

City of Isleton

City Council
Staff Report

DATE: September 27, 2022

ITEM#: 5.A

CATEGORY: Consent Calendar

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 28, 2022, AUGUST 23, 2022, SEPTEMBER 13, 2022 AND SPECIAL CITY COUNCIL MEETING OF JULY 5, 2022.

SUMMARY

A. Review of the Regular City Council Meeting minutes of June 28, 2022, August 23, 2022, September 13, 2022 and Special City Council Meeting minutes of July 5, 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 of June 28, 2022, August 23, 2022, September 13, 2022 and Special City Council Meeting minutes of July 5, 2022.

ATTACHMENTS

- Minutes of the Regular City Council Meeting of June 28, 2022, August 23, 2022, September 13, 2022 and Special City Council Meeting minutes of July 5, 2022.

Reviewed by: Charles Bergson, City Manager __

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

CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, June 28, 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

1. OPENING CEREMONIES

- A. Welcome & Call to Order – Mayor Eric Pene called to order at 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call – PRESENT:

2. AGENDA CHANGES OR DELETIONS

ACTION: City Manager asked to table 5.A and pull 8.B Flood Ordinance and bring to next meeting.

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: Aleida Suarez will have Litter Mates cleanup on July 9 from 10-1 by 46 Main.

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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4. COMMUNICATION

- A. County of Sacramento Voters Registration and Elections.

ACTION: Information only.

5. CONSENT CALENDAR

- A. **SUBJECT:** Ordinance No. 2022-004, Development Agreement DA 2022-01, 402 Jackson Blvd., WTO Essentials, Inc.

RECOMMENDATION: Hold the second reading of Ordinance No. 2022-004 by title only, waive further reading and adopt ordinance.

ACTION: Tabled.

6. PUBLIC HEARING

- A. **SUBJECT:** None.

7. OLD BUSINESS

- A. **SUBJECT:** Flood Risk Reduction Feasibility Study Report, presentation by Jeff Twitchell, GEI Consultants.

RECOMMENDATION: It is recommended that the City Council receive the Draft Flood Risk Reduction Feasibility Study and Presentation for the Delta Legacy Community of Isleton.

ACTION: To be brought back next month for a vote.

- B. **SUBJECT:** Resolution No. 20-22, a Resolution of the City Council of the City of Isleton, California, establishing the Rental Housing Program Fees.

RECOMMENDATION: Staff recommends that City Council adopt Resolution No. 20-22, establishing the Rental Housing Inspection Program Fees.

ACTION: Councilmember Paul Steele motion to adopt Resolution No. 20-22, establishing the Rental Housing Inspection Program Fees. Councilmember Iva Walton second the motion. AYES: Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. NOES: None. ABSTAIN: None. ABSENT: None. PASSED 5-0.

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- C. **SUBJECT:** Agreement between City of Isleton and Sacramento Area Council of Governments for Fund Transfer for Main Street Road Rehabilitation and Streetscape Improvements SAC25259.

RECOMMENDATION: It is recommended City Council approve the fund exchange agreement between SACOG and the City to consolidate federal funds into fewer projects and fund Main Street Road Rehabilitation and Streetscape Improvements (SAC25259).

ACTION: Councilmember Paul Steele motion to approve the fund exchange agreement between SACOG and the City to consolidate federal funds into fewer projects and fund Main Street Road Rehabilitation and Streetscape Improvements (SAC25259). Councilmember Kelly Hutson second the motion. **AYES:** Councilmember's Paul Steele, Kelly Hutson, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

- D. **SUBJECT:** Resolution 19-22, confirming the levy and collection of assessments for the City of Isleton Village on the Delta Landscaping and Lighting Assessment District No. 2007-1 for Fiscal year 2022-23 Pursuant to the Provisions of the Landscaping and Lighting Act of 1972 of the California Streets and Highway Code.

RECOMMENDATION: It is recommended that the City Council adopt Resolution 19-22, confirming the levy and collection of assessments for the City of Isleton Village on the Delta Landscaping and Lighting Assessment District No. 2007-1 for Fiscal year 2022-23 Pursuant to the Provisions of the Landscaping and Lighting Act of 1972 of the California Streets and Highway Code.

Councilmember Paul Steele motion to adopt Resolution 19-22, confirming the levy and collection of assessments for the City of Isleton Village on the Delta Landscaping and Lighting Assessment of the Landscaping and Lighting Act of 1972 of the California Streets and Highway Code. Councilmember Iva Walton second the motion. **AYES:** Councilmember's Paul Steele, Kelly Hutson, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

8. NEW BUSINESS

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

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

ACTION: Discussed with possible dates and proper permits.

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

RECOMMENDATION: City Council introduce for first reading Ordinance 2022-05 Chapter 5.52 – Flood Damage Prevention Repealing Ordinance 2015-04 An Ordinance establishing Flood Damage Prevention Regulations and Repealing Ordinances 2931 and 350.

ACTION: Tabled.

- C. SUBJECT:** Planning Commission Vacancies, Replacement.

RECOMMENDATION: It is recommended that the City Council receive applications and appoint two replacements for the Planning Commission vacancies.

ACTION: Tabled to have a Special City Council meeting on July 5, 2022.

- D. SUBJECT:** City Manager contract to add City Engineer assignments.

RECOMMENDATION: It is recommended that City Council assign City Engineer duties to Charles Bergson, P.E.

ACTION: Mayor Eric Pene motion to recommend that City Council assign City Engineer duties to Charles Bergson, P.E. and revisit later. Councilmember Paul Steele second the motion. **AYES:** Councilmember's Paul Steele, Kelly Hutson, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

- E. SUBJECT:** Declaration of Surplus Fire Department apparatus.

RECOMMENDATION: That the City Council declare the following equipment surplus-2006 Chevy Silverado Truck, 1990 FMC Engine 293, 2002 Ford Engine 593.

ACTION: Councilmember Kelly Hutson motion to declare the following equipment surplus-2006 Chevy Silverado Truck, 1990 FMC Engine 293, 2002 Ford Engine 593. Councilmember Paul Steele second the motion. **AYES:** Councilmember's Paul

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Steele, Kelly Hutson, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene.
NOES: None ABSTAIN: None. ABSENT: None. PASSED 5-0.

9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Kelly Hutson – None.
- B. Councilmember Paul Steele – Delta Meeting on 7-20-22. General Fund payments, Measure A money, Check payments.
- C. Councilmember Iva Walton – None.
- D. Vice Mayor Pamela Bulahan – None.
- E. Mayor Eric Pene – More headway in 2 months. December Cooper is to be sworn in.

10. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report – Provided report.
- B. Fire Chief Report – 4th of July fully staffed. New Engine in South Dakota and BBQ and open house when new engine comes in.
- C. Code Enforcement Report – None.

11. CLOSED SESSION

11.1 None.

12. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Eric Pene

ATTEST: _____
DEPUTY CITY CLERK, Yvonne Zepeda

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CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, August 23, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

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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 – Mayor Eric Pene called to order at 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call – PRESENT: Councilmember’s Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene.

2. AGENDA CHANGES OR DELETIONS

ACTION: City Manager request to take Item 8.C after 5.A as subject was in the attendance.

3. PUBLIC COMMENT

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4. COMMUNICATION

- A. The Bee’s Board is examining the upcoming county sales tax measure for transportation and infrastructure.
- B. Sacramento Transportation Authority.

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C. SB 1383 Local Assistance Grant – Second Funding Awards.

D. Delta Emergency Response Grant Program Draft Funding.

ACTION: Information received.

5. CONSENT CALENDAR

A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of July 12, 2022 and Special City Council Meeting of August 3, 2022.

RECOMMENDATION: City Council review and approve draft minutes of the Regular City Council meeting of July 12, 2022 and Special City Council Meeting of August 3, 2022.

ACTION: Councilmember Iva Walton motion to approve draft minutes of the Regular City Council Meeting of July 12, 2022. Councilmember Paul Steele second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. Councilmember Kelly Hutson motion to approve draft minutes of the Special City Council meeting of August 3, 2022. Mayor Eric Pene second the motion. **AYES:** Councilmember's Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** Councilmember Paul Steele. **ABSENT:** None. **PASSED 5-0.**

6. PUBLIC HEARING

A. **SUBJECT:** None.

7. OLD BUSINESS

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

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

ACTION: Insurance Policy for event permit. Contact Insurance exact date and application.

8. NEW BUSINESS

A. **SUBJECT:** Resolution No. 27-22, a Resolution of the Governing Body of the Sacramento Transportation Authority submitting the "Sacramento County

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Transportation, Maintenance, Safety and Congestion Relief Act of 2022 – Retail Transactions and Use Tax” Citizens’ initiative to the voters.

RECOMMENDATION: That City Council approve Resolution No. 27-22, a Resolution of the Governing Body of the Sacramento Transportation Authority submitting the “Sacramento County Transportation, Maintenance, Safety and Congestion Relief Act of 2022 – Retail Transactions and Use Tax” Citizens’ initiative to the voters.

ACTION: Councilmember Paul Steele motion to approve Resolution No. 27-22, a Resolution of the Governing Body of the Sacramento Transportation Authority submitting the “Sacramento County Transportation, Maintenance, Safety and Congestion Relief Act of 2022 – Retail Transactions and Use Tax “Citizens” initiative to the voters. Mayor Eric Pene second the motion. **AYES:**

Councilmember’s Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

- B. SUBJECT:** An Ordinance of the City Council of the City of Isleton County of Sacramento setting forth procedures for expediting permitting processing for electric vehicle charging systems, adding IMC Title VII Vehicle and Traffic Chapter 7.32 Electric Vehicle and Electric Vehicle Charging Systems; First Reading.

RECOMMENDATION: It is recommended that City Council pass Ordinance of the City Council of the City of Isleton County of Sacramento setting forth procedures for expediting permitting processing for electric vehicle charging systems, adding IMC Title VII Vehicle and Traffic Chapter 7.32 Electric Vehicle and Electric Vehicle Charging Systems; First Reading.

ACTION: Tabled.

- C. SUBJECT:** City Council Declaration intent to assess fine pursuant to Ordinance No. 05-2011, Historical Preservation Ordinance, 66 Main Street.

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

ACTION: Tabled.

- D. SUBJECT:** Isleton Water Tower, Proposed Removal.

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

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ACTION: Discussed removal/offer of sale, Isleton Water Tower, have attorney review-injunctive relief?

9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Kelly Hutson – None.
- B. Councilmember Paul Steele – P&L's what is other? Need more information. Simplify and Clarify Financial Reports.
- C. Councilmember Iva Walton – None.
- D. Vice Mayor Pamela Bulahan – SACOG Meeting.
- E. Mayor Eric Pene – None.

PUBLIC: Joe Kessner said people going in and out of Lee Bros and Days Inn. Concerned it is a Fire Hazard. Aleida Suarez – Where is Code Enforcement Officer and Fire Chief.

10. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report – Received and filed.
- B. Fire Chief Report – Absent.
- C. Code Enforcement Report – Absent.

11. CLOSED SESSION

11.1 None.

12. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Eric Pene

ATTEST: _____
DEPUTY CITY CLERK, Yvonne Zepeda

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CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, September 13, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

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TELECONFERENCE OR IN PERSON MEETING

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Meeting ID: 337 903 7904

Passcode: 123456

1. OPENING CEREMONIES

A. Welcome & Call to Order – Mayor Eric Pene called to order at 6:30pm.

B. Pledge of Allegiance

C. Roll Call

PRESENT: Councilmember's Paul Steele, Iva Walton-Zoom, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene, City Manager Charles Bergson.

2. AGENDA CHANGES OR DELETIONS

ACTION: None.

3. PUBLIC COMMENT

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ACTION: David Kent- Defacing of Signs. Sacramento County Sheriff's not interested in responding to call. Aleida Suarez-Move to make Water Tower Historic Structure.

Michelle Burke-List of Grants. Syed-State Department of insurance. Don Cain-inquiry about law enforcement.

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4. COMMUNICATION

A. Delta Loop Logo – Rio Tees.

B. The Isleton Chamber of Commerce – Call for Artist.

ACTION: Licensing of t-shirts using City logo for 100 year anniversary? Chamber having call for artists for Totem pole signs.

5. CONSENT CALENDAR

A. SUBJECT: Approval of Minutes of the Regular City Council Meeting of July 12, 2022.

RECOMMENDATION: City Council review and approve draft minutes of the Regular City Council meeting of July 12, 2022.

ACTION: Councilmember Paul Steele motion to approve draft minutes of the Regular City Council Meeting of July 12, 2022. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 5-0.

6. PUBLIC HEARING

A. None.

7. OLD BUSINESS

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

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

ACTION: Received update on Crawdad/100 year festival from Councilmember Paul Steele. Application to be delivered to City by end of week per applicant.

B. SUBJECT: Notice of Cal-Waste Refuse Reuse and Recycle Rate Increase to start October 1, 2022.

RECOMMENDATION: It is recommended City Council review rates and receive public comment.

ACTION: Received presentation on rate increase from Cal-Waste, 4%.

C. SUBJECT: Measure B Oversight Committee 2016 Report.

RECOMMENDATION: That City Council review and accept report.

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ACTION: Accepted Measure B Oversight Committee 2016 report.

D. SUBJECT: Preferential Parking Program Proposed Discussion and Direction

RECOMMENDATION: City Council give direction to implement a preferential parking program for the City

ACTION: Gave direction to commence Preferential Parking Program.

8. NEW BUSINESS

- A. SUBJECT:** Resolution No. 30-22, A Resolution of the City Council of the City of Isleton making findings and determinations under AB 361 for the continuation of virtual meetings and authorizing virtual City Council, commission, Board,, and other city meetings pursuant to AB 361.

RECOMMENDATION: That City Council adopt Resolution No. 30-22, A Resolution of the City Council of the City of Isleton making findings and determinations under AB 361 for the continuation of virtual meetings and authorizing virtual City Council, commission, Board,, and other city meetings pursuant to AB 361.

ACTION: Mayor Eric Pene motion to adopt Resolution No. 30-22, a Resolution of the City Council of the City of Isleton making findings and determinations under AB 361 for the continuation of virtual meetings and authorizing virtual City Council, Commission, Board, and other city meetings pursuant to AB 361. Councilmember Kelly Hutson second the motion. **AYES:** Councilmember's Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** Councilmember's Paul Steele, Iva Walton. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 3-2.

9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Kelly Hutson – None.
- B. Councilmember Paul Steele – None.
- C. Councilmember Iva Walton – None.
- D. Vice Mayor Pamela Bulahan – SACOG meeting-Hybrid meeting.
- E. Mayor Eric Pene – None.

10. STAFF GENERAL REPORTS AND DISCUSSION

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- A. City Manager Report – CDTFA sales tax records. CSG Building Official here Tuesday. Mr. Price gave presentation on planning. New Fire Truck delivered. Del Rio Board up Thursday at 10am.
- B. Fire Chief Report – On call.
- C. Code Enforcement Report – On call.

11. CLOSED SESSION

11.1 None.

12. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

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- A. Welcome & Call to Order – Mayor Eric Pene called to order at 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call – PRESENT: Councilmember’s Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. City Manager Charles Bergson, Deputy City Clerk, Yvonne Zepeda.

2. AGENDA CHANGES OR DELETIONS

ACTION: None.

3. PUBLIC COMMENT

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ACTION: Ruby Fowler – Litter pick up Main St. Park at 10am.

4. COMMUNICATION

- A. None.

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

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

5. CONSENT CALENDAR

- A. **SUBJECT:** None.

6. PUBLIC HEARING

- A. **SUBJECT:** None.

7. OLD BUSINESS

- A. **SUBJECT:** Resolution No. 21-22, amending Resolution No. 09-22 a Resolution calling General Municipal Election for the City of Isleton, Sacramento County, California.

RECOMMENDATION: That City Council adopt Resolution No. 21-22, amending Resolution No. 09-22 a Resolution calling General Municipal Election for the City of Isleton, Sacramento County, California.

ACTION: Councilmember Iva Walton motion to adopt Resolution No. 21-22, amending Resolution No. 09-22 a Resolution calling General Municipal Election for the City of Isleton, Sacramento County, California. Mayor Eric Pene second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 5-0.

8. NEW BUSINESS

- A. **SUBJECT:** Planning Commission Vacancies, Replacement.

RECOMMENDATION: It is recommended that the City Council receive applications and appoint two replacements for the Planning Commission vacancies.

ACTION: By vote Ruby Fowler won first vote and Joe Kessner won by second vote.

9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Kelly Hutson – None.
- B. Councilmember Paul Steele – None.
- C. Councilmember Iva Walton – None.
- D. Vice Mayor Pamela Bulahan – None.
- E. Mayor Eric Pene – None.

10. STAFF GENERAL REPORTS AND DISCUSSION

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

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- A. City Manager Report – None.
- B. Fire Chief Report – None.
- C. Code Enforcement Report – None.

11. CLOSED SESSION

11.1 None.

12. ADJOURNMENT

AYES:

NOES:

ABSTAN:

ABSENT:

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

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

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City of Isleton

City Council
Staff Report

DATE: September 27, 2022

ITEM#: 5.B

CATEGORY: Consent

GENERAL PLAN AMENDMENT GPA 2022-01 HOUSING ELEMENT UPDATE

BACKGROUND

The Housing Element, one of the seven State mandated elements of the General Plan, consists of an assessment of the City's current and future housing needs and a plan for providing housing for all sectors of the community. Pursuant to the update cycle issued by the California Department of Housing and Community Development (HCD), this required update is for an eight-year period that covers 2021 to 2029.

With each housing element cycle, HCD determines the number of projected housing units each County and City is required to accommodate, in terms of land/zoning availability, for the projected household growth needs of all income levels. In some cases, a council of governments such as the Sacramento County Council of Governments (SACOG) refines HCD allocations between different jurisdictions within their defined region. This housing allocation is called the Regional Housing Needs Allocation (RHNA). The two critical income levels in the RHNA are Very Low and Low (affordable ranges). Isleton's portion of the RHNA is 38 housing units (less than 1 percent of the total region's allocation of over 153,000 dwellings) and of the 38 8 units need to meet the Very Low- and Low-income categories. Please see Table 1 for more information. The City's inventory of vacant land in the document shows that the City should have no problem with accommodating the RHNA in future years. Please note that the RHNA is intended to show the potential number of housing units the City has capacity to build, but does not dictate that the City must construct these units within this housing cycle.

The City conducted several previous public workshops and hearings on the update document and the City Council adopted it on September 9, 2021. However, the California Department of Housing and Community Development (HCD) declined final approval of the document requesting amendments to it to comply with some technical compliance requirements with State Housing Law. The document was then amended to address these technical requirements. As required by State law, the City Council must readopt the document. The adopted document will then be submitted to HCD for final certification at which point the City will be in full compliance with current State Housing Element law.

City staff has been working with Dynamic Planning + Science in the production and coordinated review with HCD of this revised document. A representative from Dynamic will attend the meeting to answer questions.

Attached is the updated Housing Element document with amendments shown in track changes from the originally approved 2021 document.

PLANNING COMMISSION REVIEW

The Planning Commission recommended approval of the revised document for adoption by the City Council on August 9, 2022. Attached is Planning Commission Resolution PC 02-22.

ENVIRONMENTAL REVIEW

The Housing Element Update is subject to the California Environmental Quality Act (CEQA). Staff's recommendation (along with the Planning Commission's) is to determine that this activity is not considered a "Project" under CEQA in accordance with Section 15061 (b) (3) of the CEQA Guidelines. This is a "General Rule" exemption that gives the City latitude for determining exemption status when, **with certainty**, there is no possibility that the activity may have a significant effect on the environment. Prior to adopting General Plan Amendment GPA 2022-01, the City Council will need to concur with this determination before the Element is formally adopted. This action has been incorporated into the Planning Commission's resolution.

FISCAL IMPACT

There is no fiscal impact associated with this review and action.

RECOMMENDATION

The City Council should hold a public hearing, consider the applicant's, staffs, planning commission, and public comments and approve Resolution 29-22 readopting the Housing element.

ATTACHMENTS

1. Resolution 29-22 (including Exhibit A-Housing Element Document)
2. Planning Commission Resolution 02-22

Submitted by: Charles Bergson, City Manager

A handwritten signature in blue ink that reads "Bergson". The signature is written in a cursive style with a large, stylized initial "B".

ATTACHMENT 1
Resolution 29-22; City Council Adoption of Housing Element
/General Plan Amendment GPA 2022-01
(including Exhibit, A-Housing Element Document)

RESOLUTION 29-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON
ADOPTING GENERAL PLAN AMENDMENT GPA 2022-01 RE-ADOPTING THE
2021-29 HOUSING ELEMENT**

The City Council of the City of Isleton hereby finds as follows:

WHEREAS, the Housing Element is one of seven state mandated elements required in the General Plan; and

WHEREAS, the 2021-29 Housing Element has been prepared, consisting of General Plan Amendment GPA 2022-01, contains goals, policies, programs, and quantified objectives to meet projected housing needs to comply with the California Government Code, as shown in Exhibit B, attached hereto and incorporated by reference; and

WHEREAS, the 2021-29 Housing Element is consistent with the other elements of the City of Isleton General Plan; and

WHEREAS, General Plan Amendment GPA 2022-01, consisting of the 2021-29 Housing Element is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines; and

WHEREAS, the City conducted several previous public workshops and hearings on the housing element update and the City Council adopted it on September 8, 2021. However, when the document was submitted for review by the California Department of Housing and Community Development (HCD in accordance with State housing element law (Article 10.6 of the Government Code), HCD indicated that the draft did not comply with certain technical requirements of State housing law. The draft housing element document was then amended to comply with these requirements and HCD did review the revised draft and indicated that it now does comply with State housing law requirements, but indicated that the revised draft would need to be readopted by the City; and

WHEREAS, the Planning Commission during a duly noticed public hearing considered public comments and conducted a duly noticed public hearing on August 2, 2022, and continued the public hearing to August 9, 2022; and

WHEREAS, the Planning Commission on August 9, 2022, further considered public comments and conducted the continued hearing on August 9, 2022, and, after considering further public comments, adopted Resolution PC 02-22 recommending City Council adoption of the 2021-29 Housing Element; and

WHEREAS, the City Council, during a duly noticed public hearing on September 27, 2022, considered public comments and recommendations made by City staff and the City's Planning Commission prior to taking action.

NOW, THEREFORE, BE IT RESOLVED that the City of Isleton City Council that:

Section 1. Determines that General Plan Amendment GPA 2022-02 consisting of the 201-29 Housing Element, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines.

Section 2. Determines that the 2021-29 Housing Element is internally consistent with other elements of the City of Isleton General Plan.

Section 3. Determines that the 2021-29 Housing Element is substantially consistent with the revisions made by the State Department of Housing and Community Development, for the purpose of compliance with the statutory requirements of the State housing element law (Article 10.6 of the Government Code).

Section 4. Adopts the 2021-29 Housing Element and incorporate it into the City of Isleton General Plan.

Section 5. Authorize the City Manager or appointed staff to take such further actions as required for approval of the 2021-29 Housing Element by the California Department of Housing and Community Development and subject to any other minor, conforming, technical and clarifying changes approved by the City Attorney.

The City Council adopts the above Recitals as its findings with respect to the Project; and

PASSED AND ADOPTED by the City Council of the City of Isleton this 27th day of September, 2022, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Eric Pena, Mayor

ATTEST:

APPROVED AS TO FORM:

Yvonne Zepeda, City Clerk

Andreas Booher, City Attorney

Exhibit A, Housing Element Document-See end of report

ATTACHMENT 2
Planning Commission Resolution PC02-22
Recommending Adoption by the City Council
Of General Plan Amendment GPA 2022-01

RESOLUTION PC 02-22

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ISLETON
RECOMMENDING ADOPTION BY THE CITY COUNCIL OF GENERAL PLAN
AMENDMENT GPA 2022-01 FOR AN UPDATE TO THE HOUSING**

WHEREAS, the Housing Element is one of seven state mandated elements required in the General Plan; and

WHEREAS, the 2021-29 Housing Element has been prepared, consisting of General Plan Amendment GPA 2022-01, contains goals, policies, programs, and quantified objectives to meet projected housing needs to comply with the California Government Code, as shown in Exhibit B, attached hereto and incorporated by reference; and

WHEREAS, the 2021-29 Housing Element is consistent with the other elements of the City of Isleton General Plan; and

WHEREAS, General Plan Amendment GPA 2022-01, consisting of the 2021-29 Housing Element is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines; and

WHEREAS, the City conducted several previous public workshops and hearings on the housing element update and the City Council adopted it on September 8, 2021. However, when the document was submitted for review by the California Department of Housing and Community Development (HCD in accordance with State housing element law (Article 10.6 of the Government Code), HCD indicated that the draft did not comply with certain technical requirements of State housing law. The draft housing element document was then amended to comply with these requirements and HCD did review the revised draft and indicated that it now does comply with State housing law requirements, but indicated that the revised draft would need to be readopted by the City; and

WHEREAS, the Planning Commission has duly called, advertised the opportunity to submit input, and conducted during this Public Hearing on August 2, 2022, and continued the public hearing to August 9, 2022, and

WHEREAS, the Planning Commission on August 9, 2022, further considered public comments and conducted the continued hearing on August 9, 2022, and

NOW, THEREFORE, BE IT RESOLVED that the City of Isleton Planning Commission that:

Section 1. The Planning Commission adopts the above Recitals as its findings with respect to the Project; and

Section 2. General Plan Amendment GPA 2022-01, consisting of the 2021-29 Housing Element is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines.

Section 3. The Planning Commission recommends the City Council approve General Plan Amendment GPA 2022-01 for amending the General Plan by updating the Housing Element for the 6th Housing Cycle for 2021-29.

Section 4. It is hereby determined that the 2021-29 Housing Element is internally consistent with other elements of the City of Isleton General Plan.

Section 5. It is hereby determined that the 2021-29 Housing Element is substantially consistent with the revisions made by the State Department of Housing and Community Development, for the purpose of compliance with the statutory requirements of the State housing element law (Article 10.6 of the Government Code).

Section 7. It hereby adopts the 2019-24 Housing Element attached hereto as Exhibit A and incorporates it into the City of Isleton General Plan.

Section 8. It hereby authorizes the City Mayor or appointed staff to take such further actions as required for approval of the 2021-29 Housing Element by the California Department of Housing and Community Development and subject to any other minor, conforming, technical and clarifying changes approved by the City Attorney.

PASSED AND ADOPTED by the Planning Commission of the City of Isleton this 9th day of August, 2022, by the following vote:

AYES: Planning Commissioner's Michelle Burke, Joe Kessner, Ruby Fowler, Chair Jack Chima.

NOES: None.

ABSTAIN: None.

ABSENT: Planning Commissioner Mandy Elder.


CHAIR, Jack Chima

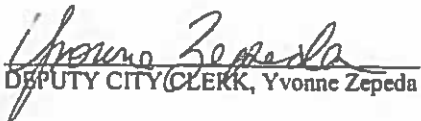
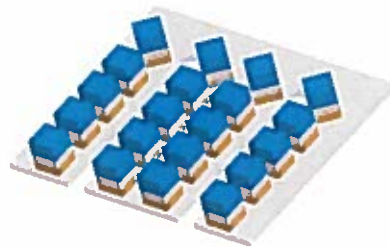
ATTEST: 
DEPUTY CITY CLERK, Yvonne Zepeda

Exhibit A to Resolution 29-22
2021-29 -Housing Element Document
Clean Document without Track Changes to Replace this Document

HOUSING

a vision for sustainable residential growth that accommodates the full range of housing needs for Isleton residents



CITY OF ISLETON GENERAL PLAN UPDATE



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Section 1. Housing Element

The purpose of the housing element is to identify the community's housing needs; to state the community's goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs; and to define the policies and programs that the community will implement to achieve the stated goals and objectives. The Housing Element is a component of the City's 2040 General Plan, which demonstrates that the City is adequately planning to meet the housing needs of everyone in the community and that the Housing Element is consistent with other elements of the General Plan.

This Housing Element includes six goal statements. Under each goal statement, the Element sets out policies that amplify each goal statement. Implementation actions or programs are listed at the end of the corresponding group of policies and briefly describe the proposed action, the City department with primary responsibility for carrying out the program, the funding source, and the time frame for accomplishing the program. Implementation programs also identify quantified objectives.

State law requires cities and counties to address the needs of all income groups in housing elements. The official definition of these needs is provided by the California Department of Housing and Community Development (HCD). Beyond these income-based housing needs, the housing element must also address special needs groups such as persons with disabilities and homeless persons.

Unlike other general plan elements, the housing element and accompanying Housing Element Background Report must be submitted HCD for review and certification. According to HCD, this Housing Element Update is for the 6th Cycle of statewide updates for the planning period from May 15, 2021 through May 15, 2029.

1.1 Why is Housing Important?

Providing adequate housing for all residents is a priority for the City of Isleton as to California as a whole. The State has declared that "the availability of housing is a matter of vital statewide importance and the attainment of decent housing and a suitable living environment for all Californians is a priority of the highest order." (Cal. Gov't Code § 65580)



Figure 1-1. Construction of New Housing, photo by Andrew Bowen,

The ability of a city to provide housing for all its residents centers on affordability. Affordability often measures housing cost in relation to gross household income: households spending more than 30 percent of their income, including utilities, are generally considered to be overpaying or cost-burdened. Severe overpaying occurs when households pay 50 percent or more of their gross income for housing. *See the Housing Element Background Report* for more information on affordability in Isleton. Cities can play an important role in ensuring adequate housing for all residents in their communities through planning, regulatory, and incentivizing means.

1.2 Statutory Requirements

State law recognizes the vital role local governments play in the supply and affordability of housing. Each local government in California is required to adopt a comprehensive, long-term general plan for the physical development of their city or county. The housing element is one of the seven mandated elements of the general plan. State law requires local government plans to address the existing and projected housing needs of all economic segments of the community through their housing elements. The law acknowledges that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in the state rests largely upon the effective implementation of local general plans and local housing elements in particular.

Under Cal. Gov't Code § 65583(a), the Housing Element must include the community's goals, policies, quantified objectives, and housing programs for the maintenance, improvement, and development of housing. State law requires cities and counties to address the needs of all income groups in their housing elements. The official definition of these needs is provided by HCD. Beyond these income-based housing needs, the housing element must also address special needs groups, such as persons with disabilities and homeless persons. *See the Housing Element Background Report* for more information on state requirements.

1.2.1 Relationship to Other Elements and Plans

The California Government Code requires internal consistency among the various elements of a general plan. Cal. Gov. Code § 65300.5 states that the general plan and the parts and elements thereof shall comprise an integrated, internally consistent, and compatible statement of policies.

The Housing Element goals, policies, and programs were created with the intent to be consistent with State and local provisions, including all other elements of the 2000 General Plan and current zoning code, to avoid any conflicting policies and maintain effective process that best adheres to the needs of the City's residents. However, the adoption of this Housing Element does not change land use controls or zoning but guides or direct decisions, timing and future updates of such.

may necessitate revisions to some of the General Plan elements to maintain internal consistency with those elements as mandated by State law.

1.41.3 Quantified Objectives

The information for the Quantified Objectives table is based primarily on trends in building permit activity as modified by the economic climate. The City will be implementing new policies designed to accelerate housing production and expects a small increase in development during the planning period.

Housing element law recognizes that in developing housing policy and programs, identified housing needs may exceed available resources and the community's ability to satisfy these needs. The quantified objectives of the housing element, therefore, need not be identical to the identified housing need, but should establish the maximum number of housing units that can be constructed, rehabilitated, and conserved, or households assisted over an eight-year time frame.

Table 1-1. Quantified Objectives for the Planning Period

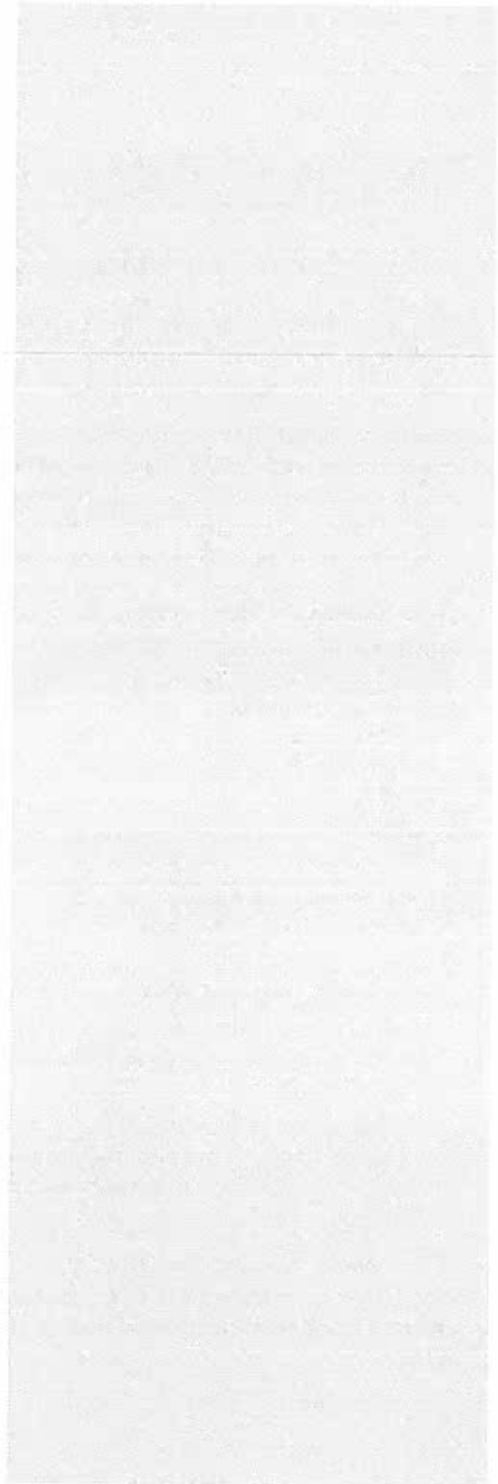
Income Level	New Construction	Rehabilitation	Conservation/ Preservation	Totals
Extremely Low-Income	0	1	1	1
Very Low-Income	1	2	1	4
Low-Income	1	2	2	5
Moderate-Income	3	1	2	6
Above-Moderate	5	0	0	5
Total	10	6	6	21

1.51.4 New Construction

Every city and county in California is required to plan for its "fair share" of the statewide housing need. HCD is required to allocate each region's share of the statewide housing need to Councils of Governments (COGs) based on California Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. This process promotes the following objectives: increase the housing supply and mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner; promote infill development and socioeconomic equity; protect environmental and agricultural resources; encourage efficient development patterns; and promote an improved intraregional balance between jobs and housing. (Cal. Gov't Code §§ 65580, 65583, 65585)

The RHNA for Isleton for the 2021 to 2029 projection period is 28 new housing units (5 very low-income units, 3 low-income units, 6 moderate-income units, and 14 above moderate-income units). The City will strive to provide opportunities for a variety of housing types to be built to accommodate the RHNA. Based

on existing zoning and General Plan designations, there is capacity to accommodate housing at a range of different densities.



1.61.5 Affordable Housing

Although Isleton's housing stock is considered relatively affordable by California standards, there is still a sizable demand for quality, affordable housing for a significant portion of Isleton's population. There is no best strategy for providing affordable housing in Isleton. Most affordable housing projects require multiple subsidies to bridge the affordability gap. The City can address this need for affordable housing through obtaining State grant funding, by providing regulatory incentives for developers, and by forming partnerships with both the public and private sectors.

1.71.6 Preservation and Rehabilitation

While it is important to encourage the development of new affordable housing, reinvestment in the existing housing supply is equally important when financially feasible. It is often more cost effective and environmentally friendly to improve the existing housing stock, rather than demolishing a structure and rebuilding from scratch. It is also less disruptive to the neighborhood and preserves neighborhood character.

1.81.7 Adequate Infrastructure and Services

An essential foundation for housing development is adequacy of infrastructure and services, namely streets, water, sewer, drainage, and dry utilities. This is particularly a concern in rural communities. Demonstrating that a site has existing or planned infrastructure and services is a foremost concern when evaluating potential housing development sites. Continuing to work towards overall infrastructure and service resiliency is a central goal of the City.

1.8.11.7.1 Energy Conservation

Energy efficiency has direct application to affordable housing. The more money spent on energy, the less there is available for rent or mortgage payments. High energy costs have particularly detrimental effects on low-income households that do not have enough income or cash reserves to absorb energy cost increases and must choose between basic survival needs of food, clothing, and shelter.

1.91.8 Special Needs Housing

Within the general population there are several groups of people who have special housing needs. These special needs can make it difficult for members of these groups to locate suitable housing. Cal. Gov't Code § 65583(a) requires the Housing Element to address the needs of the following special needs groups:

Seniors. With the overall aging of society, the senior population (persons over 65 years of age) will increase in most communities. Consequently, the need for affordable and specialized housing for older residents will grow. Typical housing types that meet the needs of seniors include smaller attached or detached housing for independent living (both market-rate and affordable), mobile homes, second units, shared housing, age-restricted below-market-rate rental developments, congregate care facilities, life-care facilities, residential care homes, and skilled nursing homes.

Homeless Persons. Homeless individuals and families have the most immediate housing need of any group. They also have the most difficult housing needs to meet, due to both the diversity and complexity of the factors that lead to homelessness and the lack of dedicated State and Federal funding for homeless shelters and transitional housing.

Single-Parent Households. Single-parent households need affordable housing with childcare on-site or nearby, in proximity to schools, and with access to services. Large households with single parents may have difficulty finding or affording appropriately sized housing. And despite fair housing laws and programs, discrimination against households with children may make it more difficult for this group to find adequate housing.

People with Disabilities. People with disabilities have a wide range of differing housing needs, depending on the type and severity of their disability as well as personal preference and lifestyle. "Barrier-free design" housing, accessibility modifications, proximity to services and transit, and group living opportunities represent some of the types of considerations and accommodations that are important in serving this need group. State law requires the Housing Element to consider the housing needs of residents with developmental disabilities.

Large Households. Large households, defined by State law as households with five or more persons, may have difficulties purchasing housing because large housing units are rarely affordable and rental units with three or more bedrooms may not be common in many communities.

Extremely Low-Income Households. Extremely low-income households are defined as households with incomes under 30 percent of the area median income. Extremely low-income households typically consist of minimum wage workers, seniors on fixed incomes, the disabled, and farmworkers. This income group is likely to live in overcrowded and substandard housing

conditions. This group of households has specific housing needs that require greater government subsidies and assistance, housing with supportive services, and/or rental subsidies or vouchers.

Farmworkers. Farmworkers tend to be relatively young, predominantly male, and Hispanic. While many of farmworkers are single men, some have family members accompanying them. Most farmworkers have high rates of poverty, live in overcrowded housing units, and have a low homeownership rate.

1.101.9 Furthering Fair Housing

State and federal laws ensure all households have the right to rent or purchase housing without discrimination. The City continues to prioritize equal housing opportunities through the enforcement of fair housing practices and the dissemination of fair housing information. The City's coordination with the Sacramento Housing and Redevelopment Agency, the Sacramento Area Council of Governments, and other housing organizations in the operation of its fair housing counseling services has proven to be an effective means for addressing housing issues and ensuring fair housing in the county.

1.111.10 Housing Goals, Policies, and Implementation Actions

GOAL H-1 develop, through public and private efforts, sufficient new housing to ensure the availability of affordable housing for all households in Isleton. (Source: Existing Goal H-1)

- POLICY-H-1.1 Explore participation in various federal and state housing funding programs and shall encourage the use of programs that would allow local households of low- to moderate-income to purchase homes. (Source: Existing Policy H-1.1, modified)
- POLICY-H-1.2 Allow mobile homes that meet all requirements of the floodplain regulations on permanent foundations on separate lots or within mobile home parks as a means to improve housing affordability for low- and moderate-income residents. (Source: Existing Policy H-1.2)
- POLICY-H-1.3 Make information available on housing programs, housing availability, and housing assistance to all residents of the community. (Source: Existing Policy H-1.4)
- POLICY-H-1.4 Strive to efficiently process the review and approval of zoning and building permits for new housing construction and remodeling and maintain an equitable fee structure for such review. (Source: Existing Policy H-1.5)
- POLICY-H-1.5 Maintain an adequate supply of developable land to meet realistic housing demand within the limits of area available for new housing. (Source: Existing Policy H-1.6)
- POLICY-H-1.6 Seek to avoid or minimize the displacement of vulnerable Isleton residents such as people of color, low-income households, the elderly and people with disabilities as increased opportunities and/or investments may arrive in Isleton.
- POLICY-H-1.5POLICY-H-1.7 Encourage participation by individuals, households, and the development community in various federal and state programs intended to improve housing opportunity. (Source: Existing Policy H-1.3, modified)

- **Action-H-1.1 Maintain Sites Inventory.** Maintain an updated map of sites available for low and low-moderate income housing, plus information on ownership, availability of utility services, density of development allowed by the General Plan, density bonuses or equivalent incentives available to prospective developers, applicable fees, and procedures involved in the City's development review and entitlement process. Track whether displacement of current vulnerable populations may be occurring with each biannual with metrics. Provide metrics to regularly monitor and track investments and programs focused on low and low-moderate income housing and provide transparency in reporting. The City shall monitor affordability and location of available sites, and particularly defined by the Affirmatively Furthering Fair Housing Analysis (see Section 3 in the Background Report). The program will be implemented throughout the city and in areas of highest need to the extent possible in line with the City's commitment to affirmatively further fair housing. Provide information to local realtors, housing developers operating within the Isleton housing market area, and the County Housing Authority. (Source: Existing Action 1.1, modified)

Responsibility: Planning (City Manager, Ass't Community Planner)

Time Frame: Annual Publication, beginning July, 1 2014

Funding: City General Fund (staff resources)

- **Action-H-1.2 Coordinate with Local and Regional Partners for Affordable Housing.** Partner with local and regional agencies (e.g., SACOG, Sacramento Housing and Redevelopment Agency, non-profit and for-profit developers) to pursue grant funding and/or technical assistance to facilitate affordable housing development for lower-income households, including extremely low-income households. (Source: Existing Action 2.2, modified)

Responsibility: Planning

Time Frame: Ongoing; partner 4 times during planning period.

Funding: City General Fund (staff resources)

Quantified Objective: Two new construction projects for very low- and low-income levels during planning period.

- **Action-H-1.3 Collaboration with Affordable Housing Providers.** Continue to seek out affordable housing partners. Initiate one-on-one discussions about how to access funding and support such providers. (Source: New)

Responsibility: Planning, City Council

Time Frame: Annually

Funding: City (staff time)

Quantified Objective: Completed projects with affordable housing partner(s); compilation of a list of potential partners; an assessment of potential projects that can be completed

- **Action-H-1.4 Pursue State and Federal Funding.** Actively pursue appropriate federal and state funding sources, including HOME, CDBG, AHSC, and CalHome funds, to support the efforts of nonprofit and for-profit developers to meet new construction and rehabilitation needs of extremely low-, very low-, low-, and moderate-income households. Periodically review available housing programs to identify additional funding sources. *(Source: New)*

Responsibility: All Departments, City Council

Time Frame: Ongoing; pursue funding 4 times during planning period.

Funding: City (staff time)

Quantified Objective: Pursue Federal and State funds to facilitate the development of 32 housing units for extremely low-, very low-, low-, and moderate-income families and workers during the planning period.

- **Action-H-1.5 Homebuyer Assistance.** Alert residents to assist low-income and first-time homebuyers by linking to the Sacramento Housing and Redevelopment Agency's Homebuyer Resources and weekly funding updates via the City's website. Information will include workshops/educational classes on the benefits of homeownership and resources for first-time homebuyers. **Concentrate on the homebuyer assistance program on areas of highest need as illustrated in the Affirmatively Furthering Fair Housing Analysis (see Section 3 in the Background Report).** *(Source: New)*

Responsibility: Planning, City Council

Time Frame: Annually

Funding: City (staff time)

Quantified Objective: Annual review of specific number of homebuyer loans for low- and moderate-income levels; analysis of strengths and weaknesses in delivery to income levels; assistance to 6 low-income first-time home buyers.

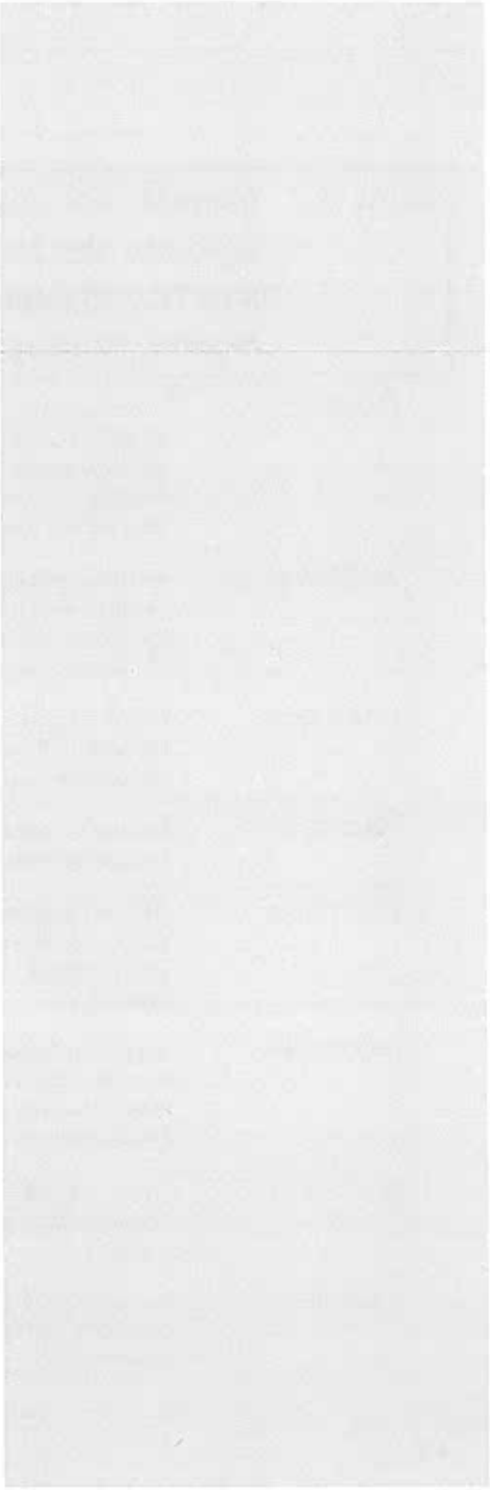
- **Action-H-1.6 Annual Report on Housing Element Implementation.** Complete an Annual Housing Report to submit to HCD and OPR by April 1st of each year, consistent with State law. *(Source: New)*

Responsibility: Planning, City Council

Time Frame: Annually

Funding: City General Fund (staff time)

Quantified Objective: Eight Annual Housing Element Implementation Reports to HCD



**GOAL H-2 manage housing and community development to promote the long-term integrity and value of each new housing unit and the surrounding neighborhood.
(Source: Existing Goal H-2)**

- POLICY-H-2.1** Continually review and revise as necessary the zoning code to ensure affordable housing in all areas of Isleton, including through encouraging secondary units as affordable rentals. Encourage secondary units on top of existing structures like garages to offset expensive floodplain construction alternatives. *(Source: New)*
- POLICY-H-2.2** Approve extensions on time limits of approval for multi-family developments if adequate evidence is provided of circumstances beyond the control of the applicant that warrants such approval, other than failure to achieve financing. *(Source: Existing Policy H-2.1)*
- POLICY-H-2.3** Provide support for existing and proposed new mobile home parks as a low-income housing option in Isleton to the greatest degree practicable. *(Source: Existing Policy H-2.2, modified)*
- POLICY-H-2.4** Monitor progress in implementation of the Housing Element on an annual basis, with review by the City Council. *(Source: Existing Policy H-2.3)*
- POLICY-H-2.5** Require the phased development of multi-family projects where appropriate as a means to mitigate potential adverse impacts of a proposed project that are time-sensitive, such as school impacts. *(Source: Existing Policy H-2.4)*
- POLICY-H-2.6** Apply standards of on-site landscaped open space and recreation areas to apply to multi-family projects of 20 or more housing units, not to exceed those otherwise prescribed by the Land Use Element or Open Space Elements of the General Plan. *(Source: Existing Policy H-2.5, modified)*
- POLICY-H-2.7** Strive to avoid the overconcentration of low- and moderate-income housing within any city residential neighborhood. *(Source: Existing Policy H-2.6)*
- POLICY-H-2.8** Encourage new development projects in areas with the lowest base flood elevations to reduce residential construction costs in the floodplain. *(Source: New)*

POLICY-H-2.9 Ensure development fees remain affordable yet cover costs of City processing, needed infrastructure upgrades, and City services. (Source: New)

- **Action-H-2.1 Code Enforcement.** Pursue funding or technical assistance to continue to implement a code enforcement program and to conduct some inspections of rental properties along with operating primarily on a complaint basis. (Source: Existing Action 3.1, modified)

Responsibility: Planning

Time Frame: Ongoing; inspections may occur every 6 months or more often as needed.

Funding: SB 2; other state and federal grants such as [list from HCD](#)

Quantified Objective: Active habitability inspection program for rental properties; 4-6 properties inspected per year

- **Action-H-2.2 Zoning Code Amendments.** Make the following zoning code amendments to maintain internal consistency and comply with State law requirements for housing:

- Replace references to the R-1-6 zone in the zoning code with the R-1-7 zone and corresponding standards.
- Include a statement in the purpose of the zoning ordinance (§ 102) that discusses furthering fair housing and California fair housing law.
- Remove the requirement for a Conditional Use Permit for second units in order to allow them as a permitted use in all residential districts that allow single-family units (i.e., the UR, R, and RM).
- Remove the requirement for two additional parking spaces for second units; reduce to one with the option to remove the condition if state-outlined conditions are present as outlined in Cal. Gov't. Code § 658252.2(e)(1-5).
- Rezone to allow development by right, pursuant to Cal. Gov. Code § 65583.2(c), when 20 percent or more of the units are affordable to lower income housing on sites identified in Appendix A of the [Housing Element Background Report](#) to accommodate the lower income RHNA that was previously identified in past housing element. This allowance may also be an overlay on the specific sites identified in the Housing Element Site Inventory.
- ~~Remove the Conditional Use Permit requirement for group homes of more than six persons as may be required by state law and replace with procedures that meet state law in all residential zones to promote objectivity and approval certainty in all zones allowing residential uses.~~

- Adopt definition for **transitional and** supportive housing that clearly states that **transitional and permanent** supportive housing **are by-right residential uses** subject to the same standards that apply to residential uses of the same type in the same zone.
- **Develop a ministerial review option or permitted use for proposed developments where at least 50% of the units are affordable to households making below 80 percent of the area median income, in compliance requirements in Cal. Gov't. Code § 65913.4(e)(1).**
- **Explicitly allow single room occupancy in conformance with Cal. Gov't Code § 65583 (c)(1) and § 65583.2 (c), this may include modifying the definition of "dwelling unit" to include single room occupancy by eliminating the requirement for a kitchen in each unit.**
- Allow farmworker housing consistent with Cal. Health & Safety Code § 17021.6 which states that any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use and no conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone.
- Modify the definition of "family" consistent with state law to remove the limit of five unrelated persons living together in a dwelling unit.
- **Modify the definition of "dwelling, one-family" to include employee housing for six or fewer persons, in accordance with Cal. Health & Safety Code § 17021.5.**
- **Modify the 2014 emergency shelter ordinance to comply with parking requirements under Cal. Gov't Code, § 65583 (a)(4)(A).**
- Adopt a formal procedure for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws.
- Allow for Low Barrier Navigation Centers **and supportive housing** to be **a use s**-by right in areas zoned for mixed use and nonresidential zones permitting multi-family uses if they meet **specified requirements in Cal. Gov't Code § 65662(a-d), which include:**
 - a. **"It offers services to connect people to permanent housing through a services plan that identifies services staffing.**
 - b. **It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility**

Commented [T31]: The Gov't Code doesn't require this, but we need more than what we had previously (see below). The current definition of "dwelling unit" requires a kitchen and one or more rooms instead of allowing for a shared kitchen.

In our previous HCD response, we explained the following change to meet the requirement:

The Single Room Occupancy (we edited by inserting them to be a permitted use with the same type of activity as housing projects (HCD))

Assist Development Community in Affordable Housing Projects. Contact and encourage non-profit and for-profit developers and agencies that have had success in constructing housing for extremely low, very low, and low income households within Isleton's housing market area to consider new projects in Isleton, including through assisting funding sources and regulatory relief for alternative housing types such as accessory dwelling units or single room occupancies. (Source: Existing Action 21)

may conduct assessments and provide services to connect people to permanent housing...

c. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

d. It has a system for entering information regarding client stays, client demographics, client income, and exit destination...

- Allow for permanent supportive housing to be a use-by-right in all zones where multifamily and mixed uses are permitted, in compliance with Cal. Gov't Code 65583(c)(3), and consistent with requirements specified in Cal. Gov't Code 65651(a)(1-7).
- Provide for streamlined development approval for supportive housing and low-barrier navigation centers that includes completeness review within 30 days and full review in 60 - 120 days, depending on the size of the project. (Source: Existing Action 5.1, modified with new updates)
- Provide for streamlined development approval for supportive housing and low-barrier navigation centers that includes completeness review within 30 days and full review in 60 - 120 days, depending on the size of the project. (Source: Existing Action 5.1, modified with new updates)
- Revise manufactured housing regulations to allow this type of housing to be treated the same as other single-family housing.
- Amend Zoning Code to reduce residential development processing time by allowing the Planning Commission to approve use permits for residential developments without City Council approval

Responsibility: Planning, Planning Commission, Council

Time Frame: GP update adopted 2022, zoning code amendments to follow (estimated 2023 adoption)

Funding: General Fund; grant assistance

Quantified Objective: 8 accessory dwelling units during the planning period; updated zoning code

- **Action-H-2.3 General Plan Update.** Update the 2000 General Plan, including analysis of the "disadvantaged community" state designation, new environmental justice policies, and the potential ways to address associated challenges.

Responsibility: Planning, Planning Commission, Council

Time Frame: by end of 2023

Funding: General Fund; SB-2, REAP, and other grant assistance

Quantified Objective: Newly-adopted General Plan.

- **Action-H-2.4 Update Enforcement Provisions.** Update enforcement provisions of municipal code to require administrative citations to include a list of potential resources available to property owners to correct violations. *(Source: New)*

Responsibility: Planning, Planning Commission, Council

Time Frame: GP update adopted 2023, municipal code amendments to follow adoption of Housing Element and other general plan elements. (estimated 2025 adoption)

Funding: General Fund

Quantified Objective: Updated municipal code

- **Action-H-2.5 Address Housing Opportunities and Constraints.** Evaluate the municipal code to determine what standards may need revision in order to encourage housing production, especially in areas with the lowest base flood elevations. The revisions may include reducing parking standards, setbacks, height, or ability to use clustering without having to re-zone property to the Planned Development Zone, as well as addressing restrictive aspects of the grading and tree preservation ordinances as appropriate and consistent with this General Plan. *(Source: New)*

Responsibility: Planning, Planning Commission, and City Council

Time Frame: Annually

Funding: City General Fund (staff resources)

Quantified Objective: Revision of municipal code to reduce development constraints for affordable housing by January 2024; adoption and implementation of new standards by January 2026.

- **Action-H-2.6 Update Fee Schedule.** Conduct a study and develop a new fee schedule for both single-family and multi-family development that reflects the cost of processing development applications and providing services to new development. *(Source: Existing Action 6.1)*

Responsibility: Planning, Public Works, Council

Time Frame: Fee updated expected after zoning code updates, approximately 2025.

Funding: City General Fund (staff resources)

Quantified Objective: Updated fee schedule before the end of planning period.

GOAL H-3 promote equal access to safe, Decent, and affordable housing for all economic groups. (Source: Existing Goal H-3)

- POLICY-H-3.1** The City declares that all persons regardless of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or disability to have equal access to sound and affordable housing. *(Source: Existing Policy H-6.1)*
- POLICY-H-3.2** Encourage infill housing in residential districts where essential services are available, especially in the Main Street area. *(Source: Existing Policy H-3.1)*
- POLICY-H-3.3** Utilize Planned Unit Development (PUD) procedures of the zoning code for multi-family projects involving 10 or more units to allow greater innovation in project design so as to increase housing affordability. Monitor the effects of this policy to assure that it does not become a constraint to the development of multi-family housing and does not force the creation of higher-cost housing at the expense of low-income households. *(Source: Existing Policy H-3.2, modified)*
- POLICY-H-3.4** Waive or allow modification of selected development standards under PUD zoning procedures for affordable housing projects where design proposals achieve the functional equivalent of existing improvement standards, including density bonuses in accordance with state law and the current zoning code. *(Source: Existing Policy H-3.3, modified)*
- POLICY-H-3.5** Permit smaller lots with a minimum of 4,000 square feet for subdivisions where housing units are designed specifically for the small lot under PUD procedures. *(Source: Existing Policy H-3.4)*
- POLICY-H-3.6** Grant density bonuses under PUD zoning procedures in areas of medium density for projects which do not qualify under Policy H-3.4, above, only if a project is judged successfully against quantitative and qualitative criteria which assures good design and the provision of amenities not normally provided under conventional approaches to residential project design. These types of density bonuses are entirely separate from those mandated by state law for very low- and low-income households and are intended primarily for market rate housing. *(Source: Existing Policy H-3.5)*

POLICY-H-3.7

Maintain an adequate ratio of single-family homes to apartments to allow choice, affordability and availability in housing types and encourage an increase in home ownership based upon competent community-wide housing market analysis. Require that proposed income or rental subsidy apartment projects be justified by features of design, livability, and availability of community services.

Generally, an adequate ratio is considered to be about 65 percent single-family to 35 percent multi-family. It is understood, however, that the availability of sites for new housing within the City favors multi-family densities more than single family. Consequently the 65:35 ratio may be increased in favor of multi-family until such time that land within the Urban Reserve (land that the City has labeled for future possible annexation) may be annexed to permit a greater number of single-family units. *(Source: Existing Policy H-3.6, modified)*

- **Action-H-3.1 Assist Development Community in Affordable Housing Projects.** Contact and encourage non-profit and for-profit developers and agencies that have had success in constructing housing for extremely low, very low, and low income households within Isleton's housing market area to consider new projects in Isleton, including through assisting funding sources and regulatory relief for alternative housing types, such as accessory dwelling units or single-room occupancies, in a manner that affirmatively furthers fair housing. *(Source: Existing Action 2.1, modified)*

Responsibility: Staff, Planning Commission, Council

Time Frame: Annually

Funding: City General Fund (staff resources)

Quantified Objective: Two extremely low, very low-, or low-income housing developments proposed during planning period.

- **Action-H-3.2 Affirmatively Further Fair Housing.** Administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing and take no action that is materially inconsistent with its obligation to affirmatively further fair housing.

Responsibility: Staff, Planning Commission, Council

Time Frame: Ongoing, upon development review

Funding: City General Fund (staff resources)

Quantified Objective: Proposed housing developments reviewed for extend proposals affirmatively further fair housing.

• Action-H-3.3 Regional Fair Housing, Mobility Enhancement, and Place-Based Access.

Continue to coordinate with the Sacramento County, SACOG, and other regional non-profits to develop or participate in the regional y by implementing the solutions developed in the Regional Analysis of Impediments (AI) to Fair Housing Choice (AI) to mitigate and/or remove fair housing impediments and enhance mobility, including through coordination with Sacramento County, SACOG, and other regional non-profits.

Time Frame: Initial coordination occurring in 2023, solutions identified by end 2024, progress reports developed for website 2025.

The City shall take affirmative actions to further fair housing choice in the City by implementing solutions developed in the AI to mitigate or remove impediments to fair housing.

The City shall pursue funding to take affirmative steps, such as:

1. Distributing educational materials to property owners, apartment managers, and tenants every two years. *Time Frame: Complete information on website by end 2023, Distribute information annually thereafter.*

2. Developing city-wide affordable rental registry. *Time Frame: Complete by 2024, maintain thereafter, distribute information annually thereafter.*

3. Developing multifamily housing options. *Time Frame: Develop list of housing options by end 2023. Report list of options on website by end 2024. Distribute information annually thereafter*

4. Encouraging the development of four or more units in a building. *Time Frame: Provide information on website by end 2023. Distribute information via meetings and annually thereafter.*

5. Invest in infrastructure improvements and new amenities throughout the City to support housing options. (since the whole City is in a low resource area). *Time Frame: Develop utility masterplans by end 2026. Make improvements based upon AFFH and other priority areas by 2028.*

6. Making public service announcements via different media (e.g.

newspaper ads and public service announcements at local radio and television channels) at least two times a year. *Time Frame: Provide solutions on website by end 2023. announcements annually.*

37. Conducting public presentations with different community groups. *Time Frame: Provide solutions on website by 2023. announcements biannually at meetings.*

8. Responding to complaints of discrimination (e.g. in-taking, investigation of complaints, and resolution). *Time Frame: Disseminate fair housing information on website by end 2023. Ongoing resolution.*

9. Referring services to appropriate agencies. *Time Frame: Provide solutions on website by end 2023. announcements annually.*
(Source: New)

Responsibility: Planning, Council

Time Frame: Provide resources on website by 2023. annual meetings. at minimum with regional organizations and developers to understand opportunities See above for each action.

Ongoing

Funding: Community Development Block Grant; SB 2 Funding; Regional Partnerships

Quantified Objective: Assist 8 individuals/households with fair housing issues throughout the planning period. Partner on at least one project to promote universal access within the planning period.

- **Action-H-3.4 Disseminate Fair Housing Information.** Display fair housing information from the HCD and State Fair Employment and Housing Commission's enforcement program at City offices and provide links on its website to these entities and their fair housing discrimination references, contacts, and compliance procedures. *(Source: Existing Action 4.1, modified)*

Responsibility: Planning

Time Frame: Initial website update before January 2022; ongoing.

Funding: General Fund (staff resources)

Quantified Objective: Updated city webpage, new postings at three city-owned facilities by 2022.

- **Action-H-3.5 Resources for Fair Housing.** Serve as the local contact point for fair housing complaints and refer interested persons to the California Department of Fair Employment and Housing (DFEH) and the U.S. Department of

Housing and Urban Development (for federally subsidized units) as complaints are received. *(Source: New)*

Responsibility: City Manager

Time Frame: Ongoing

Funding: City General Fund (staff resources)

Quantified Objective: Maintain contact with the DFEH and the U.S. Department of Housing and Urban Development for data and information.

- **Action-H-3.6 Housing Transparency.** Update the City website to include all development and impact fees, resources for homebuyers and special needs populations, and other housing-related resources as applicable.

Responsibility: City Manager

Time Frame: 2022

Funding: City General Fund (staff resources)

Quantified Objective: Dedicated webpages for fee information and housing resources.

- **Action-H-3.7 Density Bonus Compliance.** Ensure the City's current density bonus is compliant with current state law.

Responsibility: City Manager

Time Frame: Annual updates

Funding: City General Fund (staff resources)

Quantified Objective: Annual review and updates, as necessary, to the City's density bonus ordinance.

- **Action-H-3.8 Adopt ADU Ordinance.** Adopt an accessory dwelling unit ordinance in compliance with the California ADU statute and ensure ongoing compliance with state law.

Responsibility: City Manager

Time Frame: ADU Ordinance, 2023; Annual updates

Funding: City General Fund (staff resources)

Quantified Objective: New ADU Ordinance; Annual review and updates, as necessary, to the City's density bonus ordinance.

- **Action-H-3.9 Incentivize Accessory Dwelling Units Above Base Flood Elevation.** Develop a program or update the municipal code to promote ADU development **for-prioritizing the very low-, low-, and moderate-income households, in-particular for with a focus on** ADUs above garages or utilizing other techniques to stay above base flood elevation. [During zoning code](#)

Commented [TJ2]: During zoning code updates (2023-2024), consider options such as pre-approved, engineered designs to remove ADU from floodplain and expedite permitting.

[updates \(2023-2024\), implement options such as pre-approved, engineered designs to remove ADU from floodplain, keep costs of ADUs affordable, and expedite permitting.](#) See Action-H-2.4 for other municipal code opportunities.

Responsibility: *City Manager and City Council*

Time Frame: *Annual evaluation of options. Zoning code update by 2023-2024 to implement identified options; implement approximately Jan. 2025 or within planning period.*

Funding: *City General Fund (staff resources)*

Quantified Objective: *Revision of municipal code to reduce development constraints for affordable housing by January 2024; Adoption and implementation of new standards by January end 2025.*

GOAL H-4 provide for a choice of housing for residents with special housing needs, including the elderly, disabled, farm workers, homeless, and other lower-income groups. (Source: Existing Goal H-4)

- POLICY-H-4.1** Promote housing sites for the elderly and disabled that are within reasonable proximity to transportation services, medical facilities, recreation areas, and convenience shopping facilities, and where reasonable security by police and fire protection services can be assured. (Source: Existing Policy H-4.1)
- POLICY-H-4.2** Encourage and pursue programs to assist lower-income and elderly residents to rehabilitate deteriorating housing. (Source: Existing Policy H-4.2)
- POLICY-H-4.3** Encourage new housing units that are adaptable for disabled households. This can be accomplished by City staff at the building permit stage by assuring the elimination of barriers and by provisions for special handicapped needs such as lowered switches and flush doorways. (Source: Existing Policy H-4.3)
- POLICY-H-4.4** Support local and regional efforts to provide emergency and transitional housing for local homeless individuals and families. (Source: Existing Policy H-4.5)
- POLICY-H-4.5** Encourage participation in the Housing Choice Vouchers Program (i.e., Section 8 rental assistance) administered by Sacramento County. (Source: Existing Policy H-4.6)

- **Action-H-4.1 Assistance for Special Needs Populations.** Engage with housing advocates, encourage housing providers to designate a portion of new affordable housing developments for special needs populations, and pursue funding sources designed for housing needs of special needs populations, including the elderly, persons with physical and mental disabilities, female-headed households, large families, farmworkers, extremely low-income households, and veterans. Maintain a housing directory and referral service for disabled residents on the City's website with participation by the private sector and relevant local/regional nonprofits. (Source: Existing Policy H-4.4, modified)

Responsibility: Planning, Council

Time Frame: ~~Ongoing.~~ Website updates by ~~January-March 2022,~~ with updates every 6 months. 2 meetings attended or hosted annually in planning period.

Funding: General Fund, State and Federal grants; regional support

Quantified Objective: Website updated and maintained with up-to-date information; 1 affordable housing unit for special needs populations.

- **Action-H-4.2 Reasonable Accommodation.** Continue to provide reasonable accommodations through a formal procedure by reviewing and approving requests for modifications to building or zoning requirements in order to ensure accommodations for persons with disabilities. Additionally, the City shall provide both printed information, and information on the City's website regarding reasonable accommodations by 2023. (Source: New)

Responsibility: Planning

Time Frame: Ongoing, information available by 2023.

Funding: City General Fund (staff resources)

Quantified Objective: Modifications to building requirements or exceptions to the zoning plan as necessary to ensure reasonable accommodations for persons with disabilities.

- **Action-H-4.3 Coordination with Alta California Regional Center.** Coordinate with the Alta California Regional Center to better serve the housing needs of residents with developmental disabilities. (Source: Existing Action 4.2)

Responsibility: Planning

Time Frame: Ongoing, coordination at least twice annually.

Funding: City General Fund (staff resources)

Quantified Objective: ACRC information linked to City website; improved support for citizens with disabilities.

GOAL H-5 maintain and improve the quality of the existing housing stock and the neighborhoods in which it is located. (Source: Existing Goal H-5)

- POLICY-H-5.1 Conserve and maintain existing housing stock through building inspection and participation in housing rehabilitation programs. (Source: Existing Policy H-5.2, modified)
- POLICY-H-5.2 Strictly enforce building and housing codes to achieve rehabilitation or demolition of dilapidated houses and actively pursue condemnation of vacant dilapidated housing units. (Source: Existing Policy H-5.1, modified)
- POLICY-H-5.3 Seek methods to alleviate overcrowding, including provision for some choice of three or more-bedroom apartments in new multi-family projects. (Source: Existing Policy H-5.3, modified)
- POLICY-H-5.4 Enforce the historic preservation ordinance to preserve the character of Main Street as a historic mixed-use corridor. (Source: Existing Policy H-5.4)

- **Action-H-5.1 Housing Rehabilitation.** To conserve existing housing stock that currently needs substantial rehabilitation, review the Housing Stock Inventory to assess potential rehabilitation needs, identify potential loan applicants, and initiate a program to serve those needs. Seek technical assistance from Sacramento County, SACOG, local non-profits and/or volunteers to apply for CDBG, HOME, and/or other state and federal funding for the purpose of establishing a rehabilitation loan and/or grant program to rehabilitate deteriorating owner-occupied and rental housing. **The program actions will be implemented throughout the city and in areas of highest need based upon the Affirmatively Furthering Fair Housing Analysis (see Section 3 in the Background Report), in line with the City's commitment to affirmatively further fair housing. The City will proactively enforce placed based strategies in loan programs and other state funded programs at a localized level.** (Existing Action 3.2, modified)

Responsibility: Planning, Planning Commission, Council
Time Frame: *Inventory of housing stock in need of rehabilitation by 2024. assessment of a potential program to assist in rehabilitation by end of planning period. Annual technical assistance sought through grant applications (one per year). Ongoing*

Funding: TBD. SB 2; other state and federal grants such as this [list from HCD](#).

Quantified Objective: ~~Inventory of housing stock in need of rehabilitation by 2024~~ Six rehabilitation projects in Isleton during planning period.

- **Action-H-5.2 Municipal Code Review.** Review historic preservation ordinance and multi-family zoning provisions for consistency with General Plan policies; incorporate updates as needed. (Source: New)

Responsibility: Planning, Planning Commission, and City Council
Time Frame: Annually

Funding: City General Fund (staff resources)

Quantified Objective: Revision of municipal code to reduce development constraints for affordable housing by January 2024; adoption and implementation of new standards by January 2026.

GOAL H-6 Promote resilient infrastructure and energy conservation to maintain housing affordability in Isleton. (Source: Existing Goal H-7, modified)

- POLICY-H-6.1** Ensure sewer infrastructure is adequate for future growth in Isleton, affordable, and continues to function to meet all relevant standards. (Source: Existing Policy H-1.7, modified)
- POLICY-H-6.2** Strive to provide adequate broadband and cellular service in Isleton. (Source: New)
- POLICY-H-6.3** Support creative solutions to address affordable housing within the FEMA-identified floodplain (e.g. ADUs above garage structures, elevated manufactured homes, and other engineered solutions that meet Isleton’s floodplain regulations) (Source: New).
- POLICY-H-6.4** Require all new dwelling units to meet current state requirements for energy efficiency and encourage retrofitting of existing units. (Source: Existing Policy H-7.1)
- POLICY-H-6.5** Encourage energy efficiency in new land use patterns to the extent possible. (Source: Existing Policy H-7.2)

- **Action-H-6.1 Improve Sewer Capacity.** Continue to work to improve the sewer system to ensure adequate capacity is available to serve existing and future development. Monitor sewer issues in the city, analyze and, if necessary, revise the city’s strategy for improving the sewer system to ensure there will be adequate infrastructure to accommodate the city’s share of the regional housing needs. (Source: Existing Action 5.3, modified)

Responsibility: Public Works, City Manager, Council
Time Frame: Ongoing To the extent City has resources, completion of sewer service master plan completion of sewer study, 2024, development of implementation plan and initiation of construction by end of planning period.
Funding: Grant funding needed
Quantified Objective: Completion of sewer study, implementation plan, construction of upgrades initiated by end of planning period.

- **Action-H-6.2 Affordable Housing Prioritized for Sewer.** Establish written policies and procedures that grant priority for sewer to proposed development that

includes housing affordable to lower-income households, in compliance with Cal. Gov't Code § 65589.7. Coordinate with California Water service on similar policies for drinking water.

Responsibility: Public Works, City Manager, Council

Time Frame: 2023; ongoing coordination with Cal. Water.

Funding: City General Fund (staff resources) to apply; grant funding such as FEMA BRIC

Quantified Objective: Application submitted for infrastructure upgrades during the planning period.

- **Action-H-6.3 Local, State, and Federal Funding for Infrastructure.** Pursue funding for infrastructure that will support infill properties that can be used for residential development. *(Source: New)*

Responsibility: Public Works, City Manager, Council

Time Frame: Ongoing; funding applied for at least once during planning period.

Funding: City General Fund (staff resources) to apply; grant funding such as FEMA BRIC

Quantified Objective: Application submitted for infrastructure upgrades during the planning period.

- **Action-H-6.4 Coordinate to Improve Flood Protection.** Coordinate with other agencies and the private sector to seek funding and technical assistance to repair and improve the Sacramento River levee and the Slough levee around the City in an effort to achieve FEMA/National Flood Insurance Program approval status. Monitor flood risk in the city and shall analyze the impact of flooding on the City's ability to accommodate its share of the regional housing needs by 2023. If flooding is found to impact the City's ability to accommodate the remaining RHNA, strive to develop a new strategy to meet the RHNA. *(Existing Action 5.4, modified)*

Responsibility: Public Works Department, City Manager, City Council

Time Frame: Long-term. By end of planning period, levee integrity study complete (outside project); potential implementation actions identified Ongoing

Funding: City General Fund (staff resources); grant funding if implementation is identified

Quantified Objective: Levee integrity study complete (outside project); potential implementation actions identified by end of planning period.

- **Action-H-6.5 Broadband and Cellular Funding.** Pursue funding for infrastructure that will attract broadband projects to achieve goal-minimum download speeds of 100 Mbps and cellular coverage throughout the City. *(Source: New).*
Responsibility: Public Works, City Manager, Council
Time Frame: Ongoing
Funding: City General Fund (staff resources) to apply; grant funding such California Advanced Services Fund (CASE)
Quantified Objective: Application submitted or partnership developed during the planning period.

- **Action-H-6.6 Encourage Participation in Energy Efficiency Programs.** Work with PG&E to encourage existing residents to participate in energy efficiency retrofit and weatherization programs. The City will consider sponsoring an energy awareness program, in conjunction with PG&E to educate residents about the benefits of various retrofit programs. *(Source: Existing Action 6.1)*
Responsibility: City staff, Planning Commission, Council
Time Frame: Ongoing
Funding: City General Fund (staff resources)
Quantified Objective: Expedited approvals for rooftop solar; residential solar information linked from City website.

- **Action-H-6.7 Enforce Standards for Energy Efficiency.** Require all new construction to demonstrate compliance with Title 24 mandates during the planning and design process using energy efficiency calculations approved by the State. *(Source: Existing Action 6.2, modified)*
Responsibility: Planning
Time Frame: Ongoing
Funding: City General Fund (staff resources)
Quantified Objective: Title 24 compliance in all new construction.

City of Isleton

City Council
Staff Report

DATE: September 27, 2022

ITEM#: 7.A

CATEGORY: Old Business

CITY OF ISLETON 100th ANNIVERSARY CELEBRATION, PERMIT APPLICATION

SUMMARY

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

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

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

FISCAL IMPACT

There is no fiscal impact associated with this action

RECOMMENDATION

Staff recommends that City Council discuss the celebration of a 100th anniversary celebration, permit application.

ATTACHMENT

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

Reviewed by: Charles Bergson, City Manager 

Submitted and prepared by: Yvonne Zepeda, City Clerk _____

City of Isleton

Special City Council Staff Report

DATE: September 27, 2022

ITEM#: 7.B

CATEGORY: New Business

MEMORANDUM OF UNDERSTANDING BETWEEN SACRAMENTO AREA COUNCIL OF GOVERNMENTS AND THE CITY OF ISLETON; APPROVE

SUMMARY

The City is required by State law to periodically update its General Plan and the City's General Plan Update was approved in 1989. The City does not have the internal staffing resources or specialized skill and knowledge to prepare the General Plan Update without outside assistance. The City is the recipient of a One-Hundred Thousand Dollar (\$100,000) Sacramento Community Design Grant in 2021 (Round 9) that may be used in part or whole to pay for the General Plan Update Phase 4 Project, which includes development capacity analysis within the city limits

DISCUSSION

The Memorandum of Understanding for the Community Design Grant states that the City is not required to pay a match for the \$100,000 grant but is responsible for any costs that exceed the grant amount.

Sacramento Area Council of Governments will pay the consultant's invoices directly but must receive prior written approval from the City that the work performed by the consultant is acceptable. In the event the consultant's invoice is not approved by the City, the City is responsible for informing the consultant of the reason why, and what the consultant can do to remedy the issue. The City must notify the consultant in a timely manner.

Sacramento Area Council of Governments will make payment to the consultant in full using Sacramento Area Council of Governments Managed Funds (SMF) that are made available through the City's 2021 (Round 9) Community Design Grant.

Sacramento Area Council of Governments planning and accounting staff time will be paid for through Sacramento Area Council of Governments staff services provided in the Community Design Funding Program.

Renew and ratify the General Plan – Dynamic Planning & Science is $\frac{3}{4}$ of the way through and would like to renew their Services to complete Phase 4 of the General Plan

FISCAL IMPACT

One Hundred Thousand Dollars (\$100,000) from the Sacramento Area Council of Governments Community Design Grant 2021 (Round 9).

RECOMMENDATION

It is recommended that City Council approve Memorandum of Understanding between Sacramento Area Council of Governments and the City of Isleton

ATTACHMENTS

- MOU between Sacramento Council of Governments (SACOG) and City of Isleton

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk

A handwritten signature in blue ink, appearing to read "Bergson", is written over the printed name of Charles Bergson. The signature is fluid and cursive, with a long horizontal stroke at the end.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
SACRAMENTO AREA COUNCIL OF GOVERNMENTS
And the
CITY OF ISLETON**

**FOR SACOG CONTRACTOR ADMINISTRATION FOR THE CITY OF ISLETON'S
GENERAL PLAN UPDATE PHASE 4 PROJECT**

This Memorandum of Understanding ("MOU") is made effective _____, 2022, by and between the Sacramento Area Council of Governments ("SACOG") and the City of Isleton ("City").

WHEREAS, the City is required by state law to periodically update its General Plan and the City's last General Plan update was approved in 1989; and

WHEREAS, the City does not have the internal staffing resources or specialized skill and knowledge to prepare the General Plan Update without outside assistance; and

WHEREAS, the City is the recipient of a One-Hundred Thousand Dollar (\$100,000) SACOG Community Design Grant in 2021 (Round 9) that may be used in part or whole to pay for the General Plan Update Phase 4 Project, which includes development capacity analysis within the city limits; and

WHEREAS, SACOG, as a council of governments and Metropolitan Planning Organization, provides and/or facilitates member services on behalf of the six counties and 22 cities in the greater Sacramento region; and

WHEREAS, SACOG has served as the contract administrator for the City of Isleton's selected contractor Phases 1,2 and 3 of the General Plan Update project and SACOG desires to serve the same role in Phase 4 of this project.

NOW, THEREFORE, the Parties hereto agree as follows:

1. The City of Isleton will assume all responsibility for the procurement and selection of a qualified consultant for the city's General Plan Update Project Phase 4 – Development Capacity within City Limits. The City shall follow its own procurement policies and practices in the selection of the project consultant(s). The City agrees to indemnify, defend and hold harmless SACOG from any and all claims, causes of action or disputes arising out of or pertaining to the City's procurement and selection of consultant. Upon selection, the City shall notify SACOG and request that SACOG enter into an agreement with the selected consultant.

2. The Parties agree to the following:

- a. Per the terms of the MOUs for the Community Design Grant, the city is not required to pay a match for the \$100,000 grant but is responsible for any costs that exceed the grand amount. In no event shall SACOG be liable for any amount in excess of the grant amount.
- b. SACOG will pay the consultant's invoices directly but must receive prior written approval from the City that the work performed by the consultant is acceptable. In the event the consultant's invoice is not approved by the City, the City is responsible for informing the consultant of the reason why, and what the consultant can do to remedy the issue. The City must notify the consultant in a timely manner that is consistent with the contract between SACOG and the consultant.
- c. SACOG will make payment to the consultant in full using SACOG Managed Funds (SMF) that are made available through the City's 2021 (Round 9) Community Design Grant. The amount of the contract with the consultant will not exceed a total amount of One Hundred Thousand Dollars (\$100,000).
- d. SACOG planning and accounting staff time will be paid for through SACOG's staff services provided in the Community Design Funding Program. However, SACOG services do not allow for any legal work performed required beyond preparation of agreements.

3. Any notice under this MOU shall be in writing and either personally delivered or sent by First Class U.S. Mail, postage pre-paid, addressed as follows:

SACOG:

Gregory Chew
Senior Planner
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814
Phone (916) 340-6227
Email gchew@sacog.org

City of Isleton:

Charles Bergson
City Manager
City of Isleton
101 2nd Street
Isleton, CA 95641
Phone (916) 777-7770 or (530) 626-4802
Email cbergson@cityofisleton.com

4. No alteration or variation of the terms of this MOU shall be valid unless made in writing and signed by the Parties hereto, and no oral understanding or agreement not incorporated herein, shall be binding on any of the Parties hereto.
5. The persons signing on behalf of the Parties to this MOU each warrant they have the legal authority to execute this MOU.
6. This MOU embodies the entire agreement of the Parties in relation to the matters contained herein, and no other understanding, whether verbal, written, or otherwise, exists among the Parties.
7. If the selected consultant seeks additional fees for work that is beyond the scope of work of the original agreement between the consultant and SACOG, or additional fees are required to complete the scope of work, SACOG and the City must agree in writing on the amended scope of work and fee amount prior to the SACOG entering into the amendment and the start of the additional work. The written amendment between SACOG and the City must identify the amended scope of work, any additional fees for the contractor and for SACOG staff reimbursement, and the party responsible for payment of such fees and costs.
8. This MOU may be signed in one or more counterparts, each of which will constitute an original and all of which taken together shall constitute one and the same instrument. Documents executed, scanned, and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.

[Signatures on Next Page]

IN WITNESS WHEREOF, THE PARTIES HAVE ENTERED INTO THIS MEMORANDUM
OF UNDERSTANDING AS OF THE DATE FIRST ABOVE WRITTEN:

SACRAMENTO AREA COUNCIL OF GOVERNMENTS

JAMES CORLESS
Executive Director

APPROVED AS TO FORM:

SLOAN SAKAI YEUNG & WONG LLP
Legal Counsel to SACOG

RECOMMENDED BY:

GREG CHEW
Senior Planner

CITY OF ISLETON

CHARLES BERGSON
City Manager

City of Isleton

City Council
Staff Report

DATE: September 27, 2022

ITEM#: 7.C

CATEGORY: Old Business

CONSIDERING THE ISSUANCE OF HARDSHIP CERTIFICATE PURSUANT TO ORDINANCE NO. 05-2011 HISTORICAL REVIEW BOARD ORDINANCE, 66 MAIN STREET

SUMMARY

The Isleton Historical Preservation Review Board (IHPRB) has recommended that the City Council declare intent to assess a fine pursuant to Ordinance No. 05-2011, Historic Preservation, for 66 Main Street due to replacing historical windows without review and approval from the IHPRB.

DISCUSSION

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

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

ANALYSIS

The Preservation Ordinance's general goal is, in part, to enhance and protect the City's historical and architectural heritage. Among the actions available to the Board are i) designation of landmarks, ii) declaring appropriateness of work, and iii) recommending to the City Council concerning the issuance of hardship certificates which are available under specified circumstances to allow an owner to be relieved from the strict application of this chapter. The Ordinance also directs distinguishing between "minor" and "major" repairs.

This certificate of hardship (section 1.12) may be granted by the City Council provided it considers the cost of the work and feasibility or lack thereof of the work. Authority to issue hardship is held by Council upon recommendation of the Board.

The cost of these windows replacement is significantly higher than the market price to replace windows and is not a typical cost for a commercial building window repair. The owner has reported to Staff that this repair, while feasible, is not reasonable.

In that the work was a replacement of wooden second story windows and the cost is significantly beyond market prices, staff submits that the Council return this matter to the Board requesting a basis for not recommending hardship.

FISCAL IMPACT

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

RECOMMENDATION:

It is recommended City Council return this matter to the Isleton Historic Review Board requesting basis for not recommending the issuance of a hardship certificate.

ATTACHMENTS

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

Submitted by Diana O'Brien, Administrative Assistant

Reviewed by Charles Bergson, City Manager

Prepared and Submitted by Yvonne Zepeda, Deputy City Clerk

RESOLUTION NO. 28-22

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

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

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

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

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

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

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

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

AYES:

NOES:

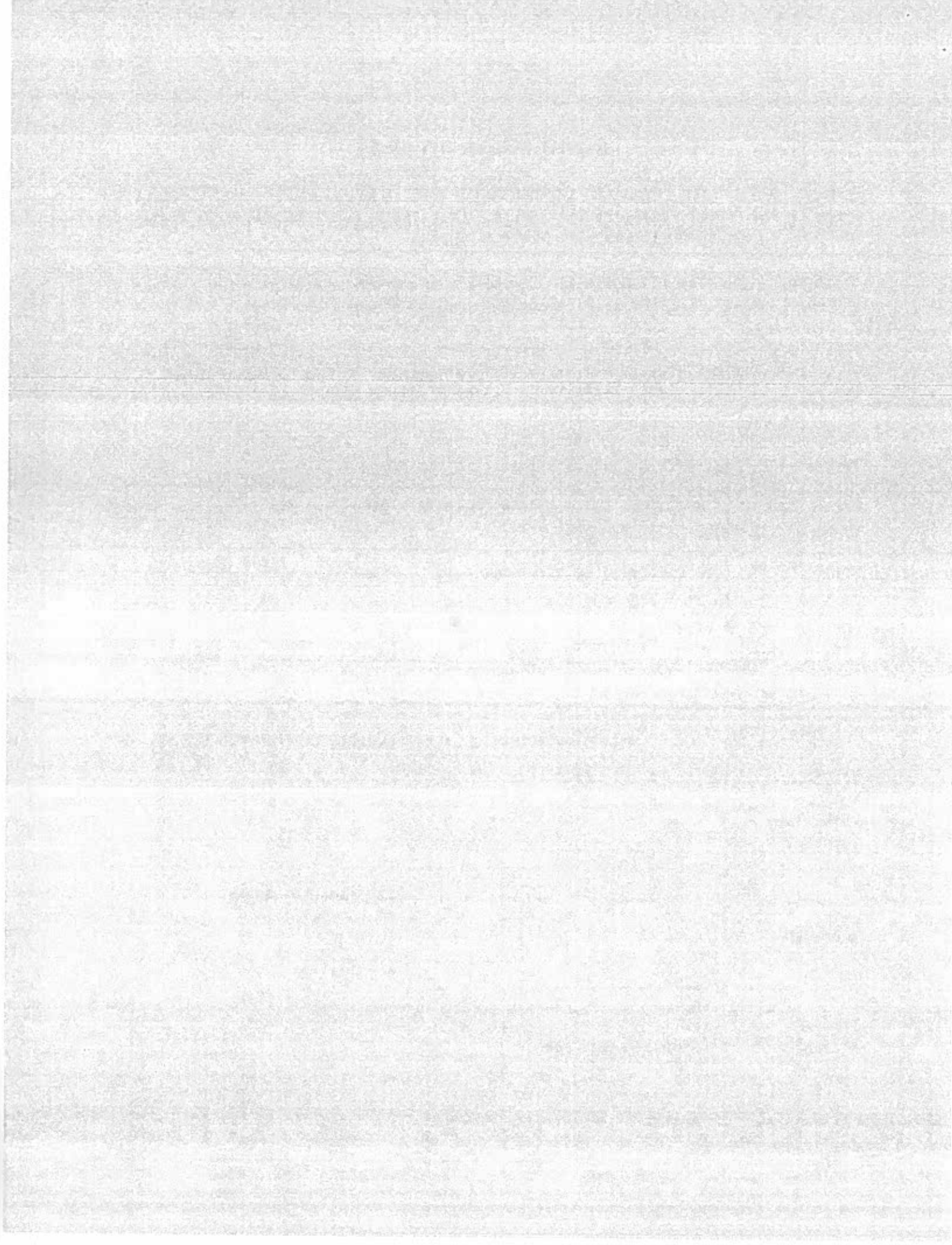
ABSTAIN:

ABSENT:

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda



ORDINANCE NO. 05-2011

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

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

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

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

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

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

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

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

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

HISTORIC PRESERVATION ORDINANCE

Sections:

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

1.01 Purpose

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

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

1.03 Establishment of Historic Review Board

A. Establishment of historic review board

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

B. Composition of the historic review board

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

C. Term, officers and rules

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

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

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

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

D. Powers and duties of board

1. The board shall:

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

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

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

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

2. The board shall also:

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

b. review applications for certificates of appropriateness as follows:

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

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

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

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

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

1.06 Designation of Historic Landmarks and Districts

A. Procedure for designation of historic landmarks and districts

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

a. at the recommendation of staff;

b. by recommendation of the board ; or

c. by application of the property owner.

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

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

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

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

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

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

B. Criteria for designation of landmarks and districts

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

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

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

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

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

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

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

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

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

C. Additional criteria for districts

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

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

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

D. Automatic designations

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

E. Findings for deletion of historic landmarks or historic districts

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

1.09 Certificates of Appropriateness

A. When certificates of appropriateness are required

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

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

B. Applying for a certificate of appropriateness

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

C. Processing of a certificate of appropriateness

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

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

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

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

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

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

D. Additional criteria for moving a historic landmark or structure

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

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

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

E. Additional criteria for demolishing a historic landmark or structure

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

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

F. Demolition mitigation measures

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

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

1.12 Certificates of Hardship

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

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

1.15 Appeals

A. Appeal of building official's decision

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

B. Appeal of board decision

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

C. Stay of approval

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

1.18 Duty to Maintain

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

1.21 Unsafe or Dangerous Conditions

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

1.23 Penalties

A. Misdemeanor

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

B. Nuisance

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

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

C. Civil penalties

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

D. Moratorium

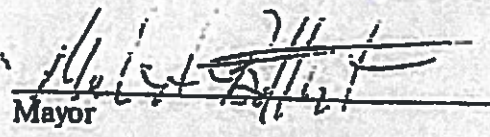
Alteration or demolition of a landmark or structure in violation of this chapter shall authorize the city to issue a temporary moratorium for the development of the subject property for a period not to exceed twenty-four (24) months from the date the city becomes aware of the unauthorized alteration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


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

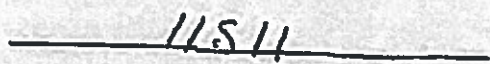
Isleton City Hall, 101 Second Street; Isleton Post Office, 202-205 Second and C Street; and the market at 106-107 Second Street.

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

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


Mayor

ATTEST:

City Clerk

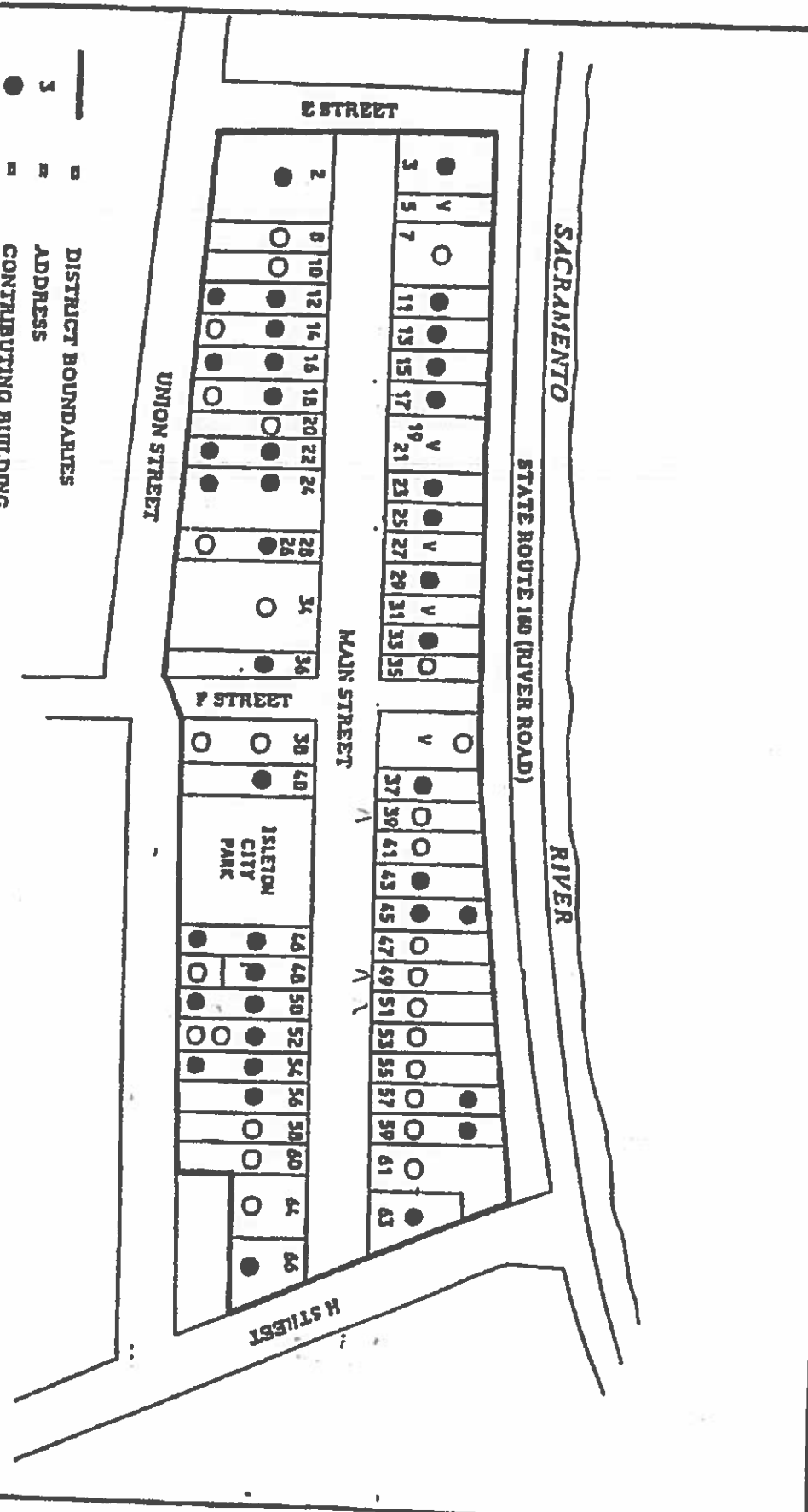
APPROVED AS TO FORM:

City Attorney

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

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



0 100 FT.
 Approx. Scale



TO: Isleton City Council and Isleton City manager

16 AUG 2022

FROM: Isleton Historical Preservation Review Board (IHPRB)

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

ATTACHMENTS:

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

PREFACE:

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

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

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

In May of 2022, a representative for 66 Main ST requested a meeting with the IHPRB. This meeting was held at City hall. In attendance were the representative for 66 Main ST and 3 members of the IHPRB (see attachment 3). The meeting centered around the steps needed to address the replacement of the vinyl windows with appropriate substitutes (see attachment3a).

IHPRB RECOMMENDATIONS TO THE ISLETON CITY COUNCIL

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

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

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

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

ORDINANCE 05-2011, CITY OF ISLETON HISTORIC PRESERVATION ORDINANCE

Paragraph 1.15 Appeals

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

Paragraph 1.23 Penalties.

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

COURSES OF ACTION: IHPRB RECOMMENDATIONS FOR CIVIL PENALTIES

1. Maximum fine determined from assessed value.

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

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

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

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

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

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

From: William Bodenhamer
Sent: Friday, August 27, 2021 4:54 PM
To: Diana O'brien; Jack Chima; jamesgates cityofisleton.com; Pamela Bulahan
Subject: Violation of Isleton Historic Ordinance: 66 Main St.

To: IPHRB Members
From: Clay Bodenhamer, Member IPHRB

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

Take care – Clay Bodenhamer

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

- **Isleton Preservation Goals**
 - o p.2, Historic Register – operates under Section 106
 - o p.1 – p.2, Section 106 of the National Historic Preservation Act
 - What is a historic resource?
 - o P.2, "In California...Required to follow Secretary of Interior Standards"
 - COA process - entailed
 - o P.2, May involve CEQA

- **Why follow the program**
 - o P.3, Mills Act, Receive CLG status, Allows funding from NPS for historic preservation

- **Part of CLG status is to have an ordinance, Ordinance 05-2011**
 - o P.9, Duty To Maintain
 - o P.6, COA Is Required
 - o P.9, Penalties – Civil & Moratorium
 - o P.9, Appeal

- **City will conduct findings**
- **IPHRB – Review & Findings**
- **? Request OHP Review & Findings**
- **Decision Is Published**

To: Chuck Bergson, City manager, Isleton CA

21 March 2022

From: Clay Bodenhamer, Chair, IPHRB

Subject : Vinyl Windows, 66 Main St.

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

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

To: IHPRB Members
From: Clay Bodenhamer, Member IHPRB

Subj: 66 Main St. Windows

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

Sent from Mail for Windows

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

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

Subj: Meeting with Representative from 66 Main ST

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

City of Isleton

City Council Staff Report

DATE: September 27, 2022

ITEM#: 8.D

CATEGORY: New Business

ISLETON WATER TOWER, HISTORIC LANDMARK DESIGNATION

SUMMARY

California American Water Company (CalAm) has advised the City that they are planning to remove the Isleton Water Tower. At its last meeting the City Council directed that Staff investigate designating this Tower a Historic Landmark.

DISCUSSION

CalAm has indicated that due to safety and seismic considerations, they want to remove the Isleton Water Tower. CalAm has proposed selling the Tower to the City and their proposal is pending. The public and City have express concerns about the Tower and its historical, commercial and cultural significance to the City. The Tower is a reference point for those traveling and visiting the Delta and is often used moniker for businesses and organizations in the City.

City ordinance 05-2011, Historic Preservation, provides for the designation of historical landmarks (attached – sec 1.06).

Some of the criteria set in the ordinance for a landmark include:

- Property must be found to have historical or cultural interest or special character to the public.
- Reflects interest or value a part of the heritage of the city,
- Contains outstanding or exemplary elements of attention to architectural design, detail, materials or craftsmanship of a particular historic period,
- Is in a unique location,

The Isleton Water Tower reflects all these criteria. Staff is requesting that the Council approve the Staff request to designate the Isleton Water Tower as an Isleton Historic Landmark. This recommendation will be forwarded to the Isleton Historic Review Board.

FISCAL IMPACT

There is no fiscal impact associated with this action

RECOMMENDATION

It is recommended that the City Council approve the designation of the Isleton Water Tower as an Isleton Historic Landmark.

ATTACHMENTS:

A. City Ordinance 05-2011, An Ordinance of the City Council of the City of Isleton
Adopting a Historic Preservation Ordinance and Accompany Negative Declaration.

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



ORDINANCE NO. 05-2011

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

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

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

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

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

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

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

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

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

HISTORIC PRESERVATION ORDINANCE

Sections:

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

1.01 Purpose

The purpose of this chapter is to promote the public health, safety, and welfare by providing for the identification, protection, enhancement and perpetuation of such things

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

1.03 Establishment of Historic Review Board

A. Establishment of historic review board

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

B. Composition of the historic review board

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

C. Term, officers and rules

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

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

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

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

D. Powers and duties of board

1. The board shall:

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

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

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

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

2. The board shall also:

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

b. review applications for certificates of appropriateness as follows:

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

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

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

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

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

1.06 Designation of Historic Landmarks and Districts

A. Procedure for designation of historic landmarks and districts

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

- a. at the recommendation of staff;
- b. by recommendation of the board ; or
- c. by application of the property owner.

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

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

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

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

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

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

B. Criteria for designation of landmarks and districts

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

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

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

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

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

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

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

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

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

C. Additional criteria for districts

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

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

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

D. Automatic designations

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

E. Findings for deletion of historic landmarks or historic districts

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

1.09 Certificates of Appropriateness

A. When certificates of appropriateness are required

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

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

B. Applying for a certificate of appropriateness

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

C. Processing of a certificate of appropriateness

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

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

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

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

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

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

D. Additional criteria for moving a historic landmark or structure

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

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

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

E. Additional criteria for demolishing a historic landmark or structure

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

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

F. Demolition mitigation measures

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

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

1.12 Certificates of Hardship

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

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

1.15 Appeals

A. Appeal of building official's decision

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

B. Appeal of board decision

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

C. Stay of approval

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

1.18 Duty to Maintain

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

1.21 Unsafe or Dangerous Conditions

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

1.23 Penalties

A. Misdemeanor

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

B. Nuisance

The unauthorized alteration or demolition of a historical landmark in violation of this chapter is expressly declared to be a nuisance and shall be abated by restoring or reconstructing the property to its condition prior to the violation.

C. Civil penalties

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

D. Moratorium

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

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

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

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

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

Mayor

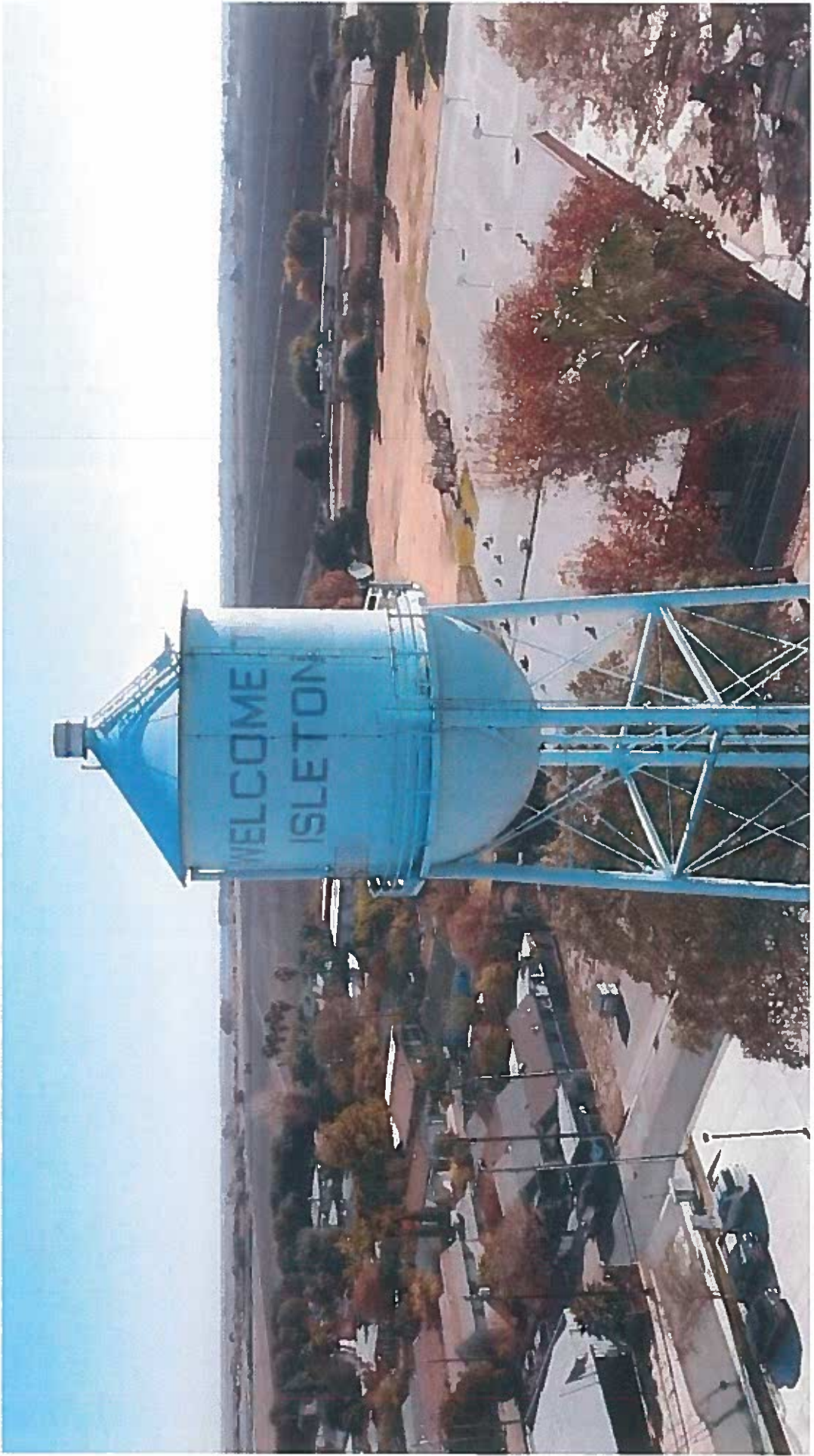
ATTEST:

APPROVED AS TO FORM:

ORDINANCE NO. _____

City Clerk

City Attorney



City of Isleton

City Council
Staff Report

DATE: September 27, 2022

ITEM#: 8A

CATEGORY: New Business

2022 LOCAL AGENCY BIENNIAL NOTICE - CONFLICT OF INTEREST

SUBJECT:

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700). By July 1, 2022:

The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes. By October 3, 2022: The biennial notice must be filed with the agency's code reviewing body. The FPPC has prepared a 2022 Local Agency Biennial Notice form for local agencies to complete or send to agencies within its jurisdiction to complete before submitting to the code reviewing body. The City Council is the code reviewing body for city agencies.

DISCUSSION

The City Council is the code reviewing body for city agencies. If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the code reviewing body for approval within 90 days. An agency's amended code is not effective until it has been approved by the code reviewing body.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

It is recommended that City Council finds no amendment is required.

ATTACHMENTS

- 2022 Local Agency Biennial Notice and Provisions of Conflict of Interest.

Prepared and Submitted by: Deputy City Clerk, Yvonne Zepeda

Reviewed by: City Manager, Charles Bergson



2022 Local Agency Biennial Notice

Name of Agency: City of Isleton
Mailing Address: P.O. Box 716, Isleton, California 95641
Contact Person: Charles Bergson Phone No. 916-777-7770
Email: cbergson@cityofisleton.com Alternate Email: yvonne.zepeda@cityofisleton.com

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

An amendment is required. The following amendments are necessary:

(Check all that apply.)

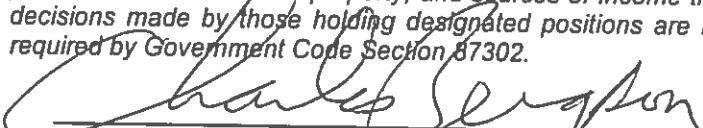
- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (describe) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.


Signature of Chief Executive Officer

27 MAY 2022
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's statement of economic interests those economic interests the employee has which are of the kind described in the disclosure categories to which the employee is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's

disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation the person did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which the employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$520.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$520 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from

any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which the employee knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of the official's immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made.

The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employees' participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of the official's immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes the employee's community property interest in the income of the employee's spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

36. Amendment of subsections (b)(8.1)-(8.1)(A) filed 12-23-2020; operative 1-1-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 52).

37. Amendment of subsections (b)(3)(C), (b)(5)(C), (b)(5.5), (b)(5.5)(A)(2), (b)(7)(D), (b)(8)(A), (b)(8.1)(A), (b)(8.2)(A), (b)(8.2)(C)-(D), (b)(8.3)(A), (b)(9), (b)(9.3), (b)(9.5), (b)(10) and (b)(11) and footnote 5 filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 20).

City of Isleton

City Council
Staff Report

DATE: September 27, 2022

ITEM#: 8.B

CATEGORY: New Business

MEASURE B, A SPECIAL TRANSACTION AND USE TAX, FIVE VOLUNTEER COMMITTEE BOARD MEMBERS 2021

SUMMARY

Measure B, A Special Transactions and Use Tax, Five Volunteer Committee Board members. This board is to review expenditures from Measure B passed in 2021.

DISCUSSION

Pursuant to Section 12 C of Measure B, the City Council is required to establish a committee of five (5) residents or business representative to review and report on the receipts of revenue and expenditure of Measure B funds. This review panel is to review expenditures from this tax measure and provide an annual report.

FISCAL IMPACT

Other than minor administrative costs associated with staffing this panel, there is no significant fiscal impact associated with this item.

RECOMMENDATION

It is recommended that the City Council direct staff to solicit applications for Five Volunteer Committee Board Members for Measure B, a Special Transactions and Use Tax.

ATTACHMENTS

Measure B requirements.

Reviewed by: Charles Bergson, City Manager



Submitted and prepared by: Yvonne Zepeda, City Clerk

ORDINANCE NO. 2021-006

**AN URGENCY ORDINANCE OF THE CITY OF ISLETON
ESTABLISHING A SPECIAL TRANSACTIONS AND USE
TAX FOR FIRE PROTECTION SERVICES TO BE
ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF
TAX AND FEE ADMINISTRATION, SUBJECT TO
ADOPTION BY THE ELECTORATE**

RECITALS

WHEREAS, pursuant to Government Code sections 36934 and 36937, the City Council may pass an urgency ordinance for the immediate preservation of the public peace, health, or safety to take effect immediately upon approval by at least four-fifths of the City Council; and

WHEREAS, weather and climate trends show that California cities are at an exponentially increasing risk of fire danger and fire damage to persons and property; and

WHEREAS, the City's fire protection services are essential to protect the public health, safety, and general welfare specifically by mitigating fire damage to persons and property; and

WHEREAS, the City of Isleton has inadequate general funds to financially support fire protection services; and

WHEREAS, on June 7th, 2016, the electorate approved an ordinance to establish a special transactions and use tax of one-half percent which the city relies on to fund fire protection services; and

WHEREAS, the 2016 special tax will expire by its own terms on September 30, 2021; and

WHEREAS, at the expiration of the 2016 special tax, the City will be unable to provide adequate funding for fire protection services, which will expose persons and property to significant and increasing risk of fire damage; and

WHEREAS, it is essential for the protection of the public health, safety, and general welfare that the City establishes a new special transactions and use tax at the earliest opportunity; and

WHEREAS, Revenue and Tax Code section 7265 provides a transactions and use tax may not be operative until the first calendar day of a quarter starting more than 110 days after the adoption of the ordinance establishing the tax; and

WHEREAS, the next regular election date is April 12th, 2022 and a tax approved by the electorate on that date could not be collected until October 1st, 2022; and

WHEREAS, the City Council finds it necessary for the immediate preservation of the public peace, health, and safety, that it collect funds as soon as possible in order to provide fire protection services prior to October 1st, 2022, especially during the 2022 fire season, generally June through September, when risk of fire damage is especially high; and

WHEREAS, Elections Code section 9222 authorizes the City Council to place before the electorate an ordinance for a transactions and use tax on any regular or special election date that is at least 88 days from the resolution to call the election; and

WHEREAS, November 2nd, 2021 is the earliest date for a special election and a tax approved by the electorate on that date could be collected on and after April 1, 2022; and

WHEREAS, on August 5th, 2021, the City Council adopted Resolution 022-21 calling for an election on November 2nd, 2021.

The City Council of the City of Isleton does ordain as follows:

Section 1. FINDINGS and TITLE.

The foregoing recitals are true and correct, and adopted as if set forth herein in full.

This ordinance shall be known as the Isleton Special Transactions and Use Tax Ordinance. The City of Isleton hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

Section 2. OPERATIVE DATE.

"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 3. PURPOSE.

This ordinance shall establish a special transactions and use tax to read as set forth herein, and is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.91 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if two-thirds of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

E. To establish a special tax at a rate of 0.5 percent (i.e. 1/2 cent) for a period of five years from the operative date.

Section 4. CONTRACT WITH STATE.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 5. TRANSACTIONS TAX RATE.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of 0.50% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 6. PLACE OF SALE.

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

Section 7. USE TAX RATE.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of 0.50% of the sales price of the property. The sales price shall include delivery charges when

such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 8. ADOPTION OF PROVISIONS OF STATE LAW.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 9. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, California Department of Tax and Fee Administration, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Section 10. PERMIT NOT REQUIRED.

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

Section 11. EXEMPTIONS AND EXCLUSIONS.

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

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

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

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

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

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

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

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

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

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

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

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

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

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

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

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

Section 12. EXPENDITURE PLAN.

Revenue and Taxation Code section 7285.91 requires that this ordinance include “an expenditure plan describing the specific projects for which the revenues from the tax may be expended.”

A. All revenue from the tax shall be restricted revenue used solely to fund Fire Department Services.

B. The City’s independent auditor shall complete a report reviewing the collection, management and expenditure of revenue from the tax levied by this chapter, the results of which shall be included in the City’s annual financial audit.

C. Following approval of this special tax by the Isleton voters, the City Manager shall file a report with the City Council annually. The report shall contain the following information: (a) the amount of funds collected and expended, (b) the status of any project required or authorized to be funded by the special tax.

Section 13. AMENDMENTS.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 14. ENJOINING COLLECTION FORBIDDEN.

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

Section 15. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 16. EFFECTIVE DATE.

This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

Section 17. TERM OF TAX.

The authority to levy the tax imposed by this ordinance shall expire five (5) years after the Operative Date.

I, YVONNE ZEPEDA, CITY CLERK OF THE CITY OF ISLETON, HEREBY CERTIFY this ordinance was INTRODUCED, PASSED and ADOPTED as an urgency ordinance by the City Council of the City of Isleton at a special meeting on August 5th, 2021.

AYES: Councilmember's Paul Steele, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene.

NOES: None.

ABSENT: None.

ABSTAIN: None.

Eric Pene, Mayor

ATTEST:

Yvonne Zepeda, City Clerk



City of Isleton

101 Second Street, Isleton, California 95641

CITY MANAGER REPORT

Date: 23 September 2022

To: Mayor & City Councilmembers

From: Charles Bergson, City Manager

Re: City Manager Report for 27 September 2022

Developments – The Hotel Del Rio has been red tagged and is unsafe to occupy. The City has obtained a warrant to inspect and abate. This warrant will be implemented within the week. The Meadows RV Park is undergoing an environmental studies prior to being presented to the Planning Commission. 501 Sixth Street tract map is to be reviewed at the next Planning Commission meeting. .

The year to date financial report for Fiscal Year 2022-23 are attached. The negative balance is from both incidental capital costs to outfit the new Firetruck and typical late arriving County and State tax subventions.

A Grant Status Report is attached. The City is managing and has on application approximately \$4 million.

Attached to this report is the proposed scope of services needed for a new municipal accounting system. The present system is aging and is not designed for municipal work. Cost for a new system is approximately \$50,000; Staff plans to issue a request for qualifications.

Attached also is a report on new conditional use permits issued since 2018. Note that several new businesses that have opened during this time are not listed because the properties are previously approved for commercial use and do not require a CUP.

Very respectfully,


Charles Bergson, P.E.

General Fund - City of Isleton
Profit & Loss Jul/Aug 2022
 July through August 2022

	<u>Jul 22</u>	<u>Aug 22</u>	<u>TOTAL</u>
Ordinary Income/Expense			
Income			
Charges for Services	897.93	8,725.89	9,623.82
Fines and Forfeitures	0.00	299.21	299.21
Licenses and Permits	351.13	1,189.47	1,540.60
Other Revenues	3,580.00	7,985.14	11,565.14
Taxes and Assessments	96,283.33	80,934.16	177,217.49
Interest Income	3.65	-200.89	-197.24
Grant Income	0.00	0.00	0.00
Total Income	<u>101,116.04</u>	<u>98,932.98</u>	<u>200,049.02</u>
Gross Profit	101,116.04	98,932.98	200,049.02
Expense			
09 · Grant Expense	5,729.89	11,912.44	17,642.33
10 · General Government	46,102.88	73,906.30	120,009.18
20 · Public Safety	57,608.57	50,839.99	108,448.56
30 · Parks & Recreation	2,252.86	20.81	2,273.67
52 · Public Ways and Facilities	12,212.39	47,044.51	59,256.90
53 · Community Development	178.68	164.93	343.61
56 · Non Departmental Expenses	125.08	162.99	288.07
83150SW · Repairs & Maintenance Sewer	864.00	0.00	864.00
Total Expense	<u>125,074.35</u>	<u>184,051.97</u>	<u>309,126.32</u>
Net Ordinary Income	-23,958.31	-85,118.99	-109,077.30
Other Income/Expense			
Other Income			
9200112 · Indirect cost allocation	315.39	1,527.56	1,842.95
Total Other Income	<u>315.39</u>	<u>1,527.56</u>	<u>1,842.95</u>
Net Other Income	315.39	1,527.56	1,842.95
Net Income	<u><u>-23,642.92</u></u>	<u><u>-83,591.43</u></u>	<u><u>-107,234.35</u></u>

General Fund - City of Isleton
Checks and Withdrawals
As of July 31, 2022

Type	Date	Num	Name	Credit
Bill Pmt -Check	07/01/2022	18322	US BANK	8,416.60
Bill Pmt -Check	07/01/2022	18321	Home Depot	922.27
Bill Pmt -Check	07/01/2022	18330	Betty Garcia	150.00
Bill Pmt -Check	07/01/2022	18331	Emergency Management Cosultants LLC	650.00
Bill Pmt -Check	07/01/2022	18332	IMAGE SOURCE	425.33
Bill Pmt -Check	07/01/2022	18333	PG&E- City of Isleton	4,593.02
Bill Pmt -Check	07/01/2022	18334	Premier Access Insurance Co.	780.39
Bill Pmt -Check	07/01/2022	18335	Rentafence.com	31.81
Bill Pmt -Check	07/01/2022	18336	Sacramento County Radio Services	6,120.00
Bill Pmt -Check	07/01/2022	18337	XEROX FINANCIAL SERVICES	150.11
Bill Pmt -Check	07/01/2022	18338	Price Consulting Services	10,000.00
Bill Pmt -Check	07/01/2022	18338	Small Cities Organized Risk Effort	5,000.00
Bill Pmt -Check	07/01/2022	18340	Bergson, Charles L.	8,123.33
Bill Pmt -Check	07/01/2022	18341	State Compensation Insurance Fund	2,160.75
Bill Pmt -Check	07/01/2022	18342	Napa Auto Parts/Stewart Ind. Suppl	146.57
Bill Pmt -Check	07/05/2022	18343	Delta Computer Consultants	1,450.00
Bill Pmt -Check	07/05/2022	18344	PG&E- WILSON BALLPARK	10.51
Bill Pmt -Check	07/05/2022	18345	CAL-WASTE RECOVERY SYSTEMS	653.02
Bill Pmt -Check	07/05/2022	18346	Betty Garcia	150.00
Bill Pmt -Check	07/05/2022	18348	PG&E- City of Isleton	245.46
Bill Pmt -Check	07/05/2022	18349	Aramark	372.70
Bill Pmt -Check	07/05/2022	18350	Ramos Oil Company	1,645.85
Bill Pmt -Check	07/05/2022	18351	Ramos Oil Company	629.58
Check	07/05/2022	EFT	Merchant Services	125.08
Bill Pmt -Check	07/05/2022	18347	California American Water-Combined	2,107.72
General Journal	07/06/2022	PR 07/06		1,112.54
General Journal	07/06/2022	PR 07/06		16,071.75
General Journal	07/06/2022	PR 07/06		6,258.68
Check	07/06/2022	eft	Paychex	167.50
Bill Pmt -Check	07/07/2022	18352	Acme Saw	95.16
Check	07/11/2022	ACH	Employment Development Department	750.00
Bill Pmt -Check	07/11/2022	18353	State Compensation Insurance Fund	1,224.58
Bill Pmt -Check	07/11/2022	18354	Kronick Moskovitz Tiedeman & Girar	10,000.00
Bill Pmt -Check	07/11/2022	18375	Verizon Wireless	437.64
Bill Pmt -Check	07/11/2022	18382	STANDARD INSURANCE CO.	60.36
Bill Pmt -Check	07/12/2022	18355	Rentafence.com	31.81
Bill Pmt -Check	07/12/2022	18356	Rio Vista Ace Hardware	82.14
Bill Pmt -Check	07/12/2022	18357	FASTRAK	7.00
Bill Pmt -Check	07/12/2022	18358	California American Water-Combined	3,915.68
Bill Pmt -Check	07/13/2022	18360	Sacramento County Sheriff's Dept.	4,000.00
Bill Pmt -Check	07/14/2022	18361	PRISM	662.00
Check	07/15/2022	EFT	Paychex	217.00
Bill Pmt -Check	07/18/2022	18362	Aramark	37.27

General Fund - City of Isleton
Checks and Withdrawals
As of July 31, 2022

Bill Pmt -Check	07/18/2022	18363	Betty Garcia	150.00
Bill Pmt -Check	07/18/2022	18364	SRCSO	864.00
Bill Pmt -Check	07/18/2022	18365	California American Water - 307 2nd IRR	20.69
Bill Pmt -Check	07/18/2022	18366	PG&E- City of Isleton	583.16
Bill Pmt -Check	07/18/2022	18367	Brookcrest by Culligan Water	45.85
Bill Pmt -Check	07/18/2022	18368	Delta Computer Consultants	172.50
Bill Pmt -Check	07/18/2022	18369	SP Plus	724.90
Bill Pmt -Check	07/18/2022	18370	Zink, Gerry	86.86
Bill Pmt -Check	07/18/2022	18371	Frontier Communications	664.52
Bill Pmt -Check	07/18/2022	18372	IMAGE SOURCE	369.62
Bill Pmt -Check	07/18/2022	18373	Kaiser Foundation Health Plan	7,211.00
Bill Pmt -Check	07/18/2022	18374	Rentafence.com	31.81
Bill Pmt -Check	07/18/2022	18376	FAILSAFE TESTING	877.90
Bill Pmt -Check	07/18/2022	18377	Zink, Gerry	467.23
Bill Pmt -Check	07/19/2022	18378	HercRentals, Inc.	10,764.50
Check	07/19/2022	EFT	Paychex	250.00
Bill Pmt -Check	07/20/2022	18379	Premier Access Insurance Co.	953.81
Bill Pmt -Check	07/20/2022	18380	California Consulting Inc.	2,625.00
Bill Pmt -Check	07/20/2022	18381	Home Depot	1,130.51
General Journal	07/20/2022	PR 07/20		1,343.52
General Journal	07/20/2022	PR 07/20		18,336.81
General Journal	07/20/2022	PR 07/20		7,732.21
Check	07/20/2022	DEBIT	USPS	300.00
Check	07/20/2022	eft	Paychex	186.45
Check	07/28/2022	DEBIT	USPS	8.70
				156,092.76

410 Sewer O&M - City of Isleton
Profit & Loss
 July through August 2022

	<u>Jul 22</u>	<u>Aug 22</u>	<u>TOTAL</u>
Ordinary Income/Expense			
Income			
40095SW · SEWER CONNECTION FEE	-9,957.48	0.00	-9,957.48
45100SW · Sewer - Single Family - City	18,144.06	18,144.06	36,288.12
45101SW · Sewer - Multi Family City	9,801.78	15,703.85	25,505.63
45102SW · Sewer - Commercial City	8,499.16	8,635.34	17,134.50
45103SW · Sewer - Resident Outside City	7,900.01	7,900.01	15,800.02
45104SW · Sewer - Commercial Outside City	2,085.64	2,085.64	4,171.28
6100041 · Grant DWR Small Community Waste	0.00	13,288.00	13,288.00
6100122 · Returned Check Charges	10.00	0.00	10.00
Total Income	<u>36,483.17</u>	<u>65,756.90</u>	<u>102,240.07</u>
Gross Profit	36,483.17	65,756.90	102,240.07
Expense			
71100SW · Salaries & Wage - Sewer	3,022.10	8,239.68	11,261.78
72104SW · Social Security Contr - Sewer	231.19	676.02	907.21
8170000 · Uniforms	149.08	0.00	149.08
82101SW · Telephone - Sewer	116.82	152.92	269.74
82200SW · GAS - Sewer	635.01	527.32	1,162.33
82203SW · WATER - SEWER	699.57	0.00	699.57
83100SW · Office & Comp Supplies Sewer	0.00	77.11	77.11
83150SW · Repairs & Maintenance Sewer	823.97	45.95	869.92
83151SW · Repairs & Maint - Sewer	0.00	2,998.83	2,998.83
83152SW · LAB TESTING	0.00	1,123.00	1,123.00
83153SW · Vehicle Parts/Repair Sewer	0.00	386.27	386.27
83830SW · Supplies - Sewer	300.00	2,352.44	2,652.44
83831SW · Equipment - Sewer	0.00	0.00	0.00
83840SW · Copler Costs SEWER	150.11	0.00	150.11
83910SW · Fuel - Sewer	745.94	0.00	745.94
84400SW · Prof Services Sewer	0.00	2,660.07	2,660.07
84410SW · Grant - DWR Small Cmnty Waste W	5,206.78	6,190.25	11,397.03
9210051 · Bank Service Charges	0.00	20.00	20.00
Total Expense	<u>12,080.57</u>	<u>25,449.86</u>	<u>37,530.43</u>
Net Ordinary Income	24,402.60	40,307.04	64,709.64
Other Income/Expense			
Other Income			
91100SW · Indirect Cost Allocation	-147.58	-676.02	-823.60
Total Other Income	<u>-147.58</u>	<u>-676.02</u>	<u>-823.60</u>
Other Expense			
90100SP · Interest Exp - USDA Sewer Proj	0.00	46,829.81	46,829.81
Total Other Expense	<u>0.00</u>	<u>46,829.81</u>	<u>46,829.81</u>
Net Other Income	<u>-147.58</u>	<u>-47,505.83</u>	<u>-47,653.41</u>
Net Income	<u><u>24,255.02</u></u>	<u><u>-7,198.79</u></u>	<u><u>17,056.23</u></u>

410 Sewer O&M - City of Isleton
Checks and Withdrawals
As of July 31, 2022

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Credit</u>
Bill Pmt -Check	07/05/2022	2434	SRCSO	1,123.00
Check	07/06/2022	2435	Vantom PMI, LLC (1)	219.78
				<u>1,342.78</u>

410 Sewer O&M - City of Isleton
Checks and Withdrawals
As of August 31, 2022

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Credit</u>
Bill Pmt -Check	08/11/2022	2436	California Waste Recovery Systems	758.24
Check	08/15/2022	2437	ZINK, GERALD	70.07
Check	08/24/2022	ach	Delux Business Systems	77.11
Bill Pmt -Check	08/30/2022	2438	SRCSD	1,123.00
Bill Pmt -Check	08/31/2022	ach	US BANK	96,829.81
				<u>98,858.23</u>

CITY OF ISLETON

GRANT APPLICATIONS & STATUS

NEW

Grant	Project	Amount	Status
Office of the Governor (Go Biz)	Cannabis Equity Program	Open	Open 10/01/22
USDA Reconnect	Broadband	200,000	In process
USDA	New Water Source Emergency – Water Tower	250,000	In process
SACOG-Active Transportation Program (ATP-Caltrans)	Sidewalks	300,000	In Process Due Sep 27th
FEMA: Assistance to Firefighters	Fire Dept Equipment	19,145.10	California Consulting awarded – Scott Baroni
Caltrans HSIP 1 (TJKM)	LRSP Projects 1 Systemic	109,800	Submitted 09/12/22
Caltrans HSIP 1 (TJKM)	LRSP Project 2 Ped	267,500	Submitted 09/12/22
California Energy Commission	California Automated Permit Processing (CalAPP) Program Solar Permit	40,000	Award Recommended; waiting for agreement
SACOG – Green Means Go	Main Street Infill Housing Planning	100,000	In process working with Gary Price/Josh Meyer with Civic Well
DWR Delta Emergency Response Grant	Isleton Flood Emergency Response Plan & Mobile Pump	250,000	Awarded 2022 Contract in process
CalRecycle Organic Recycle	Purchasing and New Development	20,000	Awarded 2022/Budget approved/waiting for contract
CalRecycle Payment Grant Program	Recycle events, supplies and parks recycle cleanup	5,000	Awarded 2022 Received Payment
Boating & Water Ways – Boat Launch Study	Study for Isleton Boat Launch	200,000	Awarded 12/2022 RFP Mid-Oct
ARPA Sacramento County Don Notolli	Wilson Park Skate Facility and China Park Bathroom	140,000	Draft Contract in process Charles Bergson

MANAGEMENT

Grant	Project	Amount	Status
Office of the Governor Cannabis Equity Grant	Equity Grant Study	22,000	Working with Chuck & CALPOLY Humbolt
Boating & Waterway	Boat Launch Study	200,000	Waiting for RFQ
Boating & Waterway	Marina	200,000	Waiting for BL Study
CalRecycle Payment Grant Program	Recycle events, supplies and parks recycle cleanup	5,000	Received
DWR	GEI - Isleton Flood Study	482,985	All reimbursements completed, one more to receive.
Dept. of Water Resources	Bennett – Sewer Study	485,000	Reimbursements & progress payments
CALTRANS LRSP	TJKM	80,000	Reimbursements, working with TJKM & Caltrans to submit HSIP grants
CALTRANS SUSTAINABLE	SACOG Grant – Main Street	200,000	Submitted all necessary documents/ Waiting for Grant Award Instructions (October?)
LEAP	General Plan	65,000	Continuing to submit reimbursements
SACOG Regional Fund 8	Main Street Rehab & Streetscape	337,000	Waiting for Measure A Transfer
SB2	General Plan	200,000	Continuing to submit reimbursements
SHRA – Community	Main Street Pedestrian Lighting	100,000	Waiting for SHRA instructions
PARKS & REC Per Capita Prop 68	Wilson Park	178,000	Completed prelim design, cost estimated & all documents for grant. Waiting for RFP package from Cyrus to advertise
CALRECYCLE Rubberized Grant	Delta West Project	80,000	Declined

City of Isleton

Municipal Accounting System RFQ

REC-11111

SEP 23 2022

Web-based or Windows

Up to 15 Funds Currently 12

General Ledger

Budgeting

Bank Reconciliation

Accounts Receivable and Invoicing and Statements

Accounts Payable and Purchase Orders

Postcard Utility Billing

1099 formatting

Ability to export reports to Excel

Ability to email invoices and to create postcards

Monthly credit card processing available

Historic data conversion available

Utility management

Cash receipting

Standard interim and annual Reports and Custom Reports such as long term liabilities

No Payroll

Two or more user licenses

September 21, 2022

CONDITIONAL USE PERMIT LIST

<u>ADDRESS</u>	<u>BUSINESS TYPE</u>	<u>CONDITIONAL USE PERMIT #</u>
61 Main St.	Cannabis	06-18
301 Jackson Blvd.	RV Camp	06-19
401 and 501 Jackson Blvd.	Lavender	07-19
66, 201 and 301 H St.	Cannabis	07-18
66 Main St.	Cannabis	09-18
46 Main St.	Cannabis	01-20
402 Jackson Blvd.	Cannabis	10-18, 05-19 & 01-22
54 Main St.	Cannabis	08-19
51 Main St.	Cannabis	04-18 & 05-18
14719 Hwy 160	Cannabis	11-18
45 Main St.	Cannabis	04-19
401 6 th St.	Cannabis	08-18
400 H St.	Cannabis	01-22

DW

