City of Isleton

City Council
Staff Report

DATE: April 12, 2022

ITEM#: 4.A

CATEGORY: Communications

CITY COUNCIL COMMUNICATIONS

SUMMARY

City has received the following communications:

A. Award letter from State Department of Parks and Recreation.
B. CDTFA Approved Agreement Letter - Measure L, STJ-983.
C. Conditional Use Permit Application for AirBnb.

FISCAL IMPACT

None

RECOMMENDATION

Information only.

ATTACHMENT

- Award letter from State Department of Parks and Recreation.
- CDTFA Approved Agreement Letter – Measure L, STJ – 983.
- CUP for AirBnb.

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

State of California • Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION
P.O. Box 942896 • Sacramento, CA 94296-0001
(916) 653-7423

Gavin Newsom, *Governor*
Armando Quintero, *Director*

April 7, 2022

Charles Bergson
City Manager
City of Isleton
P.O. Box 716
Isleton, CA 95641

Re: 2018 Parks Bond Act Per Capita
Contract Number: C9801522

Dear Charles Bergson:

Enclosed is a contract for the above-referenced program. Please sign and return it within 30 days. We will send you a copy after it is signed by the State. Please remember that any projects funded by this contract must comply with all applicable state and federal laws and regulations including, but not limited to, legal requirements for construction contracts, building codes, health and safety codes, and the laws and codes pertaining to individuals with disabilities.

If you have any questions, please contact me at (916) 902-8764 or email me at Mary.Baum@parks.ca.gov.

Sincerely,

Mary Baum
Project Officer

Enclosure(s)

MEASURE L

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
450 N STREET, SACRAMENTO, CA
PO BOX 942879, SACRAMENTO, CA 94279-0027
1-916-309-5800 • FAX 1-916-322-0986
www.cdtfa.ca.gov

April 7, 2022

City of Isleton
P.O. Box 716/ 101 Second Street
Isleton CA 95641

Re: Special Taxing Jurisdiction (STJ) – 983 City of Isleton

The Department of General Services approved the agreements for the preparation and administration of the City of Isleton's general transactions and use tax. The City's ordinance sets the tax rate at 0.50 percent (0.005) and became operative on April 1, 2022. A scanned copy of the fully executed agreements is enclosed for your records.

Payments will be transmitted monthly as scheduled. The first two payments of each quarter will consist of an estimated advance payment for quarterly returns *plus* actual tax collected during the month. The third and final cleanup payment will consist of the actual tax collected during the quarter less the first two payments and administrative fees as provided in the *Agreement for State Administration of City Transactions and Use Taxes*.

The first advance payment is scheduled for June 2022, followed by a second advance payment in July 2022. The final cleanup payment for the 2nd quarter 2022 (04/01/2022 – 06/30/2022) will be made in August 2022. This cycle of payments repeats every three months.

Please note: Early remittances may be made prior to the first scheduled monthly advance payment. These remittances are generally small in amount and are a result of early sales and use tax payments from taxpayers.

Monthly Statement of Distribution may be viewed on the department's website once available at https://www.cdtfa.ca.gov/taxes-and-fees/local-and-district-taxes.htm. From this screen, scroll down and click on ***Local Jurisdictions***. Choose the link titled ***Local Tax Statement of Distributions*** to open the Local Tax Statement Inquiry Page.

To request for your statement, click the indicator opposite "District Add-on Code (3 Digits)" and enter your 3-digit code (983) in the box opposite ***Jurisdiction Code.*** Click on ***Submit Request*** and your statement will be displayed. For your convenience, the Local Tax Statements page also contains a link to the Disbursement Calendar which is the schedule of payment dates.

If you have any questions regarding the above, please contact me at (916) 309-5868 or Judy.Wong@cdtfa.ca.gov.

Sincerely,

Judy Wong

Judy Wong
Business Taxes Specialist
Local Revenue Branch

RECEIVED 3-18-22

1

City of Isleton

101 Second Street / P.O. Box 716 Isleton, Sacramento Co., California 95641
Tel: 916-777-7770 Fax: 916-777-7775 Info: yvonne.zepeda@cityofisleton.com

PERMIT FOR CONDITIONAL USE APPLICATION

The Planning Commission is empowered to grant or deny applications for use permits and to impose reasonable conditions upon the granting of those permits. **In order for this application to be filed, the applicant must pay a planning fee of $250.00 to $1,000 depending on planning time required to process application.**

Name of Applicant: Keith B. Hall	Date: 3/17/2022
Address of Applicant: 705 Joseph Place Isleton CA. 95641 RE: PO Box 443 Isleton CA	
Address of Property: 705 Joseph Place	Assessor's Parcel Number: 157-0260-005-0000
Email: grandnational66@yahoo.com	Phone: (415) 535-3793
Current Zoning:	
Proposed Conditional Use: To Host entire home For AirBnb rental Weekly + Monthly - will have a Manager near site.	
Owner of Property? (If not, provide contact info) Keith B. Hall (415) 535-3793	

FOR STAFF USE: CUP Application Number-

City of Isleton

City Council
Staff Report

DATE: April 12, 2022

ITEM#: 5.A

CATEGORY: Consent Calendar

MINUTES OF THE REGULAR CITY COUNCIL MEETINGS OF MARC 22, 2022 AND SPECIAL CITY COUNCIL MEETING OF MARCH 30, 2022.

SUMMARY

A. Review of the Regular City Council Meetings of March 22, 2022 and Special City Council Meeting of March 30, 2022.

FISCAL IMPACT

There is no fiscal impact associated with this action.

RECOMMENDATION

A. City Council review and approve the draft minutes of the Regular City Council Meeting on March 22, 2022 and Special City Council Meeting of March 30, 2022.

ATTACHMENTS

- Minutes of March 22, 2022 and March 30, 2022

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

CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, March 22, 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=cWdVNkN5aHUxcjVwRGR1M1BpajcwZz09
Meeting ID: 337 903 7904
Passcode: 123456

1. **OPENING CEREMONIES**

   A. Welcome & Call to Order – Vice Mayor Pamela Bulahan called to order at 6:30pm.
   B. Pledge of Allegiance
   C. Roll Call
   PRESENT: Councilmember's Iva Walton and Vice Mayor Pamela Bulahan, City Manager Charles Bergson, Deputy City Clerk Yvonne Zepeda. ABSENT: Councilmember's Paul Steele and Mayor Eric Pene. NO QUORUM.

2. **AGENDA CHANGES OR DELETIONS**
   ACTION: Not a quorum, no votes.

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: Public Comment: Janelle Taggert- Horse on 50 Andrus, tucked away in the back in a small closure in the back corner. Code Enforcement is working on it. Joe Kessner-Status of Fire Boat and Code Enforcement and website. What codes have you adopted? Sacramento Codes or City Codes. City Manager Charles Bergson stated no public funds. Fire Chief Baroni- only insurance. City has its own municipal codes. 8 Chapters, and look at Chapter 10 specifically for nuisances.

4. **COMMUNICATION**

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.

A. County of Sacramento, Order of Health Officer, Rescission of face coverings, February 16, 2022.
B. Email from Aleida Suarez.
C. Citizens would like to rent the Isleton Community Center.
D. Sacramento – San Joaquin Delta National Heritage Area Survey.

5. CONSENT CALENDAR

A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of February 22, 2022 and March 8, 2022.

RECOMMENDATION: City Council review and approve draft minutes of the Regular City Council meeting of February 22, 2022 and March 8, 2022.
ACTION: Tabled.

6. PUBLIC HEARING

A. **SUBJECT:** 6th Street Biking and Walking Trail; Public Hearing.

RECOMMENDATION: Staff is recommending to hold public hearing and receive public input on 6th Street Biking and Walking Trail.
ACTION: City Manager described the 6th St. Biking and Walking Trail. Public Comments: Michelle Burke- I think it is a great idea. Having a separate space is a real good idea. Aleida Suarez – I support this. Especially speeders. Great idea. Pam B. I wish they would fix the road. 6th St. has a groove in the road where I stepped wrong and fell and had to go to emergency. Between Jackson and School St. Closed public hearing.

7. OLD BUSINESS

A. **SUBJECT**: Ordinance No. 2022-001 an Ordinance of the City Council of the City of Isleton compliance with mandatory SB1383 non-exempt components edible food program requirements, calgreen recycling requirements and reporting requirements.

RECOMMENDATION: Staff is recommending that the City Council adopt Ordinance 2022-001 to comply with SB 1383 non-exempt components and to receive funding for the Edible Food Recovery Program and any future grant funds.

ACTION: Tabled.

B. **SUBJECT:** Property at 57 Main Street, Isleton, California 95641 Direct Abatement of Nuisance Pursuant to City of Isleton Ordinance No. 309.

RECOMMENDATION: Staff recommends that City Council direct the abatement of 57 Main Street.

ACTION: Tabled.

C. **SUBJECT:** City Council Vacancy – Sacramento County Grand Jury Report, February 7, 2022.

RECOMMENDATION: Discussion.

ACTION: Tabled.

D. **SUBJECT:** Isleton Boat Launching Facility Project Contract – Division of Boating and Waterways Design Grant.

RECOMMENDATION: Staff recommends that Council approve Department of Boating and Waterways contract for the Isleton Boat Launching Facility.

ACTION: Tabled.

8. NEW BUSINESS

A. **SUBJECT:** Resolution No. 12-22, authorizing the City to Submit a Sub-Applicant Grant Application for the CalOes Hazard Mitigation Grant Program (HMGP) for the City of Isleton Perimeter Flood Barrier All-Weather Access Road and Berm.

RECOMMENDATION: Staff recommends City Council approve Resolution No. 12-22 authorizing the City to submit a sub-applicant for the CALOES Hazard Mitigation Grant Program (HMGP) for the City of Isleton Perimeter Flood Barrier All-Weather Access Road and Berm.

ACTION: Tabled.

B. **SUBJECT:** Resolution No. 11-22 authorizing the City to submit Grant Application for the Department of Water Resources (DWR) Delta Flood Emergency Response Grant Program for the Isleton Flood Emergency Response Plan.

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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RECOMMENDATION: Staff recommends City Council approve Resolution No. 11-22 authorizing the City to submit grant application for the Department of Water Resources Delta Flood Emergency Response Grant Program for the Isleton Flood Emergency Response Plan.

ACTION: Tabled.

9. COUNCIL REPORTS AND COMMITTEE UPDATES

A. Councilmember Vacant
B. Councilmember Paul Steele – Absent.
C. Councilmember Iva Walton – None.
D. Vice Mayor Pamela Bulahan – None.
E. Mayor Eric Pene – Absent.

10. STAFF GENERAL REPORTS AND DISCUSSION

A. City Manager Report – Provided back up. Fiscal Year 2023 at April meeting-budget and Cannabis Funds.
B. Fire Chief Report – None.
C. Code Enforcement – On going properties and vacant lots. 57 Main – Bank is the holder. I would like to meet with the Business Owners.

11. CLOSED SESSION

A. Gov't Code§54956.9
Pending Litigation
B. Gov't Code§54956.8
Property Negotiations-108 Second Street.

12. ADJOURNMENT

The meeting agenda is moved to March 30, 2022 for a special meeting due to no quorum.

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
MAYOR, Eric Pene

ATTEST:

_____

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DEPUTY CITY CLERK, Yvonne Zepeda

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CITY OF ISLETON

Special City Council Meeting Minutes

Wednesday, March 30, 2022 at 6:30pm
208 Jackson Boulevard
Isleton, California 95641
You can call in to join our public meeting
TELECONFERENCE OR IN PERSON MEETING

This meeting will be held via teleconference or in person, pursuant to Executive Order N-29-20 issued by the State of California Executive Order by Governor Gavin Newsom on March 17, 2020. All members of the public interested in participating in this Zoom meeting can dial in by phone at 408-638-0968 (do not put a 1 before the number), Personal Meeting ID 337-903-7904# (for Personal ID just hit #) and then Passcode 123456#. For computer log-in, follow the link below.

Join Zoom Meeting
https://us02web.zoom.us/j/3379037904?pwd=cWdVNkN5aHUxcjVwRGR1M1BpajcwZz09
Meeting ID: 337 903 7904
Passcode: 123456

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1. **OPENING CEREMONIES**

   A. Welcome & Call to Order – Mayor Eric Pene called to order 6:30pm.
   B. Pledge of Allegiance
   C. Roll Call
   PRESENT: Councilmember's Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene, City Manager Charles Bergson.
   ABSENT: Councilmember Paul Steele.

2. **AGENDA CHANGES OR DELETIONS**
   ACTION: 7.C Move first for City Attorney Andreas Booher, after public comments.

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

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scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.
ACTION: Ruby Fowler – Saturday 23rd/ Kathy Wright and Stacy Wallace regarding 600' outdoor cannabis consumption.

4. **COMMUNICATION**
   - **A.** County of Sacramento, Order of Health Officer, Rescission of face coverings, February 16, 2022.
   - **B.** Email from Aleida Suarez.
   - **C.** Citizens would like to rent the Isleton Community Center.
   - **D.** Sacramento – San Joaquin Delta National Heritage Area Survey.
     ACTION: Information only.

5. **CONSENT CALENDAR**

   A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of February 22, 2022 and March 8, 2022.

   RECOMMENDATION: City Council review and approve draft minutes of the Regular City Council meeting of February 22, 2022 and March 8, 2022.
   ACTION: Councilmember Iva Walton motion to approve draft minutes of the Regular City Council meeting of February 22, 2022 and March 8, 2022. Vice Mayor Pamela Bulahan second the motion. AYES: Councilmember's Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. NOES: None. ABSENT: Councilmember Paul Steele. ABSTAIN: None. PASSED 3-0.

6. **PUBLIC HEARING**

   A. **SUBJECT:** None.

7. **OLD BUSINESS**

   A. **SUBJECT**: Ordinance No. 2022-001 an Ordinance of the City Council of the City of Isleton compliance with mandatory SB1383 non-exempt components edible food program requirements, calgreen recycling requirements and reporting requirements.

   RECOMMENDATION: Staff is recommending that the City Council adopt Ordinance 2022-001 to comply with SB 1383 non-exempt components and to receive funding for the Edible Food Recovery Program and any future grant funds.

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ACTION: Tabled.

B. **SUBJECT:** Property at 57 Main Street, Isleton, California 95641 Direct Abatement of Nuisance Pursuant to City of Isleton Ordinance No. 309.

RECOMMENDATION: Staff recommends that City Council direct the abatement of 57 Main Street.

ACTION: Mayor Eric Pene motion that City Council direct the abatement of 57 Main Street. Councilmember Iva Walton second the motion. AYES: Councilmember's Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. NOES: None. ABSENT: Councilmember Paul Steele. ABSTAIN: None. PASSED 3-0.

C. **SUBJECT:** City Council Vacancy – Sacramento County Grand Jury Report, February 7, 2022.

RECOMMENDATION: That the City Council direct letter response to Sacramento County Grand Jury.

ACTION: Mayor Eric Pene motion to direct response to Sacramento County Grand Jury. Councilmember Iva Walton second the motion. AYES: Councilmember's Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. NOES: None. ABSENT: Councilmember Paul Steele. ABSTAIN: None. PASSED 3-0.

D. **SUBJECT:** Isleton Boat Launching Facility Project Contract – Division of Boating and Waterways Design Grant.

RECOMMENDATION: Staff recommends that Council approve Department of Boating and Waterways contract for the Isleton Boat Launching Facility.

ACTION: Tabled.

8. NEW BUSINESS

A. **SUBJECT:** Resolution No. 12-22, authorizing the City to Submit a Sub-Applicant Grant Application for the CalOes Hazard Mitigation Grant Program (HMGP) for the City of Isleton Perimeter Flood Barrier All-Weather Access Road and Berm.

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RECOMMENDATION: Staff recommends City Council approve Resolution No. 12-22 authorizing the City to submit a sub-applicant for the CALOES Hazard Mitigation Grant Program (HMGP) for the City of Isleton Perimeter Flood Barrier All-Weather Access Road and Berm.

ACTION: Removed.

B. **SUBJECT:** Resolution No. 11-22 authorizing the City to submit Grant Application for the Department of Water Resources (DWR) Delta Flood Emergency Response Grant Program for the Isleton Flood Emergency Response Plan.

RECOMMENDATION: Staff recommends City Council approve Resolution No. 11-22 authorizing the City to submit grant application for the Department of Water Resources Delta Flood Emergency Response Grant Program for the Isleton Flood Emergency Response Plan.

ACTION: Vice Mayor Pamela Bulahan motion to approve Resolution No. 11-22 authorizing the City to submit grant application for the Department of Water Resources Delta Flood Emergency Response Grant Program for the Isleton Flood Emergency Response Plan. Councilmember Iva Walton second the motion. AYES: Councilmember's Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. NOES: None. ABSENT: Councilmember Paul Steele. ABSTAIN: None. PASSED 3-0.

9. COUNCIL REPORTS AND COMMITTEE UPDATES

A. Councilmember Vacant - Vacant
B. Councilmember Paul Steele – Absent.
C. Councilmember Iva Walton – Bldg. inspection maybe regularly.
D. Vice Mayor Pamela Bulahan – None.
E. Mayor Eric Pene – Volunteer inspecting plans for the bldg. rough framing-45 min. – hour.

10. STAFF GENERAL REPORTS AND DISCUSSION

A. City Manager Report – None.
B. Fire Chief Report – None.

11. CLOSED SESSION

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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11.1 Public Employee Performance Evaluation Pursuant to Government Section§54957, position: City Manager.

11.2 Government Section§54956.9, Pending Litigation

11.3 Government Section§54956.8, Property Negotiations-108 Second Street. ACTION: No reportable action.

12. ADJOURNMENT

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
MAYOR, Eric Pene

ATTEST:

_____
DEPUTY CITY CLERK, Yvonne Zepeda

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City of Isleton

City Council
Staff Report

DATE: April 12, 2022

ITEM#: 7.A

CATEGORY: Old Business

CITY COUNCIL APPOINTMENT TO FILL VACANCY

SUMMARY

The City is in receipt of a Grand Jury Report from the Sacramento County Superior Court dated February 7, 2022 regarding the vacant City Councilmember seat. The Grand Jury is directing that the City fill the vacancy or call a special election by June 30, 2022.

DISCUSSION

The Grand Jury report called for the Council to a) respond to each grand jury finding (there are five), b) response to each grand jury recommendation (there are two), and c) take action to fill the vacant Council seat.

Council has elected to take applications for the vacant council seat and make an appointment. The City has received six applications, attached. Council is recommended to make an appointment from these applicants. The applicants are, alphabetically:
Dean Dockery
Kelly Hutson
David Kent
Jeremy Nadel
Kristen Ordon
Marcus Weemes

The City formally responded to the Grand Jury's letter earlier this month regarding its completion of this appointment. Staff is recommending that the City Council make an appointment to the City Council and that this member be seated at the April 26, 2022 meeting. This seat is to fill the term until the next general election, November 2022.

FISCAL IMPACT

There is no fiscal impact associated with this action.

RECOMMENDATION

Staff recommends that City Council select an applicant to fill the vacant Councilmember seat.

ATTACHMENTS

1 – Applicants for the City of Isleton, Councilmember received prior to April 7, 2022

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

RECEIVED 3-28-2022

City of Isleton

101 Second Street P.O. Box 716 Isleton, California 95641
Tel: 916-777-7770

APPLICATION FOR APPOINTMENT TO COMMITTEE OR COMMISSION

Please fill out application form completely in blue or black ink.

NOTE: Your application will be copied to the City Council and becomes a public record available for public inspection. (Personal information is redacted).

Return completed applications to:
City Clerk's Department, City of Isleton, P.O. Box 716, Isleton, California 95641 or email **yvonne.zepeda@cityofiselton.com**

Applicant Information: (All information is required)

Name: Dean Dockery

Residence Address: [redacted] 3rd Ave, Isleton, CA 95641

Email: [redacted]

Phone: [redacted]

Employer and Occupation: City of Isleton Code Enforcement

Currently serving on a Committee/Commission? If yes, please specify:

City of Isleton Residency / Registered to Vote: ☑ **Yes** ☐ **No**

All Elected Officials shall be required to complete a Financial Disclosure / Ethics Training:

♦ requires filling of annual Statement of Economic Interests with the FPPC. DD

♦ Commission and Committee members must complete ethics and harassment training. DD

I certify that the information contained on this form is true and accurate:
Signature: Dean Dockery Date: 3-28-22

RECEIVED

CITY OF ISLETON COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Dean Dochery

Commission or Committee you are applying for: City Council

1. Please list any other boards, commissions, or committees on which you have served, and the year(s) of service:

Isleton City Council - 4 years
GHAD Board - current

2. Why do you want to serve on this committee or commission:

To help better the city of Isleton and to help our city grow and thrive in a positive manner. As a past council member I believe I have the skill set to help the city of Isleton continue to [redacted] in a positive direction.

[redacted]

3. Briefly describe your experiences and how you qualify to serve on the committee or commission:

I am a life long member/resident of the city of Isleton. I have previously served as a council member and am an active member of the Isleton fire department currently serving as the Volunteer assistant chief.

4. Any other additional information you wish to attribute:

Signature: _____ Date: _____

City of Isleton

101 Second Street P.O. Box 716 Isleton, California 95641
Tel: 916-777-7770

APPLICATION FOR APPOINTMENT TO COMMITTEE OR COMMISSION

Please fill out application form completely in blue or black ink.

NOTE: Your application will be copied to the City Council and becomes a public record available for public inspection. (Personal information is redacted).

Return completed applications to:
City Clerk's Department, City of Isleton, P.O. Box 716, Isleton, California 95641 or email
yvonne.zepeda@cityofiselton.com

Applicant Information: (All information is required)

Name: Kelly Hutson

Residence Address: [redacted] School St.

Email: [redacted]

Phone: [redacted]

Employer and Occupation: Self employed Commercial Fisherman

Currently serving on a Committee/Commission? If yes, please specify: NO

City of Isleton Residency / Registered to Vote: ☒ **Yes** ☐ **No**

All Elected Officials shall be required to complete a Financial Disclosure / Ethics Training:

♦ requires filling of annual Statement of Economic Interests with the FPPC. K.H.

♦ Commission and Committee members must complete ethics and harassment training. K.H.

I certify that the information contained on this form is true and accurate:
Signature: [signature] Date: 3-17-2022

CITY OF ISLETON COMMISSION AND COMMITTEE APPLICATION

Applicant Name: E. Kelly Hudson

Commission or Committee you are applying for: City Council Member

1. Please list any other boards, commissions, or committees on which you have served, and the year(s) of service:

none

2. Why do you want to serve on this committee or commission:

I would like to be involved in the decision making for the city. I want to insure that the city and its citizens are adequately represented in moving forward in a positive and profitable direction. [redacted]

3. Briefly describe your experiences and how you qualify to serve on the committee or commission:

I have ran my own business for the last 35 years and feel that running a business and running a city have similar goals, namely "Growth and Prosperity".

I was born and raised here in the delta, after living away from the area for the last 25 or so years gives me a keen understanding of the beauty of Isleton and its citizens.

4. Any other additional information you wish to attribute:

I would be honored to be a member of the city council and help in the future prosperity of Isleton

Signature: _____ Date: 3-17-2022

RECEIVED 3-10-22

Charles Bergson

From: David Kent [redacted]
Sent: Thursday, March 10, 2022 11:36
To: Charles Bergson
Cc: [redacted]
Subject: Offer to Serve for City Council

David Kent
[redacted]
Isleton, CA 95641

City Council of Isleton
101 Second Street
P.O. Box 716
Isleton, CA 95641

Dear City Council of Isleton:

I care about principled leadership, and especially being able to say "why" a principle is being utilized to achieve a result. I care about inclusion and achieving consensus among all the various interests and opinions of the community. I am not threatened by hearing and listening intently to opposing views. In fact, I thrive upon it because it gives all of us the best possible information and more possible ways to solve problems. I care deeply about the fate of this city and, short of overhauling the worldwide economic system, we must leverage the city's enormous natural and historical assets to attract new businesses, reward conscientious and community-minded businesses, and start to see an increase in growth, recovery, and prosperity that results in a higher standard of living for all our citizens. I care about promoting courage and vision, especially in the midst of challenges. I care about monitoring all enacted policies and solutions to make sure that the intended consequences stay on track, while remaining open to change.

It has come to my attention that this approach is considered to be of benefit to the city of Isleton, so I am submitting my application to serve.

Sincerely,

David Kent

[redacted]

[redacted]

[redacted]

RECEIVED 3-28-22

City of Isleton

101 Second Street P.O. Box 716 Isleton, California 95641
Tel: 916-777-7770

APPLICATION FOR APPOINTMENT TO COMMITTEE OR COMMISSION

Please fill out application form completely in blue or black ink.

NOTE: Your application will be copied to the City Council and becomes a public record available for public inspection. (Personal information is redacted).

Return completed applications to:
City Clerk's Department, City of Isleton, P.O. Box 716, Isleton, California 95641 or email **yvonne.zepeda@cityofiselton.com**

Applicant Information: (All information is required)

Name: Jeremy Nadel

Residence Address: [redacted] Main St. A 95641

Email: [redacted]

Phone: [redacted]

Employer and Occupation: Business owner/operator Delta Agriculture holdings

Currently serving on a Committee/Commission? If yes, please specify: No

City of Isleton Residency / Registered to Vote: ☑ **Yes** ☐ **No**

All Elected Officials shall be required to complete a Financial Disclosure / Ethics Training:

♦ requires filling of annual Statement of Economic Interests with the FPPC. yes

♦ Commission and Committee members must complete ethics and harassment training. yes

I certify that the information contained on this form is true and accurate:
Signature: [signature] Date: 3/28/22

The City of Isleton is an equal opportunity provider and employer
s:\forms\application for committee_commission.doc
August 30, 2021, application for committees

CITY OF ISLETON COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Jeremy Nadel

Commission or Committee you are applying for: Vacancy city council

1. Please list any other boards, commissions, or committees on which you have served, and the year(s) of service: I have not served on any government comittees before but I am a College educated with a business and history degree, that focused on history of politics.

2. Why do you want to serve on this committee or commission: I want to serve on this comission to be closer to and more involved with community I love and live and work in. I want to help bring [redacted] tourism to Isleton, to help the [redacted] economy and small [redacted] want to help get over a [redacted] force and better our [redacted] first responders by helping [redacted] the tools they need. I want to help residents in need by setting up food drives and other events to help.

3. Briefly describe your experiences and how you qualify to serve on the committee or commission: I believe I am qualified to serve because I love and am friendly with all my neighbors and fellow business owners in Isleton. I have lived in 2 countries teaching english to underprivileged kids for over 2 years. I currently manage the day to day operations of a successful business with over 15 employees. I have great people skills and I am a college graduate with the point of view that's not ever one sided.

4. Any other additional information you wish to attribute: I think I would be a great asset to the city in terms of being able to listen to all points of view

Signature: _____ Date: 3-28-22

Yvonne Zepeda

RECEIVED 3-16-22

From: [redacted]
Sent: Wednesday, March 16, 2022 1:19 PM
To: Yvonne
Subject: City council seat vacancy

This letter is to express my interest in the Isleton City Council seat vacancy. The following is why I would make a good addition to the Council and a little about myself.

Though I have only been an actual resident for 5 years, I have been in and around Isleton for over 12 years. My parents live here and I have seen many of the ups and downs Isleton has experienced.

I served on the board at Parkway Soccer Club for 7 years while coaching various levels of soccer for 15+ years. I received a Resolution by the Board of Supervisors, Sacramento County in 2005.

I spent many hours volunteering at Florence Markofer Elementary School and received a Volunteer Award from Elk Grove Unified School District for the numerous hours of volunteering.

I have been a successful real estate agent for 31 years at our small family owned business. For several years of that I specialized in foreclosure properties working for 13 banks. I took care of their properties from eviction to end of sale.

I have 4 children, 2 biological and 2 foster children we recently decided to add to our family. They currently attend Isleton Elementary.

I feel that with my small business knowledge, real estate knowledge and the fact that I reside and plan to stay in Isleton are helpful in aiding to help build Isleton into an even better place for our residents. I obviously volunteer and care about people. I communicate and listen to people, it's important to them. I have no conflict with anyone on our city council and am a very dedicated loyal person.

Kristen Ordon
[redacted]

[redacted]

[redacted]

Yvonne Zepeda

RECEIVED 3-11-2022

From: Marcus D. Weemes <themarcusd@gmail.com>
Sent: Friday, March 11, 2022 9:30 AM
To: Yvonne
Subject: City Council Vacancy Application - Weemes
Attachments: Marcus D Weemes City Council March 2022.pdf

Yvonne,

Please see the attached application packet, as I wish to continue to express my interest in serving the great citizens of Isleton. I had originally submitted my application back in June when the position was first posted.

Please let me know if there are any questions or anything else needed at this time from me!

Thanks

Marcus D. Weemes

Marcus D. Weemes
[redacted]
Isleton,CA 95641
[redacted]
themarcusd@gmail.com

March 11, 2022

City of Isleton
City Council % Yvonne Zepeda
101 Second Street
PO Box 716
Isleton, CA 95641

Dear City Council Members,

I am writing to inform you of my strong interest in serving the residents of Isleton on the City Council to fill the current vacancy. I remember attending my first City Council meeting in 2019 and sitting next to her and talking to each other, as I learned about our town.

I would like to share a little bit about my background and education. I will also attach my resume for your review. I was born and raised in Fort Wayne, Indiana. I graduated from Ball State University where I studied Political Science and Theatre. I went on to receive my Masters Degree in Project Management/Business from the University of Wisconsin Platteville.

My career has been spent working over 21 years in Higher Education Administration. I have worked at 5 different institutions, including the University of Michigan, University of Illinois at Chicago and the past 6 years as the Director of Campus Housing at Saint Mary's College of California. In addition to working at colleges I also have for the past 5 years worked full-time in tech for Lyft HQ in San Francisco.

I have managed multi-million dollar revenue and also expenses in my career. I am an energetic leader who's top strengths from the Strengths Quest include being futuristic, strategic, and adaptability. These strengths will be a great benefit to the City of Isleton and City Council.

When I first set eyes on Isleton in 2018, I thought this would be a great community to live in and plant my roots firmly in California. I purchased my home here in the Isleton Village development in September 2019, and have loved educating others about our town. I am very excited about the possibility to serve and help continue to make Isleton a great place for everyone to live and grow together as a community. We are a gem on the Delta!

Respectfully Submitted,

Marcus D. Weemes

[redacted]

Marcus D. Weemes

[redacted] • Isleton, CA 95641

Innovative Change Agent leveraging 22 years of professional leadership and project management experience. Commands large teams with confident and effective management methodologies.

Dedicated. Focused, business leader and team member with comprehensive knowledge and experience with Lyft and offers innovation needed to bring to life driver hubs and service centers company wide. Exercises interpersonal effectiveness in driving teams to optimal performance levels. Inspires and implements process improvements and operational effectiveness with creativity and high-energy. A data driven manager, who is able to dive deep into the numbers and analytics while excelling in building strong relationships with a wide cross-section of partners. Over 22 years of experience in project management and management, cross-functional partner communication and collaboration from beginning early stage and beyond.

StrengthsQuest Top 5 Characteristics: **Futuristic, Strategic, Adaptability, Competition and Significance**

Highlighted Skills & Accomplishments

- Provided leadership in renovations and construction projects and cost-saving management initiatives saving thousands of dollars each year.
- Improves efficiency and ensures seamless operations by spearheading and delivering enhanced training programs to boost the efficacy of customer service, internal/external communications, direct mailings, mail delivery, email communications, and other initiatives.
- Implemented new driver on-boarding processes in the San Francisco market

Education

M.S., Business-Project Management | University of Wisconsin Platteville
BA, General Studies, Concentration: Political Science and Theatre | Ball State University

Professional Development & Accomplishments

LYFT, *Chicago, IL and Northern California, CA* — *2013 - Present*

Driver Advisory Council Manager - National Driver Engagement (Sept. 2021-present)
Driver Advocacy Community Lead - National Driver Engagement (Aug. 2019-Sept. 2021)
Driver Advisory Council Special Project Team - NDAC POC (April 2018-Aug. 2019)
Silicon Valley: Operations Assoc. (Sept. 2018 - Aug. 2019), **Sr. Community Assoc** (Jan. 2018 - Sept. 2018)
Community Associate - San Francisco (May 2016 - Jan. 2018)

Key Accomplishments:

- Management of the Driver Advisory Council program with over 120 active drivers and 360 alumni members.
- Coordinate Cross-Functional Partnerships to improve the driver community experience on the platform.
- Serve as a liaison to resolve customer/driver issues via social media reports (Facebook, Twitter, TikTok, LinkedIn)
- Managed the daily operations of 2 Hublites in Silicon Valley and provide supervision of 18 Community Associates
- Facilitate the local team build out and furnishing of 2 Silicon Valley Hublite locations from possession to opening.
- Manage the Onboarding and Welcome Sessions for New Lyft Drivers at remote locations and Pep Boys stores.
- Responsible for Analytical information for onboarding sessions including administration of onboarding trackers and performance levels.
- Responsible for Welcome Session (onboarding) content, pre/post communication and tracking of applicants progress through the application process to beginning to drive.
- Responsible for location set up, appearance, supplies and signage.

Driver/Mentor/Recruiter/Ambassador

- Contributes to lead generation and digital marketing methodologies by monitoring and engaging in social media interaction with clientele to promote online community and brand awareness of the platform for ridesharing opportunities.
- Facilitates marketing events to connect drivers and customers on a continual basis; strengthens repeat business.
- Serve as a recruiter/mentor in both the Chicago and San Francisco markets to screen and select new drivers to join the Lyft community.
- Effective Brand Ambassador for Lyft, having led informal and formal Lyft teams in street team marketing.
- Maintains a high star rating as a Lyft Driver within the community starting as a driver in Chicago in July 2013 and transferring to San Francisco in July 2015.

[redacted]

Rhithm Inc, Remote November 2021-March 2022

Director of Operations

Oversaw general operations and marketing for the EdTech Startup focused on Wellness and Mental Health of K-12 students. Supervise a full-time marketing lead specialist. Responsible for the corporate card expense process. *Position eliminated in a restructure impacting the loss of 15% of the workforce.*

Key Accomplishments:

- Launched a internal intranet to improve communication and to serve as a hub for all resources
- Developed the Community Engagement roadmap which included an advisory council, user-group conference, give-back scholarship program, podcast and quarterly user NPS Survey.
- Coordinated the launch of a robust social media plan to build a stronger user base, increase sales and also increase engagement from users.
- Facilitated a Lounge Furniture replacement program for 18 lounges across campus over a 2 week period

Saint Mary's College of California, Moraga, CA 2015-2021

Director of Campus Housing

Oversees the management of the Campus Housing Office. Supervise a full-time staff member and up to 12 student staff members; heads contracts, billing, facilities management and assignments for $18+ Million annual housing operation comprised of 1,600 resident students in 22 residence halls.

Key Accomplishments:

- Responsible for developing and implementing policies, procedures and new initiatives, including a key management system, laundry services and amenities programs.
- Responsible for assisting cross-functional departments in the prioritization, funding, scheduling, vendor selection and management, communication with several simultaneous renovation projects of over $800k each year.
- Facilitated a Lounge Furniture replacement program for 18 lounges across campus over a 2 week period

University of Illinois at Chicago, Chicago, IL 2006-2015

Area Coordinator for Administration and Operations

Oversees the management of the Housing Office operations. Supervise four full-time staff members including Resident Director for Administration and Assessment, three Housing Representatives as well as up to 12 student staff members; heads contracts, billing, and assignments for $33 Million housing operation comprising 3,700+ resident students.

Key Accomplishments:

- Responsible for the customer service operation of Central Housing Office, including front desk operations at 5 satellite locations around campus.
- Develop and implement policies, procedures and new initiatives to provide increased efficiencies and cost savings.
- Manifests community, enhanced campus housing communication, and social interaction by spearheading and maintaining content management for social media and email marketing campaign initiatives.

University of Michigan, Ann Arbor, Michigan 2003-2006

Coordinator of Residence Education

Headed $150K+ annual budget while also recruiting, developing, and training four full-time staff members including Resident Directors, Associate Hall Directors, Office Coordinator, and Hall Assistant, up to 37 student staff members.

Key Accomplishments:

- Promoted on a progressive basis to oversee up to 1,300-bed co-educational residence hall in final year of tenure; led Living Learning community of 200 students in first year and was granted increasing responsibility with multiple residence halls comprised of up to 600 students.
- Proved vital to catalyzing major improvements and community development initiatives by exercising leadership in various departmental committees including Communication Task Group, Sustainability Committee, Community Development Committee, Technology in Housing Committee, and various other cross-functional teams.
- Contributed to building and revitalization initiatives by developing team comprised of Dining Manager, Building Facilities Manager, and Living Learning & Residence Education Staff.

Previous Experience:

Manager ▪ COLDSTONE CREAMERY | **Customer Service Specialist** ▪ BEST BUY, INC **Disc Jockey** ▪ Roller Dome North

Additional Strengths Include:

Analytics ▪ Social Media ▪ Direct and Digital Marketing Initiatives ▪ Staff Training and Development ▪ Team Leadership
Customer Service ▪ Interpersonal Effectiveness ▪ Process Improvement ▪ Change Management
Conference Facilitation ▪ Community Outreach ▪ Public Speaking ▪ Design and Delivery of Presentations

[redacted]

City of Isleton

Special City Council
Staff Report

DATE: April 12, 2022

ITEM#: 7.B

CATEGORY: Old Business

CITY OF ISLETON RECORDS REVIEW, RETENTION, AND DESTRUCTION POLICY

SUBJECT

It is important that records related to the management and functions of the City of Isleton, be managed and organized in an orderly fashion to allow for the efficient management of the City and to provide public access to confirm the same. Federal and state law require the City to adopt a retention schedule for the management and destruction of City records.

SUMMARY

The purpose of this City of Isleton Records Review, Retention, and Destruction Policy ("Policy") is to comply with such laws and:

- Reduce administrative expenses and expedite procedures for records retention and destruction
- Relieve storage space and reduce the cost of storage
- Eliminate duplicative efforts by City employees
- Identify and produce records faster
- Efficiently dispose of obsolete and old records

This Policy shall apply to all City departments. All records shall be retained and destroyed in compliance with this Policy and on the timeline indicated in Appendix A to this Policy, attached. A record may only be retained beyond the period indicated in Appendix A if it contains information related to one of the following categories.

- Serves the City's corporate memory;
- Has enduring business value (e.g., business transaction, evidences City's rights or obligations, protects City's legal interests, ensures operational continuity); or
- Must be kept to satisfy legal, accounting, or other regulatory requirements.

The City prohibits the retention or destruction of any record in contradiction to this Policy. Staff is presenting this policy for Council consideration and comment. It is planned to return to Council in April and recommend that this policy be adopted.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Staff recommends that City Council review and comment on City of Isleton Records Review, Retention, and Destruction Policy.

ATTACHMENTS

- City of Isleton Records Review, Retention, and Destruction Policy from City Attorney.

Reviewed by: Charles Bergson, City Manager ___

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

CITY OF ISLETON
RECORDS REVIEW, RETENTION, AND DESTRUCTION POLICY

Adopted _____, 2021

Section 1. PURPOSE AND APPLICATION

It is important that records related to the management and functions of the City of Isleton, and its subsidiaries, be managed and organized in an orderly fashion to allow for the efficient management of the City and to provide public access to confirm the same. Federal and state law require the City to adopt a retention schedule for the management and destruction of City records. The purpose of this City of Isleton Records Review, Retention, and Destruction Policy ("Policy") is to comply with such laws and:

- Reduce administrative expenses and expedite procedures for records retention and destruction
- Relieve storage space and reduce the cost of storage
- Eliminate duplicative efforts by City employees
- Identify and produce records faster
- Efficiently dispose of obsolete and old records

This Policy shall apply to all City departments. All records shall be retained and destroyed in compliance with this Policy and on the timeline indicated in Appendix A to this Policy, attached hereto and incorporated herein. A record may only be retained beyond the period indicated in Appendix A if it contains information related to one of the following categories. If you are unsure whether to retain a certain record, contact the Records Management Officer or the Legal Department.

- Serves the City's corporate memory;
- Has enduring business value (e.g., business transaction, evidences City's rights or obligations, protects City's legal interests, ensures operational continuity); or
- Must be kept to satisfy legal, accounting, or other regulatory requirements.

The City prohibits the retention or destruction of any record in contradiction to this Policy. Failure to comply with this Policy may result in fines and penalties against the City and/or the responsible employee, loss of rights, obstruction of justice charges, inference of spoliation of evidence and spoliation tort claims, contempt of court, and serious disadvantage in litigation.

Section 2. TYPES OF RECORDS

(a) ***Record*** means any writing containing information relating to the conduct of the City's business prepared, owned, used, or retained by the City regardless of physical form or characteristics. This includes records in handwriting, typewriting, printing, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing. Records may be in hard copy or electronic. Examples of records include, but are not limited to:

- Appointment books and calendars
- Audio and video recordings, including voicemails

- Computer programs
- E-mails and electronic files
- Handwritten notes, letters and other correspondence
- Invoices, receipts, and work orders to and from the City
- Cell phone call and message records (City Cell Phones)
- Social media and other online posts, comments, and shares on City accounts, made on the City's behalf, or made in an official capacity
- Personnel records, background materials, and performance reviews
- Incident reports

(b) ***Transitory Records*** are records not retained in the ordinary course of City business that do NOT have substantive content. Transitory Records are not subject to this Policy and may be destroyed at the discretion of the user once the Transitory Record has served its temporary purpose. Examples of Transitory Records include:

- Duplicates of originals that have not been annotated
- Preliminary drafts of letters, memoranda, reports, worksheets and informal notes that do not represent significant steps or decisions in the preparation of an official record
- Books, periodicals, manuals, training binders and other printed materials obtained from sources outside of City of Isleton and retained primarily for reference purposes
- Spam and junk mail

(c) ***Other Records*** are records not related to the conduct of the City's business. Other Records are not subject to this Policy and may be destroyed at the discretion of the user. This includes information from non-City sources, whether confidential or not. Unsolicited information submitted to the City should be refused, returned to sender, and deleted, whichever is applicable.

Section 3. MANDATORY COMPLIANCE

(a) Responsibility of All City Employees, Officers, and Agents. It is City policy to comply with all laws, rules and regulations applicable to the City. All City employees, contractors, officers and agents shall comply with this Policy. Failure to do so may subject the City, as well as City employees, contractors, officers and agents, to civil and/or criminal liability, penalties, and fines. Failure to comply with this policy may result in disciplinary action, including suspension or termination.

(b) Reporting Policy Violations. The City is committed to enforcing this Policy as it applies to all City records. The effectiveness of City of Isleton's efforts, however, depends largely on employees. If a City employee, contractor, officer, or agents suspects or knows they or someone else violated this Policy, he or she shall report it immediately to a supervisor or, in addition or in the alternative, raise the matter with the Records Management Officer.

Section 4. RECORDS MANAGEMENT DEPARTMENT AND OFFICER

The Records Management Department is responsible for identifying the documents that City of Isleton must or should retain, and determining, in collaboration with the Legal Department, the proper period of retention. It also arranges for the proper storage and retrieval of records, coordinating with outside vendors where appropriate. Additionally, the Records Management Department handles the destruction of records whose retention period has expired.

The City has designated the City Clerk (City Manager) as the Records Management Officer. The Records Management Officer is head of the Records Management Department and is responsible for:

- Administering this Policy and helping department heads implement it.
- Monitoring departmental compliance so that employees know how, and do, follow this Policy
- Ensuring that senior management is aware of their record management responsibilities.
- Developing and implementing measures to ensure confidential records are kept as such.
- Establishing standards for filing, storage, and destruction of records.
- Explaining to employees their duties relating to this Policy.
- Ensuring that the maintenance, preservation, destruction, or other disposition of City records is carried out in accordance with this Policy and federal and state law.
- Planning an annual records destruction exercise and an annual records audit, including setting deadlines for responses from departmental staff.
- Maintaining records on the volume of records destroyed under the Policy.
- Evaluating the overall effectiveness of the document management program.
- Working with the City Attorney to ensure compliance with law and regulations.

Section 5. RETENTION AND DESTRUCTION OF RECORDS

(a) Retention. City of Isleton's records must be stored in a safe, secure, and accessible manner, as determined by the Records Management Officer.

(b) Destruction. The Record Management Officer is responsible for the continuing process of identifying the records that have met their required retention period and supervising their destruction in collaboration with the City Attorney. The destruction of confidential, financial and personnel-related records must be conducted by shredding if possible. Non-confidential records may be destroyed by recycling. The destruction of electronic records must be coordinated with the IT Department.

(c) Litigation Holds and Other Special Situations. All City employees, contractors, officers and agents are required to comply with this Policy. However, if such person believes, or the City Attorney informs them, that City records are relevant to current litigation, potential litigation, government investigation, audit or other event, they must preserve and not delete, dispose, destroy or change those records, including e-mails, until the City Attorney determines those records are no longer needed. This exception is referred to as a litigation hold or legal hold and replaces any previously or subsequently established destruction schedule for those records. If you believe this exception may apply, or have any questions regarding whether it may possibly apply, please contact the Record Management Officer. Routine document destruction procedures may also be suspended in connection with certain other types of events; in such case the Record Management Officer shall communicate the reason and duration.

Section 6. AUDITS AND INQUIRIES

(a) Internal Review and Policy Audits. The Records Management Officer will periodically review this Policy with legal counsel to ensure the City is in full compliance with relevant law and regulations. Additionally, City of Isleton will regularly audit employee files and computer hard drives to ensure compliance with this Policy.

(b) Inquiries. Any question about this Policy should be directed to the Records Management Officer.

Acknowledgment of Receipt and Review

I, _____ acknowledge on this ___day of _____, _____, I received a copy of City of Isleton's Records Review, Retention, and Destruction Policy and that I read it, understood it, and agree to comply with it. I further understand that it is my responsibility to be familiar with the Policy and abide by its terms and my failure to do so may expose me, the City, and other City agents to civil and/or criminal fines, penalties, and liability.

I understand that City has the maximum discretion permitted by law to interpret, administer, change, modify or delete the Policy at any time. No statement or representation by a supervisor or manager or any other employee, whether oral or written, can supplement or modify the Policy. Changes can only be made if approved in writing by the City Council to the City of Isleton. I agree to bring any questions or concerns regarding the policy to the attention of my manager, the Records Management Officer, or City Attorney.

_____
Signature

_____
Printed Name

_____
Date

APPENDIX A

CITY-WIDE RECORDS REVIEW, RETENTION, AND DESTRUCTION SCHEDULE

This table lists the period for which the City shall retain records based on the record type. Following the applicable retention period, a record should be destroyed in collaboration with the Records Management Officer and City Attorney. Records may also be held back from destruction pursuant to the City's Records Review, Retention and Destruction Policy.

RECORD	RETENTION PERIOD	CITATION
Personnel Records		
Benefits descriptions per employee	Permanent/4 years	
Collective bargaining agreements	3 years	
Donor records and acknowledgement letters	7 years	
EEO-1 Reports (Employer Information Report)	Filed annually with the EEOC and the Department of Labor, Office of Federal Contract Compliance Programs, most recent kept on file	
Employee applications and resumes	4 years/1 year	
Employee benefit plans subject to ERISA (includes plans regarding health and dental insurance, 401K, long-term disability and Form 5500)	6 years from when the record was required to be disclosed	
Employee offer letters (and other documentation regarding hiring, promotion, demotion, transfer, lay-off, termination or selection for training)	1 year from date of making record or action involved, whichever is later, or 1 year from date of involuntary termination	
Records relating to background checks on employees	5 years from when the background check is conducted	
Employment contracts; employment and termination agreements	3 years from their last effective date	

RECORD	RETENTION PERIOD	CITATION
Employee records with information on pay rate or weekly compensation	3 years	
Hazardous material exposures	Duration of employment + 30 years	
I-9 Forms	3 years after date of hire or 1 year after employment is terminated, whichever is later/3 years after date of hire]	
Injury and Illness Incident Reports (OSHA Form 301) and related Annual Summaries (OSHA Form 300A); Logs of work-related injuries and illnesses (OSHA Form 300)	5 years following the end of the calendar year that these records cover	
Supplemental record for each occupational injury or illness (OSHA Form 101); Log and Summary of Occupational Injuries and Illnesses (OSHA Form 200)	5 years following the year to which they relate	
Job descriptions, performance goals and reviews; garnishment records	[Termination + 7 years/2 years]	
Employee polygraph test records	3 years	
Employee tax records	4 years from the date tax is due or paid	
Medical exams required by law	Duration of employment + 30 years	
Personnel or employment records [made or kept by a contractor or subcontractor with at least 150 employees or at least $150,000 in federal government contracts]	2 years from the date the record was made or personnel action was taken, whichever is later	
Personnel or employment records [made or kept by a contractor or subcontractor with less than 150	1 year from the date the record was made or personnel action was taken, whichever is later	

RECORD	RETENTION PERIOD	CITATION
employees or less than $150,000 in federal government contracts]		
Pension plan and retirement records	Permanent	
Pre-employment tests and test results	1 year from date of personnel action	
Salary schedules; ranges for each job description	2 years	
Time reports	Termination + 3 years	
Training agreements, summaries of applicants' qualifications, job criteria, interview records and identification of minority and female applicants	Duration of training + 4 years	
Workers' compensation records	Duration of employment + 30 years	
Written affirmative action program (AAP) and supporting documents	For immediately preceding AAP year, unless it was not then covered by the AAP year	
Payroll Records		
Payroll registers (gross and net)	[Permanent/3 years from the last date of entry]	
Federal procurement contract and related weekly payroll documents	4 years from completion of contract	
Time cards; piece work tickets; wage rate tables; pay rates; work and time schedules; earnings records; records of additions to or deductions from wages; records on which wage computations are based	2 years	
W-2 and W-4 Forms and Statements	As long as the document is in effect + 4 years	
Corporate Records		
Articles of Incorporation, Bylaws, Corporate Seal	Permanent	

RECORD	RETENTION PERIOD	CITATION
Annual corporate filings and reports to secretary of state and attorney general	Permanent	
Board policies, resolutions, meeting minutes and committee meeting minutes	Permanent	
Contracts	Permanent if current (7 years if expired)	
Construction documents	Permanent	
E-mails (business related)	3 years	
Fixed Asset Records	Permanent	
IRS Form 1023 (Application for charitable and/or tax-exempt status)	Permanent	
IRS Determination Letter	Permanent	
Sales and purchase records	3 years	
State sales tax exemption documents	Permanent	
Records and reports on investigational drugs [for sponsors of clinical trials, usually pharmaceutical companies]	2 years from when marketing application is approved for the drug. If marketing application is not approved for the drug, retain until 2 years after shipment and delivery of the drug for investigational use is discontinued and FDA has been so notified	
Resolutions	Permanent	
Securities Records		
Audit and review workpapers	5 years from the end of the fiscal period in which the audit or review was concluded	
Blotters or other records of original entry containing the itemized daily record of all purchases and sales of securities [applicable to broker-dealers]	6 years (for first 2 years, records must be kept in an easily accessible place)	

RECORD	RETENTION PERIOD	CITATION
Documents supporting management's assessment of internal controls over financial reporting	Permanent	
List of clients that are covered associates and government entities	5 years (but not prior to September 13, 2010)	
Order tickets for brokerage orders; customer complaints; compensation records	3 years (the first 2 years in an easily accessible place)	
Original signature pages or other documents showing the signatures of certifying officers in SEC filings	5 years from date of filing	
Records related to political contributions to officials and candidates and payments to state or local political parties and political action committees [applicable to investment advisers]	5 years (but not prior to September 13, 2010)	
Records relevant to an audit or review, including memoranda, correspondence and other communications	7 years after conclusion of audit or review	
Accounting and Finance		
Accounts Payable and Receivables ledgers and schedules	7 years	
Annual audit reports and financial statements	Permanent	
Annual plans and budgets	2 years	
Bank statements, cancelled checks, deposit slips	7 years	
Business expense records	7 years	
Cash receipts	3 years	

RECORD	RETENTION PERIOD	CITATION
Check registers	Permanent	
Electronic fund transfer documents	7 years	
Employee expense reports	7 years	
General ledgers	Permanent	
Journal entries	7 years	
Invoices	7 years	
Petty cash vouchers	3 years	
Tax Records		
Annual tax filing for the organization (IRS Form 990 in the US)	[Permanent/7 years]	
Filings of fees paid to professionals (IRS Form 1099 in the US)	7 years	
Payroll tax withholdings	7 years	
Earnings records	7 years	
Payroll tax returns	7 years	
State unemployment tax records	Permanent	
Legal and Insurance Records		
Appraisals	Permanent	
Copyright registrations	Permanent	
Environmental studies	Permanent	
Insurance claims/ applications	Permanent	
Insurance disbursements and denials	Permanent	
Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers'	Permanent	

RECORD	RETENTION PERIOD	CITATION
Compensation)		
Leases	6 years after expiration	
Patents, patent applications, supporting documents	Permanent	
Real estate documents (including loan and mortgage contracts, deeds)	Permanent	
Stock and bond records	Permanent	
Trademark registrations, evidence of use documents	Permanent	
Warranties	Duration of warranty + 7 years	

RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accident/Illness Reports	Not a public record For Employee Medical Records & Employee Exposure Records regarding exposure to toxic substances or harmful physical agents --Includes Material Safety Data Sheets (MSDS) Does NOT include: records of health insurance claims maintained separate from employer's records; first aid records of one-time treatments for minor injuries; records of employees who worked less than one (1) year if records are given to employee upon termination	GC 6254(c) 8 CCR 3204(d)(1)(A)(B)	Length of employment + 30 years
Accidents/Damage to City Property	Risk management administration	GC 34090 CCP 337.15	10 years
Accounting Records – General Ledger	General Ledger	GC 34090 CCP 337	Until audited + 4 years Published articles show 4 – 7 years retention as typical Sec. of State Guidelines recommends permanent retention.
Accounting Records – - Permanent Books of Accounts	Records showing items of gross income, receipts and disbursement (including inventories, per IRS regulations)	26 CFR 1.6001-1(c) & (e)	Permanent

Legal Authority Abbreviations

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Updated April 2016

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accounts Payable	Journals, statements, asset inventories, account postings with supporting documents, vouchers, investments, invoices and back-up documents, purchase orders, travel expense reimbursements, petty cash, postage, PERS reports, check requests, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation	Until audited + 4 years
Accounts Receivable	Receipts for deposited checks, coins, currency; checks received, reports, investments, receipt books, cash receipts, cash register tapes, payments for building permits/parking permits/Transient Occupancy Tax, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation	Until audited + 4 years
Affidavits of Publication / Posting	Legal notices for public hearings, publication of ordinances, etc.	GC 34090	Current + 2 years, unless part of a project or matter that requires longer retention (i.e., CEQA documents)
Agency Report – Events and Ticket/Pass Distribution (FPPC Form 802)	Report of tickets/passes; identifies persons who received tickets/passes and describes the public purpose for the distribution	GC 81009(e)	7 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Agency Report of New Positions (FPPC Form 804)	Identifies new positions that will make or participate in making governmental decisions on behalf of the City	GC 81009(e)	7 years
Agency Report of Public Official Appointments (FPPC Form 806)	Report of additional compensation received by agency officials when appointing themselves to committees, boards or commissions of other public agencies, special districts, joint powers agencies or joint powers authorities. Copy of current report must be posted on the City's website.	2 CCR 18702.5(b)(3); GC 81009(e)	Original - 7 years
Agenda / Agenda Packets	City Council, Successor Agency, Commissions – agendas and packets can be imaged immediately for retention, if desired.	GC 34090 GC 34090.5	2 years
Agenda reports (staff reports)	Council/Successor Agency/Commissions - Originals can be imaged immediately for retention, if desired. The imaged record can serve as the "original" record, if desired.	GC 34090 GC 34090.5	2 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Agreements (See also Contracts)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc. Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337 CCP 337.2 CCP 343 CCP 337.15	4 years after termination/completion 10 years after termination/completion
Annexations / Reorganizations	Notices, Resolutions, Certificates of Completion	GC 34090	Permanent
Annual Financial Report	May include independent auditor analysis	GC 34090	Until audited + 2 years Sec. of State Guidelines recommends while current + 7 years
Applications for Boards, Commissions Committees	Not selected	GC 34090	2 years
Applications for Boards, Commissions, Committees	Selected	GC 34090 Sec. of State Guidelines	Current + 5 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Appraisals	For Real Property Owned by City – Not a public record until real estate transaction is complete	GC 34090 GC 6254(h)	2 years
Articles of Incorporation		GC 34090	Permanent
Assessment Districts	Original Documentation	GC 34090	Permanent
Audit Hearing or Review	Documentation created and or received in connection with an audit hearing or review	GC 34090	2 years
Audit Reports	Financial services; internal and/or external reports	GC 34090 CCP 337 CCP 343	Current + 4 years Sec. of State Guidelines recommends permanent retention
Backflow Test Reports	Reports of testing and maintenance – water supply	17 CCR § 7605	3 years
Bank Account Reconciliations	Bank statements, receipts, certificates of deposit, etc.	26 CFR 31.6001-1(e)(2)	4 years (Sec. of State Guidelines – recommended retention: until audited + 5 years)
Behested Payment Report (FPPC Form 803)	Shows payments made by persons or entities at the behest of elected City officials for legislative, governmental or charitable purposes	GC 81009(e)	7 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Bids, Successful	Includes plan and specifications; notices/affidavits.	GC 34090 CCP 337, 337.1	4 years
Bids, Unsuccessful	Unsuccessful bid packages only	GC 34090	2 years
Billing Records	Utility bill stubs – submitted with payment	GC 34090	Current + 2 years
Bonds	Authorization/public hearing records/prospectus/proposals/certificates/notices (transcripts)/registers/statements.	CCP 336a, 337.5	Upon cancellation, redemption or maturity + 10 years
Bonds, Development	Housing; Industrial Development	CCP 337.5	10 years
Bonds, Employee (Fidelity Bonds)	Form of insurance that covers employer (City) for losses resulting from fraudulent acts of specified employees	GC 34090	Length of employment + 2 years
Bonds - Final	Final bond documentation; monthly statement of transactions; supporting documents	GC 34090 CCP 337.5	Upon cancellation, redemption or maturity +10 years
Bonds – Paid/Cancelled	Paid or cancelled bonds; warrant certificates; interest coupons	GC 34090 GC 53921	2 years
Bonds, Surety	Documentation created and/or received in connection with the performance of work/services for the City, or for parcel maps and subdivision work	CCP 337	4 years
Bonds – Unsold/Unused	Unsold/unused bonds	GC 34090 GC 43900 et seq.	2 years (specific requirements for disposal of unused bonds)
Brochures/ Publications	Informational/promotional documents created for or by the City	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Budget, Annual	Annual operating budget approved by City Council	GC 34090	Current + 2 years Sec. of State Local Gov't. Records Mgmt. Guidelines recommends permanent retention.
Building, Blueprints/ Specifications	Copies submitted by contractors with application for building permit or Certificate of Occupancy	GC 34090	Current + 2 years
Building, Certificates	Compliance, elevation, occupancy – affecting title to real property or liens on real property	GC 34090	Permanent
Building, Construction (Approved)	New commercial and residential construction, tenant improvements, room additions, spas, signs, block wall, remodel (including security bonds)	CCP 337.15 GC 34090	10 years
Building, Inspection	Correspondence, fees, appeal requests, reports	GC 34090	2 years
Building, Permits	Permits for buildings; signs; grading; encroachment permits	GC 34090	Until completed + 2 years
Building Plans	Official copy -- Not to be reproduced until written permission is obtained from architect of record and current building owner (Retention requirement not applicable to buildings containing a financial institution or public utility.)	GC 34090 H&S 19850, 19851	For the life of the building

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Building, Signs (temporary)	Home occupation, off-premise signs	GC 34090	2 years
Business License Annual Reports	Finance	GC 34090	2 years
Business Licenses/Permits	City issued	GC 34090	While current plus 2 years
Cal-OSHA	Log of work related injuries & illnesses (Form 300), Annual Summary (Form 300A), Incident reports (Form 301)	LC 6410; 8 CCR 14300.33	5 years
California State Tax Records	Forms filed annually; quarterly and year-end reports	R&TC 19530 R&TC 19704	6 years
Campaign Statements - Mayor, City Council - elected (originals)	Original statements of elected candidates and committees supporting elected candidates for Mayor, City Council	GC 81009(b) GC 81009(g)	Permanent (can image after 2 years)
Campaign Statements - candidates for Mayor, City Council - not elected (originals)	Original statements of candidates and supporting committees for candidates not elected for Mayor, City Council	GC 81009(b) GC 81009(g)	5 years (can image after 2 years)
Campaign Statements for other than Mayor, City Council; other campaign reports (originals)	Original statements of all other persons and committees; other original reports and statements	GC 81009(c), (e) GC 81009(g)	7 years (can image after 2 years)
Campaign Statements/Reports -- Copies	Copies of reports/statements (if filing officer is not required to keep more than one copy)	GC 81009(f) GC 81009(g)	4 years (can image after 2 years)
Certificates of Compliance	Building department documents	GC 34090	2 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Checks (City-issued)	Includes payroll checks; canceled or voided checks; copies of checks; electronic versions of checks	GC 34090 CCP 337 26 CFR 31.6001-1(e)(2)	Until audited +4 years (Sec. of State Guidelines – recommended retention: until audited + 5 years)
Citizen Feedback	General correspondence.	GC 34090	2 years
Claims Against the City	Paid/Denied	GC 34090	Until settled + 2 years
Code Enforcement, Case files (see Nuisance Abatement)	Building, housing and mobile home code violation records including inspections; public nuisance rubbish and weed abatement, citations [records on vehicle abatement/abandoned vehicles are generally Police Records]	GC 34090	Until closed + 2 years
Code Enforcement, Liens & Releases	Utilities, abatement, licenses	GC 34090	Current + 2 years Keep recorded liens until lien is paid/satisfied
Code Enforcement - Logs	Documentation of investigations and follow-up	GC 34090	Current + 2 years
Code Enforcement Regulations	Other than regulations in City's Municipal Code	GC 34090	2 years
Code Enforcement Reports, Federal and State	Code enforcement statistics	GC 34090	Current + 2 years
Collective Bargaining Agreements	Memoranda of Understanding (MOUs) with employee unions; represented employee groups	29 CFR 516.5(b)	Current + 3 years
Community Surveys	Review final survey reports for historic significance	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Complaints - Miscellaneous	Miscellaneous complaints, non-code enforcement, not related to specific lawsuits involving the City and not otherwise specifically covered by the Retention Schedule.	GC 34090	2 years
Comprehensive Annual Financial Reports (CAFR)	Finance	GC 34090 CCP 337	Until audited + 4 years
Conflict of Interest Code	Conflict of Interest Code – required under Political Reform Act; must be reviewed by July 1st of every even-numbered year and amended if necessary	GC 87300 et seq.	Permanent
Contracts, City (see also Agreements)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc. Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337 CCP 337.2 CCP 343 CCP 337.15	4 years after termination/ completion 10 years after termination/completion

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Correspondence	General correspondence, including letters and e-mail; Various files, not related to specific cases and not otherwise specifically covered by the retention schedule.	GC 34090	2 years
Credit Cards, City-owned	Credit card bills or statements and related receipts. Other records related to use of City-owned credit cards (policies, correspondence, etc.)	26 CFR 31.6001-1(e)(2) GC 34090	Until audited + 4 years Current + 2 years
Deeds, Real Property (Grant Deeds)	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Deferred Compensation Reports	Finance - pension/retirement funds	29 CFR 516.5 29 CFR 1627.3	3 years
Demographic/ Statistical Data		GC 34090	Current + 2 years
Development Agreements	Agreements for development of real property; Development and Disposition Agreements (DDAs); May include infrastructure contracts (i.e., architects, treatment plants, utility lines, etc.), franchises, etc.	CCP 337, 337.1, CCP 337.15 GC 34090 48 CFR 4.703	Permanent (Sec. of State Guidelines recommends retaining paper original for minimum 7 years)
Development Conditions	Mitigation measures; filed with project files	GC 34090	For the life of the project
Development, General Subject Files	Internal working files including correspondence	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Development, Incident Files	Emergency Call Outs	GC 34090	2 years
Development Logs	Logs, registers or similar records listing permits, certificates of occupancy issued, may include inspection, building activity, daily, plan check, utility	GC 34090(a) GC 4003, GC 4004 H&S 19850 - 19853	5 years
Development, Photographs	Aerial Photographs	GC 30490	Current + 2 years
Development, Projects- Not completed or denied	Building, engineering, planning	GC 34090	2 years
Development, Reports	Activity, Periodic	GC 34090	2 years
Development, Seismic Retrofit Program	Includes Certificates of Compliance	GC 34090 H&S 19850	For the life of the building; Sec.of State Guidelines recommends permanent retention
Development Standards	Includes standards for landscaping medians, parkway landscape development, public works construction	GC 34090 Sec. of State Guidelines	Permanent
Development, Street Names and House Numbers	Includes street dedications, street vacations/closings, address assignment/changes	GC 34090 Sec. of State Guidelines	Permanent
Development, Studies, Special Projects & Areas	Engineering, joint powers, noise, transportation	GC 34090	2 years
Development, Surveys	Recording data and maps	GC 34090	Permanent

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
DMV Drivers' Records Reports (DMV Pull-Notice System)	Motor Vehicle Pulls; Personnel record – not a public record	GC 34090 GC 6254(c) VC 1808.1(c)	Until superseded (should receive new report every 12 months)
Drawings, Project Plan	Does not include those usually filed with case or project.	GC 34090	2 years
Easements, Real Property	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Economic Development Projects	Administrative records/Staff reports/Project files	GC 34090	2 years
EEOC Records (Equal Employment Opportunity Commission)	Records, reports showing compliance with federal equal employment requirements (EEO-4 Reports, etc.)	29 CFR 1602.30	3 years
Election - Administrative Documents	Not ballot cards or absentee voter lists/applications.	GC 34090	2 years
Election – Affidavit Index	Voter registration index	EC 17001	5 years
Election - Ballots and Related Documents	STATE & LOCAL ELECTIONS: All ballot cards (voted, spoiled, canceled) arranged by precinct, unused absentee ballots, ballot receipts, absent voter identification envelopes, absentee voter applications. May be destroyed subject to any pending contest.	EC 17302, 17306, 17505	6 months

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Election - Ballots and identification envelopes – Federal offices	For elections to Federal office (President, Vice President, US Senator, US Representative)	EC 17301	22 months
Election - Ballots - Prop. 218 (Assessment Districts)	Ballots - Property related fees (Assessment Ballot proceeding) [Ballots are disclosable public records during and after tabulation]	GC 53753(e)(2)	2 years
Election - Canvass	Notifications and Publication of Election Records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results; special election results	EC 17304	6 months
Election - Election Official's Package of Documents	Package of 2 tally sheets, copy of index, challenge lists, assisted voters list. Public record - all voters may inspect after commencement of official canvass of voters	EC 17304	6 months
Election - Nomination Documents - successful	All nomination documents and signatures in lieu of filing petitions	EC 17100	Until term expires + 4 years
Election - Nomination Documents - unsuccessful		GC 81009(b)	5 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Election Petitions - Initiative/Recall/Referendum; Charter Amendments	Not a public record - documents resulting in an election - retention is from election certification.	EC 17200, 17400 GC 6253.5; EC 17400; GC 34458-60	8 months
Election Petitions - No election	Not a public record. Not resulting in an election. Retention is from final examination.	EC 17200, 17400 GC 6253.5	8 months
Election - Precinct Records	From date of election: Precinct official material; declaration of intention; precinct board member applications; orders appointing members of precinct boards and designating polling places includes notice of appointment of office and record of service	EC 17503	5 months
Election - Roster of Voters	From date of election; initiative; referendum recall; general municipal election; Charter Amendments	EC 17300	5 years
Election - Voter Affidavits	Affidavits of registration retained by the elections official	EC 17000	5 years
Employee Benefits	Benefit plans (including "cafeteria" and other plans); health insurance programs; records regarding COBRA – extension of benefits for separated employees, insurance policies (health, vision, dental, deferred compensation, etc.)	29 USC 1027 28 CCR 1300.85.1 11 CCR 560 29 CFR 1627.3(b)(2)	For life of plan/policy + 6 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee Bonds (Fidelity)	Form of insurance that covers employer (City) for losses resulting from fraudulent acts of specified employees	GC 34090	While current + 2 years
Employee Files	Personnel files --Not a public record.	GC 12946 GC 6254(c) 29 CFR 1627.3	While current + 3 years
Employee Information, General	Name, address, date of birth, occupation, rate of pay and weekly compensation earned	GC 12946 29 CFR 1627.3 LC 1174	3 years
Employee Information - CEIR	Personnel--California Employer Information Report (for employers of 100 or more employees)	2 CCR 11013 (c)(1) GC 12946	Received + 2 years
Employee Information - Applicant Identification Records	Personnel--Data regarding race, gender, national origin of applicants	2 CCR 11013 (c)(2)	Received + 2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee, Medical & Exposure Records (toxic substances or harmful physical agents)	Medical records are part of personnel file --not a public record. Includes medical records made or maintained by a physician, nurse, or other health care personnel, or technician pertaining to employees exposed to toxic substances or harmful physical agents. Does not include first-aid records of one-time treatment made on-site by a non-physician or observation of minor scratches, cuts, burns, splinters, etc., which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job. (For employees of less than 1 year, no need to retain medical records regarding exposure to toxic substances/harmful physical agents if they are returned to employee upon termination)	GC 6254(c) 29 CFR 1910.1020 8 CCR 3204 (d)(1)(A)(B)	Length of employment + 30 years
Employee, Medical Records (routine)	Records of first aid treatment for minor injuries (burns, splinters, etc.); records relating to medical leave taken, etc.	GC 12946, 34090 29 CFR 1627.3	Length of employment + 3 years

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee, Noise Exposure	Noise exposure measurement records Employee audiometric test records	8 CCR 5100 8 CCR 5100	Current + 2 years Length of employment
Employee, Non-safety	Non-safety employee records may include release authorizations; certifications; reassignments; outside employment; commendations, disciplinary actions; terminations; oaths of office; pre-employment medical evaluations; fingerprints; identification cards (ID's)	29 CFR 1627.3 LC 1174 GC 12946 GC 34090	Length of employment + 3 years
Employee Programs	May include Employee Assistance Program (EAP), Employee Recognition program, etc.	GC 34090 GC 12946	2 years
Employee, Recruitment	Alternate lists/logs, ethnicity disclosures, examination materials, examination answer sheets, job bulletins	GC 12946 GC 34090 29 CFR 1602.31 29 CFR 1627.3	2 years
Employee, Reports	Employee statistics, benefit activity, liability loss	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee, Safety	Police department employees (except for peace officers), fire, emergency employees-- records may include release authorizations; certifications; reassignments; outside employment; commendations; disciplinary actions; terminations; oaths of office; pre-employment medical evaluations	29 CFR 1627.3 29 CFR 1602.31 29 CFR 516.6 et. seq. LC 1174 GC 34090 GC 12946	Length of employment + 3 years
	Peace officer personnel records	Op.Atty.Gen. No. 99-1111 [May 2, 2000]	Length of employment + 5 years
Employee Rights - General		GC 12946 29 CFR 1602.14	Length of employment + 2 years
Employment Agreements – At-Will Employees; Temporary Employees	Original agreements/contracts for at-will employees or temporary employees	CCP 337 CCP 343	Length of employment + 4 years
Employment Applications - Not Hired	Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant	GC 34090 GC 12946 29 CFR 1627.3(b)(1)(i)	2 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employment Eligibility Verification (I-9 Forms)	Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986	8 USC 1324a (b)(3) Pub. Law 99-603	3 years after date of hire, or 1 year after date of termination, whichever is later
Employment - Public Safety certifications	Certification/designations	GC 34090	Length of employment + 2 years
Employment - Surveys and Studies	Includes classification, wage rates	GC 12946 GC 34090 29 CFR 516.6	2 years
Employment - Training Records, Non-Safety	Paperwork documenting internal and external training for non-safety employees; includes any volunteer program training - class training materials, internships	GC 34090 GC 12946	Length of employment + 2 years
Employment - Vehicle Mileage Reimbursement Rates	Annual mileage reimbursement rates	GC 34090	Until superseded + 2 years
Engineering Capital Improvement Projects	Supporting documentation including bidders list, specifications, reports, plans, work orders, schedules, etc.	GC 34090, CCP 337.15	Project completion + 10 years
Engineering Construction Tracking, Daily	Daily/weekly logs; daily/weekly reports, etc.	CCP 337.15	Project completion + 10 years
Engineering Drawings, Traffic Control Plan	Signs, signing and striping, road construction	GC 34090	Permanent

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Engineering Flood Control	Storm Drains	GC 34090	Permanent
Engineering Special Districts	Supporting documents regarding improvement districts, lighting districts, underground utility districts, etc.	GC 34090	Permanent
Engineering Street/Alley (Abandonment/ Vacation)	Relinquishment of rights and fee title	GC 34090	Permanent
Engineering Traffic Signals	Counts, collisions, accidents	GC 34090	Completion + 2 years
Enterprise Systems Catalog	Catalog of software applications, computer systems used by the City. Due 7/1/2016, per Senate Bill 272 (2015 Statutes).	GC 6270.5 (Eff. 7/1/2016)	Must be completed by 7/1/2016, posted on City website and updated annually
Environmental Quality Air Quality (AQMD)	Participants/voucher logs, Total Daily Mileage Survey (TDM); various local authorities; Commute Alternative	CCP 338(k); GC 34090	3 years
Environmental Quality Asbestos	Documents, abatement projects, public buildings	GC 34090	Permanent
Environmental Quality California Environmental Quality Act (CEQA)	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding considerations	GC 34090 CEQA Guidelines	Permanent

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Environmental Quality Congestion Management	Ride sharing, trip management	GC 34090	Completion + 2 years
Environmental Quality Environmental Review	Correspondence, consultants, issues, conservation	GC 34090	Completion + 2 years
Environmental Quality Pest Control	Pesticide applications, inspections and sampling, documents	GC 34090	Completion + 2 years
Environmental Quality Soil	Analysis, construction recommendations	GC 34090	Completion + 2 years
Environmental Quality Soil Reports	Final Reports	GC 34090	Permanent
ERISA Records (Employee Retirement Security Act)	Employee Retirement Income Security Act of 1974 - Plan reports, certified information filed; records of benefits due	29 USC 1027 29 USC 1059	6 years
Ethics Training Records (AB 1234; effective 1/1/06)	Records required to be kept under Gov. Code section 53235.2. Records must show dates that local officials satisfied the training requirements and the entity that provided the training	GC 53235.2	5 years after receipt of training
Events Planning, Community	Review for historic significance	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Family and Medical Leave Act (federal)	Records of leave taken, City policies relating to leave, notices, communications relating to taking leave	29 CFR 825.500 GC 12946	3 years (federal) 2 years (State)
Federal Tax Records	May include Forms 1095-C, 1096, 1099, W-4 and W-2	26 CFR 31.6001-1(e) 29 CFR 516.5-516.6	Current + 4 years
Fee Schedules/Studies	Considered by the City Council	GC 34090	2 years
Fire Protection District Administration	Administrative documents.	GC 34090	2 years
Fire Safety Administration	General orders, policies & procedures	GC 34090	Until superseded + 2 years
Fixed Assets Inventory	Reflects purchase date, cost, account number	GC 34090	Until audited + 2 years
Fixed Assets Surplus Property	Auction; disposal – Listing of property; sealed bid sales of equipment	GC 34090 CCP 337	Until audited + 4 years
Fixed Assets Vehicle Ownership & Title	Title transfers when vehicle is sold.	VC 9900 et. seq.	Until sold
Flood Plain Maps	FEMA - not a City record, for information only.		Until Superseded

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Forms	Administrative - blank		Until Superseded
Fund Transfers	Internal; bank transfers & wires	GC 34090	Until audited + 2 years
General Ledgers	All annual financial summaries--all agencies	GC 34090 CCP 337	Until audited + 4 years Published articles show 4 – 7 years retention as typical Sec. of State Guidelines recommends permanent retention
General Plan	.	GC 34090	Permanent
General Plan Amendments		GC 34090	Permanent
Gift to Agency Report (FPPC Form 801)	FPPC form showing payment or donation made to the City or to a City official and which can be accepted as being made to the City	2 CCR 18944(c)(3)(F), (G); FPPC Fact Sheet : "Gifts to an Agency – Part 2"	Must be posted on City website for 4 years (per FPPC Fact Sheet)
Gifts/Bequests	Finance - to the City (kept with cash receipts)	GC 34090	2 years
Grading Permits		GC 34090	Until completed + 2 years
Grading Variances		GC 34090	Until completed + 2 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Grants Community Development Block Grant (CDBG); Urban Development; other Federal and State grants	Grant documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, environmental review, inventory, consolidated plan, etc.	GC 34090 24 CFR 570.502 24 CFR 85.42	Until completed + 4 years
Grants - Unsuccessful	Applications not entitled	GC 34090	2 years
Hazardous Materials & Hazardous Waste Disposal Records	Examples of hazardous materials/hazardous waste: medical waste; used oil; pesticides	H&S 117945 H&S 118165 22 CCR 66279.91 3 CCR 6624(g)	3 years
Hazardous Materials - Permits, Hazardous Materials Storage		GC 34090	While current + 2 years [Permanent retention of documents regarding environmentally sensitive materials is recommended]
Hazardous Materials - Programs, Household Hazardous Waste	Documents regarding federal, State or local programs on disposal of household hazardous waste	GC 34090	Until superseded + 2 years
Hazardous Materials - Exposure Records, etc.	Employee exposure records; name/identity of chemical substance used; when & where chemical substance was used	8 CCR 3204(d) et. seq.	Length of employment + 30 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Hazardous Materials - Underground Storage Tank Compliance	Documents regarding: storage, location, installation, removal, remediation	GC 34090	Permanent
Hazardous Materials - Underground Storage Tank Maintenance and Repair	Documents regarding: repairs, lining and upgrades	23 CCR 2660(j), 2712	For the life of the tank
Historic Preservation Inventory	Records of historic landmarks, including historic register	GC 34090	Current + 2 years
Home Occupation Permits	Business license related	GC 34090	Current + 2 years
Housing Programs	Planning/ Successor Agency files.	GC 34090	Current + 2 years
Housing Programs	Examples: First-Time Home Buyer Program, Mobile Home Rehabilitation and Replacement Program, CDBG Housing Program, CalHome Program, Low/Moderate Housing programs, Rental Housing Assistance, etc.	24 CFR 570.502 24 CFR 85.42	4 years
Insurance	Personnel related	GC 34090	While current, + 2 years
Insurance, Joint Powers Agreement	Accreditation, MOU, agreements and agendas	GC 34090	Current + 2 years
Insurance Certificates, City	Liability, performance bonds, employee bonds, property; Insurance certificates filed separately from contracts, includes insurance filed by licensees.	GC 34090	While current + 2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Insurance, Liability/Property	May include liability, property, Certificates of Participation, deferred, use of facilities	GC 34090	While current + 2 years
Insurance, Risk Management Reports	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies	29 CFR 1904.44 GC 34090	5 years (Federal) 2 years (State)
Investment Reports, Transactions	Summary of transactions, inventory and earnings report	GC 34090 CCP 337	Until audited + 4 years
Invoices	Invoices from vendors and back-up documents	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't Records Mgmt. Guidelines recommendation	Until audited + 4 years
Job Descriptions	Descriptions of duties, qualifications, responsibilities for each position/classification/job title	29 CFR 1627.3	While current + 3 years
Labor Organizations	Records of payments, loans, promises or agreements by City to any labor organization or representative of same	29 USC 436	5 years
Land Use and Development Code		GC 34090	Until superseded

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Lease Agreement	Property or equipment	CCP 337 CCP 337.2 CCP 343	Until terminated + 4 years
Legal Notices / Affidavits of Publication or Posting	Examples: Notices of public hearings, notices of liens, etc. Also proof of publication of notice, or proof of posting of notice	GC 34090	Current + 2 years, unless part of a project or matter that requires longer retention (i.e., CEQA documents)
Legal Opinions	Confidential – not for public disclosure (attorney-client privilege)	GC 34090	Until superseded + 2 years
Licenses/Permits – Special (Events; Solicitation)	This category DOES NOT include business licenses/permits	GC 34090	Current + 2 years
Litigation	Case files	GC 34090	Until settled + 2 years
Lobbying or Lobbyist Forms (FPPC forms)	FPPC Form 602 – Lobbying Firm Activity Authorization; FPPC Form 635 – Report of Lobbyist Employer & Report of Lobbying Coalition – forms used when employing or contracting with a lobbying firm	FPPC Reg. 18615(d)	5 years
Local Appointments List ("Maddy List")	List of all regular and ongoing boards, commissions, and committees appointed by the City Council – pursuant to the Maddy Local Appointive List Act	GC 54970 GC 34090	Until superseded (new list prepared each Dec. 31st)
Lot Line Adjustments	Land use - case files.	GC 34090	Permanent
Maintenance Manuals	Equipment service/maintenance	GC 34090	Until superseded

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Maintenance/Repair Records	Equipment	GC 34090	2 years
Maps & Plats	Engineering & field notes and profiles; cross section of roads, streets, right-of-way, bridges; may include annexations, parks, tracts, block, storm drains, water easements, bench marks, trees, grading, landfill, fire hydrants, base maps, etc.	GC 34090	Permanent
Marketing, Promotional	Brochures, announcements, etc.	GC 34090	2 years
Master Plans, Annual	Special or long range program plan for municipalities – coordination of services; strategic planning	GC 34090	2 years
Materials Board, Renderings Boards & Photographs	Planning/Engineering	GC 34090	2 years
Memoranda of Understanding (MOU)	Personnel related; agreements with employee bargaining units resulting from negotiations	GC 34090; 29 USC 211(c) 29 CFR 516.5 Sec. of State Local Gov't. Records Mgmt. Guidelines	Current + 3 years Sec. of State recommends permanent retention
Minutes	Council/Successor Agency/Commissions.	GC 34090(e)	Permanent
Municipal Code		GC 34090	Permanent

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Municipal Facilities Construction	Contains records of plans, design, construction, conversion or modification of local government-owned facilities, structures and systems	GC 34090 H&S 19850	For the life of the building
Municipal Facilities Facility Rentals; Use	Permits, contracts, diagrams, schedules, insurance binders	GC 34090	Current + 2 years
Municipal Facilities Maintenance and Operations	Service requests, invoices supporting documentation, buildings, equipment, field engineering, public facilities including work orders and graffiti removal	GC 34090	2 years
Neighborhood Planning	Area and neighborhood Planning case records.	GC 34090	Until Completed
Newsletter, City	May wish to retain permanently for historic reference.	GC 34090	2 years
Notices – Public Meetings	Special Meetings	GC 34090	2 years
NPDES Permits – sewage/sludge	National Pollutant Discharge Elimination System (NPDES) – permit – sewage sludge use and disposal – monitoring records	40 CFR 503.17	5 years
NPDES Permits -	NPDES permit - monitoring information, including calibration and maintenance records, original strip chart recordings, required reports and all data used to complete the permit application	40 CFR 122.41	3 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Nuisance Abatement	Includes citations (not police), nuisance abatement, and liens resulting from nuisance abatement.	GC 34090	Until settled + two years
Oaths of Office	Elected and public officials (i.e., Council members; commissioners; etc.)	GC 34090 29 USC 1113 Sec. of State Guidelines	Current plus 6 years
Offers of Dedication		GC 34090	Until Completed
Ordinances	Ordinances adopted by City Council	GC 34090(e)	Permanent
OSHA	OSHA 300 Log, privacy case list, OSHA 300A annual summary, OSHA 301 incident report forms	LC 6410; 8 CCR 14300.33 29 CFR 1904.33	5 years
OSHA (Accident/Illness Reports)	Personnel - Employee Exposure Records & Employee Medical Records regarding exposure to toxic substances; Exempt from public disclosure	LC 6410; 8 CCR 14300.33; 8 CCR 3204(d)(1)(A); GC 6254(c)	Duration of employment plus 30 years
Paramedic Services	Documents other than original contracts.	GC 34090	2 years
Parcel Map Waivers	Land use - planning case files	GC 34090	Permanent
Parcel Maps	Land use - planning/engineering case files	GC 34090	Permanent
Parking Citations	Includes administrative parking citations and appeals	GC 34090	Until settled/adjudicated + 2 years
Parking Studies	Engineering	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Payroll - Federal/State Reports	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports	29 USC 436 26 CFR 31.6001-4 R&TC 19530 R&TC 19704 26 USC 6001 26 CFR 301.6501(a)-1 26 CFR 31.6001-1(e) 29 CFR 516.5 – 516.6	6 years
Payroll Deduction/ Authorizations	Finance	29 CFR 516.6(c)	While Current + 2 years
Payroll records (employee information)	Records showing employee information/data – names, addresses, etc.; hours worked; regular and overtime wages, etc.	29 CFR 516.5 LC 1174(d), 1197.5	Length of employment + 3 years

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Payroll, registers	Finance Labor costs by employee & program	29 CFR 516.5(a) LC 1174(d)	3 years (Sec. of State Guidelines – recommended permanent retention)
Payroll, time cards/sheets	Employee	29 CFR 516.6(a)(1) LC 1174(d)	2 years (Sec. of State guidelines – recommends retention: until audited + 6 years)
Payroll - Wage Rates / Job Classifications	Employee records	LC 1197.5(d) LC 1174(d) GC 34090 GC 12946 29 CFR 516.6 29 CFR 1602.4 29 CFR 1627.3	While current + 3 years
Permits, Construction	Other than building permits - For signs, grading, encroachment, including copies of blueprints and specifications	GC 34090	Until completed + 2 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Permits, Other	Alterations, encroachment, excavations, road, street sidewalks & curb alterations, transportation, swimming pool drainage, temporary uses, etc.	GC 34090	Until completed + 2 years
PERS - Employee Benefits	Retirement Plan – annual reports required to be filed under ERISA PERS Employee Benefit Plan – original document, or copies	29 USC 1027 29 CFR 1627.3(b)(2) GC 34090	6 years Current + 2 years
Personnel Policies -- Rules and Regulations	Including employee handbooks, employee manuals, and other policies/procedures	29 CFR 516.6 29 CFR 1627.3(a)	Current + 3 years
Personnel Records	Payroll **or other** records containing name, address, date of birth, occupation, rate of pay, etc., including records relating to promotion, demotion, transfer, lay-off, termination	29 CFR 1627.3	3 years
Petitions	Submitted to legislative bodies	GC 34090	Current + 2 years
Planning Commissioners	Applications and other documents relating to commissioners.	GC 34090 Sec. of State Guidelines	Term of office + 5 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Police - Administration Investigations Administrative/Internal Administrative reviews	Initiated by citizen complaints or internally initiated; includes complaints, reports, findings, administrative reviews regarding use of force, etc. [Detailed listings of retention periods for police and other public safety records should be governed by a separate records retention schedule.]	PC 832.5 EVC 1045 PC 801.5	Until closed + 5 years
Policies, Administrative	All policies and procedures, directives rendered by Council not assigned a resolution or ordinance number	GC 34090	Until Superseded + 2 years
Policies, Council/ Successor Agency/Commissions	Original policies adopted by the City Council/Successor Agency/ Commissions.	GC 34090	Until Superseded
Political Support/Opposition, Requests & Responses	Related to legislation.	GC 34090	2 years
Press Releases	City related.	GC 34090	2 years
Procedure Manuals	Administrative.	GC 34090	Until superseded + 2 years
Proclamations	City issued proclamations	GC 34090	2 years; if done by City Council Resolution, then permanent retention
Property, Abandonment	Buildings, condemnation, demolition	GC 34090	Permanent

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
CFR	Code of Federal Regulations	USC	United States Code		
EC	Elections Code (California)	LC	Labor Code (California)		

RECORDS RETENTION SCHEDULE FOR CITIES

Destruction of any City record must have City Council approval and written consent from the City Attorney, unless otherwise provided by law. (Gov. Code § 34090.)

Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Property Acquisition/ Disposition	City owned. Supporting documents regarding sale, purchase, exchange, lease or rental of property by City	CCP 337.15	10 years
Public Records Act Request	Requests from the public to inspect or copy public documents	GC 34090	2 years
Purchasing RFQ's, RFP's	Requests for Qualifications; Requests for Proposals regarding goods and services	GC 34090	Current + 2 years
Purchasing, Requisitions, Purchase Orders	Original Documents	GC 34090 CCP 337	Until audited + 4 years
Recordings - audio (e.g., for preparation of meeting minutes)	Council/Commission/ Successor Agency meetings -- audio recording "made for whatever purpose by or at the direction of the local agency"	GC 34090; 54953.5(b)	Minimum 30 days
Recordings - routine video monitoring, telephone, and radio communications	Routine daily recording of telephone & radio communications; routine video monitoring including in-car video systems, jail observation/monitoring systems, building security systems. [Includes automated license plate reader (ALPR) video recordings/data]	GC 34090, 34090.6	Videos - 1 year; Phone & Radio communications - 100 days (destruction must be approved by City Council & City Attorney)

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Recordings, video or digitally recorded – meetings of legislative bodies	Videos or digital recordings of public meetings made by or at the direction of the city (e.g., Council/Commission/Successor Agency meetings)	GC 54953.5	Minimum 30 days
Recordings, video or digitally recorded (Duplicate – see Description or Example of Record)	Other than videos or digital recordings of public meetings; Considered duplicate records if another record of the same event is kept (i.e., written minutes)	GC 34090, 34090.7 85 Ops. Cal. Atty. Gen. 256 (2002)	Minimum 90 days after event is recorded
Records Management Disposition Certification	Documentation of final disposition of records	GC 34090	Permanent
Records Retention Schedules		GC 34090	Current + 2 years
Recruitments and Selection	Records relating to hiring, promotion, selection for training	29 CFR 1627.3	3 years
Refuse Collection	General administrative records	GC 34090	2 years
Registration Forms	Human Services Recreation Programs	GC 34090	2 years
Release Forms/Waivers	Human Services Recreation Programs	GC 34090	2 years
Resolutions	Resolutions adopted by the City Council and City Commissions	GC 34090(e)	Permanent
Returned Checks	Finance-NSF (not City checks)	GC 34090	2 years after audit

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Salary/Compensation Studies, Surveys	Studies or surveys of other agencies regarding wages, salaries and other compensation or benefits	GC 34090	While current + 2 years
Sewer Construction/ Improvement/ Maintenance	Administrative records.	GC 34090	2 years
Speed Surveys	Engineering	GC 34090	Until superseded plus 2 years
State Controller	Annual reports.	GC 34090	2 years
Statements of Economic Interest - Form 700 (copies) (elected officials)	Copies of original statements of elected officials forwarded to Fair Political Practices Commission (FPPC)	GC 81009(f), (g)	4 years (can image after 2 years)
Statements of Economic Interest - Form 700 (originals) (non-elected)	Originals of statements of designated employees	GC 81009(e), (g)	7 years (can image after 2 years)
Stop Payments	Finance - bank statements	GC 34090	2 years
Storm Drain Construction/ Improvement/ Maintenance	Administrative records.	GC 34090	2 years
Street Construction/ Improvements	Administrative records	GC 34090	2 years
Street Vacations	Offers to dedicate; drainage; access rights, etc.	GC 34090	Permanent
Studies, Various City		GC 34090	While current + 2 years

Legal Authority Abbreviations

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CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Taxes, Special	Special tax levied by a local agency on a per parcel basis	CCP 338(m)	Until audited + 3 years
Unemployment Insurance Records	Records relating to unemployment insurance – claims, payments, correspondence, etc.	26 USC 3301-3311; Calif. Unemployment Insurance Code; CCP 343	While current + 4 years
Utility Services - Applications	Applications for utility connections, disconnects, registers, service	GC 34090; Sec. of State Guidelines recommendation	Current + 2 years
Utility Services - Billing Records	Customer name, service address, meter reading, usage, payments, applications/cancellations	GC 34090; Sec. of State Guidelines recommendation	Until audited + 2 years
Utility Services - Journals, Utility Billing	Billing including monthly activity	GC 34090; Sec. of State Guidelines recommendation	Current + 2 years
Utility Services - Connection Records	Maps, water line connections	GC 34090; Sec. of State Guidelines recommendation	Permanent

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Utility Services - Meter Reading; Reports		GC 34090; Sec. of State Guidelines recommendation	Current + 2 years
Utility Services - Utility Rebates, Reports		GC 34090	Current + 2 years
Vouchers - Payments	Account postings with supporting documents	GC 34090 CCP 337	Until audited + 4 years
Wage Garnishment	Wage or salary garnishment	CCP 337	Active until garnishment is satisfied; then retain until audited + 4 years
Warrant Register/Check Register	Record of checks issued; approved by legislative body (copy is normally retained as part of agenda packet information)	GC 34090	Until audited + 2 years
Waste Management	Solid Waste – Administrative documents	GC 34090	2 years
Workers Compensation Files	Work-injury claims (including denied claims); claim files, reports, etc.	8 CCR 10102 8 CCR 15400.2	Until settled + 5 years

Legal Authority Abbreviations

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City of Isleton

City Council
Staff Report

DATE: April 12, 2022

ITEM#: 7.C

CATEGORY: Old Business

ISLETON MUNICIPAL CODE, TITLE VIII PUBLIC PLACES, CHAPTER 8.01 ENCROACHMENTS; CONDUCT FIRST READING OF ORDINANCE 2022-002

SUMMARY

The City needs a public rights-of-way encroachment ordinance. Encroachment laws are to secure and promote public safety and general welfare of persons and their use of the public rights-of-way.

DISCUSSION

This City does not have an ordinance or laws governing use of the public rights-of-way and public spaces. Establishing an ordinance for use of public ways promotes public safety and general welfare through the regulation of public way activities. This regulation provides for insurance, fees to cover damage and cleaning, and insuring safety to citizens and traffic.

The past practice for use of the City property Set conditions for each permit on a case by case basis. This practice does not have the standing of law and does not provide the City adequate actual and legal protection. The City does not have regulations that require protection of its facilities, grounds, and liability. Ordinance 2022-002 provides this protection.

This ordinance, attached, addresses these matters including protecting the traveling public, protection of facilities and trees, and liabilities and is submitted for review and comment. It is also being sent to the City Attorney for review and comment. This item was originally presented to Council on March 8, 2022.

FISCAL IMPACT

It is expected that there will be a general and slight increase in City revenue associated with implementing this Ordinance.

RECOMMENDATION

It is recommended that the City Council conduct the first reading of Ordinance 2022-002, Chapter 8.01 Encroachments.

ATTACHMENTS

1. Draft Ordinance 2022-002 Title VIII Public Places Chapter 8.01 Encroachments

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

DRAFT ORDINANCE NO. 2022-002
TITLE VIII Public Places
Chapter 8.01 Encroachments

8.01.010 Definitions

The following words and phrases as used in this chapter, unless a different meaning is clearly required by the context, shall have the following meanings:

"City engineer" means the city engineer of the city acting either directly or through authorized agents.

"Director" as used in this chapter, means the city manager of the city or his designee.

"Licensed contractor" means a person or entity duly licensed under the laws of the state of California to perform works of improvements.

"Person" as used in this chapter, includes any individual, firm, partnership, joint venture, association, corporation, estate, trust, the state of California, incorporated cities, all public districts and political subdivisions of the state of California except the city and any group or combination acting as a unit.

"Public agency" means the United States or any department or agency thereof, the state of California and any department or agency thereof, corporate cities and all public districts and other political subdivisions of the state of California except the city.

"Public right-of-way" means any place of any nature which is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter, crossing, intersection, parkway, highway, alley, lane, mall, court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, park, square, and any other similar public way.

"Sidewalk area" means that portion of a street right-of-way which lies between the property line and the outside edge of a gutter or gutter lip, including a driveway approach.

"Standard specification" means the standard specification of the city department of public works, established by and adopted by the city council.

"Temporary and seasonal business activities in or adjoining public rights-of-way" means those business activities that use private or public property, whether for profit or not, whether located within the city limits or not, on a temporary basis for sales of goods, products or services, using temporary structures or apparatus to conduct business including but not limited to, Christmas tree sales, pumpkin sales, food sales, fireworks sales, which are located either on or adjoining public rights-of-way on a temporary basis.

8.01.020 Purpose and Intent

A. Construction, excavation and temporary, seasonal businesses activities in or adjoining public rights-of-way presents an inconvenience and danger to the safety and welfare of persons using such rights-of-way, including pedestrians, persons entering and leaving vehicles and buildings, vehicle traffic on streets, and persons performing essential utility, traffic control and emergency services.

B. Seasonal and temporary businesses activities and construction activity can be so located so as to cause an inconvenience or danger to persons using public rights-of-way and constitute public nuisances.

C. The uncontrolled proliferation of seasonal and temporary businesses in or adjoining public rights-of-way detracts from the appearance of streets, sidewalks, and adjacent businesses.

D. The uncontrolled placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way inhibits safe entry and departure of vehicles.

E. The uncontrolled placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way impairs the vision and distracts the attention of motorists and pedestrians, particularly small children and may cause injury to the person or property of such persons.

F. The placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way adjacent to residential areas detracts from and reduces neighborhood aesthetics and increases the exposure of residents to noise, traffic volume and hazards and congestion.

G. The provisions and prohibitions contained and enacted in this chapter are in pursuit of and for the purpose of securing and promoting the public safety and general welfare of persons in the city in their use of public rights-of-way through the regulation of construction and excavation in the rights-of-way, as well as, the placement, appearance, number, size, and operation of temporary structures related to seasonal and temporary businesses in or adjoining the public rights-of-way.

H. It is not the intent of this chapter to in any way discriminate against, regulate, or interfere with the publication, circulation, distribution, or dissemination of any printed material that is constitutionally protected.

08.01.030 Permits to do work in within streets required

No person shall make any excavation or dig any trench or remove or destroy in any way, any curb, gutter, sidewalk or street pavement, or alter or tear up the surface, or install any sidewalk, curb, gutter, driveway approach, drainage well, street or alley pavement, sewer, pipeline, conduit, pole,

tank or anything else in or upon any public street, alley, sidewalk or other public place in the city without first securing a permit from the director and filing bonds and insurance as hereinafter specified and required; provided, that a permit shall not be required for work done under a contract therefor by the council; and provided further, that a permit shall not be required for public utilities service installations or minor maintenance work in connection therewith, when such installation or work is done on any street prior to the installation of street surfacing.

08.01.040 Permits to engage in seasonal and temporary activities in or adjoining public

A. Unless otherwise permitted under this code, no person shall install or maintain any temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way which in whole or in part rests upon, in, adjacent to or over any public right-of-way without first obtaining a permit from the director or his designated representative after providing the following:

1. The location of each temporary structures to be installed or maintained by applicant; and

2. The name, address and telephone number of the applicant.

B. No more than one permit shall be required per applicant regardless of the number of temporary structures the applicant maintains. However, an amended application for said permit shall be filed with the director in the event that additional temporary structures are installed or removed by the applicant subsequent to the issuing of the original permit by the city.

C. From the above information the director or his designated representative shall designate locations and shall be guided therein solely by the standards and criteria set forth in this chapter. Such application may be granted either in whole or in part when more than one location is proposed by the applicant, and in any event, when denial is solely as to location, it shall be without prejudice to amend such application to state a different location or locations.

D. In addition to the permit application, the applicant shall also provide bonds and/or insurance as hereinafter specified and required as it pertains to the temporary and seasonal business activities in or adjoining public rights-of-way, as determined by the director.

8.01.050 Work to be performed by a licensed contractor

Any work proposed to be done under a permit issued pursuant to this chapter shall be done by a licensed contractor, duly licensed to perform the proposed work or improvement.

8.01.060 Exceptions

A. The provisions of this chapter are not applicable to the installation of a mail box. However, mail boxes shall be installed in accordance with the rules and regulations of the United States post office department and shall not be placed within the public right-of-way, so as to endanger the safety of the persons using the streets and/or sidewalks. If the director determined that a mail box has not been installed in compliance with this subsection, he shall require the removal

of the mail box in accordance with the procedure set forth in Chapter 6 of Division Two of the Streets and Highways Code of the state of California or any other applicable statutes or ordinance.

B. The provisions of this chapter are not applicable to any work which is performed pursuant to a franchise granted by the city or the state of California.

C. The provisions of this chapter are not applicable to any public agency which has the right under the laws of the state of California to perform work covered by the provisions of this chapter without following the procedure prescribed herein.

D. Nothing in this chapter shall prohibit a person from making excavation in the street which is necessary for the preservation of life or property when such necessity arises during the hours when the office of the director is closed. If the person making such excavation files an application for the required permit on the first day that the office of the director is opened subsequent to the making of such excavation.

8.01.070 Application for permit

Any person proposing to make an excavation or do any street work in the city shall file a signed application with the community development department for delivery to the director, setting forth the contractor's name and license number and specifically describing the location, area, extent and nature of the excavation proposed to be made or the work proposed to be done. Such application shall include a diagram of the proposed excavation or work. Specifications under which the proposed work is to be done shall be submitted when requested by the director. The application shall be made in duplicate on forms furnished by the city. The council shall establish a schedule of fees for filing of applications and engineering, inspection, staking, and other services to be rendered by the city in connection with work to be performed under the terms of this chapter. Upon the filing of an application to do street work, the applicant shall pay to the city the applicable fees.

08.01.080 Hold harmless agreement

Each applicant for a permit, shall agree to hold the city and its officers, agents, and employees, harmless from any and all causes of action, penalties, liability or loss resulting from claims or court actions arising out of any accidents, loss or damage to personal property occurring as a result to any work performed pursuant to the permit.

08.01.090 Insurance

A. No person shall be entitled to a permit under this chapter unless and until he shall have filed and maintained on file with the city a certification that such person carries public liability and property damage insurance issued by an insurance carrier licensed to do business in the state of California, insuring the applicant, the city, its officers, employees and agents and named insured against loss by reasons of injuries to, or death of, persons, or damages to property caused by the applicant, its agents or employees in performing any work under such permit, in the following amounts: Five hundred thousand dollars for the death of, or injury to, any one

person in any one accident; one million dollars for the death of or injuries to, more than one person in any one accident; one million dollars for damages to property.

Said insurance is to provide for cross liability between insurer and provide that the applicant's insurance is primary to any owned by the city.

B. If the work to be performed involves any excavation, the policy shall include any endorsement that affords coverage for explosion, collapse and underground hazards.

C. Public utilities and other public agencies shall not be required to file the certification set forth in subsection (A) of this section, provided the utility or agency agrees in writing to indemnify and defend the city, its agents and employees from liability arising from the work, and pay all of the city's court costs and attorney fees incurred as a result of claims being made for damages therefor, that there shall be filed and maintained with the city, a certification showing them maintenance of a satisfactory plan of self-insurance, or sufficient evidence to be presented that the public utility or other public agency is of sufficient financial responsibility to provide the necessary indemnification.

D. The insurance policy shall be in effect on the date the work is commenced and shall expire no sooner than one year after the date on which the work is completed.

08.01.100 Bond

A. No permit shall be issued for making any excavation or for doing any work described in this chapter, which requires a permit, until the applicant has filed a corporate faithful performance or license bond in a sum designated by the director.

B. The aforesaid bond shall be approved by the city attorney and filed with the city.

C. In the event an applicant requests a permit to do any work under the terms of this chapter of the class for which a bond has been issued, the total estimate of costs of which exceeds the amount of said bond, he shall furnish an additional bond in a sum which, in together with the bond already on file, equals one hundred percent of the total estimated costs of the work.

D. The condition of required bond shall be that in the event the excavation or work done under street work permits issued therefor shall fully comply with the provisions of this chapter, then said obligation shall be void; but in the event the principal shall fail to faithfully comply with any of the provisions of this chapter, then the director may direct that the work be done in accordance with the provisions of this chapter and the costs and expense of such work and, in the event of suit on the bond, attorney's fees and court costs shall be collectable from the principal and the surety or sureties on said bonds.

E. All bonds required by this section shall be for a period of not less than one year and shall expire on the thirtieth day of June except if a corporate faithful performance bond is filed by a public utility, it shall be effective until revoked. No bond shall be cancelled except on thirty days' written notice to the director.

F. Whenever the excavation or work is to be done in connection with the initial installation of subdivision improvements under a subdivision agreement guaranteed by a bond, or other improvements security, the bond specified by this section shall not be required.

08.01.110 Issuance of permit

A. If the applicant for a permit complies with all of the provisions of this chapter and with all other applicable laws and ordinances of the state of California and the city, the director may issue the permit to the applicant. Permit granted by the director shall refer to this chapter and shall be granted by the director subject to all its terms and conditions which are set forth in this chapter.

B. When the director grants a permit pursuant to this chapter, he may impose thereon such terms and conditions concerning the location, dimension or character of the work as he may deem necessary for the protection of the streets, the prevention of undue interference with traffic, to insure the safety of persons using the streets.

C. If the applicant or the contractor who shall do the proposed work, does not comply with all of the requirements of this chapter and with all other applicable laws and ordinances of the state of California, and the city, the director shall deny the application for the permit. In any case in which the director determines that unusual circumstances make it advisable for the director to act on the application for a permit, he may refuse to grant the permit and submit the application to the city council for action.

D. If the director denies an application for a permit, or issues a permit subject to conditions which the applicant or the contractor who shall do the proposed work, believes to be unreasonable, the applicant may appeal to the city council for issuance of the permit. The city council shall thereafter determine whether the permit shall be issued to the applicant and the terms and conditions under which it shall be issued, and the decisions of the city council shall be final.

E. Nothing in this chapter shall be deemed to make it mandatory for the director or the city council to issue the permit and, upon an appeal to the city council, the decision whether the permit will be issued, and the terms and conditions on which it is issued, rest solely in the discretion of the council and the permit may be denied without cause.

F. Issuance of a permit pursuant to this chapter does not imply or guarantee in any way that the city owns fee title to the real property in which the work is to be done or that the city has sufficient title to the real property in which the street is constructed to grant the sole responsibility of the permittee to secure such consent as may be necessary from the owner of the fee title of the property in which the street is located after he has received the permit.

G. The permit shall only authorize work to be performed in streets, right-of-way or public utility easements over which the city has jurisdiction and any permit issued shall be null and void to the extent that it purports to authorize the performance of work on any street, right-of-way or public utility easement or portions thereof, over which the city does not have jurisdiction.

H. The permit shall be kept at the site of work and shall be shown on demand, to all authorized representatives of the city and to all peace officers.

08.01.120 Permit no transferable

The permit issued pursuant to the provisions of this chapter shall not be assigned or transferred by the permittee to any other person and any permit which is assigned or transferred by the permittee shall automatically become null and void.

08.01.130 Revocation of permit

The director may revoke the permit unless the work authorized therein is commenced within sixty days after the date of issuance of the permit, and is thereafter diligently prosecuted to completion in the opinion of the director. The director may revoke a permit pursuant to this section by sending written notice of such revocation to the permittee by ordinary mail at the address shown on the application for the permit, or by personal delivery of such written notice to the permittee.

08.01.140 Notice of commencement of work

Within twenty-four hours prior to the commencement of work, authorized by a permit, the permittee shall notify the director by telephone or in person of the time when such work will be actually commenced.

08.01.150 Prescribing additional conditions

At any time prior to the completion of the work authorized by a permit, the director may prescribe such additional conditions as may be deemed necessary for the protection of the street, for the prevention of undue interference with traffic, or to assure the safety of persons using the streets.

08.01.160 Location of pipe and conduits

All pipes and conduits which are laid parallel to a street pursuant to a permit shall be placed at least five feet from the edge of the pavement or the graded traveled roadway unless otherwise expressly authorized in writing by the director. At least twenty-four inches of dirt, sand or gravel shall be placed over all pipes or conduits installed under a street unless otherwise specified in the permit and the minimum cover shall be measured from the surface of the street existing or planned. The director may permit the installation of pipes or conduits less than twenty-four inches from the surface of the street if twenty-four inches of cover cannot be provided because of topography, existing structures or other engineering necessities. All pipes, conduits, and culverts which cross a street shall intersect both sides of the right-of-way owned by the city.

08.01.170 Protection of traveling public

The permittee shall take all precautions necessary to protect the safety of the traveling public. Barricades, lights, warning signs and flagmen shall be provided and maintained by the permittee when necessary, at his own expense, until the excavation is refilled, the obstruction removed, and

the street is safe for the use of the traveling public. The director may specify in the permit the safety devices and measures to be used by the permittee. The failure of the director to specify in the permit the safety devices or measures to be provided by the permittee shall not relieve the permittee of his obligation to furnish all safety devices and measures which are necessary. Warning signs, lights and devices shall conform to the requirements of the Vehicle Code of the state of California and city of Isleton development standards. If the director finds, at any time, that suitable safeguards are not being provided by the permittee, the director may provide and maintain such safeguards as he deems necessary or he may cancel the permit and restore the street to its former condition, all at the expense of the permittee.

08.01.180 Removing Trees

The director shall not issue a permit to remove a tree from a street unless he determines that there is good and sufficient reasons for the removal of such tree. When a tree is removed, pursuant to a permit, the entire stump shall be taken out of the ground for a distance of at least two feet below the ground surface unless otherwise specified in the permit and the hole shall be backfilled and tamped. All resulting debris shall be removed from the site and the street shall be restored to its former condition. It is unlawful for any person to remove, top or trim any tree standing in any public way, without first obtaining a permit to do so from the city and unless in accordance with the provisions of this chapter. This provision shall not apply to minor trimming and pruning which does not involve the place of ladders or equipment in a public way other than according to parking regulations or the falling or piling of debris in a public way.

08.01.190 Monuments

It is unlawful for any person to remove or disturb or cause to be removed or disturbed, any monument of granite, concrete, iron or other material which has been set for the purpose of locating or preserving the lines or elevations of a street, property subdivision, or a precise survey point or reference point, without first obtaining the consent of the director and the city engineer to do so. The permittee shall, at his own expense, replace any monument which has been disturbed or removed without the consent of the director and the city engineer.

08.01.200 Restoration of streets

Immediately upon completion of the work authorized by the permit, the permittee shall refill the excavation or remove obstruction in a good workmanlike manner to insure against settlement. Saturated or unsuitable materials shall be removed from the excavation and shall be backfilled with suitable materials and thoroughly tamped. If a treated or modified subgrade of a street has been removed and destroyed as a result of the excavation, the permittee shall replace the subgrade to a thickness of not less than that of the adjacent subgrade. Crushed rock may be used to replace modified subgrade. If a treated or modified road surface has been removed and destroyed as a result of the excavation, the permittee shall replace the road surface to a thickness and width not less than that of the original surface and he shall use the same type of material as the original surface. All work performed pursuant to this section shall be performed according to the standard specifications of the city and to the satisfaction of the director. If the permittee fails or refuses to repair and restore the street to the satisfaction of the director or according to the standard

specifications of the city within a reasonable time, the director shall cause the damaged portion of the street to be repaired and restored and the permittee shall reimburse the city for the full costs of such work. If at any time subsequent to the first repair of the surface of a street it becomes necessary to again repair the surface due to settlement or any other cause directly attributed to such excavation or construction, the director shall cause such repairs to be made and the permittee shall reimburse the city for the full cost of such additional repairs.

08.01.210 Notice of completion

Upon completion of the work authorized by the permit, the permittee shall file with the director a notice of completion of the work on a form prescribed by the director.

08.01.220 Failure to comply with permit

It is unlawful for a permittee to make, or cause to be made, any excavation or construction, or to be placed upon, maintain or leave any obstruction or impediment to travel, or pile or place any material in or upon any street, or to install or maintain, or cause to be installed or maintained any tank, pipe, conduit, duct, tunnel, curb, gutter, sidewalk or other structure, in, upon or under the surface of any street at any location or in any manner other than as set forth in the permit and this chapter.

08.01.230 Performance by employee, agent or contractor

Performance of any of the duties and obligations imposed upon a permittee by the permit or this chapter by any agency, employee or independent contractor employed by the permittee shall be deemed to constitute performance of such duties and obligations by the permittee.

08.01.240 Interference with subsequent street work

If any tank, pipe, conduit, duct, tunnel or other structure or installation of any nature or kind, which has been constructed or installed in a street pursuant to a permit, shall at any time after completion of the construction or installation interfere with the use, repair, improvement, widening or change of grade of the street, the permittee, his successors and assignees, within ten days after receipt of a written notice from the director to do so, shall at his own expense either remove such structure or installation or, subject to the approval of the director relocate it at another site designated by the director.

08.01.250 Damage to encroachments

The applicant for a permit shall agree that the city shall not be held responsible for any damage to any structure or installation which is not clearly and visibly marked, by the construction, reconstruction, maintenance or repair or by use of overweight equipment on the street. The permittee, his successors and assignees, upon being notified of such damage by the director shall immediately repair, remove or relocate the damage structure or installation.

08.01.260 Fees

The signator of the agreement shall pay to the city prior to issuance of any permit, a fee in the amount of four percent of the reasonable or contract price of the improvement or work to be done, whichever is greater. The determination of such value shall be made by the director. Failure to undertake the work shall not be grounds for refund of any part of such fee.

No fee shall be required of any public agency or public utility company operating under a franchise issued by the city or state of California.

08.01.270 Remedies

No provisions of this chapter shall be deemed to bar any legal, equitable, or summary remedy to which the city or any person may otherwise be entitled.

08.01.280 Violation

Any person, firm or corporation violating any of the provisions of this chapter, including any or all other amendments, revisions or supplements, is guilty of an infraction and, upon conviction, shall be punished accordingly, as set forth in Isleton Municipal Code Chapter 1.10 Administrative Citations of this code. If any violation is continued, each day's violation is deemed a separate infraction.

City of Isleton

City Council
Staff Report

DATE: April 12, 2022

ITEM#: 8.A

CATEGORY: Old Business

209-211 SECOND STREET, LIEN FOR TRANSIENT OCCUPANCY TAXES
COUNTY ASSESSOR PARCE 157-0022-005, HOTEL DEL RIO

SUMMARY

The subject property has been arrears for transient occupancy tax (TOT) since April 2018 and the City is directing a lien on the property for these taxes.

DISCUSSION

The Hotel Del Rio Hotel has not paid transient occupancy taxes for several years. The City has attempted several times to collect this tax. Given the absence of compliance, it is recommended that the City lien the property for this tax. This tax is required pre City Ordinance No 2013-03.

FISCAL IMPACT

Is it estimated that filing a lien will cost about $50.

RECOMMENDATION

Staff recommends that City Council lien 209-211 Second Street for Transient Occupancy Taxes.

ATTACHMENTS

Notice of Lien for 209-211 Second Street
Letter April 10, 2022 – Transient Occupancy Tax payment request

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

City of Isleton

101 Second Street P.O. Box 716 Isleton, California 95641
Tel: 916-777-7770

NOTICE OF LIEN

Pursuant to the authority vested by City of Isleton Ordinance No. 270, the City of Isleton did on or about 10th day of April, 2018, order the payment of Transient Occupancy Tax property hereinafter described; and the City Council of the City of Isleton did on the 12th day of April, 2022, assess the expenses of such tax upon the real property hereinafter described and the same has not been paid nor any part thereof; and that said City of Isleton does hereby claim a lien for such expenses of abatement in the amount of said assessment, to with the sum of $40,000. Forty thousand dollars and that the same shall be a lien upon said real property until the same has been paid in full and discharge of record.

(Parcel numbers: 157-0022-005-0000)
209-211 Second Street, City of Isleton for the described;
Lot 5 Block 2 City of Isleton
Exc West 3.15 Feet and All Lot 6 Block 2 City of Isleton according to map except Mineral Rights
Book 48 Maps Page 17.

The real property herinabove mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being and particularly described as follow:

Dated this _____day of _____, 2022.

By: _____
Deputy City Clerk

s:\liens_2022\hotel del rio lien.doc

City of Isleton

101 Second Street P.O. Box 716 Isleton, California 95641
Tel: 916-777-7770 Fax: 916-777-7775

April 10, 2018

Billy Rogers
Hotel Del Rio
209-211 2nd Street
Isleton, Ca. 95641

Third Notice

RE: Transient Occupancy Tax Returns 2012 through 2017 and Business License Renewal for 2017.

Mr. Billy Rogers,

The Hotel Del Rio has not paid Transient Occupancy Tax for the years 2012, 2013, 2014, 2015, 2016, and 2017. You are also delinquent on your business license renewal, which was due January 2018, per City of Isleton Ordinance No. 2013-03 and Ordinance No. 270, you are non- compliant.

Your estimate of delinquent Transient Occupancy Tax is approximately $40,000.00. Business license renewal is $80.00, and $30.00 for Fire Inspection, plus $20.00 late fee for 2018.

Please contact the City to address paying your Transient Occupancy Tax. You are requested to pay this tax prior to October 1, 2017. Failure to make payment on this past due tax will prompt the City to proceed as allowed by law. Failure to pay the business license tax can result in closure of your business. Should you have any questions, please contact this office.

Respectfully,

Charles Bergson, P.E.
City Manager

City of Isleton

City Council
Staff Report

DATE: April 12, 2022

ITEM#: 8.B

CATEGORY: New Business

RESOLUTION NO. 09-22, A RESOLUTION CALLING GENERAL MUNICIPAL ELECTION FOR THE CITY OF ISLETON, SACRAMENTO COUNTY, CALIFORNIA

SUMMARY

An election will be held within the City of Isleton on November 8, 2022, for the purpose of electing three councilmember's, one short term councilmember, one City Clerk and one City Treasurer.

DISCUSSION

The Candidate is to pay for the publication of the candidate's statement, pursuant to Elections Code §13119. The limitation on the number of words that a candidate may use her/her candidate's statement is 200 words; and the City of Isleton chooses to adopt the policy for Candidate's Statement preparation as described in the County of Sacramento's Candidates Guide under the heading of "Candidate's Statement".

FISCAL IMPACT

No Fiscal Impact.

RECOMMENDATION

To adopt Resolution No. 09-22, Resolution calling general municipal election for the City of Isleton, Sacramento County, California.

Prepared by and Submitted by: Yvonne Zepeda _____

Reviewed by: Charles Bergson, City Manager

RESOLUTION NO. CC 09-22

RESOLUTION CALLING GENERAL MUNICIPAL ELECTION FOR THE CITY OF ISLETON, SACRAMENTO COUNTY, CALIFORNIA

WHEREAS, an election will be held within the City of Isleton on November 8, 2022, for the purpose of electing three Councilmember's, one short term Councilmember, one City Clerk and one City Treasurer; and

WHEREAS, a statewide general election will be held within the County of Sacramento on the same day; and

WHEREAS, Elections Code §13119 requires jurisdictions to file with the Board of Supervisors, and a copy with the Registrar of Voters, a resolution requesting consolidation with a statewide election.

THEREFORE, BE IT RESOLVED, that the City of Isleton requests the Board of Supervisors of Sacramento County to consolidate the regularly scheduled General Municipal Election with the statewide general election to be held on November 8, 2022; and

BE IT FURTHER RESOLVED, that the Candidate is to pay for the publication of the candidate's statement, pursuant to Elections Code §13119. The limitation on the number of words that a candidate may use her/her candidate's statement is 200 words; and the City of Isleton chooses to adopt the policy for Candidate's Statement preparation as described in the County of Sacramento's Candidates Guide under the heading of "Candidate's Statement"; and

BE IT FURTHER RESOLVED, that the City of Isleton agrees to reimburse the Registrar of Voters for actual costs accrued for each election, such costs to be calculated by the proration method set forth in the County's current Election Cost to Allocation Procedures on the basis of the amount of services provided to the City of Isleton.

PASSED AND ADOPTED, this 12th day of April, 2022 by the following vote to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSENT: **Council Members:**
ABSTAIN: **Council Members:**

_____
Eric Pene, Mayor

ATTEST:

_____
Yvonne Zepeda, Deputy City Clerk