



## REGULAR CITY COUNCIL MEETING AGENDA

City Hall - Council Chambers  
4381 Broadway St., Suite 201, American Canyon

May 2, 2023

6:30 PM

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

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*City Council and other public meetings will be conducted 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. 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 Open and Closed Session. A Zoom Webinar has been established for public comments made via zoom, during Open Session only. To give your public comment via zoom, 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. To allow for review of comments, eComments will close at 3:00 pm on the day of the meeting. All comments received will be posted online and become part of the meeting record.

**Zoom Meeting Link:** [Click here](#).

**Webinar ID:** 852 5117 7763; Passcode: 123456

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](mailto: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](http://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](mailto:cityclerk@cityofamericancanyon.org). Include your name, address, phone number and brief description of the requested materials, as well as your preferred alternative format or auxiliary aid, at least three calendar days before the meeting.

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

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

### **5:30 P.M. CLOSED SESSION**

- 1. Matters Relating to Public Employment Public Employee Performance Evaluation Pursuant to Government Code Section 54957.  
Position: Jason Holley, City Manager**
  
- 2. Conference with Legal Counsel – Anticipated Litigation Authorized pursuant to Government Code Section 54956.9 (d)(2).  
One Matter.**
  
- 3. Conference with Legal Counsel - Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1):**
  - a. *American Canyon I , LLC vs. Napa Unified School District* (Napa Superior Court Case No. 22CV001145).**
  
  - b. *City of American Canyon v. City of Vallejo, et al.* (Sacramento Superior Court Case No. 34-2022-00327471).**
  
  - c. *City of American Canyon v. Leon Dale Schmidt , Napa County Superior Court Case No. 22CV001041.***
  
  - d. *Center for Biological Diversity v. City of American Canyon et al., Napa County Superior Court Case No. 23CV000511.***
  
  - e. *Golden State Environmental Justice Alliance v. City of American Canyon et al., Napa Superior Court Case No. 23cv000510.***
  
  - f. *City of Vallejo v. City of American Canyon et al., Napa County Superior Court Case No. 23CV000517.***

CALL TO ORDER - CLOSED SESSION

ROLL CALL - CLOSED SESSION

### **PUBLIC COMMENTS - CLOSED SESSION ITEMS**

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

MEETING RECESS - COUNCIL TO CONVENE IN CLOSED SESSION

### **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 - Older Americans Month May 2023**
5. **Proclamation - Historic Preservation Month**
6. **Proclamation - Mental Health Matters Month**
7. **Proclamation - May 2023 Asian American and Native Hawaiian/Pacific Islander Heritage Month**
8. **Proclamation - 54th Annual Professional Municipal Clerks Week**

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

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

## **AGENDA CHANGES**

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

## **CONSENT CALENDAR**

9. **City Council Minutes of April 18, 2023**  
**Recommendation:** Approve the minutes of the Regular City Council meeting of April 18, 2023.
10. **Contract Amendment #8 Brightview Landscape**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute Amendment 8 to Agreement 2017-111 with BrightView Landscape Services in the amount of \$21,012 for a total contract amount not to exceed \$2,605,011 for ongoing landscape maintenance for the new Devlin Road Extension.
11. **Title 10 – Vehicles and Traffic, Chapter 10.56 Speed Limits Code Update**  
**Recommendation:** Waive second reading, read by title only, and adopt an Ordinance amending Title 10 – Vehicles and Traffic, Chapter 10.56 Speed Limits of the American Canyon Municipal Code.

12. **Interwest Consulting Group Building and Safety Services contract augment and one-year extension**  
**Recommendation:** Adopt a Resolution of the City Council of the City of American Canyon approving Amendment 16 to Agreement 2011-A105 with the Interwest Consulting Group to extend the contract for Building and Safety Services to the end of Fiscal Year 2023/24, and increase the total contract amount by \$642,000 not to exceed \$3,784,500.
13. **Lance Soll and Lunghard LLP contract amendment and extension**  
**Recommendation:** Adopt a Resolution of the City Council of the City of American Canyon approving Amendment 2 to Agreement 2022-A101 with Lance Soll and Lunghard LLP (Exhibit A) to increase the total contract amount by \$110,000 to an amount not to exceed \$159,900, extend the contract term to June 30, 2024, and amend the Fiscal Year 2022/23 budget to account for the additional contract cost during the current fiscal year.
14. **Quarterly Investment Report for City and Fire District for Fiscal Year 2022-23 Quarter 3**  
**Recommendation:** Receive and file the City and Fire District's Treasurer's Report for the quarter ended March 31, 2023.
15. **HdL Companies Cannabis Permit Management services 2-year contract extension**  
**Recommendation:** Adopt a Resolution of the City Council of the City of American Canyon approving Amendment No. 4 to Agreement No. 2018-177 with HdL Companies for a 2-year contract extension for Commercial Cannabis Permit Management Services from July 1, 2023 to June 30, 2025.
16. **Report Upon Return from Closed Session - April 18, 2023**

## PUBLIC HEARINGS

17. **Smoke Free Multi-Unit Housing Ordinance**  
**Recommendation:** Waive first reading, read by title only, and adopt an Ordinance by the City Council of the City of American Canyon amending the American Canyon Municipal Code Chapter 9.04 "Neighborhood Preservation" to prohibit smoking in any unit of a multi-unit residence and any common area of a multi-unit residence in the City of American Canyon.

## BUSINESS

18. **Kids Commerce Business License Fee Waiver**  
**Recommendation:** Adopt a Minute Order waiving Business License Fees for youth participants in the American Canyon Chamber of Commerce's "Kid's Commerce" program.
19. **Pooled Insurance Program**  
**Recommendation:** Receive and file presentation regarding PLAN Joint Powers Authority's pooled insurance programs.

## MANAGEMENT AND STAFF ORAL REPORTS

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

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

20. [City Council Committee Report - Councilmember Joseph](#)

21. [City Council Committee Report - Councilmember Oro](#)

22. Future Agenda Items of Note:

**May 16, 2023 Council Meeting**

Memorial Day

Public Works Week

Rotary of Napa and NCOE Presentation on Spirit Horse

Safe Gambling Student Presentation

Safe Gun Storage Ordinance

LLAD Draft Engineers Report

Proposed FY 23/24 Budget

**June 6, 2023 Council Meeting**

Juneteenth

LGBTQ Pride Month

Philippine Cultural Month

Final FY 23/24 Budget

LLAD Annual Budget

**June 20, 2023 Council Meeting**

Fair Housing Napa Valley Annual Report

Napa Housing Authority Annual Report

**June 20, 2023 Special Meeting with Open Space, Active Transportation and Sustainability**

**Commission (7:30p)**

**FY 23/24 Annual Work Plan**

**June 20, 2023 Special Meeting with Parks and Community Services Commission (8:30p)**

**FY 23/24 Annual Work Plan**

**July 4, 2023 Council Meeting Cancelled Due to Fourth of July Holiday**

## 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



## IN RECOGNITION OF OLDER AMERICANS MONTH MAY 2023

**WHEREAS**, President John F. Kennedy established Senior Citizen Month (since renamed Older American Month) in 1963; and

**WHEREAS**, since then the population of adults over 65 has increased from 17 million to over 50 million people in 2023, representing approximately 16.5% of the US population; and

**WHEREAS**, it is important to acknowledge the contributions older individuals have made in our community and in the workplace to the economic well-being of our nation through civic leadership and mentoring; and

**WHEREAS**, our expanding elder population profoundly impacts every facet of our lives, redefining our ideas of work, retirement and leisure, altering our housing and living arrangements, challenging our healthcare systems, reshaping our economy, and altering social and public policy; and

**WHEREAS**, the opportunity and challenges that await us require our continued commitment to the goal of ensuring that our senior citizens enjoy active, productive and healthy lives, and do so independently, safely and with dignity; and

**WHEREAS**, the City of American Canyon joins the national tradition of designating the month of May as a time to celebrate the contributions of older Americans and rededicate our efforts to better serve their needs; and

**WHEREAS**, the City Council of the City American Canyon wishes to express its appreciation for past and continuing contributions of its older residents to the community and our nation, and recognize that older adults are a vital and growing part of our City; and

**NOW, THEREFORE, BE IT RESOLVED**, that I, Leon Garcia, Mayor of the City of American Canyon, on behalf of the American Canyon City Council, do hereby proclaim May 2023, to be Older Americans Month. I urge every resident to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to support older Americans' choices about how they age in their communities.

Dated: May 2, 2023

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Leon Garcia, Mayor

# CITY OF AMERICAN CANYON PROCLAMATION



## Historic Preservation Month

**WHEREAS**, the National Park Service’s Register of Historic Places is authorized by the National Historic Preservation Act of 1966. The National Register program supports public and private efforts to identify, evaluate, protect, and adapt for re-use, America's historic, cultural, and archeological resources; and

**WHEREAS**, in 1973, May was designated “Preservation Month” to raise awareness of historic preservation and the continuity it builds between past, present, and future to instill national and community pride, promote heritage tourism and show the social, economic, and environmental benefits of historic preservation; and

**WHEREAS**, Napa County has irreplaceable historic resources including stone bridges, 19<sup>th</sup> Century wineries, Victorian commercial buildings, our WPA-era Post Offices as well as architect-designed residences; and

**WHEREAS**, Napa County Landmarks (NCL), founded in 1974 by John Whitridge, is a non-profit organization that fosters appreciation and preservation of historic buildings, sites and districts through education programs, public policy, research, and technical assistance; and

**WHEREAS**, NCL creates community discussion and preservation of our historic resources to protect and re-use them, create jobs, stabilize property values and preserve existing housing stock; and

**WHEREAS**, NCL creates community discussion and preservation of our historic resources to protect and re-use them, for example, the American Canyon cement silos, once threatened, will now be reused by the current developer, create jobs, stabilize property values and preserve existing housing stock; and

**WHEREAS**, Throughout the year, NCL creates awareness of historic preservation through the Holiday Candlelight Tour, Annual Preservation Awards, walking and biking tours of historic areas as well as the creation of the Ten Threatened Treasures list of endangered historic places facing potential demolition: and

**WHEREAS**, NCL provides high school scholarships to seniors to promote interest in Napa County history in our local youth as well as distributes *A Napa Coloring Book* free to all third graders in Napa County; and

**Whereas**, NCL recognizes Napa County preservation through the Preservationist of the Year award and Awards of Merit to honor those who restore, rehabilitate or adapt an historic resource for continued use; and

**NOW, THEREFORE I**, Leon Garcia, Mayor of the City of American Canyon, on behalf of the American Canyon City Council, do hereby proclaim, May, as Historic Preservation Month and call on our citizens to support preservation and Napa County Landmarks efforts to preserve the rich history of Napa County.

Dated: May 2, 2023

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Leon Garcia, Mayor

# CITY OF AMERICAN CANYON PROCLAMATION



## Mental Health Matters Month May 2023

**WHEREAS**, half of the population will experience some type of mental health challenge over the course of a lifetime; and

**WHEREAS**, 64% of individuals who screened as “at risk” for mental health concerns had never received treatment or support before and data highlighted how profoundly mental health concerns impacted individuals based on their racial and ethnic groups; and

**WHEREAS**, the Mental Health Division seeks to reduce barriers to access, improve community engagement that ensures culturally and linguistically competent care to diverse Napa County communities through culturally competent services and policies; and

**WHEREAS**, the Mental Health Plan works to eliminate disparities in services and increase education about mental illness, Napa County service providers are to be commended for their community collaborative approach when working with individuals in need; and

**WHEREAS**, a holistic approach to services which includes prevention, early intervention and wrap around services is an effective way to meet the needs of individuals at risk of developing mental health issues, individuals who are experiencing early onset of the symptoms of mental illness, or individuals with serious mental illness or severe emotional disturbance; and

**WHEREAS**, creating a community where everyone feels comfortable reaching out for the support they deserve is crucial to ending the stigma around mental health; and treating individuals with mental illness with respect is of immense importance.

**NOW, THEREFORE, BE IT RESOLVED** that I, Mayor Leon Garcia, on behalf of the entire City Council, do hereby proclaim the Month of May as Mental Health Matters Month.

Date: May 2, 2023

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Leon Garcia, Mayor

# CITY OF AMERICAN CANYON PROCLAMATION



## Asian American and Native Hawaiian/Pacific Islander Heritage Month May 2023

**WHEREAS**, this May, during Asian American and Native Hawaiian/Pacific Islander Heritage Month, we recognize the history and achievements of Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs) across our Nation. We reflect on the tradition of leadership, resilience, and courage shown by AANHPI communities, and recommit to the struggle for AANHPI equity; and

**WHEREAS**, our city is a diverse one - with Asian American/Pacific Islanders comprising 34.9% of American Canyon's total population, Latinx comprising 30.7%, Caucasian at 20.5% and Black/other 13.5%; and

**WHEREAS**, Asian Americans, and Native Hawaiians, and Pacific Islanders make our Nation more vibrant through diversity of cultures, languages, and religions. There is no single story of the AANHPI experience, but rather a diversity of contributions that enrich America's culture and society and strengthen the United States' role as a global leader. The American story as we know it would be impossible without the strength, contributions, and legacies of AANHPIs who have helped build and unite this country in each successive generation; and

**WHEREAS**, despite the strength shown and successes achieved, AANHPI communities face systemic barriers to economic justice, health equity, educational attainment, and personal safety. We recognize the heightened fear felt by many Asian American communities in the wake of increasing rates of anti-Asian harassment and violence. We will continue to stand shoulder to shoulder with AANHPI citizens of our community in condemning, denouncing, and preventing these acts of violence. We will continue to look for opportunities to heal together and fight against all racism; and

**WHEREAS**, we affirm that Asian Americans, Native Hawaiians, and Pacific Islanders make our community stronger. We urge our friends, neighbors and people in our community to join us this month in celebrating AANHPI history, people, and cultures; and

**NOW, THEREFORE, I**, Mayor Leon Garcia, on behalf of the City of American Canyon, do hereby proclaim May 2023 as Asian American and Native Hawaiian/Pacific Islander Heritage Month. I call upon the people of American Canyon to learn more about the history of Asian Americans, Native Hawaiians, and Pacific Islanders, and to observe this month with appropriate programs and activities.

Dated: May 2, 2023

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Leon Garcia, Mayor

# CITY OF AMERICAN CANYON PROCLAMATION



## **54th ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK April 30 - May 6, 2023**

**Whereas,** The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

**Whereas,** The Office of the Professional Municipal Clerk is the oldest among public servants, and

**Whereas,** The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**Whereas,** Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**Whereas,** The Professional Municipal Clerk serves as the information center on functions of local government and community.

**Whereas,** Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

**Whereas,** It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

**Now, Therefore, I,** Leon Garcia, Mayor of the City of American Canyon, on behalf of the American Canyon City Council, do recognize the week of April 30 through May 6, 2023, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerks, City Clerk Taresa Geilfuss and Deputy City Clerk Cherri Walton and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**Dated: May 2, 2023**

\_\_\_\_\_  
**Leon Garcia, Mayor**



**TITLE**

[City Council Minutes of April 18, 2023](#)

**RECOMMENDATION**

Approve the minutes of the Regular City Council meeting of April 18, 2023.

**ATTACHMENTS:**

[Minutes of April 18, 2023.pdf](#)

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

**ACTION MINUTES**

*April 18, 2023*

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**5:30 P.M. – CLOSED SESSION**

**CALL TO ORDER - CLOSED SESSION**

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

**CALL TO ORDER - CLOSED SESSION**

**ROLL CALL - CLOSED SESSION**

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

**Absent:** None

**Excused:** None

**PUBLIC COMMENTS - CLOSED SESSION ITEMS**

Mayor Garcia opened the public comments for closed session items. Written comments: none. Oral comments: none. The public comments period was closed.

**MEETING RECESS - COUNCIL TO CONVENE IN CLOSED SESSION**

The open session was recessed to reconvene in closed session at 5:31 p.m.

**5:30 P.M. CLOSED SESSION ITEMS**

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

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

American Canyon I, LLC vs. Napa Unified School District (Napa Superior Court Case No. 22CV001145).

City of American Canyon v. City of Vallejo, et al. (Sacramento Superior Court Case No. 34-2022-00327471).

City of American Canyon v. Leon Dale Schmidt, Napa County Superior Court Case No. 22CV001041

3. Threat to Public Services of Facilities - Pursuant to Government Code 54957(a)  
Consultation with: Jason B. Holley, City Manager/Director of Emergency Services & William D. Ross, City Attorney

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

### **CALL TO ORDER - COUNCIL TO RECONVENE IN OPEN SESSION**

The Council reconvened in open session with a called to order at 6:32 p.m.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **ROLL CALL - OPEN SESSION**

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

**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 5:32 p.m. Closed session adjourned at 6:15 p.m. A written report will be provided.

## **PROCLAMATIONS AND PRESENTATIONS**

### **4. Proclamation - National Building Safety Month**

Mayor Garcia announced the proclamation. It was received by Community Development Director Brent Cooper with Permit Technician Laura Welch and Administrative Technician Nicolle Hall.

### **5. Proclamation - National Volunteers Week April 16th-22nd, 2023**

Mayor Garcia announced the proclamation. It was received by Adrian Peet and Cheryl Jackson-Peet.

### **6. Proclamation - Nation Earth Day, April 22, 2023**

Mayor Garcia announced the proclamation. It was received by Janelle Sellick with other members of the American Canyon Arts Foundation.

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

Mayor Garcia called for public comments. Written comments: none. Oral comments: Hassan Khattak was called to speak; Sindy Biederman was called to speak; Karina Servente was called to speak. The public comments period was closed.

## **AGENDA CHANGES**

There were no changes to the agenda.

## **CONSENT CALENDAR**

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

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

**Nays:** None

**Abstain:** None

**Absent:** None

**Excused:** None

### **7. Minutes of Regular City Council Meeting of April 4, 2023**

**Action:** Approved the minutes of the City Council Meeting of April 4, 2023.

### **8. Report Upon Return from Closed Session**

**Action:** Approved the Report Upon Return from Closed Session from the Regular City Council Meeting of April 4, 2023.

### **9. 6th Cycle Housing Element Municipal Code Implementation**

**Action:** Waived second reading, read by title only, and adopted Ordinance 2023--03 by the City Council of the City of American Canyon amending the American Canyon Municipal Code Chapter 19.38 "Emergency Shelters"; and Chapter 19.39 "Accessory Dwelling Units" consistent with current State Law.

### **10. Circle K Gas Station Off-Site Public Improvements**

**Action:** Adopted Resolution 2023-26 of the City Council of the City of American Canyon accepting the Off-Site Public Improvements associated with the Circle K Gas Station Project (Agreement 2023-11-R).

### **11. BPR Consulting Group Permit Technician Contract Amendment and Extension**

**Action:** Adopted Resolution 2023-27 of the City Council of the City of American Canyon approving Amendment 1 (Agreement 2023-37) to Agreement 2022-A136 with BPR Consulting Group Permit Technician services to increase the total contract amount by \$157,500 to an amount not to exceed \$207,500, extend the contract term to June 30, 2024, and amend the Fiscal Year 2022/23 budget to account for the additional contract cost during the current fiscal year.

## 12. Annual 2022 General Plan Annual Progress Report

**Action:** Received and filed the 2022 General Plan Annual Progress Report.

## 13. Credit Card Processing Fees

**Action:** Approve changes to the City's credit card processing practices (Minute Order 2023-10) so that fees will no longer be absorbed by the city and instead passed through to end users.

## PUBLIC HEARINGS

### 14. Summary Vacation of Easement

Council received a staff report from Public Works Director Erica Ahman Smithies. Mayor Garcia called for public comments. Written comments: none. Oral comments: none. The public comments period was closed.

**Action:** Motion to adopt Resolution 2023-28 of the City Council of the City of American Canyon, authorizing the City Manager to summarily vacate the 25-foot-wide water easement (Agreement 2023-12-R), containing 61,924 square feet described in Exhibit A, Parcel B, in Resolution 2009-08 made by Councilmember David Oro, seconded by Councilmember Mark Joseph, and CARRIED by roll call vote.

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

**Nays:** None

**Abstain:** None

**Absent:** None

**Excused:** None

Councilmember Mariam Aboudamous left the meeting at 7:10 p.m.

### 15. Speed Survey Update

Council received a staff report from Public Works Director Erica Ahman Smithies with consultant Ashlee Takushi available for questions. Mayor Garcia opened the public hearing and called for public comments. Written comments: Carlotta Sainato. Oral comments: Cindy Biederman was called to speak. Public comments and the public hearing were closed.

**Action:** Motion to adopt Resolution 2023-29 approving the 2022 Engineering and Traffic Surveys and the Speed Limit recommendations therein and directing the City Clerk to file the Report with the Napa County Traffic Court made by Councilmember David Oro, seconded by Vice Mayor Pierre Washington, and CARRIED by roll call vote.

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

**Nays:** None

**Abstain:** None

**Absent:** Councilmember Mariam Aboudamous

**Excused:** None

**Action:** Motion to waive first reading, read by title only, and introduce an Ordinance amending Title 10 - Vehicles and Traffic, Chapter 10.56 Speed Limits of the American Canyon Municipal Code made by Councilmember David Oro, seconded by Councilmember Mark Joseph, and CARRIED by roll call vote.

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

**Nays:** None

**Abstain:** None

**Absent:** Councilmember Mariam Aboudamous

**Excused:** None

## **BUSINESS**

### **16. Parks and Recreation Department User Fee Schedule**

Council received a staff report from Parks & Recreation Director Alexandra Ikeda. Mayor Garcia called for public comments. Written comments: Cathy Margolati. Oral comments: Fran Lemos was called to speak. The public comments period was closed.

**Action:** Motion to adopt Resolution 2023-30 to amend the Parks and Recreation User Fee Schedule to update and establish new user fees for the performance of various Parks and Recreation Department services made by Vice Mayor Pierre Washington, seconded by Councilmember David Oro, and CARRIED by roll call vote.

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

**Nays:** None

**Abstain:** None

**Absent:** Councilmember Mariam Aboudamous

**Excused:** None

### **17. Annual Communications Report**

Council received a staff report from Communications Manager Jen Kansanback. Mayor Garcia called for public comments. Written comments: none. Oral comments: Beth Marcus was called to speak. The public comments period was closed.

## **MANAGEMENT AND STAFF ORAL REPORTS**

### **18. Maintenance and Utilities Department, Water Operations Update**

Council received a staff report and presentation from Water Systems Manager Dominic Patrick.

Parks & Recreation Director Alexandra Ikeda provided updates.

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

### **19. Future Agenda Items of Note:**

May 2, 2023

Municipal Clerk Week

Earth Day

Older Americans Month

Mental Health Month

Bike Month

Secondhand Smoke Prohibition

Kids Commerce Business License Fee Waiver

Facility Rental Insurance

May 16, 2023

Memorial Day

Public Works Week

National Building Safety Month

Safe Gun Storage Ordinance

LLAD Draft Engineers Report

Proposed FY 23/24 Budget

June 6, 2023

Juneteenth

LGBTQ Pride Month

Philippine Cultural Month

Final FY 23/24 Budget

LLAD Annual Budget

### **20. Council Committee Report - Councilmember Mark Joseph**

Councilmembers discussed future agenda items.

## **ADJOURNMENT**

The meeting was adjourned at 9:28 p.m.

## **CERTIFICATION**

Respectfully Submitted,

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Taresa Geilfuss, CMC, City Clerk



## **TITLE**

Contract Amendment #8 Brightview Landscape

## **RECOMMENDATION**

Adopt a Resolution authorizing the City Manager to execute Amendment 8 to Agreement 2017-111 with BrightView Landscape Services in the amount of \$21,012 for a total contract amount not to exceed \$2,605,011 for ongoing landscape maintenance for the new Devlin Road Extension.

## **CONTACT**

Felix Hernandez, III, Maintenance and Utilities Director  
Brian Materne, Maintenance and Utilities Superintendent

## **BACKGROUND & ANALYSIS**

On July 1, 2017, the city hired Coast Landscape Management (now known as BrightView Landscape Services) to provide contracted landscape maintenance services (Agreement 2017-111, Resolution 2017-53). Subsequently, seven (7) additional amendments have added additional scope of work.

On July 2, 2019, the council approved Amendment 4 (Resolution 2019-57) which extended the contract term through June 30, 2020. On July 21, 2020, the council approved Amendment 6 (Resolution 2020-70) which extended the contract an additional four (4) years through June 30, 2024.

In response to request from the property owners, BrightView propose to increase the frequency of weed and litter control to (3) times per week for LLAD Zone Three (Napa Junction). Amendment 7 (Attachment 2) increases the level of service for ongoing maintenance for LLAD Zone 3 (Napa Junction Mixed-Use) for Fiscal Years 2021/22 through 2023/24 congruent with Amendment 6 to include an inflation adjustment of 2% minimum to 4% maximum for subsequent Fiscal Years for a total contract amount not to exceed \$2,583,999.

The city has extended Devlin Road to the north creating new areas within our city limits that need landscaping services. On November 18, 2022, Public Works did a "Notice of Completion" for the Devlin Road and Vine Trail Extension Project (#TR14-0100) Resolution 2022-93. Landscaping

Services was transferred in March 2023 to the Parks Maintenance Division of the Maintenance and Utilities Department. BrightView Landscaping Service was the lowest estimate for monthly services.

Amendment #8 is for ongoing maintenance for the Devlin Road for the last 4 months of FY 2022/23 through FY 2023/24 congruent with Amendment #6 to include an inflation adjustment of 2% minimum to 4% maximum for subsequent Fiscal Years. FY 2022/23 cost \$5,100 and FY 2023/24 cost is \$15,912 for a total increase of \$21,012 bringing the total contract amount not to exceed \$2,605,011.

### **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

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

### **FISCAL IMPACT**

Sufficient funds exist in the FY 2022/23 Budget, Fund 281 account 281-85-460-42190 in the amount of \$16,000.00, and Fund 100 account 100-40-540-42310 in the amount of \$5,012.00.

### **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 BrightView](#)
- [2. Amendment 8 Brightview](#)

**RESOLUTION NO. 2023-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT 8 TO AGREEMENT 2007-A111 WITH BRIGHTVIEW LANDSCAPING SERVICE IN THE AMOUNT OF \$21,012.00 AND A TOTAL CONTRACT AMOUNT OF \$2,605,011, FOR ANNUAL ONGOING LANDSCAPE MAINTENANCE SERVICES**

**WHEREAS**, utilizing contract landscape maintenance firms is a cost-effective way to maintain parks and landscaped areas in Landscaping and Lighting Assessment Districts and other citywide locations; and

**WHEREAS**, in 2017 the City re-bid and awarded the Landscape Maintenance Services Contract (Agreement 2017-A111) to Coast Landscape (now known as BrightView Landscape Services) as the lowest responsive bidder; and

**WHEREAS**, on July 21, 2020, the council approved Amendment 4 (Resolution 2020-70) which extended the contract term through June 30, 2024; and

**WHEREAS**, the City has extended Devlin Road to the north creating new areas within our city limits that need landscaping services; and

**WHEREAS**, BrightView Landscaping Service was the lowest estimate for monthly services; and

**WHEREAS**, sufficient funds exist in FY 2022/23 and FY 2023/24 in Fund 281 account 281-85-460-42190 in the amount of \$16,000.00, the remaining balance would be taken from Parks Division (Repairs and Maintenance) 100-40-540-42310.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of American Canyon hereby authorize the City Manager to execute Amendment 8 to Agreement 2017-A111 with BrightView Landscaping in the amount of \$21,012.00 for a total contract amount not to exceed \$2,605,011.00.

**PASSED, APPROVED and ADOPTED** at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 2<sup>nd</sup> day of May, 2023 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

**CITY OF AMERICAN CANYON AGREEMENT NO. 2023-\_\_\_\_\_**

**AMENDMENT #8 TO AGREEMENT NO. 2021-A111 TO THE  
CITY OF AMERICAN CANYON STANDARD AGREEMENT FOR INDEPENDENT  
CONTRACTOR SERVICES WITH BRIGHTVIEW LANDSCAPING SERVICES**

**RECITALS**

1. The City of American Canyon (“CITY”) and Brightview Landscape (“CONTRACTOR”) have entered into an Agreement dated July 1, 2017.
2. The Agreement provides for amendments to perform specific tasks under a specific scope of services that may arise during the term of the agreement.

**NOW, THEREFORE, CITY and CONTRACTOR** agree as follows:

**1.00 SERVICES AND COMPENSATION**

CONTRACTOR agrees to provide services as listed in Attachment “A” to increase the contract amount for FY 2022/2023 in the amount of \$5,100.00 and FY 2023/2024 in the amount of \$15,912.00 for a total increase of \$21,012.00 for Devlin Road landscape services for a total not to exceed contract amount of \$2,605,011.00.

**2.00 REMAINING PROVISIONS**

All other terms of the August 9, 2021 Agreement remain in full force and effect.

**Executed on \_\_\_\_\_, 2023** at American Canyon, California.

**CITY:**

**CONTRACTOR:**

By: \_\_\_\_\_  
Jason B. Holley  
City Manager

By: \_\_\_\_\_  
Fairlight Beard  
General Manager



## **TITLE**

Title 10 – Vehicles and Traffic, Chapter 10.56 Speed Limits Code Update

## **RECOMMENDATION**

Waive second reading, read by title only, and adopt an Ordinance amending Title 10 – Vehicles and Traffic, Chapter 10.56 Speed Limits of the American Canyon Municipal Code.

## **CONTACT**

Erica Ahmann Smithies, P.E., Public Works Director

## **BACKGROUND & ANALYSIS**

Maintaining vehicle speed enforcement is a key component in ensuring our neighborhood streets remain safe. The posted Speed Limits are not enforceable without a valid (i.e. current) Engineering and Traffic Safety Report.

Most streets in American Canyon are classified as local streets because they typically have low vehicle volumes and speeds. These roads have an automatic (or prima facie) Speed Limit of 25 mph, regardless of whether or not a Speed Limit sign is posted. Special areas around sensitive populations (such as schools) also have a prima facie speed limit of 25 mph.

Larger, high-volume City streets (such as collectors and arterials) have a prima facie Speed Limit of 55 mph. However, California Vehicle Code (CVC) also prohibits driving a vehicle on these streets "... at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property".

Because the reasonable and prudent standard is subjective, the State Legislature requires an Engineering and Traffic Survey (ETS) be conducted to substantiate a lower speed limit. A Survey is required to guard against cities tendency to create speed traps in order to generate revenue from unsuspecting motorists.

Specifically, CVC §40802 et seq. requires an ETS to be conducted every five to ten years to determine the prevailing speed (or 85th percentile speed). The prevailing speed is that which 85% of motorists are measured when driving safely (i.e. reasonable and prudent). It can vary over time

depending upon site conditions. Most often, the measured prevailing speed becomes the posted Speed Limit. However, the prevailing speed may be adjusted downward to a lower Speed Limit.

The maximum Speed Limit reduction is 5 mph (below the prevailing speed). This reduction can only be based upon engineering judgement of “conditions not readily apparent to the driver” (e.g. presence of pedestrians and collision rates). Said differently, the City cannot arbitrarily pick a lower Speed Limit; rather, it measures the speeds of the (mostly) safe vehicles, and then it can enforce those limits on all drivers. Further explanation of this rationale is shown in Attachment 3 and a summary of recommended Speed Limits is shown in the table below:

ID	Roadway	Segment	Current Speed Limit (mph)	Recommended Speed Limit (mph)
1	Green Island Road	Mezzetta Court to SR 29	40	40
2	Eucalyptus Drive	Wetlands Edge Road to Donaldson Way	35	30
3	Benton Way	Wetlands Edge Road to Donaldson Way	25	25
4	Donaldson Way West	Donaldson Way to SR 29	25	25
5	Donaldson Way East	SR 29 to Newell Drive	25	25
6	West American Canyon Road	Wetlands Edge Road to James Road	40	35
7	Kimberly Drive	Meadow Bay Drive to SR 29	25	25
8	Wetlands Edge Road	Eucalyptus Drive to Kensington Drive	25	25
9	Hummingbird Way	Benton Way to West American Canyon Road	25	25
10	Donaldson Way	Eucalyptus Drive to Benton Way	25	25
11	Elliot Drive	Benton Way to West American Canyon Road	30	25
12	Elliot Drive	West American Canyon Road and Marla Drive	25	25

13	James Road	Wilson Way to West American Canyon Road	25	25
14	Danrose Drive	West American Canyon Road to Mini Drive	25	25
15	Broadway Street	American Canyon Road to Mini Drive	30	30
16	Newell Drive	Northern Newell Open Space Extends to American Canyon Road	35	30
17	Flosden Road	American Canyon Road to Southern City Limits	45	40
18	American Canyon Road East	Broadway Street to Eastern City Limits	45	40

In October 2022, the City initiated the new ETS for City streets (locations 1-18 above) to help law enforcement’s ability to enforce posted Speed Limits. The ETS was completed under the direction of a Professional Traffic Engineer (Fehr and Peers) and the Public Works Director. It includes speed survey data, traffic volume counts, and accident history for the selected streets. This data was considered along with roadway characteristics, adjacent land uses, side street traffic, and sight distances in recommending appropriate posted speeds.

Based on the analysis in the ETS report, the recommendations were to maintain the existing speed limits for all roadway segments except for Segment 2, Segment 3, Segment 6, Segment 11, Segment 12, Segment 16, Segment 17 and Segment 18 outlined in the above table where a speed limit reduction of 5 mph is recommended. Additional details including a comparison of the 2016/2017 ETS report are also provided in the 2022 ETS report.

On April 18, 2023, City Council approved the 2022 Engineering and Traffic Surveys report and the recommended Speed Limits therein and directed the City Clerk to file the report with the Napa County Traffic Court.

**COUNCIL PRIORITY PROGRAMS AND PROJECTS**

Public Safety: "Ensure American Canyon remains a safe community."

**FISCAL IMPACT**

There is no direct financial impact to the City in approving the report.

**ENVIRONMENTAL REVIEW**

The approval of the 2022 ETS is a Class 21 Categorical Exemption under CEQA Guidelines Section 15321 (b), Enforcement Actions by Regulatory Agencies.

**ATTACHMENTS:**

1. [Ordinance - Chapter 10.56 Speed Limits](#)
2. [Speed Survey Report April 2023](#)

**ORDINANCE NO. 2023-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AMENDING CHAPTER 10.56 SPEED LIMITS, TITLE 10 – VEHICLES AND TRAFFIC OF THE AMERICAN CANYON MUNICIPAL CODE**

**WHEREAS**, State law establishes prima facie speeds limits of 25 mph and 55 mph on certain City streets but allows the City to set lower prima facie speed limits based upon recommendations from an Engineering and Traffic Survey; and upon adoption by ordinance of the City and posting of such limits on the street thereon; and; and

**WHEREAS**, Engineering and Traffic Surveys are valid up to ten years depending upon site conditions and law enforcement personnel training and any recommendations for a lower prima facie speed limit must be adopted by ordinance; and

**WHEREAS**, the City commissioned the 2022 Engineering and Traffic Surveys Report prepared by Fehr and Peers on April 2023; and

**WHEREAS**, the 2022 Engineering and Traffic Surveys Report was prepared under the direction of a Professional Traffic Engineer based upon speed survey data, traffic volume counts, accident reports, roadway characteristics, adjacent land uses, side street traffic and sight distance for the selected streets and include recommendations for Speed Limits; and

**WHEREAS**, the Public Works Director, the Fire Chief, and the Police Chief agree with the recommendations in the 2022 Engineering and Traffic Surveys Report.

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

**SECTION 1:** Chapter 10.56 Speed Limits, Title 10 vehicles and Traffic of the American Canyon Municipal Code is superseded and replaced with:

<b>ID</b>	<b>Roadway</b>	<b>Segment</b>	<b>Current Speed Limit (mph)</b>	<b>Recommended Speed Limit (mph)</b>
1	Green Island Road	Mezzetta Court to SR 29	40	40
2	Eucalyptus Drive	Wetlands Edge Road to Donaldson Way	35	30
3	Benton Way	Wetlands Edge Road to Donaldson Way	25	25
4	Donaldson Way West	Donaldson Way to SR 29	25	25
5	Donaldson Way East	SR 29 to Newell Drive	25	25
6	West American Canyon Road	Wetlands Edge Road to James Road	40	35
7	Kimberly Drive	Meadow Bay Drive to SR 29	25	25

8	Wetlands Edge Road	Eucalyptus Drive to Kensington Way	25	25
9	Hummingbird Way	Benton Way to West American Canyon Road	25	25
10	Donaldson Way	Eucalyptus Drive to Benton Way	25	25
11	Elliott Drive	Benton Way to West American Road	30	25
12	Elliott Drive	West American Canyon Road and Marla Drive	25	25
13	James Road	Wilson Way to West American Canyon Road	25	25
14	Danrose Drive	West American Canyon Road to Mini Drive	25	25
15	Broadway Street	American Canyon Road to Mini Drive	30	30
16	Newell Drive	Northern Newell Open Space Extends to American Canyon Road	35	30
17	Flosden Road	American Canyon Road to Southern City Limits	45	40
18	American Canyon Road East	Broadway Street to Eastern City limits	45	40

**SECTION 2:**

The Ordinance shall take effect 30 days from adoption.

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 18<sup>th</sup> day of April, 2023, 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 2<sup>nd</sup> day of May, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Taresa Geilfuss, CMC, City Clerk

\_\_\_\_\_  
William D. Ross, City Attorney

# **City of American Canyon – 2022 Engineering and Traffic Survey**

Prepared for:  
City of American Canyon

April 2023

WC22-3928

FEHR  PEERS

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# Executive Summary

This report presents the results of an engineering and traffic survey analysis completed in the City of American Canyon, California. This study analyzes the appropriateness of posted speed limits on 18 roadway segments within the American Canyon City limits. Speed limits for the roadway segments were evaluated and compared to the 85<sup>th</sup> percentile speed to make recommendations on whether the speed limit is appropriate and can be radar enforced per California law. Locations where the 85<sup>th</sup> percentile speed deviates from the posted speed limit by at least 2.5 miles per hour were analyzed in more detail. Additionally, in October 2021, Assembly Bill 43 (AB 43) was signed by the Governor and in September 2022, Assembly Bill 1938 (AB 1938) became law. Both Assembly Bills authorize local authorities to consider the safety of vulnerable users such as pedestrians, bicyclists, and those who roll (wheelchair users, scooters, etc.) when setting speed limits. With these Assembly Bills in place, local authorities have additional justification to lower speed limits in combination with other improvements to manage speeds. These redundancies in implementation on our roadway system to reduce fatal and severe injuries are in line with the national and state level adoption of the Safe System Approach.

The Safe System Approach is based on the premise that death and severe injury due to collisions is unacceptable on our roadways, and we have a shared responsibility to prevent these tragic events from occurring. The adoption of the lower speed limit settings from AB 43 and AB 1938 promotes the reduction in speeds in areas where there is potential for more multimodal activity. Lowering speeds of vehicles helps to reduce the kinetic energy between vehicles, pedestrians, and bicyclists when a crash does occur, reducing the outcome of a fatal or severe injury.

Overall, the observed 85<sup>th</sup> percentile speeds have slightly increased as compared to the data from the 2016/2017 Speed Surveys. Speeds have increased in one or both directions on 8 of the 16 roadway segments (50%) and decreased or stayed the same on 8 roadway segments. One new segment (Kimberly Drive) was added to this speed survey and has no recorded 2016/2017 speed data. The following road segments have 85<sup>th</sup> percentile speeds that are 10 mph or more above the current posted speed limit:

- Kimberly Drive from Meadow Bay Drive to SR 29 (Segment 7)
- Elliot Drive from West American Canyon Road to Marla Drive (Segment 12)
- Broadway Street from American Canyon Road East to Mini Drive (Segment 15)

The California Vehicle Code (CVC) and Manual on Uniform Traffic Control Devices (MUTCD) allow consideration of other factors besides the 85<sup>th</sup> percentile speed when setting posted speed limits. These factors include existing roadway conditions (e.g., pavement width), on-street residential density, pedestrian and bicycle safety, and speed-related collision data. Further, the adoption of AB 43 and AB 1938 allows local

jurisdictions to also consider surrounding land use contexts such as schools, senior zones, and business activity districts. Incorporating these factors into the speed survey evaluation, we recommend the existing speed limits be maintained on all but five study roadway segments in the City of American Canyon.

We recommend the City reduce the posted speed limit on the following roadway segment from 45 mph to 40 mph:

- Flosden Road from American Canyon Road East to the Southern City Limits (Segment 17)
- American Canyon Road East from Broadway Street to the Eastern City Limits (Segment 18)

We recommend the City reduce the posted speed limit on the following roadway segment from 40 mph to 35 mph:

- West American Canyon Road from Wetlands Edge Road to James Road (Segment 6)

We recommend the City reduce the posted speed limit on the following two roadway segments from 35 mph to 30 mph:

- Eucalyptus Drive from Wetlands Edge Road to Donaldson Way (Segment 2)
- Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East (Segment 16)

The recommendation for these segments comes from the need for reducing speeds around school zones. We recommend the City implement a 25 miles per hour speed limit within 500 to 1,000 feet of a school zone. Outside of this zone, the segments are recommended to be 30 mph.

We recommend the City reduce the posted speed limit on the following roadway segment from 30 mph to 25 mph:

- Elliot Drive from Benton Way to West American Canyon Road (Segment 11)

We recommend the City reduce the posted speed limit on the following roadway segment from 25 mph to 15 mph:

- Benton Way from Wetlands Edge Road to Donaldson Way (Segment 3)

The recommendation for this segment comes from the need for reducing speeds around school zones and community amenities such as the American Canyon Community Center, Phillip West Aquatic Center, the Boys and Girls Club, and the Community Park 2. AB 321, adopted in 2008, allows local government to lower the speed limit at schools to a 15 mile per hour speed limit within 500 to 1,000 feet of a school zone. Outside of the school zone, the segment is recommended to remain at 25 mph.

The City should continue to monitor speeds on the following eight roadway segments and implement traffic calming measures to reduce the 85<sup>th</sup> percentile speeds. These roadways have been prioritized into Three Tiers in which the City should consider installing traffic calming improvements, with Tier I being the highest priority:

Tier I

- Kimberly Drive from Meadow Bay Drive to SR 29 (Segment 7)
- Elliot Drive from West American Canyon Road to Marla Drive (Segment 12)

Tier II

- Broadway Street from American Canyon Road East to Southern City Limits (Segment 15)

Tier III

- West American Canyon Road from Wetlands Edge Road to James Road (Segment 6)
- Flosden Road from American Canyon Road East to the Southern City Limits (Segment 17)
- American Canyon Road East from Broadway Street to the Eastern City Limits (Segment 18)

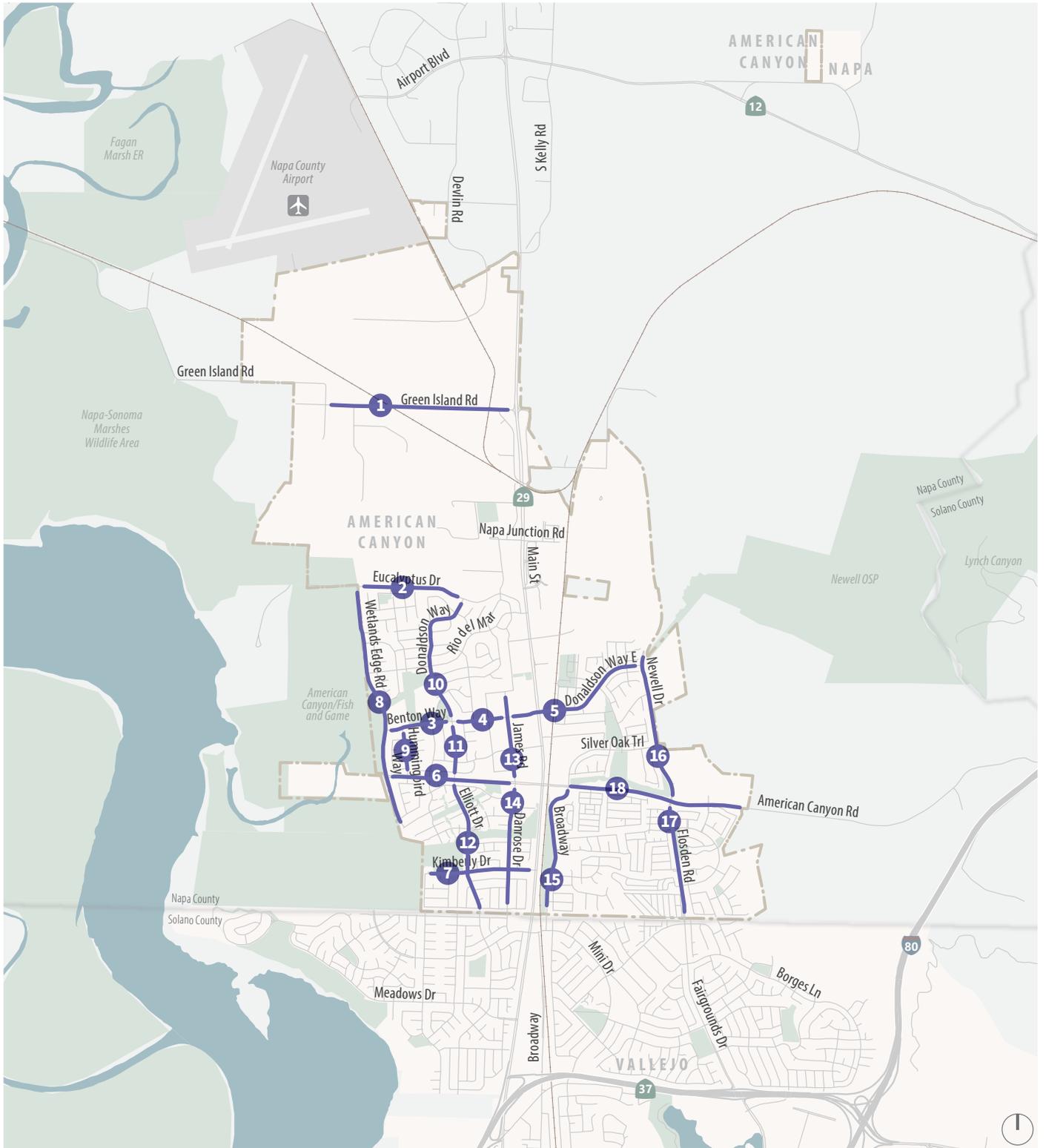
# 1. Introduction

This report presents the speed survey analysis completed in the City of American Canyon, California. This study analyzes the appropriateness of posted speed limits on various roadway segments within City limits based on the laws and regulations defined in the California Vehicle Code Division 11, Chapter 7. Speed limits for the roadway segments were evaluated and compared to the 85<sup>th</sup> percentile speed to make recommendations on whether the speed limit is appropriate. Locations where the 85<sup>th</sup> percentile speed deviates from the posted speed limit by at least 2.5 miles per hour were analyzed in more detail. The analysis evaluated the operations of the following 18 roadway segments, which are shown on **Figure 1**:

1. Green Island Road from Mezzetta Court to SR 29
2. Eucalyptus Drive from Wetlands Edge Road to Donaldson Way
3. Benton Way from Wetlands Edge Road and Donaldson Way
4. Donaldson Way West from Donaldson Way to SR 29
5. Donaldson Way East from SR 29 to Newell Drive
6. West American Canyon Road from Wetlands Edge Road to James Road
7. Kimberly Drive from Meadow Bay Drive to SR 29
8. Wetlands Edge Road from Eucalyptus Drive to Kensington Way
9. Hummingbird Way from Benton Way to West American Canyon Road
10. Donaldson Way from Eucalyptus Drive to Benton Way
11. Elliot Drive from Benton Way to West American Canyon Road
12. Elliot Drive from West American Canyon Road to Marla Drive
13. James Road from Wilson Way to West American Canyon Road
14. Danrose Drive from West American Canyon Road to Mini Drive
15. Broadway Street from American Canyon Road East to Mini Drive
16. Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East
17. Flosden Road from American Canyon Road East to the Southern City Limits
18. American Canyon Road East from Broadway Street to the Eastern City Limits

The remainder of this report is divided into the following five chapters.

- **Chapter 2: Existing Roadway Network** describes existing speed limits, lane configurations, and collision data for the roadway segments analyzed.
- **Chapter 3: Average Daily Traffic Volumes** presents the average daily traffic volumes for the study roadway segments.
- **Chapter 4: Speed Survey Analysis** describes the methodology used for the speed survey and the data analysis.
- **Chapter 5: Comparison of 2022 Speeds to 2016/2017 Survey** compares the results of the 2022 speed survey to the results of the 2016 and 2017 speed surveys.
- **Chapter 6: Summary and Conclusion**



- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. Green Island Road from Mezzetta Court to SR 29</li> <li>2. Eucalyptus Drive from Wetlands Edge Road to Donaldson Way</li> <li>3. Benton Way from Wetlands Edge Road and Donaldson Way</li> <li>4. Donaldson Way West from Donaldson Way to SR 29</li> <li>5. Donaldson Way East from SR 29 to Newell Drive</li> <li>6. West American Canyon Road from Wetlands Edge Road to James Road</li> <li>7. Kimberly Drive from Meadow Bay Drive to SR 29</li> <li>8. Wetlands Edge Road from Eucalyptus Drive to Kensington Way</li> </ol> | <ol style="list-style-type: none"> <li>9. Hummingbird Way from Benton Way to West American Canyon Road</li> <li>10. Donaldson Way from Eucalyptus Drive to Benton Way</li> <li>11. Donaldson Way from Benton Way to West American Canyon Road</li> <li>12. Elliot Drive from West American Canyon Road to Marla Drive</li> <li>13. James Road from Wilson Way to West American Canyon Road</li> <li>14. Danrose Drive from West American Canyon Road to Mini Drive</li> <li>15. Broadway Street from American Canyon Road East to Mini Drive</li> <li>16. Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East</li> <li>17. Flosten Road from American Canyon Road East to the southern city limits</li> <li>18. American Canyon Road East from Broadway Street to eastern city limits</li> </ol> |
|--|--|



American Canyon City Limit
 
# Study Segment

WC22-3928\_1\_StudySegments

Figure 1  
Study Roadway Segments

## 2. Existing Roadway Network

This section describes the existing roadway facilities as noted in the City's Circulation Element and posted speed limits for the study segments.

### Roadway Network

The City of American Canyon and study roadway network are presented on **Figure 1**. West American Canyon Road, Newell Drive, and Flosden Road are major arterial roadways in the City serving the highest traffic volumes and have higher travel speeds. Local and collector streets in the survey include Green Island Road, Eucalyptus Drive, Benton Way, Donaldson Way, Kimberly Drive, Wetlands Edge Road, Hummingbird Way, Elliot Drive, James Road, Danrose Drive, and Broadway Street. All of these roadways are described in detail below. **Figure 2** presents the posted speed limits on the study roadway network. **Figure 3** presents the City's schools and Safety Priority Locations identified in the LRSP.

**Green Island Road** is a two-lane, east-west collector that terminates in the west and extends to SR 29 in the east. The posted speed limit on Green Island Road is 40 miles per hour east of Mezzetta Court and 25 miles per hour west of Mezzetta Court. Parking is prohibited on both sides of the street west of Mezzetta Court and on the south side of the street east of Mezzetta Court. The segment between Mezzetta Court and SR 29 has discontinuous sidewalks on the north side of the street and no bicycle facilities.

**Eucalyptus Drive** is a two-lane, east-west collector that terminates in the west and extends to Rio Del Mar in the east. The posted speed limit on Eucalyptus Drive is 35 miles per hour. The Class I path along the Napa Junction Elementary School frontage serves both pedestrians and bicyclists. The south side of the roadway has sidewalk from Wetlands Edge Road to Theresa Avenue.

**Benton Way** is a two-lane, east-west collector that terminates at Wetlands Edge Road in the west and Donaldson Way/Elliot Drive in the east. The posted speed limit on Benton Way is 25 miles per hour. This roadway has sidewalks and Class II bike lanes on both sides of the street. Between Wetlands Edge Road and Donaldson Way, Benton Way serves American Canyon Middle School, the Boys and Girls Club, American Canyon Co-Op Preschool, and the American Canyon Community Services.

**Donaldson Way West** is a two-lane, east-west collector that terminates at Donaldson Way/Elliot Drive in the west and SR 29 in the east. The posted speed limit on Donaldson Way is 25 miles per hour. Parking is prohibited on the south side of the street for 150 feet east of SR 29. This roadway has discontinuous sidewalks on both sides of the street. Donaldson Way West has Class II bike lanes on both sides west of Carolyn Drive and a Class III bike boulevard east of Carolyn Drive.

**Donaldson Way East** is a two-lane, east-west arterial that terminates at SR 29 in the west and Newell Drive in the east. The posted speed limit on Donaldson Way is 25 miles per hour between SR 29 and Tuscan Oak Trail and 30 miles per hour between Tuscan Oak Trail and Newell Drive. Parking is prohibited on the north side of the street west of Crestwood Lane and the south side between Tuscan Oak Trail and the American Canyon Police Department. This roadway has discontinuous sidewalks on both sides of the street and no bicycle facilities.

**West American Canyon Road** is a four-lane, east-west arterial that terminates at Wetlands Edge Road in the west and SR 29 in the east. The posted speed limit on West American Canyon Road is 40 miles per hour. Parking is prohibited along various segments on the south side of the road between Chaucer Lane and James Road. The segment between Wetlands Edge Road and James Road has continuous sidewalk along the south side of the street, but there is a 1,000-foot gap in the north side sidewalk west of James Road. Class II bike lanes are provided along both sides of West American Canyon Road.

**Kimberly Drive** is a two-lane, east-west collector that terminates at Meadow Bay Drive in the west and SR 29 in the east. The posted speed limit on Kimberly Drive is 25 miles per hour. This roadway has sidewalks on both sides of the street and discontinuous Class II bike lanes provided only between Elliot Drive and SR 29.

**Wetlands Edge Road** is a two-lane, north-south collector that terminates at Eucalyptus Drive in the north and Kensington Way in the south. The posted speed limit on Wetlands Edge Road is 25 miles per hour. Parking is prohibited on the west side of the road where parking is not designated. This roadway has a Class I path of the west side of the street, and sidewalks on the east side of the street.

**Hummingbird Way** is a two-lane, north-south local road that terminates at Benton Way in the north and West American Canyon Road in the south. The posted speed limit on Hummingbird Way is 25 miles per hour. This roadway has sidewalks on both sides of the street and no bicycle facilities.

**Donaldson Way** is a two-lane, north-south collector that terminates at Eucalyptus Drive in the north and Benton Way/Donaldson Way West in the south. The posted speed limit on Donaldson Way is 25 miles per hour. This roadway has sidewalks on both sides of the street and no bicycle facilities.

**Elliot Drive** is a two-lane, north-south collector that terminates at Benton Way/Donaldson Way West in the north and the City limits in the south. The posted speed limit on Elliot Drive is 30 miles per hour north of West American Canyon Road and 25 miles per hour south of West American Canyon Road. The segment between Benton Way and West American Canyon Road has sidewalks and Class II bike lanes on both sides of the street. The segment between West American Canyon Road and the City limits has sidewalks on both sides of the street and Class II bike lanes that terminate at the walking path near Linwood Park. Elliot Drive also serves the American Canyon Adult Activity Center.

**James Road** is a two-lane, north-south collector that terminates at Wilson Way in the north and West American Canyon Road in the south. The posted speed limit on James Road is 25 miles per hour. This roadway has sidewalks, with minor sidewalk gaps, on the east side of the street and no bicycle facilities.

**Danrose Drive** is a two-lane, north-south collector that terminates at West American Canyon Road in the north and Mini Drive in the south. The posted speed limit on Danrose Drive is 25 miles per hour. This roadway has sidewalks on both sides of the street and no bicycle facilities.

**Broadway Street** is a two-lane, north-south collector that terminates at American Canyon Road East in the north and Southern City Limits in the south. The posted speed limit on Broadway Street is 30 miles per hour north of Mini Drive. Parking is prohibited on both sides of the roadway along most of Broadway Street aside from near the Veterans Memorial Park and the American Canyon Dog Park. Sidewalks are provided along the west side of the roadway with portions of sidewalk being a Class I path. There are gaps in the sidewalk along the east side of the road. There is a discontinuous Class II bike lane on the east side of the street.

**Newell Drive** is a four-lane, north-south arterial that terminates at the northern Newell Open Space extents and American Canyon Road East in the south. The posted speed limit on Newell Drive is 35 miles per hour. Parking is prohibited on both sides of the roadway between American Canyon Road East and just north of Silver Oak Trail, near American Canyon High School. There are Class I paths along the west side of the street, and Class I paths along the east side of the street between the Silver Oak Trail in the north and American Canyon Road East in the south. No sidewalk is present on the east side of the street between the northern Newell Open Space extents and Silver Oak Trail.

**Flosden Road** is a four-lane, north-south arterial that terminates at American Canyon Road East in the north and Southern City Limits in the south. The posted speed limit on Flosden Road is 45 miles per hour. Parking is prohibited along various segment on both sides of the road. This roadway has sidewalks on both sides of the street and no bicycle facilities.

**American Canyon Road East** is a four-lane, east-west arterial west of Flosden Road and a two-lane road east of Flosden Road from SR 29 in the west to the city limits. The posted speed limit on American Canyon Road East is 45 miles per hour within the city limits. Parking is prohibited on the south side of the road between Broadway Street and Flosden Road. American Canyon Road East has continuous sidewalks along the south side west of Via Firenze and no bicycle facilities.

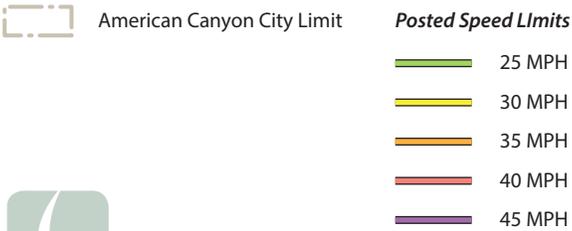


Figure 2

Posted Speed Limits



Figure 3

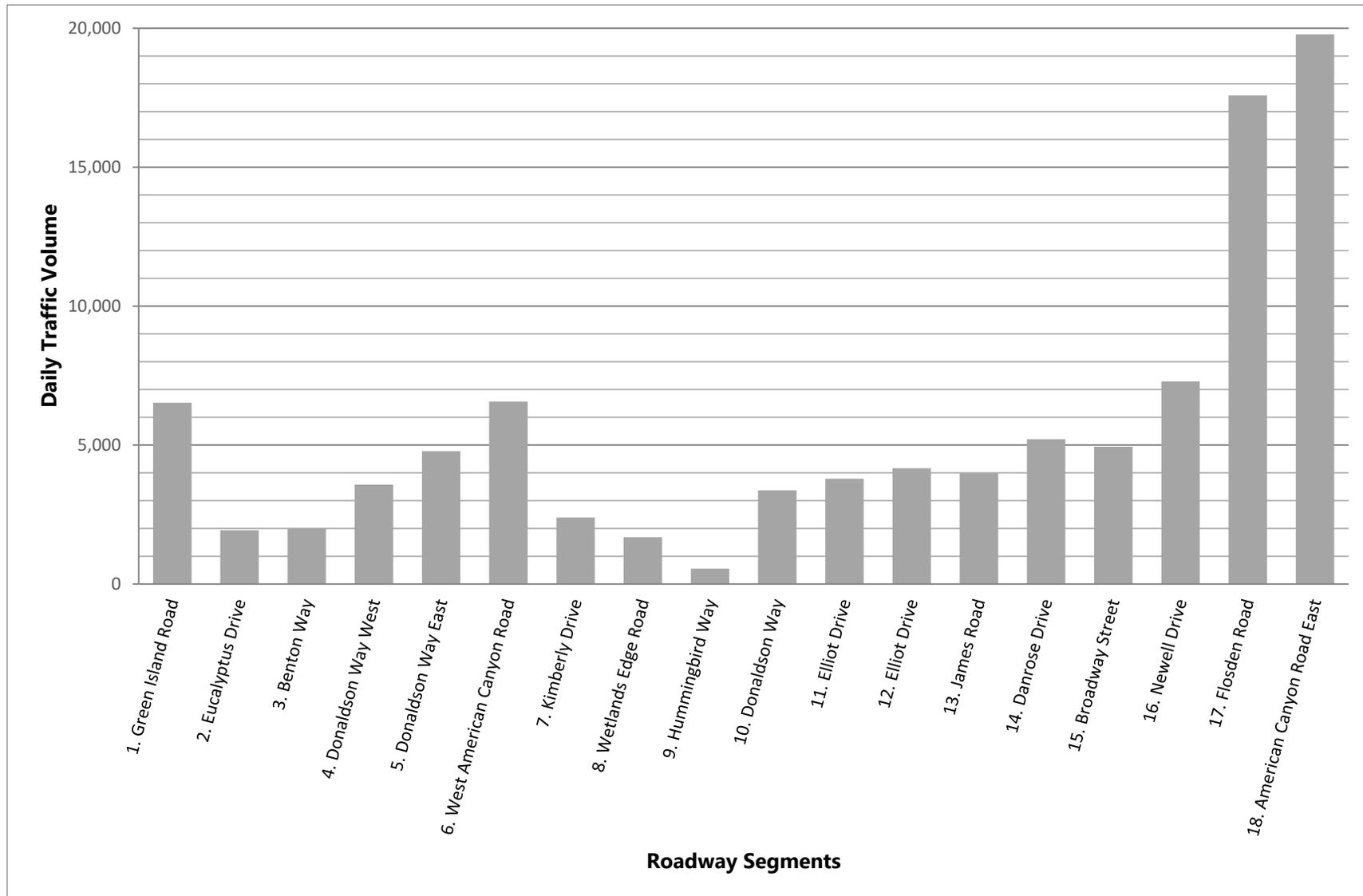
## Institutions, Community Centers, and Safety Priority Locations

### 3. Average Daily Traffic Volumes

This section of the report presents the Average Daily Traffic (ADT) volumes for the roadway segments analyzed for this report. Segment counts were taken in early October 2022. **Figure 4** graphically presents the ADT for the 18 study roadway segments analyzed.

All but two of the roadway segments analyzed in this report serve fewer than 10,000 ADT. Flosden Road between American Canyon Road East and the Southern City Limits serves an average of 17,600 vehicles per day. Flosden Road is another major arterial and connects to American Canyon Road East and the City of Vallejo; therefore, the higher volumes on this roadway are expected. American Canyon Road East between Broadway Street and the Eastern City Limits serves an average of 19,800 vehicles per day. American Canyon Road East is a major arterial in the City of American Canyon and connects to SR 29 and Flosden Road, so the higher volumes on this roadway are expected.

Figure 4: Average Daily Traffic Volumes (Bi-Directional)



## 4. Speed Survey Analysis

This section represents the results of a speed survey conducted in September 2022. The data from the survey is presented first, followed by the analysis of each segment. The key measure for analysis is the 85<sup>th</sup> percentile or critical speed of a roadway segment. The 85<sup>th</sup> percentile speed is that speed at which 85 percent of free-flowing vehicles are traveling at or below the posted speed limit. Special attention is paid to those roadway segments where the 85<sup>th</sup> percentile speed exceeds the posted speed limit by 2.5 miles per hour (mph) or greater.

**Appendix A** contains individual data sheets for all 18 roadway segments analyzed for the 2022 American Canyon Speed Survey.

### Data Collection

Speed surveys were conducted at 18 locations within the City of American Canyon. Some study roadways have multiple study segments to reflect the changes in posted speeds, traffic volumes, streets width or other significant factors that vary on a roadway. Automated machine equipment was used to capture existing average daily traffic (ADT) volumes. Per guidelines from the MUTCD, speeds for high-volume locations were collected with radar equipment. For those roadway segments that have lower roadway volumes that do not allow for effective radar observations, automated machine equipment that continually collects traffic data was used to capture observed travel speeds. The approximate locations of the volume data collection points are indicated in **Figure 1** and correspond with the location number indicator for each roadway segment. **Figure 5** and **Figure 6** visually show the 85<sup>th</sup> percentile speeds for the 18 study roadway segments analyzed.

Based on the speed survey analysis, the posted speed limit at each location was evaluated and recommendations made on whether the speed limit is appropriate. Specifically, the 85<sup>th</sup> percentile speed was used as a baseline comparison to the posted speed limit.

### California Vehicle Code

Division 11, Chapter 7, of the California Vehicle Code (CVC) defines the California Speed Laws (also known as Sections 22348-22413). Relevant sections of the CVC are used to determine speed limits in local jurisdictions are discussed below.

## Prima Facie Speed limits

Prima facie speed limits are the innate speed limits on the roadway and shall be applicable unless changed as authorized in the CVC. Section 22352 of the CVC indicates the following prima facie speed limits.

- **15 mph:** at railway crossings, when traversing any intersection with site restrictions, or on any alley.
- **25 mph:** in any business or residence district as defined by Division 1 of the CVC, when approaching or passing a school building or grounds, or when passing a senior center or other facility primarily used by senior citizens.

These prima facie speed limits are set by the CVC and the prima facie speed limit of 25 mph can only be changed based on an Engineering and Traffic Survey.

## Engineering and Traffic Survey

In order for the court systems and the public to accept and respect the posting and enforcement, by radar, of posted speed limits, an Engineering and Traffic Survey must incorporate sound, repeatable methods conforming to the CVC and engineering principles.

Section 22357(a) stipulates that local authorities may set speed limits greater than 25 mph if an Engineering and Traffic Survey, such as this, determines that speeds greater than 25 mph would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any street excluding those subject to a prima facie limit of 25 miles per hour. Based on the Engineering and Traffic Survey, the local authority may, by ordinance, determine and declare a speed limit of 30, 35, 40, 45, 50, 55, or 60 miles per hour or a maximum speed limit of 65 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic, and is reasonable and safe.

An Engineering and Traffic Study shall include the consideration of all the following as defined in Section 627 of the CVC:

- Prevailing speeds as determined by the traffic engineering measurements,
- Collision records, and
- Highway, traffic, and roadside conditions not readily apparent to the driver.

In addition to the metrics identified above, local authorities may consider the following:

- Residential density, if any of the following conditions exist on a portion of highway, other than a business district:

- Upon one side of the highway, within one-quarter mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures,
  - Upon both sides of the highway, collectively, within one-quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures, or
  - The portion of highway is longer than one-quarter of a mile but has the ratio of separate dwelling houses or business structures to the length of the highway described in the earlier two points above; and
- Pedestrian and bicycle safety.

The declared speed limits become effective when appropriate speed limit signs are erected on the street. This does not apply to any 25-mph prima facie limit as it relates to passing a school building, senior center, or other facility primarily used by senior citizens.

## Methodology for Modifying Prima Facie Speed Limits

When conducting an Engineering and Traffic Survey to establish speed limits, Section 21400 of the CVC, and Section 2B.13 of the California Manual of Uniform Traffic Control Devices (MUTCD), requires that local authorities round the 85<sup>th</sup> percentile free flow speed to the nearest 5 mph increment to set the appropriate speed limit, except:

1. The posted speed limit may be reduced by five mph from the nearest five mph increment of the 85<sup>th</sup> percentile speed, based on guidelines from CVC Section 627 and 22358.5, or
2. In cases where the 85<sup>th</sup> percentile speed would be rounded up the nearest five miles per hour increment, local authority may decide to instead round down and set the speed limit to the lower five miles per hour increment. If the speed limit is set at the lower five mph increment the local authority shall not reduce the speed limit any further for any reason, including those set forth in CVC Section 627 and 22358.5.

In addition, the speed limit shall be established at the same level in both directions at a given point on a roadway for uniformity purposes. Thus, the lower of the two critical speeds may be used to determine the overall segment speed limit.

In addition to the CVC Section 627 description above, **Appendix B** contains the text of CVC Section 627 and describes in detail what factors should be taken into consideration when establishing speed limits. A speed limit can be lowered by five mph to account for these special factors. Establishment of a speed limit of more than five mph below the 85<sup>th</sup> percentile speed should only be done after careful consideration.

## Roadway Reconfigurations

West American Canyon Road is a major arterial in the City serving the highest traffic volumes and have higher travel speeds. However, we recommend (Chapter 4, Segment Summaries) that this roadway be converted to a two-lane roadway. Since this segment serves less than 25,000 vehicles, a two-lane roadway with enhanced pedestrian and bicycle facilities is more suited for the surrounding land uses.

## AB-43 and AB-1938

California Assembly Bills No. 43 and No. 1938 were passed to update Vehicle Code relating to traffic safety in 2021 and 2022, respectively. AB-43 and AB-1938 outline the following amendments to current prima facie speed limit laws:

- The prima facie limits are twenty-five miles per hour:
  - On any highway, in any business or residence district unless a different speed is determined by local authority or the Department of Transportation under procedures set forth in this code.
  - When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period.
  - When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign.
- The Department of Transportation shall, in the next scheduled revision, revise and thereafter maintain the California Manual on Uniform Traffic Control Devices to require the Department of Transportation or a local authority to round speed limits to the nearest five miles per hour of the 85th percentile of the free-flowing traffic. However, in cases in which the speed limit needs to be rounded up to the nearest five miles per hour increment of the 85th-percentile speed, the Department of Transportation or a local authority may decide to instead round down the speed limit to the lower five miles per hour increment.
- If a local authority, after completing an engineering and traffic survey, finds that the speed limit is still more than is reasonable or safe, the local authority may, by ordinance, determine and declare a prima facie speed limit that has been reduced an additional five miles per hour for either of the following reasons:
  - The portion of highway has been designated as a safety corridor. A local authority shall not deem more than one-fifth of their streets as safety corridors.
  - The portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, especially those from vulnerable groups such as children, seniors, persons with disabilities, and the unhoused.

- If a local authority, after completing an engineering and traffic survey, finds that the speed limit is still more than is reasonable or safe, the local authority may, by ordinance, retain the current speed limit or restore the immediately prior speed limit if that speed limit was established with an engineering and traffic survey and if a registered engineer has evaluated the section of highway and determined that no additional general purpose lanes have been added to the roadway since completion of the traffic survey that established the prior speed limit.
- Notwithstanding any other law, a local authority may, by ordinance, determine and declare a 25 or 20 miles per hour prima facie speed limit on a highway contiguous to a business activity district when posted with a sign that indicates a speed limit of 25 or 20 miles per hour. These prima facie limits apply only to roads that meet all of the following conditions:
  - A maximum of four traffic lanes.
  - A maximum posted 30 miles per hour prima facie speed limit immediately prior to and after the business activity district, if establishing a 25 miles per hour speed limit.
  - A maximum posted 25 miles per hour prima facie speed limit immediately prior to and after the business activity district, if establishing a 20 miles per hour speed limit.
- The bill prohibits the total reduction in the speed limit from exceeding 12.4 miles per hour from the 85<sup>th</sup> percentile speeds.

## Collision Data

Collision data was obtained from the Transportation Injury Mapping System (TIMS) for the five-year window between January 2016 and December 2020. Specifically, collision data where the primary collision factor was related to speed were used to augment the analysis in this report. **Table 1** shows the collisions by segment and **Figure 7** shows the location of speed-related collisions for the five-year window analyzed.

**Table 1: Summary of Speed Survey Results**

Roadway Segment	Posted Speed limit	85 <sup>th</sup> Percentile Speed		Difference from Posted Speed limit		Collisions	Speed-Related Collisions <sup>3</sup>	Average Statewide Collision Rate <sup>4</sup>	Segment Collision Rate
		NB/EB <sup>1</sup>	SB/WB <sup>2</sup>	NB/EB <sup>1</sup>	SB/WB <sup>2</sup>				
1. Green Island Road from Mezzetta Court to SR 29	40	38	39	-2	-1	3	3	1.12	0.47
2. Eucalyptus Drive from Wetlands Edge Road to Donaldson Way	35	37	38	2	3	0	0	1.12	0.0
3. Benton Way from Wetlands Edge Road and Donaldson Way	25	31	30	6	5	1	0	1.12	0.51

**Table 1: Summary of Speed Survey Results**

Roadway Segment	Posted Speed limit	85 <sup>th</sup> Percentile Speed		Difference from Posted Speed limit		Collisions	Speed-Related Collisions <sup>3</sup>	Average Statewide Collision Rate <sup>4</sup>	Segment Collision Rate
		NB/EB <sup>1</sup>	SB/WB <sup>2</sup>	NB/EB <sup>1</sup>	SB/WB <sup>2</sup>				
4. Donaldson Way West from Donaldson Way to SR 29	25	31	32	6	7	0	0	1.12	0.0
5. Donaldson Way East from SR 29 to Newell Drive	25	32	32	7	7	3	2	1.12	0.64
6. West American Canyon Road from Wetlands Edge Road to James Road	40	40	41	0	1	4	1	1.15	0.62
7. Kimberly Drive from Meadow Bay Drive to SR 29	25	40	37	15	12	4	1	1.12	<b>1.70</b>
8. Wetlands Edge Road from Eucalyptus Drive to Kensington Way	25	33	32	8	7	1	0	1.12	0.60
9. Hummingbird Way from Benton Way to West American Canyon Road	25	29	25	4	0	1	1	1.12	<b>1.83</b>
10. Donaldson Way from Eucalyptus Drive to Benton Way	25	28	30	3	5	3	1	1.12	0.90
11. Elliot Drive from Benton Way to West American Canyon Road	30	35	35	5	5	0	0	1.12	0.0
12. Elliot Drive from West American Canyon Road to Marla Drive	25	35	37	10	12	3	0	1.12	0.73
13. James Road from Wilson Way to West American Canyon Road	25	32	35	7	10	2	0	1.12	0.51
14. Danrose Drive from West American Canyon Road to Mini Drive	25	30	30	5	5	4	1	1.12	0.78
15. Broadway Street from American Canyon Road East to Mini Drive	30	40	41	10	11	1	0	1.12	0.21
16. Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East	35	39	39	4	4	5	3	1.15	0.70

**Table 1: Summary of Speed Survey Results**

Roadway Segment	Posted Speed limit	85 <sup>th</sup> Percentile Speed		Difference from Posted Speed limit		Collisions	Speed-Related Collisions <sup>3</sup>	Average Statewide Collision Rate <sup>4</sup>	Segment Collision Rate
		NB/EB <sup>1</sup>	SB/WB <sup>2</sup>	NB/EB <sup>1</sup>	SB/WB <sup>2</sup>				
17. Flosden Road from American Canyon Road East to the Southern City Limits	45	51	50	6	5	6	2	1.15	0.35
18. American Canyon Road East from Broadway Street to Eastern City Limits	45	48	52	3	7	7	4	1.15	0.36

Notes:

1. NB = Northbound, EB = Eastbound
  2. SB= Southbound, WB = Westbound
  3. Speed-related collisions are collisions in which drivers are assessed to be driving above the posted speed limit.
  4. Average statewide collision rate (accident/million-miles) is based on accident data for the years 2017 through 2019. Accident rates of existing road segments are used to predict the average rates on new roads, or to compare rates on other roads of the same type. This rate is based on all collision types, not just speed-related collisions.
  5. The **bold texts** indicates segments where the collision rate is higher than the statewide collision rate of similar roadway type.
- Source: 2020 Collision Data on California State Highways (road miles, travel, collisions, collision rates), Caltrans

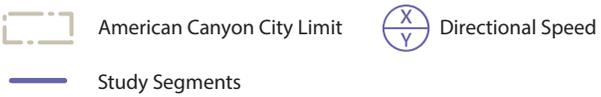
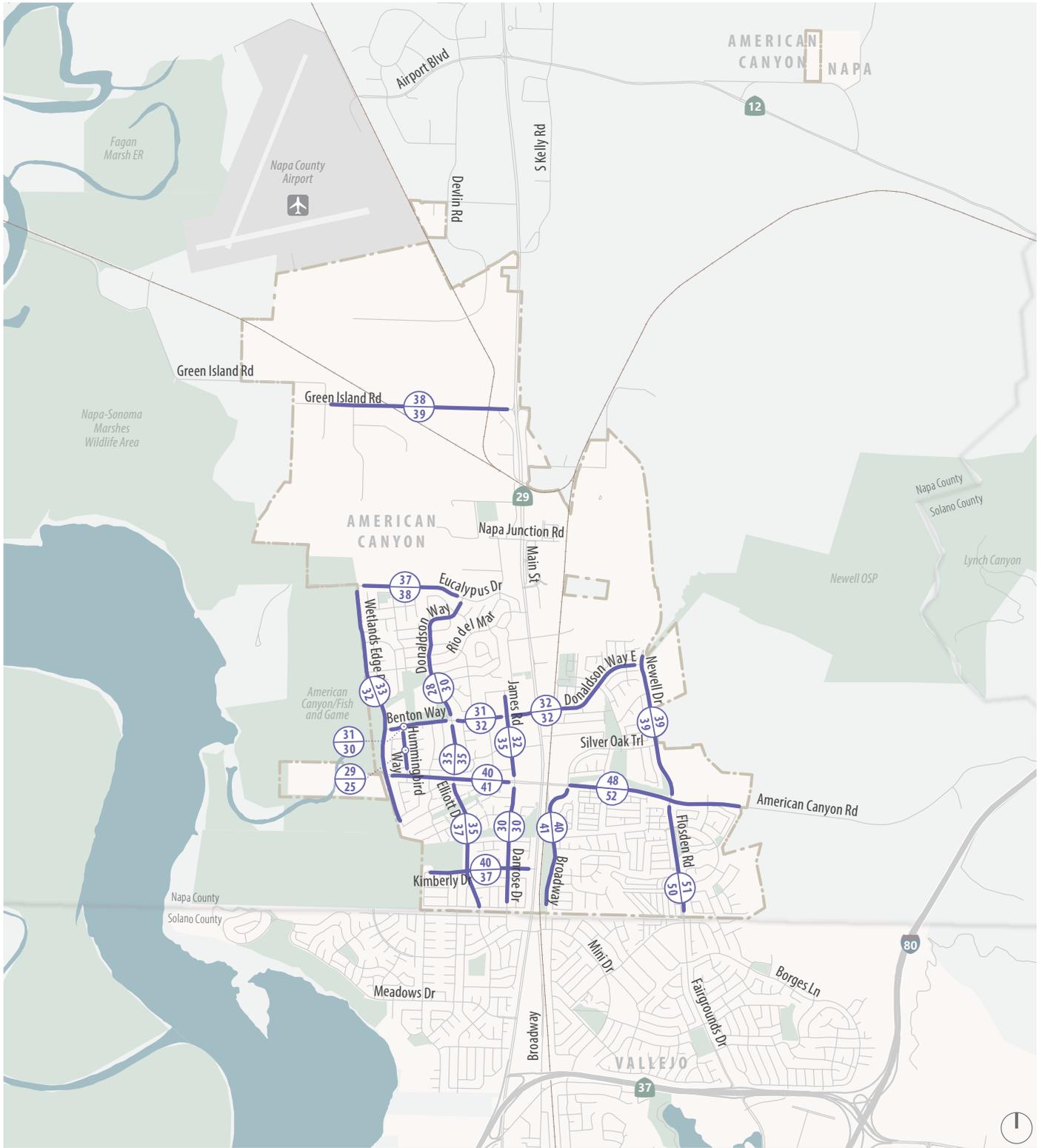
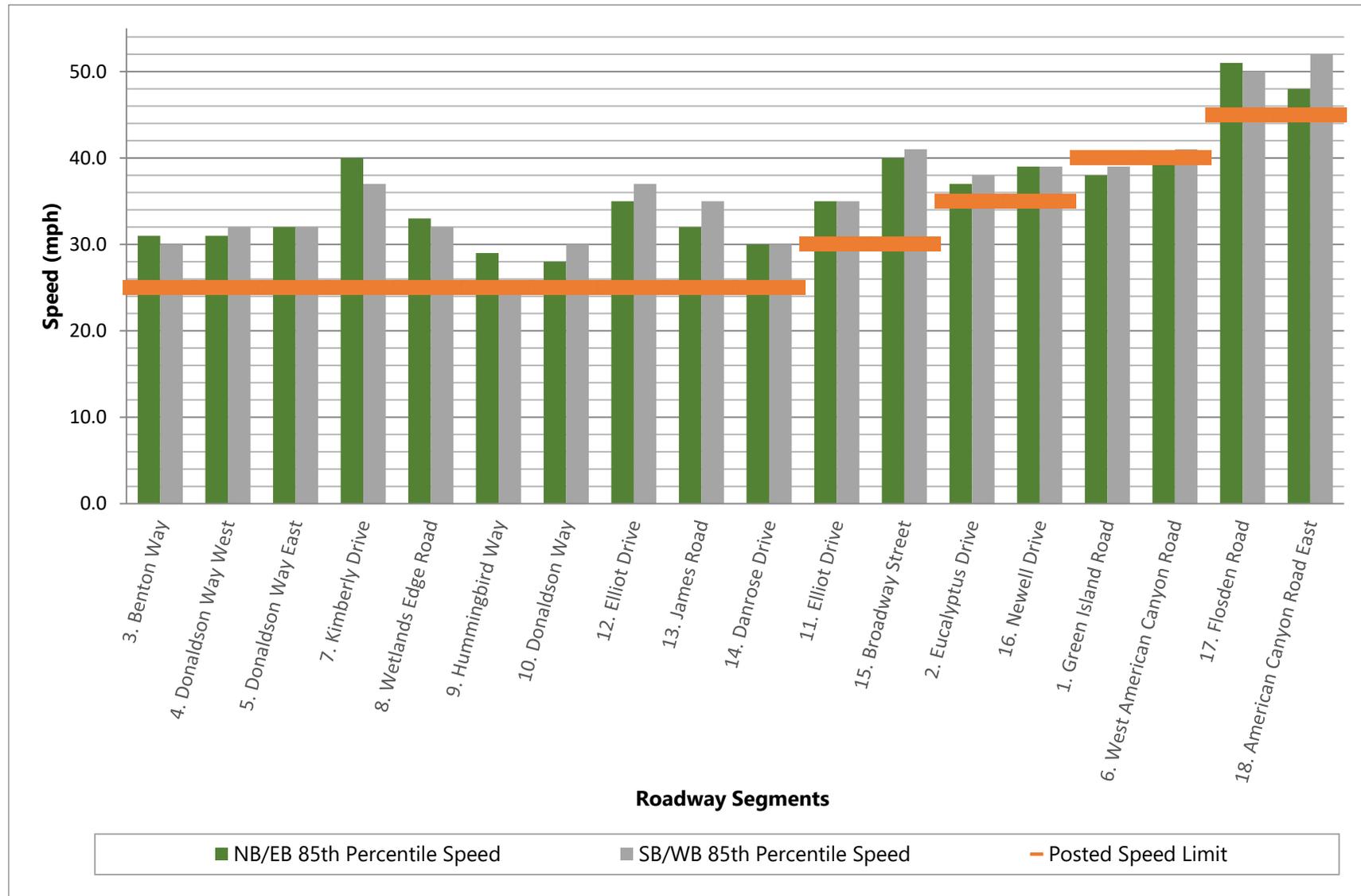
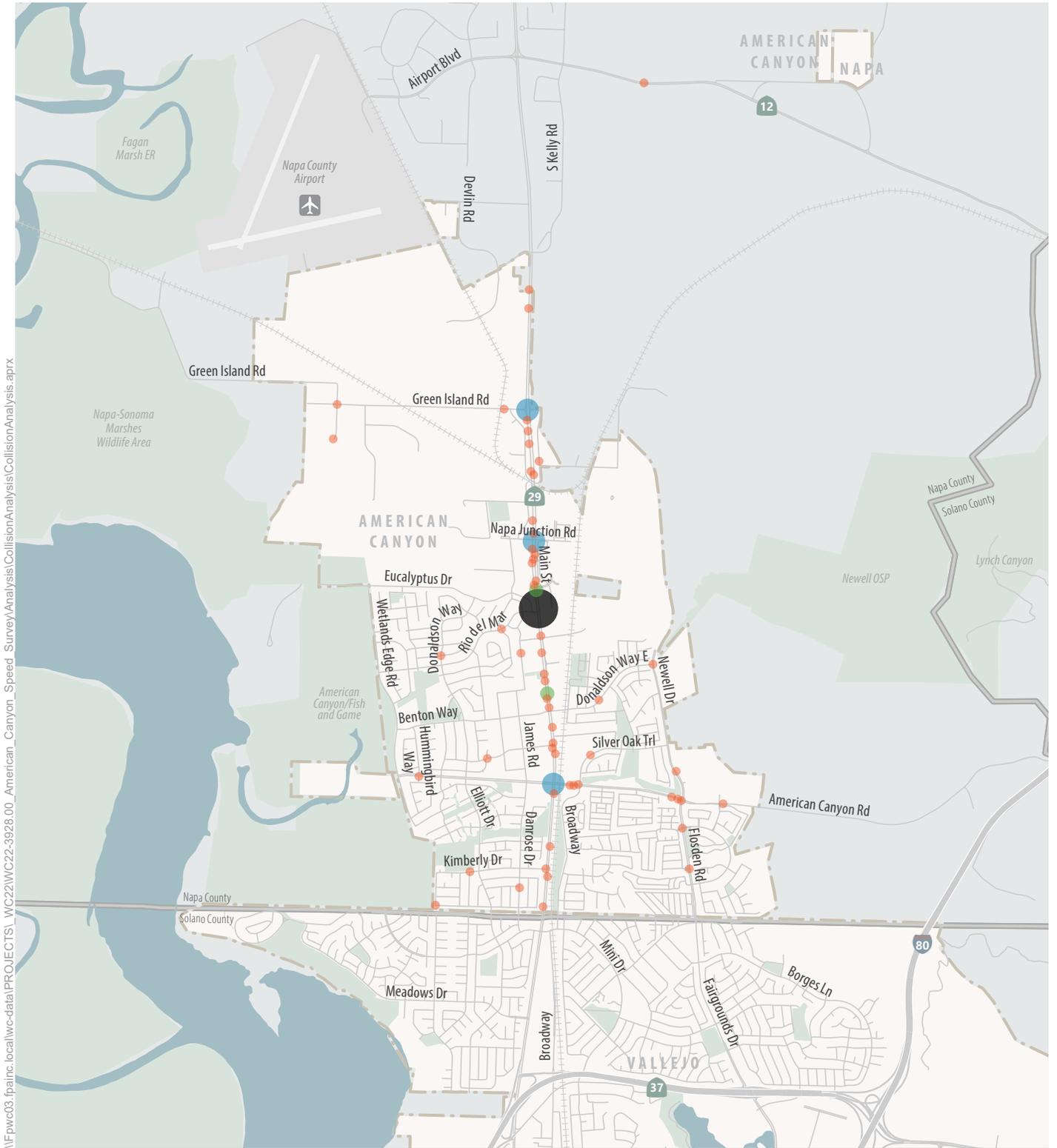


Figure 5  
Observed 85th Percentile Speeds

Figure 6: Summary of Observed 85th Percentile Speeds





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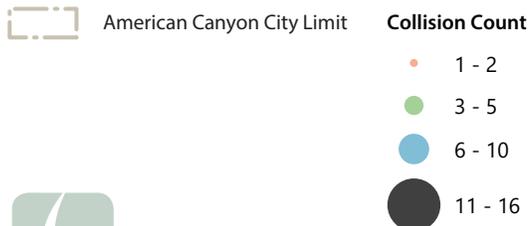


Figure 7  
Collisions

## Segments Summaries

This section of the report analyzes all roadway segments and provides an explanation for necessary speed adjustments. Where the 85<sup>th</sup> percentile speed exceeds the posted speed limit by 2.5 mph or greater, additional information is provided to determine the adequacy of the posted speed limit. Other factors such as collision records, roadside conditions, and residential density along the roadway, as well as pedestrian and bicyclist safety are also used in determining the adequacy of the posted speed limits.

### Segment 1. Green Island Road from Mezzetta Court to SR 29

The posted speed limit on Green Island Road from Mezzetta Court to SR 29 is 40 mph. In the eastbound direction, the 85<sup>th</sup> percentile speed was measured at 2 mph under the posted limit, while in the westbound direction, the 85<sup>th</sup> percentile speed was measured at 1 mph under the current posted speed limit.

The 85<sup>th</sup> percentile speeds in both eastbound and westbound directions indicate an initial speed limit of 40 mph which is equal to the current posted speed limit. **Therefore, we recommend the City maintain the existing speed limit of 40 mph.**

### Segment 2. Eucalyptus Drive from Wetlands Edge Road to Donaldson Way

The posted speed limit on Eucalyptus Drive from Wetlands Edge Road to Donaldson Way is 35 mph. In the eastbound direction, the 85<sup>th</sup> percentile speed was measured at 2.0 mph over the posted limit, while in the westbound direction, the 85<sup>th</sup> percentile speed was measured at 3.0 mph over the posted speed limit.

Eucalyptus Drive has a discontinuous Class I path for pedestrians and bikes on the North side of the street. Napa Junction Magnet Elementary School is also located at the west end of this segment. The school generates pedestrian and bicycle traffic along the roadway.

According to AB 43, speeds may be lowered on roadways with high pedestrian and bicycle traffic to improve safety. **Therefore, we recommend the City reduce the speed limit to 25 mph 500-1,000 feet around Napa Junction Magnet Elementary School and 30 mph outside of the school zone.**

### Segment 3. Benton Way from Wetlands Edge Road to Donaldson Way

The posted speed limit on Benton Way from Wetlands Edge Road and Donaldson Way is 25 mph. The observed 85<sup>th</sup> percentile speeds were 6 mph and 5 mph greater than the posted speed limit in the eastbound and westbound directions, respectively, which would initially indicate a posted speed limit of 30 mph.

This segment of Benton Way has sidewalks and bike lanes in both directions. However, American Canyon Middle School, Boys and Girls Club, American Canyon Co-Op Preschool, and American Canyon Community

Services are located along this roadway segment and attract a substantial level of pedestrian and bicycle activity throughout the day. No speed-related collisions have been reported on this section of Benton Way for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Additionally, AB 321 allows cities to lower speed limits to 15 mph around schools that are located in a residential district on a two-lane road with an existing speed limit of 30 mph or less. Due to Benton Way's proximity to schools and other institutions that produce high pedestrian and bicycle traffic, **we recommend that the City reduce the speed limit to 15 mph within the school zone and implement traffic calming measures outlined in the *American Canyon Complete Streets Safety Assessment (2022)*.** Traffic calming measures at the intersection of Chaucer Lane include adding high-visibility crosswalks along the west and south leg, installing curb extensions on the west leg, and making the curb red to increase the visibility of pedestrians crossing. Benton Way is **recommended to remain at 25 mph outside of the school zone.**

#### **Segment 4. Donaldson Way West from Donaldson Way to SR 29**

The posted speed limit on Donaldson Way West from Donaldson Way to SR 29 is 25 mph. The observed 85th percentile speeds were 6 mph and 7 mph greater than the posted speed limit in the eastbound and westbound directions, respectively, which would initially indicate a posted speed limit of 30 mph.

More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Additionally, Donaldson Way West has discontinuous sidewalks and bike lanes on both sides of the street. In accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the 85th percentile speed. No speed-related collisions have been reported on this section of Donaldson Way West for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of Donaldson Way West and lack of continuous pedestrian and bicycle facilities, **we recommend that the City maintain the current speed limit of 25 mph.**

#### **Segment 5. Donaldson Way East from SR 29 to Newell Drive**

The posted speed limit on Donaldson Way East from SR 29 to Newell Drive is 25 mph. The 85th percentile speeds were observed to be 7 mph greater than the posted speed limit in both directions, which would initially indicate a posted speed limit of 30 mph.

Donaldson Way East has discontinuous sidewalks on the north side of the street and no bicycle facilities on either side of the roadway. Additionally, a railway crosses this segment of Donaldson Way East just west of Tuscan Oak Trail. Two speed-related collisions have been reported on this section of Donaldson Way East for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85<sup>th</sup> percentile speeds. Therefore, due to the residential nature of Donaldson Way West and lack of continuous pedestrian and bicycle facilities, **we recommend that the City maintain the current speed limit of 25 mph.**

### **Segment 6. West American Canyon Road from Wetlands Edge Road to James Road**

The posted speed limit of West American Canyon Road from Wetlands Edge Road to James Road is 40 mph. In the eastbound direction, the 85<sup>th</sup> percentile speed was measured equal to the posted limit, while in the westbound direction, the 85<sup>th</sup> percentile speed was measured at 1 mph over the current posted speed limit.

West American Canyon Road has a continuous sidewalk on the south side of the street and a discontinuous sidewalk on the north side of the street. This segment has discontinuous unprotected Class II bike lanes on both sides of the street.

The 85<sup>th</sup> percentile speeds in both eastbound and westbound directions indicate an initial speed limit of 40 mph which is equal to the current posted speed limit. West American Canyon Road's average daily traffic is less than 25,000 vehicles. According to AB 43, speeds may be lowered by five miles per hour where there are high pedestrian and bicycle traffic to improve safety. Therefore, to improve the pedestrian and bicycle environment, **we recommend that the City reduce the speed limit to 35 mph.** Due to West American Canyon Road's low daily traffic volumes<sup>1</sup>, **we also recommend that the City convert the two outside travel lanes to Class I paths or protected Class IV bike lanes** (see Chapter 4, Roadway Reconfigurations).

### **Segment 7. Kimberly Drive from Meadow Bay Drive to SR 29**

The posted speed limit of Kimberly Drive from Meadow Bay Drive to SR 29 is 25 mph. In the eastbound direction, the 85<sup>th</sup> percentile speed was measured at 15 mph over the posted limit, while in the westbound direction, the 85<sup>th</sup> percentile speed was measured at 12 mph over the posted speed limit, which would initially indicate a posted speed limit of 35 mph.

More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Kimberly Drive has sidewalks on both sides of the street and discontinuous bike lanes

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<sup>1</sup> <https://highways.dot.gov/safety/proven-safety-countermeasures/road-diets-roadway-configuration>

on both sides. One speed-related collision has been reported on this section of Kimberly Drive for the five-year period analyzed for this report. Additionally, the roadway segment collision rate is measured at 1.70 acc/mil.miles which is greater than the average statewide collision rate of similar roadway types (1.12 acc/mil.miles).

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speed, which would be 30 mph. However, due to the segment properties identified above such as the residential nature of Kimberly Drive and lack of bicycle facilities, **we recommend that the City maintain the current speed limit of 25 mph.** The City should monitor this segment as a Tier I priority for possible traffic calming measures to reduce the 85th percentile speeds.

### **Segment 8. Wetlands Edge Road from Eucalyptus Drive to Kensington Way**

The posted speed limit of Wetlands Edge Road from Eucalyptus Drive to Kensington Way is 25 mph. In the northbound direction, the 85th percentile speed was measured at 8 mph over the posted speed limit, while in the southbound direction, the 85th percentile speed was measured at 7 mph over the posted speed limit. The 85th percentile speeds would initially indicate raising the speed limit to 30 mph.

More than 13 separate dwelling units exist on the east side of the roadway within a quarter mile along this roadway segment. Wetlands Edge Road has a Class I path on the west side of the street, and sidewalks on the east side of the street. Additionally, there are five marked uncontrolled crosswalks that connect to the San Francisco Bay Trail. This segment has no on-street bicycle facilities, but bicyclists are able to use the Class I path along the west side of the street. One speed-related collision has been reported on this section of Wetlands Edge Road for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of Wetlands Edge Road, **we recommend that the City maintain the current speed limit of 25 mph.**

### **Segment 9. Hummingbird Way from Benton Way to West American Canyon Road**

The posted speed limit of Hummingbird Way from Benton Way to West American Canyon Road is 25 mph. In the northbound direction, the 85th percentile speed was measured at 4 mph over the posted limit, while in the southbound direction, the 85th percentile speed was measured equal to the posted speed limit.

Since the lower of the two 85th percentile speeds can be used to set the speed limit, the 85th percentile speeds in the southbound direction indicate an initial speed limit of 25 mph which is equal to the current posted speed limit. **Therefore, we recommend the City maintain the existing speed limit of 25 mph.**

### **Segment 10. Donaldson Way from Eucalyptus Drive to Benton Way**

The posted speed limit of Donaldson Way from Eucalyptus Drive to Benton Way is 25 mph. In the northbound direction, the 85<sup>th</sup> percentile speed was measured at 3 mph over the posted limit, while in the southbound direction, the 85<sup>th</sup> percentile speed was measured at 5 mph over the posted speed limit.

Since the lower of the two 85<sup>th</sup> percentile speeds can be used to set the speed limit, the 85<sup>th</sup> percentile speeds in the northbound direction indicate an initial speed limit of 30 mph.

According to the California MUTCD 2014 Edition, Revision 3, for cases in which the nearest five miles per hour increment of the 85<sup>th</sup> percentile speed would require rounding up, then the speed limit may be rounded down to the nearest five miles per hour increment below the 85<sup>th</sup> percentile speed, if no further reduction is used. The 85<sup>th</sup> percentile speeds in the northbound direction were rounded up to indicate an initial speed limit of 30 mph, which can be rounded down to 25 mph. **Therefore, we recommend the City maintain the existing speed limit of 25 mph.**

### **Segment 11. Elliot Drive from Benton Way to West American Canyon Road**

The posted speed limit of Elliot Drive from Benton Way to West American Canyon Road is 30 mph. In both northbound and southbound directions, the 85<sup>th</sup> percentile speed was measured at 5 mph over the posted limit. The 85<sup>th</sup> percentile speeds would initially indicate raising the speed limit to 35 mph.

More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Elliot Drive has sidewalks and bike lanes on both sides of the roadway. This segment's connection to two major roadways, West American Canyon Road and Benton Way, generates pedestrian and bicycle traffic. No speed-related collisions have been reported on this section of Elliot Drive for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85<sup>th</sup> percentile speeds. According to AB 43, speeds may be lowered on roadways with high pedestrian and bicycle traffic to improve safety. Therefore, to improve the pedestrian and bicycle environment, **we recommend that the City reduce the current speed limit to 25 mph.**

### **Segment 12. Elliot Drive from West American Canyon Road to Marla Drive**

The posted speed limit of Elliot Drive from West American Canyon Road to Marla Drive is 25 mph. In the northbound direction, the 85<sup>th</sup> percentile speed was measured at 10 mph over the posted limit, while in the southbound direction, the 85<sup>th</sup> percentile speed was measured at 12 mph over the posted speed limit, which would initially indicate a posted speed limit of 35 mph.

More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. The American Canyon Adult Activity Center is also located along Elliot Drive. Elliot Drive has sidewalks and bike lanes on both sides of the street, although there are areas where the sidewalk narrows to approximately three feet along the segment. In 2023, crosswalk enhancements were added to the crosswalk for a walking trail south of Knightsbridge Way that included high-visibility striping and a pedestrian activated rectangular rapid flashing beacon (RRFB). No speed-related collisions have been reported on this section of Elliot Drive for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speed, which would be 30 mph.

California Assembly Bill No. 43 sets a prima facie speed limit of 25 mph when passing a senior center. According to AB 43, speeds may be lowered near senior centers and where the pedestrian and bicycle environment poses a risk to safety. Due to the proximity to a senior center and the segment properties identified above such as the residential nature of Elliot Drive and lack of pedestrian and bicycle facilities, **we recommend that the City maintain the current speed limit of 25 mph.** The City should monitor this segment of Elliot Drive as a Tier I priority for possible traffic calming measures to reduce the 85th percentile speeds.

### **Segment 13. James Road from Wilson Way to West American Canyon Road**

The posted speed limit of James Road from Wilson Way to West American Canyon Road is 25 mph. In the northbound direction, the 85<sup>th</sup> percentile speed was measured at 7 mph over the posted limit, while in the southbound direction, the 85<sup>th</sup> percentile speed was measured at 10 mph over the posted speed limit. Since the lower of the two 85<sup>th</sup> percentile speeds can be used to set the speed limit, the 85<sup>th</sup> percentile northbound speed would initially indicate raising the speed limit to 30 mph.

More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. James Road has sidewalks on the east side of the street, however there are two sidewalk gaps – one at Wilson Way and the other at Donaldson Way. The City will close these sidewalk gaps in late 2023. James Road does not have bicycle facilities. No speed-related collisions have been reported on this section of James Road for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85<sup>th</sup> percentile speeds. Therefore, due to the residential nature of James Road and lack of pedestrian and bicycle facilities, **we recommend that the City maintain the current speed limit of 25 mph.**

#### **Segment 14. Danrose Drive from West American Canyon Road to Mini Drive**

The posted speed limit of Danrose Drive from West American Canyon Road to Mini Drive is 25 mph. In both northbound and southbound directions, the 85th percentile speed was measured at 5 mph over the posted limit. The 85th percentile speeds would initially indicate raising the speed limit to 30 mph.

More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Danrose Drive has sidewalks on both sides of the street, but it does not have bicycle facilities. One speed-related collision has been reported on this section of Danrose Drive for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of Danrose Drive and lack of bicycle facilities, **we recommend that the City maintain the current speed limit of 25 mph.**

#### **Segment 15. Broadway Street from American Canyon Road East to Southern City Limits**

The posted speed limit of Broadway Street from American Canyon Road East to the Southern City Limits is 30 mph. In the northbound direction, the 85th percentile speed was measured at 10 mph over the posted limit, while in the southbound direction, the 85th percentile speed was measured at 11 mph over the posted speed limit. The 85th percentile speeds would initially indicate raising the speed limit to 40 mph.

Broadway Street has sidewalks on one or both sides of the street and discontinuous bike lanes. Veterans Memorial Park, American Canyon Dog Park, and a playground are located along this roadway segment and attract a substantial level of pedestrian and bicycle activity throughout the day. No speed-related collisions have been reported on this section of Broadway Street for the five-year period analyzed for this report.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speed, which would be 35 mph. However, due to the segment properties identified above such as the roadway conditions and lack of continuous pedestrian and bicycle facilities, **we recommend that the City maintain the current speed limit of 30 mph.** The City should monitor this segment of Broadway Street for possible traffic calming measures to reduce the 85th percentile speeds.

#### **Segment 16. Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East**

The posted speed limit on Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East is 35 mph. In both northbound and southbound directions, the 85th percentile speed was

measured at 4 mph over the posted limit. The 85th percentile speeds would initially indicate raising the speed limit to 40 mph.

Newell Drive has a Class I path along the west side of the road, and a Class I path on the east side of the road between Silver Oak Trail and American Canyon Road East. There is no sidewalk present on the east side of the street between the northern Newell Open Space extents and Silver Oak Trail. American Canyon High School is also located at the south end of this segment. The school generates pedestrian and bicycle traffic along the roadway.

According to AB 43, speeds may be lowered on roadways with high pedestrian and bicycle traffic to improve safety. **Therefore, we recommend the City reduce the speed limit to 25 mph 500-1,000 feet around American Canyon High School and 30 mph outside of the school zone.**

### **Segment 17. Flosden Road from American Canyon Road East to the Southern City Limits**

The posted speed limit on Flosden Road from American Canyon Road East to the Southern City Limits is 45 mph. The observed 85<sup>th</sup> percentile speeds were 6 mph and 5 mph greater than the posted speed limit in the northbound and southbound directions, respectively, which would initially require a posted speed limit of 50 mph.

Flosden Road is a major arterial and has high traffic volumes serving an average of over 17,000 vehicles daily. This segment has sidewalks on both sides of the road, but it does not have bicycle facilities. Two speed-related collisions have been reported on this section of Flosden Road for the five-year period analyzed for this report. The American Canyon Local Road Safety Plan identified this segment as a high severity roadway due to the severity of its collisions from 2017 to 2021.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85<sup>th</sup> percentile speeds. According to AB 43, speeds may be lowered by five miles per hour where the speed limit is deemed more than reasonable or safe. Therefore, due to the segment properties identified above, such as high traffic volumes and lack of adequate bicycle facilities, and the City-identified safety risk, **we recommend that the City reduce the speed limit to 40 mph.**

### **Segment 18. American Canyon Road East from Broadway Street to the Eastern City Limits**

The posted speed limit on American Canyon Road East from Broadway Street to the Eastern City Limits is 45 mph. The observed 85<sup>th</sup> percentile speeds were 3 mph and 7 mph greater than the posted speed limit in the eastbound and westbound directions, respectively, which would initially require a posted speed limit of 50 mph.

American Canyon Road East is a major arterial and has high traffic volumes serving an average of nearly 20,000 vehicles daily. This segment has sidewalks on the south side of the road, but it does not have bicycle facilities. Four speed-related collisions have been reported on this section of American Canyon Road East for the five-year period analyzed for this report. The American Canyon Local Road Safety Plan identified both the segments of American Canyon Road East between Silver Oak Trail and Newell and between Newell and the Eastern City Limits as high severity roadways due the severity of their collisions from 2017 to 2021.

Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85<sup>th</sup> percentile speeds. According to AB 43, speeds may be lowered by five miles per hour where the speed limit is deemed more than reasonable or safe. Therefore, due to the segment properties identified above, such as high traffic volumes and lack of adequate bicycle facilities, and the City-identified safety risk, **we recommend that the City reduce the speed limit to 40 mph.**

## 5. Comparison of 2022 Speeds to 2016/2017 Surveys

This section of the report compares the observed 85<sup>th</sup> percentile speeds collected for this report, to those observed in the 2016/2017 speed surveys. Specifically, this section presents a comparison of the trends in observed speeds in the City. **Table 2** compares the 85<sup>th</sup> percentile speeds for the 2016/2017 and 2022 speed data and **Figure 8** shows the difference in the observed 85<sup>th</sup> percentile speeds between year 2016/2017 and year 2022 data (2022 minus 2016/2017).

As shown in **Table 2**, half of the 85<sup>th</sup> percentile speeds have increased as compared to data from 2016/2017. On the following 8 roadway segments the 85<sup>th</sup> percentile speeds increased in one or both directions from 2016/2017 to 2022.

- 4. Donaldson Way West from Donaldson Way to SR 29
- 8. Wetlands Edge Road from Eucalyptus Drive to Kensington Way
- 10. Donaldson Way from Eucalyptus Drive to Benton Way
- 12. Elliot Drive from West American Canyon Road to Marla Drive
- 13. James Road from Wilson Way to West American Canyon Road
- 14. Danrose Drive from West American Canyon Road to Mini Drive
- 15. Broadway Street from American Canyon Road East to Mini Drive
- 16. Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East

**Table 2: Speed Survey Comparison between 2016/2017 and 2022 Results**

Roadway Segments	Posted Speed limit	85 <sup>th</sup> Percentile Speed				Change between 2016 and 2022 Speed Survey <sup>2</sup>	
		NB/EB <sup>1</sup>		SB/WB <sup>1</sup>		NB/ EB <sup>1</sup>	SB/ WB <sup>1</sup>
		2016/2017	2022	2016/2017	2022		
1. Green Island Road from Mezzetta Court to SR 29	40	41	38	42	39	-3	-3
2. Eucalyptus Drive from Wetlands Edge Road to Donaldson Way	35	41	37	42	38	-4	-4
3. Benton Way from Wetlands Edge Road and Donaldson Way	25	32	31	30	30	-1	0
4. Donaldson Way West from Donaldson Way to SR 29	25	32	31	30	32	-1	2
5. Donaldson Way East from SR 29 to Newell Drive	25	34	32	35	32	-2	-3

**Table 2: Speed Survey Comparison between 2016/2017 and 2022 Results**

Roadway Segments	Posted Speed limit	85 <sup>th</sup> Percentile Speed				Change between 2016 and 2022 Speed Survey <sup>2</sup>	
		NB/EB <sup>1</sup>		SB/WB <sup>1</sup>		NB/ EB <sup>1</sup>	SB/ WB <sup>1</sup>
		2016/2017	2022	2016/2017	2022		
6. West American Canyon Road from Wetlands Edge Road to James Road	40	43	40	42	41	-3	-1
7. Kimberly Drive from Meadow Bay Drive to SR 29	25	N/A	40	N/A	37	N/A	N/A
8. Wetlands Edge Road from Eucalyptus Drive to Kensington Way	25	32	33	35	32	1	-3
9. Hummingbird Way from Benton Way to West American Canyon Road	25	30	29	31	25	-1	-6
10. Donaldson Way from Eucalyptus Drive to Benton Way	25	32	28	29	30	-4	1
11. Elliot Drive from Benton Way to West American Canyon Road	30	35	35	35	35	0	0
12. Elliot Drive from West American Canyon Road to Marla Drive	25	34	35	33	37	1	4
13. James Road from Wilson Way to West American Canyon Road	25	31	32	32	35	1	3
14. Danrose Drive from West American Canyon Road to Mini Drive	25	29	30	29	30	1	1
15. Broadway Street from American Canyon East Road to Mini Drive	30	38	40	37	41	2	4
16. Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East	35	36	39	36	39	3	3
17. Flosden Road from American Canyon Road East to the Southern City Limits	45	52	51	50	50	-1	0
18. American Canyon Road East from Broadway Street to Eastern City Limits	45	N/A	48	N/A	52	N/A	N/A

Notes:

1. NB = Northbound, EB = Eastbound, SB= Southbound, WB = Westbound
2. Change between 2022 and 2016 speed survey = 2022 85<sup>th</sup> percentile speed minus 2016 85<sup>th</sup> percentile speed. **Yellow highlight** denotes speed increase and **green highlight** indicates a speed decrease or no change.
3. N/A indicates that no recorded speed data for year 2016 is available to compare against 2022 speed data.

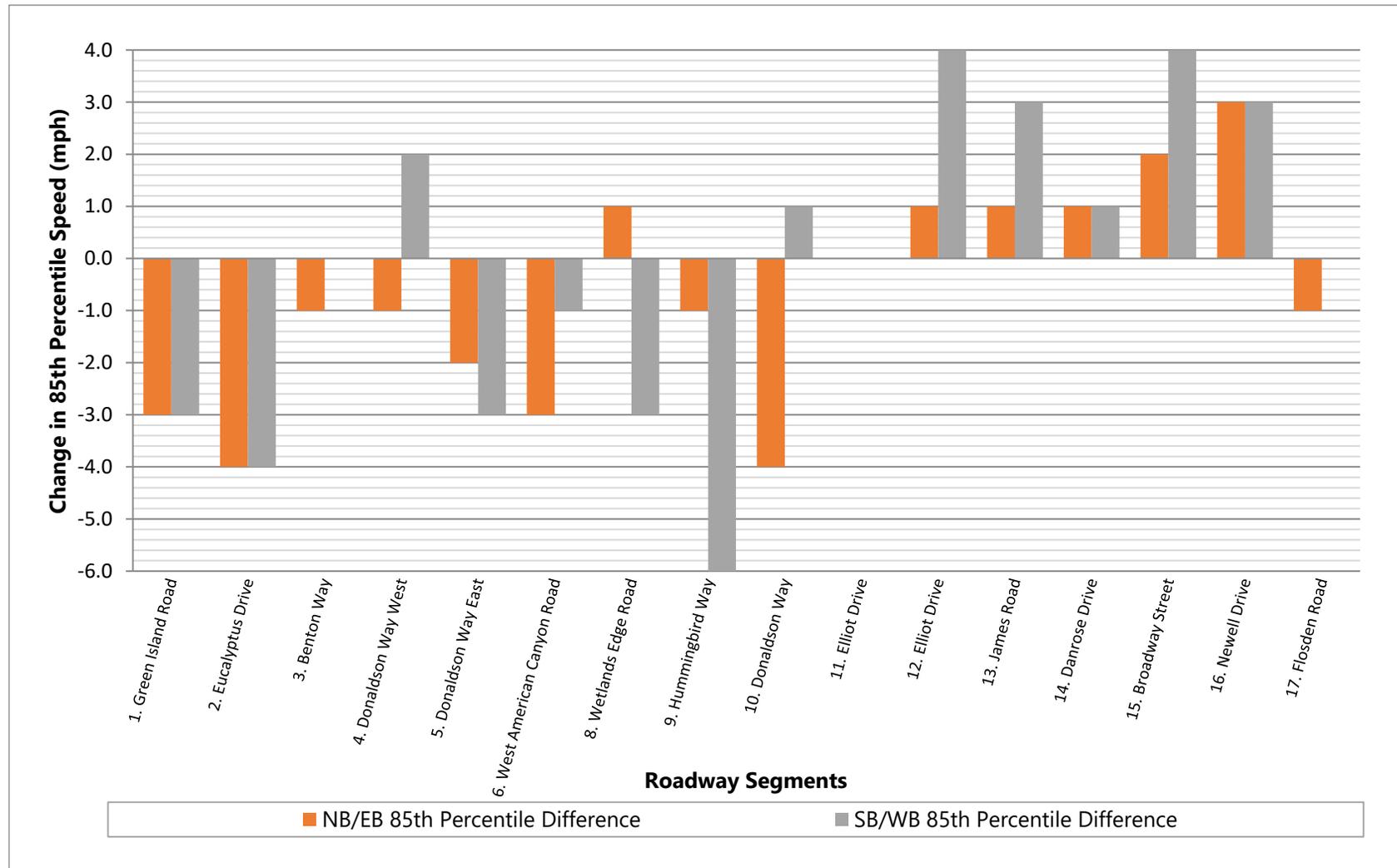
Source: Fehr & Peers, November 2022.

On the remaining 8 roadway segments the 85<sup>th</sup> percentile speeds either decreased or were unchanged compared to the 2016/2017 data.

The greatest increase in the 85<sup>th</sup> percentile speed between 2016/2017 and 2022 occurred on Elliot Drive from West American Canyon Road to Marla Drive (Segment 12) and Broadway Street from American Canyon Road East to Mini Drive (Segment 15) with a four miles per hour increase in the southbound direction. The speeds on Elliot Drive and Broadway Street however, only increased by one mile per hour and two miles per hour in the northbound direction, respectively. The largest decrease in speed occurred on Hummingbird Way from Benton Way to West American Canyon Road (Segment 9), which decreased by six miles per hour in the southbound direction. The speeds on Hummingbird Way however, only decreased by one mile per hour in the northbound direction.

For those segments where the 85<sup>th</sup> percentile speeds increase compared to 2016/2017 data, the average increase was approximately 2.1 mph. Conversely, the 85<sup>th</sup> percentile speeds decreased on average by about 2.7 mph for those segments where the speeds decreased as compared to 2016/2017.

Figure 8: Change in 85th Percentile Speeds Between 2016/2017 and 2022



Note: Segment 7 (Kimberly Drive) and Segment 18 (American Canyon Road East) are not included in this chart as no history of speed data is available.

## 6. Summary and Conclusion

Based on the analysis in this report, we recommend the City of American Canyon maintain the existing speed limits for all roadway segments except for Segment 2, Segment 3, Segment 6, Segment 11, Segment 12, Segment 16, and Segment 17. We recommend the following reductions in speed limits:

- 35 mph to 25 mph around the school zone and 30 mph outside the school zone on Eucalyptus Drive from Wetlands Edge Road to Donaldson Way (Segment 2)
- 30 mph to 15 mph around the school zone and 25 mph outside the school zone on Benton Way from Wetlands Edge Road and Donaldson Way (Segment 3)
- 40 mph to 35 mph on West American Canyon Road from Wetlands Edge Road to James Road (Segment 6)
- 30 mph to 25 mph Elliot Drive from Benton Way to West American Canyon Road (Segment 11)
- 35 mph to 25 mph around the school zone and 30 mph outside the school zone on Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East (Segment 16)
- 45 mph to 40 mph on Flosden Road from American Canyon Road East to the Southern City Limits (Segment 17)
- 45 mph to 40 mph on American Canyon Road East from Broadway Street to the Eastern City Limits (Segment 18)

In addition, we recommend the City implement traffic calming measures to reduce the 85<sup>th</sup> percentile speeds and improve the pedestrian and bicycle environment on roadway segments by tier, with Tier I being top priority.

### Tier I

- Kimberly Drive from Meadow Bay Drive to SR 29 (Segment 7)
- Elliot Drive from West American Canyon Road to Marla Drive (Segment 12)

### Tier II

- Broadway Street from American Canyon Road East to Southern City Limits (Segment 15)

### Tier III

- West American Canyon Road from Wetlands Edge Road to James Road (Segment 6)
- Flosden Road from American Canyon Road East to the Southern City Limits (Segment 17)
- American Canyon Road East from Broadway Street to the Eastern City Limits (Segment 18)

**Appendix A:**  
**Data Sheets for Study Segments**

## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Green Island Rd from Between Mezzetta Court and SR 29.

<b>Roadway Name: Green Island Rd</b>		<b>Segment #: 1 Segment Limits: Between Mezzetta Court and SR 29</b>			
Number of Lanes	2	Date: October 13, 2022			
Roadway Width	35 feet	<b>Traffic Volumes:</b>		Two-way EB WB	
Posted Speed	40 mph	Total Vehicles Observed during speed survey		100	
		Average Daily Traffic (vehicles)		6,522	
<b>Conditions Not Readily Apparent:</b> Railroad Crossing, Parking prohibited on both sides of the street west of Mezzetta Court and on the south side of the street east of Mezzetta Court		<b>Current Speed Data:</b>		EB	WB
		50th Percentile (Two-way)		33	
		85th Percentile		38	39
		10 mph Pace (Two-way)		27-36 mph	
		Percent in Pace (Two-way)		63%	
<b>Bicycle and Pedestrian Facilities:</b> Discontinuous sidewalks on the north side of the street, No bicycle facilities		<b>Description of Surrounding Area:</b> Industrial Uses			
<b>Community Facilities:</b> N/A		<b>Crash History:</b>		Rate (acc/mil vehicle miles)	
		Crash Data Collected from 01/01/16 to 12/31/20		Segment	State Wide Average
		Total Crashes	3	0.47	1.12
		Speed Related	3	0.47	N/A
<b>Recommended Speed Limit:</b> 40 mph					
<b>Summary and Justification:</b> The posted speed limit on Green Island Road from Mezzetta Court to SR 29 is 40 mph. In the eastbound direction, the 85th percentile speed was measured at 2 mph under the posted limit, while in the westbound direction, the 85th percentile speed was measured at 1 mph under the current posted speed limit. The 85th percentile speeds in both eastbound and westbound directions indicate an initial speed limit of 40 mph which is equal to the current posted speed limit. Therefore, we recommend the City maintain the existing speed limit of 40 mph.					
Notes:					



Signature

January 12, 2023

Date

Bob Grandy, TE1422

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Eucalyptus Dr from Between Wetlands Edge Road and Donaldson Way.

Roadway Name: Eucalyptus Dr		Segment #: 2 Segment Limits: Between Wetlands Edge Road and Donaldson Way	
Number of Lanes	2	Date: October 11, 2022	
Roadway Width	35-50 feet	Traffic Volumes: Two-way EB WB	
Posted Speed	35 mph	Total Vehicles Observed during speed survey	
		Average Daily Traffic (vehicles)	
Conditions Not Readily Apparent: N/A		Current Speed Data:	
		EB	WB
		50th Percentile (Two-way)	
		85th Percentile	
		10 mph Pace (Two-way)	
		Percent in Pace (Two-way)	
Bicycle and Pedestrian Facilities: Class I path along Napa Junction Elementary School, discontinuous sidewalk on the south side of the street		Description of Surrounding Area: Residential Neighborhood	
Community Facilities: Napa Junction Magnet Elementary School, Napa Junction Family Resource Center		Crash History:	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
		Total Crashes	0
		Speed Related	0
		0.00	1.12
		0.00	N/A
Recommended Speed Limit: 25 mph in school zone, 30 mph outside school zone			
Summary and Justification: The posted speed limit on Eucalyptus Drive from Wetlands Edge Road to Donaldson Way is 35 mph. In the eastbound direction, the 85th percentile speed was measured at 2.0 mph over the posted limit, while in the westbound direction, the 85th percentile speed was measured at 3.0 mph over the posted speed limit. Eucalyptus Drive has a discontinuous Class I path for pedestrians and bikes on the north side of the street and a discontinuous sidewalk on the south side of the street. Napa Junction Magnet Elementary School is also located at the west end of this segment. The school generates pedestrian and bicycle traffic along the roadway. According to AB 43, there is a prima facie speed limit of 25 mph near schools, and speeds may be lowered on roadways with high pedestrian and bicycle traffic to improve safety. Therefore, we recommend the City reduce the speed limit to 25 mph 500-1,000 feet around Napa Junction Magnet Elementary School and 30 mph outside of the school zone.			
Notes:			



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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Benton Way from Between Wetlands Edge Road and Donaldson Way.

Roadway Name: Benton Way		Segment #: 3 Segment Limits: Between Wetlands Edge Road and Donaldson Way	
Number of Lanes	2	Date: October 11, 2022	
Roadway Width	45 feet	Traffic Volumes: Two-way EB WB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	
		Average Daily Traffic (vehicles)	
Conditions Not Readily Apparent: N/A		Current Speed Data:	
		EB	WB
		50th Percentile (Two-way)	
		85th Percentile	
		10 mph Pace (Two-way)	
		Percent in Pace (Two-way)	
Bicycle and Pedestrian Facilities: Sidewalks and Class II bike lanes on both sides of the street		Description of Surrounding Area: Residential Neighborhood	
Community Facilities: American Canyon Middle School, Boys and Girls Club, American Canyon Community Services		Crash History:	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
		Total Crashes	1
		Speed Related	0
		0.51	1.12
		0.00	N/A
Recommended Speed Limit: 15 mph in school zone, 25 mph outside school zone			
Summary and Justification: The posted speed limit on Benton Way from Wetlands Edge Road and Donaldson Way is 25 mph. The observed 85th percentile speeds were 6 mph and 5 mph greater than the posted speed limit in the eastbound and westbound directions, respectively, which would initially indicate a posted speed limit of 30 mph. This segment of Benton Way has sidewalks and bike lanes in both directions. However, American Canyon Middle School, Boys and Girls Club, American Canyon Co-Op Preschool, and American Canyon Community Services are located along this roadway segment and attract a substantial level of pedestrian and bicycle activity throughout the day. No speed-related collisions have been reported on this section of Benton Way for the five-year period analyzed for this report. Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Additionally, AB 321 allows cities to lower speed limits to 15 mph around schools that are located in a residential district on a two-lane road with an existing speed limit of 30 mph or less. Due to Benton Way's proximity to schools and other institutions that produce high pedestrian and bicycle traffic, we recommend that the City reduce the speed limit to 15 mph within the school zone and implement traffic calming measures outlined in the American Canyon Complete Streets Safety Assessment (2022). Traffic calming measures at the intersection of Chaucer Lane include adding high-visibility crosswalks along the west and south leg, installing curb extensions on the west leg, and making the curb red to increase the visibility of pedestrians crossing. Benton Way is recommended to remain at 25 mph outside of the school zone.			
Notes:			



Signature

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January 12, 2023

Date

## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Donaldson Way West from Between Donaldson Way and SR 29.

<b>Roadway Name: Donaldson Way West</b>		<b>Segment #: 4 Segment Limits: Between Donaldson Way and SR 29</b>	
Number of Lanes	2	Date: October 4, 2022	
Roadway Width	35-45 feet	<b>Traffic Volumes:</b> Two-way EB WB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	100
		Average Daily Traffic (vehicles)	3,574
<b>Conditions Not Readily Apparent:</b> Prohibited parking on the south side of the street for 150 feet east of SR 29		<b>Current Speed Data:</b>	
		EB	WB
		50th Percentile	26
		85th Percentile	31      32
		10 mph Pace	23-32 mph
		Percent in Pace	81%
<b>Bicycle and Pedestrian Facilities:</b> Discontinuous sidewalks on both sides of the street, Class II bike lanes on both sides west of Carolyn Drive, Class III bike boulevard west of Carolyn Drive		<b>Description of Surrounding Area:</b> Residential Neighborhood	
<b>Community Facilities:</b> N/A		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	Segment      State Wide Average
		Total Crashes	0      0.00      1.12
		Speed Related	0      0.00      N/A
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit on Donaldson Way West from Donaldson Way to SR 29 is 25 mph. The observed 85th percentile speeds were 6 mph and 7 mph greater than the posted speed limit in the eastbound and westbound directions, respectively, which would initially indicate a posted speed limit of 30 mph.</p> <p>More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Additionally, Donaldson Way West has discontinuous sidewalks and bike lanes on both sides of the street. In accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the 85th percentile speed. No speed-related collisions have been reported on this section of Donaldson Way West for the five-year period analyzed for this report.</p> <p>Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of Donaldson Way West and lack of continuous pedestrian and bicycle facilities, we recommend that the City maintain the current speed limit of 25 mph.</p>			
Notes:			



Signature

January 12, 2023

Date

Bob Grandy, TE1422

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Donaldson Way East from Between SR 29 and Newell Drive.

Roadway Name: Donaldson Way East		Segment #: 5 Segment Limits: Between SR 29 and Newell Drive				
Number of Lanes	2	Date: October 4, 2022				
Roadway Width	40 feet	<b>Traffic Volumes:</b>		Two-way EB WB		
Posted Speed	25 mph	Total Vehicles Observed during speed survey		100		
		Average Daily Traffic (vehicles)		4,784		
<b>Conditions Not Readily Apparent:</b> Railroad Crossing, Prohibited parking on the north side of the street west of Crestwood Lane and the south side between Tuscan Oak Trail and the American Canyon Police Department		<b>Current Speed Data:</b>				
				EB	WB	
		50th Percentile		29		
		85th Percentile		32	32	
		10 mph Pace		24-33 mph		
Percent in Pace		90%				
<b>Bicycle and Pedestrian Facilities:</b> Discontinuous sidewalks on both sides of the street, no bicycle facilities		<b>Description of Surrounding Area:</b> Residential Neighborhood				
<b>Community Facilities:</b> American Canyon Police Department, Shenandoah Park		<b>Crash History:</b>		Number	Rate (acc/mil vehicle miles)	
		Crash Data Collected from 01/01/16 to 12/31/20		Segment	State Wide Average	
		Total Crashes		3	0.64	1.12
		Speed Related		2	0.42	N/A
<b>Recommended Speed Limit:</b> 25 mph						
<b>Summary and Justification:</b> The posted speed limit on Donaldson Way East from SR 29 to Newell Drive is 25 mph. The 85th percentile speeds were observed to be 7 mph greater than the posted speed limit in both directions, which would initially indicate a posted speed limit of 30 mph. Donaldson Way East has discontinuous sidewalks on the north side of the street and no bicycle facilities on either side of the roadway. Additionally, a railway crosses this segment of Donaldson Way East just west of Tuscan Oak Trail. Two speed-related collisions have been reported on this section of Donaldson Way East for the five-year period analyzed for this report. Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of Donaldson Way East and lack of continuous pedestrian and bicycle facilities, we recommend that the City maintain the current speed limit of 25 mph.						
Notes:						



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January 12, 2023

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along West American Canyon Rd from Between Wetlands Edge Road and James Road.

Roadway Name: <b>West American Canyon Rd</b>		Segment #: <b>6</b> Segment Limits: <b>Between Wetlands Edge Road and James Road</b>			
Number of Lanes	4	Date: October 11, 2022			
Roadway Width	65-85 feet	<b>Traffic Volumes:</b>			
Posted Speed	40 mph	Two-way EB WB			
		Total Vehicles Observed during speed survey	100		
		Average Daily Traffic (vehicles)	6,565		
<b>Conditions Not Readily Apparent:</b> Two-twenty foot median, Prohibited parking along various segments on the south side of the street between Chaucer Lane and James Road		<b>Current Speed Data:</b>			
		EB	WB		
		50th Percentile		36	
		85th Percentile		40      41	
		10 mph Pace		32-41 mph	
		Percent in Pace		69%	
<b>Bicycle and Pedestrian Facilities:</b> Discontinuous sidewalk on the north side of the street, Continuous sidewalk on the south side of the street, Class II bike lanes on both sides of the street		<b>Description of Surrounding Area:</b> Residential Neighborhood/Commercial Space			
<b>Community Facilities:</b> Northampton Park, Retail (Safeway)		<b>Crash History:</b>			
		Number	Rate (acc/mil vehicle miles)		
		Crash Data Collected from 01/01/16 to 12/31/20		Segment      State Wide Average	
		Total Crashes	4	0.62	1.15
		Speed Related	1	0.15	N/A
<b>Recommended Speed Limit:</b> 35 mph					
<b>Summary and Justification:</b> The posted speed limit of West American Canyon Road from Wetlands Edge Road to James Road is 40 mph. In the eastbound direction, the 85th percentile speed was measured equal to the posted limit, while in the westbound direction, the 85th percentile speed was measured at 1 mph over the current posted speed limit. West American Canyon Road has a continuous sidewalk on the south side of the street and a discontinuous sidewalk on the north side of the street. This segment has discontinuous unprotected Class II bike lanes on both sides of the street. The 85th percentile speeds in both eastbound and westbound directions indicate an initial speed limit of 40 mph which is equal to the current posted speed limit. West American Canyon Road's average daily traffic is less than 25,000 vehicles. According to AB 43, speeds may be lowered by five miles per hour where there is high pedestrian and bicycle traffic to improve safety. Therefore, to improve the pedestrian and bicycle environment, we recommend that the City reduce the speed limit to 35 mph. Due to West American Canyon Road's low daily traffic volumes, we also recommend that the City convert the two outside travel lanes to Class I paths or protected Class IV bike lanes.					
Notes:					



Signature

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Kimberly Drive from Between Meadow Bay Drive and SR 29.

<b>Roadway Name: Kimberly Drive</b>		<b>Segment #: 7 Segment Limits: Between Meadow Bay Drive and SR 29</b>	
Number of Lanes	2	Date: October 4, 2022	
Roadway Width	35-60 feet	<b>Traffic Volumes:</b> Two-way EB WB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	
		100	
		Average Daily Traffic (vehicles)	
		2,391	
<b>Conditions Not Readily Apparent:</b>		<b>Current Speed Data:</b>	
N/A		EB	WB
		50th Percentile	
		34	
		85th Percentile	
		40	37
		10 mph Pace	
		28-37 mph	
		Percent in Pace	
		78%	
<b>Bicycle and Pedestrian Facilities:</b>		<b>Description of Surrounding Area:</b>	
Sidewalks on both sides of the street, Discontinuous Class II bike lanes between Elliot Drive and SR 29		Residential Neighborhood	
<b>Community Facilities:</b>		<b>Crash History:</b>	
Kimberly Park Athletic Field		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
		Total Crashes	1.70
		4	1.12
		Speed Related	N/A
		1	0.42
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
The posted speed limit of Kimberly Drive from Meadow Bay Drive to SR 29 is 25 mph. In the eastbound direction, the 85th percentile speed was measured at 15 mph over the posted limit, while in the westbound direction, the 85th percentile speed was measured at 12 mph over the posted speed limit, which would initially indicate a posted speed limit of 35 mph.			
More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Kimberly Drive has sidewalks on both sides of the street and discontinuous bike lanes on both sides. One speed-related collision has been reported on this section of Kimberly Drive for the five-year period analyzed for this report. Additionally, the roadway segment collision rate is measured at 1.70 acc/mil.miles which is greater than the average statewide collision rate of similar roadway types (1.12 acc/mil.miles).			
Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speed, which would be 30 mph. However, due to the segment properties identified above such as the residential nature of Kimberly Drive and lack of bicycle facilities, we recommend that the City maintain the current speed limit of 25 mph. The City should monitor this segment as a Tier I priority for possible traffic calming measures to reduce the 85th percentile speeds.			
Notes:			



Signature

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Wetlands Edge Rd from Between Eucalyptus Drive and Kensington Way.

Roadway Name: Wetlands Edge Rd		Segment #: 8 Segment Limits: Between Eucalyptus Drive and Kensington Way	
Number of Lanes	2	Date: October 13, 2022	
Roadway Width	30 feet	<b>Traffic Volumes:</b> Two-way NB SB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	
		Average Daily Traffic (vehicles)	
<b>Conditions Not Readily Apparent:</b> San Francisco Bay Trail on West side of the street, Prohibited parking on the west side of the street where parking is not designated		<b>Current Speed Data:</b>	
		NB	SB
		50th Percentile	
		33	32
		85th Percentile	
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks on both sides of the street, No bicycle facilities		10 mph Pace	
		Percent in Pace	
		23-32 mph	
		75%	
<b>Community Facilities:</b> N/A		<b>Description of Surrounding Area:</b> Residential Neighborhood	
		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
Total Crashes		1	0.60
Speed Related		0	0.00
N/A		1.12	N/A
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit of Wetlands Edge Road from Eucalyptus Drive to Kensington Way is 25 mph. In the northbound direction, the 85th percentile speed was measured at 8 mph over the posted speed limit, while in the southbound direction, the 85th percentile speed was measured at 7 mph over the posted speed limit. The 85th percentile speeds would initially indicate raising the speed limit to 30 mph.</p> <p>More than 13 separate dwelling units exist on the east side of the roadway within a quarter mile along this roadway segment. Wetlands Edge Road has sidewalks on both sides of the street. However, there are five marked uncontrolled crosswalks that connect to San Francisco Bay Trail. This segment has no bicycle facilities. One speed-related collision has been reported on this section of Donaldson Way East for the five-year period analyzed for this report.</p> <p>Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of Wetlands Edge Road and lack of bicycle facilities, we recommend that the City maintain the current speed limit of 25 mph.</p>			
Notes:			



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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Hummingbird Way from Between Benton Way and West American Canyon Road.

<b>Roadway Name: Hummingbird Way</b>		<b>Segment #: 9 Segment Limits: Between Benton Way and West American Canyon Road</b>	
Number of Lanes	2	Date: October 13, 2022	
Roadway Width	35 feet	<b>Traffic Volumes:</b> Two-way NB SB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	
		100	
		Average Daily Traffic (vehicles)	
		554	
<b>Conditions Not Readily Apparent:</b>		<b>Current Speed Data:</b>	
N/A		NB	SB
		50th Percentile	
		23	
		85th Percentile	25
		29	25
		10 mph Pace	
		18-27 mph	
		Percent in Pace	
		76%	
<b>Bicycle and Pedestrian Facilities:</b>		<b>Description of Surrounding Area:</b>	
Sidewalks on both sides of the street, No bicycle facilities		Residential Neighborhood	
<b>Community Facilities:</b>		<b>Crash History:</b>	
N/A		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
		Total Crashes	1.12
		1	1.83
		Speed Related	N/A
		1	1.83
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
The posted speed limit of Hummingbird Way from Benton Way to West American Canyon Road is 25 mph. In the northbound direction, the 85th percentile speed was measured at 4 mph over the posted limit, while in the southbound direction, the 85th percentile speed was measured equal to the posted speed limit. Since the lower of the two 85th percentile speeds can be used to set the speed limit, the 85th percentile speeds in the southbound direction indicates an initial speed limit of 25 mph which is equal to the current posted speed limit. Therefore, we recommend the City maintain the existing speed limit of 25 mph.			
<b>Notes:</b>			



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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Donaldson Way from Between Eucalyptus Drive and Benton Way.

Roadway Name: Donaldson Way		Segment #: 10 Segment Limits: Between Eucalyptus Drive and Benton Way	
Number of Lanes	2	Date: October 11, 2022	
Roadway Width	40 feet	<b>Traffic Volumes:</b> Two-way NB SB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	
		Average Daily Traffic (vehicles)	
<b>Conditions Not Readily Apparent:</b> N/A		<b>Current Speed Data:</b>	
		NB	SB
		50th Percentile	
		28	30
		85th Percentile	
10 mph Pace		21-30 mph	
Percent in Pace		79%	
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks on both sides of the street, No bicycle facilities		<b>Description of Surrounding Area:</b> Residential Neighborhood	
<b>Community Facilities:</b> N/A		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
Total Crashes		3	0.90
Speed Related		1	0.30
Speed Related		1	N/A
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit of Donaldson Way from Eucalyptus Drive to Benton Way is 25 mph. In the northbound direction, the 85th percentile speed was measured at 3 mph over the posted limit, while in the southbound direction, the 85th percentile speed was measured at 5 mph over the posted speed limit, which would initially indicate a posted speed limit of 30 mph.</p> <p>Since the lower of the two 85th percentile speeds can be used to set the speed limit, the 85th percentile speeds in the northbound direction indicates an initial speed limit of 30 mph.</p> <p>According to the California MUTCD 2014 Edition, Revision 3, for cases in which the nearest five miles per hour increment of the 85th percentile speed would require rounding up, then the speed limit may be rounded down to the nearest five miles per hour increment below the 85th percentile speed, if no further reduction is used. The 85th percentile speeds in the northbound direction was rounded up to indicate an initial speed limit of 30 mph, which can be rounded down to 25 mph. Therefore, we recommend the City maintain the existing speed limit of 25 mph.</p>			
<b>Notes:</b>			



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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Elliot Dr from Between Benton Way and West American Canyon Road.

Roadway Name: Elliot Dr	Segment #: 11	Segment Limits:	Between Benton Way and West American Canyon Road	
Number of Lanes	2	Date:	October 11, 2022	
Roadway Width	45 feet	<b>Traffic Volumes:</b>	Two-way NB SB	
Posted Speed	30 mph	Total Vehicles Observed during speed survey	100	
		Average Daily Traffic (vehicles)	3,793	
<b>Conditions Not Readily Apparent:</b> N/A		<b>Current Speed Data:</b>	NB	SB
		50th Percentile	30	
		85th Percentile	35	35
		10 mph Pace	26-35 mph	
		Percent in Pace	74%	
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks and Class II bike lanes on both sides		<b>Description of Surrounding Area:</b>	Residential Neighborhood	
<b>Community Facilities:</b> N/A		<b>Crash History:</b>	Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	Segment	State Wide Average
		Total Crashes	0	0.00
		Speed Related	0	0.00
			1.12	N/A
<b>Recommended Speed Limit:</b>	25 mph			
<b>Summary and Justification:</b>				
<p>The posted speed limit of Elliot Drive from Benton Way to West American Canyon Road is 30 mph. In both northbound and southbound directions, the 85th percentile speed was measured at 5 mph over the posted limit. The 85th percentile speeds would initially indicate raising the speed limit to 35 mph.</p> <p>More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Elliot Drive has sidewalks and bike lanes on both sides of the roadway. This segment's connection to two major roadways, West American Canyon Road and Benton Way, generates pedestrian and bicycle traffic. No speed-related collisions have been reported on this section of Elliot Drive for the five-year period analyzed for this report.</p> <p>Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. According to AB 43, speeds may be lowered on roadways with high pedestrian and bicycle traffic to improve safety. Therefore, to improve the pedestrian and bicycle environment, we recommend that the City reduce the current speed limit to 25 mph.</p>				
<b>Notes:</b>				



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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Elliott Dr from Between West American Canyon Road and Marla Drive.

Roadway Name: Elliott Dr		Segment #: 12 Segment Limits: Between West American Canyon Road and Marla Drive	
Number of Lanes	2	Date: October 4, 2022	
Roadway Width	40-45 feet	<b>Traffic Volumes:</b> Two-way NB SB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	100
		Average Daily Traffic (vehicles)	4,166
<b>Conditions Not Readily Apparent:</b> Walking path crossing near Linwood Park and bridge over creek North of Folland Drive		<b>Current Speed Data:</b>	
		NB	SB
		50th Percentile	31
		85th Percentile	35      37
		10 mph Pace	28-37 mph
		Percent in Pace	80%
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks on both sides, Class II bike lanes on both sides north of the walking path near Linwood Park		<b>Description of Surrounding Area:</b> Residential Neighborhood	
<b>Community Facilities:</b> American Canyon Senior Center, Elliot Park, City of American Canyon Community Garden		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	Segment      State Wide Average
		Total Crashes	3      0.73      1.12
		Speed Related	0      0.00      N/A
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit of Elliot Drive from West American Canyon Road to Marla Drive is 25 mph. In the northbound direction, the 85th percentile speed was measured at 10 mph over the posted limit, while in the southbound direction, the 85th percentile speed was measured at 12 mph over the posted speed limit, which would initially indicate a posted speed limit of 35 mph.</p> <p>More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. The American Canyon Senior Center is also located along Elliot Drive. Elliot Drive has discontinuous sidewalks and bike lanes on both sides of the street. Additionally, there is a marked, uncontrolled crosswalk for a walking trail south of Knightsbridge Way. No speed-related collisions have been reported on this section of Elliot Drive for the five-year period analyzed for this report. Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speed, which would be 30 mph.</p> <p>California Assembly Bill No. 43 sets a prima facie speed limit of 25 mph when passing a senior center. According to AB 43, speeds may be lowered near senior centers and where the pedestrian and bicycle environment poses a risk to safety. Due to the proximity to a senior center and the segment properties identified above such as the residential nature of Elliot Drive and lack of pedestrian and bicycle facilities, we recommend that the City maintain the current speed limit of 25 mph. The City should monitor this segment of Elliot Drive as a Tier I priority for possible traffic calming measures to reduce the 85th percentile speeds.</p>			
Notes:			



Signature

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along James Rd from Between Wilson Way and West American Canyon Road.

Roadway Name: James Rd		Segment #: 13 Segment Limits: Between Wilson Way and West American Canyon Road	
Number of Lanes	2	Date: October 11, 2022	
Roadway Width	40 feet	<b>Traffic Volumes:</b> Two-way NB SB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	
		Average Daily Traffic (vehicles)	
<b>Conditions Not Readily Apparent:</b> N/A		<b>Current Speed Data:</b>	
		NB	SB
		50th Percentile	
		85th Percentile	
		10 mph Pace	
		22-31 mph	
		Percent in Pace	
		73%	
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks on the east side of the street, No bicycle facilities		<b>Description of Surrounding Area:</b> Residential Neighborhood	
<b>Community Facilities:</b> American Canyon Library, American Canyon Fire District		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
		Total Crashes	2
		Speed Related	0
		0.51	1.12
		0.00	N/A
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit of James Road from Wilson Way to West American Canyon Road is 25 mph. In the northbound direction, the 85th percentile speed was measured at 7 mph over the posted limit, while in the southbound direction, the 85th percentile speed was measured at 10 mph over the posted speed limit. Since the lower of the two 85th percentile speeds can be used to set the speed limit, the 85th percentile northbound speed would initially indicate raising the speed limit to 30 mph.</p> <p>More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Elliot Drive has sidewalks on the east side of the street, but it does not have bicycle facilities. No speed-related collisions have been reported on this section of Elliot Drive for the five-year period analyzed for this report. Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of James Road and lack of pedestrian and bicycle facilities, we recommend that the City maintain the current speed limit of 25 mph.</p>			
Notes:			



Signature

Bob Grandy, TE1422  
Is licensed by the Board for Professional  
Engineers, Land Surveyors, and Geologists

January 12, 2023

Date

## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Danrose Dr from Between West American Canyon Road and Mini Drive.

Roadway Name: Danrose Dr		Segment #: 14 Segment Limits: Between West American Canyon Road and Mini Drive	
Number of Lanes	2	Date: October 11, 2022	
Roadway Width	40 feet	<b>Traffic Volumes:</b> Two-way NB SB	
Posted Speed	25 mph	Total Vehicles Observed during speed survey	
		Average Daily Traffic (vehicles)	
<b>Conditions Not Readily Apparent:</b> N/A		<b>Current Speed Data:</b>	
		NB	SB
		50th Percentile	
		85th Percentile	
		10 mph Pace	
		21-30 mph	
		Percent in Pace	
		86%	
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks on both sides of the street, No bicycle facilities		<b>Description of Surrounding Area:</b> Residential Neighborhood	
<b>Community Facilities:</b> N/A		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	
		Segment	State Wide Average
		Total Crashes	4
		Speed Related	1
		0.78	1.12
		0.19	N/A
<b>Recommended Speed Limit:</b> 25 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit of Danrose Drive from West American Canyon Road to Mini Drive is 25 mph. In both northbound and southbound directions, the 85th percentile speed was measured at 5 mph over the posted limit. The 85th percentile speeds would initially indicate raising the speed limit to 30 mph. More than 16 separate dwelling units exist on both sides of the roadway within a quarter mile along this roadway segment. Danrose Drive has sidewalks on both sides of the street, but it does not have bicycle facilities. One speed-related collision has been reported on this section of Elliot Drive for the five-year period analyzed for this report. Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. Therefore, due to the residential nature of Danrose Drive and lack of bicycle facilities, we recommend that the City maintain the current speed limit of 25 mph.</p>			
Notes:			



Signature

January 12, 2023

Date

Bob Grandy, TE1422

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Broadway Street from Between American Canyon Road East and Mini Drive.

Roadway Name: Broadway Street		Segment #: 15 Segment Limits: Between American Canyon Road East and Mini Drive	
Number of Lanes	2	Date: October 4, 2022	
Roadway Width	30 feet	<b>Traffic Volumes:</b> Two-way NB SB	
Posted Speed	30 mph	Total Vehicles Observed during speed survey	
		Average Daily Traffic (vehicles)	
<b>Conditions Not Readily Apparent:</b> Prohibited parking on both sides of the roadway along most of Broadway aside from near the Veterans Memorial Park and the American Canyon Dog Park.		<b>Current Speed Data:</b>	
		50th Percentile	35
		85th Percentile	40      41
		10 mph Pace	32-41 mph
		Percent in Pace	74%
<b>Bicycle and Pedestrian Facilities:</b> Continuous sidewalk with portions of a Class I path on the west side of the street, Discontinuous sidewalk on the east side of the street, Discontinuous Class II bike lane on the east side of the street		<b>Description of Surrounding Area:</b> Residential Neighborhood, Green Space	
<b>Community Facilities:</b> Veterans Memorial Park, American Canyon Dog Park		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	Segment      State Wide Average
		Total Crashes	1      0.21      1.12
		Speed Related	0      0.00      N/A
<b>Recommended Speed Limit:</b> 30 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit of Broadway Street from American Canyon Road East to the Southern City Limits is 30 mph. In the northbound direction, the 85th percentile speed was measured at 10 mph over the posted limit, while in the southbound direction, the 85th percentile speed was measured at 11 mph over the posted speed limit. The 85th percentile speeds would initially indicate raising the speed limit to 40 mph.</p> <p>Broadway Street has sidewalks on one or both sides of the street and discontinuous bike lanes. Veterans Memorial Park, American Canyon Dog Park, and a playground are located along this roadway segment and attract a substantial level of pedestrian and bicycle activity throughout the day. No speed-related collisions have been reported on this section of Elliot Drive for the five-year period analyzed for this report.</p> <p>Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speed, which would be 35 mph. However, due to the segment properties identified above such as the roadway conditions and lack of continuous pedestrian and bicycle facilities, we recommend that the City maintain the current speed limit of 30 mph. The City should monitor this segment of Broadway Street for possible traffic calming measures to reduce the 85th percentile speeds.</p>			
Notes:			



Signature

January 12, 2023

Date

Bob Grandy, TE1422

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Newell Drive from Between the Northern Newell Open Space Extents and American Canyon Road East.

<b>Roadway Name: Newell Drive</b>		<b>Segment #: 16 Segment Limits: Between the Northern Newell Open Space Extents and American Canyon Road East</b>			
Number of Lanes	4	Date: October 4, 2022			
Roadway Width	60 feet	<b>Traffic Volumes:</b> Two-way NB SB			
Posted Speed	35 mph	Total Vehicles Observed during speed survey	100		
		Average Daily Traffic (vehicles)	7,293		
<b>Conditions Not Readily Apparent:</b>		<b>Current Speed Data:</b>			
Two-ten foot median, Prohibited parking on both sides of the roadway between American Canyon Road and just north of Silver Oak Trail, near American Canyon High School		50th Percentile	35		
		85th Percentile	39   39		
		10 mph Pace	30-39 mph		
		Percent in Pace	76%		
<b>Bicycle and Pedestrian Facilities:</b>		<b>Description of Surrounding Area:</b>			
Discontinuous sidewalks on both sides of the street, No bike facilities		Residential Neighborhood, Undeveloped Open Space			
<b>Community Facilities:</b>		<b>Crash History:</b>			
American Canyon High School		Number	Rate (acc/mil vehicle miles)		
		Crash Data Collected from 01/01/16 to 12/31/20			
		Total Crashes	5	Segment	State Wide Average
		Speed Related	3	0.70	1.15
			0.42	N/A	
<b>Recommended Speed Limit:</b> 25 mph in school zone, 30 mph outside school zone					
<b>Summary and Justification:</b>					
The posted speed limit on Newell Drive from the Northern Newell Open Space Extents to American Canyon Road East is 35 mph. In both northbound and southbound directions, the 85th percentile speed was measured at 4 mph over the posted limit. The 85th percentile speeds would initially indicate raising the speed limit to 40 mph. Newell Drive has discontinuous sidewalks on both sides of the street and does not have bicycle facilities. American Canyon High School is also located at the south end of this segment. The school generates pedestrian and bicycle traffic along the roadway. According to AB 43, there is a prima facie speed limit of 25 mph near schools, and speeds may be lowered on roadways with high pedestrian and bicycle traffic to improve safety. Therefore, we recommend the City reduce the speed limit to 25 mph 500-1,000 feet around American canyon High School and 30 mph outside of the school zone.					
Notes:					



Signature

January 12, 2023

Date

Bob Grandy, TE1422

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along Flosden Rd from Between American Canyon Road East and the Southern City Limits.

Roadway Name: Flosden Rd		Segment #: 17 Segment Limits: Between American Canyon Road East and the Southern City Limits			
Number of Lanes	4	Date: October 11, 2022			
Roadway Width	60 feet	<b>Traffic Volumes:</b> Two-way NB SB			
Posted Speed	45 mph	Total Vehicles Observed during speed survey			
		Average Daily Traffic (vehicles)			
<b>Conditions Not Readily Apparent:</b> Two-ten foot median, Prohibited parking along various segments on both sides of the road		<b>Current Speed Data:</b>			
			NB	SB	
		50th Percentile		45	
		85th Percentile		51	50
		10 mph Pace		41-50 mph	
Percent in Pace		65%			
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks on both sides of the street, No bike facilities		<b>Description of Surrounding Area:</b> Residential Neighborhood			
<b>Community Facilities:</b> N/A		<b>Crash History:</b>			
		Number		Rate (acc/mil vehicle miles)	
		Crash Data Collected from 01/01/16 to 12/31/20		Segment	State Wide Average
		Total Crashes	6	0.35	1.15
		Speed Related	2	0.12	N/A
<b>Recommended Speed Limit:</b> 40 mph					
<b>Summary and Justification:</b>					
<p>The posted speed limit on Flosden Road from American Canyon Road East to the Southern City Limits is 45 mph. The observed 85th percentile speeds were 6 mph and 5 mph greater than the posted speed limit in the northbound and southbound directions, respectively, which would initially require a posted speed limit of 50 mph. Flosden Road is a major arterial and has high traffic volumes serving an average of over 17,000 vehicles daily. This segment has sidewalks on both sides of the road, but it does not have bicycle facilities. Two speed-related collisions have been reported on this section of Flosden Road for the five-year period analyzed for this report. The American Canyon Local Road Safety Plan identified this segment as a high severity roadway due the severity of its collisions from 2017 to 2021. Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. According to AB 43, speeds may be lowered by five miles per hour where the speed limit is deemed more than reasonable or safe. Therefore, due to the segment properties identified above, such as high traffic volumes and lack of adequate bicycle facilities, and the City-identified safety risk, we recommend that the City reduce the speed limit to 40 mph.</p>					
Notes:					



Signature

January 12, 2023

Date

Bob Grandy, TE1422

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## City of American Canyon 2022 Speed Survey Analysis

California Vehicle Code (CVC) Section 40802 requires speed limits be justified by an Engineering and Traffic Survey conducted in accordance with methods determined by the Department of Transportation. Speed limits are legally required to be established at the nearest five (5) mph increment to the 85th percentile speed. The 85th percentile speed is defined as that speed at or below which 85 percent of the traffic is moving. This means that a segment with an 85th percentile speed of 27.4 miles per hour can be posted for 25 mph, while a segment with a critical speed of 27.5 mph must be posted at 30 mph. However, Section 627 of the California Vehicle Code (CVC) stipulates that other factors besides the 85th percentile speed such as accident records, roadside conditions, residential density along the roadway, as well as pedestrian and bicyclist safety can be considered when determining speed limits.

Below are the results for the speed survey analysis conducted along American Canyon Road East from Between Broadway Street and the Eastern City Limits.

<b>Roadway Name: American Canyon Road East</b>		<b>Segment #: 18 Segment Limits: Between Broadway Street and the Eastern City Limits</b>	
Number of Lanes	2-4	Date: April 6, 2023	
Roadway Width	30-65 feet	<b>Traffic Volumes:</b> Two-way EB WB	
Posted Speed	45 mph	Total Vehicles Observed during speed survey	100
		Average Daily Traffic (vehicles)	19,777
<b>Conditions Not Readily Apparent:</b> Two-seventeen foot median, Prohibited parking on the south side of the road between Broadway and Flosden Road		<b>Current Speed Data:</b>	
		50th Percentile	43
		85th Percentile	48      52
		10 mph Pace	37-46 mph
		Percent in Pace	61%
<b>Bicycle and Pedestrian Facilities:</b> Sidewalks on the south side of the street, no bicycle facilities		<b>Description of Surrounding Area:</b> Residential Neighborhood/Commercial Space	
<b>Community Facilities:</b> N/A		<b>Crash History:</b>	
		Number	Rate (acc/mil vehicle miles)
		Crash Data Collected from 01/01/16 to 12/31/20	Segment      State Wide Average
		Total Crashes	7      0.36      1.15
		Speed Related	4      0.21      N/A
<b>Recommended Speed Limit:</b> 45 mph			
<b>Summary and Justification:</b>			
<p>The posted speed limit on American Canyon Road East from Broadway to the Eastern City Limits is 45 mph. The observed 85th percentile speeds were 3 mph and 7 mph greater than the posted speed limit in the eastbound and westbound directions, respectively, which would initially require a posted speed limit of 50 mph. American Canyon Road East is a major arterial and has high traffic volumes serving an average of nearly 20,000 vehicles daily. This segment has sidewalks on the south side of the road, but it does not have bicycle facilities. Four speed-related collisions have been reported on this section of American Canyon Road East for the five-year period analyzed for this report. The American Canyon Local Road Safety Plan identified both the segments of American Canyon Road East between Silver Oak Trail and Newell and between Newell and the Eastern City Limits as high severity roadways due the severity of their collisions from 2017 to 2021. Based on the segment properties explained above and in accordance with CVC Section 627, the City has the authority to establish the speed limit at five miles per hour below the limit established by the observed 85th percentile speeds. According to AB 43, speeds may be lowered by five miles per hour where the speed limit is deemed more than reasonable or safe. Therefore, due to the segment properties identified above, such as high traffic volumes and lack of adequate bicycle facilities, and the City-identified safety risk, we recommend that the City reduce the speed limit to 40 mph.</p>			
Notes:			



Signature

April 10, 2023

Date

Bob Grandy, TE1422

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**Appendix B:**  
**CVC Section 627**

## **VEHICLE CODE - VEH**

### **DIVISION 1. WORDS AND PHRASES DEFINED [100 - 681]**

*( Division 1 enacted by Stats. 1959, Ch. 3. )*

#### **627.**

(a) "Engineering and traffic survey," as used in this code, means a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation for use by state and local authorities.

(b) An engineering and traffic survey shall include, among other requirements deemed necessary by the department, consideration of all of the following:

(1) Prevailing speeds as determined by traffic engineering measurements.

(2) Accident records.

(3) Highway, traffic, and roadside conditions not readily apparent to the driver.

(c) When conducting an engineering and traffic survey, local authorities, in addition to the factors set forth in paragraphs (1) to (3), inclusive, of subdivision (b) may consider all of the following:

(1) Residential density, if any of the following conditions exist on the particular portion of highway and the property contiguous thereto, other than a business district:

(A) Upon one side of the highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures.

(B) Upon both sides of the highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures.

(C) The portion of highway is longer than one-quarter of a mile but has the ratio of separate dwelling houses or business structures to the length of the highway described in either subparagraph (A) or (B).

(2) Pedestrian and bicyclist safety.

*(Amended by Stats. 2000, Ch. 45, Sec. 1. Effective January 1, 2001.)*



## **TITLE**

Interwest Consulting Group Building and Safety Services contract augment and one-year extension

## **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of American Canyon approving Amendment 16 to Agreement 2011-A105 with the Interwest Consulting Group to extend the contract for Building and Safety Services to the end of Fiscal Year 2023/24, and increase the total contract amount by \$642,000 not to exceed \$3,784,500.

## **CONTACT**

Brent Cooper, AICP, Community Development Director

## **BACKGROUND & ANALYSIS**

Since 2011, Interwest Consulting Group provides contract Building and Safety Services that includes a part-time Building Official, Plan Check services, and on-call Building Inspection Services. The contract is funded from 45% of the building permit fees plus an hourly charge for Inspection Services.

For Fiscal Year 2023/24, staff anticipates that the Interwest Building and Safety services will cost \$642,000 which is offset from building plan check and inspection revenue.

Interwest provides excellent staff that maintain a high level of service for the City. For this reason, staff recommends extending the contract for one additional fiscal year.

## **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

Organizational Effectiveness: "Deliver exemplary government services."

## **FISCAL IMPACT**

The Interwest services cost of \$642,000 and associated revenues are included in the upcoming Fiscal Year 2023/24 budget.

## **ENVIRONMENTAL REVIEW**

N/A

**ATTACHMENTS:**

1. Interwest Contract Resolution 16th Amendment
2. Exhibit A 16th Amendment

RESOLUTION NO. 2023-\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING AMENDMENT 16 TO AGREEMENT 2011-A105 WITH THE INTERWEST CONSULTING GROUP TO EXTEND THE CONTRACT FOR BUILDING AND SAFETY SERVICES TO THE END OF FISCAL YEAR 2023/24 AND INCREASE THE TOTAL CONTRACT AMOUNT BY \$642,000 TO AN AMOUNT NOT TO EXCEED \$3,784,500**

**WHEREAS**, the City has a longstanding practice of providing Building & Safety Services through a combination of in-house and contract staff; and

**WHEREAS**, because of the volatility of development, contracting specialized Building and Safety staff helps the City remain flexible with resources in response to market conditions and demands; and

**WHEREAS**, City lacks the qualified personnel to provide the specified work product; and

**WHEREAS**, consistent with the “A/B/C Test” stipulated by the *Dynamex Operations West Inc. v. Superior Court* (Case No. S222732), the Interwest Consulting Group is an independent contractor free from the control and direction of the City in connection with the performance of the work, who performs work that is outside the usual course of the City’s business and is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the City; and

**WHEREAS**, the Interwest Consulting Group contract cost is fixed at 45% of the building permit and plan check fee revenue which ensures the services are provided at no net cost to the General Fund and provides part-time Building Inspection services for an hourly charge that is offset with salary savings from a vacant Building Official position.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of American Canyon hereby determines that the Interwest Consulting Group is free from the control and direction of the City in connection with the performance of the work, both under the contract for the performance of such work and in fact.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of American Canyon hereby determines that the Interwest Consulting Group performs work that is outside the usual course of the City’s business.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of American Canyon hereby determines that the Interwest Consulting Group is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the City.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of American hereby approves Amendment 16 to Agreement 2011-A105 with the Interwest Consulting Group increasing the total contract amount by \$642,000 to an amount not to exceed \$3,784,500 for building and safety inspection, building official, and plan check services and extends the contract term to June 30, 2024 as incorporated by reference as Exhibit A to this Resolution.

**PASSED, APPROVED and ADOPTED** at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 2<sup>nd</sup> day of May, 2023, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Taresa Geilfuss, CMC, City Clerk

---

William D. Ross, City Attorney

Exhibit A – 16<sup>th</sup> Amendment to Agreement 2011-A105

# EXHIBIT A

CITY OF AMERICAN CANYON AGREEMENT NO. \_\_\_\_\_

## AMENDMENT #16 TO AGREEMENT NO. 2011-A105 TO THE CITY OF AMERICAN CANYON STANDARD AGREEMENT FOR BUILDING AND SAFETY, BUILDING OFFICIAL PLAN CHECK, AND BUILDING INSPECTION SERVICES WITH INTERWEST CONSULTING GROUP

### RECITALS

1. The City of American Canyon ("CITY") and Interwest Consulting Group ("CONSULTANT") have entered into an Agreement dated November 2, 2011, with a First Amendment on January 15, 2013, a Second Amendment on May 22, 2014, a Third Amendment on December 19, 2014, a Fourth Amendment on July 7, 2015, a Fifth Amendment on March 17, 2016, a Sixth Amendment on November 15, 2016, a Seventh Amendment on April 4, 2017, an Eighth Amendment on October 5, 2017, a Ninth Amendment on January 8, 2018, a Tenth Amendment on March 6, 2018, an Eleventh Amendment on June 5, 2018, a Twelfth Amendment on June 18, 2019, a Thirteenth Amendment on March 3, 2020, a Fourteenth Amendment on October 5, 2021, and a Fifteenth Amendment on June 21, 2022.
2. The Agreement provides for amendments to perform specific tasks under a specific scope of services that may arise during the term of the agreement.

**NOW, THEREFORE, CITY and CONSULTANT** agree as follows:

#### **1.00 SERVICES AND COMPENSATION**

CONSULTANT agrees to provide services as listed in Attachment "A" to increase the contract amount for additional services in the amount of \$642,000 not to exceed \$3,784,500.

#### **2.00 TIME OF PERFORMANCE**

The services covered by this Amendment shall be performed or provided by June 30, 2024.

#### **3.00 REMAINING PROVISIONS**

All other terms of the November 2, 2011 Agreement remain in full force and effect.

**Executed on** \_\_\_\_\_, 2023, at American Canyon, California.

**CITY:**

**CONSULTANT/CONTRACTOR:**

By: \_\_\_\_\_  
Jason B. Holley  
City Manager

By: \_\_\_\_\_  
Name  
Title



## **TITLE**

Lance Soll and Lunghard LLP contract amendment and extension

## **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of American Canyon approving Amendment 2 to Agreement 2022-A101 with Lance Soll and Lunghard LLP (Exhibit A) to increase the total contract amount by \$110,000 to an amount not to exceed \$159,900, extend the contract term to June 30, 2024, and amend the Fiscal Year 2022/23 budget to account for the additional contract cost during the current fiscal year.

## **CONTACT**

Juan Gomez, Finance Director

## **BACKGROUND & ANALYSIS**

During the last couple of years, the finance department has had numerous retirements and departures resulting in a loss of years of institutional knowledge in addition to challenges recruiting for key positions in a tight labor market. In 2022, finance contracted with Lance Soll and Lunghard (LSL) LLP to assist with accounting and audit support services including monthly, quarterly and yearly reconciliations, CIP monitoring and capital assets accounting. This augmentation to staff has allowed city staff to focus on ACFR preparation, budget preparation, supporting city departments with purchasing, analysis and process improvements.

City staff has been very pleased with the services rendered by Lance Soll Lunghard LLP. In the last three months they have assisted the finance department with bank reconciliations, capital assets reconciliations and have provided staff with best practice recommendations. The original \$49,900 contract amount has been expended and to ensure the finance department continues to meet financial reporting deadlines and support with accounting tasks, staff requests a contract amendment in the amount of \$110,000. This amount would provide continued services for this current and next fiscal year.

## **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

Organizational Effectiveness: "Deliver exemplary government services."

## **FISCAL IMPACT**

Total contract amendment cost is \$110,000. The FY 2022-23 budget will be amended by \$30,000 to cover the additional services. FY 2023-24 contract budget of \$80,000 will be included in the ensuing budget.

## **ENVIRONMENTAL REVIEW**

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

## **ATTACHMENTS:**

1. [Resolution - Lance Soll and Lunghard LLP](#)
2. [Exhibit A - Amendment 2 - Lance Soll and Lunghard LLP](#)

**RESOLUTION NO. 2023-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON, AUTHORIZING THE CITY MANAGER TO SIGN AMENDEMENT # 2 WITH LANCE SOLL AND LUNGHARD LLP FOR ACCOUNTING AND AUDIT SUPPORT SERVICES IN THE AMOUNT OF \$110,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$159,990, EXTEND THE CONTRACT TERM TO JUNE 30, 2024 AND AMEND THE FISCAL YEAR 2022/23 BUDGET TO ACCOUNT FOR THE ADDITIONAL CONTRACT COST FOR THE CURRENT FISCAL YEAR**

**WHEREAS**, the City finance department has experienced vacancies in key positions and is looking to augment department staff; and

**WHEREAS**, Lance Soll and Lunghard LLP currently provides the City of American Canyon with Accounting and Audit Support Services; and

**WHEREAS**, Lance Soll and Lunghard LLP has the technical and relevant governmental accounting expertise; and

**WHEREAS**, the City is satisfied with accounting and audit support services provided by Lance Soll and Lunghard LLP; and

**WHEREAS**, the Fiscal Year 2022/23 budget shall be amended to increase Professional Services by \$30,000; and

**WHEREAS**, Lance Soll and Lunghard LLP contract shall be increased to reflect the additional work accomplished during Fiscal Year 2022/23 and anticipated work for Fiscal Year 2023/24, equaling \$110,000 for a total contract amount not to exceed \$159,990

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of American Canyon authorizes the City Manager to sign Amendment #2 with Lance Soll and Lunghard LLP for accounting and audit support services through June 30, 2024.

**PASSED, APPROVED and ADOPTED** at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 2<sup>nd</sup> day of May, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Taresa Geilfuss, CMC, City Clerk

\_\_\_\_\_  
William D. Ross, City Attorney

**AMENDMENT #2 TO AGREEMENT NO. 2022-A101 THE CITY OF AMERICAN CANYON STANDARD AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES WITH LANCE SOLL AND LUNGHARD LLP**

**RECITALS**

1. The City of American Canyon (CITY) and Lance Soll and Lunghard LLP (CONSULTANT) have entered into an Agreement dated June 13, 2022 that has been previously amended by Amendment 1 (Agreement No. 2020- A179).
2. The Agreement provides for amendments to perform specific tasks under a specific scope of services that may arise during the term of the agreement.

**NOW, THEREFORE, CITY and CONSULTANT** agree as follows:

**1.00 SERVICES AND COMPENSATION**

CONSULTANT agrees to provide services as listed in Attachment "A" to increase the contract amount for additional services in the amount of \$110,000 for a total not to exceed contract amount of \$159,900.

**2.00 TIME OF PERFORMANCE**

The services covered by this Amendment shall be performed or provided by June 30, 2024.

**3.00 REMAINING PROVISIONS**

All other terms of the June 13, 2022 Agreement remain in full force and effect.

**Executed on** April 10, 2023, at American Canyon, California.

**CITY:**

**CONSULTANT:**

By: \_\_\_\_\_  
Jason B. Holley  
City Manager

By: \_\_\_\_\_  
Kelly Telford CPA  
Partner Government Services



PREPARED BY  
Lance Soll & Lunghard LLP  
Certified Public Accountants  
License Number 2584

Proposal Presented to the  
City of American Canyon  
Accounting Consulting Services

**CONTACT PERSON**

Kelly Telford CPA Partner  
Kelly Telford@lslcpas.com  
(714) 672 0022

**November 26 2022**

Focused  
on YOU





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## LETTER OF TRANSMITTAL

November 26 2022

City of American Canyon  
 Maria Ojeda Assistant City Manager  
 4381 Broadway Street Suite 201  
 American Canyon CA 94503

Ms Ojeda

**LANCE SOLL & LUNGHARD LLP ("LSL CPAs , "LSL )** is pleased to present our scope of work proposal for accounting and consulting services We value the opportunity to present our professional qualifications to the City of American Canyon and demonstrate why our services are second to none

Our proposal highlights our firm's strength and stability along with our demonstrated experience knowledge passion and creative problem solving capabilities as a leader in the field of governmental accounting and auditing Our dynamic team is comprised of top talent within the industry and with our comprehensive government experience we believe you will find that LSL CPAs is one of the best qualified accounting firms to provide these services for the City

### SPECIFIC APPROACH TO SCOPE OF SERVICES

LSL has a structured well tested approach to annual accounting services Our goal isn't to replace your team but become a part of it Our team is willing and ready to provide assistance in strategic areas that allow your team to focus on the day to day After a thorough review of your annual financial statements we believe the most effective approach would be to assist with the following

- Monthly reconciliation of the bank and investment accounts including interest allocation
- Monthly reconciliation of accounts receivable accounts payable and deposits payable
- Monthly reconciliation of interfund activity (due to/from transfers in/out)
- Monthly reconciliation of taxes and verification that scheduled payments were received
- Monthly review of miscellaneous income to determine appropriateness of classification
- Monthly monitoring of capital improvement project accounting and budget compliance
- Monthly review of financial data to assist in identifying mispostings
- Preparing monthly quarterly and annual reports as needed
- Assistance with year end close accounting procedures in preparation for the annual audit

At the end of each month LSL will provide you with all of the documents for your records along with an executive summary regarding the procedures performed during the month any unusual items that need further research and any recommendations for the month

As the City is just now wrapping up the annual audit for FY 2021-22 we would be happy to assist with these services going back to July 2022 to encompass all of FY 2022-23 During the first months review we will conduct a thorough review of the general ledger to identify any additional accounts or transactions that should be researched in an attempt to ensure the opening balances have been reconciled From there we would conduct monthly reviews as listed above This would result in a larger number of hours at the beginning of the engagement but would reduce once these preliminary tasks are completed



LSL can provide all of the above services or we can tailor our services to meet your needs. All services will be previously agreed to at the specified rates below.

If selected, these duties would be transitioned to LSL in phases to ensure the City does not experience an interruption in day-to-day activities. LSL CPAs is a full service accounting firm providing accounting and consulting services for organizations across the country. We are happy to assist the City in any other areas that need attention beyond those detailed in the proposal.

### QUALIFICATIONS/PERSONNEL

Kelly Telford, CPA, Partner with LSL would be responsible for overseeing this engagement. She has previous experience as an Audit Partner as well as holding the role of Finance Director for the City of Seal Beach, Costa Mesa, and the Los Angeles County Community Development Agency within the last 7 years. She will hand select a team that meets the needs of the City to ensure a seamless transition and continuation of daily activities. All of our team members have worked in and with government agencies the majority of their careers and are experts in their fields.

### DOLLAR COST PROPOSAL

Our quoted hourly rates based on level of experience for the services requested are as follows:

LSL 2023 Hourly Rates	
Title	Rates
Partner	\$340
Senior Manager	\$260
Manager	\$220
Supervisor	\$195
Senior	\$170
Experienced Staff	\$145
Staff	\$125
Clerical	\$90

Progress payments will be made on the basis of hours of work completed during the course of the engagement and out-of-pocket expenses incurred in accordance with the firm's proposal.

### ADAPTING TO A REMOTE WORKING RELATIONSHIP

LSL is fully equipped with software and communication tools to support a remote process. We leverage both Zoom and Microsoft Teams to easily connect over a video call in a face-to-face setting, giving us the ability to share screens and information in real time. Additionally, having the customizable *LSL CaseWare Cloud Portal* makes the exchange of secure information easy and painless.



**CONCLUSION**

Our collective experience in local government accounting backed by our comprehensive understanding of all federal and state grant programs awarded to municipalities has refined our development of efficient procedures and streamlined work plan approach which we believe makes LSL one of the best qualified teams to perform this engagement for the City of American Canyon

Our proposal is a firm and irrevocable offer for **90 days** following the closing date for the receipt of proposals For this proposal Kelly Telford CPA Partner is authorized to make representations for our firm She can be reached by phone at (714) 458 5292 or by email at [Kelly.Telford@lsicpas.com](mailto:Kelly.Telford@lsicpas.com)

Very truly yours

*Lane, Solt & Loughard, LLP*

**City of American Canyon**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## PROFILE OF THE PROPOSER

LSL is a full service accounting firm with company headquarters in Brea California and additional offices located in Laguna Hills Santa Ana and Sacramento California as well as in The Woodlands Texas LSL CPAs was established in 1929 and has grown as a leader in the governmental accounting and auditing industry

Our team of industry experts holds extensive experience in providing auditing accounting and consulting services to government entities including cities counties water and electric utilities and special purpose government agencies Our clients have grown to understand that an audit from LSL provides them with a wealth of knowledge confidence and value added services LSL has consistently been named one of the Top Accounting Firms in Orange County by the Orange County Business Journal

### **LICENSE TO PRACTICE IN CALIFORNIA**

LSL CPAs is a limited liability partnership and is not a wholly owned subsidiary of a parent company LSL is a public accounting firm licensed by the State of California Department of Consumer Affairs as a Public Accounting Partnership As a firm we are members of the American Institute of Certified Public Accountants and the California Society of Certified Public Accountants All key staff to be assigned to this engagement are or will be licensed by the State of California to practice as Certified Public Accountants

### **SIZE OF FIRM**

Our firm is comprised of approximately 145 employees including 15 partners who are dedicated to solving your toughest challenges Our governmental team consists of 4 partners 2 senior managers 4 managers 4 supervisors 4 seniors and 8 professional staff All staff assigned to YCPARMIA will be employed by LSL on a full-time basis

LSL has the full resources to complete this project and will not use sub contractors Our focused effort is to obtain and retain quality staff in order to provide staff consistency and quality accounting services with minimal disruptions further enabling us to provide high quality services to our clients

### **DESK REVIEWS/DISCIPLINARY ACTION**

There have been no disciplinary actions against our organization since its inception There have been no litigations against our firm in the past three years Our Single Audit reports are desk reviewed either by the federal cognizant agency or the State Controller's Office acting as the Oversight Agency We have never had a report rejected by any of these agencies which demonstrates our thorough understanding of federal grant programs LSL is highly regarded and recognized by the staff of the State Controller's Office for top quality reports

### **PEER REVIEW**

Our firm has participated in the Peer Review Program since its inception All our peer reviews have covered governmental engagements and have received pass ratings Our most recent peer review was conducted by Mark F Wille A Professional Accountancy Corporation A copy is provided on the following pages



Peer Review Letter

**MARK F WILLE**  
Certified Public Accountant  
A PROFESSIONAL ACCOUNTING CORPORATION

Report on the Firm's System of Quality Control

January 17 2020

To the Partners  
Lance Soll & Lunghard, LLP  
and the Peer Review Committee of the California Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Lance, Soll & L unghard, LLP (the firm) in effect for the year ended May 31 2019. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants.

A summary of the nature, objectives, scope limitations of and the procedures performed in a System Review as described in the standards may be found at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary). The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

**Firm's Responsibility**

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

**Peer Reviewer's Responsibility**

Engagements selected for review included engagements performed under *Government Auditing Standards* including compliance audits under the Single Audit Act and audits of employee benefit plans.

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

**Required Selections and Considerations**

As a part of our review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.





**Opinion**

In our opinion, the system of quality control for the accounting and auditing practice of Lance, Soil & Lunghard LLP in effect for the year ended May 31 2019 has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Lance, Soil & Lunghard LLP has received a peer review rating of *pass*.

A handwritten signature in black ink that reads "Mark F. Wille, APAC".

Mark F Wille  
A Professional Accountancy Corporation





## SUMMARY OF PROPOSER'S QUALIFICATIONS

### **CONTINUING EDUCATION**

As a firm policy all professional government staff meet the requirement of 40 hours of continuing education every year with at least 24 hours in governmental accounting and auditing in a two year period Our educational programs include training from CalCPA AICPA Government Audit Quality Center and GFOA

### **QUALITY OF STAFF ASSURANCE**

LSL ensures the quality of staffing over the term of the engagement through firm policies that provide for maintaining continuity of engagement teams except in instances where an employee has left the firm or has been promoted All other changes in staffing at the supervisor level and above will first have the YCPARMIA's expressed written permission

### **RECENT EXPERIENCE**

As a firm we have extensive experience with municipalities including cities counties water and electric utilities special districts joint powers authorities and compliance with OMB Uniform Guidance We are familiar with all federal and state grant programs typically awarded to municipalities Generally our government sector services break down into the following major classifications attestation compliance consulting outsourced accounting and reporting year end close assistance interim staffing strategic planning and tax services

We also provide accounting services that include outsourced accounting services year end close assistance audit preparation bank reconciliation training ERP implementation and GASB implementation services

Our collective experience in local government accounting backed by our comprehensive understanding of all federal and state grant programs awarded to municipalities has refined our development of efficient procedures and streamlined work plan approach which we believe makes LSL one of the best qualified teams to perform these services

### **CLIENT REFERENCES**

Below is a showcase of our experience in providing accounting and consulting services with other governmental organizations

<b>City of Moses Lake, WA</b>	
Contact Name	Madeline Prentice Director of Finance
Contact Telephone Number	(509) 764 3732
Contact E mail Address	<a href="mailto:mprentice@cityofml.com">mprentice@cityofml.com</a>
Scope of Work	The LSL team was responsible for assisting with their new ERP implementation performing year-end closing procedures along with city staff including year end analysis and journal entries for all general ledger accounts preparing the government-wide conversion journal entries preparing the 2020 Annual Comprehensive Financial Report and managing and training department staff



<b>City of Manteca, CA</b>	
Contact Name	Jared Hanson Deputy Finance Director
Contact Telephone Number	(209) 456-8782
Contact E-mail Address	<a href="mailto:jhansen@ci.manteca.ca.us">jhansen@ci.manteca.ca.us</a>
Scope of Work	<p>The City requested LSL to provide full year end close services and to include analysis and workpapers for all accounts and preparation of all journal entries necessary to ensure a complete and accurate general ledger LSL has a team of eight staff including one Senior Manager Manager and Supervisor who are working diligently to close their books</p> <p>The completed deliverable will be all documents necessary for the 2022 audit and all journal entries necessary to close the accounting records</p>

<b>Georgetown Divide Public Utilities District, CA</b>	
Contact Name	Jessica Buckle Office/Finance Manager
Contact Telephone Number	(530)330-4356 x103
Contact E mail Address	<a href="mailto:jbuckle@gd-pud.org">jbuckle@gd-pud.org</a>
Scope of Work	The City provide monthly accounting services and full year end close services which includes analysis and workpapers for all accounts and preparation of all journal entries necessary to ensure a complete and accurate general ledger

[Appendices on the following pages]



## APPENDICES

### **APPENDIX A BENEFITS OF WORKING WITH LSL**

Keeping up with the numerous accounting and regulatory changes can seem unmanageable. Now more than ever, finance departments are facing more complexity, risk, and changes, and with fewer resources. As the industry continues to evolve, a strategic relationship with LSL can help you better manage these changes and better understand the industry's best management practices.

**1) Annual Governmental Accounting Update** Annually, we hold a half-day seminar providing an update to new accounting and regulatory standards impacting local governments. The goal is to provide useful, relevant information that impacts your organization.

**2) Annual Onsite Client Specific Training** Tailored training for your organization on topics that are most relevant and needed for you and your team. Topics may include fraud risk management, internal controls, accounting pronouncements, governmental accounting, and ACFR preparation.

**3) Focused Topic Specific Webinars and Ongoing News & Alerts** Important topics affecting local governments and government entities sometimes need more attention and explanation. In addition to our annual update, our webinars and newsletters offer a short, focused approach to these critical areas.

**4) Meetings with Governing Boards** We believe communication is the key to a successful relationship and offer two annual meetings with your Board or Committees. Meetings promote dialogue between LSL and the Authority on an ongoing basis.

### **APPENDIX B ENGAGEMENT TEAM RESUMES**

Resumes for each member of the proposed engagement team are included on the following pages.



**Kelly A. Telford, CPA**

**ENGAGEMENT PARTNER**

**ACHIEVEMENTS**

Kelly has served as Director of Finance/City Treasurer for the County of Los Angeles the City of Costa Mesa and the City of Seal Beach and developed her expertise in accounting and auditing financial forecasting budget development public utilities investment management grant management human resources and information technology

**LICENSE**

Certified Public Accountant – California 2014  
Texas – *pending*

**ENGAGEMENTS**

City of Moses Lake WA  
City of Manteca CA  
City of Winters CA  
City of Monrovia CA  
City of Marfa TX  
City of Shafter CA  
Georgetown Divide Public Utilities District CA  
County of Hidalgo TX  
Orange County Sanitation District  
Orange County Water District  
Orange County Fire Authority

**CONTINUING EDUCATION**

130 total hours over the last three years **104 of which were in governmental accounting and auditing subjects** Kelly meets the requirements of governmental CPE Government Auditing Standards

**EXPERIENCE**

Kelly has over 19 years of experience working both in and with government agencies including large and small Cities redevelopment agencies/successor agencies, Special Districts and Native American Tribes and Tribal Casinos She has been an auditor and consultant for 13 years specializing in the audits of government agencies

As an auditor her experience as a Director of Finance/City Treasurer has helped her better appreciate the demands of government agency finance departments and she strives to have a collaborative relationship year-round not just during the audit

Her work has entailed

- The preparation of the ACFR for entities involved in CSMFO and GFOA in the U S and Canada
- Audit review and technical assistance throughout the year to deliver the most up to-date information with current GASB pronouncements Presentations to City Councils Board of Supervisors Boards of Directors and Audit Committees

**MEMBERSHIPS**

American Institute of Certified Public Accountants (AICPA)  
California Society of Certified Public Accountants (CalCPA)  
California Society of Municipal Finance Officers (CSMFO)  
Government Finance Officers Association (GFOA)

**EDUCATION**

Bachelor of Arts Degree in Accounting – California State University Fullerton 2003



## **TITLE**

Quarterly Investment Report for City and Fire District for Fiscal Year 2022-23 Quarter 3

## **RECOMMENDATION**

Receive and file the City and Fire District's Treasurer's Report for the quarter ended March 31, 2023.

## **CONTACT**

Juan Gomez, Finance Director

## **BACKGROUND & ANALYSIS**

The City's Investment Policy requires; the Treasurer to submit a quarterly investment report to the City Council. The report (Attachment 1) for the quarter ended March 31, 2023, includes investment transactions for both the City and Fire District. The report shows the City's cash and investment book balance, including debt reserves and unspent proceeds, was \$77,359,756. The Fire District's book balance was \$5,560,493.

- The City's diversified portfolio includes \$48.2 million invested in the California State Treasurer's Office Local Agency Investment Fund (LAIF) and \$24.14 million managed by Chandler Asset Management. The funds managed by Chandler are invested in U.S. Treasury Notes, Federal Agency Securities, Asset Backed Securities, U.S. Corporate Notes, Supranational Securities, and FDIC insured Corporate Notes. The lower market value to book value is due to the rising interest rate environment. That is an unrealized number, since the City normally holds investments to maturity. The increasing rate environment also offers an opportunity to invest to achieve higher returns.
- The Fire District maintains cash and investment accounts separately from the City. The book value of the District's total portfolio is \$5.56 million. All cash not needed to meet the current operational requirements of the Fire District is invested with Local Agency Investment Fund (LAIF).

## **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

Organizational Effectiveness: "Deliver exemplary government services."

**FISCAL IMPACT**

The recommended action will have no impact on the city's budget.

**ENVIRONMENTAL REVIEW**

Not Applicable

**ATTACHMENTS:**

[Investment Report Mar 31, 2023.pdf](#)

**Investment Report  
For the Quarter Ended  
March 31, 2023**

**City of American Canyon**



<u>Operating and Capital Funds</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Book Yield</u> <sup>(1)</sup>	<u>% of Portfolio</u>
Cash - Petty	\$ 2,300	\$ 2,300		0.00%
Cash - Westamerica Bank	912,669	912,669	0.30%	1.25%
Local Agency Investment Fund	48,198,928	47,548,740	2.83%	65.79%
Asset Backed Securities	2,510,529	2,452,550	2.41%	3.43%
Federal Agency Securities	4,868,598	4,639,756	1.63%	6.65%
Collateral Mortgage Obligations	155,274	146,245	0.72%	0.21%
Corporate Notes	6,232,434	5,893,982	2.19%	8.51%
Money Market Fund	207,876	207,876	4.32%	0.28%
Supranational	974,420	918,852	1.03%	1.33%
U.S. Treasury Notes	9,195,800	8,742,058	1.76%	12.55%
<b>TOTAL OPERATING CASH</b>	<b>73,258,828</b>	<b>71,465,028</b>		<b>100.00%</b>

**Debt Reserves and Proceeds**

Debt Service Reserves				
602 - American Canyon Road	345,621	345,621		
603 - CFD	3,138,619	3,138,619		
Capital Reserve				
601 - 2004 Reassessment	320,366	320,366		
360 - AmCyn Road East	296,322	296,322		
<b>TOTAL DEBT &amp; CAPITAL RESERVES</b>	<b>4,100,929</b>	<b>4,100,929</b>		

**TOTAL CASH AND INVESTMENTS - CITY**      \$ 77,359,756      \$ 75,565,956

(1) The weighted average yield as operating and capital funds for the month ended 3/31/2023 was 2.49%.

**Investment Report  
For the Quarter Ended  
March 31, 2023**



**American Canyon Fire Protection District**

<b>Description</b>	<b><u>Book Value</u></b>	<b><u>Market Value</u></b>	<b><u>Book Yield</u> <sup>(2)</sup></b>	<b><u>% of Portfolio</u></b>
Cash - Westamerica Bank	\$ 391,132	391,132	0.30%	7.03%
Local Agency Investment Fund	5,169,361	5,099,628	2.83%	92.97%
<b>TOTAL CASH AND INVESTMENTS - FIRE DISTRICT</b>	<b>\$ 5,560,493</b>	<b>\$ 5,490,760</b>		<b>100.00%</b>

*(2) The weighted average yield for the month ended 3/31/2023 was 2.65%.*

The investments, as shown above, are in conformance with the Investment Policy or bond agreements  
There are sufficient funds to meet the City's budgeted financial obligations for the next six months.

Respectfully submitted,

Juan Gomez  
Finance Director/Treasurer



## **TITLE**

HdL Companies Cannabis Permit Management services 2-year contract extension

## **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of American Canyon approving Amendment No. 4 to Agreement No. 2018-177 with HdL Companies for a 2-year contract extension for Commercial Cannabis Permit Management Services from July 1, 2023 to June 30, 2025.

## **CONTACT**

Brent Cooper, AICP, Community Development Director

## **BACKGROUND & ANALYSIS**

In July 2018, the City contracted with HdL Companies for their expertise in developing and administering Commercial Cannabis ordinances and subsequently administering Commercial Cannabis permits. Since that time, HdL has provided specialized expertise to assist in processing three commercial cannabis applications.

The contract does not obligate the City to any ongoing costs. If there is any further service needed on the existing applications, HdL's contract would provide expertise to evaluate any proposed change. The City Council further evaluates commercial cannabis applications on an annual basis each January. Should the City Council provide direction to reopen an application period, HdL would be available through an existing contract to provide technical assistance.

## **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

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

## **FISCAL IMPACT**

The Recommended Action will have no fiscal impact because the cost for consultant services are offset due to the City Council's adoption of Commercial Cannabis permit fees and deposits.

## **ENVIRONMENTAL REVIEW**

The Recommended Action is not a “project” and exempt from review under CEQA.

## **ATTACHMENTS:**

1. [HdL Contract Resolution](#)
2. [HdL Cannabis Agreement Amendment 4](#)

RESOLUTION NO. 2023-\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING AMENDMENT NO. 4 TO AGREEMENT NO. 2018-A177 WITH HDL COMPANIES FOR A 2-YEAR CONTRACT EXTENSION FOR COMMERCIAL CANNABIS PERMIT MANAGEMENT SERVICES TO JUNE 30, 2025**

**WHEREAS**, on July 18, 2018, the Parties entered to Agreement No. 2018-177 with HdL Companies (“Contractor”) for Cannabis Ordinance consulting services; and

**WHEREAS**, due to the specialized nature of Commercial Cannabis permit implementation, the City lacks the qualified personnel to provide the specified work product; and

**WHEREAS**, the Parties seeks to extend the “Term” of Agreement No. 2018-177 for two years to from July 1, 2023 to June 30, 2025 for the purpose of Commercial Cannabis Permit Management Services as described in the scope of services identified in Exhibit A; and

**WHEREAS**, consistent with the “A/B/C Test” standard of the *Dynamex Operations West Inc. v. Superior Court* (230 Cal. 4<sup>th</sup> 718 (2018)), the Contractor is a contractor free from the control and direction of the City in connection with the performance of the work sought, who performs work that is outside the usual course of the City’s business and is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the City.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of American Canyon hereby determines that the Contractor is free from the control and direction of the City in connection with the performance of the work, both under the contract for the performance of such work and in fact.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of American Canyon hereby determines that the Contractor performs work that is outside the usual course of the City’s business.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of American Canyon hereby determines that the Contractor is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the City.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of American Canyon hereby authorizes the City Manager to approve Amendment No. 4 to Agreement No. 2018-A117 with HdL Companies attached hereto as Exhibit A to extend the contract for two years from June 30, 2023 to June 30, 2025.

**PASSED, APPROVED and ADOPTED** at a regularly scheduled meeting of the City Council of the City of American Canyon held on the 2<sup>nd</sup> day of May, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Taresa Geilfuss, CMC, City Clerk

\_\_\_\_\_  
William D. Ross, City Attorney

Exhibit A – 4<sup>th</sup> Amendment to Agreement 2018-177

**CITY OF AMERICAN CANYON AGREEMENT NO. 2023-**

**AMENDMENT #4 TO AGREEMENT NO. 2018-A177 TO THE CITY OF AMERICAN  
CANYON STANDARD AGREEMENT  
FOR INDEPENDENT CONTRACTOR SERVICES WITH HDL COMPANIES FOR  
COMMERCIAL CANNABIS PERMIT SERVICES**

**RECITALS**

1. The City of American Canyon (“CITY”) and HDL Companies (“CONSULTANT”) have entered into an Agreement dated original agreement date July 18, 2018.
2. The Agreement provides for amendments to perform specific tasks under a specific scope of services that may arise during the term of the agreement.

**NOW, THEREFORE, CITY and HDL COMPANIES** agree as follows:

**1.00 TIME OF PERFORMANCE**

Original agreement amended to extend term to June 30, 2025.

**2.00 REMAINING PROVISIONS**

All other terms of the July 18, 2018 Agreement remain in full force and effect.

**Executed on** \_\_\_\_\_, \_\_\_\_\_, 2023, at American Canyon, California.

**CITY:**

**CONTRACTOR:**

By: \_\_\_\_\_  
Jason B. Holley  
City Manager

By: \_\_\_\_\_  
Andy Nickerson  
President, HdL Companies

William D. Ross  
David Schwarz  
Kypros G. Hostetter

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Los Angeles, CA 90025

File No: 199/6

April 27, 2023

**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 City Council Closed  
Session Meeting of the American Canyon City Council; April 18, 2023

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 City Council Closed Session Meeting of April 18, 2023, consistent with Government Code Section 54957.1.

Mayor Leon Garcia called the meeting to order in Open Session at 5:31 p.m. with all Council Members present and after determining that there were no public comments on Closed Session matters, then adjourned to Closed Session at 5:32 p.m.

There were three matters agendized for City Closed Session consideration.

1. Conference with Legal Counsel - Anticipated Litigation  
Authorized pursuant to Government Code Section 54956.9(d)(2)  
Two Matters
2. Conference with Legal Counsel – Existing Litigation pursuant to  
Government Code Section 54956.9(d)(1):
  - a. *American Canyon I, LLC v. Napa Valley Unified School District* (Napa County Superior Court Case No 22CV001145).

- b. *City of American Canyon v. City of Vallejo, et al.* (Sacramento Superior Court Case No. 34-2022-00327471).
  - c. *City of American Canyon v. Leon Dale Schmidt*, (Napa County Superior Court Case No. 22CV001041).
3. Threat to Public Services of Facilities – Pursuant to Government Code Section 54957(a)  
Consultation with: Jason B. Holley, City Manager/Director of Emergency Services & William D. Ross, City Attorney

With respect to the first matter considered under Closed Session Agenda Item No. 1., there was confirmation of the Settlement Authority granted to the City Attorney for prospective resolution. 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 the second matter considered under Closed Session Agenda Item No. 1., 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 Closed Session Agenda Item No. 2.a. there was reportable action in terms of status of the litigation and the indication that a possible Global Settlement could be pursued with the Napa Valley Unified School District and other parties involved in the Watson Ranch Specific Plan. Except as indicated, there was no other reportable action under the common law attorney-client privilege and that provided by Government Code Section 54956(d)(1).

With respect to Closed Session Agenda Item No. 2.b., it was indicated that there was no change in status from the previous Report Upon Return from Closed Session for the April 4, 2023 Council Meeting.

With respect to Closed Session Agenda Item No. 2.c., the status of the pending Application for Entry of Default Judgment was confirmed. With the exception of the current litigation status, there was no other reportable action under the common law attorney-client privilege or that provided by Government Code Section 54956.9(d)(1).

With respect to Closed Session Agenda Item No. 3., there was no reportable action under the provisions of Government Code Section 54957(a).

Your Council concluded the Closed Session at 6:15 p.m.

At the conclusion of the Closed Session, the City Council Members acting concurrently as Board Members of the American Canyon Fire Protection District (“District”) conferred, as they

The Honorable Leon Garcia, Mayor  
and Members of the City Council  
April 27, 2023  
Page 3

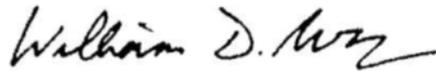
are allowed under the Brown Act, to schedule a *prospective* Closed Session Item with respect to the performance review of the City Attorney, City Manager, the District (“District”) Chief and Counsel for May 2, 2023.

In Open Session, it was indicated that a written report upon return from Closed Session consistent with Government Code Section 54957.1, would be prepared concerning the matters agendaized for Closed Session.

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".

William D. Ross  
City Attorney

WDR:jf

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



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## **TITLE**

Smoke Free Multi-Unit Housing Ordinance

## **RECOMMENDATION**

Waive first reading, read by title only, and adopt an Ordinance by the City Council of the City of American Canyon amending the American Canyon Municipal Code Chapter 9.04 "Neighborhood Preservation" to prohibit smoking in any unit of a multi-unit residence and any common area of a multi-unit residence in the City of American Canyon.

## **CONTACT**

Brent Cooper, AICP, Community Development Director

## **BACKGROUND & ANALYSIS**

Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a cause of disease, including lung cancer, in nonsmokers. At special risk are elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease. In the United States alone, more than 440,000 people die in the United States from tobacco-related diseases every year, making it the nation's leading cause of preventable death. A report on the impacts of secondhand smoke is included as Attachment 2.

The City Council has been a strong advocate for smoking-cessation policies. For example, in 2016, the City Council approved an ordinance that prohibits smoke shops and hookah lounges in American Canyon (Ordinance 2016-03).

On December 7, 2021, the City Council received a presentation regarding health dangers of secondhand smoke (SHS) in multifamily (MFR) settings. In response to the presentation, the Council expressed an interest in learning more about the issue - including a potential smoking prohibition of both tobacco and cannabis in MFR settings.

On November 15, 2022, the City Manager provided an update to the City Council. The update informed that staff met with the Napa Youth Council and Napa County Health and Human Services Agency representatives. Staff also reached out and met with multi-family complex owners and mobile home park owners. These meetings revealed that private, anti-smoking rules are already in

place. A matrix of multifamily housing neighborhoods is included as Attachment 3.

The Napa Youth Council representatives presented an argument in favor of a City smoke-free multiunit ordinance which was supported by the City Council. In response to Council direction, staff prepared an ordinance that addresses a prohibition of smoking of all varieties (i.e.: tobacco, cannabis, vaping) within multiunit housing and the common areas.

To address non-smoking requirements in multiunit housing, staff amended the Neighborhood Preservation Ordinance to add smoke free requirements to a wide variety of "Nuisance" abatement procedures.

"Nuisance", in the context of the Neighborhood Preservation Ordinance, refers to the legal definition in California Penal Code Section 360 and Municipal Code Section 9.04.020. These definitions define "Nuisance" as: "any building or property operated or maintained in a way that harms health or interferes with comfortable enjoyment of life or property by an entire community or neighborhood, or by any considerable number of persons."

Any property that contains a "Nuisance" is subject to Code Enforcement through the Neighborhood Preservation Ordinance. The incidence of smoking in a multiunit residence meets the definition of a "Nuisance" in the legal term because secondhand smoke can harm the health and interfere with one or more neighbors' comfortable enjoyment on their property.

Staff reviewed the draft ordinance with the Napa Youth Council and the Napa County Health and Human Services Agency on April 17, 2023. In addition to proposed amendments to the ordinance, the Napa Youth Council discussed the practical issue that smoking addiction will make it difficult for occupants to stop smoking at their home. We agreed it would be helpful to prepare a handout with information and resources to assist with smoking cessation. The Napa Youth Council and Napa County Public Health agreed to partner with city staff to prepare a useful smoking cessation resource handout.

On April 20, 2023, staff received feedback from the Napa Youth Council based on the California Smoke Free Multiunit model ordinance. Among the suggested revisions, the Napa Youth Council pointed out that the smoking prohibition should not include the use of traditional, sacred tobacco as part of an Indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice. In addition, the smoking prohibition should not include hotels, motels, dormitories, campgrounds, rented single family housing, and manufactured housing parks.

Staff revised the draft ordinance consistent with this input. A copy of the Neighborhood Preservation Ordinance with the addition of smoke-free multiunit standards is included in Attachment 1 in redline/strikeout format along with a justification to explain the reason for each amendment.

Also, in accordance with our outreach strategy, on April 21, 2023, the draft Smoke-Free Multiunit ordinance was emailed to the American Canyon Apartment Manager contact list and all individuals that have signed up for information related to development projects in the Community Development Department.

## **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

Public Safety: "Ensure American Canyon remains a safe community."

## **FISCAL IMPACT**

Enforcement actions associated with the proposed Smoke Free Multi-Unit Ordinance will become a part of the Code Enforcement service and is included in the current and future fiscal year budgets.

## **ENVIRONMENTAL REVIEW**

Environmental review is not required under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly and it prevents changes in the environment pending the completion of the contemplated municipal code review.

## **ATTACHMENTS:**

- 1 [CC Ordinance Smoke Free Multi Unit](#)
- 2 [Understanding Second Hand Smoke](#)
3. [Multi\\_Family\\_Smoking\\_Matrix](#)

**ORDINANCE NO. 2023-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AMENDING AMERICAN CANYON MUNICIPAL CODE CHAPTER 9.04 "NEIGHBORHOOD PRESERVATION" TO PROHIBIT SMOKING IN ANY UNIT OF A MULTI-UNIT RESIDENCE AND ANY COMMON AREA OF A MULTI-UNIT RESIDENCE IN THE CITY OF AMERICAN CANYON**

**WHEREAS**, numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a cause of disease, including lung cancer, in nonsmokers. At special risk are elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease); and

**WHEREAS**, health hazards induced by breathing secondhand smoke include lung cancer, heart disease, respiratory infection, decreased respiratory function, broncho-constriction, and broncho-spasm; and

**WHEREAS**, more than 440,000 people die in the United States from tobacco-related diseases every year, making it the nation's leading cause of preventable death; and

**WHEREAS**, the United States Environmental Protection Agency has found secondhand smoke to be a risk to public health and has classified secondhand smoke as a Group "A" carcinogen, the most dangerous class of carcinogen; and

**WHEREAS**, the U.S. Surgeon General has concluded that there is no risk-free level of exposure to secondhand smoke; and

**WHEREAS**, just 30 minutes of exposure to secondhand smoke is sufficient to damage blood vessels in a healthy nonsmoker; and

**WHEREAS**, the California Air Resources Board has put secondhand smoke in the same category as the most toxic automotive and industrial air pollutants by categorizing it as a toxic air contaminant for which there is no safe level of exposure; and

**WHEREAS**, secondhand smoke exposure adversely affects fetal growth with elevated risk of low birth weight and increased risk of Sudden Infant Death Syndrome in infants of mothers who smoke; and

**WHEREAS**, in the United States, secondhand smoke is thought to cause about 46,000 heart disease deaths each year; and

**WHEREAS**, secondhand smoke can seep under doorways and through wall cracks; and

**WHEREAS**, the only way to fully protect nonsmokers from secondhand smoke is to completely eliminate smoking in indoor spaces. Separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot completely eliminate exposure to secondhand smoke; and

**WHEREAS**, cigarette butts pose a health threat to children. Small children who had ingested cigarette butts exhibited symptoms of illness such as spontaneous vomiting, nausea, lethargy, and gagging; and

**WHEREAS**, cigarette butts are a major and persistent source of litter. In the last 25 years of coastal clean-ups, cigarette and cigarette filters ranked as the number one source of waste comprising nearly 32% of all collected litter items; and

**WHEREAS**, electronic smoking devices and other unapproved nicotine delivery products have a high appeal to youth due to their high tech design and availability in child-friendly flavors like cotton candy, bubble gum, chocolate chip cookie dough and cookies and cream milkshake; and

**WHEREAS**, a CDC study showed that in 2011 4.7% of all high school students had tried e-cigarettes and that in 2012 that percentage more than doubled to 10.0% of all high school students; and

**WHEREAS**, nonsmokers who live in multiunit dwellings can be exposed to neighbors' secondhand smoke, as evidenced by the following:

- Residents of multiunit housing have higher levels of cotinine (a biomarker for nicotine) in their blood and saliva than those living in detached houses;<sup>i</sup>
- Among children who live in homes in which no one smokes indoors, those who live in multiunit housing have 45% higher cotinine levels than children who live in detached houses;<sup>ii</sup>
- Twelve studies have found between 26% and 64% of residents of multiunit housing report secondhand smoke drifting into their home;<sup>i</sup>
- Surveys have found that 65% to 90% of multiunit housing residents who experience secondhand smoke in their home are bothered by it,<sup>36</sup> and a 2019–2020 survey documented variations in secondhand smoke source among multiunit housing residents in Los Angeles County, who reported secondhand smoke exposure from tobacco (39%), marijuana (36%), and e-cigarettes (9%);<sup>iii</sup>
- Between 44.0% and 46.2% of Californians living in multiunit housing with personal smoke-free home policies are exposed to secondhand smoke in their home;<sup>iv</sup> and

**WHEREAS**, harmful residues from tobacco smoke can be absorbed by and cling to virtually all indoor surfaces long after smoking has stopped and then be emitted back into the air, making this “thirdhand smoke” a potential health hazard, as evidenced by the following:

- Thirdhand smoke contains carcinogenic materials that accumulate over time, presenting a health hazard long after the initial smoke is gone;<sup>v</sup>
- Studies consistently find that thirdhand smoke remains months after nonsmokers have moved into units where smokers previously lived,<sup>vi</sup> and a recent study documents that it can remain in units for years;<sup>vii</sup>
- Human exposure to these thirdhand smoke carcinogens can occur through inhalation, ingestion, or skin absorption through contact with carpeting, furnishings, or clothing;<sup>viii</sup>
- Thirdhand smoke potentially poses the greatest danger to infants and toddlers, who crawl on rugs and furnishings and place household items in their mouths;<sup>viii</sup>
- Nonsmoking people who are exposed to thirdhand smoke have significantly higher nicotine and cotinine levels than those who have not been exposed to thirdhand smoke;<sup>vi</sup>
- Research has shown that thirdhand smoke damages human cellular DNA<sup>45</sup>,<sup>ix</sup> and is carcinogenic at exposure levels relevant to residents of multiunit housing;<sup>x</sup> and

**WHEREAS**, secondhand smoke in multiunit housing is a significant threat to the health and safety of California children, as evidenced by the following:

- About a quarter of those who live in multiunit housing (25.2%) are under the age of 18;iv
- The home is the primary source of secondhand smoke exposure for children;
- A national survey found that 56.4% of U.S. youth living in apartment units in which no one smokes have elevated blood cotinine levels above 0.05 ng/mL, indicating they have been exposed to potentially dangerous levels of secondhand smoke;ii
- The same survey also found that children who live in homes in which no one smokes indoors have 45% higher cotinine levels if they live in apartments compared with detached homes;ii and

**WHEREAS**, research demonstrates that a majority of adults supports smoke-free policies in multiunit residences, as evidenced by the following:

- 73.7% of U.S. adults surveyed favor smoke-free public housing;<sup>xi</sup>
- 63.5% of Californians surveyed favor restricting smoking inside apartment units;<sup>xii</sup> and

**WHEREAS**, there are significant savings from adopting a smoke-free multiunit housing policy, as evidenced by the following:

- Prior to implementation, the U.S. Department of Housing and Urban Development’s smoke-free public housing policy was conservatively estimated to produce an annual savings of 4 to 8 million dollars a year for U.S. public housing authorities in renovation-related costs,<sup>xiii</sup> and 30 to 109 million dollars per year in health care costs in California alone;<sup>xiv</sup>
- Implementing statewide smoke-free policies in multiunit housing property would save property owners in California an estimated \$18.1 million in renovation expenses each year;<sup>xv</sup> and

**WHEREAS**, smoke-free multiunit housing policies have been shown to have a meaningful impact on public health, as evidence by the following:

- An estimated 268% of Californians (or 10.17.3 million people) live in multiunit housing;<sup>xvi</sup>
- The U.S. Surgeon General has concluded that eliminating smoking in indoor spaces is the only way to fully protect nonsmokers from secondhand smoke exposure; and that separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot completely prevent secondhand smoke exposure;<sup>xvii</sup>
- Smoke-free housing policies resulted in a 24% reduction in self-reported exposure to secondhand smoke exposure among racially and ethnically diverse seniors living in low-income multiunit housing properties;<sup>xviii</sup> and

**WHEREAS**, a duly-noticed public hearing was held by the City of American Canyon City Council on May 2, 2023 on the subject ordinance, at which time all those in attendance were given the opportunity to speak on this proposal and to submit comments.

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

**SECTION 1:** That smoking in all its forms in multiunit living environments is a nuisance.

**SECTION 2:** The purpose of this ordinance is to: (1) protect the public health and welfare by prohibiting smoking in any unit of a multi-unit residence and any common area of a multi-unit residence because there is no risk-free level of exposure to secondhand smoke, and (2) guarantee the right of nonsmokers to breathe smoke-free air at their place of residence.

**SECTION 3:** Amend American Canyon Municipal Code Chapter 9.04 “Neighborhood Preservation” as follows:

#### **Chapter 9.04 NEIGHBORHOOD PRESERVATION**

(All Content Displayed)

- 9.04.010 Findings and determination.
- 9.04.020 Declaration of public nuisances.
- 9.04.030 Chapter not exclusive.
- 9.04.040 Classification of nuisances.
- 9.04.050 Inspection.
- 9.04.060 Summary abatement of immediate dangers.
- 9.04.070 Notice to abate public nuisance.
- 9.04.080 Request for hearing.
- 9.04.090 Hearing by the city council.
- 9.04.100 Decision of the city council.
- 9.04.110 Limitation on filing judicial action.
- 9.04.120 Abatement by property owner.
- 9.04.130 Abatement by the city.
- 9.04.140 Record of cost of abatement notice and hearing to confirm.
- 9.04.150 Assessment lien.
- 9.04.160 Nuisance abatement lien.
- 9.04.170 Alternative actions available.

- [9.04.180 Violations—Penalties.](#)

#### **9.04.010 Findings and determination.**

The city council finds and determines that the restrictions in this chapter are necessary to promote the health, safety and general welfare of the public; to protect the integrity and character of residential neighborhoods and districts; to protect the appearance of the Highway 29 corridor; to prevent the devaluation of property values; and, to enhance and protect the livability, social and economic conditions of the city. (Ord. 94-07 § 1, 1994)

#### **9.04.020 Declaration of public nuisances.**

A. Any property, building or other improvements found to be maintained in violation of any one or more of the provisions of Section [9.04.040](#) of this chapter is declared to constitute a public nuisance and shall be abated by rehabilitation, repair, removal or demolition pursuant to the procedures set forth in this chapter.

B. Any property, building, or other improvement found to be maintained in such condition as to constitute a public nuisance as defined anywhere in this code, the statutes of the state of California or in the common law is declared to constitute a public nuisance subject to abatement under the procedures in this chapter. (Ord. 94-07 § 1, 1994)

#### **9.04.030 Chapter not exclusive.**

A. This chapter does not exclusively regulate the conditions and use of property within the city. This chapter shall supplement and be in addition to other provisions of this code and to other statutes, ordinances or regulations existing or subsequently enacted by the city, the state or any other legal entity or agency having jurisdiction.

B. The procedures for abatement set forth in this chapter are not exclusive and are in addition to any other provisions provided in this code or by state law for the abatement of public nuisances. (Ord. 94-07 § 1, 1994)

#### **9.04.040 Classification of nuisances.**

It is unlawful for any person owning, leasing, occupying, or having charge or possession of any property in the city to maintain or permit such property to be maintained in such a manner that any of the following conditions are found to exist thereon and to be of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or to have a tendency to degrade the appearance and property values of surrounding property or to cause damage to public rights-of-way:

A. Property Conditions.

1. Overgrown, diseased, dead or decayed trees, weeds or other vegetation which:

a. Constitute a fire hazard or a condition considered dangerous to the public health, safety and general welfare due to a variety of factors, including, but not limited to, impairment of vehicular traffic or obstruction of vehicular line of sight or the ability to clearly observe safety signs and signals,

b. Are likely to harbor rats, vermin or other pests. This provision identifies conditions which may be deemed to constitute a nuisance within portions of the city that are partially or fully developed because of the potential to adversely affect the public health, safety and welfare and to degrade the appearance and property values of surrounding property. Due to the diminished potential for such adverse effects, such condition would not constitute a nuisance when existing on grazing lands or large undeveloped parcels except when such conditions exist on properties immediately adjacent to developed property. American Canyon fire protection district standards for weed abatement continue to apply to property city-wide;

2. Accumulations of debris, rubbish and trash in the front or side yard areas visible from the public right-of-way or which constitute a health or fire hazard;

3. Storage, as to be visible at ground level from a public street or adjoining property for unreasonable periods or as a part of a continuing practice, any of the following:

a. Abandoned, inoperative, wrecked or dismantled motor vehicles of any kind, and abandoned, inoperative, wrecked or dismantled trailers, campers or boats,

b. Broken or discarded household furnishings and fixtures, appliances, boxes and cartons, play equipment, toys and similar materials,

c. Discarded, wrecked or inoperable machinery and tools,

d. Salvage materials, scrap metal or building and construction materials, including, but not limited to, dirt, sand, gravel, concrete, tile, rocks, bricks, and similar materials except when associated with agricultural uses or ongoing landscape projects;

4. Garbage or trash cans which cause offensive odors to neighbors or containers stored in front or side yards, which are visible from public streets unless all of the following conditions exist: a) The garbage/trash container(s) are stored within a defined area that is maintained in a neat and orderly condition, b) all trash is stored completely within a designated container, the container is covered, and no trash has spilled over or has fallen on the ground in the immediately surrounding area, and c) the trash cans/containers are stored behind the front wall plane of the dwelling;

5. Conditions which, due to their accessibility to the public, may prove hazardous or dangerous, including, but not limited to:

a. Unused and/or broken equipment such as ice boxes and refrigerators,

b. Abandoned wells, shafts or basements,

c. Hazardous or unprotected pools, pits, ponds or excavations,

- d. Machinery which is inadequately secured or protected,
  - e. Accumulations of lumber, refuse and waste matter, or discarded materials, including, but not limited to, building and construction materials;
6. Parking or storing construction equipment or machinery except during excavation, construction or demolition operations conducted pursuant to a building or grading permit or when associated with ongoing agricultural/noncommercial landscaping activities;
7. Parking of any motor vehicle, including a recreational vehicle, trailer, camper or boat on lawns or other landscaped areas within portions of the property visible from a public street where such areas are not paved or otherwise surfaced to allow parking. Allowable surface materials may include gravel, brick, grasscrete, concrete pavers, or similar materials that define the parking area and minimize erosion potential;
8. Parking of any motor vehicle, including a recreational vehicle, trailer, camper or boat on property adjacent to Highway 29 for the purpose of offering the same for sale to the general public where a “for sale” or similar sign is displayed on or in the vehicle, trailer, camper or boat which is visible to traffic on Highway 29 and constitutes or tends to constitute a traffic safety hazard or an unsightly appearance;

9. Smoking in any dwelling unit of a multi-unit residence and any common area of a multi-unit residence.

- i. "Smoke" or "smoking" "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device. Smoking does not include the use of traditional, sacred tobacco as part of an Indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice.
- ii. "Common area of multi-unit residence" means any enclosed area or unenclosed area that may be used by more than the residents of a single unit or room, including but not limited to shared lobbies, courtyards, lounges, hallways, elevators, stairs, community rooms, playgrounds, gym facilities, swimming pools, parking garages, parking lots, living and dining areas, kitchens, bathrooms, laundry rooms, lobbies, waiting rooms, and television rooms.
- iii. "Dwelling Unit" means one or more rooms designed for residential use by a single household that contain cooking, living, sanitary, and sleeping facilities and that are physically separated from any other rooms or dwelling units that may be in the same structure. "Dwelling Unit" for purposes of smoking prohibition does not encompass hotels, motels, dormitories, campgrounds, rented single family housing, and manufactured housing parks.
- iv. "Multiunit Residence" means a building or portion thereof designed or used for residential occupancy by two or more households in separate dwelling units.

**JUSTIFICATION:** *addresses all types of smoking, residential living units, and common living areas where secondhand smoke may impact nonsmokers' rights to breathe smoke-free air at their place of residence.*

B. Structural Conditions. Structures or buildings, both permanent and temporary, or other improvements, including, but not limited to walls and fences, which are subject to any of the following conditions:

1. Are structurally unsafe, either entirely or in part;
2. Constitute a fire hazard;
3. Have a faulty weather protection, including but not limited to crumbling, cracked, missing broken or loose exterior plaster or other siding, roofs, foundations or floors (including lack of paint or other protective finish), broken or missing windows or doors;
4. Have dry rot or warped materials, or are infested with termites;
5. Are abandoned, partially destroyed or left unreasonably in a state of partial construction. State of partial construction means building and structures which are partially constructed when the building permit for such construction has expired;
6. Are unoccupied and have been left unlocked or otherwise open or unsecured from intrusion by persons, animals or the elements;
7. Have exterior walls, fences, driveways or sidewalks which are in hazardous condition, hinder free access to public sidewalks or are in a state of disrepair as to be unsightly. (Ord. 94-07 § 1, 1994)

#### **9.04.050 Inspection.**

A. Authorized Representatives. The city manager and the community development director or their designated representatives are authorized to make inspections and take such actions as may be required by this chapter to abate public nuisances.

B. Inspection of Premises. Whenever there is a reasonable cause to believe that a condition, activity or use of property exists which constitutes a public nuisance, the city manager or community development director or a designated representative may seek to enter the premises at a reasonable time for the purpose of inspection. If the premises are occupied, entry shall be requested and proper credentials shall be presented. If the premises are unoccupied, a reasonable effort shall be made to locate the property owner. If entry is refused or if the property cannot be located, a twenty-four written notice of intent to inspect shall be left at the premises. The notice shall state that the property owner or occupant of the property has the right to refuse entry and if such entry is refused, the city may seek assistance from a court of competent jurisdiction to obtain entry to inspect the premises. (Ord. 94-07 § 1, 1994)

#### **9.04.060 Summary abatement of immediate dangers.**

Whenever any condition on or use of property causes or constitutes or reasonably appears to cause or constitute an imminent or immediate danger to the health or safety of the public or a significant portion thereof, the city manager or his or her designee may order, without notice or judicial action, the immediate abatement of the public nuisance. The expense of such abatement shall be collectible as provided in this chapter. (Ord. 94-07 § 1, 1994)

#### **9.04.070 Notice to abate public nuisance.**

A. Contents of Notice. Whenever the city manager or the community development director or ~~his or her~~ designee finds that a nuisance, as declared in Section 9.04.030, exists on any property located within the city, ~~he or she shall give written notice to the owner and to any tenant or occupant or other person having charge or possession of the property~~ shall receive a written notice. The notice shall:

**JUSTIFICATION:** *revise language to a contemporary standard.*

1. Describe the property sufficient to identify the location of the public nuisance;
2. Identify the nuisance and reference the section(s) of this code that have been violated;
3. Direct abatement of the nuisance by a specified date;
4. State the available methods of abatement;
5. Contain a statement of the hearing rights of the owner or occupant of the property on which any public nuisance is located; and
6. Indicate that if no request for hearing is made or that if after a hearing an order of abatement is issued, and the nuisance is not properly abated, then the city may abate the nuisance and charge the expenses as a personal obligation and/or a special assessment or lien against the property.

The amount of time allowed to abate a nuisance shall be determined by considering the severity of nuisance and its effect on the health, safety, welfare and aesthetics of the community.

B. Service of Notice. A notice to abate shall be mailed, by registered or certified mail, to the owner and occupant of property, or shall be served upon the owner or occupant in person. The notification shall be sent to the owner at the address appearing on the latest tax assessment roll and if there is no such address, then in care of the property address. In addition to personal service or service by registered or certified mail, notice to abate shall be posted on two conspicuous places on the affected property attested to by affidavit of city official. Service shall be deemed complete at the time the notice is personally served or deposited in the mail with the correct amount of postage affixed and is posted on the affected property as described. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken pursuant to this chapter.

C. Property Owner Definition. The term "property owner" or "owner" as used in this chapter, shall mean the owner or owners of record of real property as shown on the last Napa County equalized assessment roll or supplemental roll, whichever is more current. (Ord. 94-07 § 1, 1994)

**9.04.080 Request for hearing.**

The city council shall hold a public hearing to determine that a public nuisance exists upon the written request of the owner or occupant of the property for which a notice to abate has been issued. The request shall be made to the city clerk within ten days from the date of personal service or within fifteen days from the date of mailing of the notice to abate. The request for hearing shall state the grounds upon which the hearing is requested. The matter shall be scheduled for hearing and the city clerk shall notify the owner or occupant requesting the hearing of the same, not less than five days prior to such hearing, unless such notice is waived in writing by the person requesting the hearing. (Ord. 94-07 § 1, 1994)

**9.04.090 Hearing by the city council.**

At the time and place stated in the notice of public hearing, the city council shall hear and consider all relevant evidence, objections or protests, and shall receive testimony from owners, occupants, witnesses, city personnel and interested persons relative to the alleged public nuisance and to the proposed abatement measures. The hearing may be continued from time to time. (Ord. 94-07 § 1, 1994)

**9.04.100 Decision of the city council.**

A. Following the public hearing, the city council shall consider all evidence and determine whether the property, or any part of the property, constitutes a public nuisance as alleged. If the city council finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the city council shall prepare a statement of findings and an order, which shall specify the nature of the nuisance, and order the owner or other person having charge or control of the premises to abate the nuisance, the method of abatement and the time within which the work shall be commenced and completed.

B. A copy of the statement of findings and order shall be served on the property owner and any occupant in the manner provided in Section 9.04.110. (Ord. 94-07 § 1, 1994)

**9.04.110 Limitation on filing judicial action.**

Action to review the city council statement of findings and order shall be commenced within thirty days of the date of service of the statement of findings and order and the same shall contain the statement advising of this time limit on seeking court review. After the expiration of thirty days from the date of service of the statement of findings and order, all objections to the decision shall be deemed waived. (Ord. 94-07 § 1, 1994)

**9.04.120 Abatement by property owner.**

The property owner, or person having charge or control of the property, may at ~~his or her~~ their own expense abate the nuisance as prescribed by the notice to abate or the order of the city council, if any, prior to the expiration of the abatement period set forth in the notice or the order. If and when an owner or occupant undertakes to abate any such nuisance, the community development director or ~~his~~

~~or her~~ designated representative may impose such conditions as are necessary to protect the public health, safety and welfare. Any necessary permits and/or approvals shall be obtained by the owner or occupant. After the property has been inspected by the community development director or ~~his or her~~ designated representative, and the nuisance has been fully abated in accordance with the notice to abate or order, the proceedings shall terminate. The city manager or the community development director or ~~his or her~~ designated representative may extend the abatement period specified in the notice to abate or any order to abate upon a showing of good cause. (Ord. 94-07 § 1, 1994)

**JUSTIFICATION:** *revise language to a contemporary standard.*

#### **9.04.130 Abatement by the city.**

A. Failure to Abate. If a declared nuisance is not completely abated by the owner or person having charge or control of the property within the time prescribed in the notice to abate or after a public hearing, in the city council order, if any, the city manager or ~~his or her~~ designee shall cause the same to be abated by city employees or private contract. The city manager or ~~his or her~~ designated representative is expressly authorized to enter upon the property for the purpose of abating the nuisance.

**JUSTIFICATION:** *revise language to a contemporary standard.*

B. Abatement of Motor Vehicles. Abatement of any motor vehicle registered or subject to registration with the Department of Motor Vehicles shall be carried out in conformance with the provisions of the [Vehicle Code](#) and Ordinance No. 92-19 of the city establishing the American Canyon traffic code and any amendments thereto.

C. Cost of Abatement Constitute Civil Debt. Upon the abatement of the public nuisance, or any portion thereof, by the city, all the costs, including incidental expenses shall be a civil debt owing to the city jointly and severally by the persons who have been given notice as provided in this chapter, except for any persons which the city council concludes pursuant to proof at the hearing to confirm the costs of abatement are not persons properly charged with responsibility of abatement. The costs shall be billed to the owner or occupant and shall be collectible in the same manner as any other civil debt owing the city. (Ord. 94-07 § 1, 1994)

#### **9.04.140 Record of cost of abatement notice and hearing to confirm.**

A. The city manager or ~~his or her~~ designee shall keep an account of the costs, including incidental expenses, of abating such public nuisance on each separate lot or parcel of land where the work is done by the city and shall render an itemized report in writing to the city council showing the cost of abatement, including the rehabilitation, demolition or repair of said property, including any salvage value relating thereto; provided that before said report is submitted to the city council, a copy of the same together with a notice of the time when said report shall be heard by the city council for confirmation, shall be served upon the owner of the property in accordance with the provisions of Section [9.04.070](#) of this chapter at least ten days prior to submitting the same to the city council. Proof of said service shall be made by affidavit filed with the city clerk.

**JUSTIFICATION:** *revise language to a contemporary standard.*

B. At the time fixed for hearing, the city council shall consider the correctness or reasonableness of the costs included in the accounting together with any protests or objections as may be offered against it, and shall correct, modify or amend the same, after which, by motion, the accounting as submitted, corrected, modified or amended shall be confirmed. The hearing may be continued from time to time.

C. The term “incidental expenses” means and includes, but is not limited to, the personnel costs, both direct and indirect, including attorneys’ fees, costs incurred in documenting the nuisance, the actual expenses and costs of the city in the preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder. (Ord. 94-07 § 1, 1994)

**9.04.150 Assessment lien.**

A. The total cost for abating such nuisance, as confirmed, by the city council, shall constitute a special assessment against the respective lot or parcel of land to which it relates, and upon recordation in the office of the county recorder of a notice of lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.

B. After such confirmation and recordation, a certified copy of the city council’s decision confirming the abatement costs shall be filed with the Napa County auditor-controller on or before August 1st each year, whereupon, it shall be the duty of the county auditor-controller to add the amounts of the respective assessments to the next regular tax bill levied against said respective lots and parcels of land for municipal purposes and thereafter said amounts shall be collected at the same time and in the same manner as ordinary taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to such special assessments.

C. In the alternative, after such recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law. (Ord. 94-07 § 1, 1994)

**9.04.160 Nuisance abatement lien.**

As an alternative to the assessment lien procedure contained in Section [9.04.150](#) the total cost for abating such nuisance, as confirmed by the city council, may be collected pursuant to the procedures set forth in [Government Code](#) Section 38773.1 as a nuisance abatement lien.

A. Prior to the recordation of any nuisance abatement lien, the city shall provide notice of the same to the owner of record of the parcel or lot on which the nuisance is maintained as shown on the last equalized assessment roll or the supplemental roll, whichever is more current.

B. The notice shall be served in the same manner as a summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the [Code of Civil Procedure](#). If the owner of record, after diligent search cannot be found, the notice may be served by posting a copy thereof in a conspicuous place upon the property for a period of ten days and publication

thereof in a newspaper of general circulation published in the county of Napa pursuant to [Government Code](#) Section 6062.

C. The notice of nuisance abatement lien shall specify the amount of the lien, that the city is the agency on whose behalf the lien is imposed, the date the notice to abate was served or the date on which the city council issued its order to abate, if any, the street address, legal description and assessor's parcel number of the parcel on which the lien is imposed, and the name and address of the record owner of the parcel.

D. After recordation of the nuisance abatement lien, the city may foreclose the lien by an action brought by the city for a money judgment. (Ord. 94-07 § 1, 1994)

#### **9.04.170 Alternative actions available.**

A. Nothing in this chapter shall be deemed to prevent the city council or the city manager from ordering the city attorney to commence a civil or criminal proceeding to abate a public nuisance under applicable civil or penal code provisions as an alternative to the proceedings as set forth in this chapter.

B. Pursuant to [Government Code](#) Section 38773.7, upon the entry of a second or subsequent civil or criminal judgment within a two-year period finding that property owner is responsible for a public nuisance subject to abatement pursuant to this chapter, the city shall be entitled to an order of the court requiring the owner to pay treble the costs of the abatement. (Ord. 94-07 § 1, 1994)

#### **9.04.180 Violations—Penalties.**

A. The owner or other person having charge or control of any property, building or structure who maintains any condition described as a public nuisance in [Section 9.04.040](#) or who fails to abate a nuisance within the time periods specified in a notice to abate or any city council order to abate is guilty of an infraction pursuant to [Section 1.24.010](#) of this code.

B. Any occupant or person in possession of any such building or structure who fails to vacate such building or structure in accordance with an order given pursuant to this chapter is guilty of an infraction pursuant to [Section 1.24.010](#) of this code.

C. Any person who obstructs, impedes or interferes with any authorized representative or agent of the city or with any person who owns or holds any estate or interest in a building which has been ordered to be vacated, repaired, rehabilitated or demolished, or with any person to whom such building has been lawfully sold pursuant to the provision of this code whenever any such person is engaged in proceedings involving the abatement of a nuisance is guilty of an infraction pursuant to [Section 1.24.010](#) of this code.

D. [Section 1.24.010](#) provides that each day of violation constitutes a separate offense and may be separately punished and that fourth and subsequent violations may be prosecuted as a misdemeanor.

E. [Section 9.12.030](#) provides the penalty for any violation of any provision of this chapter. (Ord. 2017-01 § 2, 2017; Ord. 94-07 § 1, 1994)

**SECTION 4. CEQA FINDINGS.** The City Council finds the municipal code amendment is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15060(c)(2) because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and Section 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 because it has no potential for resulting in physical change to the environment, directly or indirectly. In addition, the municipal code amendment is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall become effective effect 30 days after its final passage pursuant to Government Code section 36937.

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

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

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 2<sup>nd</sup> day of May, 2023 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:

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Taresa Geilfuss, CMC, City Clerk

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William D. Ross, City Attorney

## Footnotes:

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# Tobacco and Marijuana Secondhand Smoke

## What's the Concern?

### Understanding Tobacco and Marijuana Secondhand Smoke (SHS)

- Tobacco SHS can cause lung cancer, heart disease, serious respiratory illnesses such as bronchitis and asthma, low birth weight, and sudden infant death syndrome.<sup>[1]</sup>
- Despite differences in the chemicals found in tobacco and marijuana secondhand smoke, they share similarities.<sup>[2]</sup>

Tobacco SHS	Marijuana SHS
Tobacco SHS contains more than 7,000 chemicals, including 70 that are known to cause cancer. <sup>[1]</sup>	Marijuana SHS contains thousands of chemicals including 33 that are known to cause cancer. <sup>[3]</sup>
Tobacco SHS contains chemicals including tar, hydrogen cyanide, cadmium, lead, ammonia, and carbon monoxide. <sup>[1]</sup>	Marijuana SHS contains 2 times as much tar and ammonia and 8 times as much hydrogen cyanide as tobacco smoke. <sup>[3]</sup>

### How is "smoking" defined in California smokefree laws?

California law defines "smoking" as inhaling, exhaling, burning or carrying any lighted or heated tobacco **or plant product** intended for inhalation, whether natural or synthetic, in any manner or in any form. This includes the use of an electronic smoking device.<sup>[4]</sup>

### How does California law restrict marijuana use and possession?

#### California law<sup>[5]</sup> prohibits<sup>[1]</sup>:

- Smoking marijuana in any location where smoking tobacco is prohibited.
- Smoking, vaping or consuming marijuana (includes all parts of the plant) or using marijuana products (this includes concentrates, edibles and topicals) in a public place.
- Smoking marijuana within 1,000 feet of a school, day care center, or youth center when children are present.
- Possessing or using marijuana or marijuana products on the grounds of a school, day care center, or youth center while children are present.
- Smoking or consuming marijuana or possessing an open container of marijuana while driving or riding as a passenger in a motor vehicle, boat, aircraft, or other vehicle used for transportation.
- Smoking, vaping or consuming marijuana in personal vehicles when a minor under 18 years of age is present in the vehicle whether in motion or at rest<sup>[6]</sup>
- Smoking or vaping marijuana on certain residential properties, including rental homes, if a property owner or landlord has prohibited smoking on the property.<sup>[7]</sup>

<sup>1</sup> Some exemptions apply. See California Health and Safety Code Section 11362.3 (a) and Business and Professions Code Section 26200 for local authority for the full policy.



## Public Locations Where Smoking Tobacco and Marijuana are Prohibited by California Law

### Indoor Workspaces

**Smoking is prohibited in most enclosed places of employment<sup>[8]</sup> including:**

- Public and private offices and office buildings
- Government buildings, inside and within 20 feet of an entrance, exit, or window
- Restaurants, bars, gaming clubs, bingo halls, and pool halls
- Malls, movie theaters, and gyms
- Hotel and motel lobbies, common areas, employee-only areas, meeting or banquet rooms, and at least 80% of guest rooms within a hotel must be smokefree
- Social organizations such as Elks Lodges or Veteran's Clubs
- Covered parking lots, public transportation systems, state-owned vehicles, taxi cabs, and cabs of motor trucks and tractor trailers if nonsmokers are present
- Owner-operated businesses with no other employees

### Outdoor Spaces

**Smoking is prohibited in many outdoor spaces, including:**

- Certified farmers' markets<sup>[9]</sup>
- Within state parks and state coastal beaches<sup>[10]</sup>
- Within 25 feet of playgrounds, tot lots, or recreational areas specifically designated for use by children<sup>[11]</sup>

### Youth-Sensitive Areas

**Smoking is prohibited in youth-sensitive areas such as:**

- Licensed day care centers, including private residences licensed as family day care homes<sup>[12]</sup>
- K-12 public schools (including charter schools) and school vehicles<sup>[13, 14]</sup>
- Licensed children's residential facilities, foster family homes, or resource family homes<sup>[15]</sup>
- Youth buses<sup>[16]</sup>
- Within 250 feet of youth sporting events<sup>[11]</sup>

California allows local governments the legal authority to pass zoning and licensing ordinances that prevent marijuana retailers and dispensaries from operating in their communities. It also gives local governments the authority to control whether or not they will allow temporary events in their jurisdictions.<sup>[17]</sup>

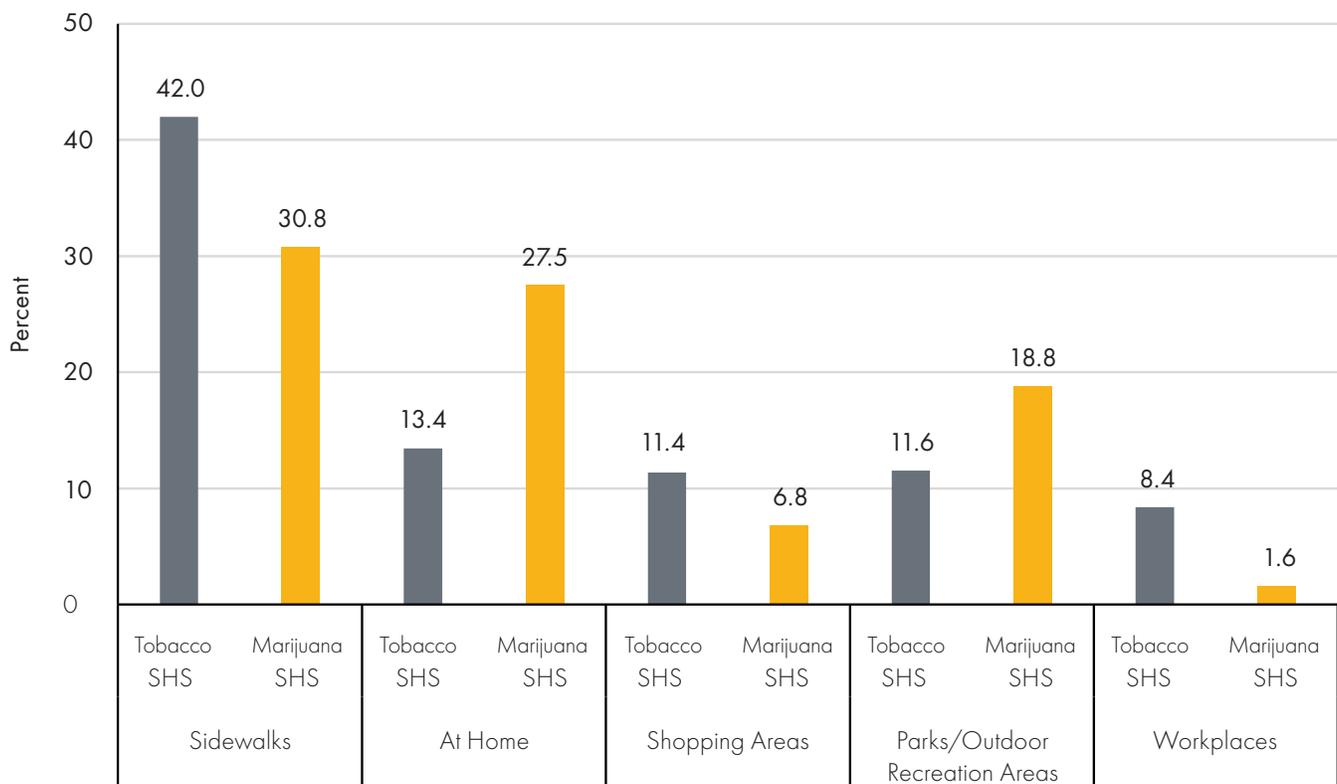
## Tobacco and Marijuana Secondhand Smoke Exposure in California

- 60% of California adults report being exposed to tobacco SHS in the past two weeks. <sup>[18]</sup>
- 50% of California adults report being exposed to marijuana SHS in the past two weeks. <sup>[18]</sup>

## SHS Exposure by Location

The most common location of recent exposure to marijuana SHS is on sidewalks, <sup>[18]</sup> followed by in the home, <sup>[18]</sup> and at parks and outdoor recreation areas <sup>[18]</sup> (Fig. 1). More people report recent exposure to marijuana SHS than tobacco SHS in the home, <sup>[18]</sup> at parks, <sup>[18]</sup> and other outdoor or recreation areas <sup>[18]</sup>.

**Figure 1. Percentage of adults aged 18-64 exposed to tobacco SHS or marijuana SHS by location of most recent exposure (among those individuals who report recent exposure).**



Data: 2019 Online California Adult Tobacco Survey, Wave 1 and 2.

The U.S. Surgeon General continues to warn the public that there is no safe level of exposure to secondhand smoke. Comprehensive smokefree ordinances can protect the public's health and provide everyone the right to breathe smokefree air.

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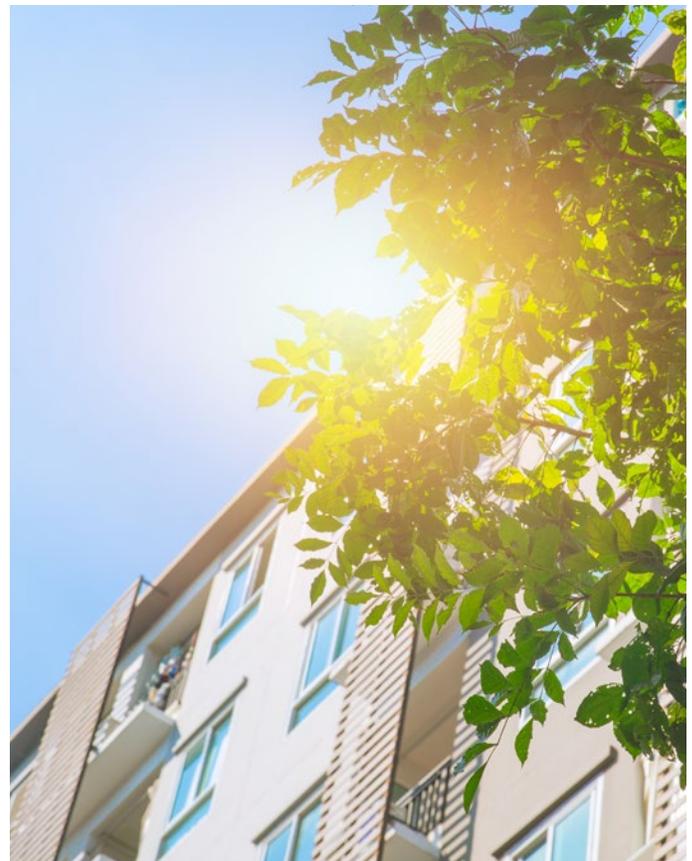


# REGULATING SMOKING IN MULTI-UNIT HOUSING



**Exposure to secondhand smoke is not just a discomfort and an annoyance, but a serious health hazard.<sup>1</sup>**

For tenants and owners of multi-unit housing, such as apartments and common interest communities, commercial tobacco smoke from a neighboring unit that infiltrates their homes can pose a daily problem.<sup>2</sup> As a result, many local governments, housing authorities, and property owners of multi-unit housing are taking proactive steps to prevent or eliminate secondhand smoke from infiltrating living space and to provide housing that is 100 percent smoke-free. This guide provides basic guidelines to communities about policies that address secondhand smoke infiltration in multi-unit housing.<sup>3</sup>



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The Public Health Law Center has created this series of legal technical assistance guides to serve as a starting point for organizations interested in implementing certain tobacco control measures. We encourage you to consult with local legal counsel before attempting to implement these measures.<sup>4</sup> For more details about these policy considerations, please contact the Center.

## Policy Benefits

A smoke-free policy for a multi-unit housing complex, such as an apartment building or common interest community, can benefit all parties concerned — residents, as well as landlords and property owners.

- **Protection from Secondhand Smoke:** Secondhand smoke travels through lighting fixtures, cracks in walls, around plumbing, under doors, and in shared heating/ventilation. Drifting smoke outdoors can travel into nearby windows, doors, and ventilation systems. Tobacco smoke exposes users and bystanders to serious health risks, such as lung cancer, cardiovascular disease, asthma attacks, respiratory infections, sudden infant death syndrome, and other conditions.<sup>5</sup> Air quality experts have concluded that “the only means of avoiding health effects and eliminating indoor [environmental tobacco smoke] exposure is to ban all smoking activity inside and near buildings.”<sup>6</sup> The most important benefit of a smoke-free housing policy is that it enables residents, employees, and other visitors to breathe air free of hazardous secondhand smoke.
- **Market Advantage:** Surveys show that a growing number of residents and owners are seeking smoke-free housing and are willing to pay more to ensure their home environments are smoke-free.<sup>7</sup> Apartments, and units in common interest communities that smell of smoke are harder to rent and sell.
- **Reduced Costs:** Smoke-free housing policies can save landlords and property owners excess building maintenance costs, because cleaning and replacement expenses are significantly higher in units with residents who smoke. Depending on the length of residency and amount of smoking in a unit, turnover costs can be hundreds of dollars higher for units in which smoking has occurred. All of the following can add to these costs: cleaning or repainting walls; cleaning or replacing carpets, drapes, appliances and fixtures exposed to smoke; or replacing floors and countertops burned by cigarettes.<sup>8</sup>
- **Reduced Fire Risk:** The use of cigarettes and other combustible tobacco products is a leading cause of residential building fires and a cause of almost a quarter (23 percent) of annual home fire deaths.<sup>9</sup> A smoke-free policy reduces the risk of fire and provides increased safeguards to tenants and their property.
- **Positive Modeling:** Multi-unit housing developments are often highly visible within a community. Thus, when a development adopts a smoke-free policy, the public, local government and organizations learn of the benefits of such a policy and may be encouraged to adopt similar measures in other settings. Moreover, since children and youth

often reside in multi-unit housing developments, a smoke-free policy can help reduce youth initiation through positive modeling behavior.

- **Legal Liability:** The rise of smoke-free housing policies has spurred an increased awareness of the legal liability of landlords, management companies, condominium associations, co-op owners and residents who smoke to prevent secondhand smoke exposure.<sup>10</sup> Lawsuits related to secondhand smoke exposure in housing include claims based on legal theories such as nuisance, warranty of habitability, and quiet enjoyment.<sup>11</sup> In addition, residents with pre-existing physical conditions aggravated by secondhand smoke may file complaints under disability laws, such as the Fair Housing Act.<sup>12</sup>

## Policy Elements

An effective smoke-free housing policy typically includes the following elements:

- An introduction that explains the policy's purpose.
- Clear, consistent definitions of important terms, such as "smoking," "smoke," "premises," and "common area," to help ensure that the policy is interpreted, implemented, and enforced in ways that effectively protect the entire community within a building or complex.
  - A comprehensive definition of smoking would include the use of electronic cigarettes and lighted or heated tobacco, nicotine, or other plant products, including hookah and marijuana.
- Description of who must comply, such as tenants, guests, employees, and business visitors.
- Disclaimers that the landlord, management company, or homeowners association is not acting as a guarantor of the policy. This provision helps protect landlords, management companies, or homeowners associations of smoke-free buildings from claims brought by tenants injured as a result of unknown policy violations.
- A provision allowing one tenant to bring a claim directly against another tenant based on secondhand smoke intrusion. The non-smoking tenant could get a court order requiring the tenant who smokes to take action to stop the smoke infiltration.
- Graduated enforcement provisions that provide warnings, cessation information and opportunities for residents to remedy violations before more punitive measures are taken, such as fines or eviction.<sup>13</sup>

- Clear guidelines related to enforcement, including the following:
  - Where the policy will be enforced (e.g., in common areas, units, balconies, patios, outdoor areas, and/or setbacks from entrances)
  - How it will be enforced (e.g., through verbal warnings, warning letters, fines, and/or eviction)
  - The responsibilities of property managers, including requirements to post warning signs and consistently enforce the policy
  - The responsibilities of tenants, including an obligation to notify guests and visitors of the policy and to report violations)
  - A requirement that smoke-free leases and agreements be signed by both parties (e.g., the tenant and the landlord)

## Other Policy Considerations

Some jurisdictions encourage or require landlords, management companies, or homeowners associations to adopt smoke-free policies in multi-unit dwellings. Before adopting a smoke-free policy, landlords, management companies, or homeowners associations should review the local laws to ensure that the property's smoke-free policy will complement any existing requirements.

**Smoke-free Affordable Housing.** The trend toward smoke-free affordable housing is accelerating. In recent years, multiple federal agencies and the Surgeon General have encouraged the development of smoke-free affordable housing.<sup>14</sup> Significantly, the U.S. Department of Housing and Urban Development (HUD) now prohibits smoking in all public housing, meaning that individuals may no longer smoke in individual units, common areas, or within 25 feet of residential and administrative public housing buildings.<sup>15</sup> Some public housing authorities are also requiring mixed-finance properties and project-based housing voucher properties to be smoke-free, and some are making their smoke-free policies stricter than HUD requires (by, for example, prohibiting e-cigarette use).<sup>16</sup> Landlords that accept individual Housing Choice Vouchers may adopt smoke-free policies of their own.<sup>17</sup> For more information about this rule, visit the [HUD website](#) or read HUD's [Smoke-free Public Housing Rule: An Overview](#).

**Low Income Housing Tax Credit.** The [Low Income Housing Tax Credit](#) program provides federal tax credits to states and local government units to stimulate the development of affordable housing.<sup>18</sup> Local governments can develop criteria for the type of housing they want in their communities. States such as California,<sup>19</sup> Maine,<sup>20</sup> Minnesota,<sup>21</sup> and New Hampshire,<sup>22</sup> as well as cities such as Minneapolis and St. Paul, Minnesota,<sup>23</sup> have included the adoption of smoke-



free policies for proposed building projects as mandatory prerequisites or as optional criteria for consideration in the awarding of tax credits.

**Requiring Smoke-free Multi-Unit Housing.** Some jurisdictions prohibit smoking in multi-unit housing. In Belmont, California, for example, smoking is not allowed in common areas, individual units of multi-unit housing, or outdoors within 20 feet of windows or doors.<sup>24</sup> As of March 2021, the only such policies are city or county policies in California. A list of jurisdictions with these policies in place is available from the [American Nonsmokers' Rights Foundation](#).<sup>25</sup>

**Disclosing Smoking Policies for Multi-Unit Buildings.** A growing number of communities are requiring that multi-unit rental apartment buildings and common interest communities disclose their smoking policies to prospective tenants and buyers. For example, Oakland, California,<sup>26</sup> and the State of Oregon<sup>27</sup> have passed laws that require the owners of rental apartment buildings to disclose the smoking policies for their buildings, whether the policies are smoking permitted, smoking restricted, or smoke-free. The laws do not mandate that units be smoke-free; they simply require that prospective tenants be notified of the smoking policies and location of smoking and non-smoking units. The Oakland ordinance also requires that sellers of condominiums disclose the smoking policy for the unit and the complex.<sup>28</sup> When a smoke-free or smoking permitted disclosure statement is included in a standard lease for multi-unit dwellings, tenants are alerted to living environments that may be hazardous to their health.

Disclosure policies are not as effective in protecting public health as policies that prohibit smoking, but they can serve a role in alerting policymakers to the dangers of secondhand smoke in residential settings and provide prospective tenants or buyers with helpful information.

## Examples of Select Policies

Below are examples of smoke-free policies in select multi-unit housing locations. If you consider adapting any language from these policies, take care to ensure the provision in question is practical and legal in your jurisdiction. Please note that the Public Health Law Center does not endorse or recommend any of the following policies. These examples are included simply to illustrate how different multi-unit housing developments have approached the smoke-free issue.

Name	Location	Sample Policy
California Apartment Association	California	<a href="#">Sample Smoke-free Lease Addendum</a>
Breathe Easy Maine	Maine	<a href="#">Model Smoke-free Policies and Other Documents</a>
Smoke-Free Apartments	Maryland	<a href="#">Rental Model Smoke-free Lease Addendum for Multi-Unit Dwellings</a> <a href="#">Common Interest Community Model Smoke-free Lease Addendum for Multi-Unit Dwellings</a>
Live Smoke Free	Minnesota	<a href="#">Model Smoke-free Policies and Other Documents</a>
Utah Department of Health	Utah	<a href="#">Model Smoke Free Policies and Related Documents</a>

## Other Helpful Resources

The [Public Health Law Center](#) has a [web page](#) containing several publications and resources on smoke-free policies in apartments, [condominiums](#), [affordable housing](#), and other multi-unit dwellings, and best practices for smoke-free policies. In addition, the site includes a Minnesota-specific [Model Smoke-Free Lease Addendum \(2020\)](#); [Model Smoke-Free Condo Policy \(2020\)](#); and information on [Smoke-Free Tribal Housing Policies \(2020\)](#); [Smoke-free Multi-Unit Housing: Equitable Enforcement Strategies \(2020\)](#); and [Marijuana in Multi-Unit Residential Settings \(2019\)](#). Other organizations, such as [Americans for Nonsmokers' Rights](#), have [web pages](#) containing the latest news and resources on smoke-free housing initiatives.

## Contact Us

Please feel free to contact the Public Health Law Center at [publichealthlaw@mitchellhamline.edu](mailto:publichealthlaw@mitchellhamline.edu) with any questions about the information included in this guide or to discuss local concerns you may have about implementing such a policy.

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This publication was prepared by the Public Health Law Center at Mitchell Hamline School of Law, Saint Paul, Minnesota. The Center provides information and technical assistance on law and policy issues related to public health. The Center does not provide legal advice or enter into attorney-client relationships, and this document should not be considered legal advice. This publication was made possible by funding from Clean Air for All: The Smoke-Free Public Housing Project and the Robert Wood Johnson Foundation. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of Clean Air for All or the Foundation.

## Endnotes

- 1 U.S. DEP'T OF HEALTH & HUMAN SERVS., THE HEALTH CONSEQUENCES OF SMOKING — 50 YEARS OF PROGRESS: A REPORT OF THE SURGEON GENERAL (2014), <https://www.hhs.gov/sites/default/files/consequences-smoking-exec-summary.pdf>.
- 2 The Public Health Law Center recognizes that traditional and commercial tobacco are different in the ways they are planted, grown, harvested, and used. Traditional tobacco is and has been used in sacred ways by Indigenous communities and tribes for centuries. Comparatively, commercial tobacco is manufactured with chemical additives for recreational use and profit resulting in disease and death. For more information visit: <http://www.keepitsacred.itcml.org>. When the word "tobacco" is used throughout this document, a commercial context is implied and intended.
- 3 This publication contains general guidelines on smoke-free housing that could apply to all multi-unit housing types, including common interest communities and rental properties, including condominium associations, as well as tenants and property managers.
- 4 The information contained in this document is not intended to constitute or replace legal advice.
- 5 U.S. DEP'T OF HEALTH & HUMAN SERVS., *supra* note 1, at 2-4.
- 6 AM. SOC'Y OF HEATING, REFRIGERATING & AIR-CONDITIONING ENG'RS, ASHRAE POSITION DOCUMENT ON ENVIRONMENTAL TOBACCO SMOKE 5 (2020), [https://www.ashrae.org/File%20Library/About/Position%20Documents/pd\\_environmental-tobacco-smoke-2020-07-1.pdf](https://www.ashrae.org/File%20Library/About/Position%20Documents/pd_environmental-tobacco-smoke-2020-07-1.pdf).
- 7 SMOKEFREE HOUSING PROJECT, A LANDLORD'S GUIDE TO NO-SMOKING POLICIES 5, [https://www.co.lincoln.or.us/sites/default/files/fileattachments/health\\_amp\\_human\\_services/page/4327/landlordguide.pdf](https://www.co.lincoln.or.us/sites/default/files/fileattachments/health_amp_human_services/page/4327/landlordguide.pdf).
- 8 Rachel E. Wilbur et al., *12 Smoke-Free Multiunit Housing Policy: Caretakers' Perspectives on Economic and Personal Impacts*, INT'L J. ENV'T RSCH. PUB. HEALTH 8092, 8093 (2015), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4515710/pdf/ijerph-12-08092.pdf> ("Few studies ... have attempted to document the actual cost savings achieved at properties with a smoke-free MUH policy. Ong et al. found that properties with a comprehensive smoke-free policy experienced fewer smoking-related costs than properties with a partial or non-existent smoke-free policy, with properties experiencing average smoking-related costs of \$282 per unit. Further, in a study of affordable housing properties in North Carolina, property managers reported that turnover costs are on average \$348 higher in units where tenants have smoked.").
- 9 MARTY AHRENS, NAT'L FIRE PROT. ASS'N, HOME FIRES STARTED BY SMOKING 1 (2019), <https://www.nfpa.org/-/media/Files/News-and-Research/Fire-statistics-and-reports/US-Fire-Problem/Fire-causes/ossmoking.ashx>.

- 10 Susan Schoenmarklin, Tobacco Control Legal Consortium, *Infiltration of Secondhand Smoke into Condominiums, Apartments and Other Multi-Unit Dwellings: 2009* (2009), <https://publichealthlawcenter.org/sites/default/files/resources/tclc-syn-condos-2009.pdf>.
- 11 *Id.* at 4-10.
- 12 Fair Housing Act, 42 U.S.C. §§ 3601-3631. The Fair Housing Act prohibits discrimination against people with disabilities, including those with severe breathing problems. It applies to owners and operators of most housing, including apartments and project-based housing vouchers and other HUD-assisted housing.
- 13 Public Health Law Center, *Smoke-free Multi-unit Housing: Equitable Enforcement Strategies* (2020), <https://www.publichealthlawcenter.org/sites/default/files/resources/SF-MUH-Equitable-Enforcement-Strategies.pdf>.
- 14 FED. HEALTHY HOMES WORK GRP., *ADVANCING HEALTHY HOUSING: A STRATEGY FOR ACTION* (2013), [https://www.hud.gov/sites/documents/STRATPLAN\\_FINAL\\_11\\_13.PDF](https://www.hud.gov/sites/documents/STRATPLAN_FINAL_11_13.PDF); U.S. DEP'T OF HOUSING & URBAN DEV., *LEADING OUR NATION TO HEALTHIER HOMES: THE HEALTHY HOMES STRATEGIC PLAN* (2009), [https://www.hud.gov/sites/dfiles/HH/documents/hh\\_strategic\\_plan\\_web\\_posting.pdf](https://www.hud.gov/sites/dfiles/HH/documents/hh_strategic_plan_web_posting.pdf); Unnumbered Letter from Tammye Treviño, Administrator, Housing and Community Facilities Program, to State Directors Rural Development, November 21, 2012, [http://www.carh.org/wp-content/uploads/2015/08/MC\\_RD-SmokeFreePolicy.pdf](http://www.carh.org/wp-content/uploads/2015/08/MC_RD-SmokeFreePolicy.pdf).
- 15 U.S. DEP'T OF HOUSING & URBAN DEV., *SMOKE-FREE POLICY RECOMMENDED CHECKLIST*, [https://www.hud.gov/sites/documents/2\\_SMOKEF\\_POLICYCHECKLIST.PDF](https://www.hud.gov/sites/documents/2_SMOKEF_POLICYCHECKLIST.PDF).
- 16 *Id.*; *Smokefree Public Housing — One Year Later*, AM. NONSMOKERS' RIGHTS FOUND. (July 11, 2019), <https://no-smoke.org/smokefree-public-housing-one-year-later>.
- 17 See *Smokefree Public Housing — One Year Later*, *supra* note 16.
- 18 *Low-income Housing Tax Credits*, U.S. DEP'T OF HOUSING & URBAN DEV., <https://www.huduser.gov/PORTAL/datasets/lihtc.html> (last updated June 5, 2020).
- 19 CAL. CODE REGS. tit. 4, § 10325(c)(8)(C) (2019).
- 20 99-346 Me. St. Hous. Auth. § 5(L) (2020).
- 21 LIVE SMOKE FREE, *LOW-INCOME HOUSING TAX CREDITS IN MINNESOTA 1* (2020), <https://mnsmokefreehousing.org/wp-content/uploads/Low-Income-Housing-Tax-Credits-in-MN.pdf>.
- 22 N.H. Hous. Fin. Auth. 109.06(I) (2020).
- 23 LIVE SMOKE FREE, *LOW-INCOME HOUSING TAX CREDITS IN MINNESOTA 1* (2020), <https://mnsmokefreehousing.org/wp-content/uploads/Low-Income-Housing-Tax-Credits-in-MN.pdf>.
- 24 BELMONT, CAL., MUNICIPAL CODE § 20.5-3(a)(3)-(4) (2021).
- 25 AM. NONSMOKERS' RIGHTS FOUND., *U.S. LAWS FOR 100% SMOKEFREE MULTI-UNIT HOUSING* (2021), <https://no-smoke.org/wp-content/uploads/pdf/smokefreemuh.pdf>.
- 26 OAKLAND, CAL., MUNICIPAL CODE § 8.30.050 (2021)..
- 27 OR. REV. STAT. § 90.220(4) (2021).
- 28 OAKLAND, CAL., MUNICIPAL CODE § 8.30.050 (2021).



## Matrix of Smokefree Multi-Unit Housing Policies in California

March 2022

California municipalities are at the forefront of expanding smokefree air protections by adopting policies that regulate smoking in multi-unit housing in order to create healthier living environments for residents by reducing exposure to drifting secondhand smoke.

This matrix provides an overview of key policy provisions in the 90 California municipalities that have enacted ordinances that **at minimum** regulate smoking in private units of multi-unit housing. Overall, 185 California municipalities regulate smoking in multi-unit housing to some extent. The municipalities not included on this matrix have enacted policies that regulate smoking in multi-unit housing to a lesser extent than in private units (i.e. indoor common areas, outdoor common areas, and/or outdoor private use areas like balconies and patios) or limit the regulation of smoking to publically owned/affordable multi-unit housing.

**Note:** This matrix includes **both** policies that are on the PETS website, which is current through March 31, 2021, **and** more recently enacted and analyzed policies that are not yet in the PETS database. Jurisdictions with new or updated policy provisions on this matrix, but not yet on PETS, are denoted by ~. The matrix does not include policies that have not yet been analyzed by ANRF staff. See note on last page for further info.

**90** California municipalities have enacted ordinances that regulate smoking in private units of multi-unit housing (MUH):\*

- **38** municipalities require all MUH properties with 2 or more units to be 100% smokefree indoors—both rental units **and** condominium/owner-occupied units—and including e-cigarette use and marijuana smoking/vaping.\*\* The names of municipalities with these strongest policies are in **bold**.
- **52** municipalities require all MUH properties with 2 or more units to be 100% smokefree indoors for tobacco—both rental units **and** condominium/owner-occupied units—but may not fully include e-cigarette use and/or marijuana smoking/vaping in the policy.
- **10** municipalities require all **rental** MUH properties with 2 or more units to be 100% smokefree indoors **but** exempt some or all condominium/owner-occupied units.
- **19** municipalities have partial policies that require some, but not all, units or buildings to be smokefree, or contain other exemptions such as allowing existing residents to continue smoking in their unit. These weaker, partial policies are in [blue text](#).

\* The 90 municipalities that regulate smoking in private units of multi-unit housing to some extent cover **5,112,610 Californians**, or **13%** of the state population.

\*\* The 38 municipalities with the strongest multi-unit housing laws cover **1,988,512 Californians**, or **5.1%** of the state population.

**See Definitions and Explanatory Notes starting on page 9.**

		Policy Provisions								
Municipality	County	Key Enactment Date	Effective Date (Phase-in Time)	Population	Minimum # of Units	% of Units Smokefree	Exempts Existing Residents	Includes Condos	Includes E-Cigarette Use	Includes Smoking/Vaping Marijuana
1. Alameda	Alameda	11/15/2011	1/1/2013 (13.5 months)	78,522	2	100%	No	Yes	Yes	Yes
2. Albany	Alameda	2/21/2017	3/24/2018 (13 months)	19,804	2	100%	No	Yes	Yes	Yes
3. Baldwin Park	Los Angeles	11/2/2011	6/21/12 new, 12/2/14 existing (3 years)	75,892	2	100% new/ 80% existing	No	Yes	Yes	Smoking Prohibited
4. Bell Gardens	Los Angeles	10/14/2019	6/1/2021 (20 months)	42,421	3	100%	No	Yes	Yes	Yes
5. Belmont	San Mateo	10/9/2007	1/8/2009 (15 months)	27,097	2	100%	No	Yes	Yes	Yes
6. Belvedere	Marin	10/10/2016	11/9/2017 (13 months)	2,134	2	100%	No	Yes	Yes	Yes
7. Benicia	Solano	12/3/2019	9/2/2020 (9 months)	28,192	2	100%	No	Yes	Yes	Yes
8. Berkeley~	Alameda	12/17/2013, 10/27/2020	5/1/2014 (4.5 months)	121,485	2	100%	No	Yes	Yes	Yes
9. Beverley Hills	Los Angeles	10/3/2017	1/1/2019 (15 months)	34,186	2	100%	No	Yes	Yes	Vaping Prohibited
10. Brisbane	San Mateo	11/3/2016	6/3/2017 (6.5 months)	4,697	2	100%	No	Yes	Yes	Medical Use Exempt
11. Burbank	Los Angeles	10/5/2010	5/1/2011 (7 months)	103,703	2	N/S <sup>1</sup>	No	Yes	No (Not Addressed)	Yes

		Policy Provisions								
Municipality	County	Key Enactment Date	Effective Date (Phase-in Time)	Population	Minimum # of Units	% of Units Smokefree	Exempts Existing Residents	Includes Condos	Includes E-Cigarette Use	Includes Smoking/Vaping Marijuana
12. Burlingame	San Mateo	8/17/2015	2/13/2016 (6 months)	30,576	2	100%	No	No	No (Not Addressed)	Medical Use Exempt
13. Calabasas	Los Angeles	1/16/2008	1/1/2012 (4 years)	23,988	2	80%	Yes	No	Yes	Yes
14. Clayton	Contra Costa	5/1/2018	5/1/2019 (12 months)	12,083	2	100%	No	Yes	Yes	Yes
15. Compton	Los Angeles	10/25/2011	1/1/2013 (14 months)	96,803	3	100%	No	Yes	Yes	Yes
16. Concord	Contra Costa	1/7/2020	1/1/2021 (12 months)	129,183	2	100%	No	Yes	Yes	Yes
17. Contra Costa County^	Contra Costa	3/13/2018	7/1/2019 (15.5 months)	177,494	2	100%	No	Yes	Yes	Yes
18. Corte Madera~	Marin	5/6/2014, 5/4/2021	12/2/14 new, 6/5/15 existing (13 months)	9,838	2	100%	No	Yes	Yes	Yes
19. Cotati	Sonoma	10/13/2015	1/1/2017 (14.5 months)	7,454	2	100%	No	Yes	Yes	Medical Use Exempt
20. Crescent City	Del Norte	11/16/2020	1/1/21 new, 1/1/22 existing (14 months)	6,676	2	100%	No	Yes	Yes	Yes
21. Culver City	Los Angeles	10/27/2014	5/26/2016 (19 months)	39,169	2	100%	No	Yes	Specifically Exempt	Smoking Prohibited
22. Cupertino~	Santa Clara	6/16/2021	10/1/2021 (3.5 months)	60,257	2	100%	No	Yes	Yes	Yes
23. Daly City	San Mateo	10/22/2012	1/21/2014 (15 months)	106,677	2	100%	No	No	Yes	Yes
24. Danville	Contra Costa	11/17/2015	5/1/2016 (5.5 months)	44,605	3	100%	No	Yes	Yes	Yes
25. Dublin	Alameda	7/19/2011	1/1/2013 (17.5 months)	61,240	16	75%	No	No	Yes	Yes

		Policy Provisions								
Municipality	County	Key Enactment Date	Effective Date (Phase-in Time)	Population	Minimum # of Units	% of Units Smokefree	Exempts Existing Residents	Includes Condos	Includes E-Cigarette Use	Includes Smoking/Vaping Marijuana
26. El Cerrito	Contra Costa	10/7/2014	10/1/2015 (12 months)	25,398	2	100%	No	Yes	Yes	Yes
27. El Monte	Los Angeles	1/19/2016	8/19/2017 (19 months)	115,517	3	100%	No	Yes	Yes	Medical Use Exempt
28. Emeryville	Alameda	9/17/2018	7/1/2019 (9.5 months)	11,899	2	100%	No	Yes	Yes	Yes
29. Fairfax	Marin	6/1/2011	9/1/2012 (15 months)	7,578	4	75%	No	No	Yes	Yes
30. Firebaugh	Fresno	5/20/2019	7/1/2019 (1.5 months)	8,300	2	100%	No	Yes	Yes	Yes
31. Foster City	San Mateo	11/17/2014	11/5/2015 (11.5 months)	33,997	N/S	100%	No	Yes	Yes	Yes
32. Fremont	Alameda	12/6/2016	2/1/2017 (2 months)	235,740	2	100% new/ 0% existing	No	Yes	Yes	Yes
33. Glendale	Los Angeles	5/28/2013	6/27/2013 (1 month)	200,232	2	100% new/ 0% existing	No	Yes	No (Not Addressed)	Yes
34. Half Moon Bay	San Mateo	10/16/2018	1/15/2020 (15 months)	12,834	2	100%	No	Yes	Yes	Medical Vaping Exempt
35. Healdsburg	Sonoma	5/6/2019	5/6/2020 (12 months)	11,845	2	100%	No	Yes	Yes	Yes
36. Hercules	Contra Costa	5/14/2019	7/1/2020 (14 months)	25,616	10	100%	No	Yes	Yes	Yes
37. Huntington Park	Los Angeles	3/5/2012	7/1/2013 (16 months)	58,353	2	100% rental/ 80% condos	Yes, condos	80%	Yes	Yes
38. Jurupa Valley~	Riverside	2/4/2021	3/6/21 new, 8/3/21 designated units (6 months)	105,653	3	100% new/ designated existing units	Yes	No	Yes	Yes

		Policy Provisions								
Municipality	County	Key Enactment Date	Effective Date (Phase-in Time)	Population	Minimum # of Units	% of Units Smokefree	Exempts Existing Residents	Includes Condos	Includes E-Cigarette Use	Includes Smoking/Vaping Marijuana
39. Lafayette	Contra Costa	11/12/2013	2/10/2014 (3 months)	26,305	3	100% new/ 0% existing	Yes	Yes	Specifically Exempt	No (Not Addressed)
40. Larkspur	Marin	4/20/2011	5/20/11 new, 11/17/11 existing (7 months)	12,319	2	100% new/ 80% existing	Yes	Yes	No (Not Addressed)	Yes
41. Loma Linda	San Bernardino	6/24/2008	1/1/2012 (3.5 years)	24,184	2	70%	Yes	No	No (Not Addressed)	Smoking Prohibited
42. Los Gatos	Santa Clara	5/26/2016	6/25/2017 (13 months)	30,729	2	100%	No	No	Yes	Yes
43. Manhattan Beach	Los Angeles	10/20/2015	5/5/2017 (18.5 months)	35,500	3	100%	No	Yes	Yes	Yes
44. Marin County^	Marin	5/22/2012	2/16/13 new, 8/20/13 existing (15 months)	68,252	2	100% new/ 80% existing	No	Yes	Specifically Exempt	Medical Use Exempt
45. Mill Valley	Marin	10/19/2015	11/18/2016 (13 months)	14,330	2	100%	No	Yes	Yes	Yes
46. Millbrae	San Mateo	7/23/2019	1/1/2020 (5 months)	22,625	2	100%	No	Yes	Yes	Yes
47. Milpitas~	Santa Clara	6/15/2021	1/1/2022 (6.5 months)	79,517	2	100%	No	Yes	Yes	Yes
48. Moorpark	Ventura	12/20/2017	2/1/2019 (13.5 months)	36,372	2	100%	No	No	Yes	Yes
49. Morro Bay	San Luis Obispo	4/28/2020	8/1/2020 (3 months)	10,578	2	100%	No	Yes	Yes	Yes
50. Mountain View~	Santa Clara	6/8/2021	1/1/2022 (6.5 months)	81,656	3	100%	No	Yes	Yes	Yes
51. Novato	Marin	1/24/2017	1/1/2018 (11 months)	55,642	2	100%	No	Yes	Yes	Yes

		Policy Provisions								
Municipality	County	Key Enactment Date	Effective Date (Phase-in Time)	Population	Minimum # of Units	% of Units Smokefree	Exempts Existing Residents	Includes Condos	Includes E-Cigarette Use	Includes Smoking/Vaping Marijuana
52. Oakley	Contra Costa	2/11/2014	4/1/2014 (1.5 months)	41,324	2	100% new/0% existing	No	Yes	No (Not Addressed)	Vaping Exempt
53. Pacific Grove	Monterey	12/18/2019	10/1/2021 (21.5 months)	15,522	2	100%	No	Yes	Yes	Yes
54. Pacifica	San Mateo	9/9/2019	10/9/2020 (13 months)	38,984	2	100%	No	Yes	Yes	Yes
55. Palo Alto~	Santa Clara	1/9/2017	1/1/2018 (12 months)	66,573	2	100%	No	Yes	Yes	Smoking Prohibited
56. Pasadena	Los Angeles	7/11/2011	1/1/2013 (18 months)	141,258	2	100%	No	Yes	No (Not Addressed)	Yes
57. Petaluma	Sonoma	1/28/2013	1/1/2014 (11 months)	60,767	2	100%	No	Yes	Yes	Yes
58. Pinole	Contra Costa	9/17/2019	10/18/2019 (1 month)	19,279	2	100%	No	Yes	Yes	No (Not Addressed)
59. Pleasant Hill	Contra Costa	4/5/2010	4/5/10 new, 1/1/16 existing (5 years)	34,840	4	100% new/50% existing	No	No	Yes	Vaping Prohibited
60. Pleasanton	Alameda	9/5/2017	10/4/2018 (13 months)	81,717	2	100%	No	No	Yes	Medical Use Exempt in Outdoor area
61. Rancho Cordova	Sacramento	10/5/2020	10/5/2021 (12 months)	73,147	2	100%	No	Yes	Yes	Yes
62. Redwood City	San Mateo	11/13/2017	1/1/2019 (13.5 months)	85,784	2	100%	No	Yes	Yes	Yes
63. Richmond	Contra Costa	7/21/2009	1/1/2011 (17.5 months)	109,884	2	100%	No	Yes	Yes	Medical Smoking Exempt
64. Rohnert Park	Sonoma	1/23/2018	4/23/2018 (3 months)	42,902	2	100%	No	Yes	Yes	Yes

		Policy Provisions								
Municipality	County	Key Enactment Date	Effective Date (Phase-in Time)	Population	Minimum # of Units	% of Units Smokefree	Exempts Existing Residents	Includes Condos	Includes E-Cigarette Use	Includes Smoking/Vaping Marijuana
65. Ross	Marin	1/11/2019	2/9/2020 (13 months)	2,290	2	100%	No	Yes	Yes	Yes
66. San Anselmo	Marin	12/9/2014	1/8/2016 (13 months)	12,525	2	100%	No	Yes	Yes	Yes
67. San Bruno	San Mateo	11/22/2016	2/22/2018 (15 months)	43,083	2	100%	No	Yes	Yes	Yes
68. San Carlos	San Mateo	4/8/2019	7/8/2020 (15 months)	30,154	2	100%	No	Yes	Yes	Yes
69. San Mateo	San Mateo	7/17/2017	8/16/2017 (1 month)	104,333	2	100%	No	Yes	Yes	Yes
70. San Mateo County^	San Mateo	11/4/2014	2/4/2016 (15 months)	65,392	2	100%	No	Yes	Yes	Specifically Exempt
71. San Pablo	Contra Costa	2/18/2020	7/1/2021 (16.5 months)	30,967	2	100%	No	No	Yes	Yes
72. San Rafael	Marin	10/15/2012	11/14/2013 (13 months)	58,775	3	100%	No	Yes	Specifically Exempt	No (Not Addressed)
73. Santa Clara	Santa Clara	2/5/2019	8/1/2019 (6 months)	127,721	2	100%	No	Yes	Yes	Yes
74. Santa Clara County^	Santa Clara	11/9/2010	2/9/2012 (15 months)	83,699	2	100%	No	Yes	Yes	No (Not Addressed)
75. Santa Monica	Los Angeles	10/23/2012	11/22/2012 (1 month)	91,577	N/S	100% new/ Designated existing units	Yes	Yes	Yes	Yes
76. Santa Rosa	Sonoma	7/7/2015	8/7/2016 (13 months)	179,701	2	100%	No	Yes	Yes	Yes
77. Saratoga	Santa Clara	8/17/2016	9/16/2016 (1 month)	30,697	4	100%	No	No	Yes	Yes
78. Sausalito	Marin	7/31/2012	2/27/13 new, 8/30/13 existing (13 months)	7,116	2	100% new/ 80% existing	No	Yes	Yes	Medical Smoking Exempt

		Policy Provisions								
Municipality	County	Key Enactment Date	Effective Date (Phase-in Time)	Population	Minimum # of Units	% of Units Smokefree	Exempts Existing Residents	Includes Condos	Includes E-Cigarette Use	Includes Smoking/Vaping Marijuana
79. Sebastopol	Sonoma	8/3/2010	11/2/2011 (15 months)	7,760	2	100%	No	Yes	Yes	Medical Use Exempt
<b>80. Sonoma</b>	Sonoma	11/8/2016	12/12/2016 (1 month)	11,075	2	100%	No	Yes	Yes	Yes
81. Sonoma County^	Sonoma	9/13/2011	1/12/2013 (16 months)	142,067	2	100%	No	Yes	No (Not Addressed)	No (Not Addressed)
82. South Pasadena	Los Angeles	8/4/2010	3/3/11 new, 9/4/13 existing (3 years)	25,661	2	100% new/ 80% existing	No	Yes	Yes	Yes
<b>83. South San Francisco</b>	San Mateo	11/9/2016	11/9/2017 (12 months)	67,408	2	100%	No	Yes	Yes	Yes
<b>84. Sunnyvale</b>	Santa Clara	2/23/2016	9/23/2016 (7 months)	152,770	2	100%	No	Yes	Yes	Yes
85. Temecula	Riverside	5/8/2007	11/8/07 new, 6/7/12 existing (5 years)	113,381	10	25%	Yes	N/S	No (Not Addressed)	Medical Use Exempt
86. Tiburon	Marin	7/18/2018	10/18/2018 (3 months)	9,144	3	100%	No	Yes	Yes	Yes
87. Union City	Alameda	11/23/2010	2/23/2012 (15 months)	74,722	2	100%	No	No	Yes	Yes
88. Walnut Creek	Contra Costa	10/1/2013	1/30/2014 (4 months)	69,567	2	100%	No	Yes	Yes	Medical Vaping Exempt
89. West Hollywood~	Los Angeles	4/19/2021	5/19/2021 (1 month)	36,450	3	100% new/ 0% existing	No	Yes	Specifically Exempt	Smoking and Vaping Exempt
<b>90. Windsor</b>	Sonoma	5/17/2017	8/15/2017 (3 months)	27,447	2	100%	No	Yes	Yes	Yes

### **Explanatory Notes:**

Policies that require all rental **and** condominium/owner-occupied properties with 2 or more units to be 100% smokefree—and include e-cigarette use and marijuana smoking/vaping—are in **bold**.

Policies that require all rental **and** condominium/owner-occupied properties with 2 or more units to be 100% smokefree—whether or not the policy addresses e-cigarette use and marijuana smoking/vaping—have a blue background.

Policies that require MUH units to be 100% smokefree but apply to buildings with 3 or more units, or do not fully include e-cigarette use and/or marijuana smoking/vaping in the policy—are not bolded.

Partial policies that require less than 100% of rental units to be smokefree are listed in [blue text](#).

^ = Policy applies only to unincorporated areas of the county. Population listed is for unincorporated areas of the county.

~ = Jurisdiction has new or updated policy provisions not yet available on the PETS website.

N/S = Not Specified: The law does not provide details on this policy provision.

<sup>1</sup> = Smoking prohibited in multi-unit buildings when units share heating or cooling systems.

**Note:** ANRF is aware of additional smokefree housing policies enacted in jurisdictions—including Alameda County, Fresno, and Marin County—which will be added to the matrix once the policies have undergone PETS analysis.

### **Definitions:**

**Key Enactment Dates:** The date of the jurisdiction’s primary policy addressing smoking in units of MUH, as well as the dates of any significant amendments to the policy. Jurisdictions may have enacted multiple policies regulating smoking in MUH. **Effective Date:** The final date when the primary policy is in full effect. Policies often have an initial effective date for when common areas and newly occupied units must be smokefree, and a final effective date when the policy is in effect for residents living in the building at the time the policy is enacted.

**Phase-in Time:** The length of time between the policy’s enactment date and when it went into full effect. The phase-in time does not reflect the unknown date in the future when buildings will be 100% smokefree for policies that exempt existing residents indefinitely.

**Minimum # of Units:** The minimum number of units in MUH buildings that are necessary for the policy to apply. The best practice is for policies to apply to MUH buildings with 2 or more units.

**% of Units Smokefree:** The percent of units in MUH buildings that are required to be smokefree when the law is fully in effect. The best practice is for policies to require 100% of units in all MUH buildings to be smokefree. If a policy has different requirements for new units versus existing units, the percentages are specified as “X% new, Y% existing.”

**Existing Residents Exempt:** Indicates if the policy allows residents living in MUH buildings at the time the law is adopted to continue smoking in their unit indefinitely. This exemption is often referred to as a grandfathering provision.

**Includes Condos:** Indicates if the policy covers condominiums, townhomes, and other types of owner-occupied MUH buildings.

**Includes E-Cigarettes:** Indicates if policy regulates the use of electronic smoking devices, like e-cigarettes and other vaping products, in the same manner as it regulates smoking tobacco. As of 2016, the [California Business and Professions Code Section 22950.5\(c\)](#) defines smoking to include the use of an electronic smoking device. This matrix reflects the language included in each municipal policy, some of which do not address the use of these products or include exemptions that may not be consistent with current state definitions.

**Includes Marijuana:** Indicates if policy regulates smoking and vaping marijuana/cannabis in the same manner as it regulates smoking tobacco. Since 2017, [California Health and Safety Code Section 11362.1\(2\)](#) prohibits smoking marijuana/cannabis in almost all locations where smoking tobacco is prohibited, including residential areas. This matrix reflects the language included in each municipal policy, some of which do not address marijuana/cannabis or include exemptions that may not be consistent with current state definitions.

ANR Foundation is actively collecting policies for the PETS Database. **If you know of local laws that you think should be included in this matrix**, or want to inquire about additional information on particular laws, please contact the ANR Foundation at [PETS-TA@no-smoke.org](mailto:PETS-TA@no-smoke.org).

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Location	# Of Units	Estimated # of Residents	Allows Indoor Smoking – Rented Unit	Allows Indoor Smoking – Privately Owned Unit	Allows Outdoor Smoking
Canyon Ridge at Napa Junction 800 Reliant Way	148	300	<b>NO</b>	NO	NO
The Lodge at Napa Junction 5500 Eucalyptus Drive	216	300	<b>NO</b>	NO	NO
Village at Vintage Ranch Apartment Townhomes 100 Toscana Drive	159	350	<b>NO</b>	NO	NO
Canyon Manor Apartments 941 Danrose Drive	48	96	<b>NO</b>	NO	NO
Vineyard Crossings 202 Tapestry Lane	146	300	<b>NO</b>	NO	NO
Valley View Senior Homes 1 Natalie Lane	70	72	<b>NO</b>	NO	NO
World Marine Estates 2555 Flosden Road	126	325	<b>N/A***</b>	YES**	NO
Fairgrounds Mobile Estates 2525 Flosden Road	231	1000	<b>NO</b>	YES**	NO
Las Casitas Napa Mobile Home Park 3000 Broadway	96	150	<b>N/A***</b>	YES**	YES*
Olympia Mobilodge of Napa 244 American Canyon Road	201	600	<b>NO</b>	YES**	YES*
American Canyon Mobile Home Park 260 American Canyon Road	191	750	<b>N/A***</b>	YES**	NO
American Canyon Apartments 300 American Canyon Road	34	90	<b>NO</b>	NO	NO

\*Designated areas only away from building entry.

\*\*Existing park rules prohibit smoke emanating from inside a privately-owned unit from interfering with another unit.

\*\*\*There are no rented units at these parks.



## **TITLE**

Kids Commerce Business License Fee Waiver

## **RECOMMENDATION**

Adopt a Minute Order waiving Business License Fees for youth participants in the American Canyon Chamber of Commerce's "Kid's Commerce" program.

## **CONTACT**

Jason Holley, City Manager

Valerie Zizak-Morais, Executive Director and CEO, American Canyon Chamber of Commerce

## **BACKGROUND & ANALYSIS**

The American Canyon Chamber of Commerce's "Kid's Commerce Program" teaches students everything they need to know to start a business. The program is free to Napa County youth, because of partnership with local businesses. Program graduates will also be given a free booth to sell their goods or services at this year's Meet Me in the Street events, which occurs the second Wednesday in June, July and August.

Before a business can operate in American Canyon, they must first obtain a business license. The application fee is \$25 and the cost of the license depends upon the amount of gross receipts. Staff recommends the Council exercise its authority under ACMC 5.04.435 to waive the application fee and any license fees (if applicable).

## **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

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

## **FISCAL IMPACT**

The Recommended Action to waive business license application fees and license fees will forgo General Fund revenue by approximately \$500.

**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:**

None



## **TITLE**

Pooled Insurance Program

## **RECOMMENDATION**

Receive and file presentation regarding PLAN Joint Powers Authority's pooled insurance programs.

## **CONTACT**

Maria Ojeda, Assistant City Manager

## **BACKGROUND & ANALYSIS**

Pooled Liability Assurance Network (PLAN), a Joint Powers Authority (JPA) is a provider of insurance for municipal entities. American Canyon - along with 27 other municipalities - are JPA members and risk-share to purchase a more cost-effective insurance coverage program for assets, property and liability insurance.

In addition to insurance, PLAN JPA provides an array of services not limited to litigation management for claims and legal actions taken against the City, third party administrator (TPA) services that adjust claims with the intent to bring claims to a timely closure; and, loss control services that provide access to specialists that provide assistance to city's staff in evaluation, mitigation and other assessment tools to prevent and treat losses.

Among the services provided by PLAN JPA - the 'Special Event Program,' is provided by Alliant Insurance Services. Through this Program, companies, organizations and/or individual may obtain liability coverage. This Program is not limited to 'special events' but also applies to the private rental of City facilities (ie. picnic shelters, etc.) Typical homeowner insurance policy's *may* not provide the appropriate coverage, and often if available could be at higher cost. In addition, the use of personal insurance would require significant staff time devoted to learning, reviewing, processing insurance certificates and speaking directly with individual insurance companies. The Special Event Insurance option assures coverage limits and other critical details are in place to protect the City and the private party using the facility. The premium amount depends upon a variety of risk factors - including whether alcohol is present - and the full cost is passed through to the applicant.

## **COUNCIL PRIORITY PROGRAMS AND PROJECTS**

Organizational Effectiveness: "Deliver exemplary government services."

## **FISCAL IMPACT**

The cost of the premiums for the Special Event Liability Program offered by Alliant are passed through to the applicants and there no financial impact to the City. The costs for assets, property and liability insurance are budgeted annually through the regular budget process.

## **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. [Plan JPA - American Canyon City Council Presentation](#)

CITY OF  
AMERICAN  
CANYON



# PLAN JPA

May 2, 2022



# What is PLAN JPA?

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# Member Directed



- Board of Directors
- Executive Committee
- Claims Committee
- Risk Management Committee
- Finance Committee



# Programs & Services

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# Liability Program



ESTABLISHED	MEMBER RESPONSIBILITY FOR CLAIM PAYMENTS	PLAN JPA RESPONSIBILITY FOR CLAIM PAYMENTS	EXCESS COVERAGE – LARGE CLAIMS
1986	<p>\$25,000</p> <p>The City of American Canyon is responsible for the first \$25,000 of claims made.</p>	<p>\$25,001 to \$1,000,000 Per Claim</p> <p>PLAN JPA pays benefits utilizing Sedgwick as Claims Administrator</p>	<p>\$1,000,001+ to \$30,000,000</p> <p>Payments issued in this layer are covered by various excess providers.</p>

# PLAN JPA General Liability Program Structure



# Property Program

ESTABLISHED	MEMBER RESPONSIBILITY FOR CLAIM PAYMENTS	PLAN JPA RESPONSIBILITY FOR CLAIM PAYMENTS	EXCESS COVERAGE – LARGE CLAIMS
1986	<p>\$5,000</p> <p>The PLAN JPA member is responsible for the first \$5,000 of claims made.</p>	<p>\$5,001 to \$500,000</p> <p>Per Claim (\$100,000 per auto)</p> <p>PLAN JPA pays benefits utilizing Sedgwick as Claims Administrator</p>	<p>\$500,001/ \$100,000 to \$1,000,000,000</p> <p>Payments issued in this layer are covered under the Alliant Property Insurance Program (APIP).</p>

## Additional Coverages

TYPE	LIMITS
Cyber Insurance	\$2,000,000
Cyber Excess Insurance	\$3,000,000
Pollution Insurance	\$2,000,000
Alliant Deadly Weapon Response Program	\$500,000



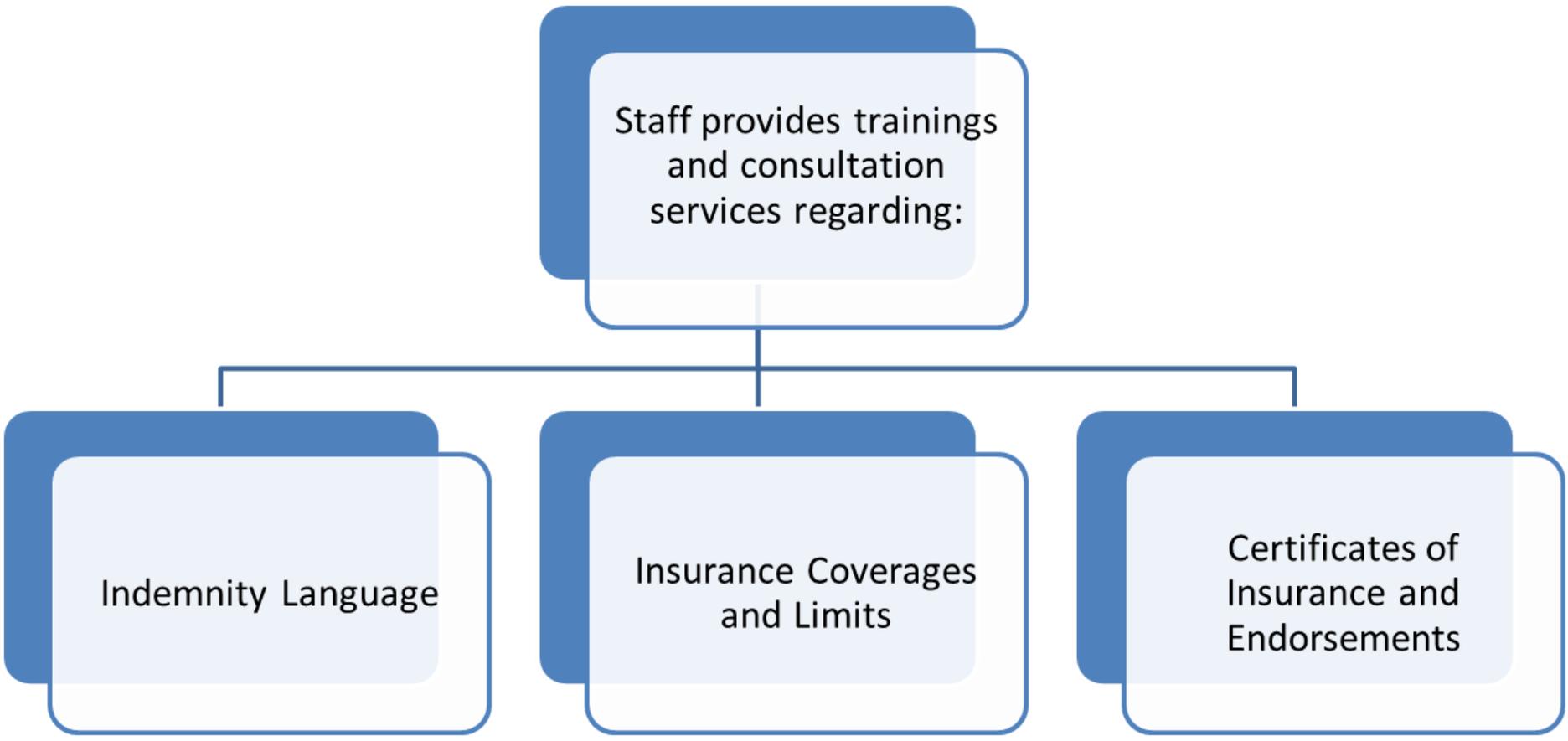
# PLAN JPA Contractual Risk Transfer Management

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## Contractual Risk Transfer:

“Assigning Liability  
of a Project or Activity  
to Another Party via  
Contract”

# Contractual Risk Transfer:



# Special Event Liability Program



Consists of three portions:

- **TENANT/USERS PROGRAM**  
A “Tenant/User Event” is an event that is held or sponsored by companies, organizations, or individuals that have been permitted to use a public entity’s premises.
- **NOMINEE PROGRAM**  
A “Nominee Event” is an event that is held or sponsored by you, the public entity, or by any department or division, there of. Coverage can be expanded to cover co-sponsors if desired.
- **INSTRUCTOR/RECREATION PROGRAM**  
An “Instructor/Recreation Event” is an event that is instructional to its participants.

# Limits

- \$2,000,000 General Aggregate
- \$1,000,000 Products/Completed Operations
- Aggregate Limit
  
- \$1,000,000 Personal & Advertising Injury
- \$1,000,000 Each Occurrence
- \$ 100,000 Fire Damage
- \$ 5,000 Medical Expense
  
- Aggregate applies separately to each event.
  
- Deductible: None

# Coverage



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Lessees, Instructors or Event holder as  
Named Insured

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“Primary/Non-Contributory” wording as  
respects the Public Entity

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Liquor Liability (with prior approval and  
additional premium)

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Athletic Participants included (with prior  
approval and signed waiver)

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Vendors, Exhibitors and Concessionaires  
can be included (for additional premium)

# Tenant/User Program Hazard Schedule I



- ANTIQUE SHOWS
- ART FESTIVALS
- ARTS SHOWS
- AUCTIONS
- AWARDS PRESENTATIONS
- BANQUETS
- BAZAARS
- BINGO GAMES
- BUSINESS MEETINGS
- BUSINESS MEETINGS/SHOWS
- CHAMBERS OF COMMERCE EVENTS
- CHARITY BENEFITS, AUCTIONS/SALES
- CIVIC CLUB & GROUP MEETINGS
- CLASSICAL MUSIC CONCERTS
- CONCERTS, INDOOR (UNDER 1,500)\*
- CRAFT SHOWS
- DRILL TEAM EXHIBITIONS
- EDUCATIONAL EXHIBITIONS

- FASHION SHOWS
- GYMNASTIC COMPETITIONS\*
- HARVEST FESTIVALS
- LUNCHEONS
- MUSICALS (NOT ROCK)\*
- PARTIES/CELEBRATIONS (NO LIQUOR)
- PLAYS
- PROMS
- RELIGIOUS RECEPTIONS
- SOCIAL GATHERINGS (INDOORS)
- SYMPHONY CONCERTS

**\* REQUIRES PRIOR COMPANY APPROVAL**

**NOTE:** Athletic participant's coverage requires prior company approval and signed waiver(s). For complete list of event please refer to your manual

# Excluded Events- Including but not limited to:



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Obstacle Course Races and Mud Runs

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Circus or Carnivals including rides

---

Amusement Devices or rides

---

Motorized Sporting Events

---

Truck/Tractor Pulls

---

Boxing, Wrestling, Hockey, Contact Martial Arts (does not apply to spectators)

---

Rodeos and Roping Events

---

Aircraft and Balloon Events

---

Professional Sporting Activities/Events

---

Pyrotechnical Uses and Fireworks Shows

---

Heavy Metal, Alternative Music, Hip-Hop and Rap Concerts

---

Inflatable amusement devices Moonbounces and Trampolines

---

Veterinary Legal Liability



# Special Events Program

## Available Online

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# Special Events Program

- Provided by Alliant Insurance Services
- Companies, organizations and/or individual may obtain liability coverage.
- This Program applies to the private rental of City facilities (ie. picnic shelters, etc.)
  - Homeowner insurance policies *may* provide the appropriate coverage, and *could* be at a higher rate. Providing this option requires specialized staff to coordinate and review private insurance certificates.
  - Special Events Insurance Program assures appropriate coverage limits are met. The premium amount depends upon a variety of risk factors: e.g. the presence of alcohol. All fees are passed through to the applicant.

# Event Information

Applies to all three event types

## Event Premium

**Liquor Premium: \$127.00**

**Attendance Premium: \$125.00**

**Exhibitor Premium: \$0.00**

**Concessionaire Premium: \$0.00**

**Additional Insureds Premium: \$0.00**

**Optional Limits Premium: \$0.00**

**Property Damage Premium: \$0.00**

**Total Premium: \$252.00**

### General Information

Event Title \*

*Title*

Event Location \*

*Location*

Event Age Groups \*

*e.g. 5 to 65*

Event Description

Option Limits

- None
- \$1,000,000 per occurrence & \$3,000,000 general aggregate
- \$2,000,000 per occurrence & \$2,000,000 general aggregate

Property Damage

- None
- \$50,000 for an additional \$50.00
- \$1,00,000 for an additional \$100.00



Thank you for your time,

Questions?



## City Council Committee Report

**Submitted by:** \* Councilmember Mark Joseph

**Council Meeting Date:** 05/02/2023

**Event Date:** 2023-04-19 **Event Type:** Committee Report

**Event Title:** \* Napa Valley Transportation Authority (NVTA)

**Event Report:** We received our quarterly [project update](#) and an update on [transit services](#). The links to both presentations are included.

We also approved a modification to the new Maintenance Facility that would allow the site to maintain hydrogen-fueled busses. This is a proactive move on NVTA's part, since hydrogen appears to be more advantageous in the long run, and there may be a supply nearby (the multi-fuel center on Devlin is considering adding hydrogen to its list of fuel types).

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

**Event Date:** 2023-04-24 **Event Type:** Committee Report

**Event Title:** \* North Bay Recycled Water Authority (NBRWA) board meeting

**Event Report:** We met via zoom and re-appointed the current chair and selected someone other than me as Vice-Chair!

We also reviewed the status of Phase 1 (finishing the closeout process) and Phase 2 (which we are part of, and is just getting started). We also talked about current regional efforts at addressing Sea Level Rise (NBRWA is working with Marin and Sonoma on this effort, but there may be some applicability to our situation, along the Wetlands Edge). We also received updates on what other agencies are doing and our own efforts, particularly relating to drought contingency planning. Apparently, the last election triggered a number of changing board members, which explains why things seem a little disjointed.

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**Event Date:** **Event Type:** Other

**Event Title:** \* Climate-related activities

**Event Report:**

- **Earth Day:** This event went well--we had about 10 informational booths (Napa Valley College, ACCPF, City, Recology, RCD, etc.) each with a variety of giveaways (from free compost to health screenings!). The mini-compost pail was a big hit! The weather was great, Napa Junction provided spillover parking and NVTA had one of their all-electric busses onsite.
- **League of Women Voters Climate Program:** I attended this session at the Napa Main Library. There were presentations on several local initiatives, including ACHS' Climate Challenge app, Calistoga's reusable/compostable foodware ordinance and St. Helena's Million Tree Initiative.
- **One-on-One with David Graves:** Meet with the former Napa County Planning Commissioner (and Board of Supervisor candidate) to talk about climate action issues. He is very knowledgeable and it was a good chance to talk about a variety of current issues.
- **Upcoming Climate Action Committee:** Although the monthly meeting will be addressed in my next report, I did review some of last month's presentations.

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

Event  
Date:

Event Type Community Event

Event Title: \* Various Community Events and Activities

- Event Report:
- **Spring Salute:** This is the annual Central Labor Council fund raiser, and this year it was at the Ruins. This site is getting better every year (and the program itself drew a wide audience of elected officials from Napa and Sonoma). It also served as an opportunity to recognize Jon Riley's years of service to the local labor movement--he received the lifetime achievement award.
  - **Democrats of Napa Valley meeting:** We heard from two candidates vying for Party Secretary.
  - **Workforce Summit:** This was organized by the Workforce Alliance of the North Bay, and had speakers discussing the latest workforce trends and ways in which Napa Valley College and others can help anticipate and train the next generation of workers.
  - **Clinic Ole Ribbon-cutting:** I was there to welcome Clinic Ole into our community. They are in the Canyon Plaza center. Related to this is the fact that North Bay Urgent Care is slowly opening as well--they are located on the north end of town.
  - **Leadership Napa Valley Reunion/Jill Techel's Retirement:** The Mayor and I were there to honor Jill Techel who is retiring from 20 years as the Program Director of this program (and we are also alumni!) A good chance to run into some of the other graduates.
  - **One-on-One with Ryan Klobas:** Meet with the Farm Bureau's Executive Director and discussed local issues, including the Bureau's potential position on future City Annexations.
  - **Napa Community Benefits Coalition meeting:** Attended this monthly meeting. They are beginning to focus on tracking the Federal funding that is available for infrastructure and climate action. We need to monitor this effort, since it will help us identify funding opportunities and likely receive supportive letters and partnerships, when we do apply. For example, the Safe Streets For All program could be a great funding source for our SR29 Corridor Study and bikelanes.
  - **ACHS Activities:** Went to the campus on the 26th to check out their Wellness Event (Chamber, Fire, PD and others were there as well). Also got a chance to see the unveiling of a new student-painted mural in one of the buildings. See the photo below. Very exciting--this could become a tradition!
  - **Kiwanis:** Attended the monthly General Membership Meeting. I was elected President-elect! Yay for me--this means I will become President and then, most importantly, Immediate Past President!!

File/Photo Upload

ACHS mural 2023.jpg

2.52MB

Max file size for all uploads is 10 MB



## City Council Committee Report

**Submitted by:** \* Councilmember David Oro

**Council Meeting Date:** 05/02/2023

**Event Date:** 2023-05-02

**Event Type:** Community Event

**Event Title:** \* Various events

**Event Report:** **Earth Day at Wetlands Edge Park - April 22, 2023**

Great event, though I heard several local schools also had an Earth Day event at the same time. The crowd seemed lighter than in years past. I also prefer it along the gravel road, I know not ideal, but i think we get more foot traffic from hikers there.

Considering that we have several events going on at the same time, the City might want to partner with ACCPF and the local schools to have one uber event Wetlands Edge.

**Ole Health American Canyon Grand Opening - April 24, 2023**

Finally got to tour the facility and learn about the Ole Health mission and services. It's a great edition to community and long overdue.

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

**Event Date:** 2023-04-12

**Event Type:** Committee Report

**Event Title:** \* Eco Center 2x2 Committee Term Sheet and Non-Mission Alignment

**Event Report:** Vice Mayor Washington and I had a short meeting with members of ACCPF to discuss slight changes and clarifications in the term sheet, namely about rentals to no-missioned aligned organizations. Staff has the details which will come back to the committee and then council

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



## City Council Committee Report

**Submitted by:** \* Councilmember David Oro

**Council Meeting Date:** 05/02/2023

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**Event Date:** 2023-04-20

**Event Type:** Committee Report

**Event Title:** \* Napa Valley Tourism Board Meeting

**Event Report:** Received an update on the long range Strategic Plan which included input from the entire NVTC and Visit Napa Valley board as well as community members from April 19th. This is a process to update their 2019 strategic plan by revisiting their pre-pandemic strategies, testing assumptions, and devising a new 3-year plan with updated strategic goals, actionable initiatives, and new targets. The number one goal: Ensure the renewal of TID in 2024. It's something that I brought up in earlier reports and the City of American Canyon hotel members will be soon approached about participation. Additional details from the meeting are in the attachment, which removes a irrelevant slides to meet the size limit of submitting this report.

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

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*visit*  
*Napa Valley*

April 2023 NVTC Board of Directors Meeting

April 20, 2023

# Agenda

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Call to Order, Introductions & Antitrust  
Reminder

Public Comment

Review and Approval of December 15, 2022,  
Minutes

Long Range Plan Draft Update

Department Reports

- CEO Report
- Community & Industry
- Marketing & Communications
- Sales & Business Development
- Partnership & Guest Experience

Finance

- Review & Approval of NVTC Financials
- Review & Approval of NVTC Draft FY24 Budget
- Review FY23 Jan & Feb Financials & FY24 Draft Budget

Local TID Reports

Adjourn



# FY24-26 Long Range Plan DRAFT



# Visit Napa Valley UPDATE on the Strategic Plan

April 19, 2023

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 NextFactor

# Introduction

In 2022, the Visit Napa Valley team embarked on a process to update their 2019 strategic plan by revisiting their pre-pandemic strategies, testing assumptions, and devising a new 3-year plan with updated strategic goals, actionable initiatives, and new targets.

MMGY NextFactor engaged many of the Napa Valley CVB executive leaders, board members of Visit Napa Valley and Napa Valley Tourism Corporation, plus local government leaders and key stakeholders to ensure a broad range of input to develop the plan.

## The project included:

- A DestinationNEXT assessment of the Napa Valley
- One-on-one interviews of key industry and community leaders
- Board and management work sessions with information about key trends and with discussion of the Ideal Future
- Additional work by the team and consultants



## Community Engagement:

**One-on-One Interviews** - 12 interviews with local stakeholders throughout the community.

**Board and Management Sessions** - Multiple sessions with the DBACVB management team and board of directors

## DestinationNEXT Assessment

105 Participants

- 50.5% Visit Napa Valley Industry Partners
- 16.2% Board Members
- 13.3% Community Leaders
- 8.6% Visit Napa Valley Team
- 7.6% Government Leaders
- 3.8% Customers

# Destination Opportunities

## High Frequency Responses

- Focusing on mid-week meeting/conference business
- Increasing collaboration between wineries/lodging
- Highlighting responsible/sustainable agriculture and developing more experiences
- Building on momentum created due to intimate, outdoor spaces discovered during Covid

## Other Responses

- Protecting agricultural land in a balanced manner
- Encouraging responsible development and the sustainability of the destination
- Diversification of product offerings
- Shifting values; understanding new ones complement (not replace) the old ones
- Attracting day visitors – who can still enjoy a visit for a moderate price
- Strike a balance between what we have and protecting quality of life

# Destination Challenges

## High Frequency Responses

- Workforce shortage/affordable housing
- High traffic volume, congestion, lack of public transportation
- Regulations/permitting process restricting development
- Lack of resident support/understanding of visitor economy
- High cost can hurt diversity of community and visitors
- Climate change and water shortages

## Other Responses

- Managing less volume in favor of visitors who align with our values
- Political shifts that are underway
- Keeping our high standards with workforce vacancies
- Friction arising between wineries and lodging, each attributing the destination's rising costs to the other
- The population of our residents is aging and stagnant in growth

# VNV Should Focus on

## High Frequency Responses

- Expanding outreach/education/advocacy with residents & elected officials to create a better understanding of the work VNV does to balance community impact + maximize economic impact
- Increasing and sharing data analytics to evolve marketing
- Developing a coalition of locals who understand the positive impact of the visitor economy to offset the vocal minority who are opposed.

## Other Responses

- Board diversity
- Showcasing stories of the farmers and agriculture
- Explaining the “why” behind the focus on luxury travelers
- Creating what’s needed, not just promoting what’s here

# DestinationNEXT Assessment



Voyagers

Trailblazers



Explorers

Mountaineers

# Ideal Future Ranking *(from the Board Visioning Session)*

**During the planning workshop, Visit Napa Valley board members ranked the following items in terms of importance to determine the ideal future for Napa Valley’s visitor economy in the next three years. The rankings are listed in order of the aggregated results.**

Ranking	Accomplishment	Score
1	Ensure renewal of TID in 2024	9.9
2	Own the brand as a premiere sustainable wine and lifestyle destination	8.6
3	Create ongoing plan for community involvement in goals of VNV	8.4
4	Engage all stakeholders to develop a DMP (master plan)	8.0
5	Explore transportation solutions to access destination	7.9
6	Encourage reliable public transportation throughout the county	7.7
7	Revisit messaging for appropriateness and authenticity	7.7
8	Advocate for protecting natural resources in NV	7.7
9	Build on the momentum of outdoor experiences	7.7

## Ideal Future Ranking (continued)

Ranking	Accomplishment	Score
10	Target next generation of visitors	7.6
11	Improve repeat visitation	7.6
12	Consolidate destination resources	7.6
13	Communicate unique attributes of different destinations in the valley	7.5
14	Grow diversity of experiences in Napa Valley	7.3
15	Engage with other local organizations in their strategic planning	7.2
16	Be a conduit to coalesce stakeholders around community values	7.1
17	Create a coalition (lodging/transp.) to achieve group biz beyond 1 hotel	6.7
18	Partner to develop and deploy economic diversity with dev. sectors (arts?)	6.6
19	Celebrate diversity of artisanal beverages/experiences	6.5
20	Investigate strategies to overcome DEI misperceptions to attract more visitors and workforce	6.4

# Strategic Pillars



# Strategic Initiatives

**DRAFT**

## Marketing & Sales

**Own the Napa Valley brand as the authentic wine and lifestyle destination.**

- Refine messaging to differentiate Napa Valley from other wine regions.
- Convey Napa Valley experiences that deliver on diverse interests.
- Leverage the ownable attributes of Napa Valley - people, land, history, experience.

**Drive destination demand with identified market segments – leisure traveler (domestic and international); group and travel trade (meetings/incentive planners and luxury travel advisors); and local/residents and workforce.**

- Hone messaging and media strategy to inspire today's leisure traveler (luxury, aspirational, and next generation).
- Communicate the unique attributes of the Napa Valley experience to motivate group business.
- Continue to inspire and motivate resident sentiment and workforce development.

**Inspire need period travel.**

- Drive refined messaging and outreach to educate group/travel trade on the benefits of mid-week and off-peak bookings.
- Motivate leisure traveler to consider mid-week and off-season (need period), multi-day bookings.
- Champion messaging that inspires local/resident engagement.

# Strategic Initiatives

**DRAFT**

## Destination Management

### **Explore the feasibility of developing a Destination Master Plan.**

- Benchmark other destinations for best practices.
- Incorporate tourism into County/City general plan development and facilitate jurisdictional buy-in process.
- Encourage the diversification of tourism product in Napa Valley in conjunction with the wine and hospitality sector; government agencies; and residents/constituents

### **Ensure a seat at the table during discussions related to common community and hospitality industry challenges (e.g., challenges in workforce, housing, transportation).**

- Identify and lend a point of view to organizations addressing workforce solutions (e.g., solutions for affordable workforce housing, workforce development, and diversity, equity, and inclusion initiatives).
- Offer insight on overall infrastructure needs to deliver a quality experience to visitors and, thereby, also residents.
- Advocate for transportation solutions to improve access to *and* within the destination for visitors and residents alike.

### **Advocate for destination stewardship and protecting the natural resources in Napa Valley.**

- Collaborate with industry partners – Napa Valley Vintners, Napa Green, Napa Farm Bureau, Napa Valley Vine Trail, etc. – and communicate the sustainability messaging to outward audiences (e.g., visitors, residents, media, etc.).

# Strategic Initiatives

**DRAFT**

## Proactive Partnership & Community Engagement

**Ensure renewal of the Napa Valley Tourism Improvement District by 2024.**

- Inform and engage with stakeholders to secure buy-in for TID funding for the next 10 years.
- Produce and distribute annual business plans that advance the full objectives of the DMO for the visitor sector.

**Expand government advocacy efforts (local, state, national) to promote the health of the tourism industry.**

- Develop an advocacy plan that informs, advocates, and educates creating synergy and alignment with government, ancillary organizations, and residents.
- Develop a public affairs strategy, aligning support, bandwidth, and resource allocation.

**Communicate the importance of tourism with residents informed by data that supports the positive economic impact of tourism.**

- Refine community relations program that informs, advocates, and educates on the Tourism Industry's impact in our local community.

**Sustain strong and positive relationships with industry partners.**

- Continue evolving, streamlining, and optimizing the Visit Napa Valley partnership program to best serve the visitor-facing businesses of Napa Valley.
- Deliver tools and resources, as an industry thought leader and subject matter expert, that will inform partner decisions with their respective strategic initiatives (e.g.: provide access to data, industry experts, annual business plans, bi-annual partner events, hospitality workforce programs, etc.).
- Elevate the visibility for community and partner events and activities that coalesce around community values (e.g., Napa Valley Restaurant Week; Mustard Season; Lighted Art Festival; and other such community-orchestrated events).

# Strategic Initiatives

**DRAFT**

## Organizational Excellence

**Foster an environment that attracts and retains high-level talent.**

- Align staff responsibilities and roles with strategic priorities and initiatives.
- Create and communicate a clear, delineated organizational development plan for employees.
- Develop and foster a positive culture and curate employee engagement.

**Deliver tourism and hospitality industry thought leadership.**

- Invest in relevant data, research, and studies and address industry trends.
- Provide insights to support, affect, and motivate tourism and hospitality goals.
- Identify, adopt, and disseminate robust business intelligence (data, studies, reporting tools) to support and inform DMO marketing & sales decisions and to support the industry.

**Maintain transparency of business activity and governance.**

- Write and communicate an annual activity report and plan in accordance with Management District Plan guidelines.
- Deliver best-in-class audits with results reported to stakeholders - e.g., Boards of Directors; city/county governments, etc.

# Community Values

**DRAFT**

(Verbatim responses from visioning)

Quality of Experience	Balance Problem Solvers
Authenticity	Engaged
Environmental Stewardship	Coming Together in Crisis
Collaboration – Neighbors Helping Neighbors	Hard-working/ work ethic Generous/ Philanthropic/ Charitable
Safety/Quality of Life	Global Presence
Family	Evolutionary
Craftsman Excellence	Made in USA/Local Ownership
Innovation/ Pioneering/ Visionary	Independent

## Suggested Way to Present These

What We Believe:

- Environmental stewardship matters
- We desire balance
- We are accountable
- We are authentic

Part of our DNA:

- Authenticity
- Delivering a quality experience
- Pride
- Locally owned
- Working hard
- Demonstrating generosity and philanthropy
- Coming together in crisis
- Neighbors helping neighbors

What we do:

- Collaborate
- Lead
- Solve problems
- Innovate

# Next Steps

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# Next Steps

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- Board feedback on strategic initiatives and strategies - April 20
- Consultants and VNV team continue to work on targets to measure results, timeline, and vision.
- Final draft completed - June 9
- Board(s) review the final plan June 15





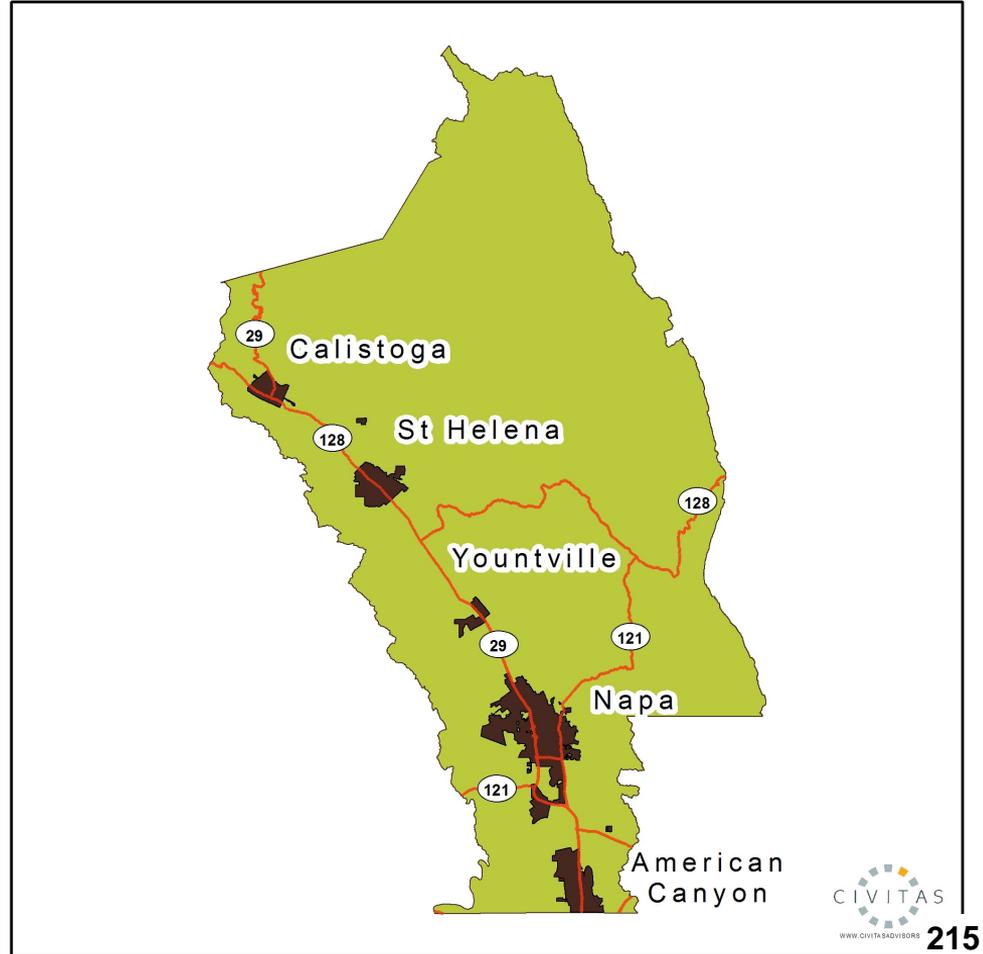
# Visit Napa Valley CEO Report

# District Parameters

**History:** Formed in 2010 for 5-year term; renewed in 2015

**Term:** 10 years:  
June 16, 2015- June 15, 2025

**Boundaries:** The NVTID includes all hotels within the boundaries of the cities of American Canyon, Calistoga, Napa, and St. Helena, the town of Yountville, and the unincorporated area of the County of Napa



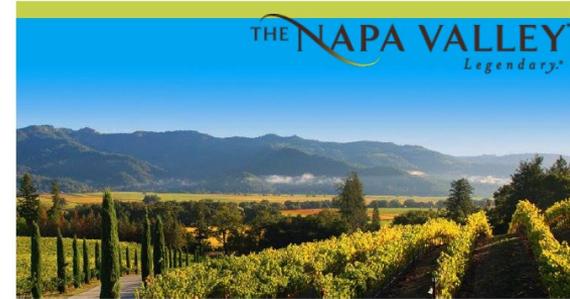
# Tourism Improvement District Renewal



The Napa Valley Tourism Improvement District ("NVTID") scheduled to sunset June 15, 2025.

12-month process allowing additional time ahead of renewal deadline.

- March: Steering Committee Formed
- Summer: Alignment with Stakeholders



## Management District Plan

### Napa Valley Tourism Improvement District

Prepared pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq.



July 2015 - June 2025

# TID Generated Revenue Since Inception



# TOT Details by Jurisdiction



The Tourism Industry Provides Significant Positive Impact to the Local Jurisdictions Throughout Napa County.

Jurisdiction	Population	# of Rooms As of June 2022	FY22 TOT Collected By Jurisdiction	TOT Collected Per Resident	TOT Collected Per Room	TOT as a % of General Fund	TOT Growth Since 2011
	Rounded to the Nearest ,000		FY22 Actual			Based on FY23 Budgets, not Actual	
American Canyon	20,000	313	\$1.6M	\$79	\$5,062	6%	+119%
Napa	80,000	3,076	\$27M	\$340	\$8,834	25%	+176%
Yountville	3,000	450	\$9.8M	\$3,276	\$21,839	59%	+145%
St. Helena	6,000	295	\$4M	\$659	\$13,395	20%	+174%
Calistoga	5,000	837	\$11.8M	\$2,357	\$14,082	60%	+243%
Unincorporated County	27,000	762	\$13.8M	\$511	\$18,099	6%	+69%
<b>Total Napa Valley</b>	<b>141,000</b>	<b>5,733</b>	<b>\$68,115,994</b>	<b>\$483</b>	<b>\$11,881</b>		<b>+147%</b>

Smith Travel Research  
**March Trends**



Smith Travel Research						
March	Occupancy	ADR	RevPAR	Revenue	Supply	Demand
2023	56.9	\$ 377.96	\$ 215.21	\$35,279,054	163,928	93,341
2022	65.7	\$ 386.67	\$ 254.14	\$40,526,898	159,464	104,809
2019	66.9	\$ 275.96	\$ 184.68	\$28,900,573	156,488	104,727
YOY % change/2022	-13.4%	-2.3%	-15.3%	-12.9%	2.8%	-10.9%
YOY % change/2019	-14.9%	37.0%	16.5%	22.1%	4.8%	-10.9%
Smith Travel Research						
Year to Date	Occupancy	ADR	RevPAR	Revenue	Supply	Demand
2023	50.2	\$ 346.63	\$ 174.06	\$82,836,279	475,920	238,976
2022	53.2	\$ 359.57	\$ 191.12	\$88,471,941	462,901	246,047
2019	61.9	\$ 254.41	\$ 157.56	\$71,629,681	454,630	281,551
YOY % change/2022	-5.5%	-3.6%	-8.9%	-6.4%	2.8%	-2.9%
YOY % change/2019	-18.9%	36.2%	10.5%	15.6%	4.7%	-15.1%

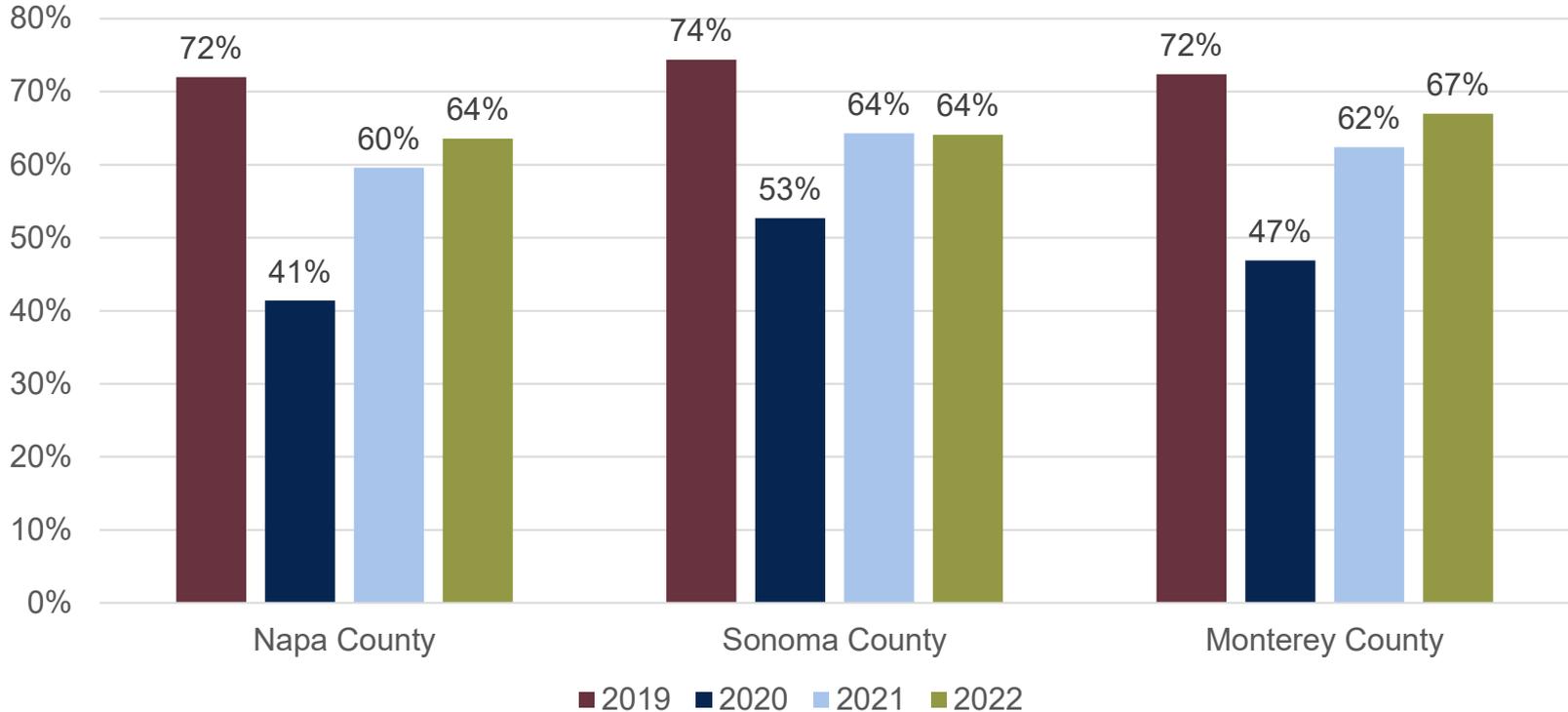
# Smith Travel Research

## YTD March Trends

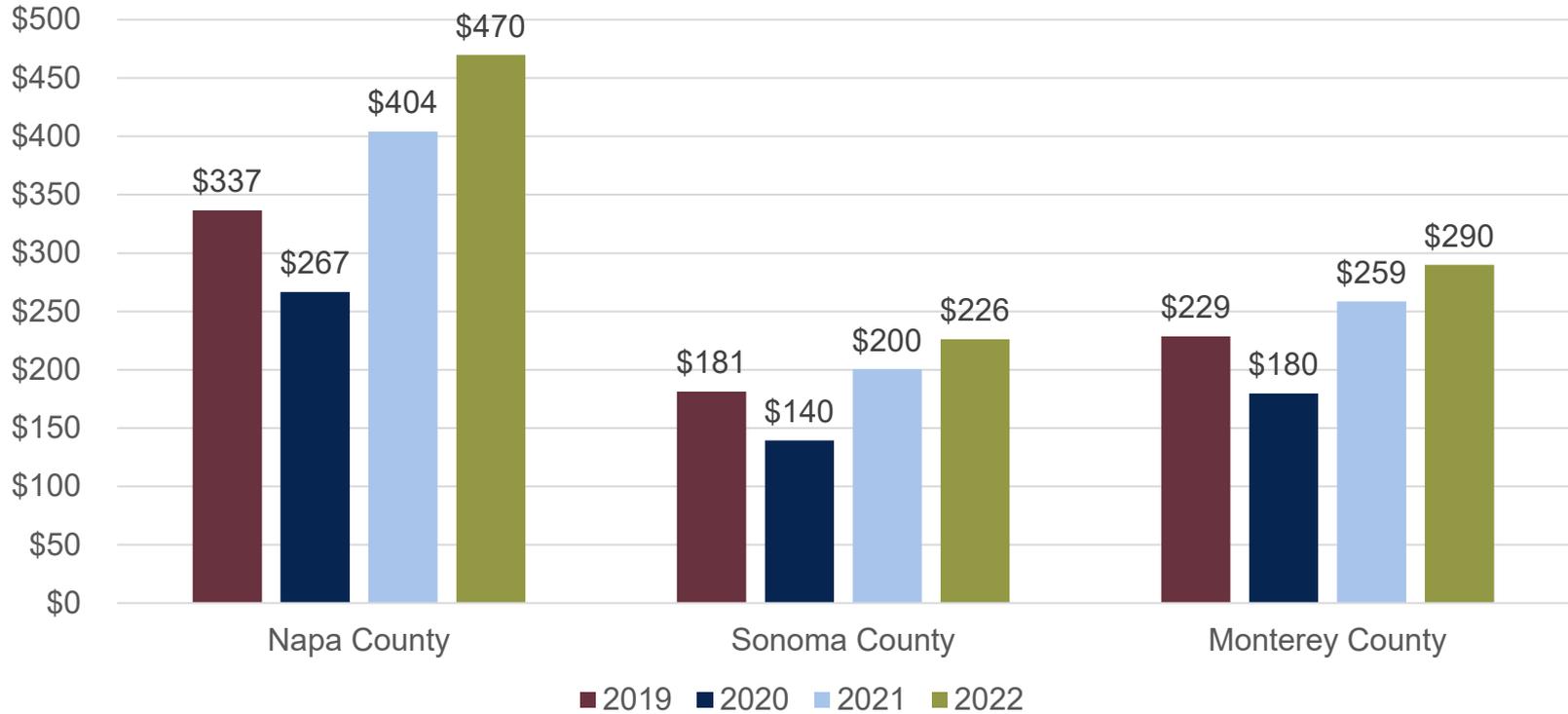


Smith Travel Research								
	Calendar YTD March 2023	Hotel Rooms (Approximate)	Occupancy	YOY %	ADR	YOY %	RevPAR	YOY %
Comp Set	Napa County	5,700	50.2	-5.5%	\$ 346.63	-3.6%	\$ 174.06	-8.9%
	Sonoma County	7,500	51.5	-4.7%	\$ 186.89	-1.9%	\$ 96.32	-6.5%
	Monterey County	12,500	56.8	-2.2%	\$ 215.16	-1.8%	\$ 122.24	-4.0%
	San Luis Obispo County	10,670	55.6	-6.8%	\$ 151.78	-2.3%	\$ 84.37	-9.0%
	Santa Barbara County	10,720	57.6	-7.2%	\$ 206.08	-4.1%	\$ 118.69	-11.1%
	San Francisco County	30,000	57.3	25.6%	\$ 274.61	45.6%	\$ 157.35	82.8%
Jurisdictions	American Canyon	315	72.2	0.1%	\$ 128.65	0.2%	\$ 92.94	0.3%
	Napa (City of)	3000	50.2	-8.1%	\$ 292.18	9.5%	\$ 146.74	0.7%
	Yountville	450	43.4	3.2%	\$ 623.24	-14.0%	\$ 270.69	-11.2%
	Calistoga	870	51.3	-6.2%	\$ 496.45	-7.8%	\$ 254.93	-13.6%
	Unincorporated Co.	760	43.8	-3.0%	\$ 425.30	-18.9%	\$ 186.16	-21.3%
Service Type	Luxury		39.1	-9.7%	\$ 845.73	-18.6%	\$ 330.48	-26.5%
	Group		54.5	1.4%	\$ 269.89	-0.7%	\$ 146.98	0.6%
	Limited Service		57.8	-13.2%	\$ 160.33	-1.4%	\$ 92.68	-14.4%

# Annual Average Occupancy 2019-2022 Comparison



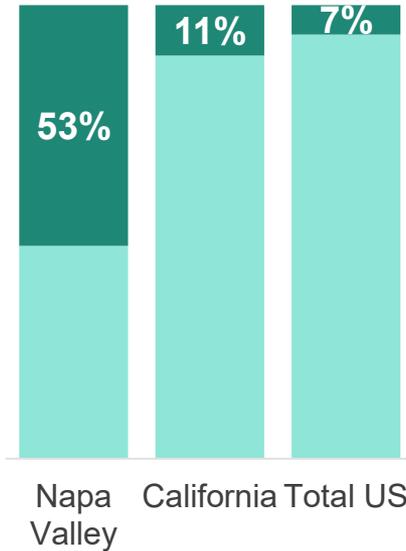
# Annual Average Daily Room Rate Comparison 2019-2022



# Napa Valley has a unique market composition

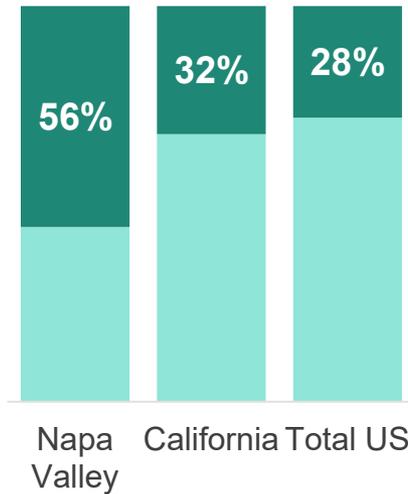
## More Luxury

■ Non-Luxury ■ Luxury

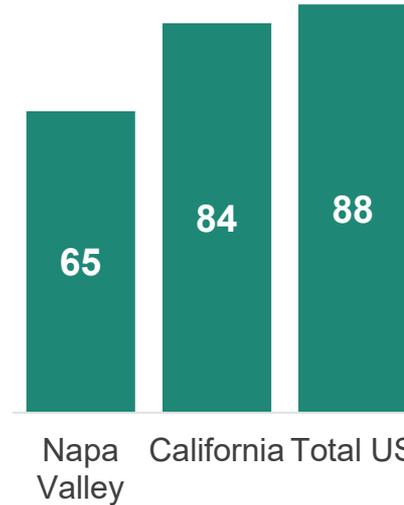


## More Non-Branded

■ Branded ■ Independent

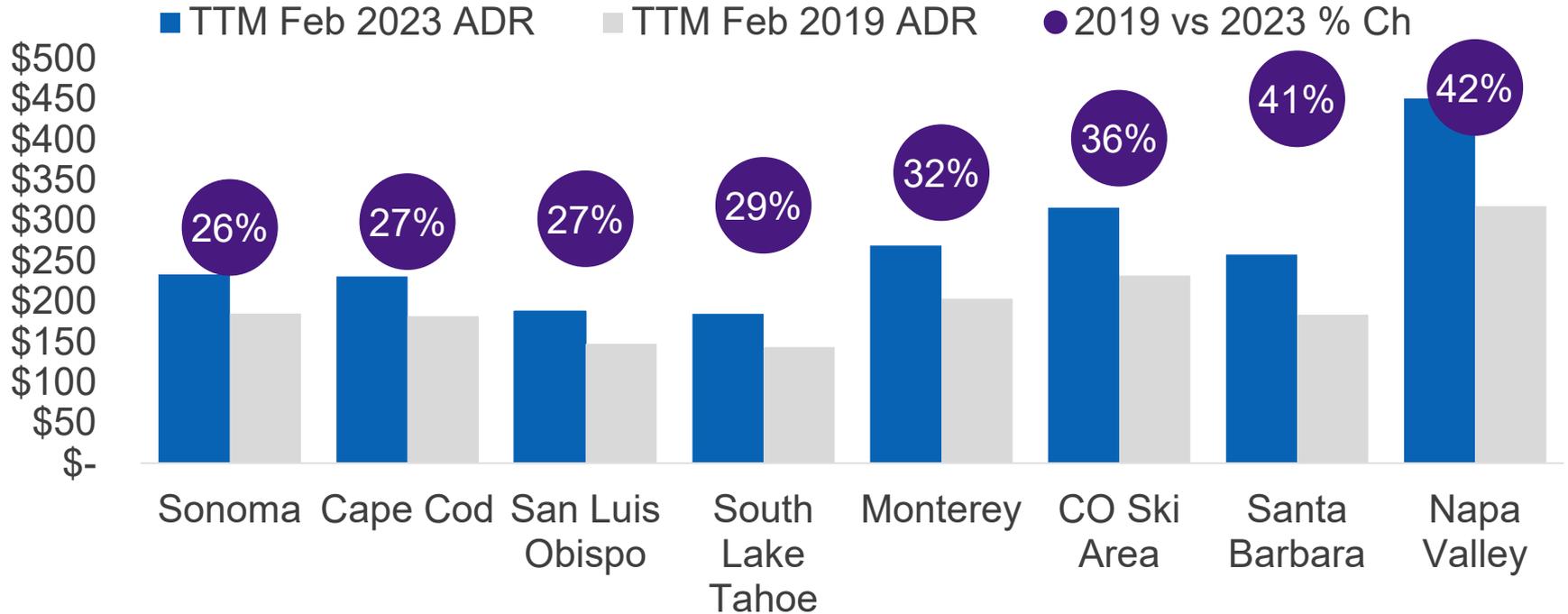


## Smaller Average Size



# All areas have seen significant ADR growth

Submarket ADR and growth.



## Recovery Summary

Metro Area	2022 vs 2019
CA - San Diego	5%
CA - Los Angeles	-18%
CA - San Francisco	-26%
CA - Orange County	-4%
CA - San Jose / Silicon Valley	-33%
CA - Napa / Sonoma / Wine Country	17%
CA - Palm Springs	18%
CA - Santa Barbara	25%
CA - Monterey Bay	1%
CA - Sacramento	-33%

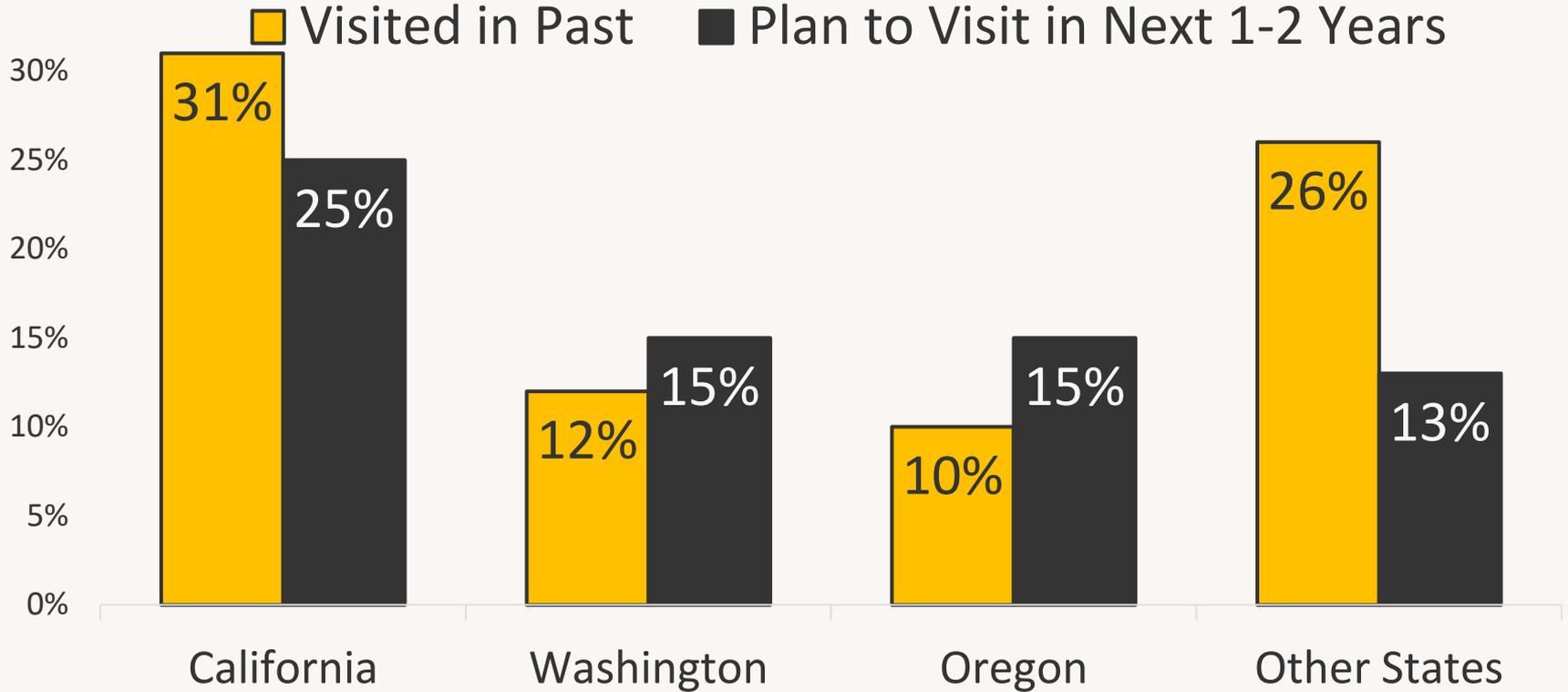
Month	2022 vs 2019	2023 vs 2019
January	99.48%	106.28%
February	156.43%	155.00%
March	177.30%	
April	120.69%	
May	106.77%	
June	128.95%	
July	97.69%	
August	101.89%	
September	103.91%	
October	96.04%	
November	112.93%	
December	125.81%	

# Top Overlapping & Lost Business Competitors

Top 10 Overlapping Metro Areas
CA – Sonoma County
CA – San Diego
CA – San Francisco
CA – Half Moon Bay
AZ – Scottsdale
CA – Dana Point
CA – Monterey
CA – Newport Beach
CA – Santa Barbara
CA - Sausalito

Top 5 Lost Business Metro Areas
CA – Sonoma County
CA – San Francisco
CA – San Diego
CA – Monterey
AZ - Scottsdale

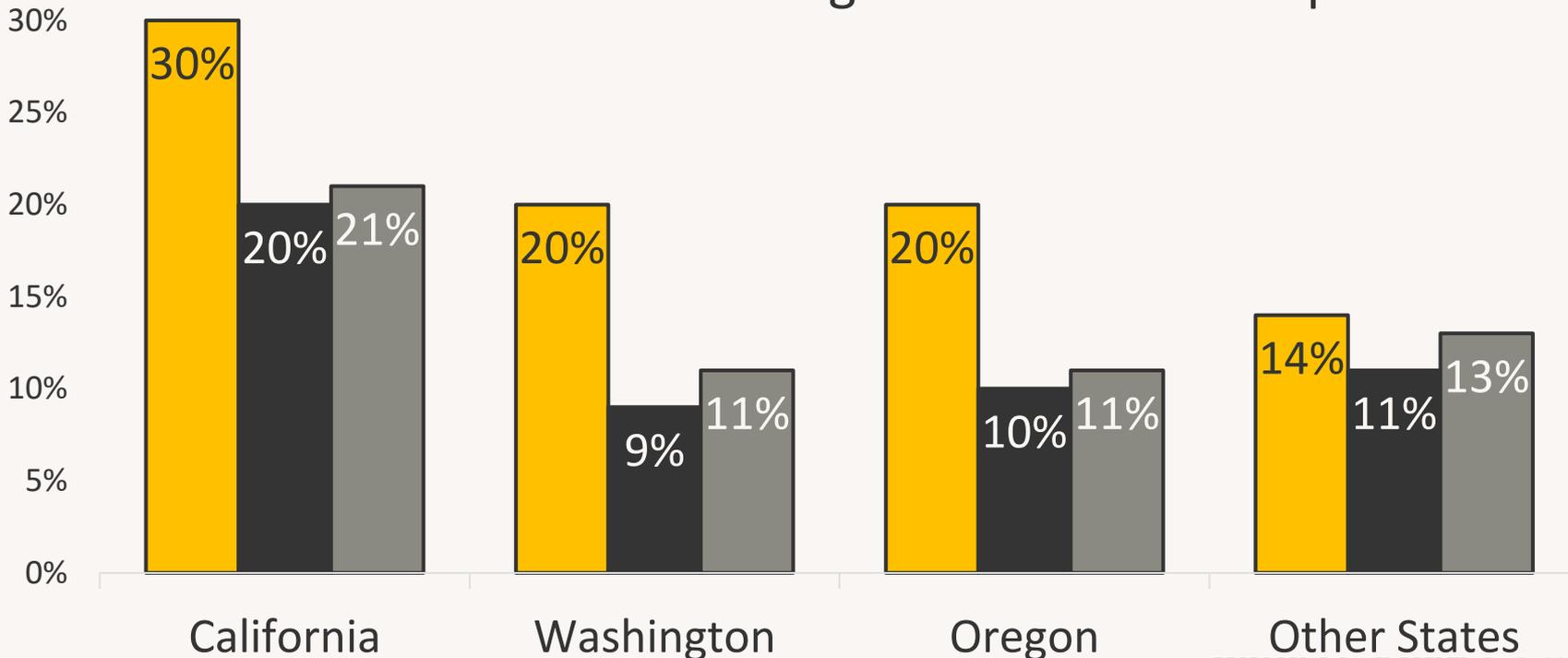
35%



# Consumers Planning to Visit by Segment

35%

■ Core ■ Marginal ■ Non-Adopter



# Intent to Visit Wine Country – Wine Drinkers By Age & Segment

	Plan to visit wineries in next 1-2 years in...			
Consumer Type	California	Oregon	WA	Other States
<b>Gen Z</b>	<b>46%</b>	<b>18%</b>	<b>39%</b>	<b>20%</b>
<b>Millennial</b>	<b>34%</b>	<b>25%</b>	<b>26%</b>	<b>13%</b>
<b>Gen X</b>	<b>27%</b>	<b>16%</b>	<b>13%</b>	<b>14%</b>
<b>Boomer</b>	<b>15%</b>	<b>7%</b>	<b>6%</b>	<b>12%</b>

May not add to 100% due to rounding

\*Non-Adopter = drink beer, spirits or other alcohol but not or rarely wine

Base: U.S. Wine drinkers, n=1,772.

Source: WMC – U.S. Wine Consumer Segmentation Survey, October-November 2021



# Community & Industry

Visit Napa Valley Connects with Industry

# Industry Ecosystem Meetings



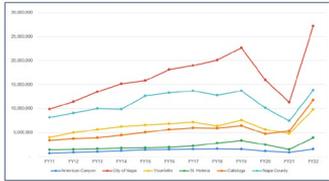
Tourism  
Advocacy Day  
May 16-17, 2023  
Sacramento, CA



Outlook Forum  
All Industry Meeting &  
Education  
Opportunity



Marketing  
Meeting  
Update from SF  
Travel on New  
Campaign



## Trends & Insights

Creating Educated Advocates for the Napa Valley Hospitality Industry

## Workforce Development

“Crush that Career” Paid Marketing Campaign

Career Resources

Napa Valley 101 Educational Module

1% TOT for Affordable Housing



## Sustainability

Napa Green is partnering with Visit Napa Valley to expand its certification umbrella beyond wineries and vineyards into hospitality, beginning with Napa Green Lodging for hotel properties.



## Supporting the Vine Trail

Napa Valley Vintners & Napa Valley’s hospitality industry has pledged \$5M total to complete the Vine Trail.

# Napa Green Next Steps

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## Napa Green Lodging

- Held Kick Off with Pilot Lodging Partners in November
  
- Next:
  - 1-on-1 Meeting to Review Draft Standards
  - 2 Phases of Resource Audits
  - Pilot Learnings
  - Roll Out More Broadly



# Napa Green Pilot Participants



## NAPA GREEN

Property	Rooms	Location
DoubleTree by Hilton Hotel & Spa Napa Valley - American Canyon	132	American Canyon
Archer Hotel Napa	183	City of Napa
River Terrace Inn	114	City of Napa
The McClelland House	6	City of Napa
R INN Napa	10	City of Napa
Napa Valley Lodge	55	Yountville
Brannan Cottage Inn	6	Calistoga
Carneros Resort & Spa	100	Unincorporated

# NAPA VALLEY 101

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Interactive course that digs into what makes Napa Valley a premier travel destination

Designed for tourism professionals who regularly communicate about the Napa Valley in visitor-facing settings



# Continuing to Fulfill Pledge Napa Valley Vine Trail



**\$2.5M/10-year pledge**  
from the Napa Valley hospitality  
community

“It is estimated that, when all 47-miles of the Vine Trail  
are completed, it will benefit the local economy by  
over **\$165 million annually.**”

- Congressman Mike Thompson





# Marketing & Communications

# Visit Napa Valley's Reach



**2.7 Million**

Annual Website Visits



**925,000+**

Partner Website Referrals



**337,000**

Social Media Followers



**50,000**

Email Subscribers



**42 Million**

Paid Media Impressions



**900+ Million**

Earned Media Impressions



**18 Million**

Social Media Impressions



**110,000**

Guests at Napa Valley  
Welcome Center

# Target Audiences



Luxury  
Traveler



Aspirational  
Traveler



Group Trade  
Travel Trade



Local  
Community



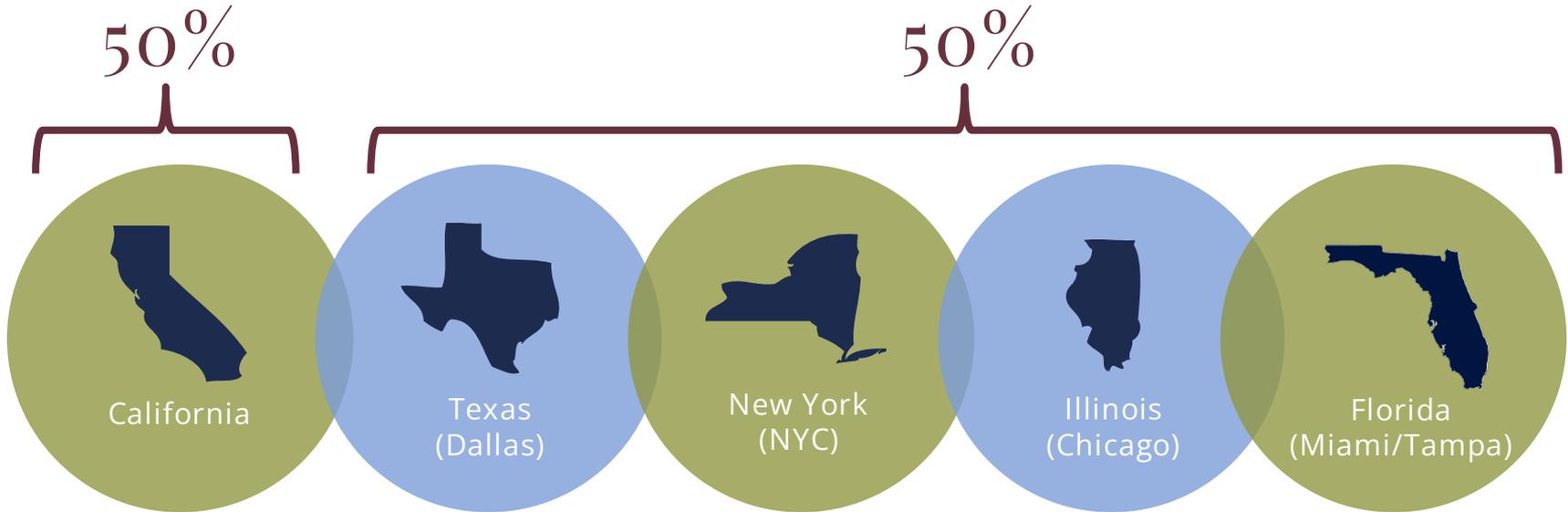
Tourism &  
Hospitality  
Workforce

# Target Markets



California Presents the Greatest Opportunity and Impact in Advertising Efforts

## Allocation of Advertising Budget





# Paid Media

# Key Paid Advertising Initiatives



**Cheers,  
The Good  
Life**

*Always On & Seasonal*

CONSUMERS



**Approachable  
Luxury**

*Pulsed*

CONSUMERS



**Crush  
That Meeting**

*Pulsed*

GROUP TRADE



**Cheers  
Tourism  
Matters**

*Pulsed*

RESIDENTS



**Crush  
That Career**

*Pulsed*

WORKFORCE

# Cheers Seasonal – Hulu



1.5M  
VIEWS  
EACH MONTH





With its uniquely beautiful landscape, farm-to-fork dining, world-class hospitality, and, of course, award-winning wine, Napa Valley is a decadent experience for mind, body, and palate. Cheers to that.

*Cheers, The Good Life*

Indian Springs Resort

Amizetta Winery

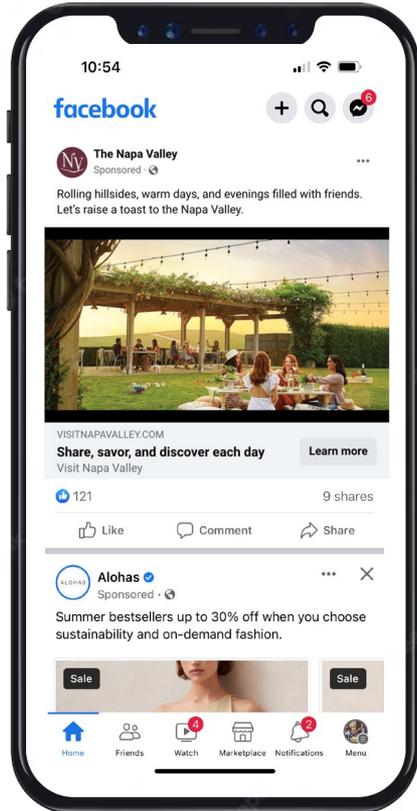
Domaine Carneros Winery

Culinary Institute at Copia

Downtown Yountville

50/50  
ASPIRATIONAL  
& LUXURY  
AUDIENCES

# Cheers Always On – Digital & Social



3.6M  
VIDEO VIEWS  
TRACKING 96% TO GOAL



1.01%  
CTR  
0.90% GOAL



1:18  
AVERAGE TOS  
0:44 GOAL



# Cheers Seasonal – AFAR



- 4 – 6 editorial articles guiding travelers to enriching experiences in the Napa Valley.

- Organic email and social promotion of content on AFAR channels.

- First-ever Napa Valley “Small Business Guide” on @afarmedia (Instagram) featuring 6 – 8 local business to be spotlighted on Instagram’s latest “Guides” feature.

- The Napa Valley *dedicated guide* will include a destination introduction and an AFAR-curated string of posts from Visit Napa Valley-approved IG accounts.

**TRAVEL FOR GOOD**  
These BIPOC-Owned Businesses Are Thriving in Napa Valley  
Several entrepreneurs have helped change the face and the landscape of the region.  
March 14, 2023 07:10 PM • J'nai Gaither

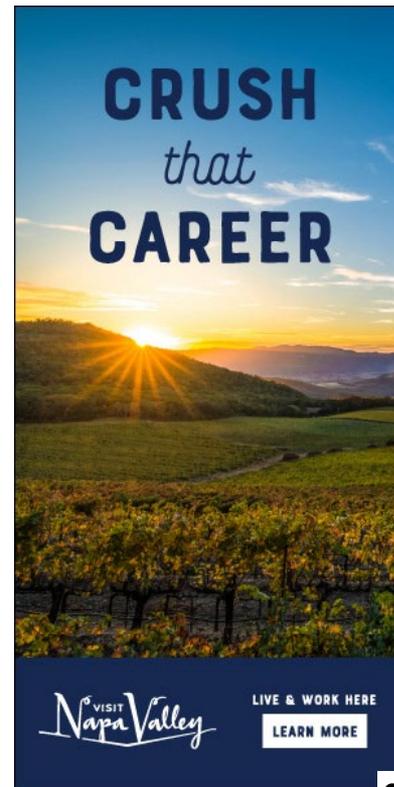
**FOOD + DRINK**  
Napa Valley's Most Exciting New Hotels, Restaurants, and Tastings  
March 14, 2023 06:57 PM • J'nai Gaither

**FOOD + DRINK**  
This Napa Winery Wants to Talk to You About Prison Reform  
January 20, 2023 10:51 PM • Jessie Beck

**FOOD + DRINK**  
Essential Napa Valley Wine Experiences You Have to Try  
December 14, 2022 01:00 PM • Regine T. Rossseau

**FOOD AND DRINK**  
A New Napa Valley Dining Experience Is Demystifying Caviar  
December 14, 2022 12:46 PM • Jillian Dana

# Crush That Career – Digital & OOH



4  
minutes  
on site

LAUNCHED IN  
FEBRUARY  
IMPRESSIONS

5.9M  
IMPRESSIONS

1.01%  
CTR  
579% TO GOAL

# Approachable Luxury – Digital & Social



WINFRIFS

1:23

STANDOUT  
AVERAGE TIME ON SITE

0:30 GOAL



# Cheers Tourism Matters – Digital & Print



*Here's to living it up  
where you live.*

Living in Napa Valley means the chance to rediscover this wondrous place we call home. A land of natural beauty dotted with local wineries, charming towns, and secluded retreats, each one its own little getaway destination. It's time to be a tourist in your own backyard and explore the good life.

To discover more, go to [VisitNapaValley.com](http://VisitNapaValley.com) or stop by our Napa Valley Welcome Center in the heart of downtown Napa.

7,000

SESSIONS

3,000 GOAL

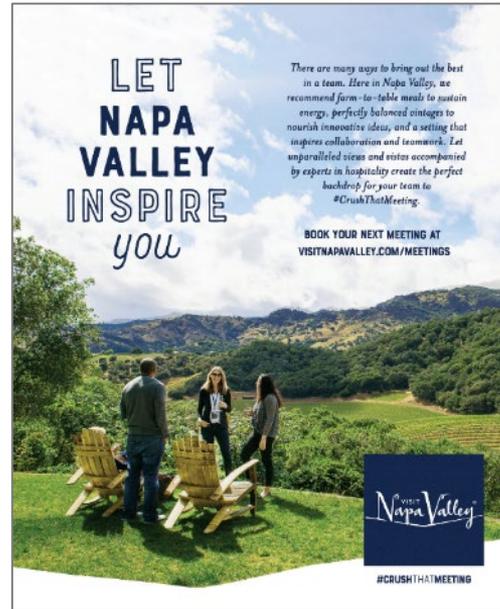
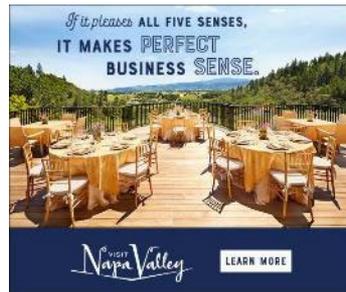
0:28

AVERAGE TOS

0:20 GOAL



# Crush That Meeting – Digital & Print



**meetings**  
PEOPLE + PLACES TODAY

**NORTHSTAR**  
MEETINGS GROUP

**Google**

322K  
IMPRESSIONS  
TRACKING 85% TO GOAL

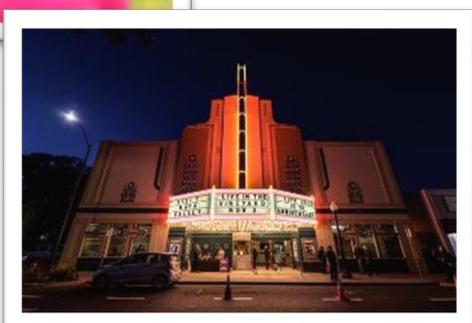
1.36%  
CTR  
0.75% GOAL

2:14  
AVERAGE TOS  
0:43 GOAL



# LIVE IN THE VINEYARD

April 25 – 27, 2023



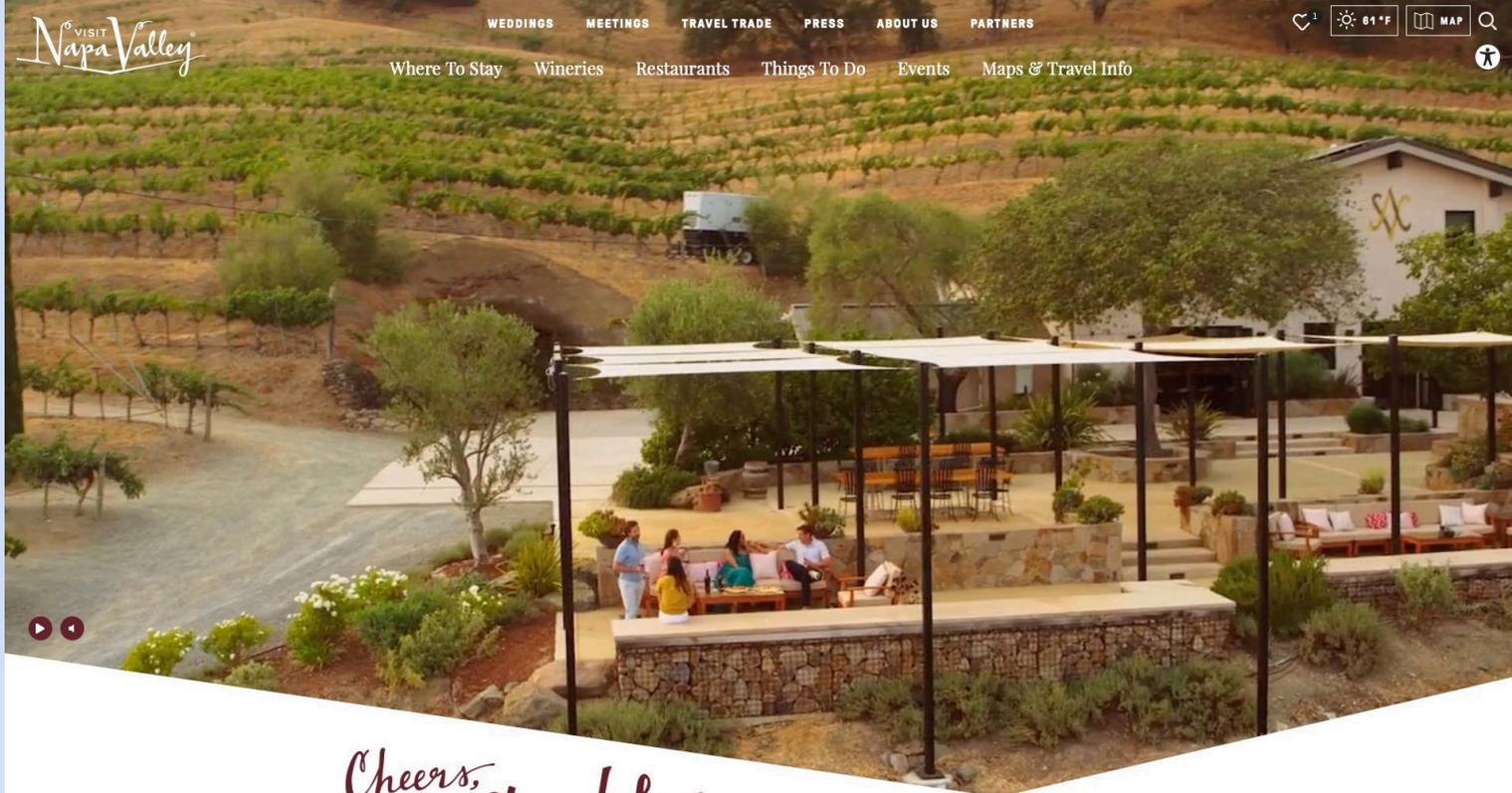
## 560 Million Impressions

Nationwide Radio Promotion

Valued at \$7M+ / year



# Owned Media



2.7 Million  
Annual Website Visits

925,000+  
Partner Website  
Referrals

## Cheers, The Good Life

The Good Life isn't simply  
something you experience in  
Napa Valley

It's all about how to savor the best that life has to

So you're thinking about a Napa Valley  
escape?

Well, you've come to the right place, because we've got  
a few secrets to share and insider tricks up our sleeve  
to make sure you experience Napa Valley right. And  
we believe *once-in-a-lifetime experiences should  
happen at least once a day.*

Whether you're ballooning over the vineyards at  
sunrise, soothing away stress at one of the most



252

# Top Visited Webpages



## January – March

- 745K Overall Sessions
- 564K Total Users
- 36% above pre-pandemic 2019 levels
- “Cheers” landing page is always among the Top 5 on site – our paid media ads pay off!
- “Wineries” landing page always among the Top 5 on site – a function of organic search!

**January**  
Top Pages Viewed

Page	Pageviews	Avg. Time on Page
1. /events/annual-events/restaurant-week/	38,246	00:01:57
2. Homepage	23,819	00:01:17
3. /events/annual-events/napa-lighted-art-festival/	20,494	00:04:50
4. /cheers/	19,661	00:01:50
5. /wineries/	16,793	00:02:20
6. /wineries/winery-map/	14,458	00:03:42
7. /things-to-do/	12,950	00:01:31
8. /where-to-stay/	12,142	00:01:53
9. /restaurants/michelin-starred/	10,582	00:04:35
10. /events/	9,248	00:01:26

**March**  
Top Pages Viewed

Page	Pageviews	Avg. Time on Page
1. /cheers/	23,693	00:02:08
2. Homepage	23,197	00:01:18
3. /wineries/	16,240	00:02:37
4. /wineries/winery-map/	13,577	00:03:41
5. /things-to-do/	11,986	00:01:17
6. /crush-that-career/	11,924	00:03:52
7. /where-to-stay/	10,424	00:01:49
8. /restaurants/michelin-starred/	10,322	00:04:45
9. /blog/post/wine-tastings-under-50/	8,636	00:02:56
10. /events/	8,266	00:01:50

**February**  
Top Pages Viewed

Page	Pageviews	Avg. Time on Page
1. Homepage	20,417	00:01:15
2. /cheers/	19,687	00:01:59
3. /wineries/	15,861	00:02:37
4. /events/annual-events/napa-lighted-art-festival/	14,668	00:05:09
5. /things-to-do/	12,433	00:01:29
6. /wineries/winery-map/	11,210	00:03:31
7. /where-to-stay/	10,201	00:01:45
8. /restaurants/michelin-starred/	9,251	00:04:49
9. /events/	7,692	00:01:34
10. /wineries/wine-tours-transportation/	6,974	00:02:43

# 50,000

Subscribers

*Organically weaving in partner news and information to share a compelling and relevant Napa Valley story.*

# 6%

Click-Through Rate  
(January – March)

🌻 Don't Miss the Mustard Bloom! 🌻 Mar 1, 2023

**Mustard Flowers in Bloom**

Add something unexpected to your Napa Valley adventure. Check out the annual mustard flower bloom! The vineyards and rolling hillsides are alive with vibrant yellow blooms. To make the most of your visit, grab the Napa Valley Mustard Trail Map and follow it to the best spots for viewing the mustard blooms. It's the perfect way to enjoy the natural beauty of the valley and capture some Insta-worthy shots!

**MUSTARD MAP**

**Insider Tip:**

**Why do mustard flowers grow in Napa Valley?** Biodiversity! Mustard is planted between vineyard rows as a cover crop to protect the soil and replenish it with nutrients, while also attracting beneficial

Wine Tastings \$50 and Under 🍷 Mar 23, 2023

**Approachable Luxury Awaits You**

Napa Valley is the premier wine region in the United States and one of the top winemaking regions in the world. So, as you might expect, there are a plethora of wines to taste and wineries to visit here in Napa Valley! Check out this handy guide to help navigate all the options and, the best part... all the tastings at these top wineries, tasting rooms, and wine shops are \$50 or less.

**\$50 AND UNDER**

**Insider Tip:**

Spring has sprung, and the winter rains have prolonged the mustard flower season. It's not too late to view the cheerful splash of yellow throughout Napa Valley! But hurry, this beautiful little phenomenon won't last much longer! #WVDMustardDays

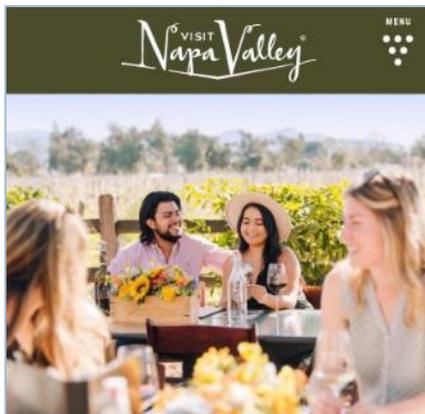
# 235,000

VIEWS OF BLOG PAGES  
(January - March)

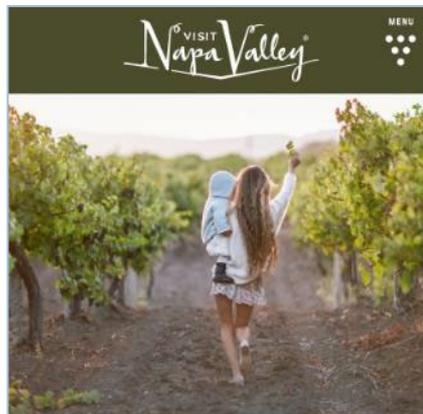
# 2m:13s

AVG. TIME SPENT  
PER BLOG PAGE

## Most Visited Blogs



**WINERIES, TASTING ROOMS**  
**Wine Tastings \$50 and Under**

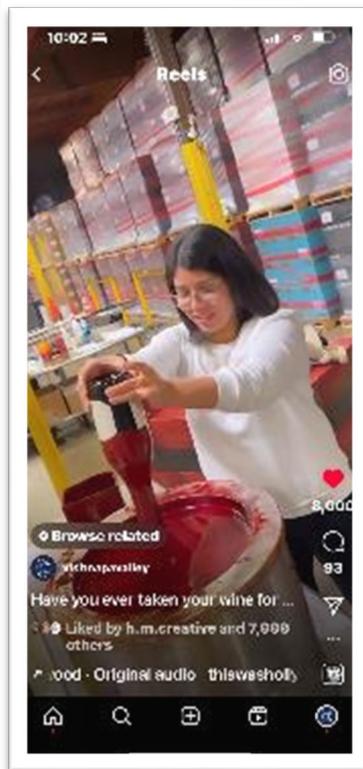


**KID FRIENDLY**  
**Best Kid-Friendly Wineries in Napa Valley**



**BEST TIME TO VISIT, MAPS & TRAVEL INFO**  
**What to Pack and Wear in Napa Valley**

# OWNED Social Media



18 Million  
Social Media Impressions

337,000  
Social Media Followers



- 2 Reels with 11 Million+ Views Each... Viral!
- 2.2 Million New Accounts Reached (up 936%)
- 79,000 Engagements
- 3,800+ New Followers Gained<sup>256</sup>

Partnership

# Radio Interstitials



“What’s Good,  
Napa Valley!”

# 135,000

Monthly Audience Reach





# Earned Media

# Recent Media Coverage

## Media Relations



Positive Press Mentions Resulting from Proactive Media Engagement

# Media Relations



900M+ Positive Press Impressions in 2022





# Partnership & Guest Experience

# Helping Visitors Discover the Napa Valley

## Napa Valley Welcome Center



### Visitor Traffic

- January – March 2023: 18,006
- YOY change: -10.3% (relates to March)
- Traffic counter data includes outside influences

March 2023	March 2022
6,287 guests	8,416 guests
16 rain days	7 rain days

### Origin of Guest in March

- Captured data from 28% of total guests
  - USA Domestic = 43%
  - CA Drive Market = 25%
  - International = 21%
  - Napa County = 11%

### Current Hours – “Cabernet Season”

- Daily: 9:30 a.m. to 6 p.m.

### Peak Season Hours – Beginning May 25, 2023

- Daily: 9:30 a.m. to 7 p.m.

# Napa Valley Welcome Center



## Merchandise

- \$60,562 gross revenue Jan – Mar 2023

## Partner Pop-ups

- Wed – Thurs beginning May 2023
- Six partners per time slot, 2x day
- Enthusiastic participation and peer to peer networking

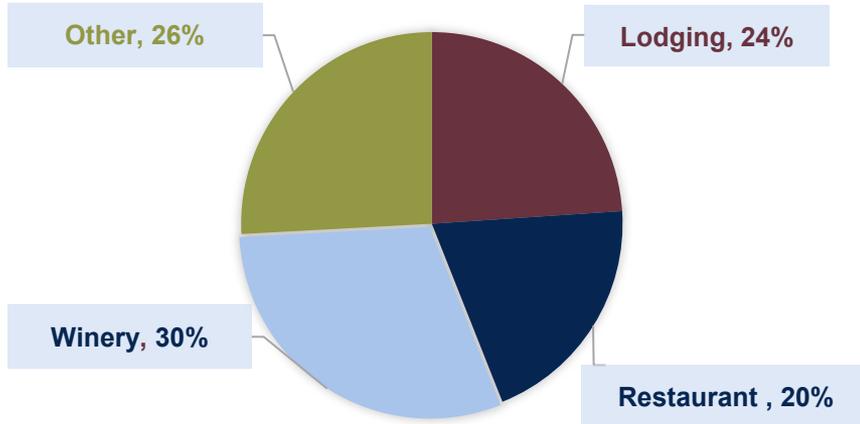
## QR Code Scans

- Window Posters
  - 468 scans from 367 unique people
  - Top Performers
    - \$50 and Under Wine Tastings
    - Michelin rated Restaurants
    - Winery Map
    - QR Landing Page
    - Mustard Season

# Visit Napa Valley Partnership



**PARTNERS BY TYPE**



## 2023 Partnership Term

- Premium Partner = 187
- Standard Partner = 273
- Standard Plus = 9
- Associate Partner = 13
- TID Lodging = 48
- TOTAL PARTNERS = 531

## Recruitment Strategy

- Presentation and Education
- Review attrition and re-capture former partners; likely attributed staff turnover
- VNV Leadership outreach to personal connections
- Attend and discover networking organizations as an outlet to capture an interested audience.
- Recruit for Standard and Standard +

# Visit Napa Valley Partnership



## Direct Touchpoints

### Welcome Center Referrals: Jan – Mar 2023

- January: 1,193
- February: 2,171
- March: 2,483

### Visit Napa Valley Website: Jan – Mar 2023

- Partner Listing Views: 87,241
- Reservation Click-thrus: 11,824

### Ambassador Days

A cross-departmental selection of Visit Napa Valley staff tour partner businesses on field trip-style outings. Focusing on one Napa Valley town at a time, our staff receives hands-on learning for better, more thoughtful and purposeful referrals. Visit Napa Valley outreach benefits all; our partners showcase their unique attributes, our Communications team discover a compelling angle for a new media lead, and our Sales team find that perfect new meeting space. See above at Kerr Cellars.



# ADJOURNMENT