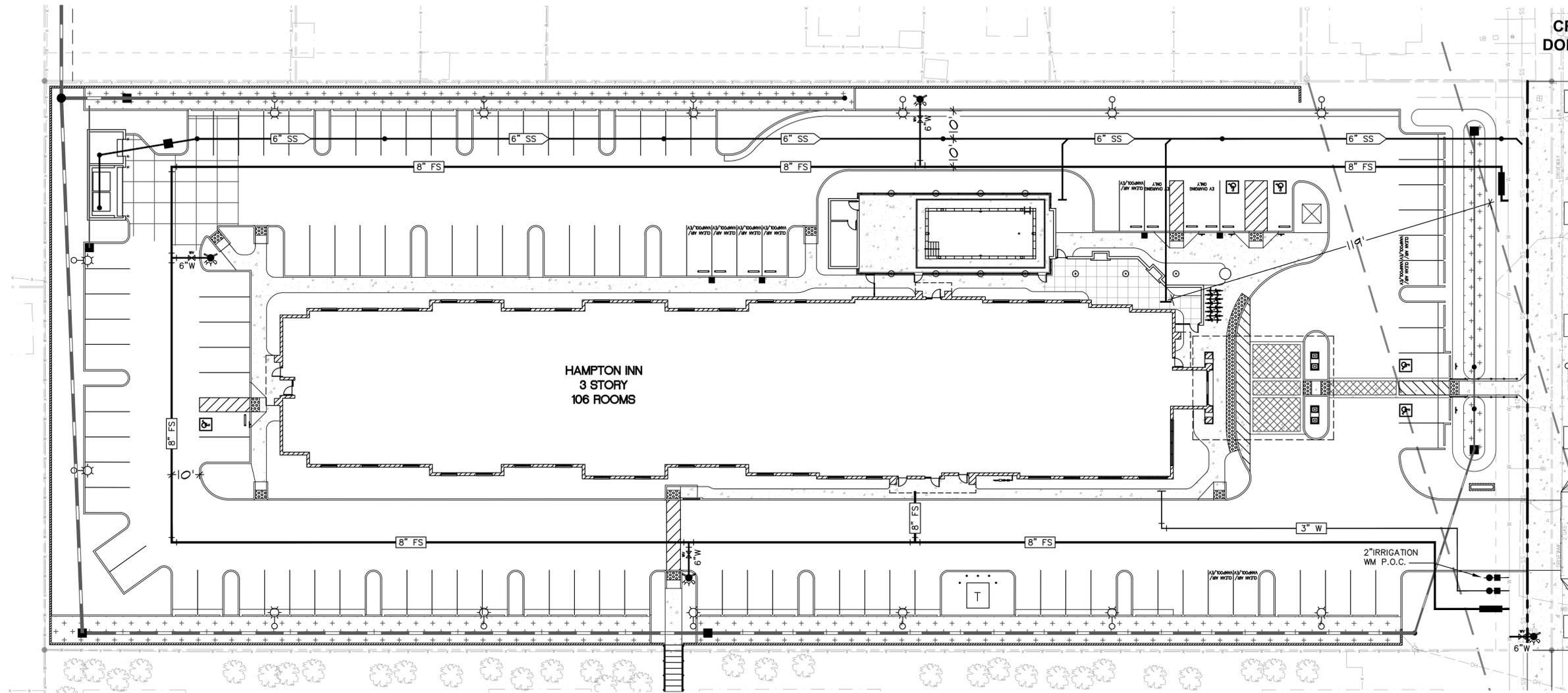


JOB NO.
AMS03
DATE.
3/11/2021

DRAWING NO.
DR5.0

CROSS STREET
DONALDSON WAY

BROADWAY
STATE ROUTE 29
(WIDTH VARIES)



HAMPTON INN
3 STORY
106 ROOMS

WATER EFFICIENT LANDSCAPE WORKSHEET

REFERENCE EVAPOTRANSPIRATION (ET₀): 45.8 Napa County, Carneros area

HYDROZONE / PLANTING DESCRIPTION	PLANT FACTOR (PF)	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF / IE)	LANDSCAPE AREA (sq. ft.)	ETAF x AREA	ESTIMATED TOTAL WATER USE (ETWU)
REGULAR LANDSCAPE AREAS:							
LOW-WATER USE	0.3	SUB-SURFACE DRIP	0.9	0.33	18630	6210.00	176339.2
LOW-MOD WATER USE	0.4	SUB-SURFACE TREE BUBBLERS	0.81	0.49	1150	567.90	16126.1
LOW-MOD BIOSWALE	0.5	MP ROTORS SPRAY	0.75	0.67	7352	4901.33	139178.3
TOTALS:						27132	11679
SPECIAL LANDSCAPE AREAS:							
REC. AREA				0	0	0	0
WATER FEATURE 1				0	0	0	0
WATER FEATURE 2				0	0	0	0
TOTALS:						0	0
ETWU TOTAL:							331,644
MAXIMUM ALLOWED WATER ALLOWANCE (MAWA):							423,742

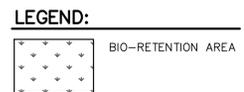
ETAF CALCULATIONS:

TOTAL ETAF x AREA	11,679
TOTAL LANDSCAPE AREA	27,132
AVERAGE ETAF	0.43

NOTE: AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS MUST BE 0.55 OR BELOW FOR RESIDENTIAL AREAS, AND 0.45 OR BELOW FOR NON-RESIDENTIAL AREAS.

ALL LANDSCAPE AREAS:

TOTAL ETAF x AREA	11,679
TOTAL LANDSCAPE AREA	27,132
SITEWIDE ETAF	0.43



IRRIGATION LEGEND

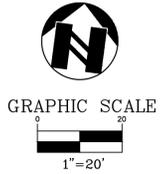
SYMBOL	MANUF.	DESCRIPTION	QUANTITY
⊙	CALSENSE	WATERSENSE-CERTIFIED CS3000-SR-RR6-FL-L-SSE-R --- STATION ENHANCED ET-DRIVEN CALSENSE CONTROLLER, WITH SPREAD SPECTRUM RADIO, ONE LOCAL RADIO-ONE CONTROLLER, WITH ENHANCED INTEGRATED RADIO REMOTE RECEIVER BOARD, WITH FLOW-ON-A-LOOP SOFTWARE, IN HEAVY DUTY STAINLESS STEEL ENCLOSURE WITH FACTORY INSTALLED ---, LOCATION TO BE DETERMINED COORDINATE INSTALLATION WITH REPRESENTATIVE JENNIFER GREGORIS AT 925.325.9368	1
⊙	WATER METER FEBCO-WATTS	DESIGNATED 2" POTABLE WATER METER OFF POINT OF CONNECTION WITH FEBCO-WATTS REDUCED PRESSURE BACKFLOW PREVENTER MODEL LF ---, SIZE SAME AS LINE SIZE.	1
⊙	SUPERIOR	MASTER VALVE, MODEL 3100 BRASS GLOBE VALVE, NORMALLY OPEN, LINE SIZE	1
⊙	CALSENSE	MODEL FM-2B FLOW SENSOR, CALSENSE. PROVIDED BY CALSENSE	1
⊙	RAIN BIRD	100-GB-P-HAN BRASS AUTOMATIC CONTROL VALVE. INSTALL IN BOX PER SPECIFICATIONS	8
⊙	RAIN BIRD	PEB-NP-HAN NYLON GLOBE AUTOMATIC CONTROL VALVE. INSTALL IN BOX PER SPECIFICATIONS. RBY-150MX INLINE WYE FILTER. INSTALL UPSTREAM OF VALVE. PSI-M40X INLINE PRESSURE REGULATOR (AS NEEDED)	6
⊙	RAIN BIRD	MODEL 44NP, 1" QUICK COUPLER WITH 2049 KEY (1PER GANG OF VALVES)	
⊙	RAIN BIRD	AIR RELIEF VALVE: MODEL ARV050, LOCATE AT THE HIGHEST POINT.	
⊙	RAIN BIRD	MANUAL LINE FLUSH POINT, MDCFFCAP/MDCFFCOUP. INSTALL AT A LOW POINT IN EXHAUST HEADER OF A GRID LAYOUT, OR AT THE MID-POINT OF LOOP LAYOUT.	
⊙	HAMMOND OR EQUAL	#8201 BRASS BALL VALVE LINE SIZE. INSTALL AS ISOLATION VALVE. INSTALL BALL VALVES AT "T" OFF OF SUBMAIN BEFORE REMOTE CONTROL VALVE GROUPINGS OR WHERE REMOTE CONTROL VALVES ARE SHOWN DIRECTLY OFF MAINLINE, INSTALL IN FRONT OF REMOTE CONTROL BANK AND BETWEEN MAJOR BRANCHES OF MAINLINE ON ALL IRRIGATION SYSTEMS THIS PROJECT.	
---		PVC SUPPLY HEADER	
---		PVC FLUSH HEADER	
---		RAIN BIRD, XFS-00-00 DRIPLINE: 0.6 PH, EMITTER SPACING 18", LATERAL SPACING 18 INCH; INSTALL WITH TIE-DOWN STAKES AT 4-5' O.C., MAXIMUM LATERAL LENGTH OF TUBING = 465 FT.	
---		LATERAL LINE: PVC SCH 40, SCH 40 SOLVENT WELD FITTINGS, 12" MIN. COVER, 1" MIN. SIZE	
---		IRRIGATION WATER MAIN LINE, PVC CLASS 315, ALL MAIN LINE SIZE 2". SOLVENT WELD FITTINGS, 18" MIN.	
---		SLEEVE: PVC SCH 40, 24" MIN. COVER, 30" IN STREET, SIZE SHALL BE A MINIMUM OF 4" AND AT LEAST TWO TIMES THE TOTAL SUM DIAMETER OF ALL PIPES CONTAINED WITHIN SLEEVE.	

CONTRACTOR SHALL PROVIDE A RAIN BIRD XF SERIES SUB-SURFACE IRRIGATION SYSTEM THROUGHOUT PROJECT SITE WITH BUBBLERS INSTALLED AT TREES AND MATCHED PRECIPITATION ROTORS AT BIOSWALES (UNLESS OTHERWISE NOTED).

1	CONTROLLER A, B, OR C/VALVE SEQUENCE NUMBER
1"	REMOTE CONTROL VALVE SIZE
5	APPROXIMATE GALLONS PER MINUTE

SYMBOL	MANUF.	DESCRIPTION SPRAY HEADS	NOZZLE	GPM	PSI	RADIUS	QUANTITY
BUBBLERS							
⊙	RAINBIRD	RWS DEEP WATERING ASSEMBLY	1401	.45	30		--
⊙	RAINBIRD	1401 FULL-CIRCLE BUB. ON FLEX RISER	BUBBLER	.25	30		--
SIDE/END STRIPS							
⊙	HUNTER	MP LEFT AND RIGHT STRIPS	END-STRIP	.14	30	4'x12'	--
⊙	HUNTER	MP LEFT AND RIGHT STRIPS	END-STRIP	.19	30	5'x15'	--
⊙	HUNTER	MP SIDE STRIPS	SIDE STRIP	.27	30	4'x24'	--
⊙	HUNTER	MP SIDE STRIPS	SIDE STRIP	.38	30	5'x30'	--

NOTE: QUANTITIES ARE GIVEN FOR THE CONVENIENCE OF THE CONTRACTOR IN CASE OF DISCREPANCY THE PLANS SHALL GOVERN.



DATE: 07-06-21 REV # BY DATE

SCALE: 1" = 20'

DESIGNED: LB, LW

DRAWN: LW

CHECKED: LB

PROJ. MGR: LB

FILE PATH: D:\DOCUMENTS\BATHA DESIGN GROUP\PROJECTS\HAMPTON INN\AMERICAN CANYON\INT & IRR PLAN_3-8-21.DWG

BATHA DESIGN GROUP
LANDSCAPE ARCHITECTURE & URBAN DESIGN

PRELIMINARY IRRIGATION PLAN
HILTON HAMPTON INN
3443 BROADWAY
NAPA COUNTY
AMERICAN CANYON CALIFORNIA

SHEET IR-1 OF PROJECT 20-2498

Proposed Hampton Inn Site Location



Aerial Site Conditions

Proposed
Hampton Inn
Site



Street View from Broadway



Initial Hotel "Modern" Architecture



Proposed Hotel "Modern Farmhouse" Architecture



PHOTO SIMULATION IMAGE - NORTHWEST PERSPECTIVE OF HOTEL FROM SR-29

ARCHITECTURAL DIMENSIONS	300 Mark St. Ogawa Plaza Oakland, CA 94612 TEL: 510-463-8933 • FAX: 510-463-8295	PROJECT INFO: HAMPTON INN 3443 BROADWAY STREET AMERICAN CANYON, CA	JOB NO. AV5923 DATE: 12/07/2020	DRAWING NO. DR2.2
				



Corey Mitchell
Senior Director Development
Southwest Region
Based in Phoenix
5694 Mission Center Rd, Suite 602 #895
San Diego, CA 92108
PH: 310-462-1320
corey.mitchell@hilton.com

May 10, 2021

AMS Project# 20-2498
3439 Broadway Street
American Canyon, California 94503

RE: Proposed Hampton Inn by Hilton American Canyon, CA parking letter

To whom it may concern:

In regards to the new development in American Caynon, CA Hilton will provide flexibility with the number of required parking spots. We feel that with a hotel shuttle, car sharing, bicycles, walking, taxi, towncar services, Uber, Lyft there will be less cars that will need to be parked. Coupled with a small amount of meeting space at the property Hilton feels comfortable with offering approximately 113 parking spots.

Additionally, Hilton works together with the hotels Management Company on a variety of programs to promote trip reduction, including but not limited to: carpooling, vanpooling and utilizing transit services.

Please contact me at corey.mitchell@hilton.com or 310-462-1320 if you have any questions or wish to discuss further.

Sincerely,

Corey Mitchell

COREY MITCHELL
Senior Director of Development
Southwest Region Hilton
5694 Mission Center Rd, Suite 602 #895
San Diego, CA 92108-4312
corey.mitchell@hilton.com
hiltonworldwide.com



**WE ARE HILTON
WE ARE HOSPITALITY**



July 12, 2021

Ms. Tsui Li
 First Carbon Solutions
 1350 Treat Boulevard, Suite 380
 Walnut Creek, CA 94597

Parking Study for the American Canyon Hampton Inn Project

Dear Ms. Li;

As requested, W-Trans has prepared a parking analysis for the Hampton Inn project to be located at 3439 Broadway in the City of American Canyon. The purpose of this letter is to assess the estimated parking demand of the project and determine if the proposed parking supply is sufficient to meet its needs. The site's parking requirements were also evaluated and compared to the City's Municipal Code.

Project Description

The proposed project is a three-story hotel consisting of 106 rooms. The proposed parking supply for the project is 113 spaces.

Parking Requirements

Section 19.21.030 of the American Canyon Municipal Code requires one parking space per guest room, plus one space per ten rooms. With 106 proposed rooms, the requirement for the hotel is 117 spaces, or four more than are proposed.

Parking Analysis

Because the proposed parking supply is less than that required under the City's code, the supply was evaluated against standard demand rates to determine if it would be sufficient to meet the parking demand that the project would be expected to have.

The anticipated parking demand for the proposed project was estimated using the standard hotel rate (ITE LU #310) published by the Institute of Transportation Engineers (ITE) in *Parking Generation*, 5th Edition, 2019. Typically, peak hotel parking demand occurs on Saturdays. While *Parking Generation* contains several weekday data points for parking demand by room (with an average peak rate of 0.74 spaces per room), it has insufficient Saturday data points by room. However, *Parking Generation* does contain adequate data for both weekday and Saturday with occupied rooms as the independent variable (average rates of 0.83 and 1.18 spaces per occupied room, respectively). To achieve a Saturday peak parking rate per room, the weekday rate per room (0.74 spaces per room) was multiplied by the ratio of Saturday to weekday data per occupied room (1.18 divided by 0.83). The result is an average peak rate of 1.05 spaces per room on Saturdays, or 112 spaces for the 106-room hotel.

The proposed parking supply, expected demand, and City requirements are shown in Table 1.

Table 1 – Parking Analysis			
Land Use	Units	Rate	Parking Spaces
City Required Parking			
Hotel	106 rooms	1 space/room + 1 space/10 rooms	117
ITE Parking Demand Estimate			
Hotel	106 rooms	1.05 spaces/room	112
Proposed Parking Supply			113

Conclusions and Recommendations

- The proposed parking supply of 113 spaces would accommodate the anticipated peak parking demand of 112 spaces but does not meet the minimum City requirements of 117 spaces.
- The City may wish to consider granting a parking reduction as the proposed supply would be adequate to satisfy the estimated peak parking demand.

Thank you for giving W-Trans the opportunity to provide these services. Please call if you have any questions.

Sincerely,


 Brian Canepa, TDM-CP
 Principal


 Dalene J. Whitlock, PE, PTOE
 Senior Principal



DJW/bac/ACA034-1.L1

Overhead Utility Pole at 3443 Broadway



Proposed Hampton Inn Deceleration Lane

North of Donaldson Way



South of Donaldson Way





TITLE

Ballot Measure for June 7, 2022 Statewide Primary Election - Term Limits for the Mayor and Members of the City Council

RECOMMENDATION

Adopt a Resolution submitting to the qualified voters of the City an Ordinance amending the American Canyon Municipal Code to add Section 2.04.120 regarding Mayor and Councilmember Term limits at the Regular Statewide Primary Election to be held June 7, 2022.

CONTACT

Jason Holley, City Manager
Taresa Geilfuss, City Clerk

BACKGROUND & ANALYSIS

For the better part of 2021 staff and consultants have been researching issues related to “term limits”. Council discussed the issue in January, March and April and ultimately directed staff to pursue possible options for placement on the June 2022 ballot. In October, Council directed staff to conduct a community survey to assess the preferred term options. The survey results are attached. The preferences shown on the survey have been incorporated in this report.

Government Code section 36502, subdivision (b) provides that the City Council or the residents of the City may submit to the voters an ordinance limiting the number of terms a member of the City Council may serve. Term limits do not become operative unless the proposition is submitted to the electors of the City at a regularly scheduled election and a majority of the votes cast favor its adoption.

Attached is a draft resolution to place the ordinance establishing term limits on the ballot and as an attachment to the resolution, the ordinance. The resolution initiates the process for placing the measure on the ballot for the June 7, 2022 election, provides for the filing of primary and rebuttal arguments, and directs the City Attorney to prepare an impartial analysis of the measure to submit to the voters in the Voter Information Guide. The Council may, at its discretion, designate specific members to write the primary and rebuttal arguments, or may elect to co-author the arguments together.

The ordinance presents the following question for voters:

Shall an ordinance be adopted by the City of American Canyon to limit consecutive years of service by the Mayor or Councilmember to a combined total of two four-year terms with the ability to again serve as Mayor or Councilmember after a lapse of service of at least four years?	YES	NO
--	-----	----

At the council meeting of October 19, 2021 Council asked why there had to be two questions for the ballot - one addressing the candidacy of the mayor and the other the councilmember. The response was that the Mayor is elected at large and thus the question was best bifurcated. Since that time, in conference with the City Attorney, it was decided that for clarity purposes and to avoid voter confusion that it could be asked as one question, as you see it in this report.

If approved by the voters, this Municipal Code amendment will add Section 2.04.120 and:

1. Mayor and Councilmember terms will be limited to two (2) consecutive terms;
2. If a person serves two (2) consecutive terms as Mayor or Councilmember, that person is ineligible for a seat as Mayor or Councilmember until four (4) years have passed since that person's last full term;
3. Serving half or more of an elected term is deemed a full term;
4. Council appointed terms to fill a vacancy are not counted toward term limits;
5. A Mayor or any Councilmember that resigns or is removed shall be deemed to have served a full term;
6. Current incumbents are given credit for having already served one term;
7. The maximum number of terms applies regardless of whether the office was a City Council seat or Mayoral seat.

If adopted by the voters, this ordinance would apply the term limits rules to the incumbents for having already served one (1) term.

Alternatives

Tonight, the Council could decide to increase or decrease the number of terms or length of break. This can occur with a motion to that effect based on the items submitted tonight.

Alternatively, the Council could decide the term limits should be applicable separately to Councilmembers and not aggregated with those of the Mayor and vice versa. This would mean that a Councilmember could serve two 4-year terms and immediately run as Mayor without waiting 4 years and vice versa. All other aspects would remain the same. If this option were pursued the ballot question would need to be broken into two parts to address the candidacy of the mayor and councilmember separately. Additionally, the item would need to return to Council with a revised Ordinance.

The deadline for placing a measure on the June 7, 2022 ballot is the last meeting in January 2022. Council may, at its discretion, adopt the resolution calling the election for the purposes of placing the measure on the ballot anytime between now and that date.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

If approved, the estimated cost to add a measure to the June 7, 2022 Statewide Primary Election would be approximately \$40,000 - \$60,000. This is based on the City having a single item on the ballot. The cost is not appropriated in the FY2021/22 budget. Appropriations would be identified during the mid-year budget adjustment process.

ENVIRONMENTAL REVIEW

The Resolution is exempt from review under the California Environmental Quality Act ("CEQA") as organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of CEQA and the State CEQA Guidelines, Section 15378(b)(5).

ATTACHMENTS:

- [1. Resolution - City Council Term Limits](#)
- [2. Ordinance - City Council Term Limits](#)

RESOLUTION NO. 2021-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON, CALIFORNIA
SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY AN ORDINANCE AMENDING THE AMERICAN
CANYON MUNICIPAL CODE TO ADD SECTION 2.04.120 REGARDING MAYOR AND COUNCILMEMBER
TERM LIMITS AT THE REGULAR STATEWIDE PRIMARY ELECTION TO BE HELD JUNE 7, 2022**

WHEREAS, the City of American Canyon is governed by an at large elected Mayor and four-member elected City Council, whose members are generally elected to staggered four-year terms on the first Tuesday after the first Monday of November of even-numbered years; and

WHEREAS, the American Canyon Municipal Code currently does not address term limits for the mayor or councilmembers; and

WHEREAS, pursuant to Government Code section 36502, subdivision (b) and Elections Code section 9222, the City Council is authorized and desires to submit to the voters a ballot measure to amend the Municipal Code by adding section 2.04.120 regarding councilmember term limits; and

WHEREAS, pursuant to Government Code section 36502, subdivision (b), a term limit measure must be approved by a majority of City voters at an election consolidated with either the statewide primary election or the statewide general election; and

WHEREAS, in 2022, per Elections Code section 1200, the statewide primary general election will be held June 7; and

WHEREAS, the City Council desires to consolidate the election for the ballot measure with the statewide primary election held on Tuesday, June 7, 2022; and

WHEREAS, the specific language of the ordinance to be considered by the voters is attached as Exhibit A and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AS FOLLOWS:

Section 1. Recitals

The City Council hereby finds and determines that the recitals of this resolution are true and correct and are incorporated herein.

Section 2. Submission of Ballot Measure

The City Council, pursuant to its authority under Elections Code section 9222, hereby orders that the ordinance attached hereto as Exhibit A be submitted to the qualified voters of the City at the statewide primary election held on Tuesday, June 7, 2022. The proposed ordinance shall be in the form attached as Exhibit A.

Section 3. Ballot Measure

The City Council, pursuant to its authority under Elections Code section 9222 and Government Code section 36502, subdivision (b), hereby orders that the ballot measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this section below. On the ballot to be submitted to qualified voters, there shall be printed substantially the following:

Shall an ordinance be adopted by the City of American Canyon to limit consecutive years of service by the Mayor or Councilmember to a combined total of two four-year terms with the ability to again serve as Mayor or Councilmember after a lapse of service of at least four years?	YES	
	NO	

Section 4. Election Procedures

A. The City Council consents to the consolidation of the election on this Measure with all other elections being held in the same territory on Tuesday, June 7, 2022, and to hold and conduct the consolidated election in the manner prescribed in Election Code section 10418.

B. The ballots to be used at the election shall be in the form and content as required by law.

C. In accordance with Elections Code section 10002, the Board of Supervisorsof Napa County is hereby requested to consent to having the Registrar of Voters render such election services to the City of American Canyon as may be requested by the City Clerk of said City, the County of Napa to be reimbursed in full for such services as are performed.

D. The election services which the City of American Canyon requests the Registrar of Voters, or such other official as may be appropriate, to perform and which such officer is hereby authorized and directed to perform, if said Board of Supervisors consents, include:the preparation, printing and mailing of sample ballots and polling place cards; the establishment or appointment of precincts, polling places, and election officers, and making such publications as are required by law in connection therewith; the furnishing of ballots, voting booths and other necessary supplies or materials for polling places; the canvassing of the returns of the election and the furnishing of the results of such canvassing to the City Clerk of the City of American Canyon; and the performance of such other election services as may be requested by the City Clerk.

E. The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

F. The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Elections Code section 14401.

G. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections in the City.

H. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form, and manner as required by law.

I. All ballots shall be tallied at a central counting place and not at the precincts. Said central counting place shall be at a County center as designated by the Registrar of Voters.

J. The Napa County Registrar of Voters is hereby authorized to canvass the returns of said election.

K. The City Clerk of the City of American Canyon shall receive the canvass as it pertains to the election on the Measure, and shall certify the results to the City Council, as required by law.

Section 5. Arguments and Impartial Analysis

A. The City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the Measure, in accordance with Elections Code section 9280 et seq. and may change the argument until and including Friday, March 11, 2022 (unless the Registrar requires additional lead time), after which no arguments for or against the Measure may be submitted to the City Clerk. Arguments in favor of or against the Measure shall each not exceed 300 words in length. Each argument shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the "Form of Statement to be filed by Author(s) of Argument" as provided by the City Clerk.

B. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions because the selected arguments to be printed and distributed to the voters.

C. Pursuant to California Elections Code section 9280, the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure. The City Attorney shall transmit such impartial analysis to the City Clerk, who shall cause the analysis to be published in the ballot pamphlet along with the ballot Measure as provided by law. The impartial analysis

shall be filed by the deadline set for filing of primary arguments as set forth in subsection A above. The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following:

The above statement is an impartial analysis of Measure _____. If you desire a copy of the ordinance, please call the election official's office at (insert phone number) and a copy will be mailed at no cost to you.

Section 6. Rebuttals

That pursuant to California Elections Code section 9285, when the Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the Clerk shall send copies of the argument in favor of the Measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than Monday, February 26, 2022 (unless the Registrar establishes an earlier date), accompanied by the "Form of Statement to be filed by Author(s) of Argument" as provided by the City Clerk. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

A. That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

B. That the provisions herein shall apply only to the election to be held on June 7, 2022 and shall then be repealed.

Section 7. Placement on the Ballot

The full text of the Ordinance/Measure shall be printed in the voter pamphlet, and a statement shall be printed in the ballot pursuant to Elections Code section 9223 advising voters that they may obtain a copy of this Ordinance/Measure at no cost, upon request made to the City Clerk.

Section 8. Delivery of Resolution to Count

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions. The City Council directs the City Clerk to deliver copies of this resolution, including the Ordinance/Measure attached hereto as Exhibit "A", to the Clerk of the Board of Supervisors of Napa County and to the Registrar of Voters of Napa County.

Section 9. CEQA

The City Council hereby finds and determines that the Measure relates to organizational

or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, Section 15378(b)(5).

Section 10. Severability

If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable. The City Council hereby declares that it would have adopted this resolution irrespective of the invalidity of any particular portion thereof.

Section 11. Effective Date of Resolution

This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2021.

Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Taresa Geilfuss, City Clerk

William D. Ross, City Attorney

ORDINANCE _____

Adopted by American Canyon City Council

December 7, 2021

**An Ordinance of the City of American Canyon
Amending the American Canyon City Code Adding Section 2.04.120
to Establish Term Limits for the Mayor and
Members of the American Canyon City Council**

BACKGROUND

1. On December 7, 2021, at a duly noticed meeting, the City Council considered and discussed the option of mayor and councilmember term limits for the City of American Canyon which included public comment.
2. On December 7, 2021, at a duly noticed meeting, the City Council directed the preparation of a ballot measure and related actions to establish term limits for the mayor and members of the city council.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Term Limits

Pursuant to Government Code section 36502, subdivision (b) and subject to the approval of a majority of the voters of the City of American Canyon, the American Canyon Municipal Code is hereby amended to add 2.04.120, Term Limits to read as follows:

Section 2.04.120 - Term Limits

- a. No person shall be eligible to serve as mayor or councilmember for more than two consecutive four-year terms following the adoption of this ordinance. Current incumbents are given credit for having served one term. Notwithstanding the foregoing, any person who is elected to fill a vacant office as mayor or councilmember for the balance of a four-year term, but serves less than two years in that office, shall be eligible for nomination, and election for two consecutive four-year terms thereafter. Any person appointed by the Council to fill a vacant office for the balance of a four-year term shall not be considered as time served for purposes of term limits.
- b. Any person who shall be ineligible for election, appointment, or further services as mayor or councilmember due to the limitation set forth in subsection A of this section, shall again be eligible for election or appointment as mayor or councilmember, and a new period of consecutive years of service shall commence, provided that least four years has or will have elapsed between the most recent

date of such person's prior service as mayor or councilmember and the effective date of such person's most recent election or appointment to such office. Any person who resigns or is removed from office during a term shall be deemed to have served a full term.

Section 2. Effective Date. This Ordinance shall take effect immediately, upon approval by a simple majority of the voters voting on the question at the June 7, 2022 election and shall only apply prospectively beginning with the term of the Mayor and terms of the members of the City Council that start after the June 7, 2022 primary election.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. Publication. The City Clerk of the City of American Canyon is hereby directed to publish this Ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in a newspaper of general circulation published in the City of American Canyon.

Adopted by the City of American Canyon City Council on December 7, 2021 by the following vote:

Ayes:

Notes:

Abstain:

Absent:

Leon Garcia, Mayor

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk



City Council Committee Report

Meeting Date: December 7, 2021 Submitted By: Leon Garcia, Mayor

Committee & City Related Reports:

Napa Valley Transportation Authority: November 17; The Board received a report on the need for back-up power source for the Soscol Gateway Transit Center. The Board discussed options and associated costs. Diesel fueled generator was discussed at length and approved with direction to look into a zero pollution power source and budget resources for implementation.

Flood Board: November 2; Received a presentation on flood wall construction plans north Napa.

Community Events:

Napa County Redistricting: November 2; Napa County Supervisor Districting discussion on the population demographics and communities of interest and redrawing Napa County Supervisor Districts.

We Draw the Lines: November 17; Addressed the Redistricting Committee along with Supervisor Belia Ramos on proposed Congressional District Boundaries to including American Canyon together with Napa County and adjacent jurisdictions in Sonoma and Solano Counties as Communities of Interest with shared economic and public safety needs.

American Canyon Citizens Academy: November 20; Joined the recent graduating class at Veterans Park for the class project of building and placing bird houses for Western Blue Birds.

Community Action Napa Valley: November 22; Staff lead a tour of the facility and described the operations to serve the vulnerable populations throughout Napa County with essential food items.

American Canyon Fire Protection District: November 30; Oath of Office and Badge Pinning for four new firefighters. The Board approved a resolution of a proposal to conduct a Long-Range Master Plan with AP Triton. This gives the organization an understanding of future assets, resources and funding needs.

Community Health Initiative – Vaccine Outreach Collaborative: December 1: Report on vaccination rates in American Canyon for hard to reach populations show an increase from 20+% in June to some attaining 70+% in September.



CITY COUNCIL COMMITTEE REPORT

Meeting Date: December 7, 2021 Submitted By: Mark Joseph, Council member

Committee Name: Napa Valley Transportation Authority (NVTA) meetings

First, I attended the monthly board meeting. We learned that Keri Dorman, Council member from Yountville, is relocating, so we will be missing her from the Board. We also discussed our legislative advocacy program for next year (parallel roads and the AC 29 corridor are on the list of priority projects). Lastly, we discussed emergency generator backup and agreed to move forward on this item while exploring the use of solar with battery backup to run the NVTA Admin building.

Second, the Mayor, City Manager and I met with the NVTA Executive Director and Board Chair to discuss transportation issues in the South County. We had a good discussion about driveways along SR29 and the negative impacts on bike lanes, but the meeting was cut short before we could really have a meaningful discussion regarding parallel roads and funding strategies. A second meeting should be scheduled.

Committee Name: Climate Action Committee (CAC)

We had a good discussion about the upcoming GHG inventory project—the base and options were approved by the County and the Cities will pay their fair share for the balance (we're about \$6100) We will get data by jurisdiction, so American Canyon will be able to assess its progress since the last inventor(ies). We also talked about EV Charging Stations—sadly, American Canyon has the lowest number in the County! We will need to install about 200 more by 2025—the proposed Hampton Inn will give us 15, but we clearly have a long way to go!

Committee Name: NVUSD 2x2 Meeting

We met to discuss two items. The first regarding updating our Joint Use Agreement over the use of the Community Gym. Over the years, our two jurisdictions have worked well together, but our practices are not always consistent with the language in the MOU. Staff will begin working through the issues to ensure the facilities are timely and well maintained and both parties pay their fair share. Second, we emphasized the urgency of resolving the District's surplus properties in American Canyon—in particular, our needs for some/all of the old Napa Junction School site.

Committee Name: City Events/Activities

I attended the **Veteran's Day** event at the Gym—it was well attended by the community and the Community-based approach is working very well. I also received a **tour of the Watson Ranch project** by Terry McGrath—it really is an impressive site with all the land being graded and roadways prepared. We talked about ways to expedite construction of Newell Extension—which gets back to the need for more discussions with NVTA! I was also invited to hear a presentation from the Wetlands Edge neighbors regarding the need to finish the **traffic calming efforts on Wetlands Edge** (as a pilot project for the rest of the City). We need to incorporate traffic calming into our upcoming discussion on local traffic safety.



CITY COUNCIL COMMITTEE REPORT

Committee Name: Community Events and Activities

Helped with the **Kiwanis** Food distribution efforts; attended their monthly board meeting and processed donations for the Adopt-A-Family program. Attended the **Arts Foundation** board meeting and helped with two grant submittals. Showed up at a sympathy **strike at Kaiser in Vallejo**, along with several other elected officials (including our Mayor) And lastly, attended the monthly **Napa Democrats club meeting**, in which we heard from Congressional candidates outside of our area (the Napa Dem's do a great job of getting out the vote in races outside of Napa, which is why candidates are interested in our club)



City Council Committee Report

Meeting Date: December 7, 2021 **Submitted By:** Pierre R. Washington, City Councilmember

Committee & City Related Reports:

American Canyon Community Parks Foundation: November 8, 2021, Councilmember Oro and I attended the ECO Center Kick off meeting to discuss the vision and mission of the Eco Center.

Climate Action NOW: November 3, 2021, Met with Climate Action NOW group lead Bob Figoni and supporters Naama Brenner-Abramovitch and Margaratt Smeatana and we discussed the goal of the ordinance to migrate from disposables to reusable.

North Bay Water Reuse Authority (NBWRA): November 29, 2021, Reviewed the Technical Advisory Committee (TAC) History, developed a revised MOU. Discuss how the TAC will function moving forward.

Climate Action Plan Council Ad Hoc Committee: December 2, 2021, Initial community meeting to discuss citywide planning as it relates to AC Climate Action commitments. Facilitated by Vice Mayor Mark Joseph and I co-lead.

City of AC & NVUSD 2 by 2: November 30, 2021, The City Manager and Vice Mayor Mark Joseph and I met with NVUSD Leadership and the NVUSD elected Board of Trustees to discuss the Districts needs to sell excess parcels, particularly the old Napa Junction site. Discussed Sublease and Joint Agreement responsibilities between NVUSD & City of AC.

Napa County Resource Conservation District (RCD): December 2, 2021, A Special Board Meeting to further discuss recruiting and on-boarding new Associate Directors with expertise and connections that represent current gaps or weaknesses. Board-Staff interaction and relationships, and increasing the visibility of the District. Discussed recruitment and the need for diversity and inclusion within the RCD Board and associate Board.

Community Events:

Veterans of Foreign Wars (VFW), Post 1123, November 2, 2021, monthly meeting Karl Kreh Vallejo VFW Post 1123 420 Admiral Callaghan Lane, Vallejo, CA 94591. Every 1st and 3rd Monday

Napa Working Families Coalition, November 10, 2021, presentation by Erica Roetman-Sklar, President/CEO, Napa Valley Community Housing. She spoke about Napa Affordable Housing.

Veterans Day Event: November 18, 2021 American Canyon community members and guests gathered to honor and remember our military heroes. Key note speaker Keith Armstrong, a clinical Professor of Psychiatry at UCSF. Sponsored by ACTS, VFW Post 1123, AC Lions Club and AC Parks and Recreations, (*Stacey Johnson & Alana Behn*).

AC Citizens Academy Graduation: November 20, 2021 Graduation Ceremony for 14 Residents completing the 2021 American Canyon Citizens Academy.

AC Christmas tree Lighting Ceremony; December 4, 2021, participated with our Sponsors Redwood Credit Union, Jammin Fil-Ams, The Lions Club, and AC Orthodontics.

Community 1:1's

Barry Christian, AC Resident: Breakfast to discuss his concerns about the recent fires on Newell Preserves & Trails.

Brad Wagenknecht, Napa County Supervisor, met to discuss Climate Action NOW awareness on disposables to reusable concept in the restaurant industry locally.

Buzz Butler, Developer, met to discuss recent professional burglaries to local businesses and solutions for detergency.

Terry Hudson, AC Resident: met to discuss his increased water bill and to arrange an inspection of his utilities. City Manager Jason Holley was very instrumental in identifying the problem for this resident. Thank you Jason!!

Pastor James Williams, AC Resident met with him to discuss having him provide the opening prayer for Veterans Day. He accepted, yay!

Mina Diaz, Vallejo City Councilmember, met to discuss collaboration on the homelessness problem and outreach programs in our communities.

Clyde T Gambles, US Military Veterans Family Service Representative, Mare Island; to discuss outreach to local veterans to educate them about their VA benefits and housing opportunities.

Tammy Wong, Jamie Potter, Chris James, AC Residents to discuss Wetlands Edge Traffic Calming updates.

Training & Education:

Harassment Training: I attended and completed the City of AC instructor lead Harassment training provided on November 2, 2021.