

City of Isleton

City Council
Staff Report

DATE: August 23, 2022

ITEM#: 4.A

CATEGORY: Communication

**THE BEE'S BOARD IS EXAMINING COUNTY SALES TAX MEASURE.
SACRAMENTO TRANSPORTATION AUTHORITY.
SB 1383 LOCAL ASSISTANCE GRANT – SECOND FUNDING AWARD.
DELTA EMERGENCY RESPONSE GRANT PROGRAM DRAFT FUNDING.**

SUBJECT:

THE BEE'S BOARD IS EXAMINING COUNTY SALES TAX MEASURE.
SACRAMENTO TRANSPORTATION AUTHORITY.
SB 1383 LOCAL ASSISTANCE GRANT – SECOND FUNDING AWARD.
DELTA EMERGENCY RESPONSE GRANT PROGRAM DRAFT FUNDING.

DISCUSSION

1. The Bee's Board is examining the upcoming county sales tax measure for transportation and infrastructure.
2. Sacramento Transportation Authority.
3. SB 1383 Local Assistance Grant – Second Funding Award.
4. Delta Emergency Response Grant Program Draft Funding.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

To receive communications.

Prepared and Submitted by: Deputy City Clerk, Yvonne Zepeda ____

Reviewed by: City Manager, Charles Bergson



Yousef Baig <ybaig@sacbee.com>
YB

7/27/2022 12:54 PM

Seeking confirmation about sales tax hearings

To cbergson@cityofisleton.com

[Show images](#)

External images have been blocked to protect you against potential spam



Hi Charles,

The Bee's Editorial Board is examining the upcoming county sales tax measure for transportation and infrastructure. If approved by voters, the half-cent increase would be Isleton's last half-cent allowed under law, reaching 9.25%. Has the Isleton City Council discussed this possibility publicly yet?

Please confirm if such a discussion has taken place or is anticipated before the November election. My deadline is 10am tomorrow.

Thank you.

--

Yousef Baig

Assistant Opinion Editor

P 916-321-1004

T @YousefBaig

W sacbee.com

[SUBSCRIBE HERE](#)

Yvonne Zepeda

From: Jayme Tesser <Jayme.Tesser@calrecycle.ca.gov>
Sent: Wednesday, August 17, 2022 11:31 AM
To: yvonne.zepeda@cityofisleton.com
Subject: SB 1383 Local Assistance Grant - Second Funding Awards

Congratulations! The Department of Resources Recycling and Recovery (CalRecycle) approved awards for the second round of the SB 1383 Local Assistance Grant Program. Grant Managers will be sending out award emails on September 1st and you can begin incurring costs as of this date. Please note that costs incurred before September 1, 2022 will be ineligible.

Thank you!

Yvonne Zepeda

From: cbergson cityofisleton.com <cbergson@cityofisleton.com>
Sent: Wednesday, August 10, 2022 1:11 PM
To: dianaobrien cityofisleton.com; yvonne.zepeda cityofisleton.com
Subject: Fwd: FW: DWR Announcement - Delta ER Grant Program Draft Funding Recommendations Released!

Looks like the City will be receiving a Delta Flood Emergency Response Grant for \$250,000. Please place this in next Council Communications. Thank you, Chuck

The California Department of Water Resources (DWR) is pleased to announce a 15-day public comment period for the draft funding recommendations for the Delta Flood Emergency Response Grant Program, Round 3. This grant program provides funding for local emergency responders within the Delta to improve their capacity to respond to flood emergencies.

The 15-day public comment period begins today, August 10, 2022, and will close at 5:00 pm on August 25, 2022. Please submit your comments via email to Kristin Richmond at Kristin.Richmond@water.ca.gov or mail them to:

California Department of Water Resources
Attention: Kristin Richmond
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

Draft Funding Recommendations

Grantee	County	Funding Requested (\$)	Recommended Funding (\$)
Bethel Island MID	Contra Costa	944,000	462,000
Hotchkiss Tract RD 799	Contra Costa	408,250	305,000
San Joaquin County	San Joaquin	3,430,455	1,664,000
City of Sacramento	Sacramento	671,015	306,000
City of Isleton	Sacramento	250,000	250,000

Grantee	County	Funding Requested (\$)	Recommended Funding (\$)
Yolo County	Yolo	2,795,100	1,563,000
Bradford Island RD 2059	Contra Costa	866,000	450,000
TOTAL		9,364,820	5,000,000

----- Original Message -----

From: "Twitchell, Jeff" <jtwitchell@geiconsultants.com>

To: "cbergson@cityofisleton.com" <cbergson@cityofisleton.com>

Cc: "Schaefer, Kathy" <kschaefer@geiconsultants.com>, "Booth, George" <boothg@SacCounty.NET>

Date: 08/10/2022 2:14 PM EDT

Subject: FW: DWR Announcement - Delta ER Grant Program Draft Funding Recommendations Released!

Chuck,

I see with the link below where the City of Isleton is in line to receive a \$250k grant from DWR for Delta related flood emergency response activities. Can you share what specific actions the funding is for relative to flood preparedness and response?

Jeff

GEI

JEFFREY E. TWITCHELL, PE

Senior Consultant

916.631.4555 cell: 916.990.2569

2868 Prospect Park Drive, Suite 400, Rancho Cordova, CA 95670

From: Richmond, Kristin@DWR <Kristin.Richmond@water.ca.gov>

Sent: Wednesday, August 10, 2022 10:10 AM

To: Richmond, Kristin@DWR <Kristin.Richmond@water.ca.gov>

Subject: [EXT] DWR Announcement - Delta ER Grant Program Draft Funding Recommendations Released!

The California Department of Water Resources (DWR) is pleased to announce a 15-day public comment period for the draft funding recommendations of the Delta Flood Emergency Response Grant Program Third Round. This grant program provides funding for local emergency responders within the Delta to improve their capacity to respond to flood emergencies. The draft funding recommendations can be viewed on the Flood Emergency Response Grants webpage (<https://water.ca.gov/Work-With-Us/Grants-And-Loans/Flood-Emergency-Response-Projects-Grants>). Following the close of this public comment period and review of public comments, DWR anticipates the release of the final funding recommendations in late 2022.

The 15-day public comment period begins today, August 10, 2022, and will **close at 5:00 pm on August 25, 2022**. Please submit your comments via email to K.C. Richmond at Kristin.richmond@water.ca.gov or mailed to:

California Department of Water Resources
Attention: K.C. Richmond
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

K.C. Richmond, P.E.

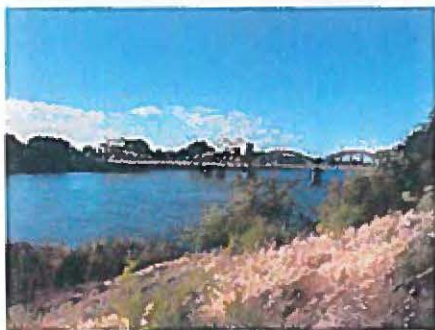
Senior Engineer

Division of Flood Management- Hydrology and Flood Operations Section

kristin.richmond@water.ca.gov (916) 820-8178

3310 El Camino Avenue, Suite 200, Sacramento, CA 95821

CHARLES BERGSON, P.E., City Manager
CITY OF ISLETON
101 Second Street
Isleton, California 95641



Some of you remember and most of you have heard that Isleton flooded in 1972. Do you know that there have been numerous successful flood fights over the years, and Isleton has been fortunate evading flooding? If a levee were to break, Isleton could flood 13 feet deep (over 6th Street). Flood insurance is strongly encouraged and is required if you have a mortgage. But, flood insurance is expensive, and is more costly every year.



We have a solution!

Isleton Town Council has formed the Delta Region GHAD, a Geologic Hazard Abatement District.

Invest a little, save a lot! We want your thoughts, so please come to a meeting or through Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/3379037904?wd=cWdVNkN5aHUxcjVwRGR1M1BpajcwZz09>

Meeting ID: 337 903 7904 Passcode: 123456

August 30, 2022 at 6:30p.m.

Isleton Community Center
208 Jackson Blvd. Ext, Isleton CA 95641



City of Isleton

City Council Staff Report

DATE: August 23, 2022

ITEM#: 5.A

CATEGORY: Consent Calendar

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF AUGUST 3, 2022.

SUMMARY

A. Review of the Special City Council Meeting minutes of August 3, 2022.

FISCAL IMPACT

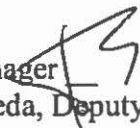
There is no fiscal impact associated with this action.

RECOMMENDATION

A. City Council review and approve the draft minutes of the Special City Council Meeting of August 3, 2022.

ATTACHMENTS

- Minutes of the Special Meeting of August 3, 2022.

Reviewed by: Charles Bergson, City Manager 
Prepared and Submitted by: Yvonne Zepeda, Deputy City Clerk _____

CITY OF ISLETON

Special City Council Meeting Minutes

Wednesday, August 3, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

You can call in to join our public meeting

TELECONFERENCE OR IN PERSON MEETING

Join Zoom Meeting

<https://us02web.zoom.us/j/3379037904?pwd=cWdVNkN5aHUxcjVwRGRlM1BpajcwZz09>

Meeting ID: 337 903 7904

Passcode: 123456

1. OPENING CEREMONIES

- A. Welcome & Call to Order – Vice Mayor Pamela Bulahan called to order 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call

PRESENT: Councilmember's Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. ABSENT: Councilmember Paul Steele.

2. AGENDA CHANGES OR DELETIONS

ACTION: None.

3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: Don Cain - Minutes as PDF on website? Make them searchable on line.

4. COMMUNICATION

- A. Cal - American Water – Water Tower.
- B. PTA- Denim and Diamonds fund raising.

ACTION: Agendize Water Tower.

AMERICANS WITH DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

GOV. CODE § 54957.5 NOTICE: Public records related to an agenda item that are distributed less than 72 hours before this meeting are available for public inspection during normal business hours at Isleton City Hall located at 101 Second Street, Isleton, California 95641.

5. CONSENT CALENDAR

- A. SUBJECT:** Ordinance No. 2022-05, Chapter 5.52 – Flood Damage Prevention repealing Ordinance No. 2015-04, an Ordinance establishing Flood Damage Prevention regulations and repealing Ordinance No. 291 and 350.

RECOMMENDATION: Second reading of Ordinance No. 2022-05 Chapter 5.52 – Flood Damage Prevention Repealing Ordinance No. 201-04 an Ordinance establishing Flood Damage Prevention Regulations and Repealing Ordinance 2931 and 350.

ACTION: Councilmember Iva Walton motion to approve Ordinance No. 2022-05 Chapter 5.52- Flood Damage Prevention Repealing Ordinance No. 201-04 an Ordinance establishing Flood Damage Prevention Regulations and Repealing Ordinance 2931 and 350. Councilmember Kelly Hutson seconds the motion. **AYES:** Councilmember's Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Councilmember Paul Steele. **PASSED 4-1.**

6. PUBLIC HEARING

- A. SUBJECT:** None.

7. OLD BUSINESS

- A. SUBJECT:** City of Isleton 100th Anniversary Celebration.

RECOMMENDATION: It is recommended that City Council discuss the celebration of a 100th Anniversary celebration for Isleton.

ACTION:

- B. SUBJECT:** Final Flood Risk Reduction Feasibility Study for the Delta Legacy Community of Isleton Presentation.

RECOMMENDATION: Adopt Resolution 26-22 approving Final Flood Risk Reduction Feasibility Study for the Delta Legacy Community of Isleton.

ACTION: Councilmember Kelly Hutson motion to adopt Resolution 26-22 approving Final Flood Risk Reduction Feasibility Study for the Delta Legacy Community of Isleton. Councilmember Iva Walton second the motion.

8. NEW BUSINESS

AMERICANS WITH DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

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- A. SUBJECT:** Resolution No. 24-22, City of Isleton, California Statement of Investment Policy.

RECOMMENDATION: It is recommended that City Council approve Resolution No. 24-22, City of Isleton, California Statement of Investment Policy.

ACTION: Councilmember Kelly Hutson motion to approve Resolution No. 24-22, City of Isleton, California Statement of Investment Policy. Councilmember Iva Walton second the motion. **AYES:** Councilmember's Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Councilmember Paul Steele. **PASSED 4-0.**

- B. SUBJECT:** Surplus Fire Department Apparatus.

RECOMMENDATION: It is requested this Engine be declared surplus so that it can be sold.

ACTION: Kelly Hutson motion to declare Engine as surplus so that it can be sold. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Councilmember Paul Steele. **PASSED 4-0.**

- C. SUBJECT:** Used Fire Engine Purchase.

RECOMMENDATION: It is recommended that we purchase this Engine from the City of Rio Vista.

ACTION: Kelly Hutson motion that we purchase Used Fire Engine from the City of Rio Vista. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Councilmember Paul Steele. **PASSED 4-0.**

9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Kelly Hutson – Church event and noise. Sound Ordinance.**
- B. Councilmember Paul Steele – Absent.**
- C. Councilmember Iva Walton – None.**
- D. Vice Mayor Pamela Bulahan – Land Use Committee meeting.**
- E. Mayor Eric Pene – Law Enforcement.**

AMERICANS WITH DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

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10. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report – COVID. Del Rio Hotel Red Tagged.
- B. Fire Chief Report – 9111 on Hotel Del Rio Flooding. Electrical Room exposed wires. 30 days to repair. Code Violations not complete. Catastrophic leak, 4Leaf to Red Tag bldg. and start the process.
- C. Code Enforcement Report – We give Sacramento County 260k a year plus cops grant to provide service. When do we hold them accountable? We can't help someone 45 minutes from 911 call.

11. CLOSED SESSION

11.1 None.

12. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

AMERICANS WITH DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

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City of Isleton

City Council
Staff Report

DATE: August 23, 2022

ITEM#: 7.A

CATEGORY: Old Business

CITY OF ISLETON 100th ANNIVERSARY CELEBRATION

SUMMARY

The City's 100th Anniversary will commence in mid-2023 and extend throughout the year. This historic event will take a large amount of planning and co-ordination, City staff is recommending that City Council create and appoint members to a 100th Anniversary planning committee in the near future.

City's often celebrate centennials or similar events through a wide array of public activities including commissioning public art and performances, hosting homecoming sporting events, scavenger hunts, concerts, parades, etc. Having a planning committee begin preparation and outreach well in advance for these or other activities will help to ensure the centennials success.

Volunteer Planning Committee so far we have - Iva Walton, Paul Steele, Michelle Burke and Kalani Haro.

FISCAL IMPACT

There is no fiscal impact associated with this action

RECOMMENDATION

Staff recommends that City Council discuss the celebration of a 100th anniversary celebration for Isleton

ATTACHMENT

Chamber of Commerce Statement of Participation in the 100 – Year Anniversary Celebration of Isleton's Incorporation June 17, 2023 9am to 2pm.

Reviewed by: Charles Bergson, City Manager 

Submitted and prepared by: Yvonne Zepeda, City Clerk _____

The Chamber of Commerce
For the City of Isleton

Statement of Participation in the
100-Year Anniversary Celebration of Isleton's Incorporation
June 17, 2023 9am to 2pm

On May 14, 2023, the City of Isleton will be celebrating it's 100-Year Anniversary of Incorporation. While discussion is underway in the Chamber regarding a celebration of Isleton's heritage, we are aware of the organized effort of others (the "Crawdad Festival Committee") in pursuing a larger-scale anniversary event fashioned after the historic crawdad festival.

While the Chamber of Commerce will not enter into any contractual or legally-binding agreements relating to the Crawdad Festival, it would like to collaborate with the Crawdad Festival Committee, its assigned representatives, and promoters in organizing and executing a coordinated anniversary event. The Chamber's entertainment and cultural program will include the following:

- Food Vendors
- Hometown parade with honorees down Main Street
- Lion Dancers
- Taiko Drummers & Martial Arts Display
- Pear, asparagus, and wine contest and/or presentations representing the area's agricultural and historical timeline through the years
- Festive banners and approved décor lighting

The Chamber's "kick off" program will take place from 9am to 2 pm on Saturday, June 17, 2023. At the conclusion of the Chamber's segment of the weekend-long celebration, the Crawdad Festival event managers will start their lineup of music and events. The Chamber will remain active and present on location throughout the day to provide support and assistance to festival organizers as needed to ensure a secure, safe, and enjoyable event.

The Isleton Chamber Board is in full support of this expanded event and we are available for consultation if needed.

City of Isleton

Special City Council Staff Report

DATE: August 23, 2022

ITEM#: 8.A

CATEGORY: New Business

A RESOLUTION NO. 27-22, A RESOLUTION OF THE GOVERNING BODY OF THE SACRAMENTO TRANSPORTATION AUTHORITY SUBMITTING THE "SACRAMENTO-COUNTY TRANSPORTATION, MAINTENANCE, SAFETY AND CONGESTION RELIEF ACT OF 2022 – RETAIL TRANSACTIONS AND USE TAX" CITIZENS' INITIATIVE TO THE VOTERS.

SUBJECT

An Independent citizens' group known as "A Committee for a Better Sacramento" ("the committee") drafted and circulated an initiative petition and signatures for a local ballot Initiative called the "Sacramento County Transportation, Maintenance, Safety and Congestion Relief Act of 2022 – Retail Transactions and Use Tax".

SUMMARY

On July 12, 2022, that County Office of Voter Registration determined that the initiative "qualifies for election" and forwarded the certification documents to the Sacramento Transportation Authority Clerk. The Initiative is attached hereto as Attachment 1a. County certification documents are attached hereto as Attachment 1b.

The ordinance, without alteration, will be submitted to the voters pursuant to Section 9310 of the California Elections Code. Pursuant to Section 10403 of the California Elections Code, that the County Board of Supervisors consolidate the district election with the November 8, 2022 statewide election.

Shall the measure approving the Sacramento County Transportation, Maintenance, Safety and Congestion Relief Act of 2022 – Retail Transactions and Use Tax Initiative, including a 40-year 0.5% sales tax raising an estimated \$212, 512, 500 annually for transportation and transit projects, be adopted?

FISCAL IMPACT

The City will receive a lump sum of \$2, 000,000.

RECOMMENDATION

It is recommended that the City Council approve Resolution No. 27-22.

ATTACHMENTS

- Resolution No. 27-22 and supporting documents.

Reviewed by: Charles Bergson, City Manager
Submitted and prepared by: Yvonne Zepeda, City Clerk

SACRAMENTO TRANSPORTATION AUTHORITY

RESOLUTION NO. 27-22

**A RESOLUTION OF THE GOVERNING BODY OF THE SACRAMENTO
TRANSPORTATION AUTHORITY SUBMITTING THE “SACRAMENTO
COUNTY TRANSPORTATION, MAINTENANCE, SAFETY AND CONGESTION
RELIEF ACT OF 2022 - RETAIL TRANSACTIONS AND USE TAX” CITIZENS’
INITIATIVE TO THE VOTERS.**

WHEREAS, the Sacramento Transportation Authority (STA), a California local transportation authority, exists under the authority of Section 180000 et seq. of the California Public Utilities Code; and

WHEREAS, an independent citizens’ group known as “A Committee For A Better Sacramento” (“the Committee”) drafted and circulated an initiative petition and signatures for a local ballot Initiative called the “Sacramento County Transportation, Maintenance, Safety and Congestion Relief Act of 2022 - Retail Transactions and Use Tax” (herein, “the Initiative”); and

WHEREAS, on June 10, 2022, the Committee filed the Initiative petition and required signatures with the Sacramento County Department of Voter Registration & Elections (VRE); and

WHEREAS, the Committee drafted the Initiative as an STA ordinance; and

WHEREAS, On July 12, 2022, VRE determined that the Initiative “qualifies for election” and forwarded the certification documents to the STA Clerk; and

WHEREAS, the Initiative is attached hereto as Attachment 1a; and

WHEREAS, VRE’s certification documents are attached hereto as Attachment 1b.

NOW, THEREFORE, BE IT RESOLVED that the Sacramento Transportation Authority hereby:

1. Submits the Initiative ordinance, without alteration, to the voters pursuant to Section 9310 of the California Elections Code.
2. Requests, pursuant to Section 10403 of the California Elections Code, that the County Board of Supervisors consolidate the district election with the November 8, 2022 statewide election.
3. Sets forth the form of the question to be voted upon as follows:
"Shall the measure approving the Sacramento County Transportation, Maintenance, Safety and Congestion Relief Act of 2022 - Retail Transactions and Use Tax Initiative, including a 40-year 0.5% sales tax raising an estimated \$212,512,500 annually for transportation and transit projects, be adopted?"
4. Acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the Elections Code.
5. Authorizes the STA Executive Director to take any and all actions necessary to carry out the intent and purpose of this Resolution, including conveying copies of this Resolution to the Board of Supervisors and VRE.

On a motion by [Member] _____, seconded by [Member] _____, the foregoing Resolution was passed and adopted by the Governing Board of the Sacramento Transportation Authority at a regular meeting thereof this _____ day of _____ 202__, by the following vote, to wit:

AYES: [Members],

NOES: [Members],

ABSENT: [Members],

ABSTAIN: [Members],

RECUSAL: [Members],
(PER POLITICAL REFORM ACT (§ 18702.5.)

Chair of the Governing
Body of the Sacramento
Transportation Authority

(SEAL)

ATTEST: _____
Clerk of the Governing Board of the
Sacramento Transportation Authority

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

To the Governing Board of the Sacramento Transportation Authority:

We, the undersigned, registered, qualified voters of the special district known as the Sacramento Transportation Authority, hereby propose an initiative ordinance adopting a one-half of one percent (0.500%) retail transactions and use tax dedicated for transportation in Sacramento County, and petition the Board to submit the same to the voters of the district for their adoption or rejection at the next succeeding regular county election or at any special election held prior to that regular election or as otherwise provided by law. The proposed ordinance (full title and text of the measure) read as follows:

The People of the special district known as the Sacramento Transportation Authority do ordain as follows:

Section I. TITLE.

This initiative ordinance shall be known as the Sacramento County Transportation Maintenance, Safety, and Congestion Relief Act of 2022—Retail Transactions and Use Tax (the "Measure").

Section II. FINDINGS AND PURPOSE.

A. Findings.

1. The Sacramento Transportation Authority (the "Authority"), created pursuant to California Public Utilities Code § 180050, is authorized to levy a retail transactions and use tax in the incorporated and unincorporated territory of Sacramento County to fund transportation improvements and operations pursuant to California Public Utilities Code §§ 180200 et seq. and California Revenue and Taxation Code §§ 7251 et seq. Pursuant to applicable law, taxes proposed by initiative and adopted pursuant to these provisions shall be effective if approved by a majority of electors voting on the Measure.

2. Accordingly, this Measure provides for the adoption of a retail transactions and use tax for local transportation purposes of one-half of one percent (0.500%) on the sale and/or use of all tangible personal property sold at retail in the incorporated and unincorporated territory of Sacramento County (the "District") beginning April 1, 2023, and continuing for a period of forty (40) years.

3. This one-half of one percent (0.500%) retail transactions and use tax is statutorily dedicated for transportation planning, design, construction, management, operations, and maintenance in Sacramento County, and cannot be used for other governmental purposes or programs. This Measure includes specific safeguards to ensure that revenues from the one-half of one percent (0.500%) retail transactions and use tax are used only to fund the transportation projects and services set forth in the Sacramento County Transportation Retail Transactions and Use Tax Expenditure Plan 2023 – 2063 (the "Expenditure Plan"), which is attached hereto as Exhibit A.

4. This Measure includes an Expenditure Plan, which identifies projects and programs that will maintain and improve the quality of life in Sacramento County, and are intended to accomplish the following goals:

- a. Provide a multi-modal transportation system that addresses the needs of all Sacramento County residents and provides capacity for planned and approved population and employment growth;
- b. Maintain and rehabilitate the County's street and road system, improve existing local roadway conditions for motorists, and maximize previous infrastructure investment by supporting a more efficient transportation system that better connects the existing network to development along roadway and transit corridors;
- c. Help eliminate roadway fatalities and severe injuries and improve health outcomes by making streets, transit, and bicycle and pedestrian facilities safer, and increasing access to physical activity;
- d. Reduce traffic congestion, reduce bottlenecks, and make the County's transportation system operate more efficiently and effectively;
- e. Expand rail and bus service, improve system connectivity, provide better mobility options for our students and aging population, and make public transportation faster, safer, cleaner, and more accessible, convenient, frequent, reliable, and affordable;
- f. Improve air quality, reduce greenhouse gas emissions, and support local and state climate goals;
- g. Create jobs, generate local economic benefits, and encourage a stronger local economy that attracts greater private investment and sustains a larger and more diversified job base;
- h. Provide investment in the County's entire transportation network and integrate the capacity and benefits of all modes, including highways, bus and rail transit, streets and roads, rideshare options, and active transportation;
- i. Distribute funding to address the transportation investment priorities of the incorporated cities and unincorporated County areas in a geographically and socially equitable manner and provide mobility options for all County residents;
- j. Improve the ability of all local jurisdictions and agencies to leverage regional, state, and federal transportation funding programs with the objective to provide a match of at least one-third of the total cost of

each of the capital projects programmed in the Expenditure Plan;

k. Adopt an Expenditure Plan that is acceptable to the voters of Sacramento County; and

l. Provide flexibility for future allocations of funding to meet changing needs while maintaining program commitments to the voters.

5. In addition to the Expenditure Plan, this Measure includes mandatory taxpayer safeguards, which are set forth in Section V and Exhibit B of this Measure, and include:

- a. An Independent Taxpayer Oversight Committee ("ITOC") to supervise fiscal and performance audits regarding the use of the retail transactions and use tax revenues and to provide for independent review to ensure that all affected funds are spent in accordance with the provisions of the Expenditure Plan and Measure; and
- b. A requirement that the Authority conduct a mandatory Expenditure Plan review every 10 years to ensure that the program reflects contemporary community needs in light of changing demographics, technology, and revenue estimates. Further, with limited exceptions, the Expenditure Plan can only be modified following a public review process and upon the approval of the Sacramento County Board of Supervisors with affirmation by the city councils of a majority of the incorporated cities in the County representing two-thirds of the incorporated area population.

6. To ensure that the tax adopted by this Measure provides maximum benefit to taxpayers, it is the intent of the voters that revenue generated by this tax shall not be used to supplant existing transportation funding programs, and that the County and the cities continue to impose all currently applicable local transportation impact fees. The voters expressly acknowledge that, although the Sacramento County Transportation Mitigation Fee Program ("SCTMFP") is set to expire April 1, 2039, it is anticipated that the Authority will act in the future to extend that fee program so that it runs concurrently with the life of this tax (i.e., until 2063).

7. Voters also hereby find that, although an existing one-half of one percent (0.500%) retail transactions and use tax was adopted by County voters in 2004, went into effect in April of 2009, and is set to expire in March 2039 (the "Existing Tax"), this Measure is needed for several reasons:

- a. New transportation technology will provide opportunities to streamline travel and traffic and to reduce greenhouse gas emissions, and this Measure will enhance the ability to take advantage of these opportunities.
- b. Despite recent revenue increases, the gap between transportation needs and available funding is significant and continues to grow. This Measure will provide additional local funding to keep needed services in place and help alleviate congestion by improving the ability to attract funding from other sources to build, expand, and rehabilitate the County's transportation infrastructure.
- c. As Sacramento County's population is growing and mobility needs are expanding, demand on the County's roads, highways, and transit systems is also increasing. Additional investments are necessary to maintain and improve the current transportation system to ensure it can effectively accommodate growth and prepare the system for the future.
- d. In addition to maintaining our existing system, increasing the development of alternative ways to get around, such as transit, walking, and biking, will require additional resources to be successful.
- e. As our population ages and we continue to face the need for sustaining transportation options for lower income residents, we need to provide mobility services and the ability to help maintain a decent quality of life for all our citizens.
- f. The Existing Tax has provided a substantial share of the funding available for transportation projects in Sacramento County, but we continue to rely on state and federal sources for major projects. The availability of local funding is imperative to attract and supplement those outside sources.

8. This Measure also includes provisions to: (a) better ensure that our local tax dollars are held in local banks; and (b) require that building and construction contracts involving over one million dollars in Measure funds use a skilled and trained workforce.

9. Pursuant to state law, the retail transactions and use tax adopted by this Measure is, to the greatest degree possible, fully consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, which will minimize the cost of collecting the retail transactions and use tax, and at the same time, minimize the burden of record keeping

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upon persons subject to taxation under the provisions of this Measure. As such, the tax can be administered and collected by the California Department of Tax and Fee Administration ("CDTFA") in a manner that adapts itself as fully practicable to, and requires the least possible deviation from, the existing California statutory and administrative procedures followed by the CDTFA in administering and collecting the California State Sales and Use Taxes.

10. To further the Measure's purpose of funding local transportation improvements, this Measure also authorizes the Authority to sell or issue, from time to time, on or before the collection of taxes, bonds or other evidence of indebtedness, in the aggregate principal amount at any one time outstanding of not to exceed the estimated proceeds of the tax, for the purpose of funding the transportation projects and purposes described in this Measure, including the Expenditure Plan.

B. Purpose.

The purpose of this Measure is to fund local transportation improvements pursuant to the Expenditure Plan adopted by this Measure by adopting a one-half of one percent (0.500%) retail transactions and use tax in the incorporated and unincorporated areas of Sacramento County and authorizing the Authority to sell or issue bonds or other evidence of indebtedness in the aggregate principal amount at any one time outstanding of not to exceed the estimated proceeds of the tax.

Section III. DEFINITIONS.

For the purposes of this Measure, the following terms shall be defined as follows:

"Expenditure Plan" means the Sacramento County Transportation Retail Transactions and Use Tax Expenditure Plan 2023 – 2063 (attached hereto as Exhibit A and adopted as part of this Measure) including any future amendments thereto.

"County" means the County of Sacramento.

"Authority" or "District" means the Sacramento Transportation Authority, a countywide special district formed under the Local Transportation Authority and Improvement Act, commencing at Section 180000 of the California Public Utilities Code.

"Existing Tax" means the one-half of one percent (0.500%) retail transactions and use tax adopted by County voters in 2004 and implemented in 2009, which is set to expire in 2039.

"Measure" means this Sacramento County Transportation Maintenance, Safety, and Congestion Relief Act of 2022—Retail Transactions and Use Tax.

"Net Revenue" means total estimated revenue available for allocation after deduction of collection costs of the California Department of Tax and Fee Administration ("CDTFA"), setting aside the cost of Authority administration and providing direct allocations for "off the top" expenditures expressly prescribed in the Expenditure Plan.

"Implementing Agency" means an agency or jurisdiction receiving tax revenues pursuant to this Measure and which has responsibility for delivering projects and meeting performance standards under the Expenditure Plan. These agencies/jurisdictions will be required to undergo regular fiscal audits to ensure compliance with this Measure, including but not limited to the Expenditure Plan. Notwithstanding any other provisions of this Measure and the Expenditure Plan, all Implementing Agencies will be subject to the same accountability and reporting requirements and will receive equitable treatment in the application of other statutory and regulatory processes.

"Program Period" means the 40-year period during which the tax is imposed and collected by this Measure.

Section IV. RETAIL TRANSACTIONS AND USE TAX.

A. Imposition of Retail Transactions and Use Tax.

Upon voter approval, a retail transactions and use tax for transportation purposes (the "tax") at the rate of one-half of one percent (0.500%) for forty (40) years beginning April 1, 2023, shall be imposed in the incorporated and unincorporated territory of the County of Sacramento. The tax shall be imposed by the Authority in accordance with Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue Taxation Code. This tax shall be in addition to any other taxes authorized by law, including the Existing Tax and any other existing or future state or local sales tax or retail transactions and use taxes. The tax shall be imposed as follows:

1. **Transactions Tax.** For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the District at the rate of 0.500% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative

date of this Measure.

2. **Use Tax.** A tax is hereby imposed on the storage, use, or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of this Measure for storage, use, or other consumption in said territory at the rate of 0.500% of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3. **Excess Taxes.** Notwithstanding the foregoing, if the combined rate of all local sales, transactions, and use taxes would exceed an applicable combined rate limit under California state law in any particular jurisdiction(s) within the District, the tax adopted by this Measure shall not be imposed in said jurisdiction(s), unless and until the combined rate no longer exceeds the applicable limit in those jurisdiction(s); this shall not affect the imposition of the tax under this Measure in jurisdictions within the District that do not exceed the applicable combined rate limit under state law. A jurisdiction that is unable to impose the tax adopted by this Measure due to this prohibition shall not be entitled to its share of the proceeds of the tax unless and until the tax can be and is lawfully imposed in that jurisdiction; for any year in which a jurisdiction is ineligible to receive funds pursuant to this provision, any funds scheduled by the Expenditure Plan to be distributed to such jurisdiction(s) shall be reallocated monthly on a proportional basis to all other eligible jurisdictions.

B. **Place of Sale.** For the purposes of this Measure, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the CDTFA.

C. **Use of Proceeds.** Revenues from the tax shall only be used for transportation purposes as set forth in the Expenditure Plan (Exhibit A), specified administrative costs, and debt service on bonds and expenses related to the issuance and administration of bonds, as limited by this Measure. Transportation purposes include expenditures for planning, environmental review and mitigation, project engineering and design, and associated right-of-way acquisition pursuant to the Expenditure Plan.

D. **Contract with State.** Prior to the operative date of this Measure, the Authority shall contract with CDTFA to perform all functions incidental to the collection of the tax imposed by this Measure; provided, that if the Authority shall not have contracted with CDTFA prior to the operative date, it shall nevertheless so contract and in such a case, the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

E. **Tax Subject to Provisions of State Law.** As required by state law, and except as otherwise provided in this Measure and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, this Measure is subject to the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, with the District as the taxing agency.

F. **Permit not Required.** If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Measure.

G. **Exemptions and Inclusions.** Pursuant to the generally applicable requirements of state law:

1. There shall be excluded from the transactions and use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

2. There are exempted from the computation of the amount of transactions tax the gross receipts from:

a. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

b. Sales of property to be used outside the District which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the District shall be satisfied:

i. With respect to vehicles (other than commercial vehicles)

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subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

ii. With respect to commercial vehicles, by registration to a place of business out-of-District and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

c. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Measure.

d. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Measure.

e. For the purposes of subparagraphs (c) and (d) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

3. There are exempted from the use tax imposed by this Measure:

a. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax measure.

b. The storage, use, or other consumption in this District of tangible personal property, other than fuel or petroleum products, purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

c. The storage, use, or other consumption in this District of tangible personal property if the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Measure.

d. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Measure.

e. For the purposes of subparagraphs (c) and (d) of this section, storage, use, or other consumption or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

f. Except as provided in subparagraph (g), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the District or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

g. "A retailer engaged in business in the District" shall include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

h. "A retailer engaged in business in the district" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the state by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of the Internal

Revenue Code and the regulations thereunder.

4. Any person subject to use tax under this Measure may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use, or other consumption of which is subject to the use tax.

H. **Statutory Amendments Under Mandatory State Law.** As required by state law, all amendments subsequent to the effective date of this Measure to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 of Division 2 of the Revenue and Taxation Code, shall automatically control this Measure, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Measure.

I. **Enjoining Collection Forbidden.** No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against the State or the Authority, or against any officer of the State or the Authority, to prevent or enjoin the collection under this Measure, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

J. **Termination Date.** The authority to levy the tax imposed by this Measure shall expire on March 31, 2063.

K. **Existing Tax.** Nothing in this Measure is intended to modify, repeal, alter, or increase the Existing Tax. The provisions of this Measure shall apply solely to the retail transactions and use tax adopted herein and not to the collection or administration of the Existing Tax.

Section V. MANDATORY TAXPAYER SAFEGUARDS.

To ensure that the use of the proceeds of the tax imposed by this Measure is consistent with voter intent, the following mandatory taxpayer safeguards shall apply:

A. **Independent Taxpayer Oversight Committee.** An Independent Taxpayer Oversight Committee ("ITOC"), as specified in Exhibit B of this Measure, shall provide citizen review and ensure that all funds generated by this tax are spent in accordance with provisions of the Expenditure Plan and Measure. Exhibit B sets forth the specific terms and conditions for the ITOC and its role in supervising annual fiscal and periodic performance audits.

B. **Administrative Costs.** Notwithstanding any provision of the Expenditure Plan, the Authority may expend, but not exceed, one percent (1.00%) of total gross annual revenue generated by this tax after deduction of administrative and collection costs of the CDTFA, on costs of the Authority's administration, including its responsibilities for audit, the ITOC, Authority administrative expenses, staff support, and contract services. The Authority may consider, through an Expenditure Plan amendment as provided for in Section XIII of this Measure, expending up to, but not exceeding, one and one-half percent (1.50%) of the total annual sales tax revenue after deduction of collection costs of the CDTFA, on costs of the Authority's administration, which increase shall only be effective after the expiration of the Existing Tax in 2039.

C. **Maintenance of Effort.** By enactment of this Measure, it is intended that the funding provided to Implementing Agencies will supplement and not replace existing local revenues being used for transportation purposes. Tax revenue generated by this Measure shall not be used to supplant existing transportation funding programs, including but not limited to any applicable existing local transportation impact fees imposed on new development, along with any existing applicable Countywide transportation mitigation fees. The Authority and the ITOC shall enforce this provision by appropriate review, including program, fiscal, and performance audits.

D. **Expenditure Plan Formal Review.** As set forth in Section XIII of this Measure, the Authority shall conduct a formal review of the Expenditure Plan every 10 years, beginning in 2033, to ensure that the program accommodates contemporary community transportation needs in light of changing demographics, technology, and revenue estimates. Based on this review, the Authority may propose amendments to the Expenditure Plan, but such amendments may only take effect following the required public amendment process set forth in Section XIII of this Measure.

Section VI. BONDING AUTHORITY.

Upon voter approval of this Measure, the Authority shall have the power to sell or issue, from time to time, on or before the collection of taxes, bonds or other evidence of indebtedness, in the aggregate principal amount at any one time outstanding of not to exceed the estimated proceeds of the tax imposed by this Measure, and to secure such indebtedness solely by way of future collection of those taxes, for capital outlay expenditures as set forth in this Measure, including the carrying out of transportation projects described in the Expenditure Plan. In the event long-term cost demands for a particular project pursuant to the Expenditure Plan at any time exceed the cumulative allocations to the Implementing Agency responsible for project construction, such that the planned project work by that Implementing Agency will be materially delayed, the Implementing Agency may request that the Authority issue bonds to

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cover the anticipated project cost requirements to meet cost demands in a manner that will avoid the delay. Alternatively, to the extent permitted by applicable law, and on approval of the Authority, the power to sell or issue debt may be conferred upon an Implementing Agency if deemed more efficient or cost-effective under certain circumstances as determined by the Authority. Debt service for the cost of issuing any bonds by the Authority at the request of an Implementing Agency or by an Implementing Agency at the discretion of the Authority shall be paid from future allocations due to the Implementing Agency that has requested the issuance of bonds.

Section VII. ANNUAL APPROPRIATIONS LIMIT.

The Authority established an annual appropriations limit pursuant to Section 4 of Article XIII B of the California Constitution and Section 180202 of the Public Utilities Code in the amount of \$315,753,737 for fiscal year 2021-22. The Authority's appropriations limit is subject to annual adjustment as provided by law.

Section VIII. LOCAL BANKING REQUIREMENTS.

Unless restricted or prohibited by state or federal law or regulations, Implementing Agencies receiving funds generated from this Measure should hold at least 25% of these funds in accounts locally through a community bank or credit union. For purposes of this section, the definition of a community bank or credit union is a federally- or a state-chartered community bank or credit union with recognized headquarters located in Sacramento County or an adjacent county as long as its headquarters is within 25 miles of the boundary of Sacramento County. To qualify, a community bank or credit union must be authorized to receive deposits from public agencies and must maintain a "Superior," "5 Star" or equivalent rating from a nationally recognized rating agency. Implementing Agencies shall be responsible for compliance with this section and must certify to the Authority through quarterly reports that the requirements have been met or provide an explanation for not meeting them.

Section IX. SKILLED AND TRAINED WORKFORCE REQUIREMENTS.

No contract in excess of one million dollars (\$1,000,000.00) can be funded with the tax revenue raised by this Measure unless the contracting entity provides an enforceable commitment that the entity and its subcontractors will use a skilled and trained workforce to perform all work that falls within an apprenticeship occupation in the building and construction trades [per Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code, as may be amended from time to time]. "Skilled and trained workforce" means a workforce that meets both of the following criteria: (1) All the workers are either registered apprentices or skilled journeypersons. (2) At least 30 percent of the skilled journeypersons are graduates of an apprenticeship program for the applicable occupation.

An "apprenticeable occupation" is one which requires independent judgment and the application of manual, mechanical, technical, or professional skills and is best learned through an organized system of on-the-job training together with related and supplemental instruction. Implementing Agencies shall be responsible for meeting these requirements and must certify to the Authority through quarterly reports that the requirements have been met.

Section X. EFFECTIVE DATE AND OPERATIVE DATE OF TAX.

A. Effective Date of Measure. This Measure is considered adopted and effective upon the earliest date legally possible. Upon the effective date of this Measure, the Authority is directed to promptly take all appropriate actions needed to implement this Measure.

B. Operative Date of Tax. The retail transactions and use tax adopted by this Measure shall become operative on the first day of the first calendar quarter commencing more than 110 days after the adoption of the Measure, but in no event earlier than April 1, 2023.

Section XI. IMPLEMENTATION OF THIS MEASURE.

Upon the effective date of this Measure, the Authority is directed to promptly take all appropriate actions needed to implement this Measure. The Authority shall be responsible for overseeing and administering the implementation of the requirements of this Measure, including the Expenditure Plan.

Section XII. INTERPRETATION AND SEVERABILITY.

A. This Measure must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part or portion of this Measure is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Measure. The voters declare that this Measure, and each section, sub-section, sentence, clause, phrase, part or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Measure is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Measure that can be given effect without the invalid application.

B. If any portion of this Measure is held by a court of competent jurisdiction to be invalid, we the People of the Sacramento Transportation Authority indicate our strong desire that: (i) the Authority use its best efforts to sustain and re-enact that portion, and (ii) the Authority implement this Measure by taking all

steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Measure, including, to the extent permitted by law, adopting or reenacting any such portion in a manner consistent with this Measure.

C. This Measure must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Measure be interpreted or implemented by the Authority and others in a manner that facilitates the purpose set forth in this Measure.

Section XIII. AMENDMENT.

A. Pursuant to California Elections Code Section 9323, this Measure may only be amended or repealed by a vote of the people, except as provided in subsection B of this Section.

B. Notwithstanding subsection A of this Section, the following amendments may be made without approval of the voters:

1. "Eligible Projects" as set forth Section III of the Expenditure Plan (Exhibit A hereto) may be amended annually pursuant to the provisions in the Expenditure Plan. The amendment authority provided by this subsection B.1 shall not include the ability to amend the Measure Revenue Percentage Allocations by Spending Category, as set forth in Section II and referenced in Section III of the Expenditure Plan.

2. All sections of the Expenditure Plan other than Sections I.K (pertaining to Metropolitan Transportation Plan & GHG Reduction Targets) and I.P (pertaining to Program Administration & Independent Taxpayer Oversight) may be amended by the following process:

a. Beginning in 2033, and every 10 years thereafter, the Authority shall review and, if necessary, propose amendments to the Expenditure Plan to meet changing transportation needs, priorities, and revenue estimates, and to ensure that the program reflects contemporary community desires considering changing demographics and technology. Such review shall consider input from the Implementing Agencies, other transportation agencies, interest groups, and the general public.

b. The Authority shall notify the County Board of Supervisors, the city councils, and the policy boards of other Implementing Agencies in writing of its initiation of Expenditure Plan amendment(s), reciting findings of necessity.

c. Any proposed Expenditure Plan amendment(s) resulting from this process must be approved by the County Board of Supervisors and a majority of the city councils representing two-thirds of the incorporated area population.

d. Actions of the County Board of Supervisors and city councils regarding the proposed amendment(s) shall be communicated to the Authority within 60 days after the date notification is mailed. Failure of the Board of Supervisors or a city council to notify the Authority of formal action within 60 days of notification shall constitute approval by that respective policy board.

Section XIV. LEGAL DEFENSE.

The purpose of this section is to ensure that the people's right of initiative cannot be improperly annulled by politicians who refuse to defend the will of the voters. Therefore, if this Measure is approved by the voters and thereafter subjected to a legal challenge which attempts to limit the scope or application of this Measure in any way, or alleges this Measure violates any state or federal law in whole or in part, the Authority shall faithfully and vigorously defend this Measure to the fullest extent possible on behalf of the people of the Authority.

Section XV. EXHIBIT LIST.

Exhibit A: Sacramento County Transportation Retail Transactions and Use Tax Expenditure Plan 2023 – 2063

Exhibit B: Independent Taxpayer Oversight Committee

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EXHIBIT A

Sacramento County Transportation Retail Transactions and Use Tax Expenditure Plan 2023-2063

I. Implementation Guidelines

- A. **Revenue Estimates and Distribution.** Allocation of revenue authorized by this Measure is established within this Expenditure Plan. Funds shall be allocated to Expenditure Plan categories by percentage of net revenue received, except as provided below. An estimate of revenues and allocations among categories is reflected in this Expenditure Plan. Some category allocations will be sub-allocated, as reflected in the percentage allocation in Section III of this Expenditure Plan, to specified local transportation providers for expenditures on specified projects. The estimated revenue is based on 2021 value of funds escalated over the period of the Measure and is not binding or controlling. Estimated revenues are net of any applicable required California Department of Tax and Fee Administration (CDTFA) collection fees.
- B. **"Off the Top" Project Expenditures.** Revenues available for percentage allocation are also net of the cost of Authority administration (as limited by this Measure) and the following fixed program expenditures to be directly allocated to recipient agencies in the following total amounts for the specific purposes indicated:
1. To Sacramento County, the Regional Parks Department, not to exceed \$64 million for the Program Period for preservation, maintenance, and safety of the American River Parkway.
 2. To the City of Sacramento, not to exceed \$20 million for the Program Period for direct support of the development of a Regional Mobility Center to foster innovation in clean transportation.
 3. To the Sacramento Area Council of Governments (SACOG), not to exceed \$8 million for the Program Period for distribution to support the activities of transportation management agencies in Sacramento County.
 4. To the San Joaquin Regional Rail Commission, not to exceed \$80 million for the Program Period for operations and service enhancements related to the Altamont Corridor Express service that will benefit Sacramento County residents.
 5. To the City of Sacramento, not to exceed \$40 million for the Program Period for operations related to the Sacramento Intermodal Transportation Facility.

All remaining revenue following these "off the top" expenditures shall be referred to as "net tax revenues generated by this Measure" for purposes of this Expenditure Plan.

- C. **Contribution from New Property Development.** No revenue generated from the tax imposed by this Measure shall be used to supplant transportation mitigation fees currently imposed on new property development in Sacramento County. Pursuant to Section V of this Measure, the County and each incorporated city must continue to impose any and all existing transportation impact fee programs as a condition for receiving funds generated by this Measure.
- D. **Requirement for Annual Financial and Performance Audits of Measure Funds.** The Authority and each Implementing Agency receiving an allocation of revenue authorized by this Expenditure Plan shall undergo an annual financial audit performed in accordance with generally accepted accounting standards and government auditing standards issued by the Comptroller General of the United States, as may be amended from time to time. The annual audit shall be supervised by the Authority's Independent Taxpayer Oversight Committee (ITOC). Compliance audits shall also be periodically conducted to ensure that Measure funds are expended in accordance with the provisions and guidelines established by this Expenditure Plan. In addition, the ITOC shall conduct periodic performance audits to determine progress in meeting program performance

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standards adopted by the Authority Board, and to make recommendations for improving overall program performance.

- E. **Five-Year Programs.** In order to be eligible for funds generated by this Measure, each Implementing Agency must annually prepare and adopt a five-year program that is approved by the Authority, and shall file with the Authority an annually updated five-year program for expenditure of the tax revenue allocations. The first five-year program must be completed by December 31, 2023, and updated thereafter on an annual basis. Section II herein identifies reporting requirements for specific funding categories. Additional or revised reporting requirements may be adopted by the Authority after consultation with Implementing Agencies and stakeholders.
- F. **"Fix It First" Investment Priority for Years 1-5.** With the exception of Caltrans and the Capital Southeast Connector Joint Powers Authority, Authority allocations for the first five years following implementation of this Measure shall prioritize "Fix It First" road, transit, safety, bicycle, and pedestrian investments. Each recipient agency responsible for maintaining streets and roads shall annually provide a pavement and bridge maintenance report. For the Sacramento Regional Transit District (SacRT), the annual update shall include performance indicators to assess whether "Fix It First" investment needs are being prioritized and to demonstrate that the agency is adhering to the financial management policies identified herein.
- G. **Clear Format to Assess Progress.** For all agencies receiving "Fix It First" funding allocations, the five-year programs and annual updates shall be provided in a format to clearly assess progress towards improved maintenance and operations of existing transportation assets.
- H. **Complete Streets.** Transportation projects provide opportunities to improve safety, access, and mobility for all users of streets, roads, and highways in Sacramento County and recognizes bicycle, pedestrian, vehicle, and transit modes as integral elements of the transportation system. The term "Complete Streets" describes a comprehensive, integrated transportation network with roadways designed and operated to enable safe and convenient travel for users of all abilities, including motorists, pedestrians, bicyclists, persons with disabilities, seniors, children, movers of commercial goods, operators of public transportation, public transportation users, and emergency responders, in a balanced manner that is compatible with an urban, suburban, or rural context.

Within one year following the implementation of this Measure, each local jurisdiction in Sacramento County receiving Measure funds shall adopt or maintain an existing "complete streets" policy or a similar document that incorporates design guidelines and standards promoting safe and convenient travel for all users including bicyclists and pedestrians when considering any construction, reconstruction, retrofit, or alteration of streets, roads, highways, bridges, and other elements of the transportation system.

Planning and design of projects affecting the transportation system shall be consistent with any local bicycle, pedestrian, transit, multimodal, and other relevant plans and/or the local complete streets policy to ensure that all transportation types and users are considered in the expenditure of Measure funds.

- I. **Regional Mobility Innovation Program.** A regional Mobility Innovation Program can provide funding to test, incubate, and support innovative mobility solutions that reduce car trips by increasing access to transportation options for all residents. Innovative solutions could include electric car-sharing programs, shared scooter and bicycle programs, mobility hubs, mobility as a service, universal basic mobility passes, first/last mile connections to transit, and autonomous and driverless shuttle services. A key component of testing, incubating, and supporting these mobility innovations will be ensuring that the services and programs benefit communities of color, low-income residents, seniors, and people with disabilities. An innovation program can also be used to leverage other state and federal funding sources that will be increasingly available and allow Implementing Agencies as part of the region to better compete for discretionary programs. The program will also be available to leverage public-private partnerships to attract new mobility start-ups and technology companies to provide additional economic and job creation benefits.

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Within one year following the implementation of this Expenditure Plan, the Authority will convene all Implementing Agencies and SACOG to collaborate in the creation of a mobility innovation program for the region. As provided in the subcategory Local Street and Road Repair and Transformative System Improvements of Section III (Eligible Projects) of this Expenditure Plan, Implementing Agencies may choose, but are not required, to invest a portion of their share of sales tax revenues in mobility innovations projects or programs.

- J. **Federal Air Quality Requirements.** Measure funds programmed by this Expenditure Plan for a project construction phase shall not impair the ability of the region's Metropolitan Transportation Plan (MTP) and Metropolitan Transportation Improvement Program (MTIP) to meet federal air quality conformity requirements.
- K. **Metropolitan Transportation Plan & GHG Reduction Targets.** The Sacramento region Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP) currently requires that the region meet a 19% per capita greenhouse gas (GHG) reduction target. Expenditure Plan projects that are planned or programmed for construction in an MTP, as may be amended from time to time, shall be eligible for Measure funds. Expenditure Plan projects not planned or programmed for construction in an MTP shall be eligible for Measure funds if the construction phase of the project is exempt from project-level and regional level air quality conformity.

For any non-exempt projects that are not planned or programmed for construction in an MTP, as may be amended from time to time, the following requirements will apply:

1. In order to meet the then applicable regional GHG reduction target for the MTP, project sponsors (parties) shall develop mitigation measures for any project(s) that increases GHG emissions.
 2. If the parties can mitigate any such project impacts to maintain adherence to the then applicable regional GHG reduction target, the project(s) shall be eligible for Measure funds.
 3. If the GHG impacts are not mitigated to meet the region's then applicable GHG reduction target, and as a result the region cannot meet its applicable GHG target, the funds planned for the non-exempt project(s) may be used by the corresponding Implementing Agency at their discretion, for other than the originally intended project(s), provided any alternative project(s) are consistent with the Expenditure Plan and included in an MTP, as may be amended from time to time, that meets the then applicable target. Per above, alternative project(s) not planned or programmed for construction in an MTP shall be eligible for Measure funds if the construction phase of the project(s) is exempt from project-level and regional-level air quality conformity.
- L. **Environmental Review.** All projects funded with Measure funds are subject to the requirements of the California Environmental Quality Act (CEQA). Prior to allocation of funds for construction of any project or program included in the Expenditure Plan, all necessary environmental review required by CEQA shall be completed.
- M. **Road Health and Safety.** Each Implementing Agency shall demonstrate that projects in the five-year program and individual proposed projects incorporate street design elements to quantifiably reduce the risk of traffic-related deaths and severe injuries in the public right-of-way consistent with the principles of this Measure. Where applicable, each recipient agency shall also demonstrate that the projects adhere to principles that facilitate safer walking and bicycling to and from school.
- N. **Revenue Estimate.** Tax revenues generated by this Measure during the Program Period are estimated to be \$8,500,000,000 based on escalated dollar values. Revenue estimates are simply estimates and are not binding or controlling.
- O. **Anticipated Extension of the Sacramento Countywide Transportation Mitigation Fee Program (SCTMFP).** To ensure that the tax adopted by this Measure provides maximum benefit to all County citizens, it is the intent of the voters that revenue generated by this tax shall not be used to supplant existing transportation funding programs, and that the County and the cities continue to impose all currently applicable local transportation impact fees. The voters expressly acknowledge that, although the SCTMFP is set to expire April 1, 2039, it is anticipated that the Authority will act before that date to extend the fee program so that it runs concurrently with the life of this tax (i.e., until 2063), and the Authority is encouraged to do so. However,

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because any such future SCTMFP extension is subject to action by the Authority, including validation by a nexus study, and any new SCTMFP fees collected would be allocated to specific projects through a process determined by the Authority in coordination with local jurisdictions, the potential, future allocations for funding from an extended fee program are not included in this Expenditure Plan. Rather, this Expenditure Plan governs only the distribution of revenue resulting from the imposition of the retail transactions and use tax authorized by this Measure.

- P. Program Administration & Independent Taxpayer Oversight.** 1.0% of all gross annual tax revenues, net of any applicable CDTFA administrative fees, generated by this Measure after deduction of collection costs of the CDTFA shall be allocated monthly to the Authority for general and financial administration of the Authority and the Measure program, coordination and consultation with Implementing Agencies receiving Measure funds and SACOG, facilitation and administration of the Independent Taxpayer Oversight Committee, independent financial and performance audits, and ongoing public information and outreach. The Authority may consider increasing the Program Administration allocation to 1.5% through an Expenditure Plan amendment, as provided for in Sections V and XIII of this Measure, which increase shall only be effective after the expiration of the Existing Tax.

II. Measure Revenue Percentage Allocations by Spending Category

All tax revenues generated by this Measure, net of any applicable CDTFA administrative fees, the cost of Authority administration, and allocations outlined in Section I, Subsection B of this Expenditure Plan, shall be expended in the following spending categories:

A. Local Streets and Roads.

47.25% of annual net tax revenues generated by this Measure shall be allocated monthly to each incorporated city and the unincorporated county consistent with the following distribution:

1. Local Street and Road Repair and Transformative System Improvements.

38.72% of all annual net tax revenues generated by this Measure shall fund project development, right-of-way, construction, and provision of:

- a. "Fix It First" pavement maintenance, pavement rehabilitation, safety projects, and bridge repair, including complete streets improvements, which consist of the rehabilitation and modification of existing arterial streets to contemporary urban standards sufficient to serve all users of the facilities, such as bicyclists, pedestrians, and transit users.
- b. New or expanded arterial streets, roads, and bridges, including complete streets improvements, which consist of the rehabilitation and modification of existing arterial streets to contemporary urban standards sufficient to serve all users of the facilities, such as bicyclists, pedestrians, and transit users.
- c. Projects or programs that support mobility innovation.
- d. Intelligent transportation system modifications to the existing street and road system to facilitate improved accessibility, safety, operations, and efficiency.
- e. Programs to promote walking and bicycling as travel alternatives.
- f. Improvements to facilitate safe and convenient pedestrian, bicycle, and other non-motorized local trips, safe routes to school, lighting and synchronized signals, vehicle charging stations, trail improvements, and other improvements to better facilitate improved mobility and the development of alternative travel options. The allocation of Measure funds will implement street design elements that quantifiably reduce the risk of traffic-related deaths and severe injuries in the public right-of-way and ensure that the mobility needs of all users are considered in project scope elements.
- g. Education and outreach to facilitate bicycle and pedestrian travel and school access.
- h. Bikeways, signage, wayfinding, and bicycle facilities.
- i. American River Parkway Trail improvements and maintenance in the jurisdictions through which the parkway passes (County of Sacramento, City of Sacramento, and the City of Rancho Cordova).

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- j. Improvements to the Sacramento River Parkway and other regional trails.
- k. Trail improvements to the Folsom Lake State Recreation Area in the City of Folsom.
- l. Installation or improvements to streetscape for bicyclists.

Percentage distribution among the cities and unincorporated county shall be based 75% on relative population (per most recent annual California Department of Finance estimates, as may be amended from time to time) and 25% on relative paved and maintained road mileage (as reported in each entity's automated pavement management system). Specific percentage allocations to the cities and unincorporated county for Local Street and Road Repair and Transformative System Improvements, as reflected in Section III of this Expenditure Plan, shall be updated annually based on current data and any modifications approved by the Authority pursuant to the terms of this Measure.

Local Street and Road "Fix It First" Commitment

For the first five years following the date of implementation of this Measure, not less than 90% of the funds identified in this Local Street and Road Repair and Transformative System Improvements program shall be used exclusively by all cities and the County of Sacramento for "Fix It First" street, road, and bridge preventative maintenance and rehabilitation, including safety improvements, so as to bring these facilities throughout Sacramento County up to a pavement condition index (PCI) of at least 70 at the soonest possible time, and, for bridges, to meet accepted state and federal standards.

At the end of the five-year period following the date of implementation of this Measure, not less than 50% of the funds identified in this Local Street and Road Repair and Transformative System Improvements program shall be used exclusively by all cities and the County of Sacramento for "Fix It First" street, road, and bridge preventative maintenance and rehabilitation so as to continue efforts to bring these facilities throughout Sacramento County to a PCI of at least 70, and, for bridges, to meet accepted state and federal standards.

A 70 PCI is generally defined as safe, reliable, and smooth street surfaces with little to no blemishes, potholes, or substantial cracking. Streets and roads with a 70 PCI are expected to have a comfortable and safe ride for all motorized vehicles and bicycles, with minimum wear and tear on all such users. The definition of maintenance and rehabilitation shall include as eligible for these funds the non-capacity upgrade of existing streets and roads to a contemporary urban standard (complete streets), including improvements to enhance safety and access for pedestrians, bicycles, and transit users.

Notwithstanding the "Fix It First" requirements for these funds over the program period following implementation of this Measure, the percentage commitment to "Fix It First" maintenance and rehabilitation may be reduced, and any city and the County of Sacramento may direct a higher percentage of those funds to new transformative system improvements, provided the following conditions have been met:

- a. The public agency manager responsible for road maintenance has certified in writing to the City Council and City Manager in a city and the Board of Supervisors and the Chief Administrative Officer at the County that the road facilities under their management have met or will meet within the next 12 months a 70 PCI rating, and that bridges meet accepted state and federal standards.
- b. The public agency manager responsible for road maintenance has submitted a written plan to the City Manager or County Chief Administrative Officer clearly demonstrating how the 70 PCI rating will be sustained in the future. Any diversion of funds committed to maintenance and rehabilitation can only continue as long as a jurisdiction maintains an average PCI of 70 or above for its street and road systems, and bridges meet accepted state and federal standards.

Accountability

The objective for this Measure is to assist Implementing Agencies to achieve—but not require—a local match of at least one-third of total capital project costs. However, a city or the County may direct all or a portion of its share of these funds to general street/road pavement maintenance and pavement rehabilitation.

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The proportional allocation among entities will be recalculated annually to reflect current population and road mileage data. Each Implementing Agency shall adopt a five-year program for use of these funds. The five-year programs will be updated annually and submitted to the Authority for approval. For Implementing Agencies responsible for maintaining streets and roads, the annual updates to the five-year programs shall include pavement and bridge "Maintenance of Effort" reports.

2. Local Projects of Regional Significance.

8.53% of all annual net tax revenues generated by this Measure shall fund projects within the boundaries of local jurisdictions that provide a regional benefit to the overall transportation network. These projects include construction or modifications to interchanges interfacing with state highways, projects that are required for mitigation purposes for new or expanded access to the transportation system, improvements to local arterials or other transportation facilities that provide regional connectivity and improvements throughout the County. Interchange projects funded through this category will require a federal, state, local, or developer match of at least one-third the cost of the project. Distribution of these revenues among the cities and the unincorporated County area are reflected in the percentage allocations in Section III of this Expenditure Plan, which takes into account population, lane miles, and sales tax generation. Following the implementation of this Measure, the specific percentage allocations to Implementing Agencies for Local Projects of Regional Significance, as reflected in Section III of this Expenditure Plan, shall be reviewed annually by the public works directors of each city and the County based on updated data, and any modifications of percentage allocations must be approved by the Authority pursuant to the terms of this Measure.

Accountability

Aside from the one-third match requirement for interchange projects, it is the objective of this Measure to assist Implementing Agencies to achieve—but not require—a local match of at least one third of any capital project costs from other sources. Funding from this subcategory will be restricted to the high priority projects listed by jurisdiction.

B. Sacramento Regional Transit District (SacRT) Maintenance, Operations, and Transformative System Improvements.

25.11% of all annual net tax revenues generated by this Measure shall be allocated monthly to SacRT to be used for light rail and bus vehicle replacement, operations and maintenance of existing services, operations and maintenance for new services partially funded through this Expenditure Plan, improved access for the senior and disabled populations, fare reductions for transit-dependent riders, and the implementation of innovative services that will improve transit connections and encourage increased ridership.

SacRT "Fix It First" Commitment

For the five years following the date of implementation of this Measure, a portion of the funds directly allocated to SacRT will be used by SacRT for "Fix It First" bus and light rail vehicle replacement, operations, maintenance, and security for existing services at the soonest possible time. As a federal grantee, SacRT has developed and maintains a Transit Asset Management (TAM) Plan that includes capital asset inventories, condition assessments, lifecycle management, and investment prioritization. The plan addresses the application of asset management across SacRT's entire diverse portfolio of assets, which includes assets with a range of useful lives, replacement costs, and inter-relationships.

During this period the following performance metrics shall also be met:

1. SacRT will meet or exceed generally accepted industry standards for the percentage of buses and light rail vehicles that meet or exceed useful vehicle life or average vehicle age benchmarks.
2. SacRT will meet or exceed generally accepted industry standards for miles between road calls, on-time performance, missed trips, and safety/security key performance indicators, unless factors outside of SacRT's control impact the ability to meet these metrics.
3. SacRT will meet or exceed generally applicable requirements of state law, as may be amended from time

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to time, including those of the California Transportation Development Act (TDA), which currently include meeting minimum farebox recovery ratio requirements and independent performance audits conducted every three years.

Accountability

SacRT shall develop a five-year program for use of all capital and operations funds, including capital projects funded under Section II, Subsection C1 of this Expenditure Plan, updated annually and submitted to the Authority for approval before allocations are made. SacRT must be in compliance with the financial management provisions of this section.

For SacRT, the five-year program and each annual program update shall include performance indicators to assess if "Fix It First" investment needs are being prioritized and expenditures are consistent with applicable regional transportation plans, including but not limited to the Metropolitan Transportation Plan, the SacRT Short Range Transit Plan, and the SacRT Transit Asset Management (TAM) Plan, as those plans may be amended from time to time.

C. Congestion Relief Improvements.

22.43% of all annual net tax revenues generated by this Measure shall be used for project management, project development, right-of-way, and construction of highway, transit, rail, increased bus and light rail service, and expressway expansion and widening projects affecting multiple local entities, that reduce congestion, improve operations, and enhance access to the overall transportation network. The objective is for this Measure to assist—but not require—Implementing Agencies, including SacRT, the California Department of Transportation (Caltrans), and the Capital Southeast Connector Joint Powers Authority, to achieve a match of at least one-third of the total cost of each of the eligible projects listed for this category in this Expenditure Plan. Implementing Agencies receiving funding from this category shall develop a five-year program for use of all capital funds, updated annually, and submitted to the Authority for approval before allocations are made.

1. **Transit and Rail Congestion Improvement Projects.** 10.85% of all annual net tax revenues generated by this Measure shall be allocated monthly to SacRT for transit and rail projects that reduce congestion, expand capacity, improve operations, and enhance access to the transportation system. The proposed allocation amounts for bus and light rail projects are intended to be flexible to allow for SacRT to best apply the funding to achieve the maximum benefit in matching funds from state and federal resources. Projects funded through this subcategory shall be subject to the same accountability provisions included in Section II, Subsection B of this Expenditure Plan regarding development of a five-year plan, updated annually and submitted to the Authority for approval before allocations are made.
2. **Highway Congestion Improvement Projects.** 11.58% of all annual net tax revenues generated by this Measure shall be allocated to Caltrans and the Capital Southeast Connector Joint Powers Authority for highway congestion improvement projects, including state highway improvements and the Capital Southeast Connector in Sacramento County. Allocations of funding to Caltrans will be used by the department for both project development and capital expenses associated with the projects included in this category and the funding is intended to provide matching leverage for additional state and federal funding. Revenue shall be allocated monthly to the Capital Southeast Joint Powers Authority for the Capital Southeast Connector project.

D. Senior and Disabled Transportation Services.

3.05% of all annual net tax revenues generated by this Measure shall be allocated monthly to provide demand-responsive transportation and other services to eligible seniors and disabled residents. Annually, 80% of the funding for this subcategory will be provided to SacRT to meet the region's federally mandated Americans with Disability Act (ADA) complimentary paratransit requirement. The funding will be used for planning, design, operational, maintenance, and capital activities for SacRT to provide these critical transportation services to

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eligible seniors and disabled residents of the County. The remaining 20% of funding for this subcategory will be allocated to the region's Consolidated Transportation Service Agencies to coordinate and support the many programs serving the transportation needs of seniors, people with disabilities, and other qualified recipients of these services.

E. Air Quality.

2.16% of all annual net tax revenues generated by this Measure shall be allocated monthly to the Sacramento Metropolitan Air Quality Management District (SMAQMD) to provide funding for monitoring, planning, emission reduction, and future mobility programs to promote clean air, mitigate climate change and transportation pollution, respond to wildfire smoke impacts, and achieve and maintain health-based air quality standards and low-carbon development goals.

III. Eligible Projects Within Each Measure Revenue Percentage Allocation Spending Category

SACRAMENTO COUNTY TRANSPORTATION RETAIL TRANSACTIONS AND USE TAX

EXPENDITURE PLAN 2023-2063

ELIGIBLE PROJECTS

(All dollar figures are estimates)

LOCAL STREETS AND ROADS (47.25%) **\$ 3,876,000,000.00**

47.25% of all annual net tax revenues generated by this Measure shall be allocated to each incorporated city and the unincorporated county for local street and road purposes. Funds for each of the subcategories below will be allocated, as reflected in the percentage allocations set forth herein.

Local Street and Road Repair and Transformative System Improvements (38.72%)	\$ 3,176,000,000.00
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38.72% of all annual net tax revenues generated by this Measure shall be allocated monthly to each incorporated city and the unincorporated county based 75% on relative population and 25% on relative paved and maintained road mileage. These funds are available for the maintenance and rehabilitation of local streets, roads and other transformative improvements to the local system. Transformative improvements include safety projects, complete streets with or without capacity expansion, sidewalk and pedestrian improvements, mobility innovation projects or programs, active transportation improvements, safe routes to schools, Americans with Disabilities Act compliance, intelligent transportation system enhancements, streetlighting and synchronized signals, electric vehicle charging stations, trail improvements, major arterial improvements, and other improvements which will help transform the overall system to better facilitate improved mobility and the development of alternative travel options.

For the first five years following implementation of this Measure (April 1, 2023, to March 31, 2028), not less than 90% of the funds identified for the Local Street and Road Repair and Transformative System Improvements program shall be used exclusively by all cities and the County of Sacramento for "Fix It First" road and bridge preventative maintenance and rehabilitation, including safety improvements, so as to bring these facilities throughout Sacramento County to a pavement condition index (PCI) of at least 70 at the soonest possible time, and bridges to meet acceptable state and federal standards.

At the end of the five-year period following the date of implementation of this Measure (after

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March 31, 2028), not less than 50% of the funds identified for the Local Street and Road Repair and Transformative System Improvements program shall be used exclusively by all cities and the County of Sacramento for "Fix It First" street, road, and bridge preventative maintenance and rehabilitation so as to continue efforts to bring these facilities throughout Sacramento County to PCI of at least 70, and bridges to meet acceptable state and federal standards.

A 70 PCI is generally defined as safe, reliable and smooth street surfaces with little to no blemishes, potholes or substantial cracking. Streets and roads with a 70 PCI are expected to have a comfortable and safe ride for all motorized vehicles and bicycles, with minimum wear and tear on all such users.

The definition of maintenance and rehabilitation shall include as eligible for these funds the non-capacity upgrade of existing streets, including improvements to enhance safety and access for pedestrians, bicycles, and transit users.

Notwithstanding these allocation restrictions, the percentage commitments to "Fix It First" maintenance and rehabilitation may be reduced, and any city and the County of Sacramento may direct a higher percentage of those funds to new transformative system improvements, provided the following conditions have been met:

1. The public agency manager responsible for road maintenance has certified in writing to the City Council and City Manager in a city and the Board of Supervisors and the County Chief Administrative Officer that the road facilities under their management have met or will meet within the next 12 months a 70 PCI rating.
2. The public agency manager responsible for road maintenance has submitted a written plan to the City Manager or County Chief Administrative Officer clearly demonstrating how the 70 PCI rating will be sustained in the future. Any diversion of the funds committed to maintenance and rehabilitation can only continue as long as a jurisdiction maintains an average PCI of 70 or above for its street and road system. In addition, local jurisdictions must maintain current levels of funding for maintenance and rehabilitation and shall not use funds from this allocation to offset existing funding planned or allocated for this purpose.

With the exception of the City of Isleton, which will receive a fixed amount of these funds, the percentage allocation for each jurisdiction is listed and includes eligible projects proposed for funding from this category. In addition to the "Fix It First" Maintenance and Rehabilitation allocation, the jurisdiction lists include safety projects, complete streets projects, improvements to major arterials, local road capacity expansion, bicycle and pedestrian improvements, intelligent transportation system enhancements, and other transformative improvements which will facilitate improved mobility and the development of alternative travel options for the future. Arterial improvements and system access projects may also be included in another category of the Expenditure Plan.

Citrus Heights (5.29%)

\$ 167,900,000.00

- "Fix It First" street maintenance and rehabilitation
- "Complete Streets" improvements:
 - Auburn Blvd (Rusch Park - I-80)
 - Auburn Blvd (Sylvan Corners - Greenback Lane)
 - Auburn Blvd (Greenback Lane - Manzanita Avenue)
 - Antelope Road (Auburn Blvd - Old Auburn Road)
 - Dewey Drive (Greenback Lane - Connemara Circle)
 - Fair Oaks Blvd (Oak Avenue - Madison Avenue)
 - Greenback Lane (Sunrise Blvd - Fair Oaks Blvd)
 - Oak Avenue (Sunrise Blvd - Wachtel Way)
 - Old Auburn Road (Sylvan Corners - Roseville City Limit)
 - Roseville Road (Butternut Drive - City Limit)

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- San Juan Avenue (Madison Avenue – Sylvan Road)
- Sunrise Blvd (Sayonara Drive – North City Limit)*
- Sylvan Road (San Juan Avenue – Sylvan Corners)
- Wachtel Way (Oak Avenue – Auburn Road)
- Van Maren Lane (Greenback Lane – Garden Gate Drive)
- Antelope Road/I-80 Interchange (bike, pedestrian, Americans with Disabilities Act and congestion relief improvements)
- Implementation of intelligent transportation system improvements
- Implementation of a bicycle master plan
- Implementation of a pedestrian master plan
- Implementation of an Americans with Disabilities Act transition plan
- Support of a local transportation management agency

Elk Grove (10.99%)

\$ 348,820,000.00

-
- “Fix It First” street maintenance and rehabilitation
 - Widen, rebuild, and extend Kammerer Road**
 - Construct SR-99 at Whitelock Parkway Interchange**
 - Implementation of an intelligent transportation system master plan
 - Signal maintenance and rehabilitation
 - Citywide “complete streets” improvements
 - Implementation of bicycle, pedestrian, trails, and Americans with Disabilities Act master plans
 - Trail maintenance and rehabilitation, including:
 - Laguna Creek Trail
 - Elk Grove Creek Trail
 - Powerline Trail
 - Stone Lake Trail
 - Congestion reduction on Elk Grove Blvd**
 - Congestion reduction on Laguna Blvd/Bond Road**
 - Pedestrian overcrossing of UPRR on Elk Grove Blvd
 - Pedestrian overcrossing of UPRR on Laguna Blvd
 - Support of a local transportation management agency

Folsom (5.29%)

\$ 167,900,000.00

-
- “Fix It First” street maintenance and rehabilitation
 - Construct US-50 at Empire Ranch Road Interchange**
 - Construct US-50 at Oak Avenue Parkway Interchange**
 - Construct US-50 Rowberry Overcrossing between Oak Avenue Pkwy and Prairie City Road**
 - Widen White Rock Road (Prairie City Road – Empire Ranch Road)
 - Folsom Blvd bicycle overcrossing
 - Implementation of an intelligent transportation systems master plan
 - Implementation of a bicycle master plan
 - Implementation of a pedestrian master plan
 - Implementation of an Americans with Disabilities Act transition plan
 - Folsom Lake State Recreation Area Trail improvements
 - Support of a local transportation management agency

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Galt (1.70%)

\$ 53,960,000.00

- "Fix It First" street maintenance and rehabilitation
- Construct SR-99 at Walnut Avenue Interchange**
- Implementation of a bicycle master plan
- Implementation of a pedestrian master plan
- Implementation of an Americans with Disabilities Act transition plan
- Carillion Blvd "complete streets" improvements
- Support of a local transportation management agency

Isleton (Fixed Amount)

\$ 2,000,000.00

- "Fix It First" street maintenance and rehabilitation
- Community Center Americans with Disabilities Act ramps and parking lot rehabilitation
- Safety lights for Tower Park and Ride Lot
- Electric vehicle charging stations
- Dock/ferry station rehabilitation
- Implementation of a green streets plan
- Pilot program shuttle, Isleton to E-Bart station
- Support of a local transportation management agency

Rancho Cordova (5.09%)

\$ 161,560,000.00

- "Fix It First" street maintenance and rehabilitation
- Construct US-50 at Rancho Cordova Parkway Interchange, including the Interchange at US-50 to White Rock Road**
- Widen White Rock Road (Sunrise Blvd – Grant Line Road)
- Widen Douglas Road (Sunrise Blvd – Western City Limit with Bridge over Folsom South Canal)
- "Complete streets" improvements to Sunrise Blvd (Folsom Blvd – Jackson Highway)*
- "Complete streets" improvements to Mather Field Road
- "Complete streets" improvements to Coloma Road
- Zinfandel bicycle and pedestrian US-50 overcrossing
- Implementation of a bicycle master plan
- Implementation of a pedestrian master plan
- Implementation of an Americans with Disabilities Act transition plan
- American River Parkway improvements
- Support of a local transportation management agency

City of Sacramento (31.27%)

\$ 992,510,000.00

- "Fix It First" maintenance and rehabilitation (to include "complete streets" and safety elements whenever feasible)
- Implementation of an intelligent transportation system master plan
- Implementation of a vision zero action plan, including improvements related to high injury networks and safe routes to school
- "Complete streets" improvements, including:
 - Stockton Blvd*
 - Franklin Blvd

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- Fruitridge Road
- Northgate Blvd
- Meadowview Road/24th Street
- Broadway
- Implementation of an active transportation plan, including
 - Implementation of a bikeway master plan
 - Implementation of a pedestrian master plan
- Accessibility improvements
- Pedestrian and bicycle safety improvements
- 14th Avenue extension
- 67th Street bike/pedestrian tunnel to CSUS
- Operations and security
- Support of strategic local transportation management agency initiatives
- Parking facilities

County of Sacramento (40.36%)

\$ 1,281,030,000.00

- "Fix It First" street maintenance and rehabilitation
- "Fix It First" bridge maintenance, rehabilitation, and replacement
- "Fix It First" signal and ITS maintenance and rehabilitation
- Implementation of a local roadway safety plan (LRSP)
- Implementation of an active transportation plan, including a bicycle master plan and a pedestrian master plan
- Implementation of a smart region technology plan
- Implementation of an Americans with Disabilities Act transition plan
- Implementation of intelligent transportation systems
- Improve access to the American River Parkway
- American River Parkway improvements
- Support and construction of mobility hubs
- Infrastructure and support of MicroMobility and SharedMobility services
- Infrastructure and support of transportation demand management
- Hazel Avenue/US-50 Interchange**
- North Watt Avenue at UPRR/Capitol Corridor Overcrossing
- Arterial corridor rehabilitation with "complete streets" improvements, intelligent transportation system improvements, and streetscape:
 - Arden Way (Ethan Way – Watt Avenue)*
 - Auburn Blvd (Fulton Avenue – Manzanita Avenue)
 - Cypress Avenue (Edison Avenue – Manzanita Avenue)
 - El Camino Avenue (Ethan Way – Fair Oaks Blvd)
 - Elverta Road (Watt Avenue – Antelope Road)
 - Fair Oaks Blvd (Howe Avenue – Madison Avenue)**
 - Folsom Blvd (Watt Avenue – Bradshaw Road)**
 - Fulton Avenue (Auburn Blvd – Fair Oaks Blvd)
 - Garfield Avenue (Greenback Lane – Winding Way)
 - Greenback Lane (Hazel Avenue – Madison Avenue)
 - Howe Avenue (Auburn Blvd – Fair Oaks Blvd)
 - Madison Avenue (Watt Avenue – Sunrise Blvd)
 - Manzanita Avenue (Auburn Blvd – Fair Oaks Blvd)
 - Marconi Avenue (Howe Avenue – Fair Oaks Blvd)
 - Oak Avenue (Hazel Avenue – Folsom City Limit)
 - Pasadena Avenue (Cypress Avenue – Winding Way)
 - Power Inn Road (Florin Road – Calvine Road)
 - San Juan Avenue (Madison Avenue – Fair Oaks Blvd)
 - Stockton Blvd (North of 65th Street – Power Inn Road)

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- Sunrise Blvd (Madison Avenue – Coloma Road)
- Watt Avenue (Capital City Freeway – Fair Oaks Blvd)**
- 47th Avenue (Franklin Blvd – Stockton Blvd)
- Other locations with similar needs
- Road capacity expansion with “complete streets” and intelligent transportation system improvements:
 - Antelope Road (Watt Avenue – Roseville Road)
 - Bradshaw Road (Old Placerville Road – Calvine Road)
 - Calvine Road (Power Inn Road – Grant Line Road)
 - Douglas Road (Rancho Cordova City Limit – Kiefer Blvd)
 - Elkhorn Blvd (Rio Linda Blvd – I-80)
 - Elverta Road (SR-99 – Watt Avenue)
 - Greenback Lane (Fair Oaks Blvd – Hazel Avenue)
 - Hazel Avenue (Placer County Line to Madison Avenue)
 - Jackson Highway (Watt Avenue – Grant Line Road)
 - Madison Avenue (Sunrise Blvd – Greenback Lane)
 - North Watt Avenue (Antelope Road – Capital City Freeway)
 - Roseville Road (Airbase Drive – Placer County Line)
 - South Watt Avenue/Elk Grove-Florin Road (Kiefer Blvd – Calvine Road)**
 - Sunrise Blvd (Jackson Highway – Grant Line Road)**
 - Other locations with similar needs
- Support of a local transportation management agency

LOCAL STREETS AND ROADS

Local Projects of Regional Significance (8.53%)	\$ 700,000,000.00
--------------------------------------------------------	--------------------------

8.53% of all annual net tax revenues generated by this Measure shall be allocated to the Implementing Agencies listed in this category to fund projects within the boundaries of these agencies that provide a regional benefit to the overall transportation network. These projects include construction or modifications to interchanges interfacing with state highways, and projects that are required for mitigation purposes for new or expanded access to the system improvements to local arterials that promote regional connectivity. The interchange projects listed will require a federal, state, local, and/or developer match of at least one-third of the cost of the improvement. Allocations are reflected in the percentage allocations below, which take into account population, lane miles, and sales tax generation, and funding will be provided to local jurisdictions for expenditure on these specific projects only. Implementing Agencies are shown for each project.

Citrus Heights (3.60%)	\$ 25,200,000.00
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- Auburn Blvd Phase II (Rusch Park – I-80**)
- Madison Avenue Corridor (Fair Oaks Blvd – San Juan Avenue)
- Sunrise Blvd (Sayonara Drive – Madison Avenue)**
- Antelope Road/I-80 Interchange (bike, pedestrian, Americans with Disabilities Act, and congestion relief improvements)**

Elk Grove (10.20%)	\$ 71,400,000.00
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- Whitelock Parkway/SR-99 Interchange**
- Elk Grove Blvd congestion relief**
- Laguna Blvd/Bond Road congestion relief**

City of Isleton

City Council Staff Report

DATE: August 23, 2022

ITEM#: 8.B

CATEGORY: New Business

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON COUNTY OF SACRAMENTO SETTING FORTH PROCEDURES FOR EXPEDITING PERMITTING PROCESSING FOR ELECTRIC VEHICLE CHARGING SYSTEMS, ADDING IMC TITLE VII VEHICLE AND TRAFFIC CHAPTER 7.32 ELECTRIC VEHICLE AND ELECTRIC VEHICLE CHARGING SYSTEMS; FIRST READING

SUMMARY

In 2015, the State of California adopted Assembly Bill 1236 (2015, Chiu, Codified as Government Code Section 65850.7), which requires local jurisdictions with a population less than 200,000 residents to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations on or before September 30, 2017.

An electric vehicle charging station is any level of electric vehicle supply equipment station which deliver electricity from a source outside an electric vehicle into a plug-in electric vehicle. AB 1236 may refer to the recommendations in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research.

DISCUSSION

Assembly Bill 1236, which amended Government Code Section 65850.7 to require jurisdictions with a population less than 200,000 residents to establish procedures for expedited, streamlined processes for permitting of electric vehicle charging stations. The amendments to Section 65850.7 include the requirement for a jurisdiction to adopt an ordinance for the expedited, streamlined process on or before September 30, 2017. The ordinance shall include the requirement that a jurisdiction adopt a checklist of requirements with which a permit application for an electric vehicle charging station will be eligible for expedited review (Attachment B).

This process includes the establishment of a checklist containing objective requirements for the installation of an electric vehicle charging station and a process for electronic submittal of permit applications. The content of the checklist requires the permit applicant to check the features of the existing electrical service such as rating in amperes, system voltage, connected or calculated load, spare capacity in amperes, voltage and ampere rating of the electric vehicle supply equipment, circuit rating of the electric vehicle supply equipment, location of the electric vehicle supply equipment, if ventilation is/or is not required, and clearances of the charging equipment to comply with all applicable building and fire safety laws. The checklist also assists the applicant in confirming that the location of the electric vehicle supply equipment will comply with any vehicle clearance requirements in the City's / County's Zoning Ordinance. Section 65850.7 requires that the City's / County's checklist may be based on the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" of the Governor's Office of Planning and Research.

Assembly Bill 1236 (2015) also clarifies that a jurisdiction shall not condition approval of a permit for an electric vehicle charging station based on the approval of an association as defined in California Civil Code, Section 4080.

Staff introduces to City Council for First Reading the attached ordinance, given Government Code Section 65850.7's requirement that local agencies adopt such an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations on or as soon as possible (due date September 30, 2017).

Next Steps

Concurrent with Council's / the Board's adoption of the ordinance, staff, is taking the measures to meet all requirements of Assembly Bill 1236 (2015) as soon as possible.

Procedures, such as electronic submittal of plans are currently in place and comply with the requirements of the Assembly Bill and staff is assuring that successful implementation of an expedited, streamlined process will be available to permit applicants.

- Finalize the application checklist in conjunction with the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California
- Community Readiness Guidebook
- Measures for electrical compliance, and standard items for fire prevention safety
- Building and Fire inspection staff to develop procedures for expedient and thorough inspection of the electric vehicle charging stations

FISCAL IMPACT

There is no immediate financial impact or budget action necessary as a result of the recommended action.

RECOMMENDATION

Introduce for first reading the attached ordinance which sets forth an expedited, streamlined permitting process for electric vehicle charging stations.

ATTACHMENTS

- A. Ordinance 2022-06 An Ordinance of the City Council
- B. AB-1236 and AB970 Information
- C. Residential and Non-Residential Checklist for Permitting Electric Vehicles and Electric Vehicles Equipment (EVSE)

Prepared by: Diana O'Brien, Administrative Assistant

Reviewed by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Dep. City Clerk



ORDINANCE NUMBER 2022-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON COUNTY OF SACRAMENTO SETTING FORTH PROCEDURES FOR EXPEDITING PERMITTING PROCESSING FOR ELECTRIC VEHICLE CHARGING SYSTEMS, ADDING IMC TITLE VII VEHICLE AND TRAFFIC CHAPTER 7.32 ELECTRIC VEHICLE AND ELECTRIC VEHICLE CHARGING SYSTEMS

WHEREAS, the State of California and the City of Isleton County of Sacramento has consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the State of California recent adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City's / County's reliance on environmentally damaging fossil fuels.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ISLETON OF THE COUNTY OF SACRAMENTO DOES ORDAIN AS FOLLOWS:

ISLETON MUNICIPAL CODE TITLE VII – VEHICLE AND TRAFFIC CHAPTER 7.32 ELECTRIC VEHICLE AND ELECTRIC VEHICLE CHARGING SYSTEMS

SECTION 1. PURPOSE

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Section 65850.7.

SECTION 2. DEFINITIONS

- A. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- B. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- C. "Electronic submittal" means the utilization of one or more of the following:
 - 1. Electronic mail or email.
 - 2. The internet.
 - 3. Facsimile.

SECTION 3. EXPEDITED PERMITTING PROCESS

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited, streamlined permitting process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited, streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" as published by the Governor's Office of Planning and Research. The City's / County's adopted checklist shall be published on the City's / County's website.

SECTION 4. PERMIT APPLICATION PROCESSING

- A. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.
- B. A permit application that satisfies the information requirements in the City's / County's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City / County adopted checklist, and is consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City / County. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- C. Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

SECTION 5. TECHNICAL REVIEW

- A. It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety

situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City / County may require the applicant to apply for a use permit.

- B. In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

SECTION 6. ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS

- A. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.
- B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
- C. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
- D. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

SECTION 7.

Any provision of the City of Isleton Municipal Code County of Sacramento County Code or appendices thereto, inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 8.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Isleton in Sacramento County hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 9. The Mayor shall sign and the Deputy City Clerk shall attest to the passage of this Ordinance. The Deputy City Clerk shall cause this Ordinance, or a summary thereof to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective on September 13, 2022.

The foregoing Ordinance was introduced before the City Council of the City of Isleton, at the regular meeting of the 23rd day of August 2022 and finally adopted at a regular meeting of said Council on the 13th day of September 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Eric Pene, Mayor

ATTEST:

Yvonne Zepeda, City Clerk



AB 1236 (CHIU). LOCAL ORDINANCES: ELECTRIC VEHICLE CHARGING STATIONS.



Requires approval of electric vehicle ("EV") charging station installations by local public agencies regardless of whether the association issues approval for the station. Requires establishment of standards and creation of streamlined permitting process.

Current Status: **Chaptered**

FindHOALaw Quick Summary:

Civil Code Section 4745 limits the degree to which an association's governing documents may prohibit or restrict the installation of an **electric vehicle ("EV") charging station** in a member's **separate interest**, or in **common area** or **exclusive use common area**. (See "**Electric Vehicle Charging Stations**.")

AB 1236 (Chiu) would add **Section 65850.7** to the Government Code to incorporate numerous requirements and permitting processes applicable to the installation of EV charging stations. For example, AB 1236 would require an EV charging station to meet applicable health and safety standards and requirements imposed by state and local permitting authorities, not simply those which are imposed by the association. This bill would also require a city, county, or city and county to approve an application for the installation of EV charging stations through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

AB 1236 would also prohibit a city or county from conditioning a permit for an EV charging station on the approval of the station by the association in which the station is to be installed (i.e., city may not mandate that the permit applicant first obtain **association approval** for the EV charging station before being eligible to obtain a city permit). This bill would also require a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations, as specified.

***UPDATE: AB 1236 was signed into law on October 8, 2015 and its changes to the law will take effect January 1, 2016.**

View more info on AB 1236

from the California Legislature's website

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Common Area

Granting Exclusive Use of Common Area

Electric Vehicle Charging Stations

Architectural Application & Approval Process

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AMENDED IN SENATE AUGUST 27, 2015

AMENDED IN SENATE AUGUST 18, 2015

AMENDED IN SENATE JULY 9, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1236

**Introduced by Assembly Members Chiu and Low
(Coauthor: Assembly Member Linder)**

February 27, 2015

An act to add Section 65850.7 to the Government Code, relating to local ordinances.

LEGISLATIVE COUNSEL'S DIGEST

AB 1236, as amended, Chiu. Local ordinances: electric vehicle charging stations.

The Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities. Existing law, the Electric Vehicle Charging Stations Open Access Act, prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified.

The bill would require a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The bill would provide for appeal of that decision to the planning commission, as specified. The bill would provide that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill would require electric vehicle charging stations to meet specified standards. The bill would require a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill would require a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017. *The bill would authorize the city, county, or city and county, in developing the ordinance, to refer to guidelines contained in a specified guidebook. The bill would also authorize the adoption of an ordinance that modifies the checklists and standards found in the guidebook due to unique conditions.* By increasing the duties of local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- P2 1 SECTION 1.
Section 65850.7 is added to the Government
2 Code, to read:
3 65850.7.
(a) The Legislature finds and declares all of the
4 following:
5 (1) The implementation of consistent statewide standards to
6 achieve the timely and cost-effective installation of electric vehicle
7 charging stations is not a municipal affair, as that term is used in
P3 1 Section 5 of Article XI of the California Constitution, but is instead
2 a matter of statewide concern.
3 (2) It is the intent of the Legislature that local agencies not adopt
4 ordinances that create unreasonable barriers to the installation of
5 electric vehicle charging stations and not unreasonably restrict the
6 ability of homeowners and agricultural and business concerns to
7 install electric vehicle charging stations.
8 (3) It is the policy of the state to promote and encourage the use
9 of electric vehicle charging stations and to limit obstacles to their
10 use.
11 (4) It is the intent of the Legislature that local agencies comply
12 not only with the language of this section, but also the legislative
13 intent to encourage the installation of electric vehicle charging
14 stations by removing obstacles to, and minimizing costs of,
15 permitting for ~~such~~ charging stations.
16 (b) A city, county, or city and county shall administratively
17 approve an application to install electric vehicle charging stations
18 through the issuance of a building permit or similar
19 nondiscretionary permit. Review of the application to install an
20 electric vehicle charging station shall be limited to the building
21 official's review of whether it meets all health and safety
22 requirements of local, state, and federal law. The requirements of
23 local law shall be limited to those standards and regulations
24 necessary to ensure that the electric vehicle charging station will
25 not have a specific, adverse impact upon the public health or safety.
26 However, if the building official of the city, county, or city and
27 county makes a finding, based on substantial evidence, that the
28 electric vehicle charging station could have a specific, adverse
29 impact upon the public health or safety, the city, county, or city
30 and county may require the applicant to apply for a use permit.
31 (c) A city, county, or city and county may not deny an
32 application for a use permit to install an electric vehicle charging
33 station unless it makes written findings based upon substantial
34 evidence in the record that the proposed installation would have
35 a specific, adverse impact upon the public health or safety, and
36 there is no feasible method to satisfactorily mitigate or avoid the
37 specific, adverse impact. The findings shall include the basis for
38 the rejection of potential feasible alternatives of preventing the
39 adverse impact.
P4 1 (d) The decision of the building official pursuant to subdivisions
2 (b) and (c) may be appealed to the planning commission of the
3 city, county, or city and county.

4 (e) Any conditions imposed on an application to install an
5 electric vehicle charging station shall be designed to mitigate the
6 specific, adverse impact upon the public health or safety at the
7 lowest cost possible.

8 (f) (1) An electric vehicle charging station shall meet applicable
9 health and safety standards and requirements imposed by state and
10 local permitting authorities.

11 (2) An electric vehicle charging station shall meet all applicable
12 safety and performance standards established by the California
13 Electrical Code, the Institute of Electrical and Electronics
14 Engineers, and accredited testing laboratories such as Underwriters
15 Laboratories and, where applicable, rules of the Public Utilities
16 Commission regarding safety and reliability.

17 (g) (1) On or before September 30, 2016, every city, county,
18 or city and county with a population of 200,000 or more residents,
19 and, on or before September 30, 2017, every city, county, or city
20 and county with a population of less than 200,000 residents, shall,
21 in consultation with the local fire department or district and the
22 utility director, if the city, county, or city and county operates a
23 utility, adopt an ordinance, consistent with the goals and intent of
24 this section, that creates an expedited, streamlined permitting
25 process for electric vehicle charging stations. In developing an
26 expedited permitting process, the city, county, or city and county
27 shall adopt a checklist of all requirements with which electric
28 vehicle charging stations shall comply to be eligible for expedited
29 review. An application that satisfies the information requirements
30 in the checklist, as determined by the city, county, or city and
31 county, shall be deemed complete. Upon confirmation by the city,
32 county, or city and county of the application and supporting
33 documents being complete and meeting the requirements of the
34 checklist, and consistent with the ordinance, a city, county, or city
35 and county shall, consistent with subdivision (b), approve the
36 application and issue all required permits or authorizations.

37 However, the city, county, or city and county may establish a
38 process to prioritize competing applications for expedited permits.
39 Upon receipt of an incomplete application, a city, county, or city
40 and county shall issue a written correction notice detailing all
P5 1 deficiencies in the application and any additional information
2 required to be eligible for expedited permit issuance. ~~A city,~~
3 ~~county, or city and county, that owns and operates electric utility~~
4 ~~services within its service territory shall comply with the electric~~
5 ~~utility interconnection policy. An application submitted to a city,~~
6 ~~county, or city and county that owns and operates an electric utility~~
7 ~~shall demonstrate compliance with the utility's interconnection~~
8 ~~policies prior to approval.~~

9 (2) The checklist and required permitting documentation shall
10 be published on a publicly accessible Internet Web site, if the city,
11 county, or city and county has an Internet Web site, and the city,
12 county, or city and county shall allow for electronic submittal of
13 a permit application and associated documentation, and shall
14 authorize the electronic signature on all forms, applications, and
15 other documentation in lieu of a wet signature by an applicant. In
16 developing the ordinance, the city, county, or city and county may
17 ~~reasonably conform its expedited, streamlined permitting process~~
18 ~~with the recommendations for expedited permitting, including the~~
19 ~~checklists and standard plans refer to the recommendations~~
20 contained in the most current version of the "Plug-In Electric

21 Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission
22 Vehicles in California: Community Readiness Guidebook"
23 published by the ~~Governor's~~ Office of Planning and Research. A
24 city, county, or city and county may adopt an ordinance that
25 modifies the checklists and standards found in the guidebook due
26 to unique climactic, geological, seismological, or topographical
27 conditions. If a city, county, or city and county determines that it
28 is unable to authorize the acceptance of an electronic signature on
29 all forms, applications, and other documents in lieu of a wet
30 signature by an applicant, the city, county, or city and county shall
31 state, in the ordinance required under this subdivision, the reasons
32 for its inability to accept electronic signatures and acceptance of
33 an electronic signature shall not be required.

34 (h) A city, county, or city and county shall not condition
35 approval for any electric vehicle charging station permit on the
36 approval of an electric vehicle charging station by an association,
37 as that term is defined in Section 4080 of the Civil Code.

38 (i) The following definitions shall apply to this section:

P6 39 (1) "A feasible method to satisfactorily mitigate or avoid the
40 specific, adverse impact" includes, but is not limited to, any
1 cost-effective method, condition, or mitigation imposed by a city,
2 county, or city and county on another similarly situated application
3 in a prior successful application for a permit.

4 (2) "Electronic submittal" means the utilization of one or more
5 of the following:

6 (A) Email.

7 (B) The Internet.

8 (C) Facsimile.

9 (3) "Electric vehicle charging station" or "charging station"
10 means any level of electric vehicle supply equipment station that
11 is designed and built in compliance with Article 625 of the
12 California Electrical Code, as it reads on the effective date of this
13 section, and delivers electricity from a source outside an electric
14 vehicle into a plug-in electric vehicle.

15 (4) "Specific, adverse impact" means a significant, quantifiable,
16 direct, and unavoidable impact, based on objective, identified, and
17 written public health or safety standards, policies, or conditions
18 as they existed on the date the application was deemed complete.

19 SEC. 2.

No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 a local agency or school district has the authority to levy service
22 charges, fees, or assessments sufficient to pay for the program or
23 level of service mandated by this act, within the meaning of Section
24 17556 of the Government Code.

BILL NUMBER: AB 970 CHAPTERED
BILL TEXT

CHAPTER 329
FILED WITH SECRETARY OF STATE SEPTEMBER 7, 2000
APPROVED BY GOVERNOR SEPTEMBER 6, 2000
PASSED THE SENATE AUGUST 31, 2000
PASSED THE ASSEMBLY AUGUST 31, 2000
AMENDED IN SENATE AUGUST 31, 2000
AMENDED IN SENATE AUGUST 7, 2000
AMENDED IN SENATE JUNE 26, 2000
AMENDED IN SENATE JULY 6, 1999
AMENDED IN ASSEMBLY APRIL 27, 1999

INTRODUCED BY Assembly Members Ducheny, Battin, and Keeley
 (Principal coauthor: Assembly Member Baugh)
 (Coauthors: Assembly Members Aanestad, Ackerman, Baldwin, Bates,
Brewer, Campbell, Cardoza, Cox, Davis, Dickerson, Gallegos, Granlund,
House, Kaloogian, Leach, Machado, Maddox, Maldonado, Margett,
Nakano, Olberg, Oller, Rod Pacheco, Pescetti, Runner, Strickland,
Thompson, and Zettel)
 (Coauthors: Senators Alpert, Bowen, and Kelley)

FEBRUARY 25, 1999

An act to add and repeal Section 12078 of the Government Code, to add and repeal Section 42301.14 of the Health and Safety Code, to add Chapter 6.5 (commencing with Section 25550) to Division 15 of, and to repeal Sections 25550, 25552, and 25555 of, the Public Resources Code, and to amend Section 372 of, and to add Section 399.15 to, the Public Utilities Code, relating to energy resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 970, Ducheny. Electrical energy: thermal powerplants: permits.

Existing law provides for the restructuring of California's electric power industry so that the price for the generation of electricity is determined by a competitive market.

Under existing law, air pollution control districts, air quality management districts, and the State Energy Resources Conservation and Development Commission issue permits for the operation of powerplants.

This bill would authorize those districts to issue a temporary, expedited, consolidated permit for a thermal powerplant if specified conditions are met, and would require the commission to establish a process for the expedited review of applications to construct and operate powerplants and thermal powerplants and related facilities.

This bill would require the Public Utilities Commission to identify and undertake certain actions to reduce or remove constraints on the electrical transmission and distribution system, and adopt specified energy conservation initiatives and undertake efforts to revise, mitigate, or eliminate specified policies or actions of the Independent System Operator for which the Public Utilities Commission or Electricity Oversight Board make a specified finding.

The bill would appropriate \$57,500,000 from the General Fund for purposes of the bill. Of that amount, \$5,200,000 would be allocated to fund specified staff resources to implement specified programs at the commission, the agencies, boards, and departments within the

California Environmental Protection Agency, and the Resources Agency; \$2,300,000 would be allocated to the Public Utilities Commission to fund specified staff resources, and \$50,000,000 would be allocated to the commission to implement energy conservation and demand-side energy programs.

The bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This act shall be known, and may be cited, as the California Energy Security and Reliability Act of 2000.

SEC. 2. The Legislature finds and declares as follows:

(a) In recent years there has been significant growth in the demand for electricity in the state due to factors such as growth in population and economic activities that rely on electrical generation.

(b) In the past decade, efforts to construct and operate new, environmentally superior and efficient generation facilities and to promote cost-effective energy conservation and demand-side management have seriously lagged.

(c) As a result, California faces potentially serious electricity shortages over the next two years, which necessitates immediate action by the state.

(d) The purpose of this act is to provide a balanced response to the electricity problems facing the state that will result in significant new investments in new, environmentally superior electricity generation, while also making significant new investments in conservation and demand-side management programs in order to meet the energy needs of the state for the next several years.

(e) It is further the intent of this act to provide assistance to persons proposing to construct electrical generation facilities without in any manner compromising environmental protection.

SEC. 3. Section 12078 is added to the Government Code, to read:

12078. (a) There is hereby established the Governor's Clean Energy GREEN TEAM, which shall consist of a chairperson and not more than 15 members as follows:

- (1) The Chair of the Electricity Oversight Board.
- (2) The President of the California Public Utilities Commission.
- (3) The Chair of the Energy Resources Conservation and Development Commission.
- (4) The Secretary for Environmental Protection.
- (5) The Secretary of the Resources Agency.
- (6) The Secretary of the Trade and Commerce Agency.
- (7) The director of the Governor's Office of Planning and Research.

(8) Representatives from the United States Environmental Protection Agency, the United States Fish and Wildlife Service, and other affected federal agencies appointed by the Governor.

(9) Representatives of local and regional agencies, including, but not limited to, air pollution control districts and air quality management districts appointed by the Governor.

(b) Within 90 days of the effective date of this section, the GREEN TEAM shall do all of the following:

(1) Compile and, upon request, make available to persons proposing to construct powerplants, all available guidance documents and other information on the environmental effects associated with powerplants proposed to be certified pursuant to Division 15 (commencing with Section 25000) of the Public Resources Code, and including state-of-the-art and best available control technologies and air emissions offsets that could be used to mitigate those environmental effects.

(2) Upon request, provide assistance to persons proposing to construct powerplants in obtaining essential inputs, including, but not limited to, natural gas supply, emission offsets, and necessary water supply.

(3) Upon request, provide assistance to persons proposing to construct powerplants pursuant to Chapter 6 (commencing with Section 25500) of Division 15 of the Public Resources Code in identifying the environmental effects of such powerplants and any actions the person may take to mitigate those effects.

(4) Upon request, provide assistance to persons proposing to construct powerplants in working with local governments in ensuring that local permits, land use authorizations, and other approvals made at the local level are undertaken in the most expeditious manner feasible without compromising public participation or environmental protection.

(5) Develop recommendations for low- or zero-interest financing programs for renewable energy, including distributed renewable energy for state and nonprofit corporations.

(c) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2004, deletes or extends that date.

SEC. 4. Section 42301.14 is added to the Health and Safety Code, to read:

42301.14. (a) To the extent permitted by the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.), and notwithstanding Section 65950 of the Government Code, a district may issue a temporary, expedited, consolidated permit, as provided by Sections 42300.1 and 42301.3, for a powerplant within 60 days after the date of certification of an environmental impact report, within 30 days after the adoption of a negative declaration, or within 30 days after the date of a determination that the project is exempt from Division 13 (commencing with Section 21000) of the Public Resources Code, if all of the following conditions are met:

(1) The powerplant will emit less than 5 parts per million of oxides of nitrogen averaged over a three-hour period.

(2) The powerplant will operate exclusively under the terms of a contract entered into with the Independent System Operator and approved by the Electricity Oversight Board established pursuant to Article 2 (commencing with Section 334) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code.

(3) The owner or operator of the powerplant shall demonstrate that the powerplant, on average, will displace electrical generation that produces greater air emissions in the same air basin or in a basin that causes air pollution transport into that basin.

(4) The powerplant will be interconnected to the grid in a manner that the Public Utilities Commission, in consultation with the Electricity Oversight Board, has determined will allow the powerplant to provide service to a geographical area of the state that is urgently in need of generation in order to provide reliable electric service. However, nothing in this paragraph affects the authority of the Energy Resources Conservation and Development Commission over powerplants pursuant to Chapter 6 (commencing with Section 25500) of Division 15 of the Public Resources Code.

(5) The powerplant will be operated at a location that has the necessary fueling and electrical transmission and distribution infrastructure for its operation.

(6) The owner or operator of the powerplant enters into a binding and enforceable agreement with the district, and where applicable, with the Energy Resources Conservation and Development Commission, which demonstrates either of the following:

(A) That the powerplant will cease to operate and the permit will terminate within three years.

(B) That the powerplant will be modified, replaced, or removed within a period of three years with a combined-cycle powerplant that

uses best available control technology and offsets, as determined at the time the combined-cycle plant is constructed, and that complies with all other applicable laws and regulations.

(7) Where applicable, the owner or operator of the powerplant will obtain offsets or, where offsets are unavailable, pay an air emissions mitigation fee to the district based upon the actual emissions from the powerplant, to the district for expenditure by the district pursuant to Chapter 9 (commencing with Section 44275) of Part 5, to mitigate the emissions from the plant.

(8) It is the intent of the Legislature in this section to encourage the expedited siting of cleaner generating units to address peaking power needs. It is further the intent of the Legislature to require local air quality management districts and air pollution control districts to recognize the critical need for these facilities and the short life span of these facilities in exercising their discretionary authority to apply more restrictive air quality regulations than would otherwise be required by law.

(b) This section may be utilized for the purpose of expediting the siting of electrical generating facilities pursuant to Chapter 6 (commencing with Section 25500) of Division 15 of the Public Resources Code.

(c) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2004, deletes or extends that date.

SEC. 5. Chapter 6.5 (commencing with Section 25550) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 6.5. EXPEDITED SITING OF ELECTRICAL GENERATION

25550. (a) Notwithstanding subdivision (a) of Section 25522, and Section 25540.6 the commission shall establish a process to issue its final certification for any thermal powerplant and related facilities within six months after the filing of the application for certification that, on the basis of an initial review, shows that there is substantial evidence that the project will not cause a significant adverse impact on the environment or electrical system and will comply with all applicable standards, ordinances, or laws. For purposes of this section, filing has the same meaning as in Section 25522.

(b) Thermal powerplants and related facilities reviewed under this process shall satisfy the requirements of Section 25520 and other necessary information required by the commission, by regulation, including the information required for permitting by each local, state, and regional agency that would have jurisdiction over the proposed thermal powerplant and related facilities but for the exclusive jurisdiction of the commission and the information required for permitting by each federal agency that has jurisdiction over the proposed thermal powerplant and related facilities.

(c) After acceptance of an application under this section, the commission shall not be required to issue a six-month final decision on the application if it determines there is substantial evidence in the record that the thermal powerplant and related facilities may result in a significant adverse impact on the environment or electrical system or does not comply with an applicable standard, ordinance, or law. Under this circumstance, the commission shall make its decision in accordance with subdivision (a) of Section 25522 and Section 25540.6, and a new application shall not be required.

(d) For an application that the commission accepts under this section, all local, regional, and state agencies that would have had jurisdiction over the proposed thermal powerplant and related facilities, but for the exclusive jurisdiction of the commission, shall provide their final comments, determinations, or opinions within 100 days after the filing of the application. The regional water quality control boards, as established pursuant to Chapter 4

(commencing with Section 13200) of Division 7 of the Water Code, shall retain jurisdiction over any applicable water quality standard that is incorporated into any final certification issued pursuant to this chapter.

(e) Thermal powerplants and related facilities that demonstrate superior environmental or efficiency performance shall receive priority in review.

(f) With respect to a thermal powerplant and related facilities reviewed under the process established by this chapter, it shall be shown that the applicant has a contract with a general contractor and has contracted for an adequate supply of skilled labor to construct, operate, and maintain the plant.

(g) With respect to a thermal powerplant and related facilities reviewed under the process established by this chapter, it shall be shown that the thermal powerplant and related facilities complies with all regulations adopted by the commission that ensure that an application addresses disproportionate impacts in a manner consistent with Section 65040.12 of the Government Code.

(h) This section shall not apply to an application filed with the commission on or before August 1, 1999.

(i) To implement this section, the commission may adopt emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 2 of Division 3 of Title 2 of the Government Code. For purposes of that chapter, including without limitation, Section 11349.6 of the Government Code, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health, safety, and general welfare.

(j) This section shall remain in effect until January 1, 2004, and as of that date is repealed unless a later enacted statute, that is enacted before January 1, 2004, deletes or extends that date.

25552. (a) The commission shall implement a procedure, consistent with Division 13 (commencing with Section 21000) and with the federal Clean Air Act (42 U.S.C.A. Sec. 7401 et seq.), for an expedited decision on simple cycle thermal powerplants and related facilities that can be put into service on or before August 1, 2001, including a procedure for considering amendments to a pending application if the amendments specify a change from a combined cycle thermal powerplant and related facilities to a simple cycle thermal powerplant and related facilities.

(b) The procedure shall include all of the following:

(1) A requirement that, within 15 days of receiving the application or amendment to a pending application, the commission shall determine whether the application is complete.

(2) A requirement that, within 25 days of determining that an application is complete, the commission shall determine whether the application qualifies for an expedited decision pursuant to this section. If an application qualifies for an expedited decision pursuant to this section, the commission shall provide the notice required by Section 21092.

(c) The commission shall issue its final decision on an application, including an amendment to a pending application, within four months from the date on which it deems the application or amendment complete, or at any later time mutually agreed upon by the commission and the applicant, provided that the thermal powerplant and related facilities remain likely to be in service before or during August 2001.

(d) The commission shall issue a decision granting a license to a simple cycle thermal powerplant and related facilities pursuant to this section if the commission finds all of the following:

(1) The thermal powerplant is not a major stationary source or a modification to a major stationary source, as defined by the federal Clean Air Act, and will be equipped with best available control technology, in consultation with the appropriate air pollution control district or air quality management district and the State Air

Resources Board.

(2) The thermal powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation.

(3) With respect to a project for a thermal powerplant and related facilities reviewed under the process established by this section, the applicant has a contract with a general contractor and has contracted for an adequate supply of skilled labor to construct, operate, and maintain the thermal powerplant.

(e) In order to qualify for the procedure established by this section, an application or an amendment to a pending application shall be complete by October 31, 2000, satisfy the requirements of Section 25523, and include a description of the proposed conditions of certification that will do all of the following:

(1) Assure that the thermal powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation.

(2) Assure protection of public health and safety.

(3) Result in compliance with all applicable federal, state, and local laws, ordinances, and standards.

(4) A reasonable demonstration that the thermal powerplant and related facilities, if licensed on the expedited schedule provided by this section, will be in service before August 1, 2001.

(5) A binding and enforceable agreement with the commission, that demonstrates either of the following:

(A) That the thermal powerplant will cease to operate and the permit will terminate within three years.

(B) That the thermal powerplant will be modified, replaced, or removed within a period of three years with a combined-cycle thermal powerplant that uses best available control technology and obtains necessary offsets, as determined at the time the combined-cycle thermal powerplant is constructed, and that complies with all other applicable laws, ordinances, and standards.

(6) Where applicable, that the thermal powerplant will obtain offsets or, where offsets are unavailable, pay an air emissions mitigation fee to the air pollution control district or air quality management district based upon the actual emissions from the thermal powerplant, to the district for expenditure by the district pursuant to Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code, to mitigate the emissions from the plant. To the extent consistent with federal law and regulation, any offsets required pursuant to this paragraph shall be based upon a 1:1 ratio, unless, after consultation with the applicable air pollution control district or air quality management district, the commission finds that a different ratio should be required.

(7) Nothing in this section shall affect the ability of an applicant that receives approval to install simple cycle thermal powerplants and related facilities as an amendment to a pending application to proceed with the original application for a combined cycle thermal powerplant or related facilities.

(f) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date except that the binding commitments in paragraph (5) of subdivision (e) shall remain in effect after that date.

25553. Notwithstanding any other provision of law, on or before 120 days after the effective date of this section or on the earliest feasible date thereafter, the commission shall take both of the following actions:

(a) Update its assessment in trends in energy consumption pursuant to Section 25216 in order to provide the Governor, the Legislature, and the public with accurate information on the status of electricity supply, demand, and conservation in the state and to recommend measures that could be undertaken to ensure adequate supply and energy conservation in the state.

(b) Adopt and implement updated and cost-effective standards pursuant to Section 25402 to ensure the maximum feasible reductions in wasteful, uneconomic, inefficient, or unnecessary consumption of electricity.

25555. (a) In consultation with the Public Utilities Commission, the commission shall implement the peak electricity demand reduction grant programs listed in paragraphs (1), (2), and (3). The commission's implementation of these programs shall be consistent with guidelines established pursuant to subdivision (b). The award of a grant pursuant to this section is subject to appeal to the commission upon a showing that factors other than those adopted by the commission were applied in making the award. Any action taken by an applicant to apply for, or to become or remain eligible to receive, a grant award, including satisfying conditions specified by the commission, does not constitute the rendering of goods, services, or a direct benefit to the commission. Awards made pursuant to this section are not subject to any repayment requirements of Chapter 7.4 (commencing with Section 25645). The peak electricity demand programs the commission shall implement pursuant to this section shall include, but not be limited to, the following:

(1) For San Francisco Bay Area and San Diego region electricity customers, the peak electricity demand program shall include both of the following:

(A) Incentives for price responsive heating, ventilation, air conditioning, and lighting systems.

(B) Incentives for cool communities.

(2) For statewide electricity customers, the peak electricity demand program shall include all of the following:

(A) Incentives for price responsive heating, ventilation, air conditioning, and lighting systems.

(B) Incentives for cool communities.

(C) Incentives for energy efficiency improvements for public universities and other state facilities.

(D) Funding for state building peak reduction measures.

(E) Incentives for light-emitting diode traffic signals.

(F) Incentives for water and wastewater treatment pump and related equipment retrofits.

(3) Renewable energy development, except hydroelectric development, for both onsite distributed energy development and for commercial scale projects through which awards may be made by the commission to reduce the cost of financing those projects.

(b) In consultation with the Public Utilities Commission, the commission shall establish guidelines for the administration of this section. The guidelines shall enable the commission to allocate funds between the programs as it determines necessary to lower electricity system peak demand. The guidelines adopted pursuant to this subdivision are not regulations subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) The commission may choose from among one or more business entities capable of supplying or providing goods or services that meet a specified need of the commission in carrying out the responsibilities for programs included in this section. The commission may select an entity on a sole source basis if the cost to the state will be reasonable and the commission determines that it is in the state's best interest.

(d) The commission shall contract with one or more business entities for evaluation of the effectiveness of the programs implemented pursuant to subdivision (a). The contracting provisions specified in subdivision (c) shall apply to these contracts.

(e) For purposes of this section, the following definitions shall apply:

(1) "Low-rise buildings" means one and two story buildings.

(2) "Price responsive heating, ventilation, air conditioning, and lighting systems" means a program that provides incentives for the

installation of equipment that will automatically lower the electricity consumption of these systems when the price of electricity reaches specific thresholds.

(3) "Light-emitting diode traffic signals" means a program to provide incentives to encourage the replacement of incandescent traffic signal lamps with light-emitting diodes.

(4) "Cool communities" means a program to reduce "heat island" effects in urban areas and thereby conserve energy and reduce peak demand.

(5) "Water and wastewater treatment pump retrofit" means a program to provide incentives to encourage the retrofit and replacement of water and wastewater treatment pumps and equipment and installation of energy control systems in order to reduce their electricity consumption during periods of peak electricity system demand.

(f) The commission may expend no more than 3 percent of the amount appropriated to implement this section, for purposes of administering this section.

(g) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2004, deletes or extends that date.

SEC. 6. Section 372 of the Public Utilities Code is amended to read:

372. (a) It is the policy of the state to encourage and support the development of cogeneration as an efficient, environmentally beneficial, competitive energy resource that will enhance the reliability of local generation supply, and promote local business growth. Subject to the specific conditions provided in this section, the commission shall determine the applicability to customers of uneconomic costs as specified in Sections 367, 368, 375, and 376. Consistent with this state policy, the commission shall provide that these costs shall not apply to any of the following:

(1) To load served onsite or under an over the fence arrangement by a nonmobile self-cogeneration or cogeneration facility that was operational on or before December 20, 1995, or by increases in the capacity of such a facility to the extent that such increased capacity was constructed by an entity holding an ownership interest in or operating the facility and does not exceed 120 percent of the installed capacity as of December 20, 1995, provided that prior to June 30, 2000, the costs shall apply to over the fence arrangements entered into after December 20, 1995, between unaffiliated parties. For the purposes of this subdivision, "affiliated" means any person or entity that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with another specified entity. "Control" means either of the following:

(A) The possession, directly or indirectly, of the power to direct or to cause the direction of the management or policies of a person or entity, whether through an ownership, beneficial, contractual, or equitable interest.

(B) Direct or indirect ownership of at least 25 percent of an entity, whether through an ownership, beneficial or equitable interest.

(2) To load served by onsite or under an over the fence arrangement by a nonmobile self-cogeneration or cogeneration facility for which the customer was committed to construction as of December 20, 1995, provided that the facility was substantially operational on or before January 1, 1998, or by increases in the capacity of such a facility to the extent that the increased capacity was constructed by an entity holding an ownership interest in or operating the facility and does not exceed 120 percent of the installed capacity as of January 1, 1998, provided that prior to June 30, 2000, the costs shall apply to over the fence arrangements entered into after December 20, 1995, between unaffiliated parties.

(3) To load served by existing, new, or portable emergency

generation equipment used to serve the customer's load requirements during periods when utility service is unavailable, provided such emergency generation is not operated in parallel with the integrated electric grid, except on a momentary parallel basis.

(4) After June 30, 2000, to any load served onsite or under an over the fence arrangement by any nonmobile self-cogeneration or cogeneration facility.

(b) Further, consistent with state policy, with respect to self-cogeneration or cogeneration deferral agreements, the commission shall do the following:

(1) Provide that a utility shall execute a final self-cogeneration or cogeneration deferral agreement with any customer that, on or before December 20, 1995, had executed a letter of intent (or similar documentation) to enter into the agreement with the utility, provided that the final agreement shall be consistent with the terms and conditions set forth in the letter of intent and the commission shall review and approve the final agreement.

(2) Provide that a customer that holds a self-cogeneration or cogeneration deferral agreement that was in place on or before December 20, 1995, or that was executed pursuant to paragraph (1) in the event the agreement expires, or is terminated, may do any of the following:

(A) Continue through December 31, 2001, to receive utility service at the rate and under terms and conditions applicable to the customer under the deferral agreement that, as executed, includes an allocation of uneconomic costs consistent with subdivision (e) of Section 367.

(B) Engage in a direct transaction for the purchase of electricity and pay uneconomic costs consistent with Sections 367, 368, 375, and 376.

(C) Construct a self-cogeneration or cogeneration facility of approximately the same capacity as the facility previously deferred, provided that the costs provided in Sections 367, 368, 375, and 376 shall apply consistent with subdivision (e) of Section 367, unless otherwise authorized by the commission pursuant to subdivision (c).

(3) Subject to the fire wall described in subdivision (e) of Section 367 provide that the ratemaking treatment for self-cogeneration or cogeneration deferral agreements executed prior to December 20, 1995, or executed pursuant to paragraph (1) shall be consistent with the ratemaking treatment for the contracts approved before January 1995.

(c) The commission shall authorize, within 60 days of the receipt of a joint application from the serving utility and one or more interested parties, applicability conditions as follows:

(1) The costs identified in Sections 367, 368, 375, and 376 shall not, prior to June 30, 2000, apply to load served onsite by a nonmobile self-cogeneration or cogeneration facility that became operational on or after December 20, 1995.

(2) The costs identified in Sections 367, 368, 375, and 376 shall not, prior to June 30, 2000, apply to any load served under over the fence arrangements entered into after December 20, 1995, between unaffiliated entities.

(d) For the purposes of this subdivision, all onsite or over the fence arrangements shall be consistent with Section 218 as it existed on December 20, 1995.

(e) To facilitate the development of new microcogeneration applications, electrical corporations may apply to the commission for a financing order to finance the transition costs to be recovered from customers employing the applications.

(f) To encourage the continued development, installation, and interconnection of clean and efficient self-generation and cogeneration resources, to improve system reliability for consumers by retaining existing generation and encouraging new generation to connect to the electric grid, and to increase self-sufficiency of consumers of electricity through the deployment of self-generation

and cogeneration, both of the following shall occur:

(1) The commission and the Electricity Oversight Board shall determine if any policy or action undertaken by the Independent System Operator, directly or indirectly, unreasonably discourages the connection of existing self-generation or cogeneration or new self-generation or cogeneration to the grid.

(2) If the commission and the Electricity Oversight Board find that any policy or action of the Independent System Operator unreasonably discourages, the connection of existing self-generation or cogeneration or new self-generation or cogeneration to the grid, the commission and the Electricity Oversight Board shall undertake all necessary efforts to revise, mitigate, or eliminate that policy or action of the Independent System Operator.

SEC. 7. Section 399.15 is added to the Public Utilities Code, to read:

399.15. Notwithstanding any other provision of law, within 180 days of the effective date of this section, the commission, in consultation with the Independent System Operator, shall take all of the following actions, and shall include the reasonable costs involved in taking those actions in the distribution revenue requirements of utilities regulated by the commission, as appropriate:

(a) (1) Identify and undertake those actions necessary to reduce or remove constraints on the state's existing electrical transmission and distribution system, including, but not limited to, reconductoring of transmission lines, the addition of capacitors to increase voltage, the reinforcement of existing transmission capacity, and the installation of new transformer banks. The commission shall, in consultation with the Independent System Operator, give first priority to those geographical regions where congestion reduces or impedes electrical transmission and supply.

(2) Consistent with the existing statutory authority of the commission, the commission shall afford electrical corporations a reasonable opportunity to fully recover costs it determines are reasonable and prudent to plan, finance, construct, operate, and maintain any facilities under its jurisdiction required by this section.

(b) In consultation with the State Energy Resources Conservation and Development Commission, adopt energy conservation demand-side management and other initiatives in order to reduce demand for electricity and reduce load during peak demand periods. Those initiatives shall include, but not be limited to, all of the following:

(1) Expansion and acceleration of residential and commercial weatherization programs.

(2) Expansion and acceleration of programs to inspect and improve the operating efficiency of heating, ventilation, and air-conditioning equipment in new and existing buildings, to ensure that these systems achieve the maximum feasible cost-effective energy efficiency.

(3) Expansion and acceleration of programs to improve energy efficiency in new buildings, in order to achieve the maximum feasible reductions in uneconomic energy and peak electricity consumption.

(4) Incentives to equip commercial buildings with the capacity to automatically shut down or dim nonessential lighting and incrementally raise thermostats during peak electricity demand period.

(5) Evaluation of installing local infrastructure to link temperature setback thermostats to real-time price signals.

(6) Incentives for load control and distributed generation to be paid for enhancing reliability.

(7) Differential incentives for renewable or super clean distributed generation resources.

(8) Reevaluation of all efficiency cost-effectiveness tests in

light of increases in wholesale electricity costs and of natural gas costs to explicitly include the system value of reduced load on reducing market clearing prices and volatility.

(c) In consultation with the Energy Resources Conservation and Development Commission, adopt and implement a residential, commercial, and industrial peak reduction program that encourages electric customers to reduce electricity consumption during peak power periods.

SEC. 8. The sum of fifty seven million five hundred thousand dollars (\$57,500,000) is hereby appropriated from the General Fund to the State Controller for the following purposes:

(a) Five million two hundred thousand dollars (\$5,200,000) to fund temporary staff resources, including, but not limited to, limited term positions, not to exceed four years, at the Energy Resources Conservation and Development Commission, the agencies, boards, and departments within the California Environmental Protection Agency, and the Resources Agency, with jurisdiction over electrical powerplant siting and conservation and demand side management programs, for the exclusive purpose of implementing programs pursuant to this act.

(1) Prior to the expenditure of funds pursuant to this subdivision, the commission shall prepare and submit an expenditure plan to the Governor and the Legislature that specifies those agencies and positions for which those funds will be expended.

(2) It is the intent of the Legislature that these funds for staff resources be expended exclusively to implement programs that achieve the maximum feasible cost-effective energy conservation and efficiency while providing the necessary staff resources to expedite siting of electrical powerplants that meet the criteria established pursuant to the act adding this section.

(b) Two million three hundred thousand dollars (\$2,300,000) to the Public Utilities Commission, to fund temporary staff resources, including limited term positions not to exceed four years, and to implement the programs established pursuant to this act.

(c) Fifty million dollars (\$50,000,000) to the Energy Resources Conservation and Development Commission, to implement cost-effective energy conservation and demand-side management programs established pursuant to Section 25555 of the Public Resources Code, as enacted by this act. The commission shall prioritize conservation and demand-side management programs funded pursuant to this subdivision to ensure that those programs that achieve the most immediate and cost-effective energy savings are undertaken as a first priority.

SEC. 9. Nothing in this act shall, in any way, apply to a pending application for the certification of the Metcalf Energy Center, which was filed with the State Energy Resources Conservation and Development Commission by Calpine and Bechtel under Docket No. (99-AFC-3).

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Due to the shortage of electric generation capacity to meet the needs of the people of this state and in order to limit further impacts of this shortage on the public health, safety, and welfare, it is necessary that this act take effect immediately.

CITY OF ISLETON
RESIDENTIAL AND NON-RESIDENTIAL
CHECKLIST FOR PERMITTING ELECTRIC VEHICLES AND ELECTRIC VEHICLE
SERVICE EQUIPMENT (EVSE)

Please complete the following information related to permitting and installation of Electric Vehicle Service Equipment (EVSE) as a supplement to the application for a building permit. This checklist contains the technical aspects of EVSE installations and is intended to help expedite permitting and use for electric vehicle charging.

Upon this checklist being deemed complete, a permit shall be issued to the applicant. However, if it is determined that the installation might have a specific adverse impact on public health or safety, additional verification will be required before a permit can be issued.

This checklist substantially follows the *"Plug-In Electric Vehicle Infrastructure Permitting Checklist"* contained in the *Governor's Office of Planning and Research "Zero Emission Vehicles in California: Community Readiness Guidebook"* and is purposed to augment the guidebook's checklist.

Job Address:	Permit No. _____
<input type="checkbox"/> Single-Family <input type="checkbox"/> Multi-Family (Apartment) <input type="checkbox"/> Multi-Family (Condominium) <input type="checkbox"/> Commercial (Single Business) <input type="checkbox"/> Commercial (Multi-Businesses) <input type="checkbox"/> Mixed-Use <input type="checkbox"/> Public Right-of-Way	
Location and Number of EVSE to be Installed:	
Garage _____ Parking Level(s) _____ Parking Lot _____ Street Curb _____	
Description of Work:	

Applicant Name:	
Applicant Phone & email:	
Contractor Name:	License Number & Type:
Contractor Phone & email:	
Owner Name:	
Owner Phone & email:	

EVSE Charging Level: <input type="checkbox"/> Level 1 (120V) <input type="checkbox"/> Level 2 (240V) <input type="checkbox"/> Level 3 480V)	
Maximum Rating (Nameplate) of EV Service Equipment = _____ kW	
Voltage EVSE = _____ V	Manufacturer of EVSE: _____
Mounting of EVSE: <input type="checkbox"/> Wall Mount <input type="checkbox"/> Pole Pedestal Mount <input type="checkbox"/> Other _____	

System Voltage: <input type="checkbox"/> 120/240V, 1 ϕ , 3W <input type="checkbox"/> 120/208V, 3 ϕ , 4W <input type="checkbox"/> 120/240V, 3 ϕ , 4W <input type="checkbox"/> 277/480V, 3 ϕ , 4W <input type="checkbox"/> Other _____
Rating of Existing Main Electrical Service Equipment = _____ Amperes
Rating of Panel Supplying EVSE (if not directly from Main Service) = _____ Amps
Rating of Circuit for EVSE: _____ Amps / _____ Poles
AIC Rating of EVSE Circuit Breaker (if not Single Family, 400A) = _____ A.I.C. <i>(or verify with Inspector in field)</i>

Specify Either Connected, Calculated or Documented Demand Load of Existing Panel:
• Connected Load of Existing Panel Supplying EVSE = _____ Amps
• Calculated Load of Existing Panel Supplying EVSE = _____ Amps
• Demand Load of Existing Panel or Service Supplying EVSE = _____ Amps <i>(Provide Demand Load Reading from Electric Utility)</i>
Total Load (Existing plus EVSE Load) = _____ Amps
<i>For Single Family Dwellings, if Existing Load is not known by any of the above methods, then the Calculated Load may be estimated using the "Single-Family Residential Permitting Application Example" in the Governor's Office of Planning and Research "Zero Emission Vehicles in California: Community Readiness Guidebook" https://www.opr.ca.gov</i>

EVSE Rating _____ Amps x 1.25 = _____ Amps = Minimum Ampacity of EVSE Conductor = # _____ AWG
For Single-Family: Size of Existing Service Conductors = # _____ AWG or kcmil - or - : Size of Existing Feeder Conductor Supplying EVSE Panel = # _____ AWG or kcmil <i>(or Verify with Inspector in field)</i>

I hereby acknowledge that the information presented is a true and correct representation of existing conditions at the job site and that any causes for concern as to life-safety verifications may require further substantiation of information.

Signature of Permit Applicant: _____ Date: _____

City of Isleton

City Council
Staff Report

DATE: August 23, 2022
ITEM#: 8.C
CATEGORY: New Business

CITY COUNCIL DECLARATION INTENT TO ASSESS FINE PURSUANT TO ORDINANCE NO. 05-2011 HISTORICAL PRESERVATION ORDINANCE, 66 MAIN STREET

SUMMARY

The Isleton Historical Preservation Review Board (IHPRB) is recommending City Council declaration intent to assess fine pursuant to Ordinance No. 05-22 for 66 Main Street due to replacing the historical windows without review and approval from IHPRB.

DISCUSSION

In August 2021 the Isleton Historical Preservation Review Board IHPRB submitted a letter to 66 Main Street inquiring the status involving the vinyl windows replacement that was not approved by the IHPRB. In May 2022, the representative from 66 Main Street met with three members of the IHPRB to address replacement of the vinyl windows with appropriate substitutes. The windows have not been replaced and the owner has not responded to the Board's request.

The IHPRB is recommending a fine of \$14,000 based upon its determination that the City Council enforce this penalty as designated in Section 1.23 of the Preservation Ordinance. Please see the attached IHPRB report and documents.

FISCAL IMPACT

There is no fiscal impact to the City finances associated with this action.

RECOMMENDATION:

It is recommended City Council pass Resolution 28-22 declaring its intent to assess fine pursuant to Ordinance 05-2011 for 66 Main Street.

ATTACHMENTS

1. IHPRB Report dated August 16, 2022 for 66 Main Street
2. Resolution 28-22 An Ordinance of the City Council of the City of Isleton Declaration Intent to Assess Fine Pursuant to Ordinance No. 05-2011 Historical Preservation Ordinance, 66 Main Street
3. Email dated May 23, 2022
4. Meeting Outline August 31, 2021
5. Letter of Inquiry: Vinyl Windows, 66 Main St, March 21, 2022
6. Email dated May 19, 2022
7. Ordinance No. 05-2011 An Ordinance of the City Council of the City of Isleton Adopting a Historic Preservation Ordinance and Accompanying Negative Declaration

Submitted by Diana O'Brien, Administrative Assistant
Reviewed by Charles Bergson, City Manager
Prepared and Submitted by Yvonne Zepeda, Deputy City Clerk

RESOLUTION NO. 28-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON DECLARING INTENT TO ASSESS FINE PURSUANT TO ORDINANCE NO. 05-2011 HISTORICAL PRESERVATION ORDINANCE, 66 MAIN STREET

WHEREAS, The City Council of the City of Isleton remains committed to enforcement of Ordinance 05-2011, City of Isleton Historic Preservation Ordinance; and

WHEREAS, the Isleton Historical Preservation Review Board on August 16, 2022 found the property 66 Main Street, Parcel #157-0034-015-0000, in violation of the Preservation Ordinance; and

WHEREAS, the Isleton Historical Preservation Review Board is recommending a fine of \$14,000 for this violation of the Preservation Ordinance.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF ISLETON DOES HEREBY ORDAIN AS FOLLOWS:

Section I: The City Council of the City Isleton declares intent to assess a fine pursuant to Ordinance 05-2011, City of Isleton Historic Preservation Ordinance for 66 Main Street, Assessor Parcel #157-0034-015-0000.

Section II: The City Council of the City of Isleton declares date of hearing for this intended fine to be held on September 13, 2022.

PASSED, APPROVED AND ADOPTED this 23rd day of August 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

ORDINANCE NO. _____

ORDINANCE NO. 05-2011

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF ISLETON ADOPTING A HISTORIC
PRESERVATION ORDINANCE AND ACCOMPANYING
NEGATIVE DECLARATION**

WHEREAS, in December 2009 the Isleton Historic Preservation Stakeholder Committee was formed to help develop historical preservation goals for the city;

WHEREAS, the committee met every month for more than a year;

WHEREAS, the committee has developed policies and objectives to advance the historical interests of the city;

WHEREAS, this ordinance establishes procedures and regulations to identify, preserve, designate, and maintain historic resources;

WHEREAS, the California Environmental Quality Act is being complied with through use of a categorical exemption (CEQA Guideline § 154308); and

WHEREAS, having reviewed this ordinance on April 12, 2011 the Isleton Planning Commission is recommending City Council approval;

NOW, THEREFORE, the Isleton City Council does ordain as follows:

Section 1. The Historic Preservation Ordinance is adopted to read in its entirety as follows:

HISTORIC PRESERVATION ORDINANCE

Sections:

- 1.01 Purpose
- 1.03 Establishment of Historic Review Board
- 1.06 Designation of Historic Landmarks and Districts
- 1.09 Certificates of Appropriateness
- 1.12 Certificates of Hardship
- 1.15 Appeals
- 1.18. Duty to Maintain
- 1.21 Unsafe or Dangerous Conditions
- 1.23 Penalties

1.01 Purpose

The purpose of this chapter is to promote the public health, safety, and welfare by providing for the identification, protection, enhancement and perpetuation of such things as buildings, structures, signs, features and sites within the city, that reflect the city's

2
historical, architectural, archaeological and cultural heritage. The way this chapter has accomplishes this is by establishing a historic review board which: (i) makes recommendations to the city council concerning the designation of historic landmarks and districts; (ii) oversees the issuance of certificates of appropriateness which are required in order to make specified changes to historic landmarks and districts; and (iii) makes recommendations to the city council concerning the issuance of hardship certificates which are available under specified circumstances to allow an owner to be relieved from the strict application of this chapter. City council is sensitive to the competing needs of preserving its heritage as provided herein while at the same time avoiding unnecessary regulation of private property. Accordingly, city council has directed the board to distinguish between "minor" and "major" repairs, modifications, alterations and construction as the board develops its operating rules and regulations, which rules and regulations shall be reviewed and adopted by city council resolution and bound in an operational manual together with adopted policies for easy counter reference.

1.03 Establishment of Historic Review Board

A. Establishment of historic review board

The Isleton Historic Review Board is established to promote the goals and objectives of this chapter through exercise of its powers and duties which are outlined below.

B. Composition of the historic review board

The board shall consist of five members as follows: (1) one historical society board member; (2) two public members; and (3) two planning commissioners. The historical society board member shall be selected by the historical society board, the public members shall be appointed by city council; and the planning commission members shall be selected by the planning commission, all subject to city council confirmation.

C. Term, officers and rules

Except as otherwise provided, each board member shall serve at the pleasure of the city council until his or her successor is seated. No member shall serve more than eight consecutive years.

1. Vacancies shall be filled by majority vote of the city council.
2. The term of a member who has been absent for three consecutive meetings without prior board approval, shall automatically terminate.
3. The board shall elect a chair and vice-chair, who shall each hold office for up to two years.

4. The chair and vice-chair shall be elected at the first board meeting after July 1st of each year or as soon thereafter as possible.

5. The board shall adopt its own operating rules, regulations and policies, and shall designate the time and place for its meetings.

D. Powers and duties of board

1. The board shall:

a. maintain a list of possible landmarks and districts which may merit official historic recognition;

b. investigate and report to the city council on the use of various federal, state, local, and private funding sources;

c. be available to advise people concerning the goals and objectives of this chapter as they relate to proposed work on architectural historical or cultural resources in the community. Examples of such work include exterior painting, roofing, fencing, landscaping, glazing, and installation of light fixtures; and

d. encourage public awareness, understanding and involvement concerning the unique historical, architectural and environmental heritage of the city through educational and interpretative programs.

2. The board shall also:

a. make recommendations to the city council concerning the its designation of historic landmarks and districts which city council is hereby authorized to designate as provided herein;

b. review applications for certificates of appropriateness as follows:

(1) the board shall review applications asking for permission to demolish structures, and recommend to city council whether and under what circumstances a certificate should issue;

(2) the board shall review and rule on applications asking permission to move, alter or construct structures, as well as all other 'major' proposals; and

(2) the board shall review all other applications for certificates of appropriateness to determine whether the board or the building official should rule on them.

c. review applications for certificates of hardship and recommend to the city council whether and under what circumstances such a certificate should issue.

3. The board shall have all other powers which are incidental and necessary to carry out its enumerated powers and duties.

1.06 Designation of Historic Landmarks and Districts

A. Procedure for designation of historic landmarks and districts

1. The development and amendment of the city's list of historic landmarks and districts may be initiated:

a. at the recommendation of staff;

b. by recommendation of the board ; or

c. by application of the property owner.

2. Upon initiation, the board shall review the request and make a recommendation to be considered at a public hearing before the city council, which will make the final decision concerning adoption or amendment of the list.

3. The city council hearing shall be noticed as follows in addition to the extent otherwise required by law:

a. in the case of a historic landmark, notice of the hearing shall be given to the owners and occupants (if any) of the historic landmark and advertised in a newspaper of general circulation at least ten days prior to the public hearing;

b. in the case of a historic district, notice of the hearing shall be given to the applicants and owners of all properties within the proposed historic district and advertised in a newspaper of general circulation at least ten days prior to the public hearing;

c. at the conclusion of the public hearing city council shall make a decision supported by written findings; and

d. if city council makes a designation, the city clerk will forthwith cause to be recorded notice that such property has been designated and placed on the city's register of historic landmarks and districts and said notice shall state that the designation runs with the land.

B. Criteria for designation of landmarks and districts

1. In designating a landmark or district as being of historical or cultural significance and worthy of protection under this chapter, the property must be found to have historical or cultural interest or special character to the public.

2. The criteria to be used is that the place, site, building, structure, object, or improvement possesses integrity of location, design, setting, materials, and workmanship; and meets one or more of the following:

a. the proposed landmark or district reflects interest or value as part of the heritage of the city;

b. the proposed landmark or district was the location of a significant historic event;

c. the proposed landmark or district identifies with a person(s) who significantly contributed to the history and development of the city; or whose work has influenced the heritage of the city, state or country;

d. the proposed landmark or district contains outstanding or exemplary elements of attention to architectural design, detail, materials or craftsmanship of a particular historic period;

e. the proposed landmark or district is in a unique location or contains one or more physical characteristics representing an established and familiar visual feature of a neighborhood;

f. the proposed landmark or district is a source, site or repository of archeological interest; or

g. the proposed resource or district contains a natural setting that strongly contributes to the well being of the people of the city.

C. Additional criteria for districts

Where the designation of an historic district is being considered, the following additional criteria will be considered:

1. whether it is a geographically definable area, urban or rural, possessing a significant concentration of objects, sites or structures unified by past events, or aesthetically by plan of development; or

2. whether the collective value of the area is greater than the value of each individual component.

D. Automatic designations

Any property listed in the National Register of Historic Places or the California Register of Historic Resources will automatically be designated as a local historic landmark, and any neighborhood so designated will automatically be designated as a local historic district. Any property identified as a contributing structure (e.g. one that enhances the historical nature of the area) to a district so listed will also be considered a contributing structure to the local historic district.

E. Findings for deletion of historic landmarks or historic districts

The deletion of any designated historic landmark or district may be approved only if city council first finds that the historic landmark or district no longer qualifies as such based on the criteria in section 1.06 B or is otherwise entitled to a certificate of hardship.

1.09 Certificates of Appropriateness

A. When certificates of appropriateness are required

Except as provided herein, the following activities are only allowed after the city has issued a certificate of appropriateness:

1. exterior alterations (e.g. exterior painting, roofing, fencing, landscaping, glazing, and installation of light fixtures) to a designated historic landmark;
2. new construction on the site of a designated historic landmark;
3. moving of a historic landmark;
4. a lot split or subdivision of a historic landmark;
5. the erection or relocation of a sign in a historic district; and
6. new construction on property in a historic district.

B. Applying for a certificate of appropriateness

Applications shall be made on a form prescribed by the building official and shall be accompanied by a fee set by resolution of the city council. The application shall include information required by the building official including elevation drawings, proposed colors and materials, plan view of new construction, and color photographs of all sides of all existing onsite structures.

C. Processing of a certificate of appropriateness

1. The building official will use a "preservation check list" to determine if a proposal is "minor" or "major," and shall use design guidelines to determine if the proposal is compatible with the existing surroundings. All requests for new construction, subdivision, lot splits, demolition, or moving of a historic landmark shall be considered a major alteration. Applications for a certificate of appropriateness for major alterations, except demolition, shall be reviewed by the board. A certificate for demolition shall be reviewed by city council.

2. A certificate of appropriateness for minor improvements may be approved by the building official unless otherwise determined by the board.

3. The building official shall inform the board in writing of all decisions made regarding minor alterations within ten calendar days thereafter.

4. To approve an application, the proposed activity must be found to be consistent with this chapter and with the Secretary of Interior's standards and not detrimental to a historic landmark or district.

5. The board's decision will be supported by written findings.

6. A certificate of appropriateness shall become void unless construction is commenced and diligently pursued within eighteen months of the date of issuance. Certificates of appropriateness may be renewed for up to thirty-six-months through the building official.

D. Additional criteria for moving a historic landmark or structure

Approval of a certificate of appropriateness for the moving of a historic landmark or structure in a designated historic district may only be granted if, in addition to the above, the board determines that:

1. the moving will not have a significant negative effect on the applicable goals and objectives of this chapter; and

2. the structure in its original setting is not of such interest or quality that it would reasonably meet federal or state criteria for designation as a historic landmark.

E. Additional criteria for demolishing a historic landmark or structure

Approval of a certificate of appropriateness for the demolition of a historic landmark or structure in a designated historic district may only be granted if, in addition to the above, the board determines that:

1. the demolition will not have a significant negative effect on the applicable goals and objectives of this ordinance:
2. the structure is not of such unusual design, texture or materials that it cannot be reproduced or can only be reproduced with great difficulty and expense;
3. the structure is not of such interest or quality that it would reasonably meet federal or state criteria for designation as a historic landmark; and
4. conversion to a new use, rehabilitation and preservation are unfeasible.

F. Demolition mitigation measures

Prior to the issuance of a certificate allowing demolition the following mitigation measures in addition to any others required by law shall be completed by the applicant:

1. Each historic structure shall be documented as follows:
 - a. plans shall be prepared which include a site plan, floor plans, elevations, and detailed drawings of character defining features such as moldings, light fixtures, trim patterns and stairs, and given to the city for preservation; and
 - b. photographs shall be taken which include the exterior and interior of the structure, along with interior and exterior character defining features, and given to the city for preservation.
2. In an effort to preserve features and artifacts from historic structures, a determination whether items within or on the building should be salvaged will be made by the city prior to the issuance of a demolition permit.

1.12 Certificates of Hardship

A certificate of hardship permitting demolition, moving, subdivision, or a lot split, new construction, or alteration, etc., for which a certificate of appropriateness has been refused, may be granted by the city council under the conditions described below. Application shall be made in the form required by the building official, and the same procedure required for a certificate of appropriateness shall be followed. A certificate of hardship may only be granted if the city finds:

1. Reasonable use or return on the property is not likely; and
2. Alternative plans in keeping with this chapter are infeasible.

1.15 Appeals

A. Appeal of building official's decision

Any two members of the board or a member of the public may appeal a decision of the building official made pursuant to this chapter within five calendar days thereafter. The appeal must be in writing, explain the basis and be delivered to the city clerk within that time.

B. Appeal of board decision

Any member of the city council or of the public may appeal a decision of the board made pursuant to this chapter within five calendar days thereafter. The appeal must be in writing, explain the basis and be delivered to the city clerk within that time.

C. Stay of approval

All approvals shall be stayed pending the outcome of an appeal.

1.18 Duty to Maintain

The owner, or other person in charge of a Historical Landmark or a contributing structure in a Historic District has a duty to keep in good repair all of the exterior features of such Landmark, and all interior features thereof which, if not maintained, may cause or tend to cause the exterior features of such resource to deteriorate, decay become damaged or fall into a state of disrepair.

1.21 Unsafe or Dangerous Conditions

Nothing in this chapter shall be interpreted to prohibit the construction, alteration, restoration, demolition, or relocation of any historical resource if such would jeopardize public safety or result in an unsafe or dangerous condition which cannot be satisfactorily rectified in the professional opinion of the building official.

1.23 Penalties

A. Misdemeanor

Violation of any provision in this chapter shall constitute a misdemeanor.

B. Nuisance

The unauthorized alteration or demolition of a historical landmark in violation of this chapter is expressly declared to be a nuisance and shall be abated

ORDINANCE NO. _____

by restoring or reconstructing the property to its condition prior to the violation.

C. Civil penalties

Any person or entity which demolishes or substantially alters or causes substantial alteration or demolition of a structure, in violation of the provisions of this chapter, shall be liable for a civil penalty. In the case of demolition, the civil penalty shall be one-half the assessed value of the landmark or structure prior to demolition. In the case of alteration, the civil penalty shall be one-half the cost of restoration of the altered portion of the landmark or structure.

D. Moratorium

Alteration or demolition of a landmark or structure in violation of this chapter shall authorize the city to issue a temporary moratorium for the development of the subject property for a period not to exceed twenty-four (24) months from the date the city becomes aware of the unauthorized alteration or demolition. The purpose of the moratorium is to provide the city an opportunity to study and determine appropriate mitigation measures for the alteration or removal of the landmark or structure, and to ensure measures are incorporated into any future development plans and approvals for the subject property.

The City Clerk shall cause this ordinance to be posted at the following three (3) locations within the City within (15) days after it is certified to be entered in the Book of Ordinances of the City:

Isleton City Hall, 101 Second Street; Isleton Post Office, 202-205 Second and C Street; and the market at 106-107 Second Street.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Isleton duly held on the 24th day of August, 2011, and was approved and enacted at a duly held regular meeting or adjourned meeting of the Council held on the 24th day of August, 2011 by the following roll call vote:

AYES:	Councilmember's Jankovitz, Samano, Villones, Mayor Bettencourt
NOES:	None
ABSENT:	None


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

SACRAMENTO

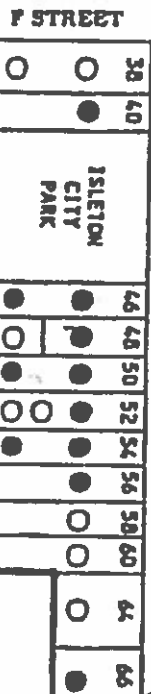
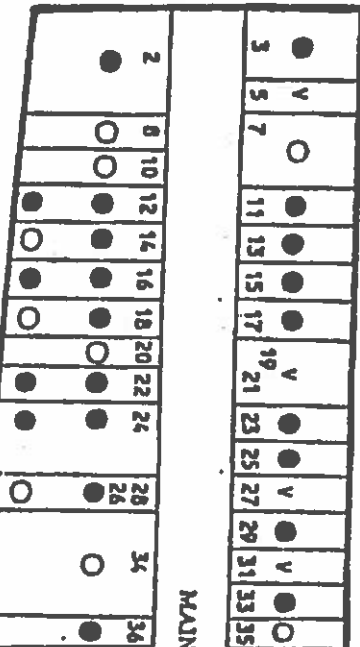
STATE ROUTE 160 (RIVER ROAD)

RIVER

E STREET

MAIN STREET

H STREET



UNION STREET

F STREET

ISLETON CITY PARK

- DISTRICT BOUNDARIES
- 3 ADDRESS
- CONTRIBUTING BUILDING
- NON-CONTRIBUTING BUILDING
- V VACANT LOT

Changes made 11 JAN 2016
 Isleton Historical Preservation Review Board
 PAB ENVIRONMENTAL SERVICES, INC. 1990



0 100 FT.
 Approx. Scale

TO: Isleton City Council and Isleton City manager

16 AUG 2022

FROM: Isleton Historical Preservation Review Board (IHPRB)

SUBJECT: Report To City Council, Civil Penalties Recommendation For 66 Main ST, Isleton CA

ATTACHMENTS:

1. Email dated August 27, 2021
- 1a. Meeting Outline 31 August 2021
2. Letter of Inquiry: Vinyl Windows, 66 Main ST, 21 March 2022
3. Email dated May 19, 2022
- 3a. Email dated May 23, 2022

PREFACE:

On 11 August 2022, it was brought to the IHPRB's attention that 66 Main ST has been placed on the market. It is for this reason that the IHPRB is reporting to the City Council. The ability of the City to enact a lien on 66 Main ST is predicted on the City Council to conduct a vote regarding civil penalties. Should 66 Main ST be sold before the City Council can act, the ability of the City to enforce ordinance 05-2011 is limited.

In August of 2021 a meeting was conducted at City Hall with the owner/management of 66 Main ST. In attendance were the Isleton City Manager, Isleton City Planner, and the Chair of the IHPRB. This meeting was in regards to the unauthorized (appropriate permit not submitted) replacement of 8 wooden windows with vinyl windows, (see attachments 1 & 2). Remedies to mitigate the situation were put forth; Submittal of a Certificate Of Appropriateness (COA, permit) to replace the vinyl windows with appropriate windows that would replicate the windows that were removed.

On 21 March 2022, approximately 6 months after the initial meeting held in August of 2021, the IHPRB/City of Isleton submitted a letter to 66 Main ST inquiring their status involving the vinyl window replacement (see attachment 2).

In May of 2022, a representative for 66 Main ST requested a meeting with the IHPRB. This meeting was held at City hall. In attendance were the representative for 66 Main ST and 3 members of the IHPRB (see attachment 3). The meeting centered around the steps needed to address the replacement of the vinyl windows with appropriate substitutes (see attachment 3a).

IHPRB RECOMMENDATIONS TO THE ISLETON CITY COUNCIL

Determining a basis for the cost to fabricate historically accurate reproduction windows:

The Isleton Historical Society was consulted as to how the Bing Kong Tong windows, during that buildings restoration, were refurbished/fabricated. The Company Burnett & Sons (family owned planning mill since 1869, specializes in architectural millwork), located in Sacramento was able to complete this work.

The company was contacted and asked for a quote to fabricate windows that would replicate the ones removed from 66 Main ST. The price quoted was \$3000 -\$3500 per window. The sash is pine, the frame douglas fir and the sill is redwood. Double hung with upper and lower sash, no finish and no glass.

It should be noted that if 66 Main ST can find a more affordable window replacement; as per the Secretary of Interior's Standards for Preservation and Rehabilitation (see attachment 2, para.6.c.), allowances can be made.

ORDINANCE 05-2011, CITY OF ISLETON HISTORIC PRESERVATION ORDINANCE

Paragraph 1.15 Appeals

- B. Appeal of Board Decision – Any member of the city council or of the public may appeal a decision of the board made pursuant to this chapter within five calendar days thereafter. The appeal must be in writing, explain the basis and be delivered to the city clerk within that time.**
- C. Stay of approval – All approvals shall be stayed pending the outcome of an appeal.**

Paragraph 1.23 Penalties.

- A. Misdemeanor – Violation of any provision in this chapter shall constitute a misdemeanor.**
- B. Nuisance – The unauthorized alteration or demolition of a historical landmark in violation of this chapter is expressly declared to be a nuisance and shall be abated by restoring or reconstructing the property to its condition prior to the violation.**
- C. Civil Penalties – Any person or entity which demolishes or substantially alters or causes substantial alteration or demolition of a structure, in violation of the provisions of this chapter, shall be liable for a civil penalty. In the case of demolition, the civil penalty shall be one-half the assessed value of the landmark or structure prior to demolition. In the case of alteration, the civil penalty shall be one-half the cost of restoration of the altered portion of the landmark structure.**

COURSES OF ACTION: IHPRB RECOMMENDATIONS FOR CIVIL PENALTIES

1. Maximum fine determined from assessed value.

Based on the quote provided from Burnett & Sons, the cost to replace 8 vinyl windows with authentic historical reproductions: \$28000.

Following the civil penalty as prescribed by ordinance 05-2011, one half the cost of restoration is: \$14000 (this breaks down to \$1750 per window).

The IHPRB recommends the maximum fine of \$14000 based on the following:

- a. 66 Main ST has been listed for sale. There has been minimum action (over 1 year) by the owner/management of said property to abate the unauthorized removal of the original windows.
- b. Should 66 main ST be sold, the City of Isleton will have the means to institute a lien in the amount of the prescribed fine. These funds could then be utilized to begin fabrication of at least 4 reproduction windows to replace the 4 vinyl windows which face Main ST.

2. Lesser fine determined by how many windows are replaced.

For each vinyl window replaced with an approved window replacement, the maximum fine amount can be reduced by \$1750 per window, up to six windows allowing for a reduction of fine to equal \$10500. This allows for a minimum fine to be set at \$3500.

From: William Bodenhamer

Sent: Friday, August 27, 2021 4:54 PM

To: Diana O'brien; Jack Chima; jamesgates cityofisleton.com; Pamela Bulahan

Subject: Violation of Isleton Historic Ordinance: 66 Main St.

To: IPHRB Members

From: Clay Bodenhamer, Member IPHRB

1. Earlier this week, it was brought to my attention that work was being conducted at 66 Main St with building permits being brought into question. Also at issue, are the removal of original windows on the second floor being replaced with what appears to be vinyl windows, the total being eight in count.
2. On Thursday the 26th of August 2021, I conferred with the Isleton Planning Department to report these concerns. The Isleton Historical Preservation Ordinance 05-2011 was reviewed along with photos taken of 66 Main St (photos submitted when 66 Main St applied for a COA involving front door replacement over 1 year ago).
3. The photos show the original green double hung windows in place on the 2nd floor levels, so the question of what was previously there has been answered. The original windows have been removed without IPHRB/City review and permit.
4. Isleton City Manager, and City Planner are aware of these circumstances and have scheduled a meeting with the manager of 66 Main St this coming Monday at 10:00am. I will also be in attendance to let the manager of 66 Main St know that his establishment may be in violation of city ordinance's, and may be liable for penalties as cited in the preservation ordinance.
5. At this point in time, my recommendation is to offer 66 Main St no penalties incurred, if the original windows are replaced. If the original windows have been destroyed then our board will have to convene to determine course of action and possible penalties per the Historical Preservation Ordinance.
6. I'll be reaching out to you to keep everyone informed as more information becomes available. If any IPHRB member wishes to attend this meeting, it begins at 10:00am Monday 30 August 2021. Please contact me prior to this meeting if you wish to attend so we can discuss the issues at hand. I plan on arriving early at City hall to discuss protocol with city staff prior to the meeting.

Take care – Clay Bodenhamer

OUTLINE FOR MEETING, 31 AUG 2021**66 MAIN ST****Conduct review of City's Historic Preservation Plan**

- **Isleton Preservation Goals**
 - o p.2, Historic Register – operates under Section 106
 - o p.1 – p.2, Section 106 of the National Historic Preservation Act
 - What is a historic resource?
 - o P.2, "In California...Required to follow Secretary of Interior Standards"
 - COA process - entailed
 - o P.2, May involve CEQA
- **Why follow the program**
 - o P.3, Mills Act, Receive CLG status, Allows funding from NPS for historic preservation
- **Part of CLG status is to have an ordinance, Ordinance 05-2011**
 - o P.9 , Duty To Maintain
 - o P.6, COA Is Required
 - o P.9, Penalties – Civil & Moratorium
 - o P.9, Appeal
- **City will conduct findings**
- **IPHRB – Review & Findings**
- **? Request OHP Review & Findings**
- **Decision Is Published**

To: Chuck Bergson, City manager, Isleton CA

21 March 2022

From: Clay Bodenhamer, Chair, IPHRB

Subject : Vinyl Windows, 66 Main St.

1. On the 31st of AUG 2021, a meeting was conducted at City Hall with the management of 66 Main St, City Manager, City Planner, and the Chair of the IPHRB.
2. The issue of concern involved the replacement of the wooden 2nd story wooden windows with vinyl windows, without applying for the proper permits to do so. A total of 8 windows were replaced.
3. It should be noted that 66 Main St. resides within the boundary of the Isleton Asian Historic District, and the building itself has been designated a historic contributor. Because of these designations, 66 Main St. falls under the purview of the Isleton Historic Preservation Ordinance No. 05-2011.
4. Per paragraph 1.09 of Ordinance 05-2011, a Certificate Of Appropriateness (COA), a permit in kind, is required to conduct "exterior alterations" as a measure to help maintain the integrity of the architectural heritage of the historic district.
5. The meeting was approximately one hour in length in which the city's historic ordinance and the tenets on which it is based were discussed.
6. During the meeting, the issue as to the wooden windows being original was brought into question. One only has to look up and down the Main St. to find wooden windows of the same design. For example, windows of like design can be seen at 16 Main St, the Lee Brothers Dry Goods Store, and at the Bing Kong Tong Building at 29 main St. which has just gone through a historical renovation. The IPHRB takes the view that the wooden windows that were replaced were original to 66 Main St., and if not, the windows gained historic significance due to the fact they had been in place for a number of decades. Under Isleton's Historic Design Guidelines, refer to Appendix A Secretary of Interior's Standards for Preservation and Rehabilitation:
 - a. App. A, Preservation 2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
 - b. App. A, Preservation 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
 - c. App. A, Rehabilitation 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. The City of Isleton is inquiring to the progress being made in the replacement of the windows and is asking the management of 66 Main St. for plans involving the window replacement.

From: William Bodenhamer
Sent: Thursday, May 19, 2022 7:53 PM
To: aleida suarez; Jack Chima; Pamela Bulahan
Cc: cbergson@cityofisleton.com; Diana O'brien; Yvonne
Subject: IHPRB Update: 66 Main St

To: IHPRB Members
From: Clay Bodenhamer, Member IHPRB

Subj: 66 Main St. Windows

1. On Monday, May 23rd at 0930 am at City Hall, a meeting will be held at the request of Management from 66 Main St. Those IHPRB members who wish to attend can do so.
2. On Thursday the 19th of May, a representative from 66 Main St. went to City Hall to request a meeting with the IHPRB to discuss the vinyl windows issue. From my discussion with the City Clerks the meeting will center around the next steps to address the replacement of the vinyl windows with appropriate substitutes.
3. I will present the information received from the Isleton Historical society regarding the Tong building window refurbishment as done by "Burnett & Sons" of Sacramento. <https://www.burnett-sons.com/> , you can actually see in the cover page of their website towards the bottom, a photo of wooden windows that have been done, they look similar in design to the old windows found on Main St.
4. As an incentive (towards the owners of 66 Main) to have the 8 vinyl windows replaced, I would like to recommend that the IHPRB recommend to the City Council that, if and when the windows are replaced in a satisfactory manor, that the City Council look favorably on reducing the civil penalty for the action that occurred.
5. The lady that requested the meeting has been involved with event organizing here in town, her name is Kailani. From what the City Clerks relayed to me, is that Kailani will be at the meeting and was apologetic for the removal of the original windows, and wants to know what it will take to set things right.
6. Note: The building inspector will be in on Monday as he is getting ready to go on vacation, so if there are any construction issues, hopefully that can be addressed as well.
7. Course of action: A COA submittal to the IHPRB is required for the vinyl window replacement. The COA will contain pertinent information regarding the windows that will be secured to include dimensions, materials, fabrication, etc. The IHPRB will then conduct its review.
8. I'll reach out to each of you by phone over the course of the weekend, I know this is rather sudden, but I felt it necessary to act quickly to engage with the management at 66 Main St. as they are the ones to have reached out to us.
9. Don't hesitate to continue this email thread with comment.

Sent from [Mail](#) for Windows

From: William Bodenhamer
Sent: Monday, May 23, 2022 11:39 AM
To: aleida suarez; Jack Chima; Pamela Bulahan
Cc: cbergson@cityofisleton.com; Diana O'brien; Yvonne
Subject: IHPRB Meeting with 66 Main ST Representative: 05-23-2022

To: Isleton IHPRB Members
From: Clay Bodenhamer, Member IHPRB

Subj: Meeting with Representative from 66 Main ST

1. On the 23 of May 2022 at 0930 at City hall, members of the IHPRB (Clay, Pam, & Jack) met with the representative from 66 Main St (Kailani).
2. Discussion ensued concerning the inadvertent replacement of the original wood windows with vinyl windows at 66 Main St. The representative conveyed apologies for the unpermitted window replacement that took place under the direction of a "newer partner" / miscommunication.
3. A course of action was discussed, and supporting materials were provided to the representative detailing a firm that could provide historically accurate window fabrication, and information regarding Sacramento Office of Historic Preservation tax incentive/preservation credits program.
4. Course of action discussed:
 - Submit Certificate Of Appropriateness (COA) detailing the vinyl window replacement with historically accurate windows.
 - COA to be reviewed by Isleton building inspector and the IHPRB
 - Upon approval of COA, permit can be pulled for work to be done.
5. One other item was discussed which involved the paint selection process for buildings in the historic district.
6. The representative was told that if questions arise or help is needed in the COA application process to contact City Hall for further help/clarification.
7. Regarding civil penalties and fines, these were not discussed with the representative, as the IHPRB needs to provide recommendation to the city. I did talk to the City Manager/City Clerks regarding this issue. The IHPRB needs to format its recommendation and provide it to the City. Fines can be instituted as prescribed by the ordinance, or can be implemented during the acquisition of work permits. The fine that can be implemented for failure to apply for the original permit starts at \$50 dollars. We can resolve this issue on line via email thread or if need be, the IHPRB can conduct a meeting to discuss this issue.

City of Isleton

City Council Staff Report

DATE: August 23, 2022

ITEM#: 8.D

CATEGORY: New Business

ISLETON WATER TOWER, PROPOSED REMOVAL

SUMMARY

California American Water Company (CalAm) has advised the City that they are planning to remove the Isleton Water Tower. Staff is presenting options for the City to retain the Tower.

DISCUSSION

CalAm has indicated that due to safety requirements and seismic considerations, they want to remove the Isleton Water Tower. A Council subcommittee (Council Members Bulahan and Walton with the City Manager Bergson and A.Suarez from the Isleton Historical Preservation Review Board) met with CalAm officials last week to discuss CalAm plans about the Tower and it's historical, commercial and cultural significance to the City.

Attached is an outline of the meeting. CalAm plans to convert all water storage for the City to ground level at their facility on Fifth Street, wants to shed any seismic and long term liability. CalAm has indicated, as an alternative, it will sell the tower with the property to the City. CalAm is preparing a proposal for the City to this effect. The City conveyed its concerns about the cultural and community value of the tower, the continued pragmatic need for a gravity tower, and the historical significance.

Notwithstanding its structural issues, the Tower does has some residual value to the City as a gravity water tower. Such a system assures some water service in the event of a major disaster like floods or power outages that can render the CalAm water plant inoperative.

Also raised as a concern is that CalAm has not conducted an engineering study for the expansion of its water system. The City has requested such a study in 2018 and 2019 when CalAm expanded its system to the Ox Bow Marina. The water system is designed and built for the town of Isleton, however CalAm has expanded the system, taking water out of town, and has plans for additional expansion without an analysis. A water system study is in order to assess the health and fire safety impacts associated with expansion.

It is noted that the tower has broadband and internet value. Several broadband and internet companies have proposed using the tower to bring better internet service to the City.

FISCAL IMPACT

There is no fiscal impact associated with this action

RECOMMENDATION

It is recommended that the City Council receive report and provide direction on the proposed removal of the Isleton Water Tower.

ATTACHMENTS:

A. City and CalAm Water Meeting Outline for August 17, 2022

Prepared by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Deputy City Clerk

A handwritten signature in blue ink, appearing to read "Bergson", is written over the printed name of Charles Bergson.

Charles Bergson

Subject: City of Isleton + California American Water Meeting
Location: City of Isleton Government (101 2nd Street, 95641)

Start: Wed 8/17/2022 10:30 AM
End: Wed 8/17/2022 11:30 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Nichole Baxter

Proposed agenda pasted below and attached.

City of Isleton and California American Water Meeting *Water Tower Discussion – August 17, 2022*

- Discuss water storage improvements for Isleton system (Lacy Carothers, Engineering Manager)
 - Information from recently filed General Rate Case
 - History of storage challenges and benefits of ground-level tank
 - Proposed timeline
- Considerations for future of the water tower (Nichole Baxter, External Affairs Manager)
 - Community/historical importance
 - Seismic standards and long-term liability
 - Example purchase terms
- Next steps (Evan Jacobs, Director of External Affairs)
- Questions?

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City of Isleton
Water Tower Me...



City of Isleton

101 Second Street, Isleton, California 95641

CITY MANAGER REPORT

Date: 19 August 2022

To: Mayor & City Councilmembers

From: Charles Bergson, City Manager

Re: City Manager Report for 23 August 2022

Developments – The Hotel Del Rio has been red tagged and is unsafe to occupy. This was a result of an emergency call to the City late 02 August. City Fire Department found the building suffering from internal flooding which compromised the electrical and other utilities in the building. City is pursuing warrants to have remaining personnel removed and to board the building. The first lender on the property is pursuing ownership and expects to have the building rehabilitated. The Meadows RV Park is undergoing an environmental studies prior to being presented to the Planning Commission. 501 Sixth Street tract map is also undergoing environmental studies.

The year to date financial report for Fiscal Year 2021-22 are attached. These are unaudited.

The Measure B Oversight Committee report has been received and will be presented to the Council at its next meeting. This report covers the years 2016-2021 financial history of Local Sales Tax Measure B passed in 2016.

The City has received a notice of award for the preparation of an Emergency Flood Plan. Staff members prepared this successful application. Amount of award is \$250,000.

The Public Works Department staff has fixed the irrigation system at Wilson Park. This work will restore the grounds at this Park and has saved the City approximately \$10,000 programmed for grounds renovation in an upcoming parks project.

There is a Delta Region Geologic Hazard Abatement District (DRGHAD) meeting set for Tuesday 30 August at 6:30 pm.

The City has auctioned two fire vehicles bringing in approximately \$33,000.

The City has received the first fee payments for its Rental Housing Inspection Program.

Very respectfully,


Charles Bergson, P.E.

General Fund - City of Isleton
Profit & Loss

July 2021 through June 2022

	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	TOTAL
Ordinary Income/Expense													
Income													
Charges for Services	1,894.85	5,374.99	2,800.41	13,976.31	2,710.03	5,886.10	2,472.62	15,074.62	13,260.28	5,100.93	6,830.34	3,530.36	78,911.84
Fines and Forfeitures	0.00	0.00	0.00	0.00	2,737.27	0.00	-80.32	0.00	0.00	0.00	28.41	40.79	2,726.15
Licenses and Permits	40.00	1,365.00	4,032.77	230.00	1,695.80	10,860.00	6,320.63	734.95	2,289.78	229.00	48,890.78	-5,239.47	71,449.24
Other Revenues	1,865.97	27,373.34	88,190.53	25,114.10	40,935.65	27,741.91	0.00	30,308.15	4,585.00	11,432.00	13,106.96	93,880.64	364,534.25
Taxes and Assessments	28,865.05	91,456.00	40,039.20	51,768.50	94,483.93	67,924.66	123,401.69	75,088.83	22,087.20	68,806.71	207,882.63	87,556.98	959,361.38
Interest Income	0.00	8.13	4.17	4.68	2.73	2.78	20.87	2.41	2.74	1.74	194.22	208.32	452.79
40002SL - COPS Grant Received	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,000.00	0.00	0.00	0.00	4,000.00
Grant Income	65,593.10	10,500.00	6,708.75	0.00	10,000.00	0.00	2,445.30	32,307.09	70,428.39	8,977.40	67,344.15	106,527.30	380,831.48
Total Income	98,258.97	136,077.46	141,775.83	91,093.59	152,565.41	112,415.45	134,580.79	153,516.05	116,653.39	94,547.78	344,277.49	286,504.92	1,862,267.13
Gross Profit	98,258.97	136,077.46	141,775.83	91,093.59	152,565.41	112,415.45	134,580.79	153,516.05	116,653.39	94,547.78	344,277.49	286,504.92	1,862,267.13
Expense													
9100033 - Credit Card Fees	0.00	0.00	0.00	199.78	162.25	134.93	121.09	142.14	136.94	215.78	158.61	0.00	1,271.52
8450054 - Weed Abatement - BILLABLE	512.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	512.40
8220412 - Parking Enforcement Expense	350.70	239.75	1,083.30	540.50	3,476.60	2,836.11	2,805.22	1,929.10	2,605.04	2,472.82	2,121.29	564.75	21,025.18
09 - Grant Expense	2,937.49	17,182.59	11,254.71	7,493.67	638.86	15,562.91	2,678.72	17,020.91	92,192.71	20,972.56	41,487.16	11,948.01	241,370.30
10 - General Government	40,508.24	63,274.91	38,401.58	30,730.39	38,060.75	55,962.80	45,949.89	34,346.04	67,503.35	61,025.87	65,490.11	80,653.09	621,912.02
20 - Public Safety	30,847.11	32,332.57	24,674.58	24,936.46	27,594.90	42,708.77	53,133.35	46,770.54	31,616.74	31,950.64	35,910.57	49,219.74	431,695.97
30 - Parks & Recreation	500.20	499.72	839.42	674.36	849.87	656.78	674.16	826.34	3,103.45	708.56	1,436.40	31.05	10,800.31
52 - Public Ways and Facilities	20,505.48	10,040.64	12,156.88	5,893.76	5,866.49	10,248.48	10,465.98	-6,828.06	11,157.04	12,575.71	12,551.27	19,282.67	123,920.34
53 - Community Development	761.05	1,398.03	762.29	1,249.95	436.49	798.15	602.19	552.22	947.93	690.79	302.26	500.52	9,001.87
56 - Non Departmental Expenses	56.91	0.00	0.00	0.00	0.00	0.00	0.00	0.00	400.00	0.00	0.00	0.00	456.91
56900 - Reconciliation Discrepancies	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
57 - Covid 19	2,091.87	2,032.44	509.82	1,722.68	29.41	327.05	464.33	578.55	1,847.46	396.79	186.72	0.00	10,187.12
83150SW - Repairs & Maintenance Sewer	864.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	864.00	0.00	0.00	1,728.00
8440000 - Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	927.55	0.00	0.00	0.00	0.00	927.55
92000 - Transfer Out	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12,500.00	12,500.00
Total Expense	99,939.45	127,000.65	89,682.58	73,441.55	77,115.62	129,235.98	116,894.93	96,265.33	211,510.66	131,873.52	159,644.39	174,704.83	1,487,309.49
Net Ordinary Income	-1,680.48	9,076.81	52,093.25	17,652.04	75,449.79	-16,820.53	17,685.86	57,250.72	-94,857.27	-37,325.74	184,633.10	111,800.09	374,957.64
Other Income/Expense													
Other Income													
92200 - Strike Fund - Fire	0.00	0.00	0.00	0.00	36,928.88	0.00	-26,726.55	0.00	0.00	0.00	0.00	0.00	10,202.33
9300000 - Rental Service Charges	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,000.00	4,000.00
9200112 - Indirect cost allocation	1,874.80	3,259.34	1,804.20	1,638.89	2,108.80	1,890.69	1,534.88	1,753.49	2,357.27	1,827.78	827.10	727.34	21,604.58
Total Other Income	1,874.80	3,259.34	1,804.20	1,638.89	39,037.68	1,890.69	-25,191.67	1,753.49	2,357.27	1,827.78	827.10	4,727.34	35,806.91
Other Expense													
debt service interest	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,120.27	0.00	879.41	5,999.68
Prior Period Adjustment	1,163.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,163.19
Total Other Expense	1,163.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,120.27	0.00	879.41	7,162.87
Net Other Income	711.61	3,259.34	1,804.20	1,638.89	39,037.68	1,890.69	-25,191.67	1,753.49	2,357.27	-3,292.49	827.10	3,847.93	28,644.04
Net Income	-968.87	12,336.15	53,897.45	19,290.93	114,487.47	-14,929.84	-7,505.81	59,004.21	-92,500.00	-40,618.23	185,460.20	115,648.02	403,601.68

410 Sewer O&M - City of Isleton Profit & Loss

July 2021 through June 2022

Ordinary Income/Expense	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	TOTAL
Income													
13204 - Equip Rental Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00	10,000.00
4007812 - Delinquent Sewer	0.00	0.00	0.00	0.00	0.00	35,422.15	0.00	0.00	0.00	0.00	0.00	0.00	35,422.15
45106SW - Sewer - Single Family - City	18,288.05	18,210.05	16,216.05	18,072.05	18,072.05	18,072.05	18,089.56	18,072.06	18,072.06	18,072.06	18,120.06	18,216.06	217,558.18
45101SW - Sewer - Multi Family City	9,376.63	10,132.63	10,132.63	10,132.63	10,132.63	10,132.63	10,132.63	10,132.63	10,132.63	10,132.63	10,132.63	10,132.63	120,655.58
45102SW - Sewer - Commercial City	7,780.21	7,780.21	7,780.21	7,780.21	7,780.21	7,780.21	8,111.27	8,111.27	8,111.27	8,111.27	8,111.27	8,111.27	97,989.18
45103SW - Sewer - Resident Outside City	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	7,900.01	94,792.22
45104SW - Sewer - Commercial Outside City	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	2,085.64	25,027.68
6100051 - Grant - State Water Resources	0.00	0.00	3,199.00	0.00	0.00	0.00	0.00	0.00	18,773.00	0.00	0.00	0.00	21,972.00
6100122 - Returned Check Charges	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.00	0.00	0.00	0.00	0.00	25.00
Total Income	45,440.54	48,118.64	48,251.54	45,980.54	45,908.56	81,330.71	48,299.11	48,328.61	65,623.68	48,625.68	48,318.88	56,969.88	622,948.97
Gross Profit	45,440.54	48,118.64	48,251.54	45,980.54	45,908.56	81,330.71	48,299.11	48,328.61	65,623.68	48,625.68	48,318.88	56,969.88	622,948.97
Expense													
7000012 - Asseas Fee (Tax Distribution)	10,283.18	0.00	0.00	0.00	0.00	11,413.80	0.00	0.00	0.00	0.00	0.00	0.00	21,696.98
71100SW - Salaries & Wage - Sewer	7,584.57	11,898.27	7,627.54	8,278.48	8,164.70	6,410.78	5,481.78	8,770.58	9,650.20	7,368.06	2,853.16	7,073.79	89,348.92
72104SW - Social Security Contr - Sewer	613.12	948.51	608.00	633.31	624.60	480.43	571.38	664.27	801.53	334.53	218.27	541.15	7,043.08
73200SW - Workers' Comp Ins - Sewer 410	415.30	0.00	195.32	2,435.01	3,495.17	874.17	874.17	874.17	874.17	0.00	0.00	0.00	10,236.67
80100SW - Postage - Sewer	0.00	200.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200.00
80301SW - Recording Fee - Sewer	0.00	0.00	0.00	0.00	0.00	3,419.72	0.00	0.00	0.00	0.00	102.78	0.00	3,419.72
8040012 - Subscriptions & Memberships AD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-76.00
81400SW - Mileage SEWER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8170000 - Uniforms	33.38	200.34	333.90	133.56	133.56	100.17	168.86	33.39	459.93	0.00	0.00	360.39	1,653.78
82101SW - Telephone - Sewer	68.28	68.28	68.20	68.17	68.28	100.17	188.62	103.26	100.00	0.00	278.96	0.00	1,063.58
82200SW - GAS - Sewer	893.13	595.50	425.15	640.16	819.26	437.81	198.62	595.04	544.01	0.00	0.00	1,061.21	5,901.27
82301SW - Electricity - Sewer	475.93	437.80	448.87	423.45	0.00	0.00	0.00	595.04	544.01	0.00	0.00	0.00	1,783.85
82302SW - WATER - SEWER	503.91	426.98	499.27	380.95	382.59	132.68	127.88	151.70	215.34	0.00	811.76	0.00	3,433.16
83600SW - Protective Equip & Suppl Sewer	0.00	0.00	8,185.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8,185.00
83100SW - Office & Comp Supplies Sewer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
83111SW - Computer Service- SEWER	195.00	268.25	195.00	195.00	195.00	195.00	341.50	0.00	0.00	0.00	0.00	0.00	1,241.25
83150SW - Repair & Maintenance Sewer	555.18	168.20	0.00	987.34	1,088.97	0.00	0.00	0.00	380.15	3,341.76	0.00	0.00	6,519.60
83181SW - Repair & Maint - Sewer	471.59	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	471.59
83162SW - LAB TESTING	90.26	0.00	2,248.00	864.00	2,248.00	1,123.00	1,123.00	37.10	22.34	1,987.00	3,679.49	2,248.00	15,827.08
83153SW - Vehicle Parts/Repair Sewer	18.00	0.00	1,123.00	212.45	0.00	305.33	0.00	0.00	0.00	0.00	0.00	0.00	1,663.88
83154SW - Vehicle Maint - Sewer	0.00	0.00	0.00	0.00	0.00	3,013.23	0.00	0.00	0.00	0.00	0.00	0.00	3,013.23
83300SW - Supplies - Sewer	1,364.06	1,146.01	479.82	243.18	684.54	739.63	0.00	190.82	272.03	0.00	0.00	0.00	5,119.68
833100 - Equipment REPLACEMENT / REPAIRS	0.00	0.00	0.00	499.68	0.00	0.00	520.00	0.00	0.00	0.00	0.00	0.00	3,527.01
83311SW - Equipment - Sewer	0.00	0.00	2,731.00	0.00	0.00	0.00	0.00	0.00	0.00	795.82	0.00	0.00	795.82
83940SW - Fuel - Sewer	75.05	163.11	183.98	74.42	0.00	148.64	87.00	161.82	0.00	0.00	0.00	0.00	948.45
83960SW - Copier Costs SEWER	1,118.65	302.99	816.18	690.76	517.45	1,274.61	0.00	0.00	0.00	0.00	0.00	0.00	4,888.05
84300SW - Engineering Services Sewer	0.00	1,916.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,916.00
8436012 - Accounting & Audit Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
84400SW - Prof Services Sewer	9,707.27	6,852.11	1,945.63	3,292.87	5,418.77	2,744.44	4,298.68	0.00	7,514.08	0.00	4,887.50	0.00	41,897.50
84410SW - Grant - DWR Small Cmnty Waste W	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,817.49	0.00	9,234.53	8,222.83	69,229.30
84500SW - Pest Control	2,169.00	1,005.00	2,169.00	1,005.00	0.00	0.00	1,005.00	1,005.00	18,817.49	1,005.00	17,884.70	0.00	38,868.19
84620SW - Waste Discharge Fee Sewer	0.00	0.00	0.00	0.00	0.00	27,199.00	0.00	0.00	346.14	0.00	2,189.00	0.00	11,532.00
85900SW - Misc Exp - Sewer	0.00	0.00	0.00	0.00	0.00	0.00	382.97	0.00	0.00	0.00	0.00	328.51	28,144.82
9210051 - Bank Service Charges	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.00	10.00	0.00	0.00	10.00	30.00
92101SW - Bank Service Charges - SW	5.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.00
Total Expense	35,940.28	27,156.72	30,344.03	21,065.81	23,770.61	59,932.64	15,142.97	10,587.25	39,940.41	14,832.30	48,318.39	20,033.95	347,059.33
Net Ordinary Income	9,494.28	18,959.92	18,907.51	24,924.73	22,137.95	21,398.07	31,156.14	35,739.36	25,683.27	31,093.38	-1,442.70	36,935.73	275,887.64
Other Income/Expense													
Other Income													
1320512 - Interest US Bank Bond	0.65	0.65	0.65	0.63	0.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.23
400906F - Transfer In - General Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
81100SW - Indirect Cost Allocation	-1,229.85	-1,926.71	-1,285.03	-1,336.79	-1,316.39	-1,035.18	-805.88	-1,113.72	-1,568.11	-1,017.35	-218.27	-244.29	-13,180.57
Total Other Income	-1,229.00	-1,926.06	-1,284.38	-1,336.16	-1,317.74	-1,035.18	-805.88	-1,113.72	-1,568.11	-1,017.35	-218.27	-244.29	-13,180.57
Other Expense													
90100SP - Interest Exp - USDA Sewer Proj	47,850.00	0.00	0.00	0.00	19,820.00	0.00	0.00	46,837.50	0.00	42,020.00	0.00	0.00	156,127.50
92001SW - Transfer Out - Debt Service	0.00	0.00	31.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	31.25
Total Other Expense	47,850.00	0.00	31.25	0.00	19,820.00	0.00	0.00	46,837.50	0.00	42,020.00	0.00	0.00	156,158.75
Net Other Income	-48,879.00	-1,926.06	-1,295.63	-1,336.16	-20,937.74	-1,035.18	-805.88	-47,851.22	-1,569.11	-43,037.55	-218.27	12,255.71	-156,036.09
Net Income	-39,384.72	17,033.86	17,611.88	23,588.57	1,200.21	20,362.89	30,250.26	-12,211.86	24,114.16	-11,944.17	-1,650.97	48,191.44	119,851.55

