



REGULAR CITY COUNCIL MEETING AGENDA

City Hall - Council Chambers
4381 Broadway St., Suite 201, American Canyon
November 1, 2022
6:30 PM

Mayor: Leon Garcia
Vice Mayor: Mariam Aboudamous
Councilmembers: Mark Joseph, 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 and other public meetings will be conducted both in person at City Hall, 4381 Broadway, Suite 201, and also via Zoom Teleconferencing to promote local, state, and federal guidelines and social distancing recommendations for the containment of the coronavirus. City officials and members of the public are invited to attend the meeting either in person or via teleconference. This meeting will be broadcast live to residents on Napa Valley TV, on our website [here](#) and on YouTube [here](#).

PUBLIC PARTICIPATION

Oral comments, during the meeting: Oral comments can be made in person during the meeting. A Zoom Webinar has been established for public comments made via zoom. To give your public comment via zoom, use the Register to Speak feature of eComments, connect via the below Zoom link and use the “raise your hand” tool, or call into the zoom meeting at 408-638-0968 and press *9 to “raise your hand” when the item is called. To avoid confusion, all hands raised outside of Public Comment periods will be lowered.

Written comments, via eComments: Please submit written comments through the eComments link, located on the Meetings & Agendas page of our website [here](#). Comments will be available to council members in real time. eComments will remain open throughout the meeting. All comments received will be posted online and become part of the meeting record.

Zoom Meeting Link: [Click here](#)

Webinar ID: 841 4701 1779 **Passcode:** 060300

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 4:00 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.

4:00 P.M. CLOSED SESSION

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

2. **Conference with Legal Counsel - Existing Litigation (4 matters). Authorized pursuant to Government Code Section 54956.9(d)(1):**
 - a. *City of American Canyon v. City of Vallejo, et al.* (Napa Superior Court Case No. 22CV000772)
 - b. *Russell Charpentier and William Baker v. City of Vallejo, et. al* (Solano Superior Court Case No FCS058765)
 - c. *City of American Canyon v. Leon Dale Schmidt* (Napa Superior Court Case No. 22CV001041)

3. **Matters Relating to Public Employment Public Employee Performance Evaluations Pursuant to Gov. Code Section 54957.**
Position: Jason Holley, City Manager

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

PROCLAMATIONS AND PRESENTATIONS

4. **Proclamation recognizing November 11, 2022 as Veterans Day.**

PUBLIC COMMENTS - 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

5. **Minutes of October 18, 2022**

Recommendation: Approve the minutes of the Regular City Council meeting of October 18, 2022.

6. **Report Upon Return from Closed Session for the meeting of October 18, 2022**

Recommendation: Approve the Report Upon Return from Closed Session for the meeting of October 18, 2022.

7. **Report Upon Return from Closed Session for the meeting of October 24, 2022**

Recommendation: Approve the Report Upon Return from Closed Session from the Special City Council Closed Session meeting of October 24, 2022.

8. **Eucalyptus Sidewalk Gap Closure Notice of Completion**

Recommendation: Adopt a Resolution increasing the FY22/23 Capital Budget and Project Budget for the Eucalyptus Sidewalk Gap Closure Project (TR19-0400), accepting the contracted work as complete, authorizing the Public Works Director to file a Notice of Completion, and releasing a Retention payment to FJ & I Engineering, Inc.

9. **AB1600 Annual Report**

Recommendation: Receive and file the Development Impact Fee Report for the Fiscal Year ended June 30, 2022.

PUBLIC HEARINGS

10. **Municipal Code Water Conservation Plan Update First Reading**

Recommendation: Hold a Public Hearing for Municipal Code Water Conservation Plan Update

11. **Waive first reading, read by title only, and adopt an Ordinance amending American Canyon Municipal Code Title 16 to repeal the 2019 California Building Standards Code and replace it with the 2022 California Building Standards Code with local amendments.**

Recommendation: An Ordinance of the City Council of the City of American Canyon repealing Chapters 16.01 through 16.09 and 16.13 of the City of American Canyon Municipal Code and all other conflicting ordinances and parts of Ordinances and Adopting by Reference the 2022 Editions of the California Code of Regulations Title 24 and Related Model Codes with Appendices and Amendments as identified herein through express Findings of Local Necessity.

BUSINESS

12. **Playground Replacement Project (PR21-0100) Options**
Recommendation: Discuss the Playground Replacement Project (PR21-0100) options and provide direction to City staff.
13. **Maintenance and Utilities Department, Water Operations Update**
Recommendation: Receive a Presentation on Maintenance and Utilities Department, Water Operations Update

MANAGEMENT AND STAFF ORAL REPORTS

14. **Community Cat Update**

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.

15. **Council Committee Report - Councilmember Mark Joseph**
Recommendation: Receive and file the Council Committee Report from Councilmember Mark Joseph.

16. **Future Agenda Items of Note:**

November 15, 2022

**Playground Replacement Project Award\
106 Wilson Property Lien
Update on Smoke-Free Multi Family Housing**

December 6, 2022

**189 Theresa Demolition
Giovannoni Logistics Center
Certify Election Results
Sewer/Wastewater Presentation**

December 20, 2022

**PARS 115 Trust
FY 2021-2022 Auditors Report
Planning Commission Appointments
Annual Employee Demographics**

ADJOURNMENT

CERTIFICATION

I, Taresa Geilfuss, CMC, 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, CMC, City Clerk

CITY OF AMERICAN CANYON PROCLAMATION



Veterans Day – November 11, 2022

WHEREAS, the citizens of the City of American Canyon join with communities throughout our Nation in saluting the dedicated men and women of our armed forces, past and present, and express our great appreciation for their sacrifices; and

WHEREAS, the City of American Canyon specifically honors the present and former residents of American Canyon that are currently serving in the military or are veterans of our Armed Forces; and

WHEREAS, for over two hundred years, millions of Americans have answered the nation's call to defend our freedom against all enemies; and

WHEREAS, the defense of freedom comes with great loss and sacrifice; and

WHEREAS, veterans have put the security of the Nation before their own lives, creating a debt that can never be repaid; and

WHEREAS, the City of American Canyon, Vallejo VFW Post 1123, the American Lions Club, the American Canyon Troop Support (ACTS), and various community leaders and members will be gathering on Friday, November 11, 2022, to honor our veterans at a ceremony held at the American Canyon Middle School Gymnasium.

NOW, THEREFORE, BE IT RESOLVED that I, Mayor Leon Garcia, on behalf of the American Canyon City Council, urge all residents to join with the City Council in recognizing and honoring the valor and sacrifice of the men and women of our armed forces, past and present on Friday, November 11, 2022, Veterans Day.

November 1, 2022

Leon Garcia, Mayor

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

ACTION MINUTES
October 18, 2022

PUBLIC ADDRESS – CLOSED SESSION 4:30 P.M.

4:30 P.M. CLOSED SESSION

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

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

**City of American Canyon v. City of Vallejo, et al. (Napa Superior Court Case No. 22CV000772)
Russell Charpentier and William Baker v. City of Vallejo, et. al (Solano Superior Court Case No FCS058765)**

3. Matters Relating to Public Employment Public Employee Performance Evaluations Pursuant to Gov. Code Section 54957.

Position: Jason Holley, City Manager

6:30 P.M. OPEN SESSION - REGULAR MEETING - THIS MEETING IS ZOOM ONLY

CALL TO ORDER

The meeting was called to order at 6:40 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

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

Absent: None

Excused: None

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

City Attorney William Ross provided an oral report upon return from closed session. Closed session commenced at 4:32 p.m. Closed session adjourned at 6:32 p.m. A written report will be provided.

PUBLIC COMMENTS - ITEMS NOT ON THE AGENDA - THIS MEETING IS ZOOM ONLY

Mayor Garcia called for public comments. Written comments: none. Oral comments: Eve Kahn was called to speak; Hugh Marquez was called to speak; Karina Servente was called to speak; Justin Hamilton Hole was called to speak; Tammy Wong was called to speak; Jeff Servente was called to speak; Karen Fritz was called to speak; Beth Marcus was called to speak. The public comments period was closed.

AGENDA CHANGES

Action: Motion to add to Consent Calendar Item 9.5 AB361 In Person and Remote Teleconferenced Meetings made by Councilmember Mark Joseph, seconded by Vice Mayor Mariam Aboudamous, and CARRIED by unanimous roll call vote.

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

Nays: None

Abstain: None

Absent: None

Excused: None

CONSENT CALENDAR

4. Minutes of October 4, 2022

Action: Approved the minutes of the Regular City Council meeting of October 4, 2022.

5. Report Upon Return from Closed Session for the meeting of October 4, 2022

Action: Approved the Report Upon Return from Closed Session for the meeting of October 4, 2022.

6. Permanent Local Housing Allocation (PLHA) Program Initiative

Action: Adopted Resolution 2022- 91 of the City Council of the City of American Canyon delegating American Canyon's Permanent Local Housing Allocation (PLHA) funds to the City of Napa to facilitate new low-income housing with an Accessory Dwelling Unit assistance program; and authorize the City Manager to execute an Agreement 2022-A153 with the City of Napa to administer the PLHA program.

7. Coastland Inspection Services

Action: Adopted Resolution 2022-92 to 1) Amending the Fiscal Year 2022-23 Budget for Public Works Administration appropriations; 2) Approve Amendment # 1 (Agreement 2022-A154 to Task Order #1 (Agreement #2021-A126) for an amount not to exceed \$400,000; and 3) Approve Amendment #1 for Task Order #2 (Agreement #2022-006) for an amount to exceed \$195,000 with Coastland Civil Engineering for inspection services within the Watson Ranch Development.

8. Devlin Road and Vine Trail Extension Project (TR14-0100) Notice of Completion

Action: Adopted Resolution 2022-93 amending the FY22/23 Capital Budget and Project Budget, accepting the contracted work as complete, authorizing the Public Works Director to file a “Notice of Completion” Agreement 2022-A155, and releasing a Retention payment to DeSilva Gates Construction LP in conjunction with the Devlin Road and Vine Trail Extension Project (TR14-0100).

9. New Green Island Road Sewer Pump Station

Action: Adopted Resolution 2022-94 accepting the New Green Island Road Sewer Pump Station associated with the Napa Logistics Park Phase 2 Project.

9.5 AB361 In Person and Remote Teleconferenced Meetings

Action: Adopted Resolution 2022-95 reaffirming that, due to the continuing COVID-19 Pandemic, a local emergency exists, re-ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and authorizing in-person and remote teleconferenced meetings of legislative and advisory bodies of the City of American Canyon for the period of October 18, 2022 – November 15, 2022.

BUSINESS

10. New Commission(s)

Council received a staff report from City Manager Jason Holley. Mayor Garcia called for public comments. Written comments: Nance Matson; Kara Vernor. Oral comments: Nance Matson was called to speak; Mario Valadez was called to speak; Carlotta Sainato was called to speak. The public comments period was closed.

Action: Motion to direct OSAC to first meet and discuss workplan to be followed by a City Council Special Meeting made by Councilmember Mark Joseph, seconded by Vice Mayor Mariam Aboudamous, and CARRIED by 3-2 roll call vote.

Ayes: Mayor Leon Garcia, Vice Mayor Mariam Aboudamous, Councilmember Mark Joseph

Nays: Councilmember David Oro, Councilmember Pierre Washington

Abstain: None

Absent: None

Excused: None

MANAGEMENT AND STAFF ORAL REPORTS

None

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

11. Anticipated Future Agenda Items of Note:

November 1, 2022, City Council (Hybrid)

**Veteran's Day Proclamation
Water Conservation Ordinance
2023 Building Code Update
106 Wilson Property Lien
MUD Presentation (Water)**

November 15, 2022, City Council (Hybrid)

**Smoke Free Multi-Family Housing
Playground Replacement Project
Developer Fees Report**

December 6, 2022, City Council (Hybrid)

**PARS 115 Trust
Giovannoni Logistics Center Design Permit and EIR
Certify Election Results
MUD Presentation (Wastewater)**

December 20, 2022, City Council (Hybrid)

**FY 21/22 Auditors Report
Annual Council Committee Assignments**

Action: Motion to add future agenda items of Safe Routes to School and Traffic Calming made by Councilmember Mark Joseph, seconded by Vice Mayor Mariam Aboudamous, and CARRIED by roll call vote.

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

Nays: None

Abstain: None

Absent: None

Excused: None

ADJOURNMENT OF REGULAR CITY COUNCIL MEETING

The Regular City Council meeting was adjourned at 7:45 p.m.

OPEN SESSION - JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING

CALL TO ORDER

The Joint City Council/Planning Commission meeting was called to order at 7:46 p.m.

ROLL CALL

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

Absent: None

Excused: None

Planning Commissioners

Present: Commissioner Andrew Goff, Commissioner Tyrone Navarro, Commissioner Eric Altman, Vice Chair Tammy Wong, Chair Crystal Mallare.

Absent: None

Excused: None

PUBLIC COMMENTS - ITEMS NOT ON THE AGENDA - THIS MEETING IS ZOOM ONLY

Mayor Garcia called for public comments. Written comments: none. Oral comments: none. The public comments period was closed.

JOINT CC/PC BUSINESS

12. 6th Cycle Draft Public Review Housing Element Workshop and Review of the Public Hearing Procedure Ordinance

Council received a staff report from Community Development Director Brent Cooper with Nina Belluci of Rincon Associates and Ryan Lester of Mintier Harnish. Mayor Garcia called for public comments. Written: none. Oral: Karina Servente was called to speak; Chris James was called to speak; Hugh Marquez was called to speak. The public comments period was closed.

Council received a presentation from Community Development Director Brent Cooper on public hearing notice practices. Mayor Garcia called for public comments. Beth Marcus was called to speak; Chris James was called to speak; Karen Fritz was called to speak. The public comments period was closed.

Action: Motion to adopt Minute Order 2022-06 authorizing staff to modify the public review draft 6th Cycle Housing Element consistent with public comments, submit the Housing Element to the State Department of Housing and Community Development for the mandatory 90-Day review, and provide staff direction on a potential amendment to the public hearing procedure ordinance made by Councilmember David Oro, seconded by Councilmember Mark Joseph, and CARRIED by roll call vote.

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

Nays: None
Abstain: None
Absent: None
Excused: None

ADJOURNMENT OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING

The meeting was adjourned at 9:40 p.m.

CERTIFICATION

Respectfully Submitted,

Taresa Geilfuss, CMC, City Clerk

William D. Ross
David Schwarz
Kypros G. Hostetter

Law Offices of
William D. Ross
400 Lambert Avenue
Palo Alto, California 94306
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11420 Santa Monica Blvd
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Los Angeles, CA 90025

File No: 199/6

October 20, 2022

VIA E-MAIL

The Honorable Leon Garcia, Mayor
and Members of the City Council
City of American Canyon
4381 Broadway, Suite 201
American Canyon, CA 94503

Re: Report Upon Return from Closed Session; Virtual Regular Meeting of the
American Canyon City Council; October 18, 2022

Dear Mayor Garcia and Members of the City Council:

This communication sets forth reportable action, if any, of the City Council (“Council”) of the City of American Canyon (“City”), consistent with provisions of the Ralph M. Brown Opening Meeting Act (Government Code Section 54950, *et seq.*) resulting from the Closed Session of the Virtual Regular Council Meeting of October 18, 2022, consistent with Government Code Section 54957.1.

After convening in Open Session at 4:32 p.m. and ascertaining that there were no public comments on matters agendized for Closed Session consideration, your Council adjourned to Closed Session at 4:32 p.m.

There were three matters agendized for City Closed Session consideration.

1. Conference with Legal Counsel – Anticipated Litigation
Authorize Pursuant to Government Code Section 54956.9(d)(2)
One Matter
2. Conference with Legal Counsel – Existing Litigation (2 matters)
Authorized Pursuant to Government Code Section 54956.9(d)(1):
 - a. *City of American Canyon v. City of Vallejo, et al.* (Napa County Superior Court Case No. 22CV000772)
 - b. *Russell Charpentier and William Baker v. City of Vallejo, et al.* (Solano Superior Court Case No. FCS058765)

3. Matters Relating to Public Employment Public Employee
Performance Evaluations
Pursuant to Government Code Section 54957
Position: Jason Holley, City Manager

With respect to City Closed Session Agenda Item No. 1., there was reportable action indicating that the City Manager and the City Attorney continue to meet with the City of Vallejo (“Vallejo”) City Attorney, Assistant City Attorney, City Manager and Staff, to formulate a standalone agreement, separate from the 1996 Agreement between the City and Vallejo, to wheel water to the Canyon Estates Project. A revised draft Wheeling Agreement was formulated on the afternoon of October 18, 2022 and circulated for further comment and consideration for possible approval. Except as indicated, there was no other reportable action under the common law attorney-client privilege and that provided by Government Code Section 54956.9(d)(2).

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

With respect to City Closed Session Agenda Item No. 2.b., there was reportable action indicating that Vice Mayor Aboudamous and City Manager Holley met with the Vallejo City Manager Mike Malone and Assistant City Manager Gillian Hayes, as well as Assistant to the City Manager Diane Peterson, to receive information on the Homekey Project from Vallejo and to transmit information on the Valley View Project in American Canyon to Vallejo, for Vallejo’s consideration, and to schedule further meetings to consider input from American Canyon concerning the Homekey Project implementation and its configuration on the Homekey Project site. Except as indicated, there was no other reportable action under the common-law attorney-client privilege and that provided by Government Code Section 54956.9(d)(1).

With respect to City Closed Session Agenda Item No. 3., there was reportable action in the form of Council authorization (4-1, Councilmember Oro dissenting) to hire a consultant to perform a personnel evaluation of the City Manager. Except as indicated, there was no other reportable action under the provisions of Government Code Section 54957.

Your Council concluded the Closed Session at 6:32 p.m., where it was indicated that a written report upon return from Closed Session 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 City Council Meeting.

The Honorable Leon Garcia, Mayor
and Members of the City Council
October 20, 2022
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Should you have questions concerning this Report, it may be taken off the Consent calendar when agendaized in the future, or our office may be contacted in the interim.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

William D. Ross
City Attorney

WDR:jf

cc: Jason B. Holley, City Manager
Maria Ojeda, Assistant City Manager
Taresa Geilfuss, City Clerk

William D. Ross
David Schwarz
Kypros G. Hostetter

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File No: 199/6

October 24, 2022

VIA E-MAIL

The Honorable Leon Garcia, Mayor
and Members of the City Council
City of American Canyon
4381 Broadway, Suite 201
American Canyon, CA 94503

Re: Report Upon Return from Closed Session; Virtual Special City Council Closed
Session Meeting of the American Canyon City Council; October 24, 2022

Dear Mayor Garcia and Members of the City Council:

This communication sets forth reportable action, if any, of the City Council (“Council”) of the City of American Canyon (“City”), consistent with provisions of the Ralph M. Brown Opening Meeting Act (Government Code Section 54950, *et seq.*) resulting from the Closed Session of the Virtual Special City Council Closed Session Meeting of October 24, 2022, consistent with Government Code Section 54957.1.

After convening in Open Session at 11:02 a.m. and ascertaining that there were no public comments on matters agendized for Closed Session consideration, your Council adjourned to Closed Session at 11:05 a.m.

There was one matter agendized for City Closed Session consideration.

1. Conference with Legal Counsel – Anticipated Litigation
Authorize Pursuant to Government Code Section 54956.9(d)(2)
One Matter

With respect to City Closed Session Agenda Item No. 1., there was reportable action in the form of Council direction (4–0, Councilmember Washington absent) to forward the current version of the Water Wheeling Agreement between the City and the City of Vallejo (“Vallejo”), to involved Vallejo officials indicating that the City Council had directed its approval by the City Manager, after resolution of any remaining issues concerning its content by respective Legal Counsel and authorized interested City Councilmembers, to communicate to members of the Vallejo City Council or Vallejo Staff of the City's action concerning the proposed Water Wheeling Agreement and requesting review.

The Honorable Leon Garcia, Mayor
and Members of the City Council
October 24, 2022
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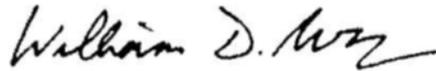
Also, your Council directed that if agreement is achieved with Vallejo, that existing security for completion of the Canyon Estates Project improvements be retained until a suitable alternative for providing water to the Canyon Estates Project is accomplished.

Your Council concluded the Closed Session at 11:43 a.m., where it was indicated that a written report upon return from Closed Session 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 City Council Meeting.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with a long horizontal stroke at the end.

William D. Ross
City Attorney

WDR:jf

cc: Jason B. Holley, City Manager
Maria Ojeda, Assistant City Manager
Taresa Geilfuss, City Clerk



TITLE

Eucalyptus Sidewalk Gap Closure Notice of Completion

RECOMMENDATION

Adopt a Resolution increasing the FY22/23 Capital Budget and Project Budget for the Eucalyptus Sidewalk Gap Closure Project (TR19-0400), accepting the contracted work as complete, authorizing the Public Works Director to file a Notice of Completion, and releasing a Retention payment to FJ & I Engineering, Inc.

CONTACT

Erica Ahmann Smithies, P.E., Public Works Director/City Engineer
Ron Ranada, P.E., Senior Civil Engineer

BACKGROUND & ANALYSIS

The Eucalyptus Sidewalk Gap Closure Project consists of the construction of approximately four hundred (400) linear feet of curb, gutter, and sidewalk, curb ramps, storm drain improvements, pavement widening, and signage and striping on Eucalyptus Drive, from Theresa Avenue to 400 feet west. Construction of the sidewalk has completed the gap in pedestrian access to the new Napa Junction Elementary School (from points east), and to the SR29 corridor (from points west). The Project has delivered improvements which were identified in the Napa County-wide Pedestrian Plan, as well as voiced by local residents.

The City solicited competitive bids for the Project and opened bids on April 19, 2022. FJ & I Engineering, Inc. (FJ&I) was determined to be the lowest responsible and responsive bidder, with a bid of \$219,186. On May 3, 2022, the City Council authorized the award of the construction contract with a not to exceed Project Budget of \$315,000 (R2022-33). On June 21, 2022, the budget was increased to \$336,000 with the City Council adopted FY22/23 Capital Improvement Program (R2022-55.)

The original scope of work did not take into consideration paving the entire road width of Eucalyptus within the project limits, but as construction progressed staff was concerned with failed sections with the road and requested a cost to complete the additional work. FJ&I provided a reasonable proposal to pave and restripe Eucalyptus, including additional dig outs and curb ramp work for a total change order cost of \$84,240. The additional work exceeded the adopted FY22/23 project

budget by \$41,500, but there were sufficient Measure T revenues available to cover the project increase. The paving window had already been scheduled and was taking place prior to the following regular Council meeting; therefore, the Public Works Director consulted with the City Manager regarding the increase to the budget through the use of eligible Measure T funds. The Director was given the approval to proceed with the contract change order and to formally reconcile the project budget at the time of the Notice of Completion.

FJ&I has completed the contract work, including Contract Change Order (CCO) No. 1, to the satisfaction of the Public Works Director, at a final contract cost of \$303,426. Staff recommends the Council amend the budget as outlined below, accept the work as complete, approve a Notice of Completion, and authorize the release of Retention payment to FJ&I.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

The total approved project budget as of June 21, 2022 was \$336,000. With the approval of Contract Change Order (CCO) #1, the project budget was exceeded by \$41,500. However, there are sufficient Measure T Fund 211 available to be transferred into the project budget. In addition to the increase to the overall project budget, staff caught an error in the grant amount of TDA3 Fund 230 and that has been corrected in the third table below.

The total construction contract amount including one CCO is \$303,426.

Contract Item	Total
Original Construction Contract	\$219,186
Change Order #1	\$84,240
Total Construction Contract	\$303,426

The estimated total project expenditure including surveying, right-of-way acquisition, construction contract, engineering, material testing, inspection services, and miscellaneous expenses is \$377,500.

	Total
Surveying	\$5,500
Right-of-Way Acquisition	\$38,500
Construction Contract (FJ&I)	\$303,426
Engineering & Inspection Services	\$17,000

In-house Staff and Project Support	\$12,000
Miscellaneous (Postage & Advertisement)	\$1,000
Total Estimated Project Expenditure (rounded)	\$377,500

Staff recommends the FY22/23 Capital Budget and Project Budget be amended and fund appropriations made as follows:

Source	Approved Budget	Proposed Change	Amended Budget
Fund 230, TDA*	\$159,454	-\$61,000	\$98,454
Fund 211, Measure T	\$176,546	\$102,500	\$279, 046
Total	\$336,000	\$41,500	\$377,500

*The awarded TDA grant amount is \$98,454 and has been corrected.

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](#)
2. [NOC TR19-0400 Eucalyptus](#)

RESOLUTION NO. 2022-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON
AMENDING THE FY22/23 CAPITAL BUDGET AND PROJECT BUDGET FOR THE
EUCALYPTUS SIDEWALK GAP CLOSURE PROJECT (TR19-0400), ACCEPTING THE
PROJECT AS COMPLETE, AUTHORIZING THE PUBLIC WORKS DIRECTOR TO FILE
A NOTICE OF COMPLETION, AND RELEASING RETENTION PAYMENT TO
FJ & I ENGINEERING, INC.**

WHEREAS, on May 3, 2022, the City Council authorized the award of a construction contract to FJ & I Engineering, Inc. (FJ&I) in an amount of \$219,186 for the Eucalyptus Sidewalk Gap Closure Project (TR19-0400) (Project) (R2022-33) and a total project budget of \$315,000; and

WHEREAS, on June 21, 2022, the overall project budget was increased to \$336,000 with the City Council adopted FY22/23 Capital Improvement Program (R2022-55); and

WHEREAS, the Public Works Director authorized one Contract Change Order (CCO) for additional paving and curb work in the amount of \$84,240; and

WHEREAS, all contracted work, including CCO No. 1, has been completed at a total cost of \$303,426; and

WHEREAS, total project expenditures, including surveying, right-of-way acquisition, the construction contract, engineering and inspection services, material testing, and miscellaneous expenses, is estimated at \$377,500; and

WHEREAS, due to the additional paving work incurred by Project CCO No. 1, there is a need to increase the overall project budget by \$41,500; and

WHEREAS, there is sufficient funding in Fund 211 (Measure T) to accommodate the \$41,500 increase in the project budget; and

WHEREAS, FJ&I has completed all of the contracted work to the satisfaction of the Public Works Director; and

WHEREAS, if no liens or claims have been filled within 35 days of filing the Notice of Completion, the retained payment funds and any amount due will be released to FJ&I.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of American Canyon hereby approves the FY22/23 budget transfers to the Project as follows; and

Budget Line Item	Name	Amount
		\$41,500
350-85-450-46110	Capital Outlay	\$41,500

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of American Canyon hereby amends the overall budget for the Project Budget as follows; and

Source	Approved Budget	Proposed Change	Amended Budget
Fund 230, TDA	\$159,454	-\$61,000	\$98,454
Fund 211, Measure T	\$176,546	\$102,500	\$279,046
Total	\$336,000	\$41,500	\$377,500

BE IT FURTHER RESOLVED that the City Council of the City of American Canyon hereby accepts the Eucalyptus Sidewalk Gap Closure Project (TR19-0400) work as complete, authorizes the Public Works Director to file a Notice of Completion, and approves the release of a Retention payment to FJ & I Engineering, Inc.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 1st day of November, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leon Garcia, Mayor

ATTEST:

APPROVE AS TO FORM:

Taresa Geilfuss, CMC, City Clerk

William D. Ross, City Attorney

RECORDING REQUESTED BY:

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

WHEN RECORDED RETURN TO:

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

Exempt from recording fee pursuant to Government Code Section 27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

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

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

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.

3. That the nature of the original contract, if any, for said work of improvement was:

EUCALYPTUS SIDEWALK GAP CLOSURE PROJECT: TR19-00400

4. That on the 1st day of November, 2022 a work of improvement on the real property herein described was completed.

5. That the name of the original contractor for said work of improvement was:

FJ&I Engineering, Inc.
1981 21st Street
San Pablo, CA 94806

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

FJ&I Engineering, Inc.
1981 21st Street
San Pablo, CA 94806

7. That the real property referred to herein is situated in the County of Napa, State of California, at the following location within the City of American Canyon, California.

Eucalyptus Drive, from Theresa Avenue to 450' west

By: CITY OF AMERICAN CANYON

Erica Ahmann Smithies, P.E.
Public Works Director/City Engineer

Date



TITLE

AB1600 Annual Report

RECOMMENDATION

Receive and file the Development Impact Fee Report for the Fiscal Year ended June 30, 2022.

CONTACT

Jem Cruz, Interim Finance Director

Erica Ahmann Smithies, P.E., Public Works Director/City Engineer

BACKGROUND & ANALYSIS

The City Council of American Canyon has established and adopted various Development Impact Fees to finance necessary infrastructure improvements associated with new development. The City maintains collected Development Impact Fees in separate funds, namely: Fund 275 (General Plan Update Fee), Fund 310 (Parks Impact Fees), Fund 320 (Traffic Impact Fees), Fund 330 (Civic Facilities Impact Fees), Fund 340 (Affordable Housing In-Lieu Fees), Fund 370 (Zero Water Footprint), Fund 520 (Water Capacity Fees), and Fund 550 (Wastewater Capacity Fees).

Government Code Section 66006, commonly referred to as AB1600, requires municipalities that have imposed impact fees to annually account for the fees and make the report available to the public. The report must include the beginning and ending balances of the fiscal year, interest income, expenditures, and refunds pursuant to Government Code Section 66001(f).

Government Code Section 66006(d) also provides that every five years, the local agency shall make findings with respect to any portion of the fee remaining unexpended, whether committed or uncommitted. The report must include the purpose and brief description of the type of fee in the account or fund, the relationship between the fee and the purpose for which it is charged, all sources and amounts of funding anticipated to complete financing in incomplete improvements and designate approximate dates on which the funding is expected.

See [Attachment 1](#) for the Development Impact Fees Notice and [Exhibit A](#) for the associated AB1600 FY 2021-2022 Annual Impact Fee Report.

In addition to the Annual Report, Director Smithies will provide a presentation highlighting FY 2022-

2023 capital projects that are funded with Development Impact Fees.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

None.

ENVIRONMENTAL REVIEW

Not applicable.

ATTACHMENTS:

[1. Development Impact Fees Notice.pdf](#)

[Exhibit A. AB1600 Annual Compliance Report as of 06-30-2022.pdf](#)



**CITY OF AMERICAN CANYON
NOTICE OF AVAILABILITY OF INFORMATION**

**Information Related to Development Impact Fees (AB1600)
Issue Date: September 27, 2022**

Notice is hereby given that as of the date noted above, the City of American Canyon has made available to the public a draft Development Impact Fee Report for the Fiscal Year Ended June 30, 2022 in compliance with the reporting requirements of California Government Code Section 66006, including Section 66006(b)(2).

The final report will be considered by the City Council at a regularly-scheduled City Council meeting on November 1, 2022, beginning at 6:30 p.m. or soon thereafter in the American Canyon City Council Chambers, 4381 Broadway, Suite 201, American Canyon, CA 94503.

The proposed Report on Development Impact Fees may be examined for no charge at the City of American Canyon City Clerk's Office during normal business hours between 8:30 a.m. and 5:00 p.m., Monday through Friday, with the exception of holidays.

Interested citizens are invited to attend and participate in the meeting and present written and/or oral testimony concerning the Development Impact Fee Report. If you are unable to attend the meeting, you may send written comments to the City Clerk prior to the meeting at the address listed above or via email to tgeilfuss@cityofamericancanyon.org. Any questions concerning the report may be directed to the Interim Finance Director at 707-647-4365. Legal challenges to these proceedings may be limited to only the issues you or someone else raised at the public hearing or submitted in writing to the City prior to the hearing.

A handwritten signature in blue ink that reads "Jemelyn Cruz".

Jemelyn Cruz
Interim Finance Director





AB1600
Annual Compliance
Development Impact Fee Report
Fiscal Year 2021-2022
as of 6/30/2022

CITY OF AMERICAN CANYON
General Plan Update Fee Analysis
as of 6/30/2022

The General Plan Update Fees are collected to update the general plan to meet the demand of new development.

GENERAL PLAN UPDATE FEE AMOUNT

Land Use	Unit	General Plan Update Fee
Residential	Per DU	\$97.47
Accessory Dwelling Unit	Per DU	\$26.96
Commercial, Office, Industrial	Per Sqft	\$0.012

GENERAL PLAN UPDATE FEE ACTIVITY

Audited Beginning Fund Balance July 1, 2021 \$ 225,232

Fiscal Year 2021-2022 Activity	<u>Budget</u>	<u>Actual</u>
Revenues:		
General Plan Update Fee	\$ 454	\$ 6,913
Interest Earnings	549	823
Total Revenues and Other Sources	<u>\$ 1,003</u>	<u>\$ 7,736</u>
Expenditures:		
Miscellaneous Contractual Services-GP Update	\$ 54,800	\$ 62,952
Total Expenditures	<u>\$ 54,800</u>	<u>\$ 62,952</u>
Unaudited Fund Balance at 6/30/2022	<u>\$ 171,435</u>	<u>\$ 170,016</u>

CAPITAL PROJECTS

		<u>Budget</u>	<u>Expenses</u>
FY 2021-22 Capital Projects:			
CD Update Project	CD19-0100	\$ 54,800	\$ 62,952
Total CIP Expenditures		<u>54,800</u>	<u>\$ 62,952</u>

Use of Fees:

Capital Projects Budgeted in FY 2022-23:			
CD Update Project	CD19-0100		-
Total CIP Budget			<u>\$ -</u>

CITY OF AMERICAN CANYON
Parks Impact Fee Fund Analysis
as of 6/30/2022

Park Impact Fees are collected to provide revenue for purchase and development of additional parks and recreational opportunities due to the additional impact of new residences

PARKS IMPACT FEE AMOUNT

	<i>Fee per Dwelling Unit</i>
Parkland Acquisition	\$2,349.20
Parkland Development	\$2,671.15
Community Gym	\$920.00
Aquatic Center/Pool	\$311.53
Aquatic Center/Slide	\$65.44
Total Per Dwelling Unit	\$6,317.32
Total Per ADU	\$1,731.38

PARKS IMPACT FEE CAPITAL PROJECT ACTIVITY

Audited Beginning Fund Balance July 1, 2021		<u>\$ 1,254,070</u>
Fiscal Year 2021-2022 Activity	<i>Budget</i>	<i>Actual</i>
Revenues:		
Park Development Fee	\$ 14,759	\$ 424,323
Interest Earnings	3,056	5,247
	<u>\$ 54,800</u>	<u>\$ 429,569</u>
Expenditures:		
Transfers Out to Gen Govtl CIP Fund	\$ 190,100	\$ 1,000
Miscellaneous Contractual Services-GP Update	\$ 134,800	\$ -
Total Expenditures	<u>\$ 324,900</u>	<u>\$ 1,000</u>
Unaudited Fund Balance at 6/30/2022	<u>\$ 983,970</u>	<u>\$ 1,682,639</u>

CITY OF AMERICAN CANYON
Parks Impact Fee Fund Analysis
as of 6/30/2022

CAPITAL PROJECTS

		<i>Budget</i>		<i>Expenses</i>
FY 2021-22 Capital Projects:				
CD Update Project	CD19-0100	\$ 150,000	\$	-
	PR13-0200	10,026		1,000
Total CIP Expenditures		\$ 160,026	\$	1,000

Use of Fees:

Capital Projects Budgeted in FY 2022-23:				
CD Update Project	CD19-0100			134,782
Newell Open Space	PR13-0200			206,100
Playground Replacement Project	PR21-0100			125,000
Melvin Park Improvements	PR23-0100			10,000
Melvin Tennis Court Improvements	PR23-0200			60,000
Total CIP Budget			\$	535,882

CITY OF AMERICAN CANYON
Traffic Impact Fee Fund Analysis
as of 6/30/2022

Traffic Impact Fee Fund are collected to reduce the impact of additional traffic related to new development

TRAFFIC IMPACT FEE AMOUNT

<i>Land Use</i>	<i>Traffic Impact Fee</i>
All	\$672.58 Per Net New Daily Trip
ADU	\$1,167.63 Per ADU

TRAFFIC IMPACT FEE CAPITAL PROJECT ACTIVITY

Audited Beginning Fund Balance July 1, 2021	<u>\$ 4,599,505</u>
---	---------------------

	<u>Budget</u>	<u>Actual</u>
Fiscal Year 2021-2022 Activity		
Revenues:		
Traffic Impact Fees	\$ 1,191,103	\$ 1,195,966
Interest Earnings	40,322	68,367
Total Revenues and Other Sources	<u>\$ 1,231,425</u>	<u>\$ 1,264,333</u>
Expenditures:		
Transfers Out to Gen Govtl CIP Fund	370,066	19,173
Miscellaneous Contractual Services	2,182,682	2,416,718
Cost Reimbursement for Traffic Light SR29	2,072,431	
Equivalent Traffic Fees for NLP, Phase 2	229,082	
General Plan Update (CD19-0100)	115,205	
Total Expenditures	<u>\$ 2,552,748</u>	<u>\$ 2,435,891</u>
Unaudited Fund Balance at 6/30/2022	<u>\$ 3,278,182</u>	<u>\$ 3,427,947</u>

Unaudited Fund Balance:	
Fund Balance - Unassigned/Undesignated	\$ 3,031,529
Designated for SR29 South Corridor	291,418
Designated for SR29 Green Island Road	70,000
Designated for Pedestrian Safety South Side of AC Rd VVR	35,000
Unaudited Fund Balance at 6/30/2022	<u>\$ 3,427,947</u>

CITY OF AMERICAN CANYON
Traffic Impact Fee Fund Analysis
as of 6/30/2022

CAPITAL PROJECTS

		<i>Budget</i>	<i>Expenses</i>
FY 2021-22 Capital Projects:			
CD Update Project	CD19-0100	\$ 50,218	\$ 115,205
Devlin Road Extension Segment H	TR14-0100	272,515	2,283
GI Rd Reconstruction & Widening	TR16-0700	97,551	16,891
Total CIP Expenditures		<u>\$ 420,284</u>	<u>\$ 134,378</u>

Use of Fees:

Capital Projects Budgeted in FY 2022-23:			
Devlin Road Extension Segment H	TR14-0100		\$ 270,233
GI Rd Reconstruction & Widening	TR16-0700		71,975
Total CIP Budget			<u>\$ 342,208</u>

Below are fees received that are specifically designated:

	Amount
Designated Fund Balances:	
SR 29 South Corridor	\$ 291,418
SR29 Green Island Road - to be spent at Green Island and SR29 Intersection. This amount could be used on TR16-0700 (Green Island Widening) if project includes improvements to Green Island Road and SR29 Intersection.	\$ 70,000
VVR Pedestrian Safety - South Side of American Canyon Road	\$ 35,000

CITY OF AMERICAN CANYON
Civic Facilities Impact Fee Fund Analysis
as of 6/30/2022

Civic Facility Impact Fee are collected to provide additional space for City departments due to the impact of additional businesses and residents.

CIVIC FACILITY IMPACT FEE AMOUNT

	Per Residential	Per Accessory	Per Commercial	Per Office	Per Industrial
	Unit	Dwelling Unit	Square Ft	Sqare Ft	Square Ft
Civic Facilities					
City Hall Expansion	\$ 305.06	\$ 83.78	\$ 0.16	\$ 0.31	\$ 0.11
Police Station	92.38	25.30	0.04	0.09	0.05
Aquatic Center Offices	283.18	77.76	0.04	0.07	0.01
Constuction - City Library	1,069.45	293.38	0.16	0.26	0.09
Corp Yard Expansion and offsite Improvements	83.78	23.69	0.01	0.05	0.01
Subtotal - Civic Facilities	\$ 1,833.85	\$ 503.91	\$ 0.41	\$ 0.78	\$ 0.27

CIVIC IMPACT FEE CAPITAL PROJECT ACTIVITY

Audited Beginning Fund Balance July 1, 2021		\$ 1,238,581
	Fiscal Year 2021-2022 Activity	
		<u>Budget</u> <u>Actual</u>
Revenues:		
Civic Facilities Impact Fee		\$ 21,184 \$ 132,401
Interest Earnings		3,018 4,691
Total Revenues and Other Sources		<u>\$ 24,202 \$ 137,092</u>
Expenditures:		
Transfer to Debt Service		\$ - \$ -
Total Expenditures		<u>\$ - \$ -</u>
Unaudited Fund Balance at 6/30/2022		<u>\$ 1,262,783 \$ 1,375,673</u>
Unaudited Fund Balance:		
Fund Balance - Unassigned/Undesignated		\$ 875,673
Designated for CF East of SR29 Loc TBD		500,000
Unaudited Fund Balance at 6/30/2022		<u>\$ 1,375,673</u>

CAPITAL PROJECTS

	Use of Fees:	
Capital Projects Budgeted in FY 2022-23:		
City Hall Building Roof Improvement	CF23-0100	\$ 150,000.00
Aquatic Facility Improvements	PR23-0300	60,000
Total CIP Budget		<u>\$ 210,000.00</u>

CITY OF AMERICAN CANYON
Affordable Housing Fee Fund Analysis
as of 6/30/2022

The City accounts for fees collected from developers in lieu of providing affordable housing in an Affordable Housing Fund. Amounts collected are used for certain housing related expenses to maintain affordable housing in the community. Assistance is provided to low income and very low income residents for a variety of services including landlord tenant issues, section 8 housing voucher program, farm worker housing contribution, maintenance of qualifying city owned housing and administration of the City's rent stabilization ordinance.

AFFORDABLE HOUSING NEXUS FEE AMOUNT

Type of Use	Per Gross Sqft
Residential, Single Family, Townhouse	\$3.36
Residential, Single Family, Apartment	\$3.90
Office	\$0.85
Hotel	\$0.85
Retail	\$0.85
Warehouse	\$0.56
Industrial	\$0.56
All Other Non-residential	\$0.85

AFFORDABLE HOUSING IN LIEU FEE CAPITAL PROJECT ACTIVITY

Audited Beginning Fund Balance July 1, 2021		<u>\$ 262,010</u>
	Fiscal Year 2021-2022 Activity	
		<u><i>Budget</i></u> <u><i>Actual</i></u>
Revenues:		
Affordable Housing Nexus Fee	\$ 45,712	\$ 20,366
Affordable Housing Monitoring Fees	1,739	1,739
Interest Earnings	273	336
Miscellaneous Revenue - MidPen Surplus Cash Dist	3,138	3,138
Total Revenues and Other Sources	<u>\$ 50,862</u>	<u>\$ 25,578</u>
Expenditures:		
Other Professional Services:	\$ 130,000	
City of Napa - Affordable Housing Program Services	\$ 85,000	\$ -
Fair Housing Napa Valley - Fair Housing Program	45,000	45,000
Total Expenditures	<u>\$ 130,000</u>	<u>\$ 45,000</u>
Unaudited Fund Balance at 6/30/2022		<u><u>\$ 182,872</u></u> <u><u>\$ 242,588</u></u>

CITY OF AMERICAN CANYON
Affordable Housing Fee Fund Analysis
as of 6/30/2022

CAPITAL PROJECTS

Use of Fees:

Capital Projects Budgeted in FY 2022-23:

189 Theresa Demolition	CF23-0200	\$ 100,000
Total CIP Budget		<u>\$ 100,000</u>

CITY OF AMERICAN CANYON
Zero Water Footprint Impact Fee Analysis
as of 6/30/2022

Zero Water Footprint Mitigation Impact Fees are collected to offset new water demand associated with development projects.

ZERO WATER FOOTPRINT IMPACT FEE AMOUNT depends on the size and scope of the project and a variety of methods may be used for offsetting the increase in potable water consumption.

ZERO WATER FOOTPRINT IMPACT FEE CAPITAL PROJECT ACTIVITY

Audited Beginning Fund Balance July 1, 2021		<u>\$ 322,269</u>
	Fiscal Year 2021-2022 Activity	
	<i>Budget</i>	<i>Actual</i>
Revenues:	<u>87,207</u>	<u>154,624</u>
Interest Earnings	786	1,439
Total Revenues and Other Sources	<u>\$ 56,589</u>	<u>\$ 72,127</u>
Expenditures:		
Professional Services	\$ -	\$ -
Transfers Capital Projects Fund	-	-
Total Expenditures	<u>\$ -</u>	<u>\$ -</u>
Unaudited Fund Balance at 6/30/2022	<u>\$ 378,858</u>	<u>\$ 394,396</u>

CAPITAL PROJECTS

Use of Fees:

Capital Projects Budgeted in FY 2022-23:		
Recycled Water Expansion Project	RW17-0100	<u>\$ 677,509</u>
Total CIP Budget		<u>\$ 677,509</u>

CITY OF AMERICAN CANYON
Water Capacity Fee Fund Analysis
as of 6/30/2022

Water Capacity fees are collected to pay for expansion of water infrastructure and facilities.

WATER CAPACITY IMPACT FEE AMOUNT

Land Use	Units	EDU	Water Capacity Fee
Accessory Dwelling Unit	Each	0.00	\$ 0.00
Single Family	Each	1.00	\$ 19,844.00
Multi-Family	Unit	\$0.650	\$ 13,439.00
Commercial/Industrial	GPD	n/a	\$ 30.41

WATER CAPACITY FEE CAPITAL PROJECT ACTIVITIES

Working Capital July 1, 2021 \$ 4,556,410

Fiscal Year 2021-2022 Activity	<u>Budget</u>	<u>Actual</u>
Revenues:		
Capacity Fee	\$ 888,820	\$ 1,252,878
Interest	65,720	120,503.34
Total Revenues and Other Sources	<u>\$ 954,540</u>	<u>\$ 1,373,381</u>
Expenditures:		
Advances:		
Interest Expense - Water Ops (LAIF Interest Rate)	\$ 136,000	\$ 4,355
Transfers to Capital Project Funds:		
Transfer to Cap Proj Fund - Gen Gov	1,399,300	558,380
Total Expenditures	<u>\$ 1,535,300</u>	<u>\$ 562,735</u>
Total Resources Available at 6/30/2022	<u>\$ 3,975,650</u>	<u>\$ 5,367,055</u>

CITY OF AMERICAN CANYON
Water Capacity Fee Fund Analysis
as of 6/30/2022

CAPITAL PROJECTS

FY 2021-22 Capital Projects:		<i>Budget</i>	<i>Expenses</i>
Devlin Road Extension Segment H	TR14-0100	1,399,300	558,380
Total CIP Expenditures		<u>\$ 1,399,300</u>	<u>\$ 558,380</u>

Use of Fees:

Capital Projects Budgeted in FY 2022-23:			
CD Update Project		CD19-0100	\$ 47,194
Devlin Road Extension Segment H		TR14-0100	891,620
Total CIP			<u>\$ 938,814</u>

Part of the ending balance of this fund will be used for the Master Plan Updates, Recycled Water Delivery - Dodd Court, Potable Water Storage Tank - HP. The fund can also be used for the Eastside Storage Tanks #1 as part of the Water Capacity Fee Program to increase storage for main pressure zone.

Note: Interest Expenses made from this fund were for Internal Loans from Wastewater Capacity for various CIP projects and Water Operations for past operating deficits and CIP expenses.

CITY OF AMERICAN CANYON
Wastewater Capacity Fee Fund Analysis
as of 6/30/2022

Wastewater Capacity fees are collected to pay for additional wastewater infrastructure and facilities.

WASTEWATER CAPACITY IMPACT FEE AMOUNT

Land Use	Units	EDU	Wastewater Capacity Fee
Accessory Dwelling Unit	Each	0.00	\$ 0.00
Single Family	Each	1.00	\$ 11,637.00
Multi-Family	Unit	\$0.650	\$ 7,564.00
Commercial/Industrial	Gpd	n/a	\$ 38.80

WASTEWATER CAPACITY FEE CAPITAL PROJECT ACTIVITIES

Working Capital July 1, 2021 \$ (134,398)

Fiscal Year 2021-2022 Activity	<u>Budget</u>	<u>Actual</u>
Revenues:		
Wastewater Capacity Fee	\$ 512,267	\$ 573,335
Interest from Advances to WW Ops & RW Ops	16,509	26,256
Total Revenues and Other Sources	<u>\$ 528,776</u>	<u>\$ 599,591</u>
Expenditures:		
Transfer to Cap Proj Fund - Gen Gov	\$ -	\$ -
Transfer to Cap Proj Fund - Wastewater CIP	200,000	-
Miscellaneous Contractual Services	47,200	-
Total Expenditures	<u>\$ 247,200</u>	<u>-</u>
Total Resources Available at 6/30/2022	<u>\$ 147,178</u>	<u>\$ 465,193</u>

CITY OF AMERICAN CANYON
Wastewater Capacity Fee Fund Analysis
as of 6/30/2022

CAPITAL PROJECTS

FY 2021-22 Capital Projects:		<i>Budget</i>	<i>Expenses</i>
CD Update Project	CD19-0100	\$ 47,200	\$ -
SS4 Broadway Sewer Rehab, Crawford to Donaldson	WW20-0100	200,000	-
Total CIP Expenditures		<u>\$ 247,200</u>	<u>\$ -</u>

Use of Fees:

Capital Projects Budgeted in FY 2022-23:			
CD Update Project		CD19-0100	\$ 47,194
SS4 Broadway Sewer Rehab, Crawford to Donaldson		WW20-0100	375,000
Total CIP			<u>\$ 422,194</u>

Note: Interest Earnings from this fund were for Internal Loans to Recycled Water Operations for Various CIP Projects and Wastewater Operations Fund for past operating deficits and CIP expenses.



TITLE

Municipal Code Water Conservation Plan Update First Reading

RECOMMENDATION

Hold a Public Hearing for Municipal Code Water Conservation Plan Update

CONTACT

Felix Hernandez, III, Maintenance and Utilities Director
Dominic Patrick, Water Systems Manager

BACKGROUND & ANALYSIS

Background

City Municipal Code Water Conservation Plan

In response to the severe drought of 2012-2016, new legislation in 2018 created a Water Shortage Contingency Plan (WSCP) mandate replacing the water shortage contingency analysis under former law. The new requirements are more prescriptive to have consistency throughout California. The City Municipal Code Water Conservation Plan Chapter 13.14 (Attachment 1) serves as the City's WSCP and may be amended as needed without amending the 2020 Urban Water Master Plan (UWMP). Redlines to the Water Conservation Plan Ordinance (Attachment 2) meet new requirements to the new legislation in 2018. The plan is for City Council to adopt the Ordinance on November 15, 2022.

Analysis

The City's WSCP details the stages of actions to be taken during a reduction in available water supply. These actions are broken up based upon six possible stages of water shortage. Reductions in supply are most frequently associated with drought, but could also be the result of flooding, major fire emergencies, earthquakes, regional power outages, water contamination, and any other situations that could impact the City's water supply.

The goal of a WSCP is to have a procedure for managing and mitigating shortages allowing the city to respond in an efficient and timely manner. Water shortage response actions include demand reduction, supply augmentation, operational changes, and mandatory prohibitions to address shortage levels. The stages of action in response to water supply shortages, including greater than 50 percent reduction in water supply are summarized in table 8-1 of the 2020 UWMP water

shortage contingency plan levels (Attachment 3).

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

There is no fiscal impact to the Municipal Code Water Conservation Plan Update.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS:

1. [Ordinance Water Conservation Plan Chapter 13.14](#)
2. [Redlines Ordinance Water Conservation Plan Chapter 13.14](#)
3. [Table 8-1 of 2020 UWMP Water Shortage Contingency Plan Levels](#)

Chapter 13.14 WATER CONSERVATION PLAN

13.14.010 Title.

This chapter shall be known as the “Water Conservation Plan” of the city of American Canyon and may be so cited. This chapter serves as the city’s water shortage contingency plan. (Ord. 2015-07 § 2, 2015)

13.14.020 Purpose and intent.

The purpose of this chapter is to have a plan for water conservation resulting from a reduced supply of water such as may result from drought, water supply shortages, or limitations of water delivery conditions.

Nothing in this chapter will preclude the city council from passing an emergency resolution for the immediate curtailment of water use by its customers due to water supply shortages and delivery limitations caused by catastrophic events and conditions, either natural or unnatural.

In the event any provision of this chapter conflicts or overlaps with any mandatory state regulation related to water conservation, the most stringent shall apply. (Ord. 2015-07 § 2, 2015)

13.14.030 Definitions.

The terms used in this chapter shall have the following meanings:

“City” means the city of American Canyon acting by and through the city of American Canyon public works department as operator of the city of American Canyon water and recycled water systems.

“Customer” means any person, firm, partnership, association, corporation, company, organization, property, or governmental entity, whether within or outside the geographic boundaries of the city of American Canyon, who uses water supplied by the city.

“Essential water use” means water necessary for human consumption, sanitation, and fire protection. All other uses of water that are not specifically required to meet these needs shall be considered non-essential.

“GPD” means gallons per day.

“Low-flow toilet” means a toilet that uses no more than 1.6 gallons of water per flush or less.

“Manager” is the city manager of the city of American Canyon.

“Nonresidential uses” means all other uses not classified as residential pursuant to ACMC 19.05.040.

“Ornamental (or decorative)” means a water feature where artificially supplied open water performs solely an aesthetic function. Ornamental (or decorative) water features do not include recreational water features, such as swimming pools and spas.

“Maintenance and Utilities Director” is the public works department head of the city of American Canyon.

“Recycled water” means water treated in accordance with Title 22, Section 60301 et seq., of the California Code of Regulations and suitable for reuse under the circumstances outlined.

“Residential uses” means all those uses classified as residential pursuant to ACMC 19.05.040.

“Turf” means a species of grass that was developed to be used as a lawn together with the surface layer of earth held together by its roots.

“Water” means potable water. (Ord. 2015-07 § 2, 2015)

13.14.040 Authorization.

The manager or designee is authorized and directed to implement the applicable provisions of this chapter upon adoption of a city council resolution determining that such implementation is necessary to protect the public health, safety and welfare. (Ord. 2015-07 § 2, 2015)

13.14.050 Application.

The provisions of this chapter shall apply to all persons, customers and properties served by the city including expressly those outside the geographic boundaries of the city of American Canyon. (Ord. 2015-07 § 2, 2015)

13.14.060 Water waste prohibitions.

The following uses of water are defined as “waste of water” and are absolutely prohibited:

A. Failing to repair a leak and/or otherwise permit the escape of water through breaks or leaks within the customer’s plumbing or private distribution system for any substantial period of time within which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of seventy-two hours after the customer discovers such a break or leak or receives notice from the city, is a reasonable time within which to correct such a break or leak or, at a minimum, to stop the flow of water from such break or leak.

B. Use water to irrigate grass, lawns, groundcover, shrubbery, crops, trees or other vegetation or in such a manner as to result in runoff to any gutter, ditch, drain or impermeable surface. Every customer is deemed to have his or her water system under control at all times, to know the manner and extent of his or her water use and any run-off, and to employ available alternatives to apply irrigation water in an efficient manner.

C. Washing cars, boats, trailers or other vehicles and machinery directly with a hose not equipped with a shutoff nozzle.

D. Water for non-recycling decorative water fountains.

E. Water for single-pass evaporative cooling systems for air conditioning in all connections installed after the effective date of the ordinance codified in this chapter, unless required for health or safety reasons.

F. Water for non-recirculating conveyor car wash systems, industrial clothes wash systems, and/or other commercial purposes for which recirculated or recycled water can safely and effectively serve the same purpose.

G. Water for the irrigation of turf for nonresidential uses.

H. Water for the flushing of toilets for nonresidential uses with the exception of water for flushing low-flow toilets and/or as provided by Section 13.14.110.

I. The use of water for earth compaction, dust control, or other construction use, including the testing of new sewer lines unless the water is obtained from a source expressly approved by the Maintenance and Utilities Director; provided, however, notwithstanding the foregoing, that water may be used for purposes of testing new water service lines.

J. Withdrawal of water from fire hydrants within the service area of the city, except for purposes of fire-fighting, water system maintenance, and other uses as permitted by the city.

K. All restaurants, hotels, cafés, cafeterias, bars, or other public places where food or drink are served and/or purchased are to serve water to customers only when specifically requested by the customer.

L. All hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

M. The irrigation with water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with Chapter 16.14.

N. Use of water that is inconsistent with state or federal regulations. (Ord. 2015-07 § 2, 2015)

13.14.065 Recycled water service required.

Following a public hearing, the city's nonresidential water customers whose properties may be served by recycled water shall connect their property to recycled water for those uses for which the use of potable domestic water would be deemed a waste or unreasonable use of water as specified in Division 7, Chapter 7, of the California Water Code (Section 13550 et seq.). Recycled water customers shall pay for recycled water at the rate established by the city council.

Upon written notification from the city, new development shall construct the infrastructure to accept recycled water from the city. New development shall pay any applicable recycled water connection fees at the rate established by the city council.

Upon written notification from the city, new development abutting on any street in which there is now or may in the future be located a public recycled water line, is required to connect the property directly to the recycled water line, provided that the public recycled water line is within two hundred feet of the nearest point of the property. The expense to extend the public recycled water line and associated appurtenances to and across the street frontage is the sole responsibility of the developer.

Upon written notification from the city, new development abutting on any street in which there may be located a public recycled water line in the future is required to construct the recycled water line and associated appurtenances along the street frontage at the developer's sole expense, including the new development's connection thereto.

Failure of a water customer to accept service of recycled water when it is made available, where use of potable water would otherwise be deemed a waste or unreasonable use of water, may be grounds for termination of the customer's potable water service.

Failure of a recycled water customer to comply with the city's conditions for recycled water use shall be deemed a violation and shall be subject to enforcement as outlined in Section 13.14.120.

Water customers may appeal the city's determination that recycled water of suitable quality is available as outlined in Section 13.14.110. (Ord. 2015-07 § 2, 2015)

13.14.070 Water conservation stages.

The intent of this section is to provide for the escalation of customer demand management strategies that may be necessary due to an emergency caused by drought and/or water supply shortages. There are six stages of strategies, each of which builds upon its predecessor stage and are to be implemented as the severity of conditions increase. Stage 6 can be implemented at any time due to catastrophic events and conditions, either natural or unnatural, including flooding, major fire emergencies, earthquakes, regional power outages, water contamination, and emergencies other than water shortage. No customer of the city shall make, cause, use, or permit the use of water from the city for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this chapter, or in an amount in excess of what is permitted in accordance with the provisions of this chapter. The reductions shall be based upon the amount of water used during that base period defined as the amount of water used on a customer's property during the corresponding monthly billing period in the previous year, or other year as may be designated by the city council. New services or services without a base year billing history shall be allotted on comparable customer usage.

A. Stage 1. Voluntary Conservation. The intent of Stage 1 is to achieve an overall system-wide demand reduction of ten percent. The city council may by resolution declare a "Drought Emergency Stage 1 (Voluntary Conservation)" upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide reduction of ten percent is necessary. During Stage 1, all water customers of the city shall be requested to implement the following best practices:

1. Apply irrigation water only during the evening and early morning hours to reduce evaporation losses.
2. Utilize water conservation incentive, rebate and giveaway programs to replace water guzzling plumbing fixtures and appliances with water efficient models.
3. Utilize city information regarding using water efficiently, reading water meters, repairing ordinary leaks, and water efficient landscape.
4. Wash automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment during the evening and early morning hours to reduce evaporation losses. Such washing shall be done with a hand-held bucket, or hand-held hose equipped with a positive shutoff nozzle used for quick rinses.
5. Reduce monthly demand by ten percent when compared to the same time period in the established base year.

B. Stage 2. Mandatory Compliance—Water Alert. The intent of Stage 2 is to achieve an overall system-wide demand reduction of twenty percent. The city council may by resolution declare a “Drought Emergency Stage 2 (Mandatory Compliance—Water Alert)” upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide reduction of twenty percent is necessary. In addition to the mandatory twenty percent reduction for each water customer, and in addition to the requirements in Stage 1, the following activities shall be prohibited:

1. Gardening and landscape irrigation utilizing individual sprinklers or sprinkler systems on lawns, gardens, landscaped areas, trees, shrubs, or other plants except as expressly provided for by resolution of the city council.
2. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment except as expressly allowed by the adoption of a resolution by city council.
3. The washing of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas except as expressly allowed by the adoption of a resolution by city council.
4. The irrigation of turf on street medians with water.
5. The use of water to fill a new or existing swimming pool, spa, pond, or similar recreational basin of water.
6. The operation of any ornamental fountain or other structure making similar or otherwise ornamental use of water outside.

C. Stage 3. Mandatory Compliance—Water Emergency. The intent of Stage 3 is to achieve an overall system-wide demand reduction of thirty percent. The city council may, by resolution, declare a “Drought Emergency Stage 3 (Mandatory Compliance—Water Emergency)” upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide demand reduction of thirty percent is necessary. In addition to a mandatory reduction of thirty percent for each water customer, and in addition to the requirements in Stages 1 and 2, the following activities shall be prohibited:

1. Planting any new landscaping, except for native, drought tolerant species as defined by Chapter 16.22.

D. Stage 4. Mandatory Compliance—Critical Water Emergency. The intent of Stage 4 is to achieve an overall system-wide demand reduction of forty percent. The city council may, by resolution, declare a “Drought Emergency Stage 4 (Mandatory Compliance—Critical Water Emergency)” upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide demand reduction of forty percent is necessary. In addition to the mandatory conservation goals for each water customer, and in addition to the requirements in Stages 1, 2, and 3, the following activities shall be prohibited:

1. Residential development unless the developer has submitted a complete building permit application to the City prior to the Stage 4 declaration. Building permit applications may proceed with a deferral of landscape installation, until the water shortage level has been lifted.

2. Linen/towel exchanges more frequently than once every three nights or for the entire stay, whichever is shorter, except for health and safety.

E. Stage 5. Mandatory Compliance—Severe Water Emergency. The intent of Stage 5 is to achieve an overall system-wide demand reduction of fifty percent. The city council may, by resolution, declare a “Drought Emergency Stage 5 (Mandatory Compliance—Severe Water Emergency)” upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide demand reduction of fifty percent is necessary. During Stage 5, mandatory water rationing will occur on a property by property basis. Regardless of water consumption in the prior or other base year, the city council may set water allocation amounts based on minimum health and safety standards. In addition to the mandatory conservation goals for each water customer, and in addition to the requirements in Stages 1, 2, 3 and 4, the following activities shall be prohibited:

1. The use of water outside of a home or business except as expressly provided for by resolution of the city council.

2. Use of water in excess of the allocation to a property. (Ord. 2015-07 § 2, 2015)

F. Stage 6. Mandatory Compliance—Catastrophic Interruption of Water Supplies. The intent of Stage 6 is to achieve an overall system-wide demand reduction of greater than fifty percent. The city council may, by resolution, declare a “Drought Emergency Stage 6 (Mandatory Compliance—Catastrophic Interruption of Water Supplies)” upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide demand reduction of greater than fifty percent is necessary. In addition to the mandatory conservation goals for each water customer, and in addition to the requirements in Stages 1, 2, 3, 4, and 5, the following activities shall be prohibited:

1. Non-essential water use. Water use is restricted to essential water uses only.

13.14.080 Mandatory conservation phase implementation.

After the city council, by resolution, declares a Stage 1, 2, 3, 4, 5 or 6 Drought Emergency, the manager shall order that the appropriate stage of water conservation be implemented in accordance with the applicable provisions of this chapter. Said order shall be made by public announcement; shall be published a minimum of one time in a daily newspaper of general circulation. The city council shall receive a report at least monthly, noticed on a city council agenda, regarding the city’s water supply situation as long as the drought conditions remain in effect. (Ord. 2015-07 § 2, 2015)

13.14.090 Duration of conservation stages.

Mandatory stages shall be effective upon the effective date of the ordinance codified in this chapter and may be implemented as authorized by city council resolution. Current conservation stages as authorized by city council will be modified at such time that conditions indicate a more or less restrictive stage is necessary. (Ord. 2015-07 § 2, 2015)

13.14.100 Drought surcharge.

Customers will receive prior notification of the standard allotment basis, applicable rates, and the opportunity to request exceptions to the standard allotment basis.

Water use beyond the maximum allowed for each water conservation stage shall be subject to a drought surcharge pursuant to the schedule set forth below. The customer of record may request an increase in this basic allotment as set forth in Section 13.14.110 hereof. Application forms and instructions will be available at the American Canyon City Hall.

In addition to the general water service rates, each customer shall pay, during each billing period, a drought surcharge for water delivered in excess of the basic allotment. The surcharge is as follows:

- A. Up to 10% in excess of allotment = 1.0 times the applicable volume charge.
- B. 10.01% to 20% in excess of allotment = 2.0 times the applicable volume charge.
- C. Over 20% in excess of allotment = 3.0 times the applicable volume charge.

Customers whose water usage falls in Tier 1 of the rate schedule are assumed to have maximized their conservation effort and will not be subject to a drought surcharge if their water consumption is not further reduced.

In addition to the drought surcharge, if drought usage exceeds the allowed allotment, a warning will be issued and enforcement actions may be taken as described in Section 13.14.120. (Ord. 2015-07 § 2, 2015)

13.14.110 Exceptions and application procedures for exceptions.

All water use associated with the operation and maintenance of fire suppression equipment or employed by the city for water quality flushing and sanitation purposes shall be exempt from the provisions of this chapter. Use of water supplied by a private well or from a rain water utilization system is also exempt.

Any customer of the city may make written application for an exception to uses and activities prohibited by this chapter. Said application shall describe in detail why applicant believes an exception is justified.

A. The manager may grant exceptions for use of water otherwise prohibited or required by this section upon finding and determining that failure to do so would cause an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or public; or, cause an unnecessary and undue hardship on applicant or the public, including, but not limited to, adverse economic impacts, such as loss of production or jobs.

B. In the event of an appeal of a drought surcharge, customers who can clearly demonstrate that they have taken steps to reduce their water consumption (by installing water efficient appliances, drip irrigation, drought tolerant landscaping, etc.) shall be considered favorably in granting waivers.

C. No increase in the basic water allotment shall be granted unless the customer has installed all water-saving devices which are feasible. Water saving devices include: (1) ultra-low flush toilets utilizing 1.6 gallons per flush or less; (2) low-flow shower heads; (3) low-flow faucet restrictors utilizing two gallons per minute or less; (4) drip irrigation systems.

D. The decision of the manager may be appealed to the city council by submitting a written appeal to the city clerk within fifteen calendar days of the date of the decision. Upon granting any appeal, the city council may impose any conditions it determines to be just and proper. Exceptions granted by the city council shall be prepared in writing and the city council may require the exception be recorded at applicant's expense. (Ord. 2015-07 § 2, 2015)

13.14.120 Violation—Enforcement.

The violation of each provision of this chapter, and each separate violation thereof, shall be deemed a separate offense, and shall be enforced accordingly.

A. Any customer that violates any provision of this chapter shall, in addition to the imposition of the drought surcharge rates of Section 13.14.100 hereof, receive a personal contact by the city at the address of the water service. If personal contact is unsuccessful, written notice of the violation, including a date that the violation is to be corrected, may be left on the premises, with a copy of the notice sent by certified mail to the customer.

B. If after issuance of the written warning, the manager determines that the customer has continued or is continuing to violate the provisions of this chapter, the manager may authorize and implement installation of a flow restricting device on the service line or reduce the amount of water available to the customer. Any costs incurred by the city to authorize and implement the flow restricting device or reduce the amount of water available to the customer shall be borne by the customer. The flow restricting device shall be removed and the prior water supply amount resumed no sooner than sixty days after the date of the installation of the flow restricting device or a reduction in water available, provided that no further violations have occurred within that time.

C. If after implementation of a flow restricting device or reduction of water available to a customer, the customer continues to violate the provisions of the chapter, the city may disconnect the service to the customer for a period of three days. All costs or expenses incurred by the city for enforcement of this section shall be borne by the customer.

D. The unauthorized use of water following a disconnection of service pursuant to subsection C above, or any other unauthorized use of water from a fire hydrant or other use bypassing an installed meter, shall be subject to an automatic fine of two thousand five hundred dollars for the first offense and five thousand dollars for the second offense. (Ord. 2015-07 § 2, 2015)

13.14.130 Violation—Penalties.

In addition to all other remedies provided herein, any person who violates any provision of this chapter after having received a written notice to refrain as provided in Section 13.14.120, is guilty of an infraction. The violation of each provision of this chapter and each separate violation thereof shall be deemed a separate offense and shall be punishable pursuant to Chapter 1.24. (Ord. 2015-07 § 2, 2015)

13.14.140 Violation—Additional remedy.

As an additional remedy, the violation of any provision of this chapter by any person who has received more than one written warning pursuant to Section 13.14.120 to refrain from the same or any other violation under this chapter in one calendar year shall be deemed and is declared to be, a public

nuisance and may be subject to abatement in accordance with Chapter 8.04 of the city of American Canyon Municipal Code. (Ord. 2015-07 § 2, 2015)

Chapter 13.14 WATER CONSERVATION PLAN

13.14.010 Title.

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G. Water for the irrigation of turf for nonresidential uses.

H. Water for the flushing of toilets for nonresidential uses with the exception of water for flushing low-flow toilets and/or as provided by Section 13.14.110.

I. The use of water for earth compaction, dust control, or other construction use, including the testing of new sewer lines unless the water is obtained from a source expressly approved by the [Maintenance and Utilities Director](#); provided, however, notwithstanding the foregoing, that water may be used for purposes of testing new water service lines.

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J. Withdrawal of water from fire hydrants within the service area of the city, except for purposes of fire-fighting, water system maintenance, and other uses as permitted by the city.

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M. The irrigation with water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with Chapter 16.14.

N. Use of water that is inconsistent with state or federal regulations. (Ord. 2015-07 § 2, 2015)
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Failure of a water customer to accept service of recycled water when it is made available, where use of potable water would otherwise be deemed a waste or unreasonable use of water, may be grounds for termination of the customer's potable water service.

Failure of a recycled water customer to comply with the city's conditions for recycled water use shall be deemed a violation and shall be subject to enforcement as outlined in Section 13.14.120.

Water customers may appeal the city's determination that recycled water of suitable quality is available as outlined in Section 13.14.110. (Ord. 2015-07 § 2, 2015)

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The intent of this section is to provide for the escalation of customer demand management strategies that may be necessary due to an emergency caused by drought and/or water supply shortages. There are six stages of strategies, each of which builds upon its predecessor stage and are to be implemented as the severity of conditions increase. Stage 6 can be implemented at any time due to catastrophic events and conditions, either natural or unnatural, including flooding, major fire emergencies, earthquakes, regional power outages, water contamination, and emergencies other than water shortage. No customer of the city shall make, cause, use, or permit the use of water from the city for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this chapter, or in an amount in excess of what is permitted in accordance with the provisions of this chapter. The reductions shall be based upon the amount of water used during that base period defined as the amount of water used on a customer's property during the corresponding monthly billing period in the previous year, or other year as may be designated by the city council. New services or services without a base year billing history shall be allotted on comparable customer usage.

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2. Utilize water conservation incentive, rebate and giveaway programs to replace water guzzling plumbing fixtures and appliances with water efficient models.
3. Utilize city information regarding using water efficiently, reading water meters, repairing ordinary leaks, and water efficient landscape.
4. Wash automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment during the evening and early morning hours to reduce evaporation losses. Such washing shall be done with a hand-held bucket, or hand-held hose equipped with a positive shutoff nozzle used for quick rinses.
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3. The washing of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas except as expressly allowed by the adoption of a resolution by city council.

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6. The operation of any ornamental fountain or other structure making similar or otherwise ornamental use of water outside.

C. Stage 3. Mandatory Compliance—Water Emergency. The intent of Stage 3 is to achieve an overall system-wide demand reduction of thirty percent. The city council may, by resolution, declare a “Drought Emergency Stage 3 (Mandatory Compliance—Water Emergency)” upon recommendation by the manager and based on water supply and delivery projections by the [Maintenance and Utilities Director](#), that an overall system-wide demand reduction of thirty percent is necessary. In addition to a mandatory reduction of thirty percent for each water customer, and in addition to the requirements in Stages 1 and 2, the following activities shall be prohibited:

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1. Planting any new landscaping, except for native, drought tolerant species as defined by Chapter 16.22.

D. Stage 4. Mandatory Compliance—Critical Water Emergency. The intent of Stage 4 is to achieve an overall system-wide demand reduction of forty percent. The city council may, by resolution, declare a “Drought Emergency Stage 4 (Mandatory Compliance—Critical Water Emergency)” upon recommendation by the manager and based on water supply and delivery projections by the [Maintenance and Utilities Director](#), that an overall system-wide demand reduction of forty percent is necessary. In addition to the mandatory conservation goals for each water customer, and in addition to the requirements in Stages 1, 2, and 3, the following activities shall be prohibited:

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1. Residential development unless the developer has submitted a complete building permit application to the City prior to the Stage 4 declaration. Building permit applications may proceed with a deferral of landscape installation, until the water shortage level has been lifted.

2. Linen/towel exchanges more frequently than once every three nights or for the entire stay, whichever is shorter, except for health and safety.

E. Stage 5. Mandatory Compliance—Severe Water Emergency. The intent of Stage 5 is to achieve an overall system-wide demand reduction of fifty percent. The city council may, by resolution, declare a “Drought Emergency Stage 5 (Mandatory Compliance—Severe Water Emergency)” upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide demand reduction of fifty percent is necessary. During Stage 5, mandatory water rationing will occur on a property by property basis. Regardless of water consumption in the prior or other base year, the city council may set water allocation amounts based on minimum health and safety standards. In addition to the mandatory conservation goals for each water customer, and in addition to the requirements in Stages 1, 2, 3 and 4, the following activities shall be prohibited:

1. The use of water outside of a home or business except as expressly provided for by resolution of the city council.
2. Use of water in excess of the allocation to a property. (Ord. 2015-07 § 2, 2015)

F. Stage 6. Mandatory Compliance—Catastrophic Interruption of Water Supplies. The intent of Stage 6 is to achieve an overall system-wide demand reduction of greater than fifty percent. The city council may, by resolution, declare a “Drought Emergency Stage 6 (Mandatory Compliance—Catastrophic Interruption of Water Supplies)” upon recommendation by the manager and based on water supply and delivery projections by the Maintenance and Utilities Director, that an overall system-wide demand reduction of greater than fifty percent is necessary. In addition to the mandatory conservation goals for each water customer, and in addition to the requirements in Stages 1, 2, 3, 4, and 5, the following activities shall be prohibited:

1. Non-essential water use. Water use is restricted to essential water uses only.

13.14.080 Mandatory conservation phase implementation.

After the city council, by resolution, declares a Stage 1, 2, 3, 4, 5 or 6 Drought Emergency, the manager shall order that the appropriate stage of water conservation be implemented in accordance with the applicable provisions of this chapter. Said order shall be made by public announcement; shall be published a minimum of one time in a daily newspaper of general circulation. The city council shall receive a report at least monthly, noticed on a city council agenda, regarding the city’s water supply situation as long as the drought conditions remain in effect. (Ord. 2015-07 § 2, 2015)

13.14.090 Duration of conservation stages.

Mandatory stages shall be effective upon the effective date of the ordinance codified in this chapter and may be implemented as authorized by city council resolution. Current conservation stages as authorized by city council will be modified at such time that conditions indicate a more or less restrictive stage is necessary. (Ord. 2015-07 § 2, 2015)

13.14.100 Drought surcharge.

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Customers will receive prior notification of the standard allotment basis, applicable rates, and the opportunity to request exceptions to the standard allotment basis.

Water use beyond the maximum allowed for each water conservation stage shall be subject to a drought surcharge pursuant to the schedule set forth below. The customer of record may request an increase in this basic allotment as set forth in Section 13.14.110 hereof. Application forms and instructions will be available at the American Canyon City Hall.

In addition to the general water service rates, each customer shall pay, during each billing period, a drought surcharge for water delivered in excess of the basic allotment. The surcharge is as follows:

- A. Up to 10% in excess of allotment = 1.0 times the applicable volume charge.
- B. 10.01% to 20% in excess of allotment = 2.0 times the applicable volume charge.
- C. Over 20% in excess of allotment = 3.0 times the applicable volume charge.

Customers whose water usage falls in Tier 1 of the rate schedule are assumed to have maximized their conservation effort and will not be subject to a drought surcharge if their water consumption is not further reduced.

In addition to the drought surcharge, if drought usage exceeds the allowed allotment, a warning will be issued and enforcement actions may be taken as described in Section 13.14.120. (Ord. 2015-07 § 2, 2015)

13.14.110 Exceptions and application procedures for exceptions.

All water use associated with the operation and maintenance of fire suppression equipment or employed by the city for water quality flushing and sanitation purposes shall be exempt from the provisions of this chapter. Use of water supplied by a private well or from a rain water utilization system is also exempt.

Any customer of the city may make written application for an exception to uses and activities prohibited by this chapter. Said application shall describe in detail why applicant believes an exception is justified.

A. The manager may grant exceptions for use of water otherwise prohibited or required by this section upon finding and determining that failure to do so would cause an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or public; or, cause an unnecessary and undue hardship on applicant or the public, including, but not limited to, adverse economic impacts, such as loss of production or jobs.

B. In the event of an appeal of a drought surcharge, customers who can clearly demonstrate that they have taken steps to reduce their water consumption (by installing water efficient appliances, drip irrigation, drought tolerant landscaping, etc.) shall be considered favorably in granting waivers.

C. No increase in the basic water allotment shall be granted unless the customer has installed all water-saving devices which are feasible. Water saving devices include: (1) ultra-low flush toilets utilizing 1.6 gallons per flush or less; (2) low-flow shower heads; (3) low-flow faucet restrictors utilizing two gallons per minute or less; (4) drip irrigation systems.

D. The decision of the manager may be appealed to the city council by submitting a written appeal to the city clerk within fifteen calendar days of the date of the decision. Upon granting any appeal, the city council may impose any conditions it determines to be just and proper. Exceptions granted by the city council shall be prepared in writing and the city council may require the exception be recorded at applicant's expense. (Ord. 2015-07 § 2, 2015)

13.14.120 Violation—Enforcement.

The violation of each provision of this chapter, and each separate violation thereof, shall be deemed a separate offense, and shall be enforced accordingly.

A. Any customer that violates any provision of this chapter shall, in addition to the imposition of the drought surcharge rates of Section 13.14.100 hereof, receive a personal contact by the city at the address of the water service. If personal contact is unsuccessful, written notice of the violation, including a date that the violation is to be corrected, may be left on the premises, with a copy of the notice sent by certified mail to the customer.

B. If after issuance of the written warning, the manager determines that the customer has continued or is continuing to violate the provisions of this chapter, the manager may authorize and implement installation of a flow restricting device on the service line or reduce the amount of water available to the customer. Any costs incurred by the city to authorize and implement the flow restricting device or reduce the amount of water available to the customer shall be borne by the customer. The flow restricting device shall be removed and the prior water supply amount resumed no sooner than sixty days after the date of the installation of the flow restricting device or a reduction in water available, provided that no further violations have occurred within that time.

C. If after implementation of a flow restricting device or reduction of water available to a customer, the customer continues to violate the provisions of the chapter, the city may disconnect the service to the customer for a period of three days. All costs or expenses incurred by the city for enforcement of this section shall be borne by the customer.

D. The unauthorized use of water following a disconnection of service pursuant to subsection C above, or any other unauthorized use of water from a fire hydrant or other use bypassing an installed meter, shall be subject to an automatic fine of two thousand five hundred dollars for the first offense and five thousand dollars for the second offense. (Ord. 2015-07 § 2, 2015)

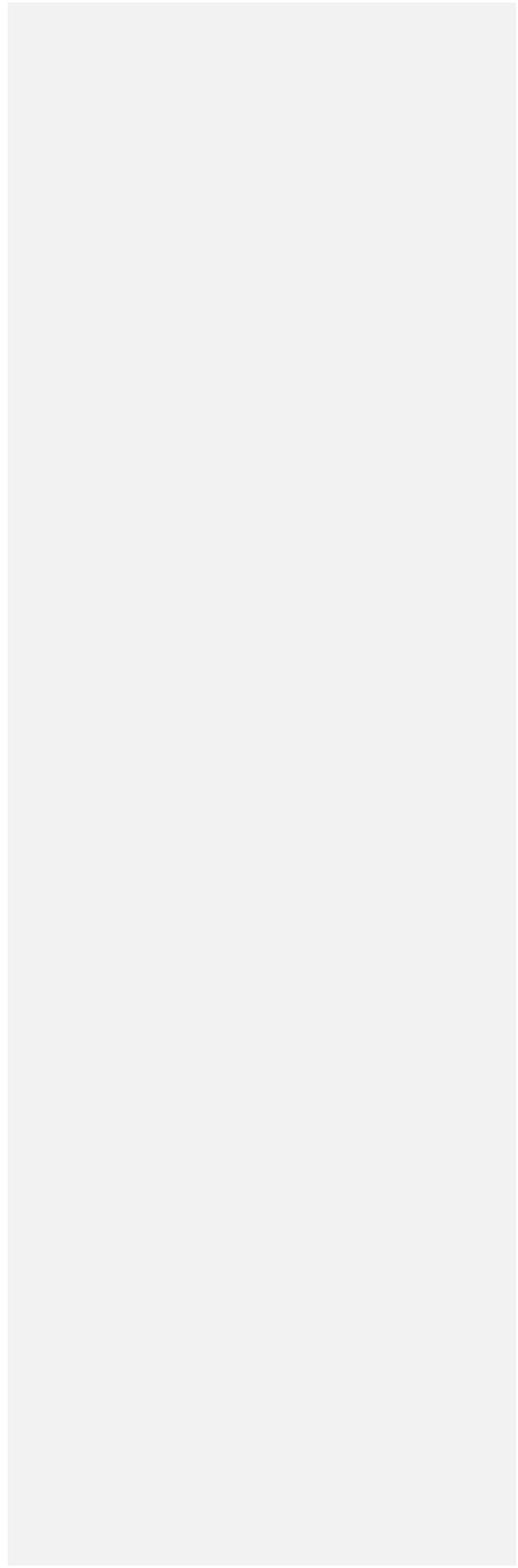
13.14.130 Violation—Penalties.

In addition to all other remedies provided herein, any person who violates any provision of this chapter after having received a written notice to refrain as provided in Section 13.14.120, is guilty of an infraction. The violation of each provision of this chapter and each separate violation thereof shall be deemed a separate offense and shall be punishable pursuant to Chapter 1.24. (Ord. 2015-07 § 2, 2015)

13.14.140 Violation—Additional remedy.

As an additional remedy, the violation of any provision of this chapter by any person who has received more than one written warning pursuant to Section 13.14.120 to refrain from the same or any other violation under this chapter in one calendar year shall be deemed and is declared to be, a public

nuisance and may be subject to abatement in accordance with Chapter 8.04 of the city of American Canyon Municipal Code. (Ord. 2015-07 § 2, 2015)



Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions (Narrative description)
1	Up to 10%	Voluntary Conservation
2	Up to 20%	Water Alert
3	Up to 30%	Water Emergency
4	Up to 40%	Critical Water Emergency
5	Up to 50%	Severe Water Emergency
6	>50%	Catastrophic Interruption of Water Supplies (1)

NOTES: (1) Major catastrophe or contamination of the water supply including flooding, major fire emergencies, earthquakes, regional power outages, water contamination, and emergencies other than water shortage.



TITLE

Waive first reading, read by title only, and adopt an Ordinance amending American Canyon Municipal Code Title 16 to repeal the 2019 California Building Standards Code and replace it with the 2022 California Building Standards Code with local amendments.

RECOMMENDATION

An Ordinance of the City Council of the City of American Canyon repealing Chapters 16.01 through 16.09 and 16.13 of the City of American Canyon Municipal Code and all other conflicting ordinances and parts of Ordinances and Adopting by Reference the 2022 Editions of the California Code of Regulations Title 24 and Related Model Codes with Appendices and Amendments as identified herein through express Findings of Local Necessity.

CONTACT

Tom Trimberger, Contract Chief Building Official
Brent Cooper, AICP, Community Development Director

BACKGROUND & ANALYSIS

The California Building Standards Commission (CBSC) is responsible for administering the adoption, publication, and implementation of the California Building Codes, which are contained in the California Code of Regulations, Title 24. Since 1989, the CBSC has published triennial editions of these codes. Local jurisdictions are required to enforce the State building codes. The most recent Edition of the California Building Standards was adopted by the Commission in July 2022 and will become effective in every California jurisdiction on January 1, 2023.

The 2022 California Fire Code update is presented separately by the Fire District. The proposed Building Code Ordinance will update the City's Municipal Code and provide an opportunity to incorporate local amendments for portions of the 2022 California Building Standards, thereby creating local editions.

Adoption Process Summary

Exhibit A to Attachment 1 lists each part of the Building Standards Code, the name of the corresponding Code, its status between 2019 and 2019, the recommended action for the new code adoption, and its proposed location within Title 16 of the City's Municipal Code.

In addition to the 2022 California Building Codes, the most recent 2021 International Property Maintenance Code (IPMC) is included in this update and continuation of the 1997 Uniform Code for the Abatement of Dangerous Buildings.

Building Permit applications submitted prior to January 1, 2023 will be subject to the 2019 Building code. With the adoption of the attached amended ordinance, the 2022 Building Standards Codes will be adopted on time for the Statewide January 1, 2023 effective date. Building permit applications submitted after January 1, 2023 will be subject to the 2022 Building Code.

Local Amendments to the California Building Standards Code

State law permits local jurisdictions to modify the California Building Standards Code to respond to local conditions. Referred to as “Local Amendments”, the modifications reflect local climatic, geologic, or topographic conditions.

The proposed Local Amendments can be categorized into two broad categories. The first Local Amendment category includes Administrative functions which provides the Building Official authority to administer the Building Code with activities, such as: plan review, permit fees, inspections, and penalties. All proposed local amendments pertaining to the administrative portion of the Code are carried forward from previous local amendments adopted by the City Council.

The second Local Amendment category includes proposed Building, Residential, Electrical, Mechanical, and Plumbing Code Local Amendments. Findings that substantiate State building construction code Local Amendments are included in the draft ordinance attached to this report (see Attachment 1, Exhibit B).

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

There is no fiscal impact related to this code adoption. Costs associated with training and updated code materials were included in the FY 22/23 Budget.

ENVIRONMENTAL REVIEW

Adoption of the proposed Ordinance is not a project that has the potential for causing a significant effect on the environment and therefore is not subject to review under the California Environmental Quality Act (CEQA). In addition, the proposed ordinance amendment is exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making.

ATTACHMENTS:

1. [2022 Building Code Ordinance](#)

ORDINANCE NO. 2022-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON REPEALING CHAPTERS 16.01 THROUGH 16.09 and 16.13 OF THE CITY OF AMERICAN CANYON MUNICIPAL CODE AND ALL OTHER CONFLICTING ORDINANCES AND PARTS OF ORDINANCES AND ADOPTING BY REFERENCE THE 2022 EDITIONS OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24 AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS AS IDENTIFIED HEREIN THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY

WHEREAS, in July 2022, the California Building Standards Commission ("Commission") adopted the California Codes as part of the California State Building Standards Code; and

WHEREAS, California Health and Safety Code Section 17958.5 authorizes cities and counties to modify the California State Building Standards Code by adopting more restrictive standards if such entities determine that such standards are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of American Canyon has reviewed each of the referenced California and model Codes and it has been determined that certain local amendments are necessary to protect the health, safety, and welfare of its residents; and

WHEREAS, Government Code section 50022 et seq., empowers the City to adopt by reference various Codes including the CALIFORNIA BUILDING CODE, 2022 Edition; CALIFORNIA ELECTRICAL CODE, 2022 Edition; the CALIFORNIA MECHANICAL CODE, 2022 Edition; the CALIFORNIA PLUMBING CODE, 2022 Edition; the CALIFORNIA ENERGY CODE, 2022 Edition; the CALIFORNIA HISTORICAL CODE, 2022 Edition; the CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; the CALIFORNIA GREEN BUILDING CODE, 2022 EDITION; the CALIFORNIA ADMINISTRATIVE CODE, 2022 EDITION; and the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION; INTERNATIONAL SWIMMING POOL AND SPA CODE, 2021 EDITION; and

WHEREAS, pursuant to the Government Code, the City has adopted by reference various provisions of the above referenced California and model Codes, subject to particular additions, amendments and deletions as set forth in the Municipal Code; and

WHEREAS, on November 1, 2022 the City Council conducted a duly noticed public hearing considered all of the written and oral testimony presented at the public meeting in making its decision.

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

SECTION 1: **Repeal and Replace** Chapters 16.01 through 16.08 of the City of American Canyon Municipal Code.

- CHAPTER 16.01 GENERAL PROVISIONS;
- CALIFORNIA BUILDING CODE CHAPTER 16.02 CALIFORNIA BUILDING CODE, 2022 EDITION;
- CHAPTER 16.03 CALIFORNIA RESIDENTIAL CODE 2022 EDITION;
- CHAPTER 16.04 CALIFORNIA ELECTRICAL CODE, 2022 EDITION;
- CHAPTER 16.05 CALIFORNIA MECHANICAL CODE, 2022 EDITION;

- CHAPTER 16.06 CALIFORNIA PLUMBING CODE, 2022; EDITION;
- CHAPTER 16.07 CALIFORNIA ENERGY CODE, 2022 EDITION;
- CHAPTER 16.08 CALIFORNIA HISTORICAL CODE, 2022 EDITION;
- CHAPTER 16.09 CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION;
- CHAPTER 16.11 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION;
- CHAPTER 16.16 CALIFORNIA ADMINISTRATIVE CODE, 2022 EDITION;
- CHAPTER 16.17 CALIFORNIA REFERENCE STANDARDS CODE; 2022 EDITION;
- CHAPTER 16.18 INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION;
- CHAPTER 16.18 INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION; and
- CHAPTER 16.18 INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION.

AMENDING THOSE UNIFORM CODES AND CALIFORNIA BUILDING STANDARDS AS IDENTIFIED HEREIN THROUGH EXPRESSED FINDINGS OF LOCAL NECESSITY; and all other ordinances or parts of ordinances in conflict herewith are hereby repealed as set forth in Exhibit A, attached herein and incorporated by reference.

SECTION 2: Amend the following Chapters: 16.01 GENERAL PROVISIONS; and 16.15 STREAMLINED RESIDENTIAL ROOFTOP SOLAR ENERGY PERMIT.

SECTION 3: No Change to the following Chapters: 16.10 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; 16.12 SAFETY ASSESSMENT PLACARDS; 16.13 REPAIR AND RECONSTRUCTION CODE; and 16.14 WATER EFFICIENT LANDSCAPING.

SECTION 4: The City Council of the City of American Canyon finds and declares that the additions, modifications, and changes made to these codes are necessary for protection of public health, safety, and welfare due to climatic, geological, or topographical conditions. These amendments are authorized under Health and Safety Code Sections 18941.5 and 17958 and are read as set forth in Exhibit B.

SECTION 5: The adoption of the proposed ordinance is not a project that has the potential for causing a significant effect on the environment and therefore is not subject to review under the California Environmental Quality Act (CEQA). In addition, the proposed ordinance amendment is exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making.

SECTION 6: The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen days of its adoption cause a summary of it to be published in a newspaper and circulated in the City and thereupon and thereafter this Ordinance shall take effect and be in force according to law.

SECTION 7: This ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2. For all codes, the effective date of this Ordinance shall be January 1, 2023.

SECTION 8: The City Clerk is hereby directed to file a copy of this ordinance with the California Building Standards Commission of the State of California.

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 1ST day of November, 2022 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

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 _____ day of _____, _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Leon Garcia, Mayor
APPROVED AS TO FORM:

Taresa Geilfuss, CMC, City Clerk

William D. Ross, City Attorney

Exhibit A Local Building Codes
Exhibit B Required Findings and Determination

EXHIBIT A

Title 16 BUILDING AND CONSTRUCTION CODES

Chapters

- 16.01 General Provisions (NO CHANGES)
- 16.02 California Building Code (AMENDED CHAPTER)
- 16.03 California Residential Code (AMENDED CHAPTER)
- 16.04 California Electrical Code (AMENDED CHAPTER)
- 16.05 California Mechanical Code (AMENDED CHAPTER)
- 16.06 California Plumbing Code (AMENDED CHAPTER)
- 16.07 California Energy Code (AMENDED CHAPTER)
- 16.08 California Historical Building Code (AMENDED CHAPTER)
- 16.09 California Existing Building Code (NEW CHAPTER)
- 16.10 Uniform Code for the Abatement of Dangerous Buildings (NO CHANGES)
- 16.11 California Green Building Standards Code (NEW CHAPTER)
- 16.12 Safety Assessment Placards (NO CHANGES)
- 16.13 Repair and Reconstruction (AMENDED CHAPTER)
- 16.14 Water-Efficient Landscaping (AMENDED CHAPTER)
- 16.15 Streamlined Residential Rooftop Solar Energy Permit (AMENDED CHAPTER)
- 16.16 California Administrative Code (NO CHANGES)
- 16.17 California Reference Standards Code (NO CHANGES)
- 16.18 International Property Maintenance Code (NO CHANGES)
- 16.18 International Swimming Pool and Spa Code (NEW CHAPTER)
- 16.18 International Wildland Interface Code (NEW CHAPTER)

****Note to Codifier: Chapters that remain unchanged are not included in this document. Only new and amended chapters are presented below.**

Chapter 16.02 CALIFORNIA BUILDING CODE

16.02.010 Title.

This chapter shall be cited as the [California Building Code](#) of the city and any reference in the city municipal code or any chapter thereof to the [California Building Code](#) applies to this chapter. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.02.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as "[California Building Code, 2019-2022 Edition](#)," published and copyrighted by the International Code Council. The documents identified in this section are adopted in their entirety excepting additions, revisions and omissions listed in Sections [16.02.030](#) through [16.02.260](#) of this chapter. A copy of the adopted [California Building Code](#) shall be kept on file in the office of the Building Official for use and examination by members of the public. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.02.030 Appendices.

The Building Code as adopted by Section [16.02.020](#) is amended and adopted with the following appendices:

Appendix Chapter C, Group U – Agricultural Buildings

Appendix Chapter F, Rodent Proofing

Appendix Chapter G, Flood Resistant Construction

Appendix Chapter H, Signs

Appendix Chapter I, Patio Covers

Appendix Chapter J, Grading

Appendix Chapter O, Emergency Housing

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: Appendix C and O are a part of the Building Code and not a local amendment.

16.02.040 Findings and determination.

As permitted in [Health and Safety Code](#) Section 17958.7, the City of American Canyon finds and determines the local amendments to ~~2019~~ the [2022 California Building Code](#) are either administrative in nature or reasonably necessary to protect the health, safety and general welfare of the public due to local climatic, geological or topographical conditions. Those findings are as follows:

Express Finding Number 1: Climatic. The city is located in a climatic zone with precipitation ranging from fifteen to twenty-six inches per year. Ninety-five percent of precipitation falls during the months of November through April, leaving a dry period of approximately six months each year. Relative humidity remains moderate most of the time. High temperatures in the summer average in the mid-eighty degrees Fahrenheit and in the winter in the mid-fifty degrees Fahrenheit. Prevailing winds in the area are common with gusts up to thirty-five miles per hour. These climatic conditions, along with our topography, necessitate a greater requirement for fire-sprinklers in residential construction, a minimum Class A roof covering and adequate spark arrestors.

Express Finding Number 2: Geological. The city is located in Seismic Design Category D, which is indicative of high seismic vulnerability. The West Napa fault is documented to be present in our city. The area includes various soil conditions and areas with significant movement potential. Buildings and other structures in Seismic Design Category D can experience major seismic damage. These geological conditions necessitate the prohibition of gypsum as a lateral-resisting building element, and the restriction of Portland cement plaster as a lateral-resisting building element to one story structures of R-3 and U-1 occupancies.

Express Finding Number 3: Topographical. Areas of highly combustible dry grasses, weeds, brush and trees adjacent to structures are common throughout the city. Above ground electrical power transmission lines are suspended through trees and above large areas of dry vegetation. The arrangement of man-made features around many buildings greatly limits any approach to all but one side of a building. The area immediately adjacent to the eastern border of the city has been classified as high and very high fire severity zones under the Fire and Resource Assessment Program of the California Department of Forestry and Fire Protection. These topographical conditions, along with our climate, necessitate a greater requirement for fire-sprinklers in residential construction, a minimum Class A roof covering and adequate spark arrestors. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.02.060 Amend Section 101.4.1 Gas.

Section 101.4.1 first sentence is amended to read as follows:

101.4.1 Gas. The provisions of the [California Plumbing Code](#) and [California Mechanical Codes](#) shall apply in the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code.

The remainder of the paragraph is retained as published. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.-02.070 Amend section 105.2 exception 1 Work exempt from permit

Section 105.2 exception 1. is hereby deleted and amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet. It is permissible that these structures still be regulated by section 337 despite exemption from permit.

JUSTIFICATION: This code amendment clarifies permit exemptions and maintains permit application for occupied structures, per [Health and Safety Code](#) Section 17958.7.

16.02.080 Amend Section 105.5 Expiration

Section 105.5. is hereby deleted and amended to read as follows:

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void if the building, structure, equipment or work authorized by such permit is not commenced within ~~one hundred eighty (180) days~~ twelve (12) months from the date of such permit, or if the building, structure, equipment or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days.

Before such work can recommence, a new permit shall be first obtained to do so, and the recommence fee shall be one half the amount required for a new permit (i.e. building, electrical, plumbing and mechanical fees only) for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew a permit after expiration for over one year, the permittee shall pay new full permit fee. The maximum life of any permit is three (3) years.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time frame required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

JUSTIFICATION: Amending the Expiration provisions in the Building Code is an administrative function of the Building Official. The permit timeline from 180 days to 12 months was extended per AB2913.

16.02.090 Amend Section 107.1.2 Electric vehicle charging stations.

Section 107.1.2 of Chapter 1 of Division II of the [California Building Code](#) is hereby added to read:

107.1.2 Electric vehicle charging stations. Applications for electric vehicle charging stations may be processed utilizing the City of American Canyon Electric Vehicle Charging Station Expedited/Streamlined Process ordinance.

(Ord. 2019-02 § 1, 2019)

16.02.095 Amend Section 202 General definitions.

Section 202 of Chapter 2 of the [California Building Code](#) is hereby amended to add or modify the following definitions to read:

City of American Canyon Electric Vehicle Charging Station Expedited/Streamlined Permitting Process: A ministerial permitting process for electric vehicle charging station installations that utilizes an application checklist to expedite review of an electric vehicle charging station permit. For such installations, the process, including permit issuance, may be conducted entirely online utilizing digital forms or may be conducted at the City’s Building Permit Counter utilizing printed forms.

(Ord. 2019-02 § 1, 2019)

JUSTIFICATION: Amendments to the Electric Vehicle Charging Station clarify the applicable Building Code, and is not a local amendment.

16.02.100 Amend Section 109.2 Schedule of permit fees.

Section 109.2 is deleted and replaced as follows:

109.2 Permit fees. Each building, structure, structure, electrical, gas, mechanical, and plumbing system or alteration that requires a permit shall include a fee payment in accordance with a schedule established by City Council Resolution.

The Chief Building Official or his or her designee shall collect fees for permits and services specified in this title. Where the Chief Building Official Director or his designee finds that the fees prescribed in this title do not cover the cost of providing the service which is the subject of the fee, the Chief Building Official or his or her designee may charge a supplemental fee for the unpaid cost of the services provided.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: The proposed changes capitalize position titles as per usual practice.

16.02.110 Amend Section 109.4 Work commencing before permit issuance.

Section 109.4 is deleted and replaced as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee establish by the building official that shall be in addition to the required permit fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall not exceed five times the permit fee required by this code. The minimum investigation fee set forth in the fee schedule adopted by this jurisdiction or a lesser fee than the fee resolution may be permitted on the merits of each individual case by the Building Official. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: This Local Code Amendment is brought forward from the 2019 Code Adoption.

16.02.120 Amend Section 901.2 Fire protection systems.

Chapter 9, Section 901.2 is hereby amended by repealing the first two sentences of Section 901.2 (thus, the provisions of Section 902.2.1 remain in effect) and replacing it with the following:

901.2 Construction documents. The Fire Chief shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to the issuance of a building permit.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: This Local Code Amendment is brought forward from the 2019 Code Adoption.

16.02.130 Amend Section 903.2 Where required.

Section 903.2 of Chapter 9 is deleted in its entirety based upon Express Findings 1 and 3 in Section 16.02.040, and replaced with the following section:

903.2: Item 1, Approved automatic sprinkler systems shall be installed throughout all existing commercial or multi-family residential building when the floor area of an addition (including mezzanines) exceeds 50% of the existing floor area of the building or when an additional story is added.

903.2: Item 2, Any change of occupancy when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official and Building Code Official, including conversion of buildings to single-family residences, accessory dwelling units, bed and breakfast, inns, lodging houses or congregate residences for 10 or less persons or other similar uses an automatic fire sprinkler system shall be installed throughout.

903.2 Where required. Approved automatic fire sprinkler systems shall be provided in new and existing buildings in the locations described in this section.

903.2.1 New Construction.

Regardless of any exception listed above or in the remainder of this code or the [California Building Code](#), all buildings shall be equipped throughout with an approved fully automatic fire sprinkler system.

Fire Sprinklers shall not be required if one or more of the following exceptions are met:

1. Must comply with the American Canyon General Building Standards for residential, multi-family residential, commercial and industrial occupancies.
2. When approved by the Fire Code Official spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of no less than 1-hour fire-resistance-rated wall and 2-hour fire-resistance-rate floor/ceiling assemblies.
3. Automatic fire sprinkler protection for fixed guideway transit systems shall be as per Section 903.2.17.
4. Detached Group U private garages and carports accessory to a Group R-3 occupancy and less than 1,000 square feet and with non-habitable space above.
5. Detached pool houses, workshops, barns and similar structures, built in conjunction with existing non-sprinkled single-family residences and provided the new structure is less than 1,000 square feet and is not intended for use as a dwelling unit.
6. Detached non-combustible canopies less than 3,000 square feet in roof area used exclusively for vehicle washing facilities or vehicle fuel dispensing stations.
7. Group B or M occupancies less than 600 square feet.
8. Detached, unenclosed gazebos, solar trellises or shade structures less than 1,000 square feet.
9. Detached restroom facilities associated with golf courses, parks and similar uses.

903.2.2 Additions. An automatic sprinkler system shall be installed throughout any existing commercial or multi-family residential building when the floor area of an addition (including mezzanines) within any three year period exceeds 50% of the existing floor area of the building or when an additional story is added.

903.2.3 Change of occupancy. Any change of occupancy when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official and Building Code Official, including conversion of buildings to single-family residences, accessory dwelling units, bed and breakfast, inns, lodging houses or congregate residences for 10 or less persons or other similar uses an automatic fire sprinkler system shall be installed throughout.

903.2.4 Floor control valves. Approved supervised indicating control valves and flow switches shall be provided at the point of connection to the riser on each floor in buildings two or more stories in height.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or Group R-4 Occupancies.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: These Code Amendments were brought forward from the 2019 Code Adoption.

16.02.140 Amend Section 905.3.1 Height.

Item 2 of Section 905.3.1 is deleted based upon Express Findings 1 and 3 in Section [16.02.040](#), and replaced with the following section:

905.3.1 Height.

2. Class I standpipes shall be installed in buildings three or more stories in height with approved outlets provided at each level including the roof when required by the Fire Code Official.

(Ord. 2019-12 § 2016-12 § 2, 2016)

16.02.150 Amend California Building Code Table 1505.1 Minimum Roof Covering Classification.

Table 1505.1 is to be deleted and based upon Express Findings 1 and 3 in Section [16.02.040](#), and replaced with the following:

**Table 1505.1
MINIMUM ROOF COVERING
CLASSIFICATION
FOR TYPES OF CONSTRUCTION**

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

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: This Local Code Amendment is brought forward from the 2019 Code Adoption.

16.02.160 Amend Section 1512 Reroofing.

Section 1512 is amended and based upon Express Findings 1 and 3 in Section [16.02.040](#), to add the following section:

1512.6 Spark arrestor. Whenever a permit has been issued for reroofing a spark arrestor conforming to Section 2802 shall be installed (or the existing replaced if not in conformance with Section 2802) on all fireplace chimneys before final inspection and approval.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: *This Local Code Amendment is brought forward from the 2019 Code Adoption with an update to the Building Code reference number.*

16.02.180 Amend Section 1705.3 Concrete construction. Deleted Chapter 16.02.180. Should read RESERVED

JUSTIFICATION: *The requirements in this local amendment are now a part of the 2019 Building Code. No local amendment is necessary.*

16.02.190 Amend Section 1809.8 Plain concrete footings.

Delete Section 1809.8 and replace as follows:

1809.8 Plain concrete footings. The edge thickness of plain concrete footings supporting walls of other than light-frame construction shall not be less than 8 inches (203 mm) where placed on soil and in all cases, as a minimum, one ½" (51 mm) continuous rebar shall be placed at the top and at the bottom of all grade beams and spread footings.

Exception: For plain concrete footings supporting Groups R-3 and one story Group U occupancies the edge thickness is permitted to be 6 inches (152 mm), provided that the footing does not extend beyond a distance greater than the thickness of the footing on either side of the supported wall. In all cases, as a minimum, one ½" (51 mm) continuous rebar shall be placed at the top and at the bottom of all grade beams and spread footings.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: *This Local Code Amendment is brought forward from the 2019 Code Adoption.*

16.02.210 Amend Section 1905.1.7 ACI 318-19, Section 14.1.4.

Section 1905.1.7 is deleted and based upon Express Findings 1 and 3 in Section [16.02.040](#) is amended to read as follows:

1905.1.7 ACI 318, Section 22.10. Delete ACI 318, Section 22.10, and replace with the following:

22.10 - Plain concrete in structures assigned to seismic design category C, D, E or F.

22.10.1 - Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one- and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: This Local Code Amendment is brought forward from the 2019 Code Adoption.

16.02.220 Amend Section 1907.1 General.

Section 1907.1 General is deleted and based upon Express Findings 1 and 3 in Section [16.02.040](#) is amended to read as follows:

1907.1 General. The thickness of concrete floor slabs supported directly on the ground shall not be less than 3 1/2 inches (89 mm). A 6-mil (0.006 inch; 0.15 mm) polyethylene retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab. As a minimum and in all cases where a slab is to be placed inside of a building, the slab shall be reinforced with not less than six inches by six inches ten gauge welded wire mesh or an approved alternate installed at mid height of the slab.

Exception: A vapor retarder is not required:

1. For detached structures accessory to occupancies in Group R-3, such as garages, utility buildings or other unheated facilities.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports attached to occupancies in Group R-3.
3. For buildings of other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building.
4. For driveways, walks, patios and other flatwork which will not be enclosed at a later date.
5. Where approved based on local site conditions.

In all slabs under habitable spaces, a 4-inch (10 mm) crushed rock capillary water barrier shall be provided under the minimum 6 mil vapor retarder.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: This Local Code Amendment is brought forward from the 2019 Code Adoption.

16.02.260 Amend Appendix H Section H101.2 Signs exempt from permits.

Appendix Chapter H Section H101.2 is deleted and replaced as follows:

H101.2 Signs exempt from building and/or electrical permits. The following signs are exempt from the requirements to obtain a building and/or electrical permit before erection:

1. Painted non-illuminated signs not exceeding 9 square feet (2.74 m²).
2. Temporary signs announcing the sale or rent of property not exceeding 9 square feet (2.74 m²).
3. Signs erected by transportation authorities.
4. Projecting signs not exceeding 2.5 square feet (0.23 m²).
5. The changing of moveable parts of an approved sign that is designed for such changes, or the repainting or repositioning of display matter shall not be deemed an alteration.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: This Local Code Amendment is brought forward from the 2019 Code Adoption.

Chapter 16.03 CALIFORNIA RESIDENTIAL CODE

16.03.010 Title.

This chapter shall be cited as the [California Residential Code](#) of the city and any reference in the city municipal code or any chapter thereof to the [California Residential Code](#) applies to this chapter. (Ord. 2019-12 § 2016-12 § 2,

16.03.020 Code adoption.

The City of American Canyon adopts all those certain documents marked and designated, as “[California Residential Code](#), 2022 Edition,” together with Appendix H and V published and copyrighted by the International Code Council. The documents identified in this section are adopted in their entirety excepting additions, revisions and omissions listed in Sections [16.03.030](#) through [16.03.080](#) of this chapter. A copy of the adopted [California Residential Code](#) shall be kept on file in the office of the Building Official for use and examination by members of the public. (Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: The proposed changes capitalize position titles as per usual practice.

16.03.030 Appendices.

The Residential Code as adopted by Section [16.03.020](#) is amended and adopted with the following appendices:

Appendix Chapter AH, Patio Covers

(Ord. 2019-12 § 2016-12 § 2, 2016)

Appendix Chapter AX, Swimming Pool Safety Act

Section 115922 is hereby deleted and amended to read as follows:

Except as provided in Section 115925, when a building permit is issued for construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family

home, the respective swimming pool or spa shall be equipped with all three of the following drowning prevention safety features:

1. An enclosure that meets the requirements of Section 1215923 and isolates the swimming pool or spa from the private single-family home.
2. A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family's home doors providing direct access to the swimming pool or spa.
3. Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa shall be equipped with audible alarm that a sound of sufficient volume can be heard throughout the dwelling. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open. The alarm device shall be approved by the Chief Building Official; or
4. A safety pool cover complying with the ASTM, in compliance with standard F1346-91 or approved by the Chief Building Official may be used in lieu of alarm devices that are required for doors and sliding doors.

JUSTIFICATION: Identifying pool safety measures in the Building Code is an Administrative function of the Building Official.

16.03.040 Section R105.2.1 Work exempt from permits.

Item 1 of Section R105.2 exemptions is hereby deleted and amended to read as follows:

1. One-story detached accessory structure, used as tool sheds and storage sheds, playhouses and similar uses provided the floor area does not exceed 120 square feet, (11.15 m²). The height of the one story detached accessory structure shall not exceed 15 feet (4.75 m) at any point or as specified by local zoning ordinance. It is permissible that these structures shall be regulated by Section 710 and R337 despite exemption from permit.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: This language mirror changes to the Building code. Small accessory structures that are intended for occupancy would require a building permit, such as detached accessory buildings used for ADU's, offices, studios etc.

16.03.040 Amend Section R105.5. Expiration

Section R105.5 is hereby deleted and amended to read as follows:

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void if the building, structure, equipment or work authorized by such permit is not commenced within 12 months from the date of such permit, or if the building, structure, equipment or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee shall be one half the amount required for a new permit (i.e. building, electrical, plumbing and mechanical fees only) for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time frame required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

JUSTIFICATION: Identifying measures to address expired permits in the Building Code is an Administrative function of the Building Official.

16.03.050 Section R108.7 Re-inspection fee.

Section R108.7 is hereby added to read as follows:

R108.7 Re-inspection Fee. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector. For failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

(Ord. 2019-12 § 2016-12 § 2, 2016)

16.03.060 Section R108.8 Violation penalties.

Section R108.8 is hereby added to read as follows:

108.8 Violation penalties. Any persons who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall not exceed five times the permit fee required by this code. The minimum investigation fee set forth in the fee schedule adopted by this jurisdiction or a lesser fee than the fee resolution may be permitted on the merits of each individual case by the Building Official. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(Ord. 2019-12 § 2016-12 § 2, 2016)

16.03.065 Section R313.2 One- and two-family dwellings automatic fire systems, Exception.

Section R313.2, Exception number 1 is hereby deleted and replaced by the following sentence:

An automatic sprinkler system shall be installed throughout any existing one- or two-family dwelling when the floor area of the addition (including mezzanines) exceeds 50% of the existing floor area of the building or when an additional story is added.

(Ord. 2019-12 § 2016-12 § 2, 2016)

16.03.070 Amend Section R506.2.4 Reinforcement support.

Section R506.2.4 is deleted and based upon Express Findings 1 and 3 in Section [16.03.030](#) is amended to read as follows:

R506.2.4 Reinforcement support. Where provided in slabs on ground, reinforcement shall be supported to remain in place from the center to upper one third of the slab for the duration of the concrete placement. As a minimum, and in all cases where a slab is to be placed inside of a building, the slab shall be reinforced with not less than six inches by six inches ten-gauge welded wire mesh, or an approved alternate.

In all slabs under habitable spaces, a minimum of 4 inches (102 mm) of crushed rock capillary water barrier shall be provided under a minimum 10 mil vapor retarder. The vapor barrier shall be protected by a minimum of 2 inches (51 mm) of sand or equivalent protection.

(Ord. 2019-12 § 2016-12 § 2, 2016)

16.03.080 Amend Section R907 Rooftop Mounted Photovoltaic Panel Systems.

Section R907.1.1. and 907.1.2 are hereby added based upon Express Findings 1 and 3 in Section [16.03.030](#) to read as follows:

R907.1.1 Solar photovoltaic panels/modules. Solar photovoltaic panels/modules installed upon a roof or as an integral part of a roof assembly shall comply with the requirements of this code and the [California Fire Code](#) as amended by the City of American Canyon.

R907.1.2 Structural fire-resistance. The structural frame and roof construction supporting the load imposed upon the roof by the photovoltaic panels/modules shall comply with the requirements of the [California Building Code](#) Sections 1510 and 1511.

(Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: Non-building code amendment to simplify language and capitalizes position titles as per usual practice. Renumbering building code amendments to reflect the 2019 building code.

16.03.090 Amend Section R202 General definitions.

Section R202 of Chapter 2 of the [California Residential Code](#) is hereby amended to add the following definitions to read:

City of American Canyon Electric Vehicle Charging Station Expedited/Streamlined Permitting Process: A ministerial permitting process for electric vehicle charging station installations that utilizes an application checklist to expedite review of an electric vehicle charging station permit. For such installations, the process, including permit issuance, may be conducted entirely online utilizing digital forms or may be conducted at the City’s Building Permit Counter utilizing printed forms.

(Ord. 2019-02 § 1, 2019)

Chapter 16.04 CALIFORNIA ELECTRICAL CODE

16.04.010 Title.

This chapter shall be cited as the “[California Electrical Code](#)” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the [California Electrical Code](#), CEC, or Electrical Code, refers and applies to this chapter. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.04.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Electrical Code](#), 2022 Edition,” published by BNI Publications, Inc., and copyrighted by the National Fire Protection Association and the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted [California Electrical Code](#) shall be kept on file in the office of the building official for use and examination by members of the public. (Ord. 2019-12 § 2016-12 § 2, 2016)

Chapter 16.05 CALIFORNIA MECHANICAL CODE

16.05.010 Title.

This chapter shall be cited as the “[California Mechanical Code](#)” of the city and any reference in the city municipal code or any chapter thereof to the [California Mechanical Code](#), CMC or Mechanical Code refers and applies to this chapter. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.05.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Mechanical Code](#), 2022 Edition,” published by International Association of Plumbing and Mechanical Officials and copyrighted by International Association of Plumbing and Mechanical Officials and the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted [California Mechanical Code](#) shall be kept on file in the office of the building official for use and examination by members of the public. (Ord. 2019-12 § 2016-12 § 2, 2016)

Chapter 16.06 CALIFORNIA PLUMBING CODE

16.06.010 Title.

This chapter shall be cited as the “[California Plumbing Code](#)” of the city and any reference in the city municipal code or any chapter thereof to the [Uniform Plumbing Code](#), CPC or Plumbing Code refers and applies to this chapter. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.06.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Plumbing Code](#), 2022 Edition,” published by International Association of Plumbing and Mechanical Officials and copyrighted by International Association of Plumbing and Mechanical Officials

and the California Building Standards Commission. The documents identified in this section are adopted in their entirety excepting additions, revisions and omissions listed in Sections [16.06.030](#) and [16.06.040](#) of this chapter. A copy of the adopted [California Plumbing Code](#) shall be kept on file in the office of the building official for use and examination by members of the public. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.06.030 Appendices.

The Plumbing Code as adopted by Section [16.04.020](#) is amended and adopted with the following appendices sections:

Appendix C Alternate Plumbing Systems

Appendix D Sizing Storm Water Drainage Systems

Appendix I Installation Standards

(Ord. 2019-12 § 2016-12 § 2, 2016)

16.06.040 Adopt Chapter 16A, Part II Non-potable water reuse systems.

Chapter 16A, Part II is adopted in its entirety. (Ord. 2019-12 § 2016-12 § 2, 2016)

JUSTIFICATION: Local Code Amendments are brought forward from the 2019 Code Adoption.

Chapter 16.07 CALIFORNIA ENERGY CODE

16.07.010 Title.

This chapter shall be cited as the “[California Energy Code](#)” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the [California Energy Code](#), or Energy Code, refers and applies to this chapter. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.07.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Energy Code](#), 2022 Edition,” by the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted [California Energy Code](#) shall be kept on file in the office of the building official for use and examination by members of the public. (Ord. 2019-12 § 2016-12 § 2, 2016)

Chapter 16.08 CALIFORNIA HISTORICAL BUILDING CODE

16.08.010 Title.

This chapter shall be cited as the “California Historical Code” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the California Historical Building Code, or Historical Building Code, refers and applies to this chapter. (Ord. 2019-12 § 2016-12 § 2, 2016)

16.08.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “California Historical Building Code, 2022 Edition,” published by the International Code Council and

copyrighted by the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted California Historical Building Code shall be kept on file in the office of the building official for use and examination by members of the public. (Ord. § 2019-12 § 2, 2016)

Chapter 16.09 CALIFORNIA EXISTING BUILDING CODE – Added New Chapter

16.09.010 Title.

This chapter shall be cited as the “[California Existing Building Code](#)” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the [California Existing Building Code](#), refers and applies to this chapter.

16.09.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Existing Building Code](#), 2022 Edition,” published by the International Code Council and copyrighted by the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted [California Existing Building Code](#) shall be kept on file in the office of the Building Official for use and examination by members of the public.

Chapter 16.11 CALIFORNIA GREEN BUILDING STANDARDS CODE – ADDED NEW CHAPTER

16.11.010 Title.

This chapter shall be cited as the “[California Green Building Standards Code](#)” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the [California Green Building Standards Code](#), or CALGreen, refers and applies to this chapter.

16.11.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Green Building Standards Code](#), 2022 Edition,” published by the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted [California Green Building Standards Code](#) shall be kept on file in the office of the Building Official for use and examination by members of the public.

Chapter 16.13 REPAIR AND RECONSTRUCTION

16.13.010 Adoption and intent.

This chapter establishes regulations as amendments to the building code for the expeditious repair of damaged structures. In the event an amendment to the [California Building Standards Code](#) results in differences between these building standards and the [California Building Standards Code](#), the text of these building standards shall govern. In accordance with California [Health and Safety Code](#) Section 17958.7, express findings that modifications to the [California Building Standards Code](#) are reasonably necessary because of local climatic, geological or topographical conditions are either already on file with the California Building Standards Commission prior to the effective date of the ordinance codified in this chapter. In accordance with California [Government Code](#) Section 50022.6, at least one true copy of the [California Building Code](#) has been on file with the chief building official since fifteen days prior to

enactment of the ordinance codified in this chapter. While this chapter is in force, a true copy of this chapter shall be kept for public inspection in the office of the chief building official. (Ord. 2008-13, 2008)

16.13.020 Definitions.

For the purposes of this chapter, the following definition applies and is hereby added to Section 3402.1 Definitions of the 2022 [California Building Code](#) (CBC):

Substantial Structural Damage. A condition where:

3403. In any story, the vertical elements of the lateral-force-resisting system, have suffered damage such that the lateral load-carrying capacity of the structure in any direction has been reduced by more than 20 percent from its pre-damaged condition, or

3403. The capacity of any vertical gravity load-carrying component, or any group of such components, that supports more than 30 percent of the total area of the structure's floor(s) and roof(s) has been reduced more than 20 percent from its pre-damaged condition, and the remaining capacity of such affected elements with respect to all dead and live loads is less than 75 percent of that required by the building code for new buildings of similar structure, purpose, and location.

(Ord. 2008-13, 2008)

16.13.030 Repairs.

For the purposes of this chapter, the following repair requirements are hereby added as a new Subsection 3403.5 to Section 3403 Additions, Alterations or Repair in the 2022 [California Building Code](#) (CBC):

3403.5.1 Repairs. Repairs of structural elements shall comply with this section.

3403.5.1.1 Seismic Evaluation and Design. Seismic evaluation and design of an existing building and its components shall be based on the following criteria.

3403.5.1.1.1 Evaluation and Design Procedures. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 41 Seismic Evaluation of Existing Buildings (for evaluation only) or ASCE 41 Seismic Rehabilitation of Existing Buildings. The procedures contained in Appendix A of the International Existing Building Code shall be permitted to be used as specified in Section 3403.5.1.1.3.

3403.5.1.1.2 CBC Level Seismic Forces. When seismic forces are required to meet the building code level, they shall be one of the following:

1. 100 percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as "Ordinary" unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as "Intermediate" or "Special."

3403. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 3403.5.1.1.2.

**Table 3403.5.1.1.2
ASCE 41 Performance Levels**

Occupancy Category (Based on IBC Table 1604.5)	Performance Level for Use With ASCE 41 BSE-1 Earthquake Hazard Level	Performance Level for Use With ASCE 41 BSE-2 Earthquake Hazard Level
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a)
IV	Immediate Occupancy (IO)	Life Safety (LS)

3403. Performance Levels for Occupancy Category III shall be taken as halfway between the performance levels specified for Occupancy Category II and Occupancy Category IV.

3403.6.1.1.3 Reduced CBC Level Seismic Forces. When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

1. 75 percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor as specified in Section 3403.6.1.1.2.

3403. In accordance with the applicable chapters in Appendix A of the International Existing Building Code as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.

2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.

2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.

2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.

2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.

2.5. Seismic evaluation and design of concrete buildings and concrete with masonry infill buildings in all Occupancy Categories are permitted to be based on the procedures specified in Appendix Chapter A5.

3. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 3403.6.1.1.2. Where ASCE 41 is used, the design spectral response acceleration parameters S_x and S_{x1} shall not be taken less than 75 percent of the respective design seismic coefficients 2.5 C_a and C_v as defined in Tables 16-Q and 16-R of the [International Building Code](#).

3403.6.1.2 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

3403.6.2 Repairs to Damaged Buildings. Repairs to damaged buildings shall comply with this section.

3403.6.2.1 Unsafe Conditions. Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

3403.6.2.2 Substantial Structural Damage to Vertical Elements of the Lateral–Force-Resisting System. A building that has sustained substantial structural damage to the vertical elements of its lateral-force-resisting system shall be evaluated and repaired in accordance with the applicable provisions of Section 3403.6.2.2.1 through 3403.6.2.2.3.

3403.6.2.2.1 Evaluation. The building shall be evaluated by a registered design professional, and the evaluation findings shall be submitted to the code official. The evaluation shall establish whether the damaged building, if repaired to its pre-damage state, would comply with the provisions of the building code. Wind forces for this evaluation shall be those prescribed in the building code. Seismic forces for this evaluation are permitted to be the reduced level seismic forces specified in Code Section 3403.6.1.1.3.

3403.6.2.2.2 Extent of Repair for Compliant Buildings. If the evaluation establishes compliance of the pre-damage building in accordance with Section 3403.6.2.2.1, then repairs shall be permitted that restore the building to its pre-damage state, using materials and strengths that existed prior to the damage.

3403.6.2.2.3 Extent of Repair for Non-Compliant Buildings. If the evaluation does not establish compliance of the pre-damage building in accordance with Section 3403.6.2.2.1, then the building shall be rehabilitated to comply with applicable provisions of the building code for load combinations including wind or seismic forces. The wind design level for the repair shall be as required by the building code in effect at the time of original construction unless the damage was caused by wind, in which case the design level shall be as required by the code in effect at the time of original construction or as required by the building code, whichever is greater. Seismic forces for this rehabilitation design shall be those required for the design of the predamaged building, but not less than the reduced level seismic forces specified in Section 3403.6.1.1.3. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

3403.6.2.3 Substantial Structural Damage to Vertical Load-Carrying Components. Vertical load-carrying components that have sustained substantial structural damage shall be rehabilitated to comply with the applicable provisions for dead and live loads in the building code. Undamaged vertical load-carrying components that receive dead or live loads from rehabilitated components shall also be rehabilitated to carry the design loads of the rehabilitation design. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

3403.6.2.3.1 Lateral Force-Resisting Elements. Regardless of the level of damage to vertical elements of the lateral force-resisting system, if substantial structural damage to vertical load-carrying components was caused primarily by wind or seismic effects, then the building shall be evaluated in accordance with Section 3403.6.2.2.1 and, if non-compliant, rehabilitated in accordance with Section 3403.6.2.2.3.

3403.6.2.4 Less than Substantial Structural Damage. For damage less than substantial structural damage, repairs shall be allowed that restore the building to its pre-damage state, using materials and strengths that existed prior to the damage. New structural members and connections used for this repair shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

3403.6.3 Referenced Standards.

Standard Referenced

Reference In Code

Number Title Section Number

ASCE 41-03 Seismic Evaluation of Existing Buildings 3403.6.1.1.1

TABLE 3403.6.1.1.2, 3403.6.1.1.3

ASCE 41-06 Seismic Rehabilitation of Existing Buildings 3403.6.1.1.1, 3403.6.1.1.2

TABLE 3403.6.1.1.2, 3403.6.1.1.3

JUSTIFICATION: Amendments are intended to simplify language for clarity.

(Ord. 2019-12, 2008-13, 2008)

Chapter 16.15 STREAMLINED RESIDENTIAL ROOFTOP SOLAR ENERGY PERMIT

16.15.010 Intent and purpose.

The intent and purpose of this chapter is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. This chapter is designed to encourage the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the city, and expanding the ability of property owners to install solar energy systems. This chapter allows the city to achieve these goals while protecting the public health and safety. (Ord. 2015-09 § 1, 2015)

16.15.020 Applicability.

- A. This chapter applies to the permitting of all small residential rooftop solar energy systems in the city.
- B. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of the ordinance codified in this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop solar energy system in such a way as to require new permitting. Routine operation and maintenance of like-kind replacements shall not require a permit. (Ord. 2015-09 § 1, 2015)

16.15.030 Definitions.

“Association” means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

“Building division” means the building and safety division for the City of American Canyon.

“Building official” means the building official for the City of American Canyon.

“City” means the City of American Canyon.

“Common interest development” means any of the following:

1. A community apartment project.
2. A condominium project.
3. A planned development.
4. A stock cooperative.

“Electronic submittal” means the utilization of one or more of the following:

1. Email;
2. The Internet; or
3. Facsimile.

“Expedited permitting,” and “expedited review,” means the process outlined in Section [16.15.070](#) entitled “Expedited permit review and inspection requirements.”

A “feasible method to satisfactorily mitigate or avoid the specific, adverse impact” includes, but is not limited to, any cost-effective method, condition or mitigation imposed by the city on another similarly situated application in a prior successful application for a similar permit.

“Reasonable restrictions” on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

“Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance” means:

1. For water heater systems or solar swimming pool heating systems: an amount exceeding ten percent of the cost of the system, but in no case more than one thousand dollars, or decreasing the efficiency of the solar energy system by an amount exceeding ten percent as originally specified and proposed.

2. For photovoltaic systems: an amount not to exceed one thousand dollars over the cost of the system as originally specified and proposed, or a decrease in system efficiency of an amount exceeding ten percent as originally specified and proposed.

“Small residential rooftop solar energy system” means all of the following:

1. A solar energy system that is not larger than ten kilowatts alternating current nameplate rating or thirty kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City of American Canyon and all state of California health and safety standards.
3. A solar energy system that is installed on a single- or duplex-family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the City of American Canyon.

“Solar energy system” means either of the following:

1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.
2. Any structural design feature of a building whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating.

“Specific, adverse impact” means a significant, quantifiable, direct and unavoidable impact, based on objective, identified and written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete. (Ord. 2015-09 § 1, 2015)

16.15.040 Solar energy system requirements.

A. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the City and the State of California.

B. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.

C. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the [California Electrical Code](#), the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability. (Ord. 2015-09 § 1, 2015)

16.15.050 Aesthetic installation.

Electrical metallic tubing (EMT) and other forms of conduit is not permitted in exposed exterior locations visible from the public right-of-way. Exposed conduit placed toward the rear of the house out of view of the public right-of-way shall be painted to match the color of the house. (Ord. 2015-09 § 1, 2015)

16.15.060 Duties of Community Development Department and Building Official.

A. All documents required for the submission of an expedited small residential rooftop solar energy system application shall be made available on the city's publicly accessible website.

B. Electronic submittal of the required permit application and documents via email, the city's website, or facsimile shall be made available to all small residential rooftop solar energy system permit applicants.

C. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

D. The building division shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.

E. The small residential rooftop solar system permit process, standard plans, and checklist shall substantially conform to the recommendations for expedited permitting, including the checklist and standard contained in the most current version of the *California Solar Permitting Guidebook* adopted by the Governor's Office of Planning and Research.

F. All fees prescribed for the permitting of small residential rooftop solar energy systems must comply with [Government Code](#) Sections 65850.55 and 66015 and [Health and Safety Code](#) Section 17951. (Ord. 2015-09 § 1, 2015)

16.15.070 Expedited permit review and inspection requirements.

A. The building division shall adopt an administrative, nondiscretionary review process to expedite the approval of small residential rooftop solar energy system applications within thirty days of adoption of this chapter. For an application for a small residential rooftop solar energy system that meets the requirements of the approved checklist and standard plan, the building division shall issue a building permit or other non-discretionary permit within three business days. The building official may require an applicant to apply for a use permit if the official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety.

B. Review of the application shall be limited to the building official's review of whether the applicant meets local, state and federal health and safety requirements.

C. If a use permit is required, the building official may deny an application for the use permit if the official makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact.

D. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost. The city shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of [Civil Code](#) Section 714(d)(1)(A) and (B).

E. The city shall not condition the approval of an application on the approval of an association as defined in [Civil Code](#) Section 4080.

F. If an application for a small residential rooftop solar energy system is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permitting shall be sent to the applicant for resubmission.

G. Only one inspection shall be required and performed by the building division for small residential rooftop solar energy systems eligible for expedited review.

H. The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two business days of a request.

I. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this chapter. (Ord. 2015-09 § 1, 2015)

JUSTIFICATION: Amendments are intended to simplify language for clarity.

Chapter 16.16 CALIFORNIA ADMINISTRATIVE CODE – ADDED NEW CHAPTER

16.16.010 Title.

This chapter shall be cited as the “[California Administrative Code](#)” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the [California Administrative Code](#), refers and applies to this chapter.

16.16.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Administrative Code, 2022 Edition](#),” published by the International Code Council and copyrighted by the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted [California Administrative Code](#) shall be kept on file in the office of the Building Official for use and examination by members of the public.

Chapter 16.17 CALIFORNIA REFERENCE STANDARDS CODE – ADDED NEW CHAPTER

16.17.010 Title.

This chapter shall be cited as the “[California Reference Standards Code](#)” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the [California Reference Standards Code](#), refers and applies to this chapter.

16.17.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as “[California Reference Standards Code, 2022 Edition](#),” published by the International Code Council and copyrighted by the California Building Standards Commission. The documents identified in this section are adopted in their entirety. A copy of the adopted [California Reference Standards Code](#) shall be kept on file in the office of the Building Official for use and examination by members of the public.

Chapter 16.18 INTERNATIONAL PROPERTY MAINTENANCE CODE – ADDED NEW CHAPTER

16.18.010 Title.

This chapter shall be cited as the “[International Property Maintenance Code](#)” of the City of American Canyon and any reference in the city municipal code or any chapter thereof to the [International Property Maintenance Code](#), refers and applies to this chapter.

16.18.020 Code adoption.

The City of American Canyon does hereby adopt all those certain documents marked and designated, as "[International Property Maintenance Code](#), 2021 Edition," published by the International Code Council and copyrighted by the International Code Council. The documents identified in this section are adopted in their entirety. A copy of the adopted [International Property Maintenance Code](#) shall be kept on file in the office of the Building Official for use and examination by members of the public.

EXHIBIT B

16.02.040 Findings and determination.

As permitted in [Health and Safety Code](#) Section 17958.7, the City of American Canyon finds and determines the local amendments to 2022 [California Building Code](#) are either administrative in nature or reasonably necessary to protect the health, safety and general welfare of the public due to local climatic, geological or topographical conditions. Those findings are as follows:

Express Finding Number 1: Climatic. The city is located in a climatic zone with precipitation ranging from fifteen to twenty-six inches per year. Ninety-five percent of precipitation falls during the months of November through April, leaving a dry period of approximately six months each year. Relative humidity remains moderate most of the time. High temperatures in the summer average in the mid-eighty degrees Fahrenheit and in the winter in the mid-fifty degrees Fahrenheit. Prevailing winds in the area are common with gusts up to thirty-five miles per hour. These climatic conditions, along with our topography, necessitate a greater requirement for fire-sprinklers in residential construction, a minimum Class A roof covering and adequate spark arrestors.

Express Finding Number 2: Geological. The city is located in Seismic Design Category D, which is indicative of high seismic vulnerability. The West Napa fault is documented to be present in our city. The area includes various soil conditions and areas with significant movement potential. Buildings and other structures in Seismic Design Category D can experience major seismic damage. These geological conditions necessitate the prohibition of gypsum as a lateral-resisting building element, and the restriction of Portland cement plaster as a lateral-resisting building element to one story structures of R-3 and U-1 occupancies.

Express Finding Number 3: Topographical. Areas of highly combustible dry grasses, weeds, brush and trees adjacent to structures are common throughout the city. Above ground electrical power transmission lines are suspended through trees and above large areas of dry vegetation. The arrangement of man-made features around many buildings greatly limits any approach to all but one side of a building. The area immediately adjacent to the eastern border of the city has been classified as high and very high fire severity zones under the Fire and Resource Assessment Program of the California Department of Forestry and Fire Protection. These topographical conditions, along with our climate, necessitate a greater requirement for fire-sprinklers in residential construction, a minimum Class A roof covering and adequate spark arrestors. (Ord. 2019-12 § 2016-12 § 2, 2016)



TITLE

Playground Replacement Project (PR21-0100) Options

RECOMMENDATION

Discuss the Playground Replacement Project (PR21-0100) options and provide direction to City staff.

CONTACT

Alexandra Ikeda, Parks and Recreation Director

Erica Smithies, Public Works Director

Felix Hernandez III, Maintenance and Utilities Director

BACKGROUND & ANALYSIS

In partnership with the American Canyon Community and Parks Foundation (ACCPF), the City of American Canyon was awarded the State of California, Department of Parks and Recreation 2018 Parks Bond Act Per Capita Grant in the amount of \$177,912. This project identified playground replacements at three park locations: Linwood, Northampton, and Via Bellagio.

The Playground Replacement Project (PR21-0100) was approved by City Council on June 21, 2022 - as part of the Five-Year Capital Improvement Project (CIP) List - in the amount of \$327,912.

After receiving feedback from community members and the Council on desired design features, staff and Miracle PlaySystems, Inc. developed 2 designs for the Project. The designs for Linwood Park (Attachment 1) and Via Bellagio Park (Attachment 2) are the same for Options 1 & 2. The design of Option 1 for Northampton Park (Attachment 3) is consistent with the concept developed as part of the CIP. The design of Option 2 for Northampton (Attachment 4) contains universal and "all-access" play experiences to meet the accessibility needs of our community as well as a shade canopy (Attachment 5). Of note, the nearest playground providing this level of accessibility is currently believed to be in Walnut Creek.

The Playground Replacement Project (PR21-0100) was presented and discussed at the Parks and Community Services Commission meeting on Thursday, October 13, 2022. The Commission is recommending that Council choose Option 2 for this project.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

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

FISCAL IMPACT

The sources of the current project budget (\$327k) include \$177k from the 2018 Parks Bond Act Per Capita Grant; \$25k from the LLAD Zone 1 Fund (for Via Bellagio Park), and \$125k from the Park Impact Fee Fund.

The cost of Option 1 - including a 10% contingency - is now estimated to be \$476, which is \$139k more than the current budget.

The cost of Option 2 - including a 10% contingency - is estimated to be \$707k, which is \$379k more than the current budget.

After the accumulation of current year revenues and expenses, the Park Impact Fee Fund is anticipated to have a year-end fund balance of \$766k. Option 1 would reduce the balance for FY 2022/23 from \$766k to \$627k whereas Option 2 would reduce the balance from \$766k to \$387k.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS:

1. [Linwood Park](#)
2. [Via Bellagio Park](#)
3. [Northampton Park: Option 1](#)
4. [Northampton Park: Option 2](#)
5. [Northampton Park: Shade](#)

Linwood Park

American Canyon, CA

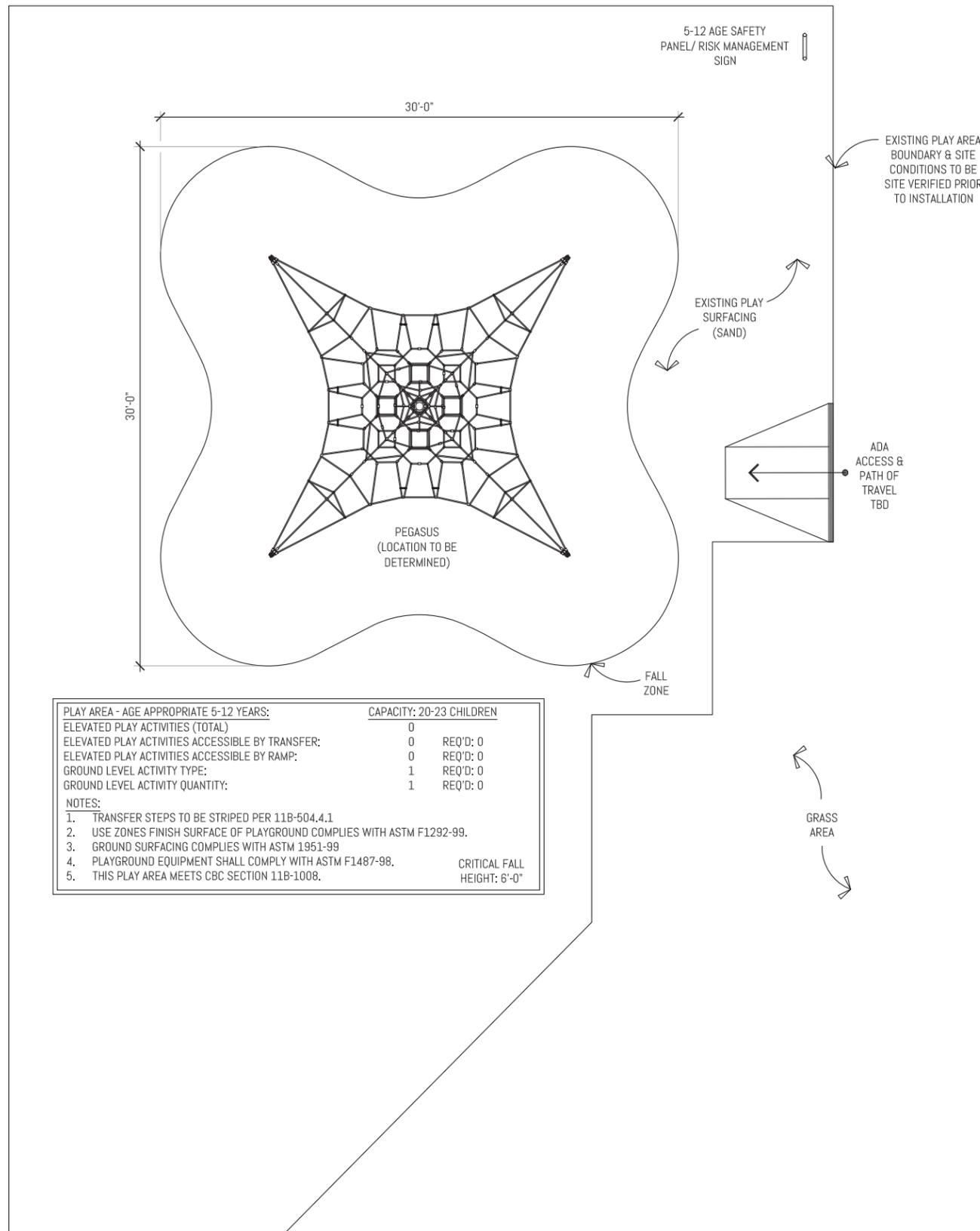
Prepared for: City of American Canyon



Prepared By

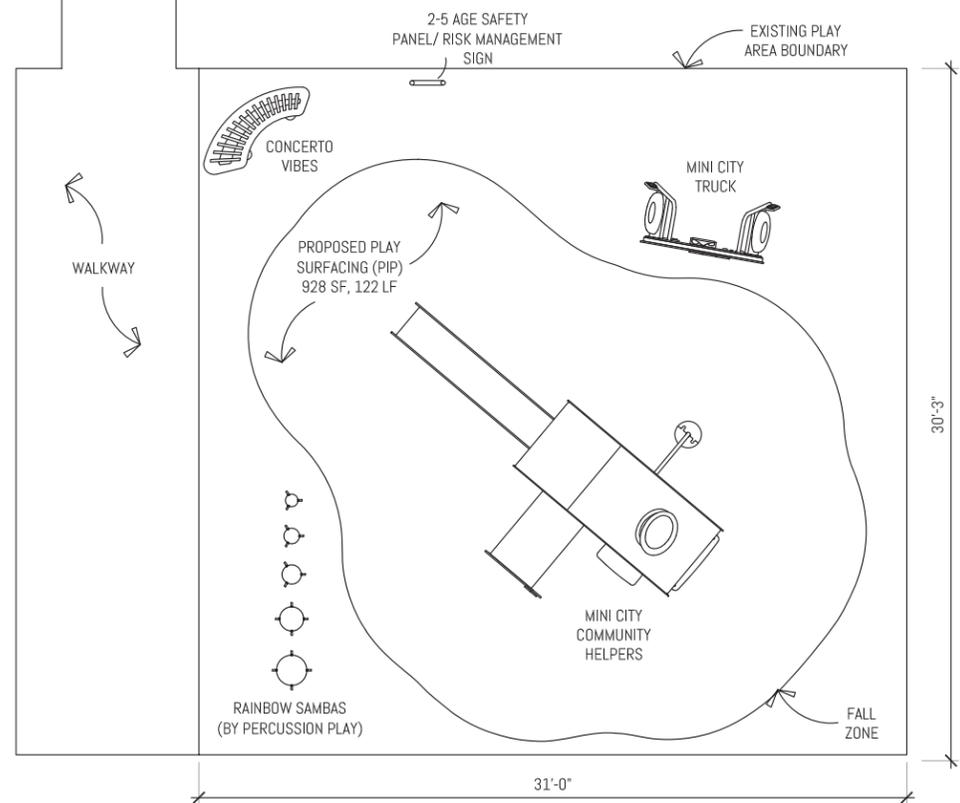
Karl Maniglia
Sales Account Manager
Miracle Play Systems Inc
karl@miracleplaygroup.com
(916)317-0545



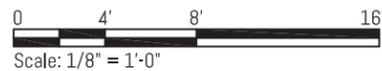


PLAY AREA - AGE APPROPRIATE 5-12 YEARS:		CAPACITY: 20-23 CHILDREN	
ELEVATED PLAY ACTIVITIES (TOTAL)	0	REQ'D: 0	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY TRANSFER:	0	REQ'D: 0	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY RAMP:	0	REQ'D: 0	
GROUND LEVEL ACTIVITY TYPE:	1	REQ'D: 0	
GROUND LEVEL ACTIVITY QUANTITY:	1	REQ'D: 0	
NOTES:			
1. TRANSFER STEPS TO BE STRIPED PER 11B-504.4.1			
2. USE ZONES FINISH SURFACE OF PLAYGROUND COMPLIES WITH ASTM F1292-99.			
3. GROUND SURFACING COMPLIES WITH ASTM 1951-99			
4. PLAYGROUND EQUIPMENT SHALL COMPLY WITH ASTM F1487-98.			
5. THIS PLAY AREA MEETS CBC SECTION 11B-1008.			
			CRITICAL FALL HEIGHT: 6'-0"

PLAY AREA - AGE APPROPRIATE 2-5 YEARS:		CAPACITY: 33-37 CHILDREN	
ELEVATED PLAY ACTIVITIES (TOTAL)	2	REQ'D: 1	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY TRANSFER:	0	REQ'D: 0	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY RAMP:	0	REQ'D: 0	
GROUND LEVEL ACTIVITY TYPE:	3	REQ'D: 1	
GROUND LEVEL ACTIVITY QUANTITY:	12	REQ'D: 1	
NOTES:			
1. TRANSFER STEPS TO BE STRIPED PER 11B-504.4.1			
2. USE ZONES FINISH SURFACE OF PLAYGROUND COMPLIES WITH ASTM F1292-99.			
3. GROUND SURFACING COMPLIES WITH ASTM 1951-99			
4. PLAYGROUND EQUIPMENT SHALL COMPLY WITH ASTM F1487-98.			
5. THIS PLAY AREA MEETS CBC SECTION 11B-1008.			
			CRITICAL FALL HEIGHT: 3'-6"



NORTH



LINWOOD PARK

AMERICAN CANYON

LINEAR FEET: PER AREA
CRITICAL FALL HEIGHT: PER AREA

22_1089_LinwoodPark_003

SITE AREA: PER AREA
SCALE: 1/8"=1'-0"

DATE: 08/24/2022

DRAWN BY: KD



ALL DRAWINGS ARE SUBJECT TO CHANGE AND SHOULD BE REVIEWED BEFORE FINAL SALE.
ALL SITE DIMENSIONS WILL NEED TO BE VERIFIED PRIOR TO SALE AND INSTALLATION.



Colors Used In Renderings

-  Teal
-  Lime
-  Orange
-  Plum
-  Dark Brown
-  Blue
-  Forest Green

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



RAINBOW SAMBAS (BY PERCUSSION PLAY)

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



RAINBOW SAMBAS (BY PERCUSSION PLAY)

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



RAINBOW SAMBAS (BY PERCUSSION PLAY)

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.

Via Bellagio Park

American Canyon, CA

Prepared for: City of American Canyon



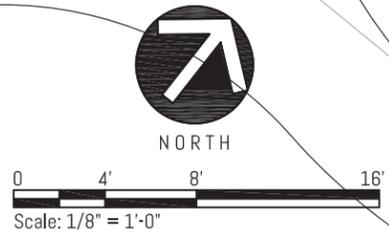
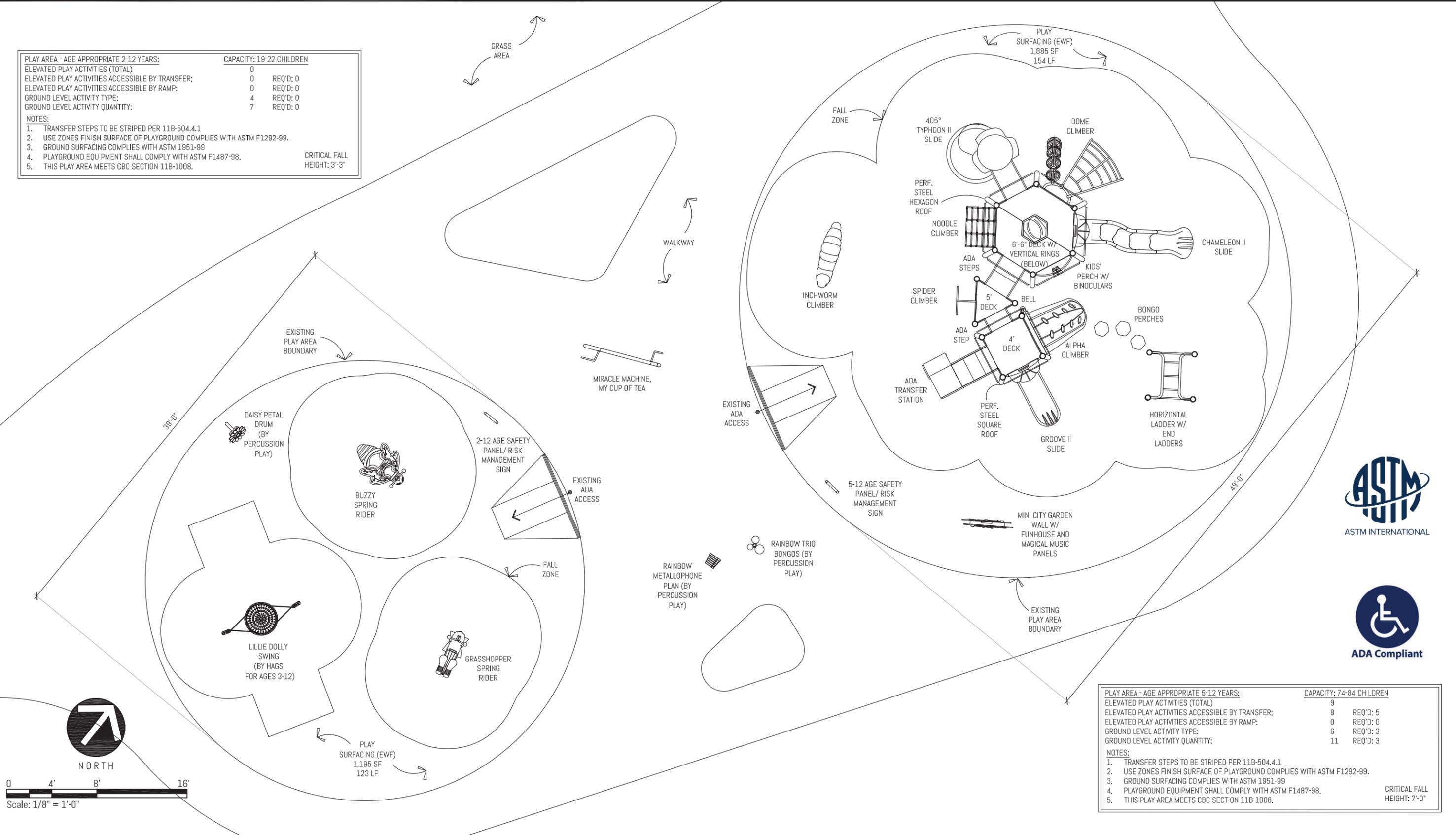
Prepared By

Karl Maniglia
Sales Account Manager
Miracle PlaySystems Inc
karl@miracleplaygroup.com
(916)317-0545



PLAY AREA - AGE APPROPRIATE 2-12 YEARS:		CAPACITY: 19-22 CHILDREN
ELEVATED PLAY ACTIVITIES (TOTAL)	0	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY TRANSFER:	0	REQ'D: 0
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY RAMP:	0	REQ'D: 0
GROUND LEVEL ACTIVITY TYPE:	4	REQ'D: 0
GROUND LEVEL ACTIVITY QUANTITY:	7	REQ'D: 0
NOTES:		
1. TRANSFER STEPS TO BE STRIPED PER 11B-504.4.1		
2. USE ZONES FINISH SURFACE OF PLAYGROUND COMPLIES WITH ASTM F1292-99.		
3. GROUND SURFACING COMPLIES WITH ASTM 1951-99		
4. PLAYGROUND EQUIPMENT SHALL COMPLY WITH ASTM F1487-98.		
5. THIS PLAY AREA MEETS CBC SECTION 11B-1008.		
	CRITICAL FALL HEIGHT: 3'-3"	

PLAY AREA - AGE APPROPRIATE 5-12 YEARS:		CAPACITY: 74-84 CHILDREN
ELEVATED PLAY ACTIVITIES (TOTAL)	9	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY TRANSFER:	8	REQ'D: 5
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY RAMP:	0	REQ'D: 0
GROUND LEVEL ACTIVITY TYPE:	6	REQ'D: 3
GROUND LEVEL ACTIVITY QUANTITY:	11	REQ'D: 3
NOTES:		
1. TRANSFER STEPS TO BE STRIPED PER 11B-504.4.1		
2. USE ZONES FINISH SURFACE OF PLAYGROUND COMPLIES WITH ASTM F1292-99.		
3. GROUND SURFACING COMPLIES WITH ASTM 1951-99		
4. PLAYGROUND EQUIPMENT SHALL COMPLY WITH ASTM F1487-98.		
5. THIS PLAY AREA MEETS CBC SECTION 11B-1008.		
	CRITICAL FALL HEIGHT: 7'-0"	



VIA BELLAGIO PARK	LINEAR FEET:	PER AREA	SITE AREA:	PER AREA
	CRITICAL FALL HEIGHT:	PER AREA	SCALE:	1/8"=1'-0"
AMERICAN CANYON, CA	22_1090_ViaBellagioPark_002		DATE:	08/19/2022
			DRAWN BY:	KD



ALL DRAWINGS ARE SUBJECT TO CHANGE AND SHOULD BE REVIEWED BEFORE FINAL SALE. ALL SITE DIMENSIONS WILL NEED TO BE VERIFIED PRIOR TO SALE AND INSTALLATION.



Ages 5-12

Colors Used In Renderings



Dark Gray



Anti-Microbial Desert Dunes



Tropical Yellow



Blue



Teal

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



Ages 5-12

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



Ages 5-12

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



Ages 5-12

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



Ages 5-12

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



LILLIE DOLLY SWING
(BY HAGS)

DAISY PETAL DRUM (BY PER-
CUSSION PLAY)

Ages 2-12

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



LILLIE DOLLY SWING
(BY HAGS)

RAINBOW
METALLOPHONE
& BONGOS (BY
PERCUSSION PLAY)



Ages 2-12

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.

Northampton Park

American Canyon, CA

Prepared for: City of American Canyon



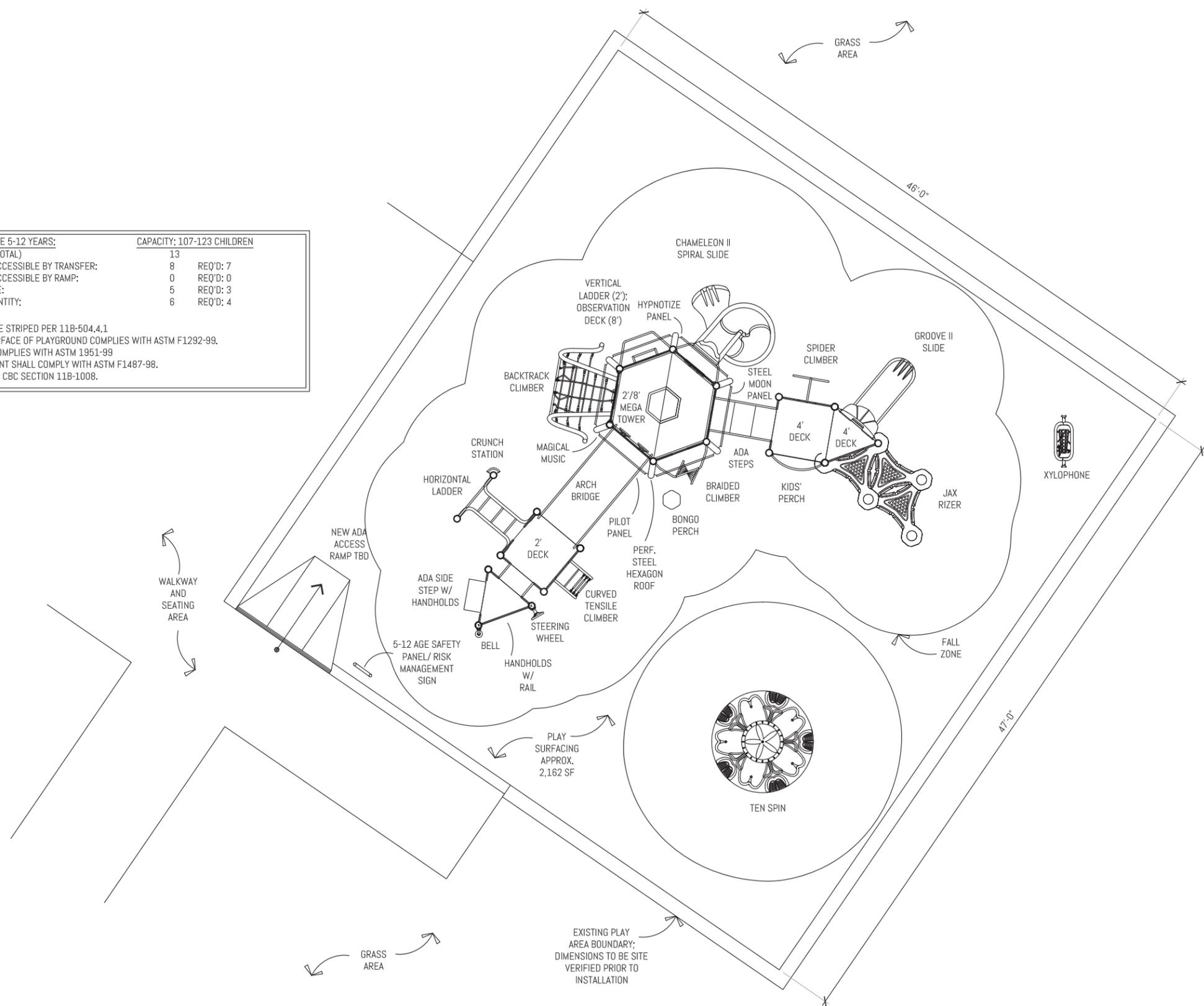
Prepared By

Karl Maniglia
Sales Account Manager
Miracle Playsystems Inc
karl@miracleplaygroup.com
(916)317-0545





PLAY AREA - AGE APPROPRIATE 5-12 YEARS:		CAPACITY: 107-123 CHILDREN	
ELEVATED PLAY ACTIVITIES (TOTAL)	13		
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY TRANSFER:	8	REQ'D: 7	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY RAMP:	0	REQ'D: 0	
GROUND LEVEL ACTIVITY TYPE:	5	REQ'D: 3	
GROUND LEVEL ACTIVITY QUANTITY:	6	REQ'D: 4	
NOTES:			
1. TRANSFER STEPS TO BE STRIPED PER 11B-504.4.1			
2. USE ZONES FINISH SURFACE OF PLAYGROUND COMPLIES WITH ASTM F1292-99.			
3. GROUND SURFACING COMPLIES WITH ASTM 1951-99			
4. PLAYGROUND EQUIPMENT SHALL COMPLY WITH ASTM F1487-98.			
5. THIS PLAY AREA MEETS CBC SECTION 11B-1008.			



NORTH



NORTHAMPTON PARK

AMERICAN CANYON

LINEAR FEET: 179 LF

CRITICAL FALL HEIGHT: 6'-6"

SITE AREA: 2,162 SF

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

22_1088_Northampton_005

DATE: 09/19/2022

DRAWN BY: KD



ALL DRAWINGS ARE SUBJECT TO CHANGE AND SHOULD BE REVIEWED BEFORE FINAL SALE. ALL SITE DIMENSIONS WILL NEED TO BE VERIFIED PRIOR TO SALE AND INSTALLATION.



Colors Used In Renderings



Dark Gray



Dark Brown



Forest Green



Lime

*Colors shown in rendering are for illustrative purposes only. Actual color and pattern may vary slightly.



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Northampton Park

American Canyon, CA

Prepared for: City of American Canyon



Prepared By

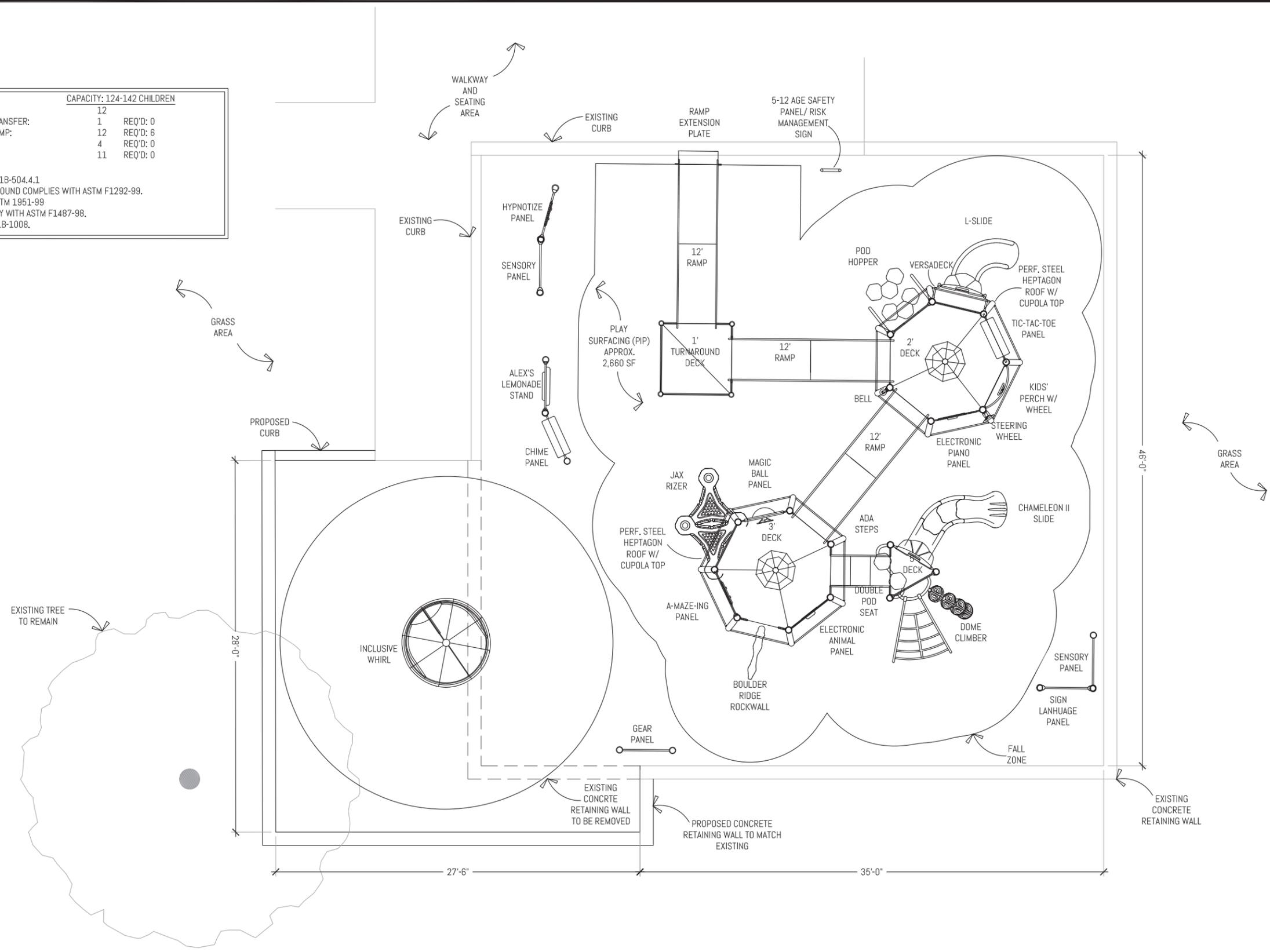
Karl Maniglia
Sales Account Manager
Miracle PlaySystems Inc
karl@miracleplaygroup.com
(916)317-0545



PLAY AREA - AGE APPROPRIATE 5-12 YEARS:		CAPACITY: 124-142 CHILDREN	
ELEVATED PLAY ACTIVITIES (TOTAL)	12	REQ'D: 0	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY TRANSFER:	1	REQ'D: 0	
ELEVATED PLAY ACTIVITIES ACCESSIBLE BY RAMP:	12	REQ'D: 6	
GROUND LEVEL ACTIVITY TYPE:	4	REQ'D: 0	
GROUND LEVEL ACTIVITY QUANTITY:	11	REQ'D: 0	

NOTES:

- TRANSFER STEPS TO BE STRIPED PER 11B-504.4.1
- USE ZONES FINISH SURFACE OF PLAYGROUND COMPLIES WITH ASTM F1292-99.
- GROUND SURFACING COMPLIES WITH ASTM 1951-99
- PLAYGROUND EQUIPMENT SHALL COMPLY WITH ASTM F1487-98.
- THIS PLAY AREA MEETS CBC SECTION 11B-1008.



NOTE:
ALL EXISTING CONDITIONS NEED SITE
VERIFICATION PRIOR TO INSTALLATION.



NORTHAMPTON PARK

AMERICAN CANYON

LINEAR FEET:	228 LF	SITE AREA:	2,660 SF
CRITICAL FALL HEIGHT:	5'-0"	SCALE:	1/8"=1'-0"
22_1088_Northampton_006		DATE:	09/28/22
		DRAWN BY:	KD



ALL DRAWINGS ARE SUBJECT TO CHANGE AND SHOULD BE REVIEWED BEFORE FINAL SALE.
ALL SITE DIMENSIONS WILL NEED TO BE VERIFIED PRIOR TO SALE AND INSTALLATION.



Colors Used In Renderings



Dark Gray



Anti-Microbial Desert Dunes



Chartreuse



Blue



Teal



Plum

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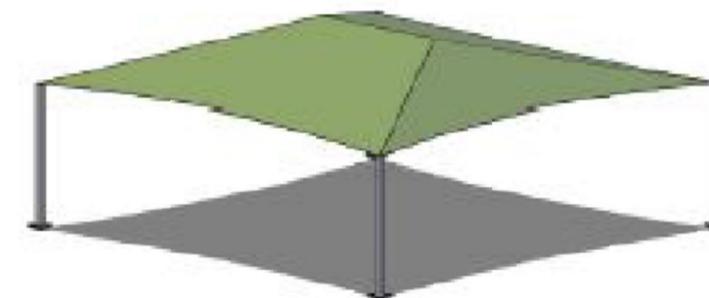
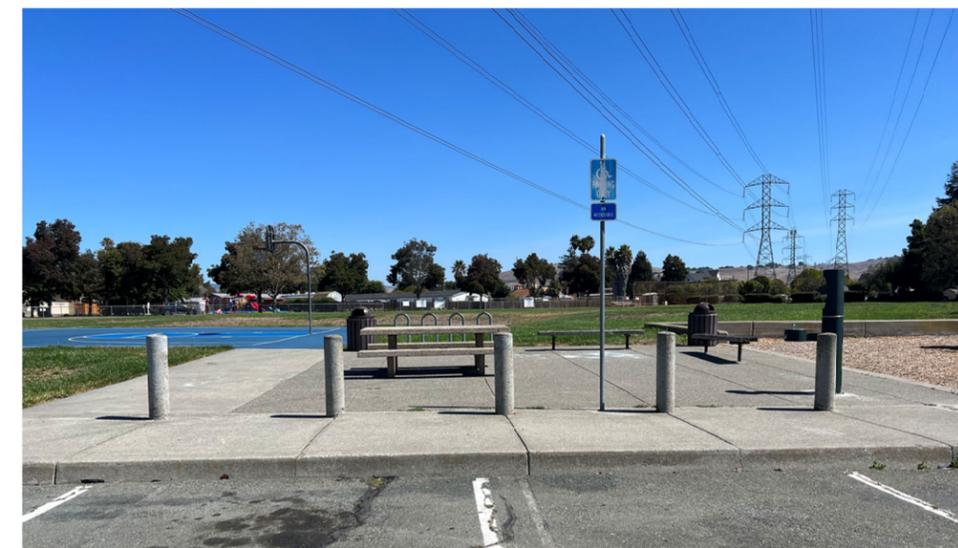


ILLUSTRATION - HIP CANOPY BY CUSTOM CANOPIES (COLOR TBD)



EXISTING CONDITIONS PHOTO



0 4' 8' 16'
Scale: 1/8" = 1'-0"

NORTHAMPTON PARK SHADE STRUCTURE

AMERICAN CANYON

LINEAR FEET:

CRITICAL FALL HEIGHT:

22_1363_NorthamptonParkShadeStructure_002

SITE AREA:

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

DATE: 09/30/22

DRAWN BY: KD



ALL DRAWINGS ARE SUBJECT TO CHANGE AND SHOULD BE REVIEWED BEFORE FINAL SALE. ALL SITE DIMENSIONS WILL NEED TO BE VERIFIED PRIOR TO SALE AND INSTALLATION.



TITLE

Maintenance and Utilities Department, Water Operations Update

RECOMMENDATION

Receive a Presentation on Maintenance and Utilities Department, Water Operations Update

CONTACT

Felix Hernandez, III, Maintenance and Utilities Director
Dominic Patrick, Water Systems Manager

BACKGROUND & ANALYSIS

Background & Analysis

The City operates a Water Treatment Plant near Highway 12 (Jameson Canyon Road) to produce and distribute water to customers that meets the highest quality standards set by state and federal regulations. There are two treatment processes at the Plant: a conventional sedimentation and filtration treatment process, and a second, state-of-the-art membrane filtration process. Together the two processes produce up to 5.5 million gallons of potable water each day for residents and businesses in our water service area, which extends from the Napa/Solano County line to Soscol Creek just north of the Napa Airport.

The Maintenance and Utilities Department; Water Operations Division provides for the health, safety and comfort of all American Canyon residents, workers and visitors on a daily basis. The services and functions provided by the Maintenance and Utilities Department; Water Operations Division helps make civilized life possible. Our goal is to meet the essential needs of the City and our larger service area in a way that brings pride to the community. The Water Operations Division annually supplies approximately 2,600 acre-feet of water to its customers; that's nearly 850 million gallons per year in addition to responding to over 900 services calls.

The Maintenance and Utilities Department; Water Operations Division operates and maintains 80 backflow devices and coordinates with property owners on over 950 other backflow devices, 56 recycled water connection consisting of over 10 miles of pipe, 5,300 potable water connections, 5,700 metering devices, 3 potable water storage tanks, and 2 emergency water tie-ins. The potable water distribution system consists of approximately 82 miles of water mains, two booster pump stations, 831 fire hydrants and 2,080 valves. The principal water transmission mains in the

distribution system range in size from 14 to 20-inches.

Tonight, Council will receive a presentation of the Maintenance and Utilities Department, Water Operations Division Update.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS:

[MUD - Water Update November 1, 2022](#)



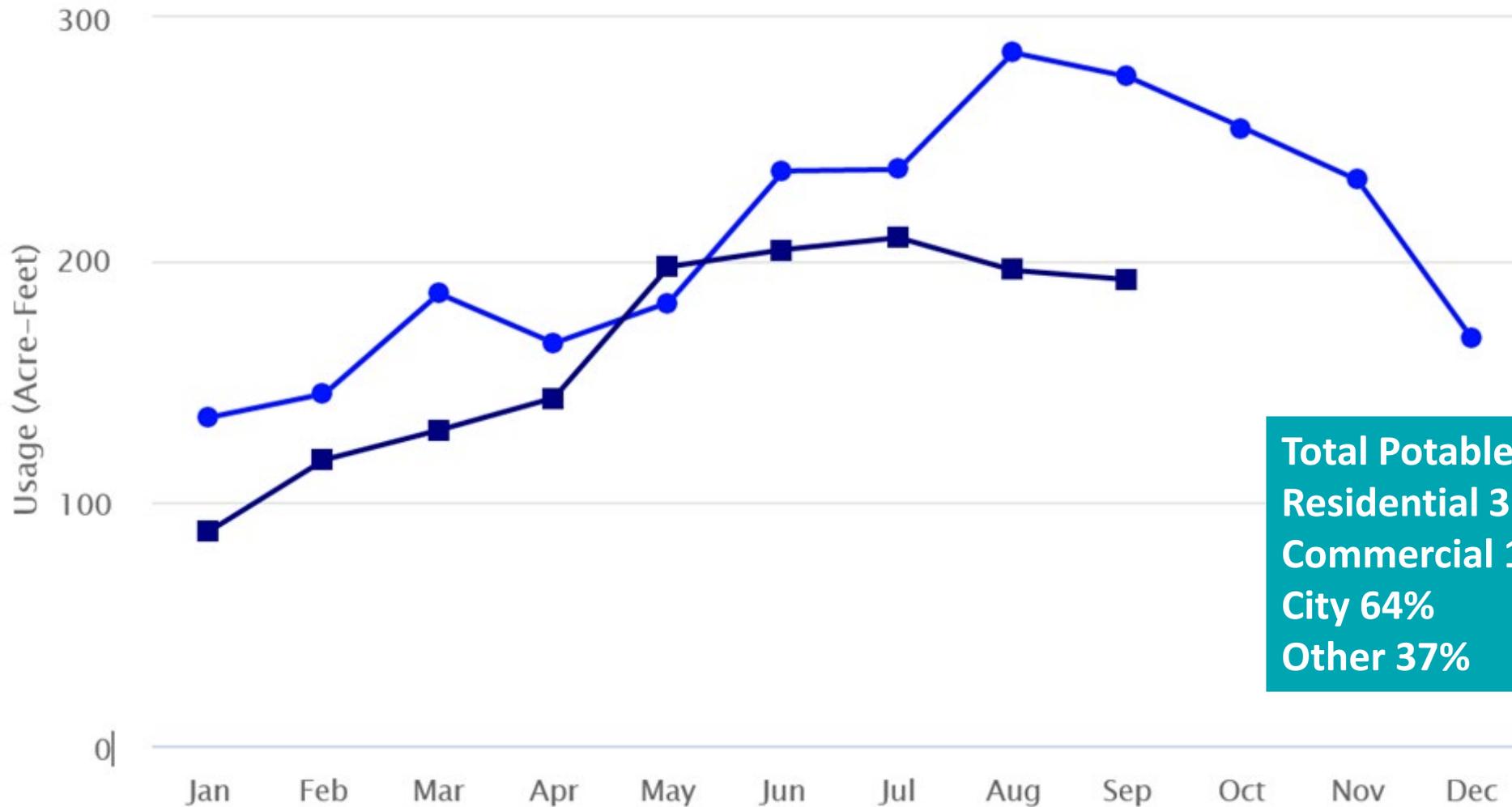
Maintenance and Utilities Department Update

Water Division

November 1, 2022

Total Potable Water Consumption

January-September 2020 vs January-September 2022



Total Potable Reduction 31%
Residential 33%
Commercial 16%
City 64%
Other 37%

2020 vs 2022

American Canyon achieved a Stage 2 Drought Emergency 20% reduction goal, January-September 2022 compared to January-September 2020.

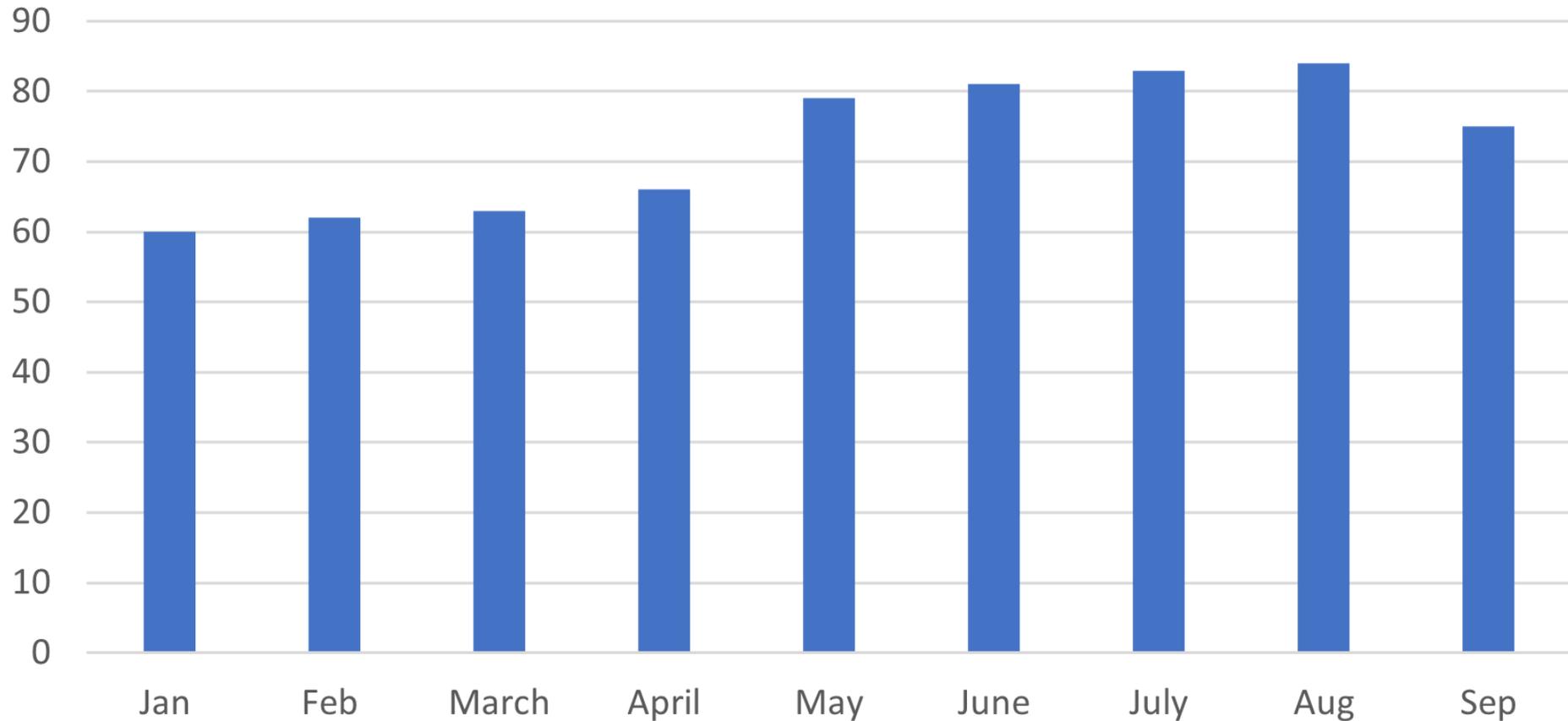
COVID-19 Pandemic Relief for Utility Customers

- The California Water/Wastewater Arrearages Payment Program (CWWAPP) provided financial relief to eligible customers who fell behind on their utility bill payments because of the COVID-19 pandemic.
- The Low-Income Household Water Assistance Program (LIHWAP) provided financial assistance to low-income Californians to help manage their residential water utility costs.

In 2022, American Canyon received \$260,000 in these grant funds on behalf of residents in need of assistance.



Water Treatment Plant Potable Water Production January 2022 - September 2022 MG



January 2022 – September 2022

American Canyon Water Treatment Plants produced 653 Million Gallons (MG)

Supervisory Control and Data Acquisition (SCADA)



- Water Treatment Plant Operators can use the SCADA system to make adjustment for plant optimization.
- In 2022, analyzers, meters and valves from the 1974 Conventional Water Treatment Plant were added to SCADA system to enhance reporting processes.
- Water quality data is reported to the California State Water Boards.

Customer Water Portal Enhancements

 MY DAILY AVERAGE USE 

206.34 GPD

Track Usage

Compare your past use for this billing period.

 -76.14%



- Enhanced Customer Portal and iOS app for water conservation and community outreach.
- On the Utility Portal, City Staff can see multiple reports as well individual accounts to help customers.
- The Customer Water Portal and App can help track water usage by date or billing cycle, view bill and pay bill. There are more than 4,000 account holders with direct access to their “My Water Usage Portal.”

Water Division Stats for 2022:

- Identified 194 water meter leaks
- Replaced 38 service connections
- Replaced 59 water meters
- Repaired 5 water mains



Staff Accomplishments

Fidel Lopez received a Backflow Preventor Certification.

Daniel Finnegan received a Water Treatment Grade 2 Certificate, Water Distribution Grade 2 Certificate and Backflow Preventor Certificate.

Juan Garcia received a Bachelor's Degree and Water Treatment Grade 2 Certificate.

David Accurso received a Water Treatment Grade 2 Certificate.





CITY OF
AMERICAN
CANYON

In Closing

Q&A



City Council Committee Report

Submitted by: * Councilmember Mark Joseph

Council Meeting Date: 11/01/2022

Event Date: 2022-10-06 **Event Type:** Committee Report

Event Title: * Napa County League of Governments (NCLOG)

Event Report: We held our first meeting since early 2020! It was official to hear about the Countywide Greenhouse Gas (GHG) Inventory, but it also turned out to be a chance for several outgoing leaders to give their farewell remarks. As such, it was very touching, and heartfelt. I have worked with all of them and in some cases, for many years--I wish them all the best in their post-service lives!!

Back to the GHG Inventory, and after the presentation, the consensus view was that we should pursue a regional Climate Action Plan. This should be more cost-effective and recognizes the reality of Climate Change. I'm looking forward to getting this started in 2023!

File/Photo Upload Max file size for all uploads is 10 MB

Event Date: 2022-10-13 **Event Type:** Committee Report

Event Title: * Ad hoc Climate Action Committee

Event Report: After a few months, we reconvened the committee and discussed the status of things. There was a consensus that our focus should shift towards building a broader public support group, and that needs to continue. We also talked about involving the schools (students, actually) since they are the most passionate and will suffer the consequences longer than the rest of us. In that vein, some of us met with Ms. Hillyard at ACHS and began the planning process to develop a school event, possibly early next year.

We also began discussions relative to the new role that OSAC+ will play regarding sustainability. The initial view is that we want to be a support group to this new role, but we will see how things unfold.

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Event Date: 2022-10-18 **Event Type:** Committee Report

Event Title: * NVUSD 2X2 Meeting

Event Report: After our successful land swap, the Committee met again. One of the new issues is over the School Impact Fee payment process. This relates more to the Watson Ranch project, which was subject to a separate contract between the District and the Developer, and a Development Agreement between the City and the Developer. Nonetheless, we talked about ways of providing additional info to the District.

We also talked about other subjects for the following year. Soon, I hope our issues will be more positive and focus on building a successful partnership!

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Event Date:

2022-10-19

Event Type

Committee Report

Event Title: * Napa Valley Transportation Authority (NVTA)**Event Report:** Attended the monthly board meeting. Important topics included:

- An update on the Bike Coalition's Safe Route To Schools (SR2S) program, including their "walking audits" of bike safety at our public schools.
- Authorized a "Vision Zero" study, which will take about one year to complete. It will provide all the jurisdictions with a roadmap of ways to reduce traffic accidents, through engineering, enforcement and education.
- Approved solar panels and battery backup for the new Maintenance Building, as well as EV Charging stations for the new Imola Park & Ride.
- Discussed youth representation on the various NVTA Advisory Bodies. Although I could not persuade my NVTA board members to add a youth rep to our boards, there was the suggestion that one of our two Active Transportation Advisory Committee members could be a youth. This originated as a request from our own Allison Bencsik, the ACHS co-chair of Students for Climate Action.

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Event Date:**Event Type**

Community Event

Event Title: * Ribbon-cuttings!**Event Report:** There have been a number of exciting new openings!

- **Ristorante D'Oro** (no relation to our Council member!) had their ribbon-cutting on Monday, October 3.
- **Imola Park & Ride** also opened with great fanfare, with dignitaries at the State level. The Mayor and I were there representing NVTA. This project is part of a bigger program to improve traffic flow on Imola in Napa, but it will also shave up to 20 minutes on the commute from AC to Napa.
- **AC Bike Shop**--this is an example of our own home-grown business. Working out of their garage, Steve & Julia Salvador are now leasing space in our smaller industrial buildings. There was a tremendous turnout for their ribbon-cutting, and many of us rode our bikes to the event!

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Event Date:**Event Type**

Community Event

Event Title: * Community Events and Activities

- Event Report:**
- Attended the Fire District's Open House
 - Present at a Fil-Am picnic event at the Holy Family Parish
 - Council member Washington and I, along with ACCPF Executive Director, Janelle Sellick, were guests on Bay Trail Confidential--talking about American Canyon's best kept secret: our trails, open space and future Eco-Center. Apparently, one of his bigger audiences! This was a zoomcast event.
 - Attended the Kiwanis Board meeting and membership meeting; and visited a food distribution program at Fairgrounds MHP--could be a potential partnership with our Food Pantry
 - Watched the ACHS Varsity Girls Volley Ball team beat the visiting team--but missed the League Championship, where we defeated Vintage in 3 games! Yay!
 - Stopped by the Citizens Academy and welcomed the Year 6 Class.
 - Was invited to, and attended, the Eagle Scout ceremony for Zachary Bernard
 - Attended the monthly Napa Community Benefits Coalition

- Stopped by Redwood Credit Union for the Chamber's Coffee Mixer.

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Event

Event

Community Event

Date:

Type

Event Title: * American Canyon Arts Foundation (ACAF) Events and Activities

- Event Report:**
- Attended the monthly Board meeting and reviewed our successful Pumpkin Path event; and prepared for various upcoming events for the rest of the year.
 - Helped with our first annual ACHS Arts & Musicfest event on October 15. This went very well--the artists were all ACHS students or alumni, and we had music, dance, paintings, photography and ceramics on display. We are already beginning to work on year two!
 - Attended the Filipinix Cultural Event at our local Library. This was sponsored by ACAF as part of a Napa County Arts & Culture grant we received. Very well attended and a great event.
 - Met with the Chamber to talk about ACAF's involvement in the upcoming Mustard Celebration, coordinated by Visit Napa Valley. Should be exciting!

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