



AGENDA
CITY OF GUSTINE
CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
352 5th STREET GUSTINE, CALIFORNIA
MARCH 3, 2020 – 6:30 P.M.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

Please take a moment to silence your cell phones.

ROLL CALL

Council Members: Alexander – Ford – Turner – Mayor Pro Tem Oliveira – Mayor Nagy

PRESENTATIONS

1. **Police Explorer Introductions**
Lieutenant S. Joseph

PUBLIC COMMENT

At this time, any person may comment on any item which is not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action will not be taken on the topic unless deemed an urgency matter by a 3/5 vote of the City Council. Topics not considered an urgency matter may be referred to City staff and/or placed on a subsequent agenda for consideration, by a 3/5 vote of the City Council.

Members of the public, who have questions regarding a specific agenda item, may comment on that item before consideration of that item, when recognized by the Mayor.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and may be approved by one action of the City Council, unless any member of the City Council wishes to remove an item for separate consideration.

Are there any items on the consent calendar that any member of the public would like to comment on?

2. **Minutes of the February 18, 2020 Regular Meeting**
Recommendation: Review and approve
3. **Warrant List**
Recommendation: Review and approve

ADMINISTRATIVE AGENDA

4. **Consider Authorizing the City Manager to Enter Into and Execute Contract for Grant Writing Services**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to authorize City Manager to enter into contract with Capital Advocacy Partners for grant writing services*

5. PUBLIC HEARING – Consider Introduction and Waiver of the First Reading of an Ordinance Amending Gustine Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units

1. Receive Staff Report
2. Open the public hearing
3. Receive public comment
4. Close the public hearing
5. Consider a motion to introduce and waive the first reading of an ordinance amending section 4-44-140 of the Gustine Municipal Code relating to accessory dwelling units and junior accessory dwelling units and determining the ordinance to be exempt from CEQA

CITY DEPARTMENT REPORTS

CITY MANAGER REPORT

CITY COUNCIL REPORTS

CLOSED SESSION

ADJOURNMENT

Note:

1. *In compliance with the Americans with Disabilities Act, a disabled person requesting a disability-related modification or accommodation to participate in this meeting, must contact City Hall at (209) 854-6471 or (209) 854-2127 (fax). Requests must be made as early as possible, preferably one-full business day before the start of the meeting.*
2. *Any document provided to a majority of the City Council regarding any open session item on this agenda is available for public inspection during normal business hours at the front counter of City Hall located at 352 5th Street, Gustine, CA. Documents or writings received after the general distribution of the agenda are also available for inspection.*

CERTIFICATION

I, Melanie Correa, Deputy City Clerk, do hereby declare under penalty of perjury that the foregoing agenda was posted at the Gustine City Hall, 352 5th Street, Gustine CA and made available for public review on this 27th day of February, 2020, at or before 5:00 p.m.



Melanie Correa

**MINUTES OF
REGULAR MEETING
FEBRUARY 18, 2020**

CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mayor Nagy called the meeting to order at 6:30 P.M. and conducted the pledge of allegiance.

ROLL CALL

Council Members: Alexander – Ford – Turner – Mayor Pro Tem Oliveira – Mayor Nagy

Staff Present: City Manager Doug Dunford, City Attorney Associate Ashley Zambrano, Deputy City Clerk/Human Resources Director Melanie Correa, Interim Public Works Director Dan Arnold, Fire Chief Pat Borrelli, Economic Community Development Director Jami Westervelt, Lieutenant Sammy Joseph, Officer Kevin Roseen and Recreation Manager Tiffany Vitorino

PRESENTATIONS

1. New Police Volunteer Introductions

Manuel Pinto
Don Hyler III

Lt. Joseph provided background on how the volunteer program came to fruition for the department. He introduced Manuel Pinto as a new Police department volunteer. Lt. Joseph advised that Mr. Hyler had not yet arrived to the meeting to be introduced. Mr. Pinto shared a few words.

2. City Financial Snapshot

Lakhwinder Deol, Finance Director

Mayor Nagy advised that the financial snapshot presentation would be cancelled.

PUBLIC COMMENT

There was no public comment.

CONSENT CALENDAR

3. Minutes of the February 4, 2020 Regular Meeting

Recommendation: Review and approve

4. Warrant List

Recommendation: Review and approve

5. Treasurer's Report - January 2020

Recommendation: approve and file

6. Consider Rejection of Claim (L Rocha)

Recommendation: Approve claim rejection

7. Consider Rejection of Claim (C Mora)

Recommendation: Approve claim rejection

8. Consider Rejection of Claim (J Martino)

Recommendation: Approve claim rejection

9. Consider Rejection of Claim (A Souza)

Recommendation: Approve claim rejection

10. Consider Rejection of Claim (H Auld)

Recommendation: Approve claim rejection

Mayor Nagy introduced the consent calendar. There was no public comment. Council member Ford made a motion to approve the consent calendar. The motion was seconded by Mayor Pro Tem Oliveira and carried 5-0.

ADMINISTRATIVE AGENDA

11. Consider Appointing Applicants to Gustine Planning Commission

- 1. Receive Staff Report*
- 2. Receive Public Comment*
- 3. Consider a motion to nominate and approve Planning Commissioners*

Deputy Clerk Correa presented the staff report. There was no public comment. Mr. Giles expressed his interest in being appointed. Mayor Pro Tem Oliveira made a motion to reappoint Mike Gandy, Sherri Marsigli and Tom Gomes to the Planning commission. The motion was seconded by Council member Alexander and carried 5-0. Mayor Nagy appointed Blake Giles to fill the vacant seat on the Planning Commission. Council member Turner made a motion to approve the mayoral nomination of Mr. Giles. The motion was seconded by Mayor Pro Tem Oliveira and carried 5-0.

12. Consider Appointing Applicants to Gustine Airport Commission

- 1. Receive Staff Report*
- 2. Receive Public Comment*
- 3. Consider a motion to nominate and approve Planning Commissioners*

Deputy Clerk Correa presented the staff report. There was no public comment. Mayor Nagy reappointed Doug Lucas and Robert Villalobos to the Airport Commission. Council member Alexander made a motion to approve the mayoral nomination. The motion was seconded by Council member Ford and carried 5-0. There was some discussion relating to the vacant seats. Mayor Nagy nominated Zach Ramos to the Airport Commission. Council member Ford made a motion to approve the mayoral nomination. The motion was seconded by Mayor Pro Tem Oliveira and carried 5-0.

13. Consider Approving Expenditure for Deposit on Police Canine

- 1. Receive Staff Report*
- 2. Receive Public Comment*
- 3. Consider a motion to approve the expenditure for deposit on police canine*

City Manager Dunford presented the staff report. Officer Roseen expressed his interest in becoming a canine handler. Craig Christensen, of Gustine, attested that any help that could be afforded to the police department would be beneficial. Mayor Nagy presented Officer Roseen with a letter of commendation for a recent incident he was involved in. There was some discussion from council on the item. Council member Turner made a motion to approve the expenditure for deposit on a police canine. The motion was seconded by Council member Ford and carried 5-0.

14. Consider Options for Tennis Court Improvement Project

- 1. Receive Staff Report*
- 2. Receive Public Comment*
- 3. Consider a motion to proceed with tennis court improvement project*

Economic Community Development Director Westervelt presented the staff report. Pat Rocha, 841 Ash Ave Gustine, advised on the value for the community that would be had as a result of the improvements. There was no public comment. City Manager Dunford provided additional information. There was some discussion. Council member Alexander made a motion to proceed with the tennis court improvement project with Gouveia Engineering. The motion was seconded by Council member Ford and carried 5-0.

15. Consider Approving Request to Co-Name Street

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve the request to co-name a portion of North Ave.*

City Manager Dunford presented the staff report. Pat Rocha, 841 Ash Ave Gustine, advised that the co-naming idea had originally come to her from a former Gustine High student, and she brought it forward to the City Manager. Craig Christensen, 657 West Ave Gustine, expressed his favorable opinion of this item. Council member Turner made a motion to approve the request to co-name a portion of North Ave. The motion was seconded by Council member Ford and carried 5-0.

16. DISCUSSION & DIRECTION: Solar Project

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Hold discussion and provide direction to staff on solar project*

City Manager Dunford presented the staff report. Carolyn Kiesner, of ENGIE, provided more detailed information on the item. Craig Christensen, 657 West Ave Gustine, offered his opinion for Council to proceed with the project without the park lighting. Mr. Christensen further recommended that the City organize a volunteer project to get the park lighting installed. There was a lengthy discussion, during which Chris Kintner, of ENGIE, also provided information. Council member Turner made a motion to accept the project without the park lighting. The motion was seconded by Council member Ford and carried 4-1 with Mayor Pro Tem Oliveira in opposition.

17. Consider Approving Expenditure Baseball Field Repairs

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve the expenditure for baseball field repairs*

Recreation Manager Vitorino presented the staff report. Andy Parker, Gustine Youth Baseball Softball (GYBS) President, attested to the tremendous need for these repairs. He also advised that GYBS would contribute \$1,500 toward the cost of the repairs. There was no public comment. Mayor Pro Tem Oliveira made a motion to approve the full expenditure for the baseball field repairs, without assistance from GYBS. The motion was seconded by Council member Ford and carried 5-0.

18. PUBLIC HEARING – Consider Introducing and Waiving the First Reading of an Ordinance Relating to Compliance with the State Model Water Efficient Landscape Ordinance

1. *Receive Staff Report*
2. *Open the public hearing*
3. *Receive public comment*
4. *Close the public hearing*
5. *Consider a motion to introduce and waive the first reading of an ordinance adding section 6-2-42 to Article 2, Title 6 of the Gustine Municipal Code regarding compliance with the State Model Water Efficient Landscape ordinance*

City Manager Dunford presented the staff report. The Mayor opened the public hearing 8:14 P.M., there was no public comment. The public hearing was closed at 8:15 P.M. Mayor Pro Tem Oliveira made a motion to introduce and waive the first reading of an ordinance adding section 6-2-42 to Article 2, Title 6 of the Gustine Municipal Code regarding compliance with the State Model Water Efficient Landscape ordinance. The motion was seconded by Council member Alexander and carried 3-2 with Council member Ford and Council member Turner in opposition.

19. Consider Appointing Ad Hoc Committee for 33/140 Roundabout Centerpiece

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to appointment two members to an ad hoc committee for the 33/140 Roundabout centerpiece*

City Manager Dunford presented the staff report. There was no public comment. Mayor Pro Tem Oliveira made a motion to nominate Mayor Nagy and Council member Alexander to the ad hoc committee. The motion was seconded by Council member Ford and carried 5-0.

20. DISCUSSION & DIRECTION: Vaping Devices

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Hold discussion and provide direction to staff*

City Manager Dunford presented the staff report. There was no public comment. There was some discussion from Council and audience members. Council directed staff to enhance awareness on the hazards of vaping.

CITY DEPARTMENT REPORTS

Interim Public Works Director Arnold updated on the status of the sign replacement project. Mr. Arnold thanked Denair Lumber and GYBS for their assistance with the baseball field repairs.

Lt. Joseph gave an update on the status of the ongoing officer recruitment, as well as other department updates.

Fire Chief Borrelli updated that mandatory departmental training was ongoing. He advised on the success of the Fill the Boot fundraiser that was held this past weekend, which raised \$5,100.

Economic Community Development Director invited council to attend the upcoming Business Expo on February 27th at the Goman Center.

Recreation Manager Vitorino thanked Council for approving the baseball field improvement projects. She further updated that Vierra field would be getting a new backstop. Lastly, she updated that a free tai-chi class for seniors would commence soon.

Deputy Clerk Correa advised that she had nothing to report.

CITY MANAGER REPORT

City Manager Dunford advised of the upcoming League of California Cities divisional dinner to be held on March 12th. He announced several other upcoming events, meetings and ceremonies.

CITY COUNCIL REPORTS

Council member Turner advised that he had nothing to report.

Council member Alexander advised that he had nothing to report.

Council member Ford reported of a recurring yard sale that takes place at a residence on East Ave.

Mayor Pro Tem Oliveira reminded everyone of upcoming takeout fundraiser to benefit the 4th of July activities.

Mayor Nagy reminded everyone of the various takeouts and fundraisers. He offered prayers to the families of those community members who have passed recently.

CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (22) of subdivision (d) of Section 54956.9: 1 case**

In open session it was reported that there was no reportable action.

ADJOURNMENT

Mayor Nagy adjourned the meeting at 9:26 P.M.



Warrant List By Vendor Name

Post Dates 02/19/2020 - 03/03/2020

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
Vendor: AFLAC ADMINISTRATIVE SERVICES				
AFLAC ADMINISTRATIVE SER	6414	667809	PAYROLL DEDUCTIONS	1,272.18
Vendor AFLAC ADMINISTRATIVE SERVICES Total:				1,272.18
Vendor: ALEJANDRA PEREZ				
ALEJANDRA PEREZ	46681	FEB2020	PER DIEM & MILEAGE - SF	155.58
Vendor ALEJANDRA PEREZ Total:				155.58
Vendor: AMAZON CAPITAL SERVICES, INC.				
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	10.80
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	10.80
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	54.02
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	16.21
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	16.21
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	10.80
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	16.21
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	81.03
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	108.03
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	108.03
AMAZON CAPITAL SERVICE	46682	1W7G-JCF1-9333	AMAZON BUSINESS RENE	108.03
Vendor AMAZON CAPITAL SERVICES, INC. Total:				540.17
Vendor: ARAMARK UNIFORM SERVICES INC				
ARAMARK UNIFORM SERV	46683	637322054	PW UNIFORMS	3.87
ARAMARK UNIFORM SERV	46683	637322054	PW UNIFORMS	3.86
ARAMARK UNIFORM SERV	46683	637322054	PW UNIFORMS	7.74
ARAMARK UNIFORM SERV	46683	637322054	PW UNIFORMS	6.97
ARAMARK UNIFORM SERV	46683	637322054	PW UNIFORMS	16.25
ARAMARK UNIFORM SERV	46683	637322054	PW UNIFORMS	31.73
ARAMARK UNIFORM SERV	46683	637322054	PW UNIFORMS	6.97
Vendor ARAMARK UNIFORM SERVICES INC Total:				77.39
Vendor: CALIFORNIA LANDSCAPE SUPPLY, INC.				
CALIFORNIA LANDSCAPE S	46684	28440	SOFTBALL FIELD RENOVATI	7,372.85
Vendor CALIFORNIA LANDSCAPE SUPPLY, INC. Total:				7,372.85
Vendor: CALIFORNIA STATE DISBURSEMENT UNIT				
CALIFORNIA STATE DISBUR	6415	PR- 2/15/20	PAYROLL DEDUCTIONS	281.07
Vendor CALIFORNIA STATE DISBURSEMENT UNIT Total:				281.07
Vendor: CARD INTEGRATORS COPORATION				
CARD INTEGRATORS COPR	46685	0107028-IN	PD NEW BADGE LOGO	125.00
Vendor CARD INTEGRATORS COPORATION Total:				125.00
Vendor: CINTAS CORPORATION #3				
CINTAS CORPORATION #3	46686	4043414462	PW UNIFORMS	8.88
CINTAS CORPORATION #3	46686	4043414462	PW UNIFORMS	8.88
CINTAS CORPORATION #3	46686	4043414462	PW UNIFORMS	17.76
CINTAS CORPORATION #3	46686	4043414462	PW UNIFORMS	15.98
CINTAS CORPORATION #3	46686	4043414462	PW UNIFORMS	37.29
CINTAS CORPORATION #3	46686	4043414462	PW UNIFORMS	72.81
CINTAS CORPORATION #3	46686	4043414462	PW UNIFORMS	15.98
Vendor CINTAS CORPORATION #3 Total:				177.58

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
Vendor: COREY BAYER				
COREY BAYER	46687	FEB2020	PER DIEM - SFST TRAINING	82.50
Vendor COREY BAYER Total:				82.50
Vendor: CRAIG BROOKS				
CRAIG BROOKS	46688	312359	ANIMAL CONTROL - VET S	265.00
Vendor CRAIG BROOKS Total:				265.00
Vendor: DOM SOLAR LESSOR I, LP				
DOM SOLAR LESSOR I, LP	46689	14251802	WW ELECTRIC 12/1/19 - 1	26,565.27
DOM SOLAR LESSOR I, LP	46689	14602719	WW ELECTRIC 1/1/20 - 1/	6,320.32
Vendor DOM SOLAR LESSOR I, LP Total:				32,885.59
Vendor: DOUG DUNFORD				
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-19.80
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-9.90
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-9.90
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-3.96
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-69.30
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-69.30
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-9.90
DOUG DUNFORD		FEB2020-R	LEAGUE PLANNING COM	-5.94
Vendor DOUG DUNFORD Total:				-198.00
Vendor: EFTPS				
EFTPS	6418	PR- 02/15/20	PAYROLL TAXES	7,218.12
EFTPS	6419	PR- 2/15/20	PAYROLL TAXES	1,688.06
EFTPS	6420	PR- 2/15/2020	PAYROLL TAXES	5,143.09
Vendor EFTPS Total:				14,049.27
Vendor: EMPLOYMENT DEVELOPMENT DEPT				
EMPLOYMENT DEVELOPM	6416	PR- 2/15/20	PAYROLL TAXES	1,780.09
EMPLOYMENT DEVELOPM	6417	PR- 02/15/20	PAYROLL TAXES	576.76
Vendor EMPLOYMENT DEVELOPMENT DEPT Total:				2,356.85
Vendor: FRANCHISE TAX BOARD				
FRANCHISE TAX BOARD	46691	PR- 2/15/20	WITHOLDING	177.44
Vendor FRANCHISE TAX BOARD Total:				177.44
Vendor: GILTON SOLID WASTE MANAGEMENT INC				
GILTON SOLID WASTE MA	46692	MARCH 2020	REFUSE SERVICE MARCH 2	42,937.59
Vendor GILTON SOLID WASTE MANAGEMENT INC Total:				42,937.59
Vendor: GUERREROS TIRE AND AUTO REPAIR INC.				
GUERREROS TIRE AND AU	46693	02132020	MOWER WHEEL CHANGE	15.00
Vendor GUERREROS TIRE AND AUTO REPAIR INC. Total:				15.00
Vendor: HALYCON CREEK INC. (DBA MID VALLEY I.T.)				
HALYCON CREEK INC. (DBA	46694	202136861	PD MONTHLY I.T. SUPPORT	2,103.26
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	28.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	28.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	140.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	42.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	42.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	28.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	42.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	210.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	280.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	280.00
HALYCON CREEK INC. (DBA	46694	202136907	MONTHLY I.T. SUPPORT -	280.00
Vendor HALYCON CREEK INC. (DBA MID VALLEY I.T.) Total:				3,503.26

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
Vendor: INFOSEND BILLING				
INFOSEND BILLING	46696	167009	UTILITY BILLING	36.61
INFOSEND BILLING	46696	167009	UTILITY BILLING	25.98
INFOSEND BILLING	46696	167009	UTILITY BILLING	14.64
INFOSEND BILLING	46696	167009	UTILITY BILLING	10.39
INFOSEND BILLING	46696	167009	UTILITY BILLING	241.61
INFOSEND BILLING	46696	167009	UTILITY BILLING	171.50
INFOSEND BILLING	46696	167009	UTILITY BILLING	241.61
INFOSEND BILLING	46696	167009	UTILITY BILLING	171.50
INFOSEND BILLING	46696	167009	UTILITY BILLING	197.68
INFOSEND BILLING	46696	167009	UTILITY BILLING	140.31
Vendor INFOSEND BILLING Total:				1,251.83
Vendor: JOCELYN ROLAND, PHD				
JOCELYN ROLAND, PHD	46697	17560	PD PRE EMPLOYMENT SCR	450.00
Vendor JOCELYN ROLAND, PHD Total:				450.00
Vendor: KEENAN & ASSOCIATES				
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	288.91
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	563.03
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	159.60
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	16,033.90
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	1,366.95
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	405.28
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	179.18
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	597.39
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	185.46
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	672.39
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	2,538.09
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	93.84
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	1,017.08
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	34.36
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	41.38
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	1,236.90
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	1,501.42
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	2,733.89
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	1,236.90
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	1,501.42
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	3,144.71
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	185.46
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	68.72
KEENAN & ASSOCIATES	46698	MARCH 2020	HEALTH INSURANCE MAR	234.61
Vendor KEENAN & ASSOCIATES Total:				36,020.87
Vendor: KEVIN ROSEEN				
KEVIN ROSEEN	46699	FEB2020	PER DIEM - SFST TRAINING	82.50
Vendor KEVIN ROSEEN Total:				82.50
Vendor: MARK SOTELO				
MARK SOTELO	46711	NEW K9	POLICE CANINE AGREEME	3,000.00
Vendor MARK SOTELO Total:				3,000.00
Vendor: MERCED COUNTY TAX COLLECTOR				
MERCED COUNTY TAX COL	46700	MARCH 2020 063-050-046	PYMNT #2 063-050-046-0	482.33
MERCED COUNTY TAX COL	46700	MARCH 2020 063-130-066	PYMNT #2 063-130-066-0	1,811.35
MERCED COUNTY TAX COL	46700	MARCH 2020 063-130-067	PYMNT #2 063-130-067-0	624.76
MERCED COUNTY TAX COL	46700	MARCH 2020 063-160-006	PYMNT #2 063-160-006-0	2,751.73
MERCED COUNTY TAX COL	46700	MARCH 2020 063-160-007	PYMNT #2 063-160-007-0	1,252.97

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
MERCED COUNTY TAX COL	46700	MARCH 2020 063-160-014	PYMNT #2 063-160-014-0	1,424.46
MERCED COUNTY TAX COL	46700	MARCH 2020 063-160-023	PYMNT #2 063-160-023-0	1,111.60
MERCED COUNTY TAX COL	46700	MARCH 2020 063-160-024	PYMNT #2 063-160-024-0	926.97
MERCED COUNTY TAX COL	46700	MARCH 2020 063-320-013	PYMNT #2 063-320-013-0	47.74
Vendor MERCED COUNTY TAX COLLECTOR Total:				10,433.91
Vendor: POLICE OFFICERS ASSOC				
POLICE OFFICERS ASSOC	46703	PR- 2/15/20	PAYROLL DEDUCTIONS	420.00
Vendor POLICE OFFICERS ASSOC Total:				420.00
Vendor: PUBLIC EMP RETIREMENT SYSTEM				
PUBLIC EMP RETIREMENT	6421	PR-2/15/20EEPEPRASAFET	RETIREMENT CONTRIBUTI	1,263.30
PUBLIC EMP RETIREMENT	6422	PR- 2/15/20EEPEPRAMISC	RETIREMENT CONTRIBUTI	915.91
PUBLIC EMP RETIREMENT	6423	PR- 2/15/20EECLASSICMIS	RETIREMENT CONTRIBUTI	1,476.65
PUBLIC EMP RETIREMENT	6424	PR- 2/15/20EECLASSICSAF	RETIREMENT CONTRIBUTI	508.55
PUBLIC EMP RETIREMENT	6425	PR- 2/15/20ERPEPRASAFE	RETIREMENT CONTRIBUTI	1,372.58
PUBLIC EMP RETIREMENT	6426	PR- 2/15/20ERPEPRAMISC	RETIREMENT CONTRIBUTI	947.84
PUBLIC EMP RETIREMENT	6427	PR- 2/15/20ERCLASSICMIS	RETIREMENT CONTRIBUTI	2,051.50
PUBLIC EMP RETIREMENT	6428	PR- 2/15/20ERCLASSICSAF	RETIREMENT CONTRIBUTI	1,092.56
PUBLIC EMP RETIREMENT	6430	100000015938680	RETIREMENT CONTROB- F	13,745.92
PUBLIC EMP RETIREMENT	6431	1000000151938688	RETIREMENT CONTRIB- FY	38.45
Vendor PUBLIC EMP RETIREMENT SYSTEM Total:				23,413.26
Vendor: SAN JOAQUIN VALLEY UNIFIED AIR POLL				
SAN JOAQUIN VALLEY UNI	46704	105141 - 20/21	BURN PERMIT	40.00
Vendor SAN JOAQUIN VALLEY UNIFIED AIR POLL Total:				40.00
Vendor: SHAWN CULLUM				
SHAWN CULLUM	46645	1070	TREE REMOVAL SERVICES	6,325.00
SHAWN CULLUM	46645	1070	TREE REMOVAL SERVICES	6,325.00
SHAWN CULLUM	46645	1070	TREE REMOVAL SERVICES	6,325.00
SHAWN CULLUM	46645	1070	TREE REMOVAL SERVICES	6,325.00
Vendor SHAWN CULLUM Total:				25,300.00
Vendor: STATE STREET BANK & TRUST COMPANY				
STATE STREET BANK & TRU	6429	PR- 2/15/20	PAYROLL DEDUCTIONS	527.18
Vendor STATE STREET BANK & TRUST COMPANY Total:				527.18
Vendor: STEVEN D. WARD				
STEVEN D. WARD	46705	105	POLICE BACKGROUND	1,200.00
STEVEN D. WARD	46705	111	POLICE BACKGROUND	1,600.00
STEVEN D. WARD	46705	114	POLICE BACKGROUND	1,400.00
Vendor STEVEN D. WARD Total:				4,200.00
Vendor: TESEI PETROLEUM				
TESEI PETROLEUM	46706	20341	FUEL FD/PD/PW VEHICLE	106.68
TESEI PETROLEUM	46706	20341	FUEL FD/PD/PW VEHICLE	791.25
TESEI PETROLEUM	46706	20341	FUEL FD/PD/PW VEHICLE	271.56
TESEI PETROLEUM	46706	20341	FUEL FD/PD/PW VEHICLE	58.19
TESEI PETROLEUM	46706	20341	FUEL FD/PD/PW VEHICLE	284.17
TESEI PETROLEUM	46706	20341	FUEL FD/PD/PW VEHICLE	285.14
Vendor TESEI PETROLEUM Total:				1,796.99
Vendor: TIFFANY VITORINO				
TIFFANY VITORINO	46707	FEB2020	PER DIEM - CPRS ANNUAL	297.00
Vendor TIFFANY VITORINO Total:				297.00
Vendor: VICKI STATEN				
VICKI STATEN	46708	FEB2020	PER DIEM - PC832 TRAINI	70.00
Vendor VICKI STATEN Total:				70.00

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
Vendor: VISION SERVICE PLAN-(CA)				
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	8.18
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	24.89
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	3.07
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	382.52
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	49.07
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	1.64
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	27.26
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	23.51
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	1.64
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	11.62
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	2.18
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	38.24
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	8.89
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	2.18
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	1.78
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	31.68
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	27.26
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	1.09
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	6.88
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	16.36
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	17.78
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	2.73
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	2.73
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	71.03
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	16.36
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	17.78
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	2.73
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	2.73
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	89.16
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	5.45
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	4.44
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	14.43
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	1.09
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	2.73
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	7.51
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	4.44
VISION SERVICE PLAN-(CA)	46709	MARCH 2020	VISION INSURANCE	21.81
Vendor VISION SERVICE PLAN-(CA) Total:				954.87
Vendor: WASHINGTON STATE SUPPORT REGISTRY				
WASHINGTON STATE SUPP	46710	PR- 2/15/20	PAYROLL DEDUCTION	142.71
Vendor WASHINGTON STATE SUPPORT REGISTRY Total:				142.71
Grand Total:				214,477.44

Report Summary

Fund Summary

Fund	Payment Amount
001 - GENERAL FUND	41,986.86
002 - UTILITY TAX FUND	7,372.85
009 - COMMUNITY CENTER FUND	510.59
010 - GAS TAX 2105 FUND	6,325.00
011 - GAS TAX 2106 FUND	6,325.00
012 - GAS TAX 2107 FUND	6,325.00
016 - SWIM POOL FUND	647.81
017 - CITY WIDE LIGHTING & LAND	981.96
018 - TRAFFIC SAFETY FUND	3,000.00
019 - RECREATION FUND	2,902.19
021 - ST/SIDEWALK MAINT	1,169.51
024 - COPS GRANT	27.26
029 - GAS TAX 2103 FUND	6,325.00
059 - STORM DRAIN	882.10
060 - WATER FUND	6,721.69
061 - SEWER FUND	50,079.78
062 - REFUSE	43,896.34
063 - AIRPORT FUND	340.91
099 - PAYROLL TRUST FUND	28,855.59
Grand Total:	214,675.44

Account Summary

Account Number	Account Name	Payment Amount
001-0110-520.010-00	DEPT OPERATING SUPPL	10.80
001-0110-530.201-00	OTHER CONTRACT SERVI	28.00
001-0140-510.020-00	GROUP HEALTH INSURA	297.09
001-0140-520.010-00	DEPT OPERATING SUPPL	10.80
001-0140-530.014-00	POSTAGE	36.61
001-0140-530.201-00	OTHER CONTRACT SERVI	53.98
001-0142-510.020-00	GROUP HEALTH INSURA	587.92
001-0150-510.020-00	GROUP HEALTH INSURA	162.67
001-0150-520.011-00	UNIFORM ALLOWANCE	12.75
001-0150-520.040-00	FUEL	106.68
001-0210-510.000-00	PERS	13,784.37
001-0210-510.020-00	GROUP HEALTH INSURA	16,416.42
001-0210-520.010-00	DEPT OPERATING SUPPL	54.02
001-0210-520.040-00	FUEL	791.25
001-0210-530.009-00	OTHER PROFESSIONAL S	4,650.00
001-0210-530.091-00	MEETINGS & TRAINING	320.58
001-0210-530.201-00	OTHER CONTRACT SERVI	2,368.26
001-0230-510.020-00	GROUP HEALTH INSURA	1,416.02
001-0230-530.009-00	OTHER PROFESSIONAL S	265.00
001-0230-530.091-00	MEETINGS & TRAINING	70.00
001-0410-510.020-00	GROUP HEALTH INSURA	1.64
001-0460-510.020-00	GROUP HEALTH INSURA	27.26
001-0610-510.020-00	GROUP HEALTH INSURA	428.79
001-0610-520.010-00	DEPT OPERATING SUPPL	16.21
001-0610-520.011-00	UNIFORM ALLOWANCE	12.74
001-0610-520.030-00	MOTOR VEHICLE EXPEN	15.00
001-0610-530.201-00	OTHER CONTRACT SERVI	42.00
002-0145-530.201-00	OTHER CONTRACT SERVI	7,372.85
009-0150-510.020-00	GROUP HEALTH INSURA	180.82
009-0150-520.010-00	DEPT OPERATING SUPPL	16.21
009-0150-520.040-00	FUEL	271.56
009-0150-530.201-00	OTHER CONTRACT SERVI	42.00
010-0310-530.201-00	OTHER CONTRACT SERVI	6,325.00
011-0310-530.201-00	OTHER CONTRACT SERVI	6,325.00

Account Summary

Account Number	Account Name	Payment Amount
012-0310-530.201-00	OTHER CONTRACT SERVI	6,325.00
016-0613-510.020-00	GROUP HEALTH INSURA	609.01
016-0613-520.010-00	DEPT OPERATING SUPPL	10.80
016-0613-530.201-00	OTHER CONTRACT SERVI	28.00
017-0120-510.020-00	GROUP HEALTH INSURA	185.46
017-0120-530.091-00	MEETINGS & TRAINING	0.00
017-0140-510.020-00	GROUP HEALTH INSURA	2.18
017-0610-510.020-00	GROUP HEALTH INSURA	710.63
017-0610-520.011-00	UNIFORM ALLOWANCE	25.50
017-0610-520.040-00	FUEL	58.19
018-0240-530.201-00	OTHER CONTRACT SERVI	3,000.00
019-0142-510.020-00	GROUP HEALTH INSURA	2,546.98
019-0613-520.010-00	DEPT OPERATING SUPPL	16.21
019-0613-530.091-00	MEETINGS & TRAINING	297.00
019-0613-530.201-00	OTHER CONTRACT SERVI	42.00
021-0120-530.091-00	MEETINGS & TRAINING	0.00
021-0140-510.020-00	GROUP HEALTH INSURA	2.18
021-0142-510.020-00	GROUP HEALTH INSURA	95.62
021-0310-510.020-00	GROUP HEALTH INSURA	1,048.76
021-0310-520.011-00	UNIFORM ALLOWANCE	22.95
024-0210-510.020-00	GROUP HEALTH INSURA	27.26
029-0310-530.201-00	OTHER CONTRACT SERVI	6,325.00
059-0120-530.091-00	MEETINGS & TRAINING	0.00
059-0140-510.020-00	GROUP HEALTH INSURA	35.45
059-0140-530.014-00	POSTAGE	14.64
059-0140-530.201-00	OTHER CONTRACT SERVI	10.39
059-0730-510.020-00	GROUP HEALTH INSURA	48.26
059-0730-520.010-00	DEPT OPERATING SUPPL	81.03
059-0730-530.095-00	TAXES	482.33
059-0730-530.201-00	OTHER CONTRACT SERVI	210.00
060-0120-530.091-00	MEETINGS & TRAINING	0.00
060-0140-510.020-00	GROUP HEALTH INSURA	1,253.26
060-0140-530.014-00	POSTAGE	241.61
060-0140-530.201-00	OTHER CONTRACT SERVI	171.50
060-0142-510.020-00	GROUP HEALTH INSURA	1,519.20
060-0210-510.020-00	GROUP HEALTH INSURA	2.73
060-0410-510.020-00	GROUP HEALTH INSURA	2.73
060-0710-510.020-00	GROUP HEALTH INSURA	2,804.92
060-0710-520.010-00	DEPT OPERATING SUPPL	108.03
060-0710-520.011-00	UNIFORM ALLOWANCE	53.54
060-0710-520.040-00	FUEL	284.17
060-0710-530.201-00	OTHER CONTRACT SERVI	280.00
061-0120-530.091-00	MEETINGS & TRAINING	0.00
061-0140-510.020-00	GROUP HEALTH INSURA	1,253.26
061-0140-530.014-00	POSTAGE	241.61
061-0140-530.201-00	OTHER CONTRACT SERVI	171.50
061-0142-510.020-00	GROUP HEALTH INSURA	1,521.93
061-0410-510.020-00	GROUP HEALTH INSURA	2.73
061-0520-510.020-00	GROUP HEALTH INSURA	3,233.87
061-0520-520.010-00	DEPT OPERATING SUPPL	108.03
061-0520-520.011-00	UNIFORM ALLOWANCE	104.54
061-0520-520.040-00	FUEL	285.14
061-0520-530.060-00	ELECTRIC	32,885.59
061-0520-530.094-00	LICENSES & PERMIT FEE	40.00
061-0520-530.095-00	TAXES	9,951.58
061-0520-530.201-00	OTHER CONTRACT SERVI	280.00
062-0120-530.091-00	MEETINGS & TRAINING	0.00
062-0140-510.020-00	GROUP HEALTH INSURA	190.91

Account Summary

Account Number	Account Name	Payment Amount
062-0140-530.014-00	POSTAGE	197.68
062-0140-530.201-00	OTHER CONTRACT SERVI	140.31
062-0142-510.020-00	GROUP HEALTH INSURA	4.44
062-0510-520.000-00	OFFICE SUPPLIES	108.03
062-0510-520.011-00	UNIFORM ALLOWANCE	22.95
062-0510-530.009-00	OTHER PROFESSIONAL S	42,937.59
062-0510-530.201-00	OTHER CONTRACT SERVI	280.00
062-0520-510.020-00	GROUP HEALTH INSURA	14.43
063-0120-510.020-00	GROUP HEALTH INSURA	69.81
063-0120-530.091-00	MEETINGS & TRAINING	0.00
063-0142-510.020-00	GROUP HEALTH INSURA	237.34
063-0210-510.020-00	GROUP HEALTH INSURA	11.95
063-0340-510.020-00	GROUP HEALTH INSURA	21.81
099-0000-220.010	FICA TAXES PAYABLE	8,906.18
099-0000-220.020	FIT W/H PAYABLE	5,143.09
099-0000-220.030	SIT W/H PAYABLE	1,780.09
099-0000-220.050	PERS PAYABLE	9,628.89
099-0000-220.065	AFLAC PAYABLE	1,272.18
099-0000-220.071	POA DEDUCT PAYABLE	420.00
099-0000-220.090	DISABILITY (SDI) PAYABL	576.76
099-0000-220.092	CAL PERS 457 DEF COMP	527.18
099-0000-220.094	FRANCHISE TAX BOARD	177.44
099-0000-220.097	CALIFORNIA STATE DISB	281.07
099-0000-220.098	WASHINGTON SUPPORT	142.71
	Grand Total:	214,675.44

Project Account Summary

Project Account Key	Payment Amount
None	214,675.44
Grand Total:	214,675.44

Lakhwinder Deol



COUNCIL AGENDA ITEM

MARCH 3, 2020

PREPARED BY: Doug Dunford, City Manager

SUBJECT: Council to Consider Approval of a Contract with Capital Advocacy for Grant Writing Services

BACKGROUND/DISCUSSION

Staff has been using the services of Dana DeBeaumont from Capitol Advocacy Partners for writing grants for our police and fire departments. Dana over the last five years has written and received 4 substantial grants for us through the COPS Program and FEMA.

Those grants were the following:

1. 2013 – COPS grant for 3 years at a cost of \$175,000 for a School Resource Officer
2. 2017 – COPS grant for 3 years at a cost of \$195,000 for a police officer
3. 2018 – COPS grant for 1 year at a cost of \$56,000 for 10 Body Worn Cameras
4. 2019 – FEMA grant for 1 year at a cost of \$600,000 for a new fire engine

Ms. De Beaumont has been very generous with the City. Because of her success, she has taken on other customer/ Cities. Her company is at a point where they are only working for contracted cities or counties because of time constraints. Ms. De Beaumont is inquiring to see if we wanted to continue business with her because of her time allotments.

Ms. De Beaumont was feeding the City Manager pertinent information during our One Voice visit that the current Public Relations firm for MCAG did not have. That information helped garner our Body Worn Camera Grant, because the grant was originally only open to agencies with fifty officers or more. This was unknown to Townsend and Associates the PR firm for MCAG. They were unaware of how I was obtaining that additional information.

She has lived in the Washington area for some time and has contacts in the various agencies. She is the person that set up the one on one visit between the Police Chief and the Executive Director of COPS during the California Police Chiefs Conference in Palm Springs in 2013. That helped lead to the approval of the first COPS grant.

Staff is asking for the Council to approve a contract with Capitol Advocacy Partners in the amount of \$1990 per year to continue to write Federal Grants for the City. The contract includes grant writing and advocacy in Washington DC with various law enforcement agencies. Briefing to Staff on upcoming and current developments in Washington with changes in the government and what the agencies are looking for in

grants. Capitol Advocacy will prepare targeted advocacy materials for our bi-weekly meetings. Working closely with the City on legislation and developing strategy for proactive involvement with federal agencies. Client briefing on the latest grants and possibilities.

FISCAL IMPACT

The yearly fee would be \$1,990 for twelve months.

Fee for grant writing is as follows:

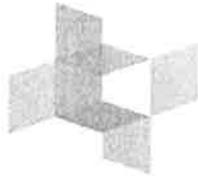
1. First grant of up to 10 pages at a reduced fee of \$4,000;
2. \$7,500 for applications with narratives up to 10 pages;
3. \$9,000 for applications between 11 and 20 pages

RECOMMENDATION

Staff recommends that Council approve the proposal for \$1990 per year to formally enter a contract with Capitol Advocacy Partners to provide grant writing and federal advocacy services.

EXHIBIT(S)

- A) Capitol Advocacy Partners Proposed Services



Capitol Advocacy Partners

Proposed Services Scope of Services

City of Gustine, California

TO: Doug Dunford, City Manager
FR: Dana DeBeaumont & Amanda Fenton
Capitol Advocacy Partners
DATE: February 13, 2020
SUBJECT: Federal Advocacy and Grant Writing

Capitol Advocacy Partners, LLC (CAP), a DC advocacy firm (Federal Tax ID#46-3708535), appreciates the long and successful partnership that we have enjoyed with the City of Gustine, California, and desires to expand efforts with Federal advocacy and funding strategy. CAP would build upon Gustine's current successes, developing and implementing an appropriate Federal legislative and comprehensive federal, state and county funding strategy to advance Gustine's programs and priorities. This engagement would include a visit to Gustine to better understand the City and its needs. Below please find an outline of the services proposed by CAP:

Grant Writing and Advocacy

Assist Gustine with grant research, strategy, and engagement, with grant writing for an additional fee. This may include preparation of program analysis, recommendations on programming and partnerships, preparation of applications, and ongoing communications with officials.

Activities to support grant applications may include:

- a. Providing accurate information about grant funding opportunities. Information shall include specifics on each Agency's funding priorities and objectives, including advice on how to make Gustine's applications most competitive.
- b. Scheduling and participating in teleconferences/meetings between Gustine and Agencies, including but not limited to Department of Homeland Security, Department of Justice, Department of Transportation, Department of Labor, Department of Commerce, Department of Agriculture, Department of Homeland Security, Department of Transportation, the Environmental Protection Agency, and other state and local agencies of interest.
- c. Building rapport with Program and Agency officials before solicitations are released.
- d. Writing grant applications for an additional fee (outlined below).
- e. Successfully submitting applications before deadlines.

- f. Drafting letters of support for grant applications and working with City officials to determine support targets.
- g. Drafting and securing letters of support from Congressman and California Senators.
- h. Engaging in ongoing Federal advocacy on behalf of Gustine with Federal decision-makers throughout application and award periods.
- i. Providing ongoing updates to City on pending funding opportunities and award notifications. For example, a California Board of State and Community Corrections solicitation is expected to be released today to fund crime reduction and community policing.
- j. Participating in follow-up funding activities.

Legislation

Working closely with the City, CAP will assist Gustine in drafting and impacting legislation in the Federal arena. Actions may include:

- a. Creating and submitting one report language request to support an area of interest to Gustine. If earmarks return, this deliverable would be in the form of an earmark request.
- b. Reviewing possible/pending legislation—including appropriation bills and other legislation with a significant financial or policy impact and—to determine potential beneficial or adverse impacts to Gustine, including rural set-asides. As needed, drafting position letters and offering amendments on legislation.
- c. Developing strategy for proactive involvement in identified policy topics and multi-year legislation. This could include involvement in multi-year transportation legislation, the Water Resources Development Act, Federal tax policy overhaul and Federal regulations governing municipal governments.
- d. Working with officials, legislators, and Agencies to resolve issues affecting Gustine. Possible issue areas include public safety, community development, water infrastructure, economic development, and direction of new grant programs.
- e. Arranging for Gustine representatives to participate in the legislative process, such as preparing written legislative testimony for the record and facilitating meetings and/or written communications with legislators, agency boards and directors.
- f. Representing Gustine's interests by meeting and discussing proposed/pending legislation with appropriate parties, such as elected legislators, their staff, Committee staff, and Agency officials.
- g. Maintaining direct contact with Members of Congress, their staffs, and Federal Agency leadership and staff, to further implement the vision of the Gustine and ensure that the goals of Federal decision-makers are incorporated.

Meetings and Advocacy Days

Planning, scheduling, participating and executing Central Valley (via teleconference or one per year in-person) and Washington appointments for Gustine that include:

- a. **Documentation** – CAP will prepare targeted advocacy materials for each meeting, ensuring that key messages are crafted for each specific meeting. Examples include project backgrounders, media clippings, funding request summaries, and additional

materials that make a clear connection between the project and its 'fit' with the funding source or legislative need.

- b. **Client Briefing** – CAP will work closely with Gustine on background materials and suggested specific talking points targeted to each meeting. CAP will provide the City with biographies and relevant history on the decision maker or Committee/Department with whom you will be meeting. This history could include past funding programs, area approved projects, committee/department program priorities, with a special focus on the California connection of each decision maker.
- c. **Decision Maker Pre-Briefing** – CAP will send background information to the Federal principal in advance, along with selected biographical information of each Gustine representative scheduled to participate in the meeting. The dialog will not end with the meeting, but CAP will engage in ongoing communications where decision-makers are regularly updated on developments within the City.
- d. **Meeting Staffing and Follow-Up** – CAP will attend Federal meetings in DC (and/or participate by phone in Central Valley meetings), taking notes, prompting questions, and providing additional information as necessary. After each meeting CAP will continue communicating with each Federal decision maker and their staffs, providing regular updates on project developments, successes and milestones reached, information that reinforces the need for the project, media clippings, and ultimately keeping the decision maker informed and engaged in Gustine's priorities. CAP will draft, prepare and deliver thank you notes and follow-up correspondence for all meetings.

CAP will tailor and amend Federal advocacy to reflect the unique priorities of Gustine and adapt strategy as goals change. The long-term goal is a comprehensive approach to integrated Federal advocacy that establishes meaningful, knowledgeable, and lasting relationships on behalf of the City with its Congressional delegation, legislative leadership, Executive Branch, Agencies, and all of their respective staffs.

CAP would adhere to strict ethical guidelines and serve a limited number of municipal clients to ensure that Gustine's goals receive sufficient attention.

Fee

Fee to provide the above outlined comprehensive approach to Federal advocacy is \$1,990 per month for 12 months.

Fee for grant writing is as follows:

1. First grant of up to 10 pages at a reduced fee of \$4,000;
2. \$7,500 for applications with narratives up to 10 pages;
3. \$9,000 for applications between 11 and 20 pages.

Fee provided upon request for longer applications.



CITY COUNCIL MEETING AGENDA ITEM

MARCH 3, 2020

PREPARED BY: Doug Dunford, City Manager
Josh Nelson, City Attorney

SUBJECT: Consider Ordinance Amending Section 4-44-140 of the Gustine Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA

BACKGROUND/DISCUSSION

In 2019, the California Legislature approved, and the Governor signed into law a number of bills ("New ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs. The New ADU Laws take effect January 1, 2020, and if the City's ADU ordinance does not comply with the New ADU Laws, the City's ordinance becomes null and void on that date as a matter of law.

The proposed ordinance amends Chapter 4-44-140 of the Gustine Municipal Code to impose new limits on local authority to regulate Accessory Dwelling Units and Junior Accessory Dwelling Units in compliance with the provisions of Government Code sections 65852.2 and 65852.22 as amended by recently approved legislation that will take effect on January 1, 2020.

The proposed ordinance amends the City's local regulatory scheme for the construction of ADUs and JADUs to comply with the amended provisions of Government Code sections 65852.2 and 65852.22.

Failure to comply with Government Code sections 65852.2 and 65852.22 (as amended) as of January 1, 2020 renders the City's ordinance regulating ADUs and JADUs null and void, thereby limiting the City to the application of the few default standards provided in Government Code sections 65852.2 and 65852.22 for the approval of ADUs and JADUs. The approval of ADUs and JADUs based solely on the default statutory standards, without local regulations governing height, setback, landscape, architectural review, among other things, would threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and fire safety.

The ADU code amendments were passed in an urgency ordinance at the February 4, 2020 Council Meeting. They are being presented in a non-urgency ordinance tonight in accordance with Government Code section 36937, subdivision (b).

These amendments, resolution and ordinances were presented to the Planning Commission at their January 22, 2019 meeting where it passed with a unanimous decision for the changes.

ENVIRONMENTAL REVIEW:

Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

In addition to being statutorily exempt from CEQA, the proposed ordinance is also categorically exempt from CEQA under the Class 3 exemption set forth in State CEQA Guidelines section 15303. The Class 3 exemption categorically exempts from CEQA, among other things, the construction and location of new, small structures and the conversion of existing small structures from one use to another. Section 15303 specifically lists the construction of appurtenant accessory structures and garages as examples of activity that expressly falls within this exemption. Here, the ordinance is categorically exempt under the Class 3 exemption because the ordinance regulates the conversion of existing structures into, and the new construction of, ADUs and JADUs, which are, by definition, structures that are accessory to a primary dwelling on the lot. Moreover, the City Council finds that none of the "exceptions" to the use of the Class 3 exemption, set forth in State CEQA Guidelines section 15300.2, apply here. Specifically, the City Council finds that the ordinance will:

- (1) Not result in the construction of ADUs or JADUs within a particularly sensitive environment because these accessory structures will necessarily be built on a lot already developed with a primary dwelling;
- (2) Not result in a potentially significant cumulative impact [staff to fill in facts supporting this finding];
- (3) Not result in a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (4) Not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, nothing in the downtown area would be authorized for ADU and JADU structures or no residential property located adjacent to a state scenic highway;
- (5) Not be located on a hazardous waste site included on any list compiled pursuant to § 65962.5 of the Government Code; or
- (6) Not result in a substantial adverse change in the significance of a historical resource, e.g., historical resources are subject to separate permitting system.

In accordance with the requirements of Government Code section 65090, this item has been noticed in a newspaper of general circulation as of February 13, 2020.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends that the City Council consider for first reading an ordinance of the City Council of the City of Gustine amending Section 4-44-140 of the Gustine Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and determining the ordinance to be exempt from CEQA.

EXHIBIT(S)

- A) Ordinance
- B) Amended Municipal Code section 4-44-140

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUSTINE AMENDING SECTION 4-44-140 OF THE CITY OF GUSTINE MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

WHEREAS, the City of Gustine, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("New ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, the New ADU Laws take effect January 1, 2020, and if the City's ADU ordinance does not comply with the New ADU Laws, the City's ordinance becomes null and void on that date as a matter of law; and

WHEREAS, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to comply with the amended provisions of Government Code sections 65852.2 and 65852.22; and

WHEREAS, failure to comply with Government Code sections 65852.2 and 65852.22 (as amended) as of January 1, 2020 renders the City's ordinance regulating ADUs and JADUs null and void, thereby limiting the City to the application of the few default standards provided in Government Code sections 65852.2 and 65852.22 for the approval of ADUs and JADUs; and

WHEREAS, the approval of ADUs and JADUs based solely on the default statutory standards, without local regulations governing height, setback, landscape, architectural review, among other things, would threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and fire safety.

WHEREAS, the City Council has reviewed and considered the public testimony and agenda reports prepared in connection with this ordinance, including the policy considerations discussed therein, and the consideration and recommendation by the City's Planning Commission; and

WHEREAS, in accordance with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City has determined that the revisions to the Gustine Municipal Code are exempt from environmental review.

NOW, THEREFORE, the City Council of the City of Gustine does ordain as follows:

Section 1. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

In addition to being statutorily exempt from CEQA, the proposed ordinance is also categorically exempt from CEQA under the Class 3 exemption set forth in State CEQA Guidelines section 15303. The Class 3 exemption categorically exempts from CEQA, among other things, the construction and location of new, small structures and the conversion of existing small structures from one use to another. Section 15303 specifically lists the construction of appurtenant accessory structures and garages as examples of activity that expressly falls within this exemption. Here, the ordinance is categorically exempt under the Class 3 exemption because the ordinance regulates the conversion of existing structures into, and the new construction of, ADUs and JADUs, which are, by definition, structures that are accessory to a primary dwelling on the lot. Moreover, the City Council finds that none of the "exceptions" to the use of the Class 3 exemption, set forth in State CEQA Guidelines section 15300.2, apply here. Specifically, the City Council finds that the ordinance will:

- (1) Not result in the construction of ADUs or JADUs within a particularly sensitive environment because these accessory structures will necessarily be built on a lot already developed with a primary dwelling;
- (2) Not result in a potentially significant cumulative impact;
- (3) Not result in a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;

- (4) Not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- (5) Not be located on a hazardous waste site included on any list compiled pursuant to § 65962.5 of the Government Code; or
- (6) Not result in a substantial adverse change in the significance of a historical resource —e.g., historical resources are subject to separate permitting system.

Section 3. Section 4-44-140 of the Gustine Municipal Code is hereby amended and restated as provided in Exhibit "A", attached hereto and incorporated herein by reference.

Section 4. This ordinance shall take effect 30 days following its adoption.

Section 5. The City Clerk shall either: (a) have this ordinance published in a newspaper of general circulation within 15 days after its adoption or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once five days before its adoption and again within 15 days after its adoption.

Section 6. The City Clerk shall submit a copy of this ordinance to the Department of Housing and Community Development within 60 days after adoption.

Section 7. The City Council hereby directs staff to prepare, execute and file with the Merced County Clerk a Notice of Exemption within five working days of first reading of this ordinance.

Section 8. If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this resolution are severable. The City Council declares that it would have adopted this resolution irrespective of the invalidity of any portion thereof.

Section 9. The documents and materials that constitute the record of proceedings on which this Ordinance and the above findings have been based are located at 352 Fifth Street, Gustine, California 95322 City Hall, City Clerk's Office.

PASSED, APPROVED AND ADOPTED by the City Council of the Gustine, California, at a regular meeting of the City Council held on the ___ th day of _____, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gustine

Patrick Nagy, Mayor

ATTEST:

Melanie Correa, City Clerk

Section 4-44-140 Accessory Dwelling Units

- (a) **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.
- (b) **Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:
 - (1) Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.
 - (2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 - (3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
 - (4) Required to correct a nonconforming zoning condition, as defined in subsection (c)(7) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.
- (c) **Definitions.** As used in this section, terms are defined as follows:
 - (1) "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - (A) An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - (B) A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
 - (2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
 - (3) "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
 - (4) "Efficiency kitchen" means a kitchen that includes each of the following:
 - (A) A cooking facility with appliances.

- (B) A food preparation counter or counters that total at least 15 square feet in area.
 - (C) Food storage cabinets that total at least 30 square feet of shelf space.
 - (5) “Junior accessory dwelling unit” or “JADU” means a residential unit that
 - (A) is no more than 500 square feet in size,
 - (B) is contained entirely within an existing or proposed single-family structure,
 - (C) includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure, and
 - (D) includes an efficiency kitchen, as defined in subsection (c)(4) above
 - (6) “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
 - (7) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.
 - (8) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
 - (9) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
 - (10) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
 - (11) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- (d) **Approvals.** The following approvals apply to ADUs and JADUs under this section:
- (1) **Building-permit Only.** If an ADU or JADU complies with each of the general requirements in subsection (e) below, it is allowed with only a building permit in the following scenarios:
 - (A) **Converted on Single-family Lot:** Only one ADU or JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (i) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or

within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress.

- (ii) Has exterior access that is independent of that for the single-family dwelling.
- (iii) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

(B) **Limited Detached on Single-family Lot:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (d)(1)(A) above), if the detached ADU satisfies the following limitations:

- (i) The side- and rear-yard setbacks are at least four-feet.
- (ii) The total floor area is 800 square feet or smaller.
- (iii) The peak height above grade is 16 feet or less.

(C) **Converted on Multifamily Lot:** Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. At least one converted ADU is allowed within an existing multifamily dwelling, and up to 25 percent of the existing multifamily dwelling units may each have a converted ADU under this paragraph.

(D) **Limited Detached on Multifamily Lot:** No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies the following limitations:

- (i) The side- and rear-yard setbacks are at least four-feet.
- (ii) The total floor area is 800 square feet or smaller.

(2) **ADU Permit.**

(A) Except as allowed under subsection (1) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in subsections (e) and (f) below.

(B) The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance. The ADU-permit processing fee is determined by the

director of community development and approved by the City Council by resolution.

(3) **Process and Timing.**

- (A) An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
- (B) The City must act on an application to create an ADU or JADU within 60 days from the date that the City receives a completed application, unless either:
 - (i) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
 - (ii) In the case of a JADU and the application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the JADU will still be considered ministerially without discretionary review or a hearing.

(e) **General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that are approved under subsections (d)(1) or (d)(2) above:

(1) **Zoning.**

- (A) An ADU or JADU subject only to a building permit under subsection (d)(1) above may be created on a lot in a residential or mixed-use zone.
- (B) An ADU or JADU subject to an ADU permit under subsection (d)(2) above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

(2) **Fire Sprinklers.** Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

(3) **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days.

(4) **No Separate Conveyance.** An ADU or JADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

(5) **Septic System.** If the ADU or JADU will connect to an onsite water-treatment system, the owner must include with the application a percolation test completed

within the last five years or, if the percolation test has been recertified, within the last 10 years.

(6) **Owner Occupancy.**

- (A) All ADUs created before January 1, 2020 are subject to the owner-occupancy requirement that was in place when the ADU was created.
- (B) An ADU that is created after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
- (C) All ADUs that are created on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
- (D) All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

(7) **Deed Restriction.** Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

- (A) The ADU or JADU may not be sold separately from the primary dwelling.
- (B) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
- (C) The deed restriction runs with the land and may be enforced against future property owners.
- (D) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and

improvements must otherwise comply with applicable provisions of this Code.

- (E) The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

(f) **Specific ADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under subsection (d)(2) above.

(1) **Maximum Size.**

- (A) The maximum size of a detached or attached ADU subject to this subsection (f) is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two bedrooms. No more than two bedrooms are allowed.
- (B) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.
- (C) Application of other development standards in this subsection (f), such as FAR or lot coverage, might further limit the size of the ADU, but no application of FAR, lot coverage, or open-space requirements may require the ADU to be less than 800 square feet.

(2) **Floor Area Ratio (FAR).** No ADU subject to this subsection (f) may cause the total FAR of the lot to exceed 45 percent, subject to subsection (f)(1)(C) above.

(3) **Lot Coverage.** No ADU subject to this subsection (f) may cause the total lot coverage of the lot to exceed 50 percent, subject to subsection (f)(1)(C) above.

(4) **Minimum Open Space.** No ADU subject to this subsection (f) may cause the total percentage of open space of the lot to fall below 50 percent, subject to subsection (f)(1)(C) above.

(5) **Height.**

- (A) A single-story attached or detached ADU may not exceed 16 feet in height above grade, measured to the peak of the structure.
- (B) A second story or two-story attached ADU may not exceed the height of the primary dwelling.

- (C) A detached ADU may not exceed one story.
- (6) **Passageway.** No passageway, as defined by subsection (c)(8) above, is required for an ADU.
- (7) **Parking.**
 - (A) Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (c)(11) above.
 - (B) Exceptions. No parking under subsection (f)(7)(A) is required in the following situations:
 - (i) The ADU is located within one-half mile walking distance of public transit, as defined in subsection (c)(10) above.
 - (ii) The ADU is located within an architecturally and historically significant historic district.
 - (iii) The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (d)(1)(A) above.
 - (iv) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (v) When there is an established car share vehicle stop located within one block of the ADU.
 - (C) No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those offstreet parking spaces are not required to be replaced.
- (8) **Historical Protections.** The following requirements apply to ADUs on or within 600 feet of real property that is listed in the California Register of Historic Resources:
 - (A) Must be approved by City Council with a majority vote.
- (g) **Fees.**
 - (1) **Impact Fees.**
 - (A) No impact fee is required for an ADU that is less than 750 square feet in size.
 - (B) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the primary

dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling.) “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.

(2) **Utility Fees.**

- (A) Converted ADUs and JADUs on a single-family lot, created under subsection (d)(1)(A) above, are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required unless the ADO or JADU is constructed with a new single-family home.
- (B) All ADUs and JADUs not covered by subsection (g)(2)(A) above require a new, separate utility connection directly between the ADU or JADU and the utility. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU or JADU, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. The fee or charge may not exceed the reasonable cost of providing this service.

- (h) **Nonconforming ADUs and Discretionary Approval.** Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections (a) through (g)(2) of this section may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.