

City of Isleton

City Council
Staff Report

DATE: October 25, 2022

ITEM#: 5.A

CATEGORY: Consent Calendar

**APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF
OCTOBER 11, 2022.**

SUBJECT:

Review of the Regular City Council Meeting minutes of October 11, 2022.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

City Council review and approve the draft minutes of the Regular City Council Meeting of October 11, 2022.

Prepared and Submitted by: Deputy City Clerk, Yvonne Zepeda 

Reviewed by: City Manager, Charles Bergson _____



CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, October 11, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

You can call in to join our public meeting

TELECONFERENCE OR IN PERSON MEETING

Join Zoom Meeting

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

Meeting ID: 337 903 7904

Passcode: 123456

1. OPENING CEREMONIES

A. Welcome & Call to Order – 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: None.

3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered. ACTION: Jean Yokotobi – Park Project and grants received. David Kent – re opening City Hall and note on website. Ruby Fowler – Litter pick up November 5 at 10-12 at China Park. Joe Kessner suggest no camping ordinance, item for Planning Commission, speed table on 6th Street. Michelle Burke – request update of grants list. Cara P. – Thank you City Council and staff for action on the Hotel Del Rio.

4. COMMUNICATION

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

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

A. None.

5. CONSENT CALENDAR

A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of September 27, 2022.

RECOMMENDATION: City Council review and approve the draft minutes of the Regular City Council meeting of September 27, 2022.

ACTION: Councilmember Paul Steele motion to approve the minutes of the Regular City Council meeting of September 27, 2022. Councilmember Kelly Hutson second the motion. **AYES:** Councilmember 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. **SUBJECT:** None.

7. OLD BUSINESS

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

RECOMMENDATION: Staff recommends that City Council approve the special event permit application for the Isleton 100th Anniversary-Crawdad Festival for 17-18 June 2023.

ACTION: Councilmember Paul Steele motion to approve event permit application on the contingency with traffic and parking and meet with Fire Chief and City Manager and Cal Trans., California Highway Patrol and Sacramento County Sheriff's. Councilmember Iva Walton second the motion. **AYES:** Councilmember 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:** License agreement between the City of Isleton and Tauzer Apiaries, Inc. for Rental to place and maintain between 96 and 120 Honey Bee Colonies Seasonally on the property located at City of Isleton, Waste Water Ponds.

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RECOMMENDATION: City Council approve license agreement to place and maintain between 96 and 120 honey bee colonies seasonally on the Property located at City of Isleton, Waste Water Ponds.

ACTION: Councilmember Iva Walton motion to approve license agreement to place and maintain between 96 and 120 Honey Bee Colonies Seasonally on the property located at City of Isleton, Waste Water Ponds. Councilmember Paul Steele second the motion. **AYES:** Councilmember Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

- B. SUBJECT:** Isleton Historical Preservation Review Board (IHPRB), review and consider Planning Commission Board Member as second member.

RECOMMENDATION: It is recommended that the City Council to review and consider appointment to a Planning Commission seat on the Isleton Historical Preservation Review Board.

ACTION: Tabled.

- C. SUBJECT:** California Department of Transportation (CalTrans) Sustainable Transportation Planning Grant Contract, Main Street.

RECOMMENDATION: It is recommended that the City Council approve service agreement 74A1346 with the State for Sustainable Communities Grant, Main Street.

ACTION: Councilmember Iva Walton motion to approve service agreement 74A1346 with the State for Sustainable Communities Grant, Main Street.

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

- D. SUBJECT:** State of California, California Energy Commission – California Automated Permit Processing (CALAPP) Program Grant Agreement.

RECOMMENDATION: It is recommended that the City Council approve California Energy Commission grant agreement with the California Energy Commission for online solar permitting.

ACTION: Councilmember Paul Steele motion to approve California Energy Commission grant agreement with the California Energy Commission for online solar permitting. Councilmember Kelly Hutson second the motion. **AYES:**

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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Councilmember Paul Steele, Iva Walton, Kelly Hutson, 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 – New Director of Delta Planning Commission. Meeting at Peter’s Steak House. Thank you for letting us go ahead with the Crawdad Festival.
- C. Councilmember Iva Walton – Rio Vista Meeting regarding Hwy 12 & 160, Cal Trans, CHP and Sheriffs’ regarding Traffic. Monday, November 14 at 7pm at 45 Main St, by City Hall.
- D. Vice Mayor Pamela Bulahan – Oct. 4 meeting Land Use and SACOG. Affordable Housing.
- E. Mayor Eric Pene – None.

10. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report – Elections November 2-8. Have meeting on the 9th.
- B. Fire Chief Report – Gave report on 100 year anniversary.
- C. Code Enforcement Report – Absent.

11. CLOSED SESSION

- 11.1 Closed Session – Gov’t Code§54956.
Property Negotiations – 106 Second Street.
ACTION: Nothing to report.

12. ADJOURNMENT

AYES:
NOES:
ABSTAIN:
ABSENT:

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

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City of Isleton

City Council
Staff Report

DATE: October 25, 2022

ITEM#: 5.B

CATEGORY: Consent Calendar

CONTINUED FROM SEPTEMBER 13, 2022

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

SUBJECT:

On September 16, 2021 the Governor signed AB 361 (in effect as of December 14, 2021 – Government Code Section 54953(e)), which allows legislative bodies to meet virtually provided there is a state of emergency, and either (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees.

State or local officials continue to impose and recommend measures to promote social distancing and because of the ongoing threat of COVID-19, meeting in person would present imminent risks to the health and safety of attendees.

DISCUSSION

The City Council of the City of Isleton desires to continue to hold virtual meetings pursuant to AB 361 and Government Code section 54953(e).

Teleconference Meetings: Consistent with the provisions of Government Code Section 54953(e), the City Council finds and determines that the City Council and all other legislative bodies of the City of Isleton created by the City Council shall continue to meet virtually in accordance with Government Code section 54953(e) and without compliance with section 54953(b) (3) based upon the findings and determinations hereby made by the City Council.

This Resolution shall take effect immediately upon its adoption and remain in effect for 30 days or until such time as the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e) (3) to extend the time during which the City Council and all other legislative bodies of the City of Isleton may continue to teleconference without compliance with Government Code §54953(b) (3).

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

That City Council of the City of Isleton shall certify the passage and adoption of this resolution.

Prepared and Submitted by: Deputy City Clerk, Yvonne Zepeda 

Reviewed by: City Manager, Charles Bergson 

CONTINUED FROM SEPTEMBER 13, 2022

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

The City Council of the City of Isleton does hereby find, order, and resolve as follows:

WHEREAS, the Ralph M. Brown Act (Gov. Code § 54950 et seq.) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing;

WHEREAS, on September 16, 2021 the Governor signed AB 361 (in effect as of December 14, 2021 – Government Code Section 54953(e)), which allows legislative bodies to meet virtually provided there is a state of emergency, and either (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees;

WHEREAS, the Governor issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act, and this proclaimed state of emergency currently remains in effect;

WHEREAS, State or local officials continue to impose and recommend measures to promote social distancing and because of the ongoing threat of COVID-19, meeting in person would present imminent risks to the health and safety of attendees;

WHEREAS, the City Council has considered the circumstances of the state of emergency and finds that the continuation of virtual meetings will allow for full participation by members of the public until social distancing recommendations are lifted; and

WHEREAS, the City Council of the City of Isleton desires to continue to hold virtual meetings pursuant to AB 361 and Government Code section 54953(e).

WHEREAS, Teleconference Meetings: Consistent with the provisions of Government Code Section 54953(e), the City Council finds and determines that the City Council and all other legislative bodies of the City of Isleton created by the City Council shall continue to meet virtually in accordance with Government Code section 54953(e) and without compliance with

s:\ccresolution\esolution 2022\resolutionno30-22, a resolution making findings and determination underAB361

section 54953(b) (3) based upon the findings and determinations hereby made by the City Council.

WHEREAS, this Resolution shall take effect immediately upon its adoption and remain in effect for 30 days or until such time as the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e) (3) to extend the time during which the City Council and all other legislative bodies of the City of Isleton may continue to teleconference without compliance with Government Code §54953(b) (3).

WHEREAS, if any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Isleton shall certify the passage and adoption of this resolution and Deputy City Clerk enter it into the book of original resolutions.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Isleton held on this 13th day of September 2022.

AYES: Councilmember's Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene.

NOES: Councilmember's Iva Walton, Paul Steele.

ABSTAIN: None.

ABSENT: None.

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

City of Isleton

City Council Staff Report

DATE: October 25, 2022

ITEM#: 7.A

CATEGORY: Old Business

CITY OF ISLETON 100th ANNIVERSARY CELEBRATION, PERMIT APPLICATION

SUMMARY

The City has received an application from Michael Goldstein for staging of Isleton's 100th Anniversary - Crawdad Festival for the second weekend of June 2023.

The special permit application has been made to stage the City's 100th Anniversary and Crawdad Festival for Father's Day weekend in 2023. Mr. Goldstein has submitted a special events application for this event. This application includes plans for parking, fire and emergency medical staging plan, security that is to include 30 security officers and 10 Sacramento County Sheriffs, a trash clean up schedule, insurance coverage, hold harmless agreement, state liquor license, food vendors, and entertainment and sponsors. Copy is attached.

Mr. Goldstein has produce themed events in various locales in involving retail vendors, sponsors, music and entertainment in a size that the range of 700 to 10000 people. Some of these events include Rubrik Sales Kickoff in Las Vegas, Zscaler SKO Games in Chicago, Connect in Dana Point, California.

It is anticipated that this event will be of moderate size and limited activities after such a long absence. Reestablishing Isleton's Father's day weekend event after a hiatus has been an objective of the City since the prior festival closed several years ago. The local cannabis industry did a good job re-initiating this event in 2019 on a smaller scale. However the continuation of this event was halted by the coronavirus pandemic for the past three years. Mr. Goldstein's plan is comprehensive, has the experience and resources to engage the range of services needed - security, finance, sponsor, beverage, vendors, food, parking, trash - to bring this event to the fore. The size of this event is expected to be similar to the event of 2019.

Staff has put Mr. Goldstein in touch with the City's insurance broker to put in place the proper amount of liability and insurance protection to the City. The insurance minimum limits have been adjusted upward to \$2 million for occurrence, automobile and liquor liability and \$4 million for aggregate; up from \$1 million for all categories.

The amount of time it takes to stage such an event takes months to a year. This plan provides the schedule and necessary resources to stage this event. Issuing the permit at this time will give Mr. Goldstein and staff at this time to address and secure the many details and resources needed in advance. This action allows the applicant the authority to determine and secure these details at least a half a year ahead of the event. Should there be obstacles to preparing this event or that may prevent the event from being staged, the City needs to know early. Staff will report to and so advise Council in early January of 2023.

Staff recommends that this application be approved.

FISCAL IMPACT

There is **no** fiscal impact associated with this action

RECOMMENDATION

Staff recommends that City Council approve the special event permit application for the Isleton 100th Anniversary- Crawdad Festival for 17-18 June 2023.

ATTACHMENT

- Permit Application, Isleton 100th Anniversary – Crawdad Festival, June 2023

Reviewed by: Charles Bergson, City Manager 

Submitted by: Yvonne Zepeda, City Clerk 

City of Isleton

City Council
Staff Report

DATE: October 25, 2022

ITEM#: 7.B

CATEGORY: Old Business

CITY OF ISLETON SACRAMENTO LOCAL AGENCY FORMATION COMMISSION (LAFCo) SELECTION.

SUBJECT:

Based on the City Selection Committee rotation schedule, the City of Isleton is scheduled to fill the rotating LAFCo City Commission seat. The term commences January 1, 2023 through December 31, 2024. The City seat on LAFCo is filled by the City Mayor or a City Councilmember, chosen by the Mayor and/or City Council.

DISCUSSION

The City Selection Committee, comprised of Mayors from each City within Sacramento County, except the City of Sacramento, makes appointments to the Sacramento Local Agency Formation Commission (LAFCo). The City Selection Committee appoints the LAFCo City Commissioner and Alternate City Commissioner that represent the cities in Sacramento County on a rotational basis. The City's term of office on LAFCo is for a period of four years.

Local Agency Formation Commission are required for every County. Their purpose, is to oversee the formation of local government agencies, to preserve agricultural and open space, and discourage urban sprawl.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

It is recommended that City Council appoint a City Council member and alternate member to the Sacramento County Local Agency Formation Commission.

Prepared and Submitted by: Deputy City Clerk, Yvonne Zepeda 

Reviewed by: City Manager, Charles Bergson 



SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458 •
www.saclafco.org

September 28, 2022

Mayor Eric Pene
City of Isleton
101 Second Street
Isleton, California 95641

RE: City of Isleton LAFCo Commissioner Selection

Dear Mayor Pene:

At that time our office would like to inform you that the City of Isleton is able to fill one of the LAFCo City Seats.

Based on the City Selection Committee rotation schedule, the City of Isleton is scheduled to fill the rotating LAFCo City Commission seat. The term commences January 1, 2023 through December 31, 2024. The City seat on LAFCo is filled by the City Mayor or a City Council Member; chosen by the Mayor and/or City Council.

The City Selection Committee, comprised of Mayors from each City within Sacramento County, except the City of Sacramento, makes appointments to the Sacramento Local Agency Formation Commission (LAFCo). The City Selection Committee appoints the LAFCo City Commissioner and Alternate City Commissioner that represent the cities in Sacramento County on a rotational basis. The City's term of office on LAFCo is for a period of four years.

At this time we request that you please inform our office if the City of Isleton intends to take the opportunity to fill the City Commissioner seat for the two year term as City Commissioner. If so, please provide LAFCo with the name, address, and contact information.

Please call me at (916) 874-2935 if you have any further questions.

Sincerely,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Diane Thorpe
Clerk of the Commission

C: Yvonne Zepeda, City Clerk

Commissioners

*Sue Frost, Rich Desmond, County Members ■ Phil Serna, Alternate
Linda Budge, Sean Looee, City Members ■ Vacant, Katie Valenzuela, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Lindsey Liebig, Gay Jones, Special District Members ■ Charlea Moore, Alternate*

Staff

*José C. Henríquez, Executive Officer ■ Desirae N. Fox, Policy Analyst ■ Diane Thorpe, Clerk of the Commission
Nancy Miller, DeeAnne Gillick, Commission Counsel*

City of Isleton

City Council Staff Report

DATE: October 25, 2022

ITEM#: 7.C

CATEGORY: Old Business

THE CITY OF ISLETON CANNABIS EQUITY ASSESSMENT, PREPARED BY CALIFORNIA CENTER FOR RURAL POLICY; APPROVAL

SUMMARY

The Governor's Office of Business and Economic Development has developed a Cannabis Equity Grants Program for Local Jurisdictions to help cities and counties set up equity programs for prospective cannabis professionals entering the cannabis market. This action is to approve the City of Isleton Cannabis Equity Assessment.

DISCUSSION

As stated in the grant description, "the purpose of the Cannabis Equity Grants Program for Local Jurisdictions is to advance economic justice for populations and communities impacted by cannabis prohibition and the War on Drugs by providing support to local jurisdictions as they promote equity in California and eliminate barriers to enter the newly regulated cannabis industry for equity program applicants and licensees."

In 2021 the City was awarded a grant to commence a Cannabis Equity program. This initial step in this program is to prepare a cannabis assessment.

On June 14, 2022 City Council approved \$20,000 contract with California Center for Rural Policy (CCRP) based in Humboldt to prepare the Cannabis Equity Assessment. This Assessment is to look at the impact of cannabis criminalization and poverty on the Isleton community. The Assessment has been completed and is presented to Council.

City is to use this Assessment as a guide for the Equity Program. This proposed program will assist prospective businesses that have experienced harm from cannabis criminalization. This Assessment includes policy recommendations to guide the creation of a local cannabis equity program and are presented starting on page 48. The recommendations include: setting eligibility, creating opportunities, setting success measurements, addressing barriers to entry, staffing, community reinvestment, employment practices, and monitoring.

This Equity program, once put into effect, is to encourage economic business proposals from and for cannabis based industries in Isleton. The City's involvement is to facilitate these efforts.

Staff requests City Council approve the City of Isleton Cannabis Equity Assessment.

FISCAL IMPACT

There is no fiscal impact to City funds. The Isleton Cannabis Equity Assessment is funded by the State Cannabis Equity Program Grant. The cost of this report is \$20,000. The total grant funds received have been \$22,000, of which \$2000 is for City expenses.

RECOMMENDATION

It is recommended that the City Council approve the City of Isleton Cannabis Equity Assessment prepared by the California Center for Rural Policy.

ATTACHMENTS

A. City of Isleton Cannabis Equity Assessment

Prepared by: Diana O'Brien, Administrative Assistant

Reviewed by: Charles Bergson, City Manager 

Submitted by: Yvonne Zepeda, Deputy City Clerk



**City of Isleton Cannabis Equity Assessment
V1 -- October 13, 2022 (DRAFT)**

Abstract: *The City of Isleton Cannabis Equity Assessment* provides a data-informed look at the impacts of cannabis criminalization and poverty on the Isleton community. The assessment includes policy recommendations to guide the creation of a local cannabis equity program. The program will assist community members that experienced harm from decades of cannabis criminalization and poverty to participate in Isleton's legal cannabis industry.



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Section 1. Cannabis Equity and Executive Summary

Nine times out of ten, before legalization, you bought your weed from a Black or brown person. And now that it's legalized, you're probably not buying it from a Black or brown person. What happened?

-Oakland cannabis entrepreneur (Hillsman)

Black and Hispanic people experienced disproportionate impacts from cannabis criminalization and the War on Drugs (see Section 3) as well as higher rates of poverty (see Section 4). While Black and Hispanic people were most likely to be impacted by decades of cannabis criminalization in California, these groups are now least likely to be represented in the State's legal cannabis industry. Over 80% of cannabis businesses nationwide are white-owned; similarly, of the top 14 largest cannabis companies, about 70% of executives are white men (McVey et al.; Berke).

To address these inequities, in 2018, the state of California enacted SB 1294, commonly referred to as the California Cannabis Equity Act. The purpose of the act was to ensure that persons most harmed by cannabis criminalization and poverty be offered assistance to enter the multibillion dollar cannabis industry as entrepreneurs or as employees with high quality, well-paying jobs.

According to SB 1294:

Cannabis prohibition had a devastating impact on communities across California and across the United States. Persons convicted of a cannabis offense and their families suffer the long-term consequences of prohibition. These individuals have a more difficult time entering the newly created adult-use cannabis industry due, in part, to a lack of access to capital, business space, technical support, and regulatory compliance assistance.

During the era of cannabis prohibition in California, the burdens of arrests, convictions, and long-term collateral consequences arising from a conviction fell disproportionately on Black and Latinx people, even though people of all races used and sold cannabis at nearly identical rates. The California Department of Justice data shows that from 2006 to 2015, inclusive, Black Californians were two times more likely to be arrested for cannabis misdemeanors and five times more likely to be arrested for cannabis felonies than white Californians. During the same period, Latino Californians were 35 percent more likely to be arrested for cannabis crimes than white Californians. The collateral consequences associated with cannabis law violations, coupled with generational poverty and a lack of access to resources, make it extraordinarily difficult for persons with convictions to enter the newly regulated industry...

It is the intent of the Legislature in enacting this act that the cannabis industry be representative of the state's population, and that barriers to entering the industry are reduced through support to localities that have created local equity programs in their jurisdictions. (California Legislative Information, section 2)

To accomplish this goal, the Act lays the groundwork for cities and counties to establish local equity programs to help reduce barriers to entry in the legal cannabis industry. These programs allow those most harmed by cannabis criminalization have a more equitable opportunity to participate in the industry. SB 1294 created a fund for local jurisdictions which have created cannabis equity programs to apply for funding to assist local cannabis entrepreneurs who have been harmed by cannabis criminalization or disadvantaged by poverty enter into and successfully operate in the state's regulated cannabis marketplace. The purpose of this assessment is to help the City of Isleton identify the impacts of cannabis criminalization and the War on Drugs as the City develops its cannabis equity plan.

The California Center for Rural Policy (CCRP) at Cal Poly Humboldt worked with the City of Isleton to create a Cannabis Equity Assessment (CEA) to:

- Provide a data-informed look at the historical impact of cannabis criminalization and poverty on the community.
- Provide policy recommendations to guide the city as they develop a local equity plan to help former disenfranchised community members successfully gain access to the economic opportunities in the legal cannabis industry.
- Make recommendations for future research that will help assure that there is equity and diversity in the city's emerging cannabis industry.

In order to accomplish these objectives, CCRP partnered with Isleton stakeholders to create this CEA. As the state of California navigates the transition to a legal cannabis market, the City of Isleton is committed to equity as a key consideration in its local cannabis industry.

Isleton's local cannabis equity program should focus on assisting smaller scale cannabis entrepreneurs supporting the city's long-term economic vitality. It is the intent of the equity plan to provide assistance to communities impacted by cannabis criminalization, so they are able to overcome barriers preventing equitable entry into the legal cannabis industry.

1.1 Key Findings

- Isleton's economy was severely impacted by the Great Recession (2007-2009) and the city's efforts to improve economic conditions by permitting a medical cannabis cultivation firm were brought to an end by state and federal regulators (see Section 3.2).
- Economic conditions in Isleton have improved in recent years; however, Isleton remains a low income area (see Section 4).
- A higher proportion of Isleton's population identifies as Hispanic compared to the state (43.7% compared to 39.4% statewide).
- Isleton's veteran population is twice that of the state average (see Section 2).
- Educational attainment in Isleton is well below the state average (see Section 4).
- Isleton's existing cannabis industry has become a major part of the city's economy (see Sections 2, 4 and 6).
- Between 1985 and 2008, Isleton experienced a per capita cannabis arrest rate that was over three times the state average (see Section 3.3).
- Isleton's Black population experienced a severely disproportionate frequency of cannabis arrests (see Section 3.3) from 1998 to 2008. County-level data indicates that this trend continues.
- Between 1985 and 2008, Isleton experienced a per capita drug arrest rate nearly twice as high as the statewide rate (see Section 3.3). Cannabis arrests were a key contributor to Isleton's disproportionate drug arrest rate.
- The Hispanic community in Sacramento County experienced a higher felony drug arrest rate than the white community from the 1990s through 2010. The Black community in Sacramento County continues to experience exceptionally high drug arrest rates.
- Black and Hispanic felony drug arrests from 1980 to 2020 in Sacramento County are skewed toward minors and young adults, relative to white arrestees. Black and Hispanic minors arrested for a felony drug offense are far less likely to be released to a parent or guardian without charges than a white arrestee (see Section 3.3).

1.2 Recommendations and Considerations

The findings in this report can be used to inform the creation of Isleton's cannabis equity plan. This is a brief summary of the recommendations. A complete detailed set of recommendations is presented in Section 7.

- The past effects of the War on Drugs as well as decades of poverty were particularly acute for the citizens of Isleton. Consider including past residency in Isleton (prior to legalization in 2016) as an eligibility factor for Isleton's cannabis equity plan.

- Consider a past non-violent drug offense as an eligibility factor to help applicants overcome setbacks incurred as a result of a drug arrest or conviction.
- Consider a past non-violent drug offense of a close family member as an eligibility factor to help applicants overcome setbacks incurred as a result of a family member's drug arrest or conviction.
- Since educational attainment is low in Isleton, consider including educational opportunities, such as workshops, as a benefit of the cannabis equity plan.
- Consider income as an eligibility factor and consider including fee waivers and other financial benefits to help equity entrepreneurs overcome financial barriers.

Section 2. Overview of Isleton

The City of Isleton (population of 794¹) is located in the Sacramento San Joaquin-River Delta. The city was incorporated in 1923, when at the time it was a thriving agricultural and canning center, shipping goods to market along the Sacramento River. After World War II, the canneries began to decline as rail and highway transport reduced the significance of Isleton's proximity to the river. The last of Isleton's five canneries closed in 1966.

The city once had large Chinese and Japanese populations, many of whom worked in agriculture and construction, though now Asian households constitute less than 5% of the population. Beginning during the Great Depression and through the 1950s the population fell from over 2,000 to nearly its current level, correlating with the decline in the city's industries. The internment of Japanese Americans during World War II further contributed to a decline of the city's large Japanese population (City of Isleton).

The local economy continues to have a significant agricultural sector (see Section 4). However in recent decades, tourism has also become a more viable industry, with events like the Crawdad Festival² attracting visitors into the rural community. Isleton's charming downtown provides amenities for visitors, and the City's winding river delta is home to many recreational activities. The City's largely blue collar population skews older, and the vast majority of Isleton's residents commute outside the city for work, with many traveling as far as the Bay Area or the City of Sacramento.

All information provided in this section will be explored in greater detail throughout the rest of the assessment.

Demographics

Isleton's largest Census ethnic categories are white (47.2% compared³ with 36.6% in CA) and Hispanic (43.7% compared⁴ with 39.4% in CA). Since the 2000 Census, the Hispanic population increased significantly from 26.9% to 43.7% of the population in 2020, whereas during the same period, the Hispanic population statewide increased from 32.4% to 39.4%. The Asian population, though once a large component of Isleton's population, is 4.9% of the population compared with 15.4% statewide. Just 1.64% of the population is Black compared to the statewide average of 6.4%. The proportion of the population that is foreign-born (19.2%) is less than the statewide

¹ Census table P1

² For decades until 2009 the Crawdad Festival drew tens of thousands of visitors to the area.

³ Census table P1

⁴ Census table P2

average⁵; however, the percentage of Isleton's foreign born population without United States citizenship status is much higher than the statewide average.

Isleton's population skews older⁶. The median age in Isleton is 44.3 compared to the state median of 36.7⁷, and over one-fifth of the city's population is over the age of 65.

Income, Poverty, and Housing

Isleton is an exceptionally low income area — the median household income in Isleton (\$34,500) is less than half than the state average⁸ (\$78,672) and the per capita income (\$25,684) is well below the state average (\$38,576)⁹. The current poverty rate is only slightly higher than the statewide rate; however, in years prior, this rate was much higher, peaking in 2016 when the poverty rate was nearly 33%, far beyond the statewide poverty rate (13.8%) at the time.

Housing affordability is a challenge for the community (see Section 4.2). While the resumption of a large housing development promises an increase in housing supply at the higher end of the housing market, a disastrous fire in 2021 destroyed a significant portion of the community's affordable housing stock (see Section 4.2).

Veteran Status

At the time of the 2000 Census, 109 veterans called Isleton home, 33 of whom had served during the Vietnam era. At that time, there were almost twice as many veterans per capita in Isleton than the state average (13.2% versus 7.6% statewide)¹⁰. Similarly, 4.0% of the Isleton population at that time served during the Vietnam era compared to 2.4% statewide. More recently, though subject to greater statistical variation, we see a similar pattern in the 2020 American Community Survey data. As of 2020, Isleton's relative veteran population is over twice that of the statewide population (10.4% versus 5.0% statewide), and of these veterans, 42.2% served during the Vietnam era¹¹.

Veteran populations are particularly afflicted with post-traumatic stress disorder (PTSD), and PTSD is associated with greater risk of substance abuse disorder (Gradus). Cannabis use disorder in particular is common among veterans (9.1%) and especially common among veterans with PTSD (12.1%) (Browne et al.). Vietnam veterans were particularly significant consumers of cannabis and other drugs. Studies indicate that a majority of Vietnam veterans in 1970 had used cannabis while in Vietnam, and for some veterans, cannabis use or use of other drugs lead to

⁵ Census table DP02

⁶ Census table S0101

⁷ Census table DP05

⁸ Census table S1901

⁹ Census table DP03

¹⁰ Census table P040

¹¹ Census table S2101

addiction. Circa 1970 - 1971, one-fifth of Army veterans were addicted to a drug during deployment (Stanton).

Youth Cannabis Use

Isleton middle and high school students attend school in the neighboring city Rio Vista as Isleton does not have a middle or high school of its own. In the River Delta School District that serves Isleton, rates of cannabis use are slightly higher than statewide rates.

Education

Rates of higher educational attainments in Isleton are exceptionally low compared to statewide averages. The available data from the ACS indicates that only about 4% of the population 25 year and older hold a bachelor's degree or higher, compared to the state average of 32.9%¹². As discussed in Section 4, college degree attainment is negatively correlated with cannabis use.

Existing Cannabis Industry

Isleton's cannabis industry is significant in relation to the size of the city. There are nine current licensed cannabis firms in the city— one firm for every 88 citizens. Low labor costs, relatively affordable real estate, a relatively non-restrictive regulatory environment, and the city's proximity to large population centers have created opportunities for cannabis firms to succeed, and it is the goal of the city to ensure that all Isletonians have an equitable opportunity to share in these market opportunities.

¹² Census table S15010

Section 3. Equity Analysis

3.1 Methodology

The goals of *The City of Isleton Cannabis Equity Assessment (CEA)* are to:

- Provide a data-informed look at the historical impacts of poverty and cannabis criminalization on the community.
- Provide policy recommendations to guide the city to develop a Local Equity Plan and program components which will help former disenfranchised community members successfully enter the legal cannabis workforce.
- Make recommendations for future research that will help assure that there is equity and diversity in the City's local emerging cannabis industry.

To achieve these goals we analyze data from the following sources:

- The Decennial Census and American Community Survey from the US Census Bureau
- Arrest data drawn from the Sacramento County Sheriff arrest database
- Arrest data drawn from the FBI Crime Data Explorer website
- Arrest data from the California Department of Justice

3.2 Impacts of Cannabis Criminalization and History of Cannabis Policy in Isleton, Sacramento County, and California

Federal War on Drugs and Impact on Communities of Color

In 1970, the year before President Nixon declared drug abuse 'public enemy number one,' the US state and federal prison population was less than 200,000. Two decades later in 1990, the prison population had ballooned to over 700,000 - about 400,000 of whom were serving time for non-violent offenses. By 2000, the prison population had reached 1.6 million (The Sentencing Project). It is perhaps unclear whether Nixon's intended 'public enemy number one' was drug abuse or the drug user. As one Nixon aid recalled:

We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. (Baum)

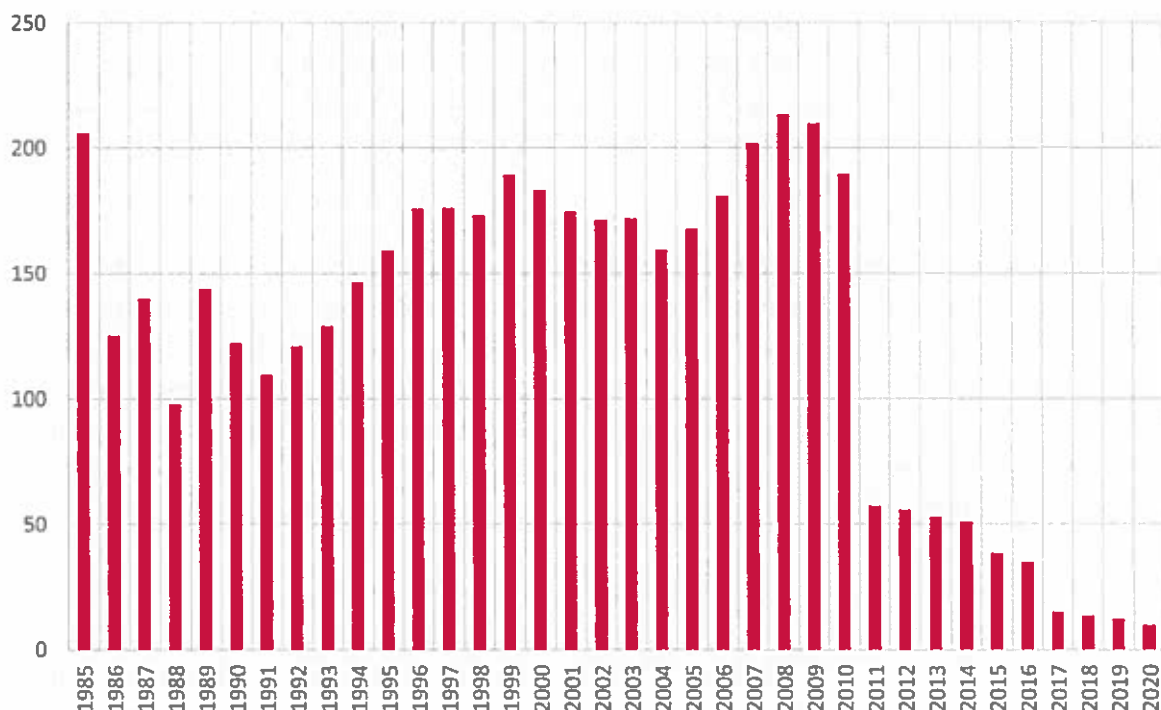
Regardless of intent, the War on Drugs succeeded in disrupting communities, especially communities of color. However, this effect remained relatively mild until the Reagan Administration in the early 1980s, when policies, such as the 1986 Anti-Drug Abuse Act, severely increased penalties for drug offenses, including simple possession (United States Congress). Increased federal enforcement, policies such as mandatory minimums, and an arbitrary distinction between powdered and crack cocaine all contributed to an explosion in arrests and incarceration rates that overwhelmingly impacted Black and Hispanic populations. Sacramento County had an experience typical of the era. By 1990, the Black felony drug arrests per 100,000 individuals was nearly 2,300 whereas for white people the drug arrest rate was 270 per 100,000 individuals. During the same period, the Hispanic people in Sacramento County were arrested for felony drug offenses at over twice the rate of white individuals (see Section 3.3).

California Cannabis Arrests and Reforms

During the counterculture movement of the 1960s and 1970s the state experienced an extraordinary rise in cannabis arrests. By 1974, annual cannabis arrests increased 20 fold from the early 1960s to 103,097, most of which were felony arrests (Gieringer). The next year, legislators passed the Moscone Act which eliminated prison time for minor cannabis offenses. The year after that, annual cannabis arrests fell to about 50,000 and felony arrests to about 20,000 (California Norml).

By the late 1980s, cannabis arrests in California were once again on the rise (*fig. 3.1 below*), and it was not until the California legislature reduced the penalty for an ounce or less of cannabis to an infraction in 2010 that the long-run rising trend in cannabis arrests ended. In 2010, Senate Bill 1449 reduced the penalty of marijuana possession of less than an ounce of cannabis from a misdemeanor to an infraction resulting in a small fine without any jail time. In 2011, cannabis possession arrests statewide dropped precipitously. In the decade ending in 2010, Isleton experienced an extraordinary per capita cannabis arrest rate (see Section 3.3).

Figure 3.1
California Cannabis Arrests per 100,000 Population¹³



California Medical Cannabis Era

In 1996, California passed Proposition 215 legalizing cannabis for medical use, and in 2004 the legislature passed Senate Bill 420 which gave local jurisdictions the authority to regulate medical cannabis. These laws, along with conflicting federal laws and edicts, created an ambiguous legal landscape for local jurisdictions and cannabis entrepreneurs to navigate. During this era, in the early 2010s, the City of Isleton embraced medical cannabis production as a means to revitalize the city’s economy.

Isleton Seeks to Develop Cannabis Industry for Economic Revitalization

Isleton was hit hard by the Great Recession (2007 - 2009). In 2010, the unemployment rate in Isleton exceeded 21% (compared to the state rate of 12.9%), putting the city’s unemployment rate on par with Depression-era national unemployment rates (see Section 4). While unemployment rates (including Isleton’s) began a gradual decline, the poverty rate in Isleton began an upward march reaching 33.2% in 2016 (see Section 4). In 2009, the city’s famed Crawdad Festival came to an end when the city could no longer afford to support the festival and

¹³ FBI Crime Data Explorer

sold the naming rights. For decades, the festival had brought tens of thousands of visitors (and customers) to the city annually. Isleton's economic conditions worsened when, following the collapse of the United States housing market, the construction of a large real estate development called the Village on the Delta at the north end of the city had been suspended, and with it the City's hopes for increased property tax revenues from newcomers seeking lower cost living and a change of pace. Like other municipalities reeling from the fiscal impacts of the Great Recession, Isleton looked to the cannabis industry and related tax revenues as a solution to its fiscal and economic challenges.

In 2011, in the fog of often conflicting Proposition 215 era federal edicts and state cannabis policies and regulations, Isleton struck a deal with a cannabis entrepreneur- Delta Allied Growers- to develop a large medical cannabis cultivation operation at the disused north end of town which had recently been the site of the Village on the Delta housing development (Hecht & Stanton). The city was promised the greater of \$25,000 per month in tax revenue or 3% of the firm's revenues, and the firm estimated that they would hire approximately 50 workers, a significant labor force with respect to the city's population of about 800 (Kalb; Hecht).

The deal was seen as a solution to the fiscal problems faced by the city, and as a means to continue and improve vital services to the city including expanding its police force which had just one or two officers in the early 2010s (Stanton). The firm had begun development when the City was called before a Sacramento County grand jury investigating the City's approval of the medical cannabis facility (Hecht & Stanton). A month later Delta Allied Growers and the City both received letters from a US attorney warning of criminal prosecution if development continued, ending the project and Isleton's plan for improved economic and fiscal conditions (Fagan).

In January 2012, the city was forced to suspend police services due to inability to pay worker's compensation insurance, and later that year the police department was disbanded due in part to the City's fiscal problems (Alcala). Isleton's law enforcement services were transferred to the Sacramento County Sheriff.

By 2012, economic conditions in the city had disintegrated. The unemployment rate was eight percentage points higher than the state average, and the poverty rate began an upward march peaking at nearly 33% in 2016.

Legal Commercial Cannabis Era

In 2016, California established a legal framework to regulate and monitor cannabis dispensaries with the passage of the Medical Marijuana Regulation and Safety Act (MMRSA), later renamed the Medical Cannabis Regulation and Safety Act (MCRSA). On November 8, 2016, California

voters passed Proposition 64: the Adult Use of Marijuana Act (AUMA). Proposition 64 legalized the distribution, sale, and possession of cannabis and decriminalized the possession, use, cultivation and sale of adult-use cannabis. It also provided for the expungement of low-level marijuana offenses and authorized training for cannabis careers, grants, and loans. The Proposition gave local jurisdictions the right to prohibit or regulate commercial cannabis production. As of 2022, 26 of 58 California counties continue to prohibit all forms of commercial cannabis as do 38% of California cities (Department of Cannabis Control). Sacramento County continues to prohibit all forms of commercial cannabis, whereas Sacramento City and Isleton both allow and regulate commercial cannabis¹⁴.

Following Proposition 64, by 2017 statewide cannabis arrests had declined by 56.3% (see fig. 3.1 previously), and to sources utilized for this report there has not been a cannabis arrest by the Sacramento County Sheriff Department in Isleton since 2016.

Isleton passed an ordinance in June 2018 allowing for commercial cannabis in the city (see Appendix). Isleton, like many California cities, embraced the newly legal cannabis industry as an opportunity to improve the economic and fiscal conditions in the city, and adopted a comparatively nonrestrictive policy toward cannabis firms showing interest in doing business in Isleton (Christian). The city attracted a significant amount of cannabis industry, and Isleton now has nine cannabis permitted firms—one firm for every 88 citizens. The city issues permits for retail (both storefront and delivery), distribution, manufacturing, cultivation, and testing, whereas Sacramento county and some neighboring jurisdictions maintain prohibition or more restrictive cannabis policies (see Section 5).

In the late 2010s, the city began to experience revitalization. Formerly vacant properties are now renovated and occupied, and the City is developing plans for new festivals to attract tourists (Yoon-Hendricks). Isleton has experienced a precipitous decline in poverty since 2016, and the unemployment rate, once much higher than the state average, is now below the state average (see Section 4.1). A City official shared that the legal cannabis industry in Isleton now employs about 50 to 60 workers, a significant number of jobs compared to the City's labor force of roughly 260¹⁵.

One may wonder whether some of this revitalization could have come earlier had Isleton been permitted to develop its medical cannabis industry in the early 2010.

¹⁴ Proposition 64 passed with 57% of the vote statewide and 73.6% in Santa Cruz County. MRCSA and AUMA were integrated as MAUCRSA (Medicinal and Adult-Use Cannabis Regulation and Safety Act) in 2018.

¹⁵ ACS Table DP03

3.3 Cannabis, Drug Arrest Rates and Racial Disproportionality in The City of Isleton, Sacramento County, California, and the United States

To assess the impacts of criminalization of cannabis and the War on Drugs, we analyze two dimensions. Firstly, we assess whether Isleton as a whole experienced an exceptional impact of the War on Drugs relative to the state and other jurisdictions, and secondly we assess whether communities within Isleton experienced a disproportionate impact of the War on Drugs relative to the Isleton community as a whole.

Cannabis and Drug Arrest Data

To assess the impact of cannabis and other drug criminalization in Isleton, we utilize the arrest data sources in Figure 3.2 below. No single data source, to the knowledge of CCRP, provides a comprehensive overview of the effects of cannabis criminalization and the War on Drugs on the Isleton community. Thus, to account for limitations in each data source, this report utilizes multiple complementary data sources.

The Isleton Police Department (IPD) reported arrests inconsistently to the FBI resulting in multiple years of missing data. IPD lost its police department in 2012 and stopped reporting arrests after 2008. Additionally, FBI-sourced arrest data do not distinguish Hispanic as a separate ethnicity, so these data cannot be used to assess the impact on Isleton's significant Hispanic population. However, these data are useful for assessing the relative level of cannabis and drug arrests in Isleton compared to other jurisdictions as well as assessing the impact on the Black community in Isleton.

Since 2012, Isleton has been under the jurisdiction of the Sacramento County Sheriff (SCS)¹⁶. Two separate SCS data sources are used in this report. The first dataset is sourced directly from the SCS—these data do not include information about drug arrestees. However, because they are at the city-level, they can be used to assess the relative level of cannabis and other drug arrests for the City of Isleton as a whole.

The other sheriff data set is sourced from the FBI. These data are at the county-level, but they provide information about the cannabis and other drug arrestees including race. However, like the FBI-sourced Isleton PD arrests, they do not distinguish Hispanic as a separate ethnicity.

Lastly, California Department of Justice Monthly Arrest and Citation Register (MACR) provides data on felony drug arrests and law enforcement disposition for Sacramento County from 1990 to

¹⁶ The SCS reports arrests made in Isleton as far back as January 2007.

2020. While these data are at the county level and do not distinguish between cannabis and other felony drug offenses, they do distinguish Hispanic as a separate ethnicity, allowing CCRP to assess the impacts of the War on Drugs on the Hispanic population.

Additional data are drawn from the US Census Bureau as well as FBI-sourced arrest data for the Rio Vista Police Department.

Figure 3.2
Description of Data Sources

Data Source	Purpose	Limitations
Isleton PD Arrests: FBI-sourced cannabis and other drug possession and sales arrest time-series data reported by the Isleton Police Department from 1985 to 2008	Assess the relative level of cannabis and other drug arrests in Isleton from 1985 to 2008. Assess the impact of cannabis and other drug arrests on Isleton’s Black community.	Missing years Inconsistent reporting No data after 2008
Isleton Sheriff Arrests: SCS-sourced drug and cannabis arrests occurring in Isleton reported by the SCS from 2007 to 2018	Assess the relative level of cannabis arrests in Isleton from 2007 to 2018.	These data do not provide information about the arrestee. No data before 2007
Countywide Sheriff Arrests: FBI-sourced cannabis and other drug possession and sales arrest time-series data reported by SCS from 1985 to 2020	Assess the impact of cannabis and other drug arrests on Black community.	County-level data Do not distinguish Hispanic as a separate ethnicity.
MACR Arrest Data: California Department of Justice Monthly Arrest and Citation Register (MACR) data. Felony drug arrests and law enforcement disposition for Sacramento County from 1990 to 2020	Assess the impact of war on drugs on Black and Hispanic population.	County-level data Do not distinguish between felony cannabis arrests and other drug arrests.

Isleton Cannabis Arrest Rates

To inform our analysis of arrest rates, it is useful to analyze cannabis use rates (*fig. 3.3 below*). At the national level, employment, sex, educational attainment, and to a lesser extent race/ethnicity are all related to cannabis use rates (Substance Abuse and Mental Health Services Administration).

Although non-Hispanic Black people report slightly higher cannabis use rates than white, non-Hispanic people, this small difference does not explain the wide arrest disparities between Black and white individuals we observe below. Hispanic individuals, despite being overrepresented in state and federal prisons as well as federal, state and local arrest data¹⁷, report lower-than-average cannabis use rates.

Sex and educational attainment are also a factor in cannabis use. Men are almost twice as likely to report cannabis use in the past month than women, and those with a four-year college degree are less likely to use cannabis than those without.

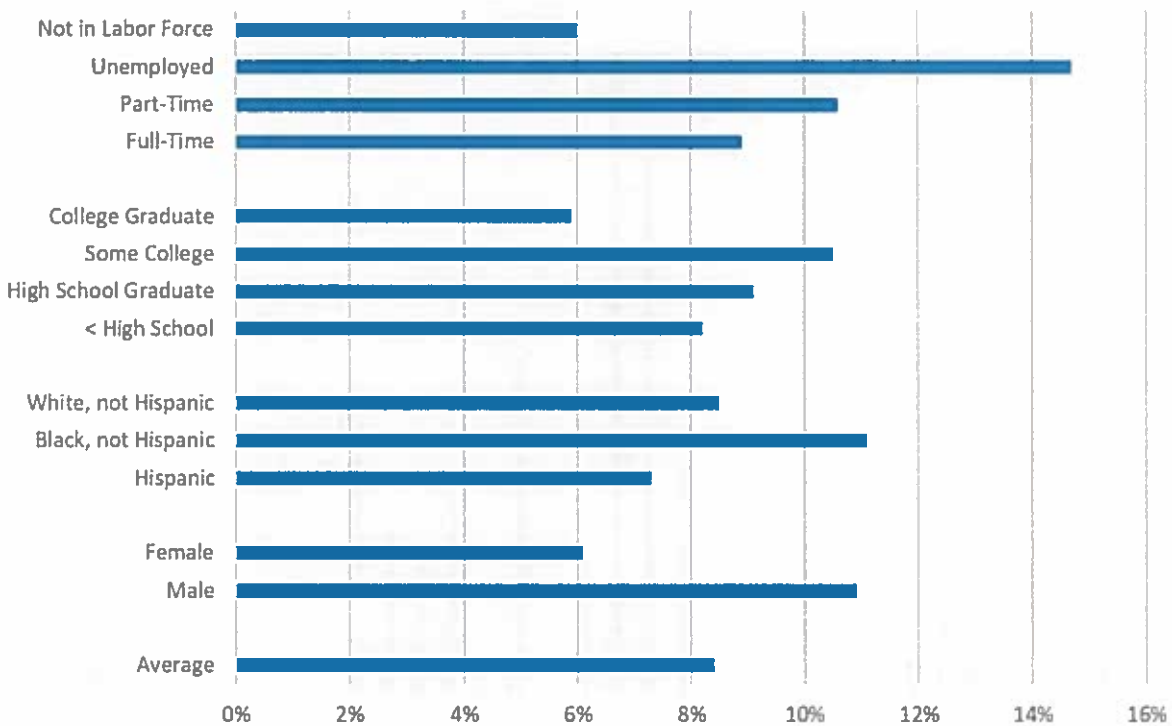
Unemployment is a key factor in cannabis use, where unemployed individuals are more than twice as likely to report cannabis use than those with a full-time job. Although the nature of any cause-and-effect relationship between unemployment and cannabis use is unclear, some scholarship provides evidence that causality goes both ways, with unemployment contributing to cannabis use and cannabis use contributing to unemployment (Boden et al.). It is therefore reasonable to expect that cannabis use may rise during periods of high unemployment.

In a community such as Isleton, with levels of educational attainment much lower than the state average (see Section 4) and unemployment rates that (at least in the recent past) are much higher than the state average, we expect to see higher rates of cannabis use. A greater prevalence of cannabis use and sales would create more opportunities for law enforcement to detect cannabis possession or sales and therefore produce a consequent rise in cannabis arrest rates.

¹⁷ As discussed below.

Figure 3.3

Percent of United States Adults Reporting Cannabis Use in Past Month (2015)



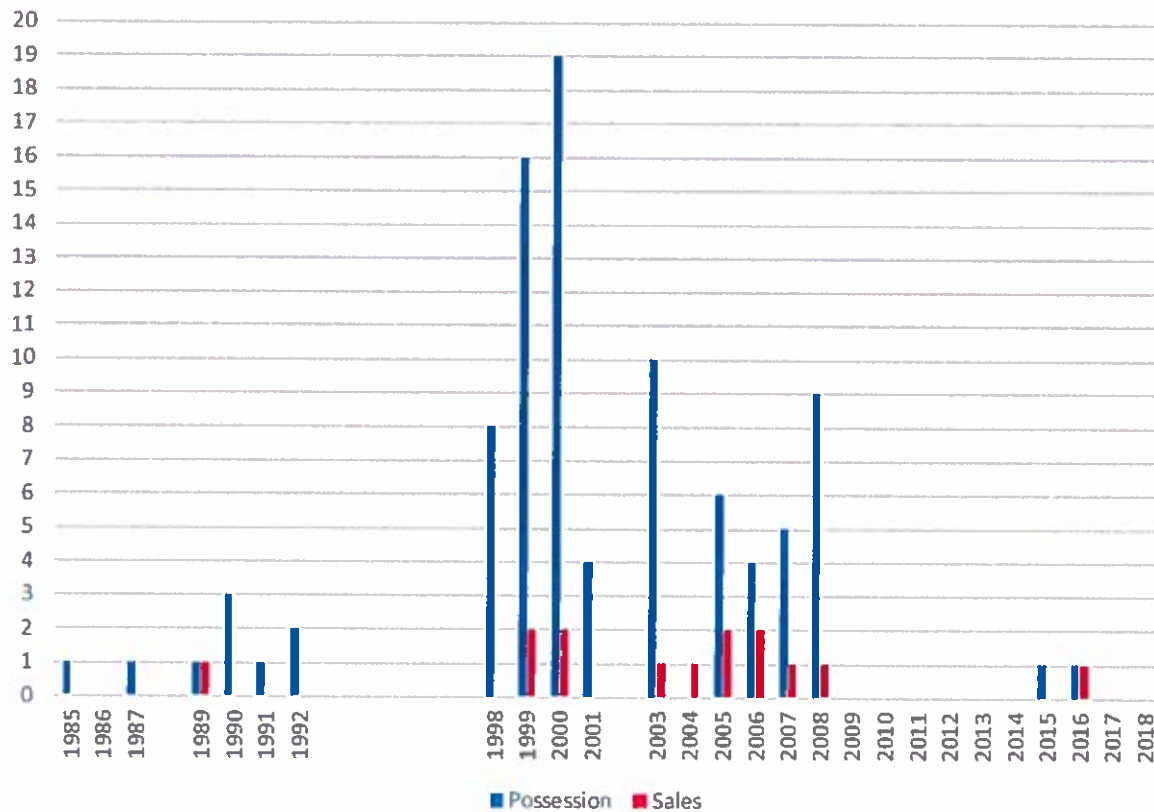
The Impact of Cannabis Criminalization on the Isleton Community as a Whole

To assess the impact of cannabis criminalization on the Isleton community relative to other jurisdictions, we use Isleton PD arrest data and SCS-sourced arrest data for the community of Isleton (*see fig. 3.2 above*).

Figure 3.4 below illustrates cannabis arrests reported by IPD from 1985 to 2008 and from the SCS database from 2009 to 2018. Isleton PD reported arrest data to the FBI inconsistently¹⁸ as indicated in the gaps occurring between 1985 and 2008 in Figure 3.4. These data indicate a pattern similar to that of many other jurisdictions during this era — a rise in arrests beginning in the mid-to-late 1990s and persisting through the 2000s.

¹⁸ Missing Isleton PD years: 1988, 1993, 1994, 1996, 1997, and 2002. Isleton PD existed until 2012, but did not report arrests after 2008. The SCS reports arrests for 2007 to present. There are no SCS reported arrests for cannabis in 2007 and 2008, thus for years 1985 through 2008 the data reported are from Isleton PD. For 2009 on, data are from the SCS arrest database.

Figure 3.4
Isleton Cannabis Arrests



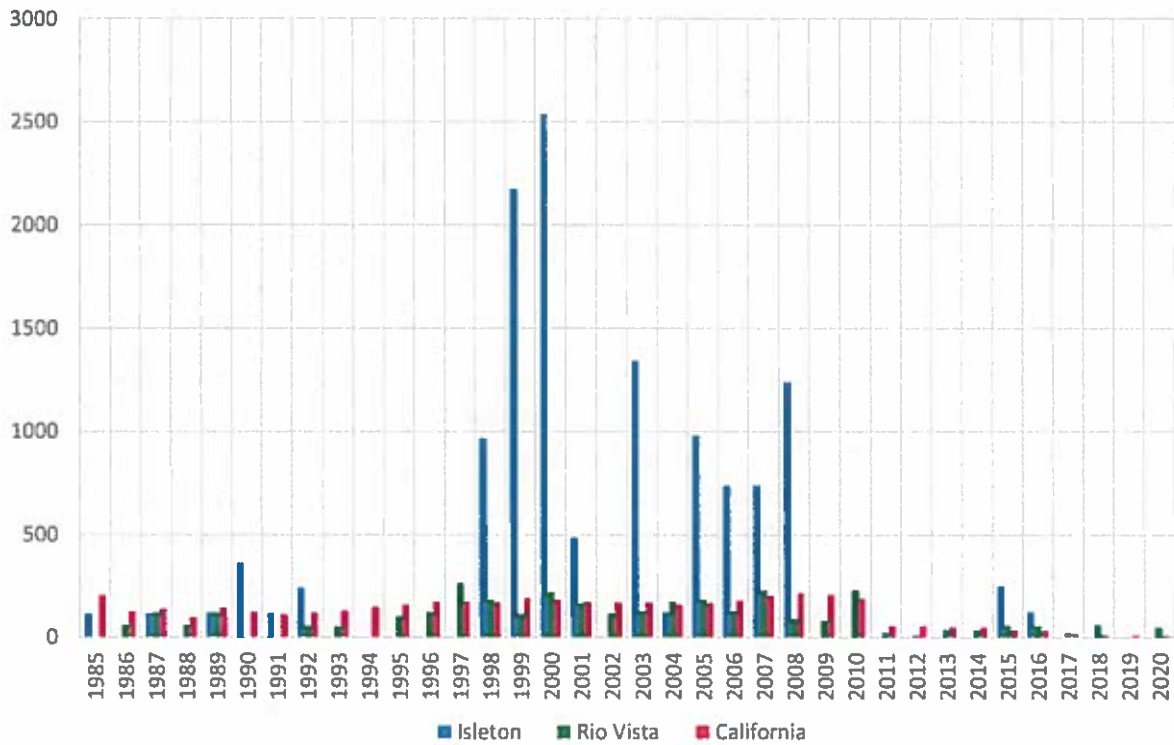
To assess the impact of cannabis criminalization (*fig. 3.5 below*) on the Isleton community we compare relative cannabis arrest rates between Isleton, its neighbor Rio Vista, and the state average¹⁹. While the Rio Vista Police Department reported arrests similar to the statewide rates throughout the time period, during the years in which data is available, Isleton had a significantly higher arrest rate for cannabis on a per capita basis²⁰ than either its neighboring city or California

¹⁹ For Isleton, arrest data for 1985 to 2008 are FBI-sourced Isleton PD arrests, whereas 2009 to present arrest data are from the SCS database. There may be some confusion here between the two Sheriff data sources. The first source that is directly from the SCS includes the handful of cannabis and drug arrests that took place in Isleton. The second SCS data source which comes from the FBI database is arrests for the whole of Sacramento County. It is not feasible to include relative cannabis arrests for the whole of Sacramento County in this comparison. The FBI reports arrest data at the state level, but below the state level arrest data is available only at the level of the law enforcement agency. It is not feasible to include arrests for the whole of Sacramento County because determining the appropriate population subject to the sheriff's jurisdiction is beyond the scope of this assessment. The whole of Sacramento County would not be the appropriate population since much of the county is policed by municipal police departments. Thus, comparing total arrests made by the Sheriff's Department to the Sacramento County population would significantly underestimate the relative arrest rate, making the comparison spurious. Looking at a separate data source, we do analyze arrests at the county level for all felony drug arrests in the next section.

²⁰ For Isleton and Rio Vista, population data was gathered from the US Census for 1980, 1990, 2000, 2010 and 2020. We used a linear model to interpolate population data for years in between.

broadly. This is particularly pronounced between the years spanning 1998 until 2008, when Isleton stopped reporting arrests to the FBI. During this eleven year period, Isleton’s per capita arrest rate exceeded the statewide per capita rate by a factor of nearly six.

Figure 3.5
Isleton Cannabis Arrests per 100,000 Population



Given these exceptional cannabis arrest rates, the question arises as to whether these arrest rates reveal an authentic impact of cannabis enforcement on the citizens of Isleton, or whether there is some alternative explanation other than a high degree of cannabis enforcement.

One possible explanation is that arrests reported during missing years were reported in later years. This could explain the rise in reported arrest rates following the missing years of 1993, 1994, 1996, and 1997. If these exceptional arrest rates were merely an artifact of reporting practices, then we would expect to see a significant moderation by averaging the arrests over the entire time period until 2008, however this is not the case. From 1985 up to and including 2008, even with the handicap of including missing years, we see cannabis arrests per capita in Isleton far exceeding both Rio Vista and the California average.

Figure 3.6

Average Cannabis Arrests per 100,000 1985-2008

	Isleton PD	Rio Vista PD	California
Average Annual Cannabis Arrests (1985-2008) ²¹	4	5	52,067
Average Population (1985-2008)	832	4,429	32,204,093
Arrests per 100,000	511	122	162

Another possibility may be that these arrests are of the same individuals being arrested multiple times during the year, a notion that was corroborated by a City official. However, it is not clear why we should expect repeat arrests of the same individuals to be of greater significance in Isleton than in other jurisdictions.

A third possibility is that these arrests are driven by tourists. Until 2009, Isleton was home to a massive 4-day festival each year called the Isleton Crawdad Festival²² in which tens of thousands of visitors would come to the city and surrounding area during Father's Day weekend in June. Unfortunately, the Isleton PD arrest data does not indicate the date of arrest — however, Sheriff arrest data for Isleton on Father's Day weekend in 2007 and 2008 do not indicate a significant increase in arrests (of any kind) during this period. If visitors were to blame for these exceptional arrest rates, then we would expect to see a surge in arrests during the festival.

A fourth possibility, of course, is that cannabis consumers in Isleton experienced a far greater degree of police cannabis enforcement than typical. A contributing factor may be the size of Isleton's police force during this period. As of the year 2000, Isleton had three full-time officers, and while that may appear to be a small police force, on a per capita basis it is more than twice the size of a typical police force (The Isleton City Council; Maciag). By April 2011, the city's police force had shrunk to just one officer (Kalb).

Impact of Cannabis Criminalization on Communities within Isleton

Assessing the impacts of cannabis criminalization and the War on Drugs on communities within Isleton is a particular challenge due to the size of the jurisdiction. Wherever possible we use data specific to Isleton, though in other cases it will be necessary to make inferences about the impact of the drug war on demographic groups within Isleton based on data from the broader Sacramento County.

²¹ Assumes missing year values are 0 arrests for Isleton.

²² The festival continued annually from the 1970s up to 2009.

Isleton PD Data: Black/ White Cannabis Arrest Rates

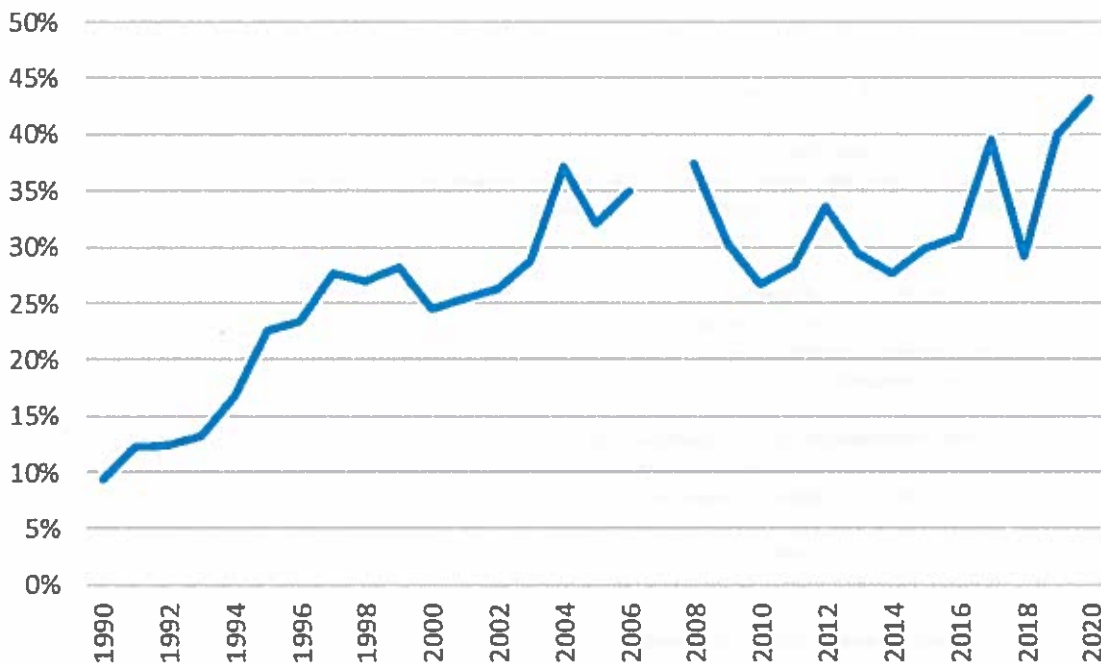
Arrests of Black suspects constitute 9.0% of all arrests reported for cannabis possession by Isleton PD from 1985 to 2008; however, all reported arrests of Black suspects were made from 1999 to 2008. During this period, the Black percentage of the population can be estimated by taking the average of the 2000 and 2010 Census values, which yields an estimated value of 2.65%. Thus, it appears that the Black population within Isleton experienced a disproportionate frequency of arrests during this period of cannabis criminalization.

Sacramento County Sheriff: Black/ White Cannabis Arrest Rates

Analyzing the FBI-sourced Sacramento County Sheriff arrest data for the whole of Sacramento County reveal a trend toward ever greater disparities in the cannabis arrest rates from 1990 to present. Despite the Black population remaining consistently around 10% of the Sacramento County population from 1990 to present²³, Black arrests reported by the Sacramento Sheriff Department rose from 10% of total cannabis arrests in 1990 to over 40% in 2020. While the decline in sheriff arrests correlates with decriminalization and subsequent legalization, the share of Black arrests remains elevated and on an upward trajectory. As of 2020, the Black arrest rate by the Sacramento County Sheriff had reached a new peak.

Figure 3.7

Black Percent of Cannabis Arrests by Sacramento County Sheriff²⁴



²³See FIPS code 06067

²⁴Data is missing for 2008.

All Law Enforcement in Sacramento County: Black/ White Cannabis Arrest Rates

Looking at the whole of Sacramento County including all law enforcement jurisdictions, it is clear that racial disparities in arrests in Sacramento County are significantly more pronounced than the statewide disparity. From 2000 to 2018, California residents who identify as Black were 1.8 times more likely to be arrested for cannabis compared to white people— however during the same period in Sacramento County, Black individuals were 4.1 times more likely to be arrested for cannabis compared to white people (ACLU).

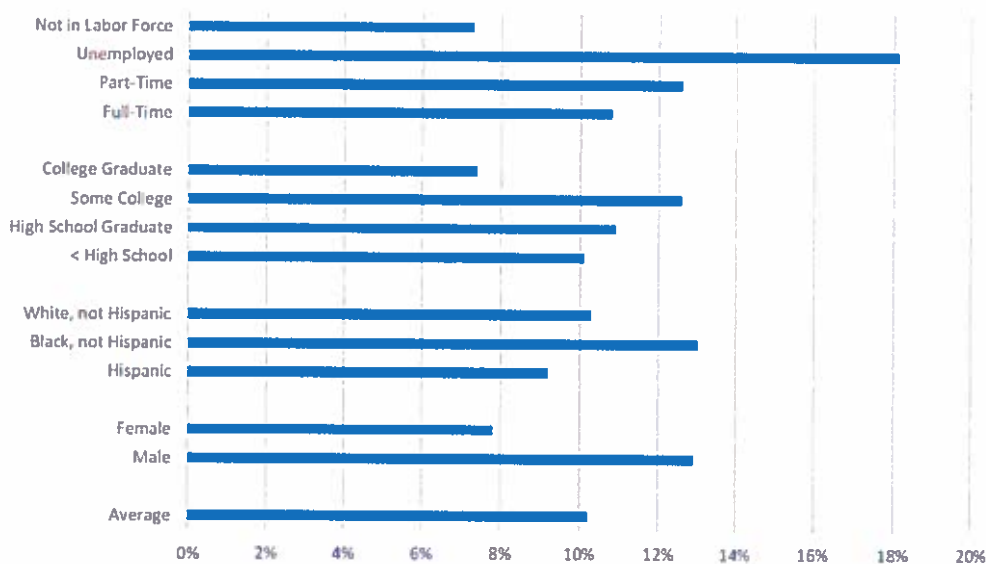
It is unfortunate that FBI-sourced arrest data do not distinguish between white Hispanic and non-white Hispanic in arrest data. In the absence of evidence to the contrary, we believe that Isleton’s significant Hispanic population would have had law enforcement experiences similar to those in Sacramento County more broadly. We analyze the impact of the drug war on Sacramento County’s Hispanic community below.

Isleton - Drug Arrest Rates

At the national level, general drug use patterns mirror cannabis use rates (*fig. 3.9 below*). Drug use correlates significantly with sex, employment, education, and to a lesser extent race. Similar to cannabis use rates, the small differences in drug use rates by race do not explain the wide disparities in arrests rates by race.

Figure 3.8

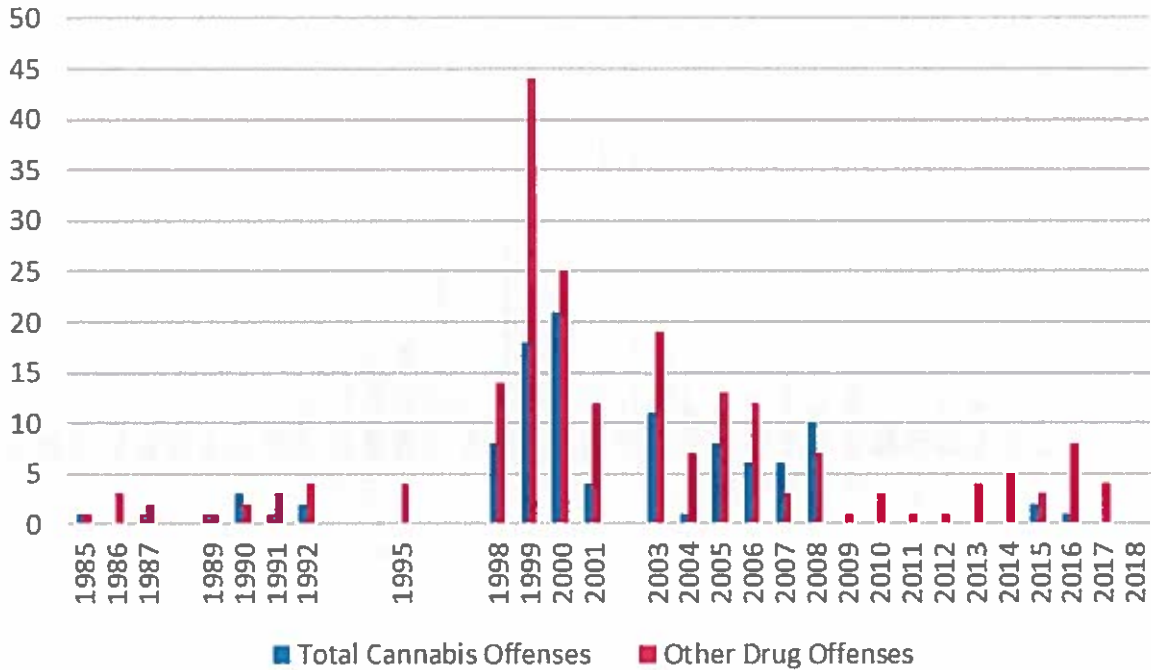
Percent of United States Adults Reporting Drug Use in Past Month (2015)



Isleton Drug Arrest Rates

Arrests for other drug offenses mirror those for cannabis possession offenses, and we see that cannabis criminalization was not the only impact of the War on Drugs on the Isleton community during this period.

Figure 3.9
Drug Arrests by Isleton PD and SCS²⁵

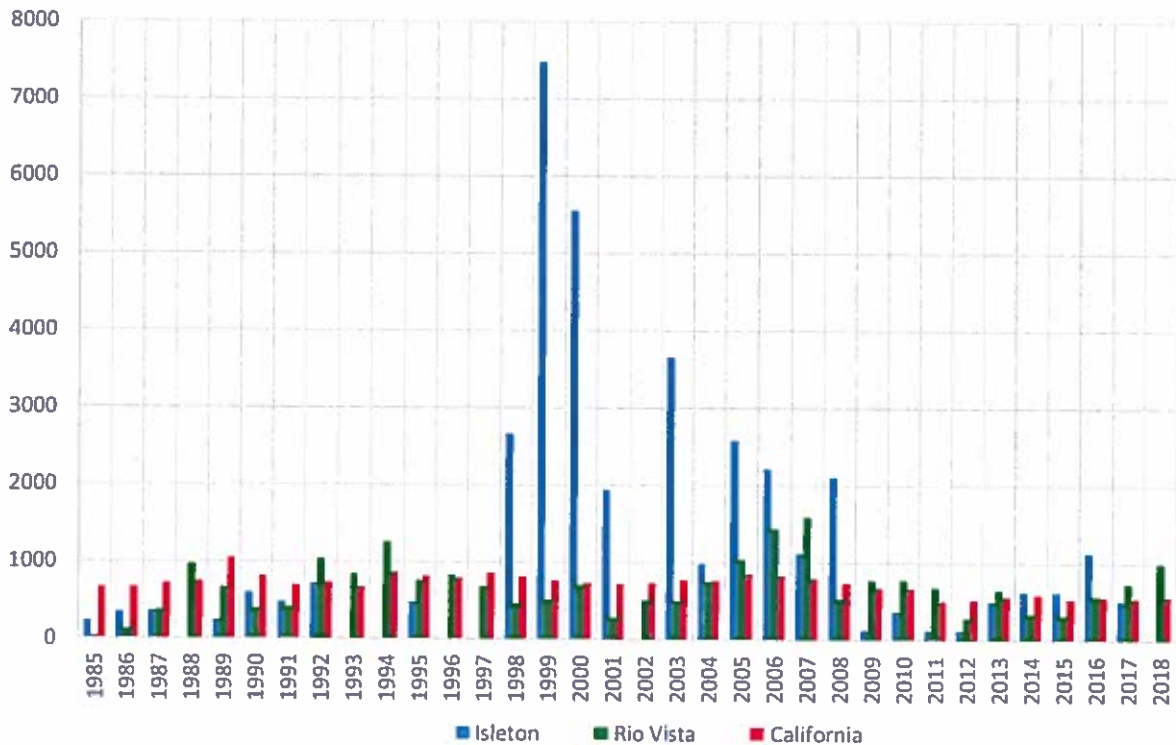


We see a pattern similar to cannabis arrest rates in all drug arrest rates between Isleton, Rio Vista, and the California average. Rio Vista has drug arrest rates that, with a few exceptions, are in line with the state average; Isleton, however, experienced a period of drug arrest rates spanning the years between 1998 and 2008 that significantly exceeded typical arrest rates on a per capita basis.

²⁵ Except for one non-cannabis drug arrest in 2007 by SCS, all drug arrests from 1985 to 2008 are by Isleton PD. All arrests after 2008 are by SCS.

Figure 3.10

All Drug Arrests in Isleton, Rio Vista PD, California²⁶



Averaged over the period spanning 1985 through 2008, Isleton’s per capita drug arrest rate is nearly double that of both Rio Vista and California, indicating that the impact of the War on Drugs on Isleton as a whole was during this time far greater than typical on a per capita basis (*fig. 3.11 below*) including cannabis and other drugs.

Excluding cannabis arrests (*fig. 3.12 below*), the per capita drug arrest rate in Isleton is 962 compared with 616 statewide. Therefore, while the drug arrest rate in Isleton would still have been higher than the statewide rate, cannabis arrests played a significant and outsized role in Isleton’s disproportionate drug arrest rate during this period.

²⁶ Except for one non-cannabis drug arrest in 2007 by SCS, all drug arrests from 1985 to 2008 are by Isleton PD. All arrests after 2008 are by SCS.

Figure 3.11

Average Drug Arrests per 100,000 1985-2008, Including Cannabis

	Isleton PD	Rio Vista PD	California
Average Annual Drug Arrests (1985-2008) ²⁷	12	33	250,437
Average Population (1985-2008)	832	4,429	32,204,093
Arrests per 100,000	1,388	737	778

Figure 3.12

Average Drug Arrests per 100,000 1985-2008, Excluding Cannabis

	Isleton PD	Rio Vista PD	California
Average Annual Drug Arrests (1985-2008) excluding Cannabis Arrests	8	28	198,370
Average Population (1985-2008)	832	4,429	32,204,093
Arrests per 100,000	962	632	616

Impact of Drug Arrests on Black and Hispanic People in Sacramento County:

Data from the California Department of Justice Monthly Arrest and Citation Register (MACR) database provide more opportunity to analyze arrests by race and ethnicity, age, as well as information about the outcome of the arrest. In particular, unlike the FBI data, these data differentiate Hispanic as a separate ethnicity making it possible to draw inferences about the impact of the drug war on Isleton's significant Hispanic community.

These data²⁸ reveal a familiar pattern. Black arrest rates consistently exceed any other race or ethnicity, throughout the time period. In addition, the arrest rate for people of Hispanic origin is higher than the white non-Hispanic rate until the year 2010²⁹ (*fig. 3.13* below) .

There is a notable drop in felony drug arrests in the year 2015 for all race/ethnicity categories. This is due to Proposition 47 in California which, among other reforms, reclassified many felony

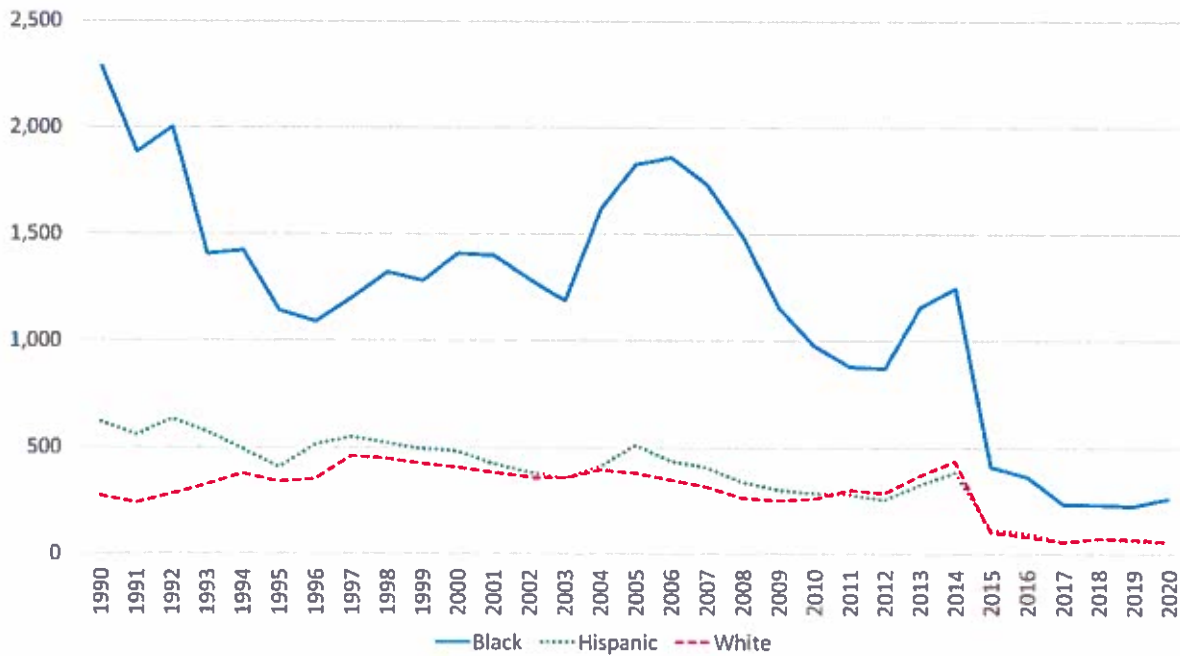
²⁷ Assumes missing year values are 0 arrests for Isleton. There is one drug arrest from SCS that is included in the graph, but not included here. Only the FBI-sourced Isleton PD arrests are included here to make a direct comparison to the FBI-sourced Rio Vista PD arrest data.

²⁸ Population and demographic data were gathered from the Census for 1990, 2000, 2010 and 2020 for Sacramento County. A linear interpolation method was used for years in between Census estimates.

²⁹ In 2010, SB 1449 decriminalized possession of less than an ounce of cannabis. It is beyond the scope of this assessment to determine whether this is coincidence.

drug possession offenses to misdemeanors. Total felony drug arrests dropped by 71% from the prior year.

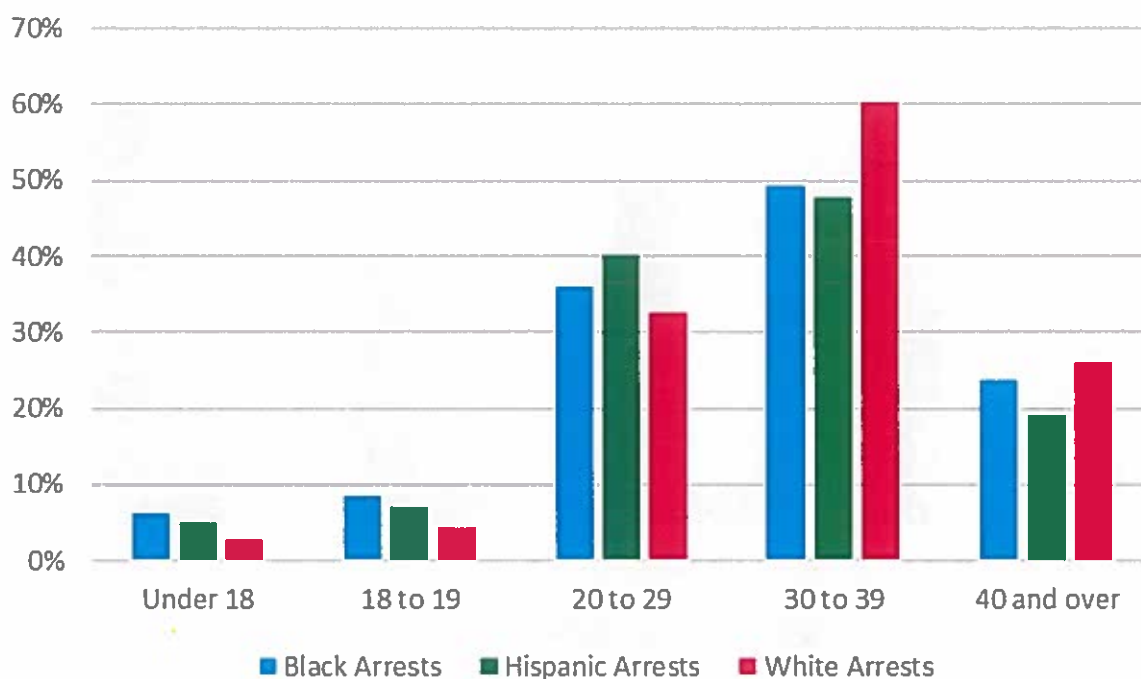
Figure 3.13
Felony Drug Arrests per 100,000 Sacramento County



Analyzing these data by age reveals further disparities. Black and Hispanic arrests are heavily skewed toward younger arrestees. Felony arrests made of Black minors constitute 6.2% of total Black arrests, whereas just 2.7% of felony drug arrests of white suspects are under 18 (*fig. 3.14 below*). Similarly, 4.9% of Hispanic felony drug arrests are under 18. Thus, not only do Black and Hispanic individuals experience higher total arrest rates, but these arrests disproportionately target younger populations.

Figure 3.14

Age Distribution of Felony Drug by Race/Ethnicity in Sacramento County (1980 - 2020)



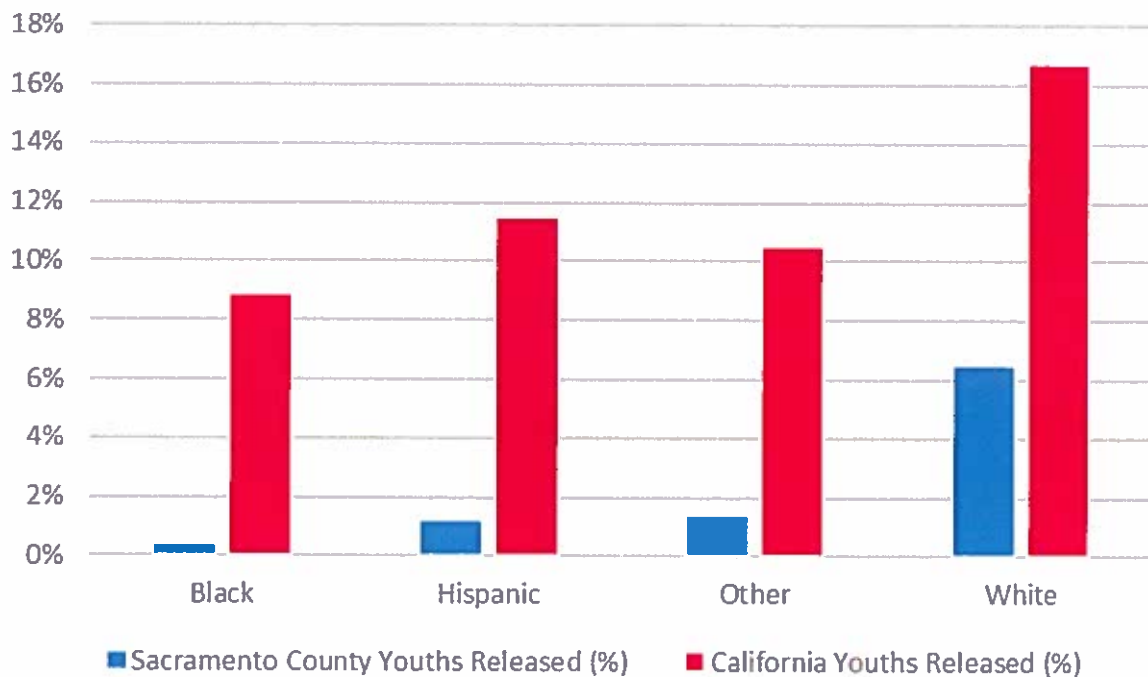
Furthermore, evidence indicates that Black and Hispanic populations experienced greater consequences of arrests during this period, both relative to other race/ethnicity groups within the county as well as to the statewide rate. A white youth in Sacramento County is 5.5 times more likely than a Sacramento County Hispanic youth and 18 times more likely than a Sacramento County Black youth to be released to their parents/guardian with a warning³⁰ (fig. 3.15 below). A California white youth is 14 times more likely to be released to a parent or guardian than a Sacramento County Hispanic youth and 46 times more likely to be released than a Sacramento County Black youth.

Research indicates a cause and effect relationship between juvenile incarceration and subsequent reduced high school completion rates as well as increased adult incarceration rates, indicating that incarceration has an effect on these outcomes independent of the individual characteristics of the detainee (Aizer and Doyle). These disparities in arrest rates and outcomes have long lasting and consequential effects on people of color and of Hispanic origin in Sacramento County.

³⁰ According to the MACR database context document, these are juveniles “taken into custody for committing a violation and the law enforcement agency does not make a referral to juvenile court and does not file formal charges. The juvenile, in most cases, is warned and released to the parents or guardian” (California Department of Justice, p. 4).

Figure 3.15

Youth Felony Drug Arrestees Released with Warning (1980 - 2020) Sacramento County



California and the United States

The Center on Juvenile and Criminal Justice (CJCJ) has published several reports that demonstrate patterns in drug arrest rates in California disproportionately affecting people of color (The Center on Juvenile and Criminal Justice). Starting in the 1990's, arrests in California for drug possession increased dramatically. Cannabis possession rates increased by 124% while other categories of more serious crimes showed decreased arrest rates. Drug arrest rates per 100,000 population rose much faster for African Americans, Hispanic individuals, those under the age of 21, and white people over the age of 40.

Though a majority of states allow medical cannabis use, cannabis leads drug-related prosecutions in the United States. According to New Frontier Data, over 650,000 people were arrested for cannabis-related offenses in 2016 (Song). Cannabis accounted for 42% of all drug-related arrests in 2016, with cannabis possession offenses specifically accounting for 37% of all arrests. For comparison, heroin and cocaine together accounted for 26% of arrests nationally.

According to a report from the ACLU titled *A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform*:

There were more marijuana arrests in 2018 than in 2015, despite the fact that eight states legalized marijuana for recreational use or decriminalized marijuana possession in that timeframe. Marijuana arrests made up 43% of all drug arrests in 2018, more than any other drug category. The overwhelming majority of marijuana arrests- 89.6%- are for possession only. (ACLU)

Thus, cannabis, being less addictive and less destructive than alcohol, accounts for nearly half of all drug arrests nationally, and is a primary driver of racial disparities in drug arrest rates (Powell).

Josh Adams notes in an article for New Frontier Data: “Drug offenses are often the pretext for seizing other cash or property” (Adams). For example, a report published by the Justice Department Inspector General in 2017 found that “the DEA seized more than \$4 billion in cash from people suspected of drug activity over the previous decade, but \$3.2 billion of those seizures were never connected to any criminal charges” (Ingraham). Research also indicates that civil asset forfeiture disproportionately impacts low-income and historically marginalized communities. Relying on the suspicion of a crime allows law enforcement to seize cash and property almost entirely without accountability, often under the pretense of thwarting drug-related activity.

Nationally, Black and Hispanic individuals account for nearly 60% of state prisoners serving time for drug convictions and 80% of federal prisoners serving time for drug convictions. Hispanic individuals incarcerated for drug offenses are overrepresented in state prisons, and in federal prisons, they are overrepresented by more than a factor of two. Additionally, a Hispanic child is twice as likely to have a parent incarcerated for a nonviolent crime than their white counterpart (Drug Policy Alliance).

Section 4. Current Conditions in Isleton

Structural conditions within Isleton create vulnerabilities that exacerbate the effects of the War on Drugs for the citizens of Isleton. These conditions include poverty, unemployment, low rates of higher educational attainment, and lack of affordable housing. For example, those with a college education, affordable housing, and savings are much less vulnerable to a cannabis arrest, charge, or conviction. Individuals lacking the skills necessary to navigate complex legal proceedings and without the financial autonomy to hire a lawyer of their choice, however, are more vulnerable to the consequences of a cannabis arrest, charge, or conviction.

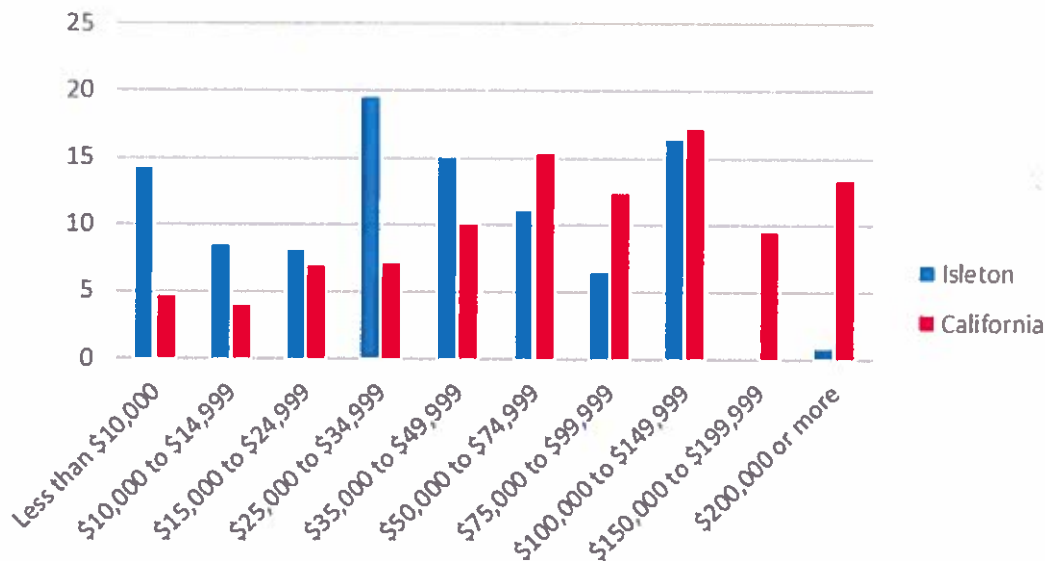
4.1 Economic Conditions in Isleton

Income and Poverty

Median household income in Isleton (\$34,500) is less than half than the state average (\$78,672)³¹, and per capita income comes in at a little more than half the statewide per capita income at \$25,684 compared with \$38,576 statewide³² (fig. 4.1 below). While there is a degree of statistical uncertainty, Isleton's income distribution- along with the exceptionally low median household income- suggests that a significant proportion of Isleton's citizens experience deep poverty. Nearly a quarter of households in Isleton live on an income of less than \$15,000.

Figure 4.1

Isleton Household Income Distribution

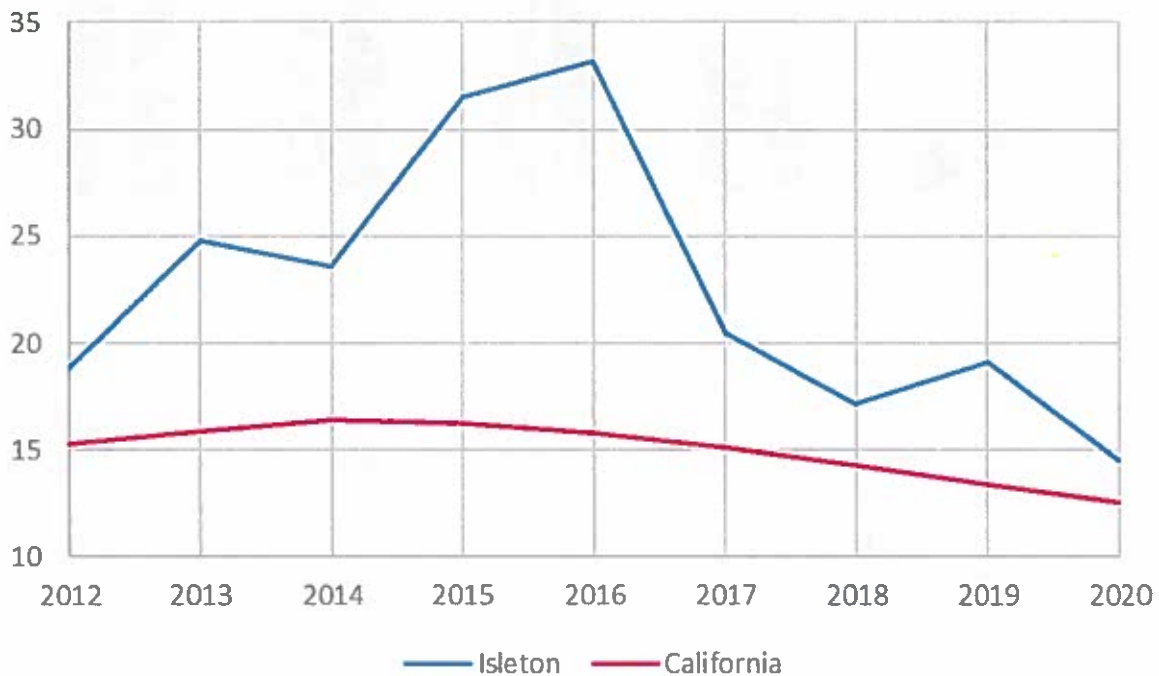


³¹ Census table S1901

³² Census table DP03

Estimates of the poverty rate for Isleton have a high degree of uncertainty due to the limited sample size; however, the poverty rate trends consistently higher than the state average (*fig. 4.2 below*). Following the Great Recession in 2014, the California poverty rate began to steadily decline, however the poverty rate Isleton continued an upward trend, accelerating even, and in 2016, poverty in Isleton reached an exceptional 33.2%. From 2013 through 2017, there was a corresponding resurgence in drug arrest rates in Isleton that followed the same general trend as poverty during that period, with both poverty and drug arrest rates peaking in 2016 (see Section 3.3, *fig. 3.9* and *fig. 3.10*).

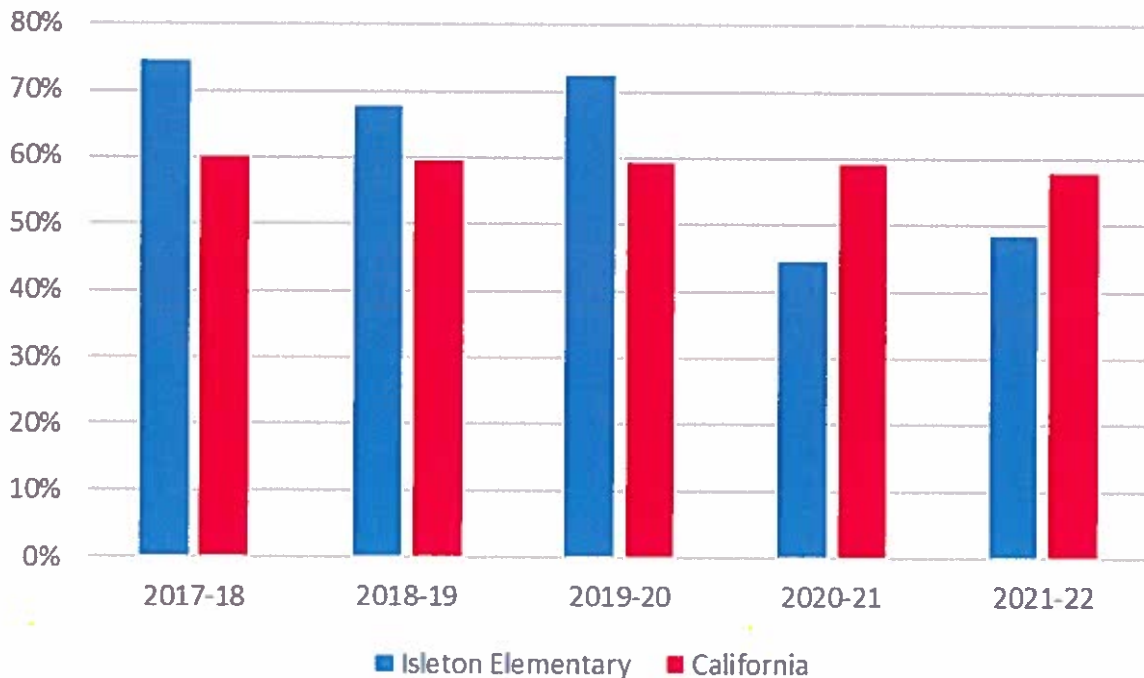
Figure 4.2
Isleton Poverty Rate



The percentage of Isleton’s population receiving public assistance sheds further light on the current level of poverty in the area. In Isleton, 10.2% of households receive Supplemental Nutrition Assistance Program (SNAP) benefits, compared to 9.0% statewide³³. Currently, the percentage of Isleton Elementary students who qualify for free or reduced priced meals is lower than the state average— however, as recently as the 2019/20 school year, the rate in Isleton Elementary significantly exceeded the state average (*fig. 4.3 below*) (California Department of Education).

³³ Census table S2201

Figure 4.3
Free and Reduced Priced Meals Eligibility



The effects of poverty are broad, significant, and long-lasting. For example, studies indicate that young children exposed to poverty have lower rates of school completion, and, as discussed below, Isleton historically has experienced both high rates of poverty and low rates of educational attainment (Brooks-Gunn & Duncan). As recently as 2016, nearly one-third of Isleton’s population was in poverty, and while the current poverty rate is similar to the statewide average, the effects of the exceptionally high rates of poverty in Isleton’s recent history will continue for decades to come.

Employment

While the current unemployment rate in Isleton is on par with the state average, during the height of cannabis arrests in 2010, the unemployment rate in Isleton reached 21.3%, nearly twice the state unemployment rate of 12.5% at that time (*fig. 4.4 below*) (State of California: Employment Development Department). As discussed in Section 3, unemployment is associated with cannabis and general drug use. Research indicates that, due to psychological stresses of unemployment or fear of job loss, unemployment is a contributing factor to drug use (Hummel et al). Furthermore, those with past drug use may be particularly vulnerable to relapse during periods of high unemployment. These extraordinary unemployment rates in Isleton’s recent history indicate a

working population that, all else equal, is more vulnerable to drug use and the financial consequences of a drug arrest.

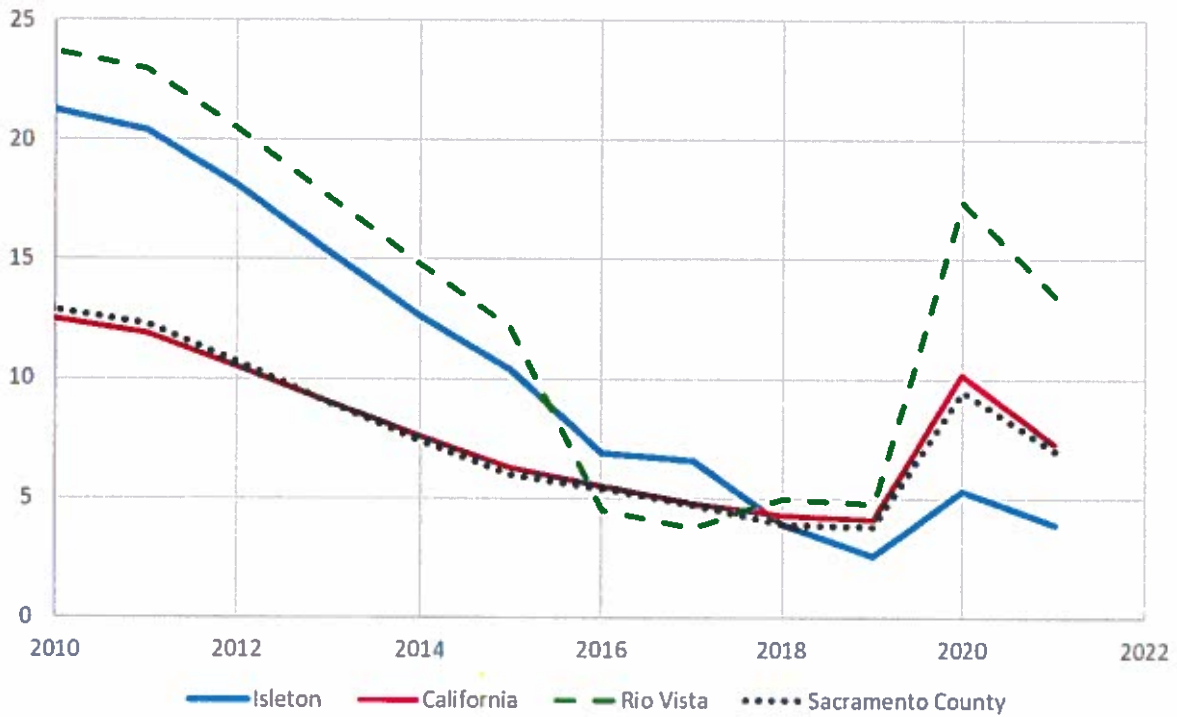
Since employment opportunities are limited in Isleton, most residents commute to jobs within the region (City of Isleton). Only 8.9% of Isleton's working population has a commute time less than 10 minutes³⁴, and due to the limited size of the city, we can infer from this statistic that the vast majority of the working population works outside city limits. Therefore, the broader labor market offers some indication of the labor market opportunities available to Isleton residents. Thus, it is helpful to take into consideration the unemployment rates in nearby jurisdictions as well as the unemployment rate in Isleton.

Labor market conditions have improved markedly in recent years. The Isleton unemployment rate has declined from over 20% of the labor force in 2010, to just 3.9% in 2021³⁵. Isleton's neighboring city Rio Vista, however, continues to experience an unemployment rate in excess of the state average unemployment rate, while the broader Sacramento County rate tracks the state level rate very closely. Due to anomalies and statistical variation, it is possible that employment conditions in Isleton are not as strong as indicated by the Isleton unemployment rate below.

³⁴ Census table S0801

³⁵ Due to anomalies and statistical variation, it is possible that employment conditions in Isleton are not as strong as indicated by the unemployment rate. The unemployment rate only presents the percentage of the current labor force that is unemployed. An unemployed worker can either find work, remain unemployed, or possibly leave the labor force. Reasons for leaving the labor force are many, but often workers may become discouraged with their employment options and choose to leave the labor force altogether, and this may be of particular significance due to Isleton's aging demographic, many of whom may be nearing retirement. The data that is available for Isleton indicate a shrinking labor force (ACS Table DP03), however there are inconsistencies between the ACS population data and the Decennial Census data. The Census estimate for 2020 is 794 (Table P1), indicating only a slight decline from the 2010 estimate of 828—the ACS estimate, however, is 495 (table DP05) and indicates a steady decline. The ACS also indicates a declining population over 16 and labor force. It is possible that the decline in the unemployment rate is in part an artifact of the declining labor force as estimated by the ACS.

Figure 4.4
Unemployment Rates



Employment by Sector and Income:

A considerable portion of Isleton’s working population works in the agricultural and natural resource sectors as well as retail (*fig. 4.5 below*). Breaking down employment by sector reveals several marked differences between Isleton’s working population and the statewide figures. Not only do significantly fewer workers work in higher paid ‘management, business, science, and arts occupations’ (*fig. 4.6 below*), but those who do have jobs in this category are paid less than half the state average in this category (*fig 4.7 below*). Significantly more workers in Isleton work in the ‘natural, resources, construction, and maintenance occupations’ and ‘production, transportation, and material moving occupations’ categories, which tend to be lower paying occupations.

Figure 4.5
Isleton Employment by Industry

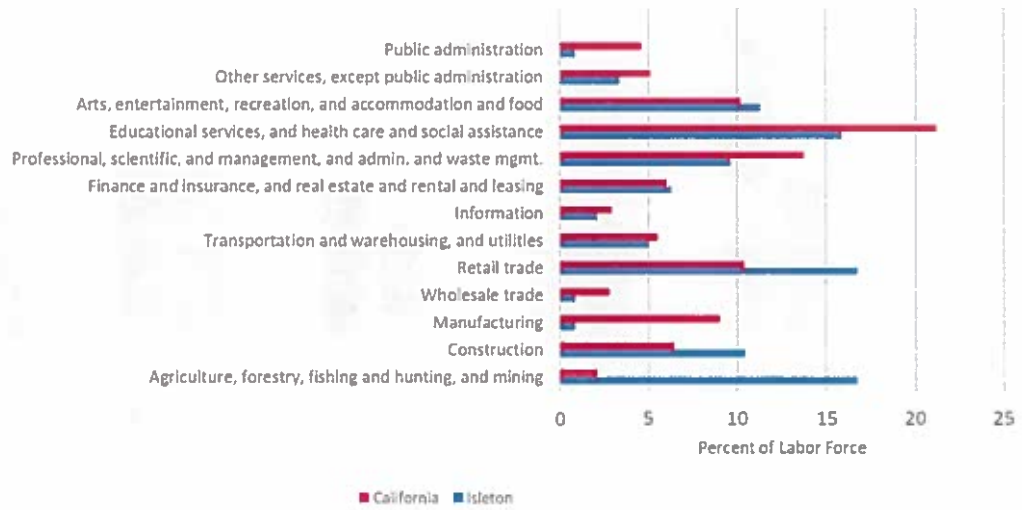


Figure 4.6
Percentage of Working Population by Sector

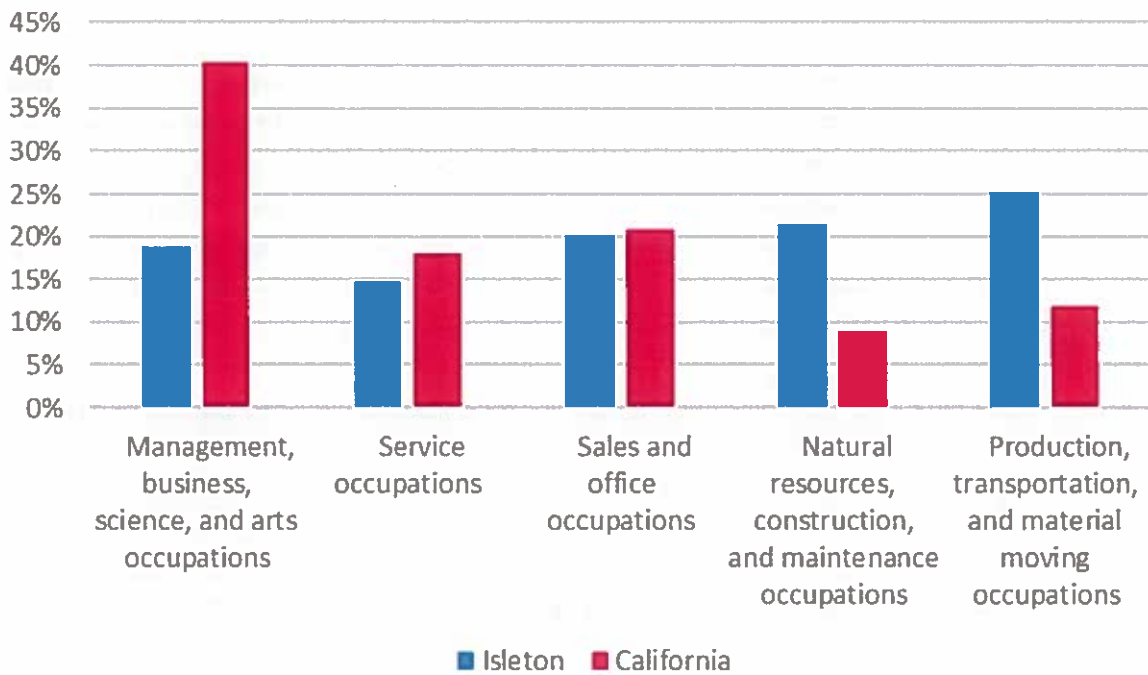
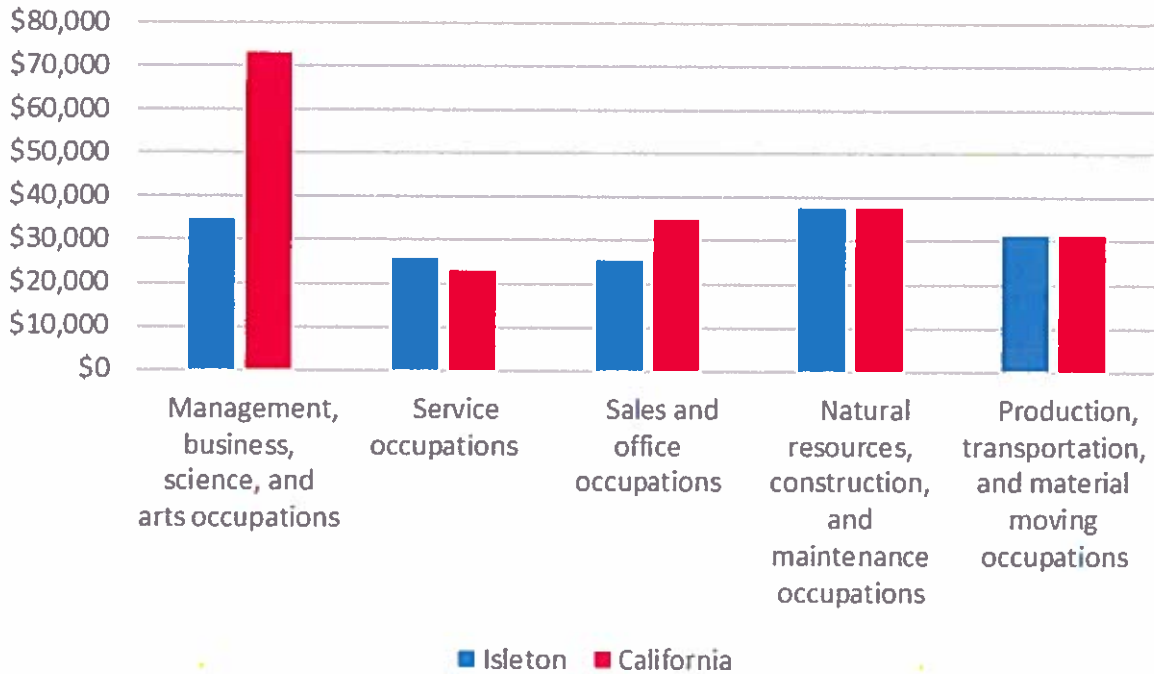


Figure 4.7
Median Earnings by Sector



Economic Impact of Legalization

Despite Isleton and Sacramento City being the only two jurisdictions in Sacramento County that allow for cannabis cultivation and firms, cannabis is a significant driver of economic activity and employment in Sacramento County (Economic & Planning Systems, Inc.). In the city of Sacramento, 8,000 workers are employed by 252 cannabis firms, putting it in the top 10 industries by employment. Thus, each cannabis firm in Sacramento City employs an average of nearly 32 employees (Economic & Planning Systems, Inc.). This figure provides some indication of the employment potential of Isleton’s nine licensed cannabis firms.

Legalization in Isleton, and the city’s embrace of the legal cannabis industry, appears to have contributed to improved economic conditions. On a relative basis, Isleton’s cannabis industry is massive. There is one cannabis firm for every 88 citizens in Isleton (see Section 5), whereas in Sacramento City, there are 2,083 citizens for each cannabis firm³⁶. Prior to legalization, economic conditions in Isleton were significantly worse relative to statewide conditions. Post legalization, economic conditions have improved on a relative basis and, since 2018, unemployment in Isleton has been lower than the state average. New bars and restaurants have

³⁶ Census Table P1

opened in Isleton along with the new cannabis firms, and the city's fiscal conditions have improved (Yoon-Hendricks).

4.2 Housing in The City of Isleton

City officials shared that there is a shortage of affordable housing in the area, which is a particularly pronounced issue for the working class in Isleton. Demand from Bay Area transplants and commuters further exacerbates the shortage of affordable housing available to locals, particularly those with low or moderate incomes.

Commuters from the Bay Area and high cost of living areas are looking to the Delta region for lower cost options. A 10 minute drive in the direction of the Bay Area, Isleton's neighbor- Rio Vista- has experienced rapid population growth rising 35.9%³⁷ from 2010 to 2020, compared to the statewide population increase of 6.1%. It is likely that those who find a lack of affordable housing in Rio Vista may look for housing in neighboring Isleton, contributing to a scarcity of housing in Isleton.

In the mid 2000s, the City approved an ambitious plan to build more than 300 homes in the disused northern part of town called the Village on the Delta. However, during the housing crash of the late 2000s, construction came to a halt with only a handful of units completed. The undeveloped area would remain vacant until briefly becoming home to an ill-fated medical cannabis operation (see Section 4.2) in 2011. In recent years, development of the Village on the Delta housing development has resumed and is on track to increase the housing supply at the higher end of the housing market (Joseph).

Housing Affordability

While the limited sample size creates a degree of uncertainty, approximately 60.7% of Isleton renters spend more than 30% of their income on rent³⁸, whereas 55.8% of renters statewide spend more than 30% of their income on rent. For homeowners with a mortgage, 54.3% pay more than 30% of their income on housing expenses³⁹ compared to 37.7% statewide. As the Federal poverty guidelines do not distinguish between high and low cost of living areas, these elevated figures provide a more complete picture of the state of poverty in Isleton. Moreover, high housing costs reduce one's ability to accumulate savings and can make higher education less attainable.

³⁷ Census Table P1

³⁸ Housing costs equal to 30% of gross monthly income is the threshold designated by the U.S. Department of Housing and Urban Development used by many to determine whether housing is affordable.

³⁹ ACS Table DP04

As of 2020, roughly 42 (or about 17% of the housing supply) housing units in Isleton were mobile homes or other types of alternative housing, compared to the state average of just 3.5%⁴⁰, indicating the community's need for affordable housing options. However, in 2021, a fire destroyed 42 low income housing units, including 25 mobile homes and 16 recreational vehicles⁴¹. This incident caused a relatively massive loss in affordable housing options compared to the city's population (Jasper & Smith). Isleton has a need for affordable housing, and conditions in recent years have made this need more pronounced for the community

Homeownership

The headline rate of homeownership is similar to the state average: 60.2% of households in Isleton⁴² compared with 57.9% statewide. However, since Isleton's population skews older (the median age is 44.3 compared to the state median of 36.7⁴³), we would expect to find much higher rates of homeownership than average since rates of homeownership increase significantly with age⁴⁴. Thus, on an age-adjusted basis, rates of homeownership appear lower than expected in Isleton. Homeownership affords the opportunity to avoid rising rent and to accumulate wealth. Renters, who forgo these opportunities, face greater economic vulnerability, decreasing their ability to confront a hardship such as an arrest or being charged with a crime.

Single Householders

In Isleton, 60.2% of households are single householders with no spouse or partner present, compared to 43.8% for the state⁴⁵. One may suspect that this figure is driven by a higher rate of widow/widower households due to the older demographic in Isleton, however only 3.1% of households in Isleton are widows, versus the state average of 4.9%⁴⁶. Single householders are more vulnerable to a variety of hardships, including the consequences of a cannabis arrest, charge, or conviction.

4.3 Educational Attainment in The City of Isleton

Rates of higher educational attainment in Isleton are below state averages. While high school graduation rates are on par with state averages, as of 2020, roughly 3.9% of residents 25 and

⁴⁰ ACS Table S2504

⁴¹ This may cause some confusion. The ACS mobile home estimate of 42 has a wide margin of error while the number of mobile homes destroyed in the fire is exact. Thus, the fact that both of these figures are 42 is coincidental. It is not the case that all of the mobile homes in Isleton were destroyed in the fire.

⁴² ACS Table B25008

⁴³ ACS Table DP05

⁴⁴ ACS Table B25007

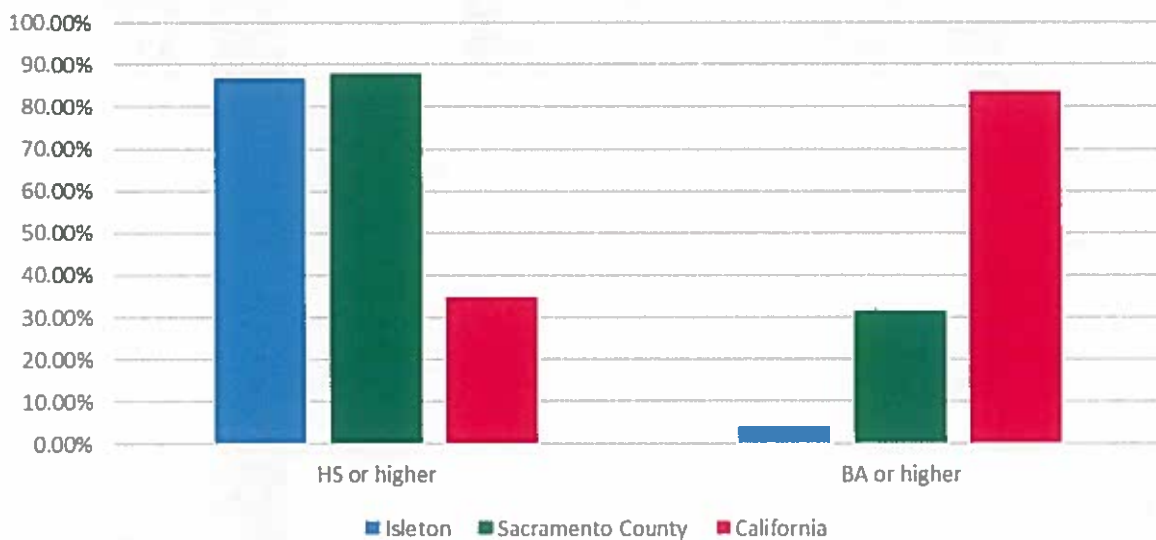
⁴⁵ ACS Table DP02

⁴⁶ ACS Table S0601

older held a bachelor’s degree or higher compared to the state average of 32.9%⁴⁷. Given the small sample size, and the wide disparity, it is reasonable to suspect that this finding is a statistical anomaly. However, 2000 Census data, which are less susceptible to statistical variation, show a similar result as just 11.6% of the population holding a bachelor’s degree or higher versus the 26.6% statewide average at that time⁴⁸.

It may be that the lower educational attainment is in part a legacy of Isleton’s industrial blue collar past. Regardless of the reasons, those without a college education are more vulnerable to, and less prepared to navigate, the consequences of a drug arrest, charge, or conviction.

Figure 4.8
Educational Attainment for Population 25 and Older



4.4 Youth Cannabis Use

Isleton does not have a middle school or high school, and after the 6th grade, Isleton students attend middle and high school in neighboring Rio Vista. Thus, we assess youth cannabis use for the River Delta Joint Unified School District which serves Rio Vista.

Cannabis use rates are similar to those of the state averages for students reporting use in the past month. For lifetime use, we see somewhat higher rates of students using cannabis at least once in their life for grades 9 and 11 (KidsData).

⁴⁷ ACS Table S1501

⁴⁸ Census Table DP2

Figure 4.9
One or More Days of Cannabis Use in Past Month

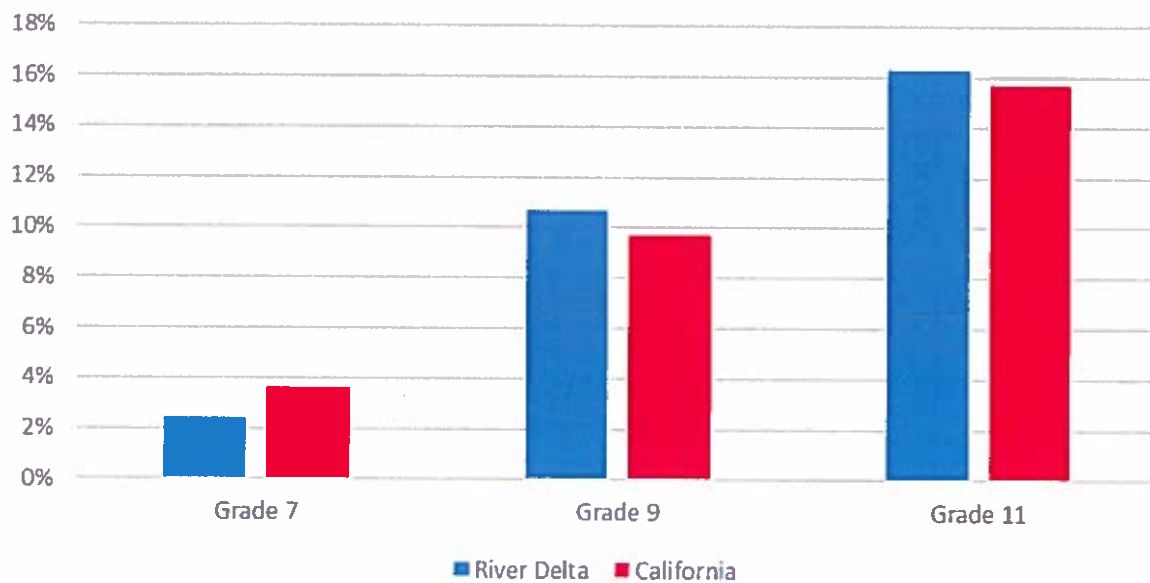
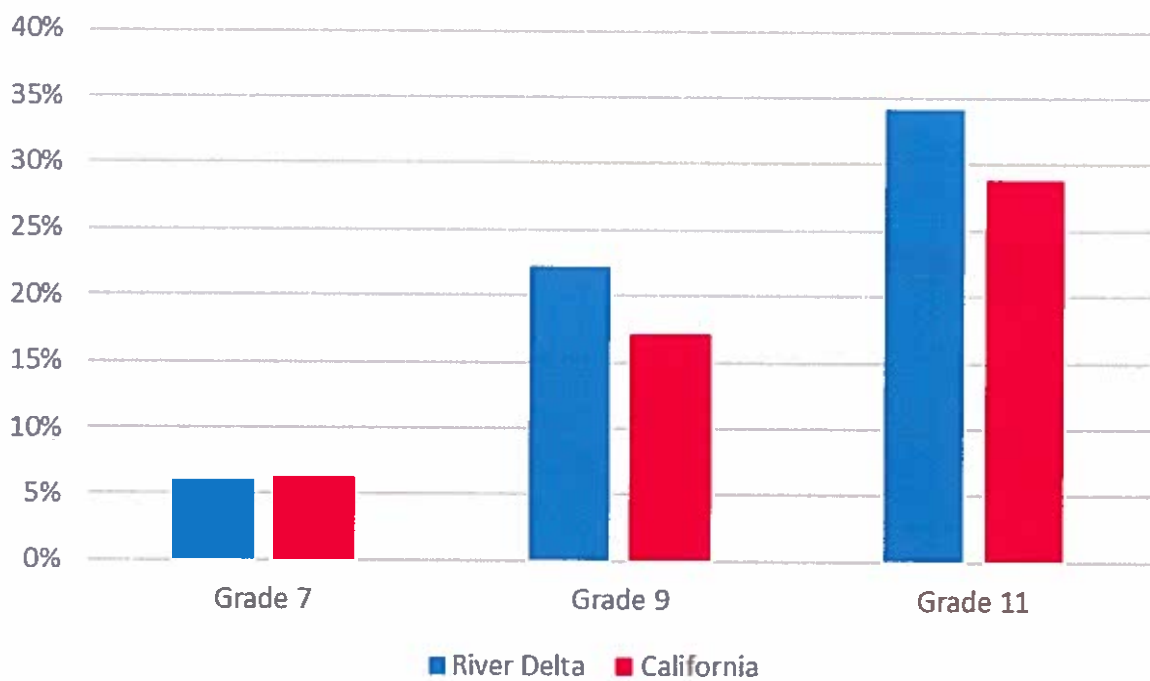


Figure 4.10
One or More Days of Cannabis Use in Lifetime



Section 5. Overview of the Isleton Cannabis License Process & Issued Permits

5.1 Existing Regulatory Environment

Figure 5.1

Cannabis Regulations in Nearby Jurisdictions (Department of Cannabis Control)

Nearby Jurisdictions	Retail (Store)	Retail (Delivery)	Distribution	Manufacturing	Cultivation	Testing
Contra Costa County	Allowed	Allowed	Allowed	Allowed	Limited	Allowed
Sacramento County	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
San Joaquin County	Prohibited	Allowed	Allowed	Allowed	Allowed	Allowed
Solano County	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
Rio Vista City	Allowed	Allowed	Allowed	Allowed	Limited	Allowed
Sacramento City	Allowed	Allowed	Allowed	Allowed	Limited	Allowed
Isleton	Allowed	Allowed	Allowed	Allowed	Limited	Allowed

Isleton and Sacramento City are the only two jurisdictions in Sacramento County that allow any form of commercial cannabis. Sacramento County and two of the three nearest counties neighboring Isleton prohibit storefront cannabis firms. This reduces competition and creates more market opportunities for firms within Isleton to provide products to customers from nearby areas that do not allow for retail cannabis.

In Isleton, outdoor cannabis cultivation is prohibited (see Appendix, Ordinance 2018-2), though indoor cultivation is permitted as well as all other types of commercial cannabis. The number of businesses ‘primarily engaged in retail’ is capped at 3⁴⁹.

⁴⁹ See Ordinance 2018-08 in Appendix. The exact wording in the ordinances is ‘the number of commercial cannabis facilities engaging primarily in retail cannabis sales shall not exceed three’.

5.2 Review of Issued Permits in Isleton and Application Process

Favorable market and regulatory conditions have attracted cannabis entrepreneurs to the city. As of 2022, Isleton has nine cannabis permitted firms in operation—one firm for every 88 citizens. Of these nine firms, 19 cannabis licenses have been granted.

Manufacturing and distribution are significant industry sectors, indicating that Isleton’s cannabis industry is focused less on cultivation and more on valued-added economic activities and distribution. The City’s proximity to several major cities as well as its relatively low labor and real estate costs likely confer a comparative advantage in these economic activities.

As discussed in Section 4, these new economic activities appear to have improved economic and employment conditions in the city.

Figure 5.2

Existing Permits in Isleton

Permit Type	Issued and in operation
Cultivation	2
Manufacturing	5
Retail	2
Retail Dispensary	3
Distribution	5
Delivery-only	1
Packaging/Processing	1

Application Process

Isleton’s application process is typical of many other jurisdictions. Applicants must submit an application and fee of \$4,200, which is required to process the application. Applicants are expected to furnish information about the type of business, site plans, floor plans, a security plan, and an odor mitigation plan. Completed applications are subject to review by the city Planning Commission and City Council.

Section 6. Barriers to Entry

The section that follows outlines the barriers to entry that equity stakeholders in Isleton face when seeking to transition into the legal cannabis sector. While many cannabis entrepreneurs are drawn to the city due to its relative affordability, economic conditions for the residents of Isleton prevent many locals from attaining the substantial resources needed to start a legal cannabis business. Isleton’s cannabis equity applicants and stakeholders face financial, banking, administrative/technical, and business acumen barriers.

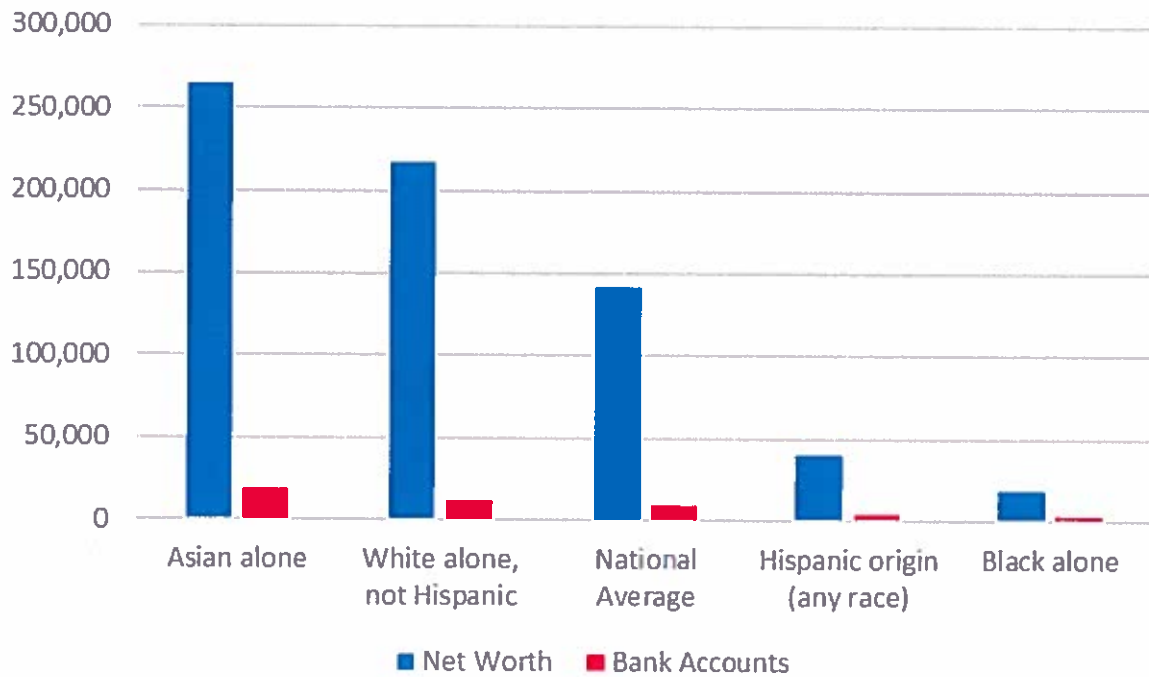
Financial

All new businesses face financial requirements to enter a new market. For individuals adversely affected by the historical criminalization of cannabis and/or poverty, financial barriers can be difficult to overcome. The application fees, fees for professional studies, traffic impact fees, and the cost of compliance with mitigation measures are significant barriers for smaller scale operations and/or socio-economically disadvantaged populations. Additionally, in Isleton, financial barriers include the costs of making zoning-compliant real estate also compliant with the City's building code.

A survey of cannabis industry stakeholders in Monterey County revealed that “paying rent on property while waiting for permits” is the number one barrier to entry to the legal cannabis industry, with 91% of respondents agreeing that this is a barrier to entry. Other significant financial barriers to entry include finding affordable properties for purchase (77% agree) or rent (73% agree), obtaining startup funds (75% agree), and cost of permits (71% agree) (Institute for Community Collaborative Studies).

Financial barriers are an especially predominant barrier for Isleton’s significant Hispanic population. Hispanic and Black households typically have significantly lower net worth and liquid net worth than Asian and white non-Hispanic households. Nationally, the median Hispanic origin household has a net worth (including primary residence) of \$39,800 and checking and savings account balances totalling \$4,090 (United States Census Bureau 2022). Recently elevated levels of poverty and unemployment, as well as currently low levels of income in Isleton (see Section 4), indicate that financial barriers are of particular significance in Isleton. This is an important consideration for determining eligibility criteria as well as the provided benefits of Isleton’s cannabis equity plan (see recommendations in Section 7).

Figure 6.1



Access to Personal and Business Banking Services

While about 2.5% of white households are unbanked, over 12% of Hispanic households are unbanked, meaning that no one in the household has access to banking services (Boel and Zimmerman). Attaining access to personal banking services adds an additional layer of difficulty in gaining access to the legal cannabis industry, one that disproportionately impacts Black and Hispanic populations.

The most prevalent reasons for being unbanked are the inability to meet minimum balance requirements and lack of trust in banks. These proximate causes suggest that lack of banking services is fundamentally interacting with other barriers: income, wealth, and financial literacy. These factors are likely to translate into, among other challenges, difficulty attaining business banking services.

Compounding these barriers is the legal ambiguity that banks face in providing services to firms related to the cannabis industry. According to the American Bar Association, no major bank and only a small minority of smaller banks and credit unions provide services to cannabis firms out of fear of violating federal law (Black & Galeazzi).

Lack of business banking further complicates the process of obtaining access to the legal cannabis industry and creates unnecessary risks. The American Bar Association adds:

This state of legal limbo greatly increases the risks to which these businesses are exposed in that they must deal with large amounts of cash, thereby increasing the risk of robbery and making it difficult to render payment to others. (Black & Galeazzi)

Administrative

Applications require an understanding of and compliance with complex requirements from multiple local and state agencies. In regards to cannabis permits, there are considerable administrative/technical barriers to entry. These processes are time-consuming, resource-intensive, and can require significant technical knowledge and/or skill. Accessing traditional sources of technical assistance, such as small business development centers, is not a viable option for those looking to enter the legal cannabis industry, as these programs are typically federally funded and risk losing funding for assisting firms conducting activity deemed illegal by the federal government.

Education and Business Acumen

The skills needed for participation in a highly regulated marketplace, including business planning, human resources management, accounting, and inventory controls can be significant barriers to entering a new market. Business education will be particularly important for Disproportionately Impacted Area (DIA) stakeholders because high rates of historical and current poverty indicate that such applicants will likely need and will benefit from education, training, and skill-building on how to successfully enter and thrive in the legal cannabis market. Well-resourced and highly-educated applicants have a significant advantage in the emerging legal industry, and a level playing field is necessary to ensure that those impacted by criminalization and poverty have both the resources and expertise to compete with more resourced and educated applicants.

Isleton's low rate of college attainment (see Section 4.3) is an important consideration for determining the benefits to be provided by Isleton's cannabis equity plan (see Section 7), as those without a college education may benefit from business education and assistance navigating the regulatory environment.

Section 7. Cannabis Equity Program Recommendations

Recommendation 1: Targeted Eligibility Factors

Equity program eligibility factors should be focused on specific targeted populations most harmed by cannabis criminalization and poverty in order to reduce barriers to entry into the legal, regulated market. Eligibility criteria should be supported by data.

Figure 7.1 presents eligibility criteria recommendations as well as corresponding findings from this report.

Figure 7.1

Eligibility Criteria	Findings and Recommendations
Cannabis or other drug arrest or conviction	<p>Finding: Isleton experienced exceptionally high rates of cannabis and drug arrests in its past. People of color as well as Black and Hispanic juveniles in Sacramento County were disproportionately impacted by the War on Drugs (Section 3).</p> <p>Recommendation: Consider including the following criteria:</p> <ol style="list-style-type: none"> 1. Have been arrested for or convicted of the sale, possession, use, manufacture, or cultivation of cannabis or any other drug (including as a juvenile) or been subject to asset forfeiture between 1985 and 2016 2. Have a parent, guardian, sibling, or child who was arrested for or convicted of the sale, possession, use, manufacture or cultivation of cannabis, or any other drug, between 1985 and 2016
Residency	<p>Finding: Isleton as a whole experienced a disproportionate frequency of drug arrests, most of which were for possession (Section 3). Additionally, Isleton historically has experienced exceptionally high rates of poverty and unemployment (Section 4). Therefore, the effects of the War on Drugs and poverty were particularly acute for the citizen's of Isleton.</p> <p>Recommendation: Additional consideration to those who have resided in Isleton for multiple years prior to and including 2016</p>
Income	<p>Finding: Isleton is a low-income area (Section 4).</p> <p>Recommendation: Additional consideration for households with income at or below 80% of the area median income for household size</p>

Poverty status or economic hardship	<p>Finding: Isleton historically has experienced exceptionally high rates of poverty and unemployment (Section 4).</p> <p>Recommendation: Additional consideration for applicants who can demonstrate current or past poverty or economic hardship, such as income below the federal poverty threshold or unemployment for an extended period</p>
Veteran status	<p>Finding: Isleton has a significant veteran population. Veterans historically have unique challenges such as PTSD, and an equity program may help veterans overcome barriers (Section 2).</p> <p>Recommendations: Additional consideration to those with veteran status</p>

Recommendation 2: Create Opportunity to Participate

Ensure that applicants meeting equity program eligibility factors have adequate opportunity to take advantage of the program. Consider incentivizing ongoing support for equity applicants.

Consider the following strategies:

- **Prioritization:** Consider a prioritized permit process for equity applicants.
- **Ratios:** Consider mandating a requisite number/ percentage of equity applicants during permitting.
- **Provisional Approval:** Consider allowing for provisional approval of permits to allow equity applicants to overcome financial barriers. Provisional approval may provide potential investors with more certainty and willingness to provide capital investments.
- **Amnesty Program:** Consider developing pathways such as an amnesty program to encourage existing nonconforming businesses (such as small operators who qualify as equity applicants) to transition to the legal market.
- Consider facilitating co-operative or co-location arrangements.

Recommendation 3: Track Data to Measure Success

All peer jurisdictions who have implemented adult-use cannabis require data collection to understand the impact of the industry. Consider tracking data on general and equity applicants on an ongoing basis to measure the success of the equity program. Collect demographic data from equity program participants in accordance with guidance from the state of California.

Demographic data requested by the state includes: Race/Ethnicity, Gender, Sexual Orientation, Income Level, Prior Convictions, Military Service, Age, and Disability Status.

Although completion of an annual demographic questionnaire would be voluntary, program participants should be encouraged to complete the questionnaire so that the City can assure that

funding is leading to the creation of job opportunities and wealth for those affected by past criminalization.

Recommended Metrics:

- Number of equity applicants who apply⁵⁰
- Applicant information such as:
 - Types of drug-related offenses
 - Income status
 - Race
 - Ethnicity
 - Gender
 - Sexual Identity
 - Residency Status
 - Ownership Structure
- Cannabis workforce characteristics
 - Total number of employees
 - Number of local employees
 - Employment status (full-time, part-time, etc.)
- Equity program-specific data
 - Number of applicants eligible for equity program
 - Number and types of services provided to equity applicants
 - Number of equity program applicants to receive licenses

Recommendation 4: Address Barriers to Entry

Create specific services and programs for equity applicants that address and mitigate barriers to entering the legal cannabis market. Isleton in its recent past has experienced poverty and unemployment rates much higher than the state average (Section 4.1), and the City continues to have a median income far below the state average. Additionally, Isleton has much lower rates of educational attainment compared to the state (Section 4.3). Economic hardship and less formal education mean that many in Isleton experience disadvantages compared to wealthier applicants or applicants with more formal education. Isleton's cannabis equity plan should include strategies to help equity entrepreneurs overcome these challenges and successfully compete in the cannabis industry.

⁵⁰ For those who do not complete the process, document the state and reason that they stopped if possible.

Barrier	Consider the following strategies:
Financial	<ol style="list-style-type: none"> 1. Waive fees for application assistance trainings 2. Deferral of or assistance with payment of application fees for zoning and special use permits 3. Waive or defer fees for trainings and certifications required by law 4. Loans or grants to incentivize businesses that mitigate adverse environmental effects of cannabis cultivation and manufacturing 5. Waive permit fees for applicants satisfying equity criteria.
Administrative /Technical	<ol style="list-style-type: none"> 1. Technical assistance for formation of cannabis cooperative associations 2. Provide training and/or technical assistance to assist those with past cannabis convictions to get their records expunged, for any remaining individuals who have not already had their records expunged 3. Work with banking institutions and provide technical assistance to support equity applicants in accessing banking services
Business Acumen	<ol style="list-style-type: none"> 1. Employment skill training for equity participants employed or seeking employment in licensed cannabis operations 2. Training/support for business owners to understand workforce rules and regulations. See recommendations below.

Below are a series of recommendations adapted from *Workforce Report: Humboldt County's New Cannabis Landscape* (2018) authored by Deborah Claesgens & Michael Kraft on behalf of the Humboldt County Workforce Development Board:

Manufacturing/Production

Artisan Size Businesses

- Access to business planning (business startup strategy: how to build and manage a detailed startup business plan that can scale up and include facilities, marketing, tax and regulation, payroll, human resources hiring and supervision, and teamwork).
- Access to incubation and manufacturing hubs that can hire, cross train, and job share positions between small entrepreneurs.

Retail

- Access to comprehensive business and marketing strategies that connect cannabis retail to tourism and related workforce development (hiring, training, presentation, customer service, job readiness and supervisory skills).
- Access, training or mentorship in general business supervisory, customer service, workplace norms, and software skills.
- Evaluate the specific need and content for a program that certifies front line

positions (budtending, security, track and trace, manufacturing, and packaging personnel).

Agriculture/Cultivation:

- Access to business planning, low cost loans, or investment sources that can assist equity applicants with access to real estate, so that income can be spent on hiring, training, growing wages, and benefits of a variety of jobs, from farm management to bookkeeping. Equity funding could support this access for those impacted by cannabis criminalization and/or poverty.
- Support for reasonable regulations and zoning that promote and incentivize employers to build good business and workforce development practices.
- Access to standard human resource methods— hiring and orientation, training in proper and regulated land use for farm and field workers, hiring and supervision processes, setting job benchmarks and performance standards, and evaluating performance for promotion or wage scale increases.
- Access to business and HR tools: developing HR manuals and procedures, how to frame up a request for a consultant scope, how to interview and select the right consultant or consultant firm, and how to manage a consultant scope.
- Developing, securing, and increasing farm management skills in agricultural, biology, and land management.
- Access to agricultural extension services to help with the science of plant biology from a medicinal and commercial standpoint; help feed local graduates in biology and environmental sciences into the cannabis industry, much like is done in the timber industry.

Recommendation 5: Ensure Adequate Cannabis Permit Staffing

The city of Isleton should consider utilizing cannabis tax revenue to ensure that county staff managing cannabis permitting are at full staffing levels and are trained and educated on the cannabis permitting process. Not only should City staff be able to handle expertly crafted applications from well-funded applicants, but they should also be able to offer technical assistance and support for less-resourced applicants who are struggling to navigate a complex and expensive permitting process.

Recommendation 6: Consider Community Reinvestment

Local cannabis revenues can be directed to community reinvestment programming to rebuild and restore communities adversely affected by the past criminalization of those involved in the cannabis industry. A portion of Isleton cannabis taxes can be used to supplement equity funding received from the State of California.

Some potential focus areas include:

1. Local cannabis equity program

2. School-based youth alcohol and drug prevention efforts
3. Non-profit and/or citizen-led organizations whose work focuses on the health and well-being of residents
 - a. Organizations working to address abuse, assault, and trafficking within the cannabis industry
 - b. Restorative justice programs for youth and/or adults
 - c. Neighborhood improvement associations
 - d. Infrastructure projects that will improve the quality of life for city residents

Recommendation 7: Encourage Equitable Employment Practices

All cannabis operators should provide equitable employment opportunities. These opportunities should include providing a living wage to employees and hiring those with past non-violent cannabis convictions, local residents, and other historically-disadvantaged populations.

- Leverage existing workforce programs in the city/county
- Expand workforce curriculum to support professional opportunity and development
 - Support workforce fairs to provide outreach and education
 - Engage individuals who are experienced in the cannabis industry and have transitioned from the unregulated market to the regulated market to ensure curriculum is relevant and applicable
- Consider incentivizing employers to prioritize hiring for local residents, those with past non-violent cannabis convictions, and other historically-disadvantaged populations (such as women, those who lived in communities targeted by CAMP raids, those living in poverty, and tribal members).

Recommendation 8: Continuous Monitoring and Improvement

Update *The City of Isleton Cannabis Equity Assessment* next year and every three years afterwards to:

1. Monitor and share progress of the Equity Program,
2. Monitor and share trends in the emerging legal cannabis industry,
3. Identify areas for course correction and/or unexpected consequences

Appendix: Isleton Ordinance History

Location Cannabis Regulations - Related Ordinances

ORDINANCES

The below section provides a high level overview of the City of Isleton's cannabis-related measures and programs from 2018 to the present.

Date: Adopted 4/25/2018, Effective 5/25/2018

Title: Ordinance No. 2018-01

Summary: An ordinance that bans smoking of cannabis or cannabis products on City property. This ordinance makes smoking cannabis on City property punishable as a misdemeanor.

Date: Adopted 4/25/2018, Effective 5/25/2018

Title: Ordinance No. 2018-2

Summary: An ordinance that bans the outdoor cultivation of cannabis anywhere in the Isleton. This chapter requires that commercial cannabis facilities in Isleton are to cultivate only in secured, enclosed, ventilated structures, not visible to the public, and in Commercial (C) and Planned Industrial Districts (PDI) within the City. Additionally, the chapter asserts the following conditions: commercial cannabis facilities will need a development agreement approved by the city council prior to operation. The public safety and security plan for every commercial cannabis facility must be reviewed and approved by the City. Commercial cannabis facilities will not have exterior signage, and they must have ventilation systems that prevent odors outside the structure. Finally, commercial cannabis facilities must be inaccessible to anyone under 21 years old, unless licensed to sell to medicinal cannabis patients over 18.

Date: Adopted 4/25/2018, Effective 5/25/2018

Title: Ordinance No. 2018-3

Summary: This ordinance amends the Isleton Zoning Ordinance, conditionally permitting and setting zone restrictions on where commercial cannabis activity and personal use cultivation can take place within Isleton.

Date: Adopted 6/26/2018, Effective 7/25/2018

Title: Ordinance No. 2018-08

Summary: This ordinance adds section 2307 to Chapter 23 of the Isleton Zoning Ordinance. This amendment officially ends the moratorium on commercial cannabis activities in the City of Isleton. The amendment requires a Conditional Use Permit for all commercial cannabis facilities. Conditional Use Permits will be valid for five (5) years. The zoning permits specify that cannabis facilities will not allow cannabis use on site, that commercial cannabis facilities will not be visible from public thoroughfares, that no minors will be allowed to access commercial cannabis facilities except for primary caregivers or minors accompanied by their parent/guardians, and that there will be no public access to commercial cannabis facilities except for retail locations.

The amendment puts a cap on total retail facilities, limiting the number of primarily retail and delivery commercial cannabis businesses to no more than three (3) businesses. Permits are to be issued on a first come, first serve basis.

Date: Adopted 9/23/2018, Effective 10/23/2018

Title: Ordinance No. 2018-5

Summary: This ordinance provides an amendment to the Isleton Zoning Ordinance, allowing for the indoor cultivation of cannabis for personal use in residential zoning areas. The amendment allows for one (1) permit per residence, to grow no more than six (6) mature or twelve (12) immature cannabis plants for personal use pursuant to the CA Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”). The plants must not be visible or evident from the public, including light emanating from the cultivation. Grow lights must not exceed one-thousand two hundred (1200) watts. The residential structure or greenhouse involved in the personal indoor cultivation will have proper ventilation and filtration systems to prevent the odor escaping to the public. The residential premises must have a fully functional and usable kitchen, bathroom, and bedroom areas used by the primary resident grower, and the premises must not be used solely or exclusively for cannabis cultivation. The permit for personal use cultivation is valid for three (3) years and may be extended after.

Essentially, this amendment allows for personal use cultivation, so long as cultivation happens in a residential home, with the appropriate lighting, filtration, and preventative planning so that it is not detectable to the public.

Date: Adopted 04/09/2019, Effective 05/09/2019

Title: Ordinance No. 2019-05

Summary: This ordinance provides an amendment to the Isleton Zoning Ordinance which repeals a subsection from Article 23, Section 2306. The amendment removes subsection c, effectively ending the city ban on exterior signage for commercial cannabis facilities.

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City of Isleton

City Council
Staff Report

DATE: October 25, 2022

ITEM#: 7.D

CATEGORY: Old Business

ORDINANCE REGULATING ENCROACHMENTS IN THE PUBLIC RIGHT – OF – WAY, ISLETON MUNICIPAL CODE, TITLE VIII PUBLIC PLACES CHAPTER 8.01 ENCROACHMENTS; ORDINANCE 2022-22, SECOND READING

SUMMARY

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

DISCUSSION

The present practice for use of the City property and rights-of-way has been to set conditions for each permit on a case by case basis. The City has not consistently required protection of its facilities, grounds, and liability. This ordinance, attached, provides this protection.

Establishing an ordinance for use of public ways promotes public safety and general welfare through the regulation of public way activities. This ordinance requires insurance, fees to cover damage and cleaning, and safety for citizens and traffic.

This ordinance was introduced and passed first reading by Council on April 12, 2022. This action is to approve second reading and adopt the Ordinance

FISCAL IMPACT

There is no fiscal impact associated with this report.

RECOMMENDATION

It is recommended that the City Council approve the second reading and adopt Ordinance No. 2022-002, Regulating Encroachments in the Public Right-of-Way.

ATTACHMENTS

1. Ordinance 2022-22 Title VIII Public Places Chapter 8.01 Encroachments, Regulating Encroachments in the Public Rights-Of-Way.

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



DRAFT ORDINANCE NO. 2022-002
AN ORDINANCE OF THE CITY OF ISLETON ADDING TITLE
VIII PUBLIC PLACE
CHAPTER 8.01 ENCROACHMENTS OF THE ISLETON
MUNICIPAL CODE REGULATING ENCROACHMENTS IN
THE PUBLIC RIGHT OF WAY

8.01.010 Definitions

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

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

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

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

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

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

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

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

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

“Temporary and seasonal business activities in or adjoining public rights-of-way” means those business activities that use private or public property, whether for profit or not, whether located within the city limits or not, on a temporary basis for sales of goods, products or services, using

temporary structures or apparatus to conduct business including but not limited to, Christmas tree sales, pumpkin sales, food sales, fireworks sales, which are located either on or adjoining public rights-of-way on a temporary basis.

8.01.020 Purpose and Intent

- A. Construction, excavation and temporary, seasonal businesses activities in or adjoining public rights-of-way presents an inconvenience and danger to the safety and welfare of persons using such rights-of-way, including pedestrians, persons entering and leaving vehicles and buildings, vehicle traffic on streets, and persons performing essential utility, traffic control and emergency services.
- B. Seasonal and temporary businesses activities and construction activity can be so located so as to cause an inconvenience or danger to persons using public rights-of-way and constitute public nuisances.
- C. The uncontrolled proliferation of seasonal and temporary businesses in or adjoining public rights-of-way detracts from the appearance of streets, sidewalks, and adjacent businesses.
- D. The uncontrolled placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way inhibits safe entry and departure of vehicles.
- E. The uncontrolled placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way impairs the vision and distracts the attention of motorists and pedestrians, particularly small children and may cause injury to the person or property of such persons.
- F. The placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way adjacent to residential areas detracts from and reduces neighborhood aesthetics and increases the exposure of residents to noise, traffic volume and hazards and congestion.
- G. The provisions and prohibitions contained and enacted in this chapter are in pursuit of and for the purpose of securing and promoting the public safety and general welfare of persons in the city in their use of public rights-of-way through the regulation of construction and excavation in the rights-of-way, as well as, the placement, appearance, number, size, and operation of temporary structures related to seasonal and temporary businesses in or adjoining the public rights-of-way.
- H. It is not the intent of this chapter to in any way discriminate against, regulate, or interfere with the publication, circulation, distribution, or dissemination of any printed material that is constitutionally protected.

08.01.030 Permits to do work in within streets required

No person shall make any excavation or dig any trench or remove or destroy in any way, any curb, gutter, sidewalk or street pavement, or alter or tear up the surface, or install any sidewalk, curb, gutter, driveway approach, drainage well, street or alley pavement, sewer, pipeline, conduit, pole, tank or anything else in or upon any public street, alley, sidewalk or other public place in the city without first securing a permit from the director and filing bonds and insurance as hereinafter specified and required; provided, that a permit shall not be required for work done under a contract therefor by the council; and provided further, that a permit shall not be required for public utilities service installations or minor maintenance work in connection therewith, when such installation or work is done on any street prior to the installation of street surfacing.

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

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

1. The location of each temporary structures to be installed or maintained by applicant; and
2. The name, address and telephone number of the applicant.

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

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

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

8.01.050 Work to be performed by a licensed contractor

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

8.01.060 Exceptions

A. The provisions of this chapter are not applicable to the installation of a mail box. However, mail boxes shall be installed in accordance with the rules and regulations of the United States

post office department and shall not be placed within the public right-of-way, so as to endanger the safety of the persons using the streets and/or sidewalks. If the director determined that a mail box has not been installed in compliance with this subsection, he shall require the removal of the mail box in accordance with the procedure set forth in Chapter 6 of Division Two of the Streets and Highways Code of the state of California or any other applicable statutes or ordinance.

- B. The provisions of this chapter are not applicable to any work which is performed pursuant to a franchise granted by the city or the state of California.
- C. The provisions of this chapter are not applicable to any public agency which has the right under the laws of the state of California to perform work covered by the provisions of this chapter without following the procedure prescribed herein.
- D. Nothing in this chapter shall prohibit a person from making excavation in the street which is necessary for the preservation of life or property when such necessity arises during the hours when the office of the director is closed. If the person making such excavation files an application for the required permit on the first day that the office of the director is opened subsequent to the making of such excavation.

8.01.070 Application for permit

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

08.01.080 Hold harmless agreement

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

08.01.090 Insurance

- A. No person shall be entitled to a permit under this chapter unless and until he shall have filed and maintained on file with the city a certification that such person carries public liability and property damage insurance issued by an insurance carrier licensed to do business in the state of California, insuring the applicant, the city, its officers, employees and agents and named

insured against loss by reasons of injuries to, or death of, persons, or damages to property caused by the applicant, its agents or employees in performing any work under such permit, in the following amounts: Five hundred thousand dollars for the death of, or injury to, any one person in any one accident; one million dollars for the death of or injuries to, more than one person in any one accident; one million dollars for damages to property.

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

- B. If the work to be performed involves any excavation, the policy shall include any endorsement that affords coverage for explosion, collapse and underground hazards.
- C. Public utilities and other public agencies shall not be required to file the certification set forth in subsection (A) of this section, provided the utility or agency agrees in writing to indemnify and defend the city, its agents and employees from liability arising from the work, and pay all of the city's court costs and attorney fees incurred as a result of claims being made for damages therefor, that there shall be filed and maintained with the city, a certification showing them maintenance of a satisfactory plan of self-insurance, or sufficient evidence to be presented that the public utility or other public agency is of sufficient financial responsibility to provide the necessary indemnification.
- D. The insurance policy shall be in effect on the date the work is commenced and shall expire no sooner than one year after the date on which the work is completed.

08.01.100 Bond

- A. No permit shall be issued for making any excavation or for doing any work described in this chapter, which requires a permit, until the applicant has filed a corporate faithful performance or license bond in a sum designated by the director.
- B. The aforesaid bond shall be approved by the city attorney and filed with the city.
- C. In the event an applicant requests a permit to do any work under the terms of this chapter of the class for which a bond has been issued, the total estimate of costs of which exceeds the amount of said bond, he shall furnish an additional bond in a sum which, in together with the bond already on file, equals one hundred percent of the total estimated costs of the work.
- D. The condition of required bond shall be that in the event the excavation or work done under street work permits issued therefor shall fully comply with the provisions of this chapter, then said obligation shall be void; but in the event the principal shall fail to faithfully comply with any of the provisions of this chapter, then the director may direct that the work be done in accordance with the provisions of this chapter and the costs and expense of such work and, in the event of suit on the bond, attorney's fees and court costs shall be collectable from the principal and the surety or sureties on said bonds.

- E. All bonds required by this section shall be for a period of not less than one year and shall expire on the thirtieth day of June except if a corporate faithful performance bond is filed by a public utility, it shall be effective until revoked. No bond shall be cancelled except on thirty days' written notice to the director.
- F. Whenever the excavation or work is to be done in connection with the initial installation of subdivision improvements under a subdivision agreement guaranteed by a bond, or other improvements security, the bond specified by this section shall not be required.

08.01.110 Issuance of permit

- A. If the applicant for a permit complies with all of the provisions of this chapter and with all other applicable laws and ordinances of the state of California and the city, the director may issue the permit to the applicant. Permit granted by the director shall refer to this chapter and shall be granted by the director subject to all its terms and conditions which are set forth in this chapter.
- B. When the director grants a permit pursuant to this chapter, he may impose thereon such terms and conditions concerning the location, dimension or character of the work as he may deem necessary for the protection of the streets, the prevention of undue interference with traffic, to insure the safety of persons using the streets.
- C. If the applicant or the contractor who shall do the proposed work, does not comply with all of the requirements of this chapter and with all other applicable laws and ordinances of the state of California, and the city, the director shall deny the application for the permit. In any case in which the director determines that unusual circumstances make it advisable for the director to act on the application for a permit, he may refuse to grant the permit and submit the application to the city council for action.
- D. If the director denies an application for a permit, or issues a permit subject to conditions which the applicant or the contractor who shall do the proposed work, believes to be unreasonable, the applicant may appeal to the city council for issuance of the permit. The city council shall thereafter determine whether the permit shall be issued to the applicant and the terms and conditions under which it shall be issued, and the decisions of the city council shall be final.
- E. Nothing in this chapter shall be deemed to make it mandatory for the director or the city council to issue the permit and, upon an appeal to the city council, the decision whether the permit will be issued, and the terms and conditions on which it is issued, rest solely in the discretion of the council and the permit may be denied without cause.
- F. Issuance of a permit pursuant to this chapter does not imply or guarantee in any way that the city owns fee title to the real property in which the work is to be done or that the city has sufficient title to the real property in which the street is constructed to grant the sole responsibility of the permittee to secure such consent as may be necessary from the owner of the fee title of the property in which the street is located after he has received the permit.

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

08.01.120 Permit no transferable

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

08.01.130 Revocation of permit

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

08.01.140 Notice of commencement of work

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

08.01.150 Prescribing additional conditions

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

08.01.160 Location of pipe and conduits

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

08.01.170 Protection of traveling public

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

08.01.180 Removing Trees

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

08.01.190 Monuments

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

08.01.200 Restoration of streets

Immediately upon completion of the work authorized by the permit, the permittee shall refill the excavation or remove obstruction in a good workmanlike manner to insure against settlement. Saturated or unsuitable materials shall be removed from the excavation and shall be backfilled with suitable materials and thoroughly tamped. If a treated or modified subgrade of a street has been removed and destroyed as a result of the excavation, the permittee shall replace the subgrade to a thickness of not less than that of the adjacent subgrade. Crushed rock may be used to replace modified subgrade. If a treated or modified road surface has been removed and destroyed as a

result of the excavation, the permittee shall replace the road surface to a thickness and width not less than that of the original surface and he shall use the same type of material as the original surface. All work performed pursuant to this section shall be performed according to the standard specifications of the city and to the satisfaction of the director. If the permittee fails or refuses to repair and restore the street to the satisfaction of the director or according to the standard specifications of the city within a reasonable time, the director shall cause the damaged portion of the street to be repaired and restored and the permittee shall reimburse the city for the full costs of such work. If at any time subsequent to the first repair of the surface of a street it becomes necessary to again repair the surface due to settlement or any other cause directly attributed to such excavation or construction, the director shall cause such repairs to be made and the permittee shall reimburse the city for the full cost of such additional repairs.

08.01.210 Notice of completion

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

08.01.220 Failure to comply with permit

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

08.01.230 Performance by employee, agent or contractor

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

08.01.240 Interference with subsequent street work

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

08.01.250 Damage to encroachments

The applicant for a permit shall agree that the city shall not be held responsible for any damage to any structure or installation which is not clearly and visibly marked, by the construction, reconstruction, maintenance or repair or by use of overweight equipment on the street. The

permittee, his successors and assignees, upon being notified of such damage by the director shall immediately repair, remove or relocate the damage structure or installation.

08.01.260 Fees

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

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

08.01.270 Remedies

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

08.01.280 Violation

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

08.01.290 Effective Date and Publication.

This Ordinance shall take effect thirty (30) days after its adoption. The Deputy City Clerk is hereby directed to publish a summary of the Ordinance within fifteen (15) days after passage in a newspaper of general circulation published in the City of Isleton.

I, YVONNE ZEPEDA, DEPUTY CITY CLERK OF THE CITY OF ISLETON, HEREBY CERTIFY, this Ordinance was introduced at a regular meeting of the Isleton City Council on October 25, 2022 and PASSED and ADOPTED by the City Council of the City of Isleton at a regular meeting on October 25, 2022.

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

MAYOR, Eric Pene

ATTEST: _____
DEPUTY CITY CLERK, Yvonne Zepeda

City of Isleton

City Council
Staff Report

DATE: October 25, 2022

ITEM#: 7.E

CATEGORY: Old Business

CITY PROJECT LIST FOR CALIFORNIA CONSULTING, INC GRANT NOVEMBER 23, 2021 FOLLOW-UP

SUMMARY

Staff is responding to a citizen's request for a follow-up on the grants list that was provided to City Council approving California Consulting (CCC), Inc. providing grant writing services on November 23, 2021.

DISCUSSION

Below is the updated status on the November 23, 2021 grants list that was requested:

Project	Grant	Due Date	Status
Fire Protection Equipment and Emergency Response Needs	Assistance to Firefighters Grants Program (AFG)	12/17/21	Awarded \$18,000 on 09/2022 Contract Pending
Assists fire and disaster victims, supports volunteer fire departments, fire safety programs, first aid education, children in need, and delivers aid directly to victims through FFCF and other charitable organizations.	Firefighters Charitable Foundation (FFCF)	TBD	Not Known
Three (3) Mobile Pumps for Storms	CAL OES <i>Building Resilient Infrastructure and Communities (BRIC)</i>	01/08/22	CCC Failed to Submit
Skate Park at Wilson Park and China Park Restroom	California State Parks-Prop 68 Regional Park Program	01/20/2022	Sac County ARPA Funds Agenda Item #8.A
TBD - Enhance, rehabilitate, restore, or install measures to beautify and improve public spaces and mitigate the urban heat island effect. • Enhance public health, cultural connections, and community	Department of Transportation (DOT) <i>Clean California Local Grant Program</i>	Feb 2022	Canceled with CCC No application submitted

Project	Grant	Due Date	Status
placemaking by improving public spaces for walking and recreation.			
6 th Street Walking & Biking Trail	California State Parks <i>Prop 68 Recreational Trails Program</i>	03/01/22	Funds allocated to Wilson Park Rehabilitation
New City Hall, Fire Department and Community Center (rehab or new)	USDA <i>Community Facilities</i> State I-BANK	On-Going	Canceled with CCC – Pending
Zero-Emission Municipal Electric Utility Vehicle for Parking Enforcement Officers	TBD	TBD	Canceled with CCC Not Submitted
Electrical Vehicle Charging Center (Tower Park) Level 2 & DC Stations	TBD	TBD	anceled with CCC Not Submitted

FISCAL IMPACT

RECOMMENDATION

No recommendation. Information.

ATTACHMENTS

None

Written By: Diana O'Brien, Administrative Assistant
Reviewed by: Charles Bergson, City Manager
Submitted and prepared by: Yvonne Zepeda, City Clerk

City of Isleton

City Council
Staff Report

DATE: October 25, 2022

ITEM#: 8.A

CATEGORY: New Business

SACRAMENTO COUNTY AMERICAN RESCUE PLAN ACT (ARPA) OF 2021 FEDERAL SUBAWARD AGREEMENT FOR THE WILSON SKATE PARK AND MAIN STREET PARK RESTROOM PROJECTS; APPROVAL

SUMMARY

Sacramento County has offered the City American Resue Plan Act funds for the support of park and recreational facilities. Staff is recommended approval of an agreement to use these funds.

DISCUSSION

Through the efforts of Councilmember Steele working with Sacramento County Supervisor Nottoli, the City has been designated a recipient of \$120,000 of the County's American Rescue Plan Act allocation. The County would like to award these funds to the City to support park facilities. The proposed use for these funds would be

Staff requests City Council approve this Federal Subaward Agreement for the Wilson Skate Park and Main Street Park Restroom Installation Projects. These projects will be advertised for construction bids in early November. The placement of a skate park at Wilson Park will cost approximately \$40,000 and the estimated cost of installing a restroom facility at the Main Street Park is \$100,000 of which this grant will cover \$80,000.

FISCAL IMPACT

The ARPA funds will cover the Wilson Skate Park in the amount of \$40,000. \$80,000 will go towards installation of a new restroom at the Main Street Park. The City will find other park funds needed in excess of \$80,000.

RECOMMENDATION

It is recommended City Council approve the American Rescue Plan Act of 2021 Federal Subaward Agreement with Sacramento County for the Wilson Skate Park and Main Street Park Restroom Projects.

ATTACHMENTS

1. Sacramento County American Rescue Plan Act of 2021 Federal Subaward Agreement.

Written By: Diana O'Brien, Administrative Assistant
Reviewed by: Charles Bergson, City Manager
Submitted and prepared by: Yvonne Zepeda, City Clerk



DRAFT ARPA SUBRECIPIENT AGREEMENT TEMPLATE

SACRAMENTO COUNTY

**AMERICAN RESCUE PLAN ACT OF 2021 FEDERAL SUBAWARD AGREEMENT
FOR THE _____ PROJECT**

THIS AGREEMENT is made and entered into as of this _____ day of _____ 2022, by and between the COUNTY OF SACRAMENTO, a political subdivision of the State of California, hereinafter referred to as "COUNTY" or "County", and the (SUBRECIPIENT NAME), (type of agency/organization), hereinafter referred to as "SUBRECIPIENT" or "Subrecipient".

RECITALS

WHEREAS, the enduring COVID-19 pandemic continues to adversely affect Sacramento County residents and businesses causing downturns in the local, regional and national economies, creating a situation where local small businesses are financially struggling and residents need assistance to better connect with the health care, mental health, educational, and other local support systems in order to address the impacts of this crisis; and

WHEREAS, the American Rescue Plan Act of 2021 (ARPA), signed into law on March 11, 2021, established the Coronavirus State and Local Fiscal Recovery Funds under sections 602 and 603 of the Social Security Act to help states and localities address the economic and health consequences of the pandemic; and

WHEREAS, Sacramento County will receive approximately \$301.4 million from the Coronavirus State and Local Fiscal Recovery Funds in two installments, with 50% (\$150 million) provided in May 2021 and the balance delivered approximately 12 months later; and

WHEREAS, the SUBRECIPIENT has certain, specialized experience in providing [Subrecipient's specialized skills/experience] and

WHEREAS, the COUNTY desires to engage the SUBRECIPIENT to provide [County's reason for issuing subaward to Subrecipient]; services to individuals and small businesses during and post the COVID-19 crisis; and

WHEREAS, the services to be performed by SUBRECIPIENT pursuant to this contract will serve to provide direct services to [how funds will be used], and related COVID-19 support services to benefit Sacramento County and its residents; and

WHEREAS, the SUBRECIPIENT has proposed to provide the requested services for the compensation described herein; and

WHEREAS, the services to be provided by SUBRECIPIENT are not services provided by County employees and; therefore, not subject to the requirements of Sacramento County Charter Section 71-J; and

WHEREAS, the services to be provided by SUBRECIPIENT are authorized by Government Code Section 31000; and

WHEREAS, the Board of Supervisors adopted Resolution No. XXXX-XXXX, under which, and on behalf of the County of Sacramento, the Director _____, or designee, is authorized to execute an agreement for the services to be provided by SUBRECIPIENT; and

WHEREAS, COUNTY AND SUBRECIPIENT desire to enter into this Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises hereinafter set forth, COUNTY and SUBRECIPIENT agree as follows:

I. SCOPE OF SERVICES

SUBRECIPIENT shall provide services in the amount, type and manner described in Exhibits A, attached hereto and incorporated herein.

II. TERM

This Agreement shall be effective and commence as of the date first written above and shall end on XXXX.

III. NOTICE

Any notice, demand, request, consent, or approval that either party hereto may or is required to give the other pursuant to this Agreement shall be in writing and shall be either personally delivered or sent by mail, addressed as follows:

TO COUNTY

TO SUBRECIPIENT

Director
Department

(SUBRECIPIENT NAME AND ADDRESS)

Either party may change the address to which subsequent notice and/or other communications can be sent by giving written notice designating a change of address to the other party, which shall be effective upon receipt.

IV. COMPLIANCE WITH LAWS

SUBRECIPIENT shall observe and comply with all applicable Federal, State, and County laws, regulations and ordinances; including, but not limited to, the additional Federal Provisions set forth in Exhibits D and E, and any other

applicable American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Fund provisions.

V. GOVERNING LAWS AND JURISDICTION

This Agreement shall be deemed to have been executed and to be performed within the State of California and shall be construed and governed by the internal laws of the State of California. Any legal proceedings arising out of or relating to this Agreement shall be brought in Sacramento County, California.

VI. LICENSES, PERMITS AND CONTRACTUAL GOOD STANDING

A. SUBRECIPIENT shall possess and maintain all necessary licenses, permits, certificates and credentials required by the laws of the United States, the State of California, County of Sacramento and all other appropriate governmental agencies, including any certification and credentials required by COUNTY. Failure to maintain the licenses, permits, certificates, and credentials shall be deemed a breach of this Agreement and constitutes grounds for the termination of this Agreement by COUNTY.

B. SUBRECIPIENT further certifies to COUNTY that it and its principals are not debarred, suspended, or otherwise excluded from or ineligible for, participation in federal, State or county government contracts. SUBRECIPIENT certifies that it shall not contract with a subcontractor that is so debarred or suspended.

VII. PERFORMANCE STANDARDS

SUBRECIPIENT shall perform its services under this Agreement in accordance with the industry and/or professional standards applicable to SUBRECIPIENT'S services.

VIII. OWNERSHIP OF WORK PRODUCT

All technical data, evaluations, plans, specifications, reports, documents, or other work products developed by SUBRECIPIENT hereunder shall be the exclusive property of COUNTY and shall be delivered to COUNTY upon completion of the services authorized hereunder. SUBRECIPIENT may retain copies thereof for its files and internal use. Publication of the information directly derived from work performed or data obtained in connection with services rendered under this Agreement must first be approved in writing by COUNTY. COUNTY recognizes that all technical data, evaluations, plans, specifications, reports, and other work products are instruments of SUBRECIPIENT'S services and are not designed for use other than what is intended by this Agreement.

IX. STATUS OF SUBRECIPIENT

A. It is understood and agreed that SUBRECIPIENT (including SUBRECIPIENT'S employees) is an independent SUBRECIPIENT and that no relationship of employer-employee exists between the parties hereto. SUBRECIPIENT'S

assigned personnel shall not be entitled to any benefits payable to employees of County. County is not required to make any deductions or withholdings from the compensation payable to SUBRECIPIENT under the provisions of this agreement; and as an independent SUBRECIPIENT, SUBRECIPIENT hereby indemnifies and holds County harmless from any and all claims that may be made against County based upon any contention by any third party that an employer-employee relationship exists by reason of this agreement.

- B. It is further understood and agreed by the parties hereto that SUBRECIPIENT in the performance of its obligation hereunder is subject to the control or direction of County as to the designation of tasks to be performed, the results to be accomplished by the services hereunder agreed to be rendered and performed, and not the means, methods, or sequence used by SUBRECIPIENT for accomplishing the results.
- C. If, in the performance of this agreement, any third persons are employed by SUBRECIPIENT, such person shall be entirely and exclusively under the direction, supervision, and control of SUBRECIPIENT. All terms of employment, including hours, wages, working conditions, discipline, hiring, and discharging, or any other terms of employment or requirements of law, shall be determined by SUBRECIPIENT, and the County shall have no right or authority over such persons or the terms of such employment.
- D. It is further understood and agreed that as an independent SUBRECIPIENT and not an employee of County, neither the SUBRECIPIENT nor SUBRECIPIENT's assigned personnel shall have any entitlement as a County employee, right to act on behalf of County in any capacity whatsoever as agent, nor to bind County to any obligation whatsoever. SUBRECIPIENT shall not be covered by worker's compensation; nor shall SUBRECIPIENT be entitled to compensated sick leave, vacation leave, retirement entitlement, participation in group health, dental, life and other insurance programs, or entitled to other fringe benefits payable by the County to employees of the County.
- E. It is further understood and agreed that SUBRECIPIENT must issue W-2 and 941 Forms for income and employment tax purposes, for all of SUBRECIPIENTs assigned personnel under the terms and conditions of this agreement.

X. SUBRECIPIENT IDENTIFICATION

SUBRECIPIENT shall provide the COUNTY with the following information for the purpose of compliance with California Unemployment Insurance Code section 1088.8 and Sacramento County Code Chapter 2.160: SUBRECIPIENT'S name, address, telephone number, social security number, and whether dependent health insurance coverage is available to SUBRECIPIENT.

XI. COMPLIANCE WITH CHILD, FAMILY AND SPOUSAL SUPPORT REPORTING OBLIGATIONS

- A. SUBRECIPIENT's failure to comply with state and federal child, family and spousal support reporting requirements regarding a SUBRECIPIENT's employees or failure to implement lawfully served wage and earnings assignment orders or notices of assignment relating to child, family and spousal support obligations shall constitute a default under this Agreement.
- B. SUBRECIPIENT's failure to cure such default within 90 days of notice by COUNTY shall be grounds for termination of this Agreement.
- C. SUBRECIPIENT shall complete and return SUBRECIPIENT Certification of Compliance forms at the same time SUBRECIPIENT returns the executed copies of this Agreement.

XII. BENEFITS WAIVER

If SUBRECIPIENT is unincorporated, SUBRECIPIENT acknowledges and agrees that SUBRECIPIENT is not entitled to receive the following benefits and/or compensation from COUNTY: medical, dental, vision and retirement benefits, life and disability insurance, sick leave, bereavement leave, jury duty leave, parental leave, or any other similar benefits or compensation otherwise provided to permanent civil service employees pursuant to the County Charter, the County Code, the Civil Service Rule, the Sacramento County Employees' Retirement System and/or any and all memoranda of understanding between COUNTY and its employee organizations. Should SUBRECIPIENT or any employee or agent of SUBRECIPIENT seek to obtain such benefits from COUNTY, SUBRECIPIENT agrees to indemnify and hold harmless COUNTY from any and all claims that may be made against COUNTY for such benefits.

XIII. RETIREMENT BENEFITS/STATUS

SUBRECIPIENT acknowledges and agrees that COUNTY has not made any representations regarding entitlement, eligibility for and/or right to receive ongoing Sacramento County Employee Retirement System (SCERS) retirement benefits during the term of this Agreement. By entering into this Agreement, SUBRECIPIENT assumes sole and exclusive responsibility for any consequences, impacts or action relating to such retirement benefits that is or will be occasioned as a result of the services provided by SUBRECIPIENT under this Agreement. SUBRECIPIENT waives any rights to proceed against COUNTY should SCERS modify or terminate retirement benefits based on SUBRECIPIENT's provision of services under this Agreement.

XIV. CONFLICT OF INTEREST

SUBRECIPIENT and SUBRECIPIENT's officers and employees shall not have a financial interest, or acquire any financial interest, direct or indirect, in any business, property or source of income which could be financially affected by or otherwise conflict in any manner or degree with the performance of services required under this Agreement.

XV. LOBBYING AND UNION ORGANIZATION ACTIVITIES

- A. SUBRECIPIENT shall comply with all certification and disclosure requirements prescribed by Section 319, Public Law 101-121 (31 U.S.C. § 1352) and any implementing regulations.
- B. If services under this Agreement are funded with state funds granted to COUNTY, SUBRECIPIENT shall not utilize any such funds to assist, promote or deter union organization by employees performing work under this Agreement and shall comply with the provisions of Government Code Sections 16645 through 16649.

XVI. GOOD NEIGHBOR POLICY

- A. SUBRECIPIENT shall comply with COUNTY's Good Neighbor Policy. SUBRECIPIENT shall establish good neighbor practices for its facilities that include, but are not limited to, the following:
 - 1. Provision of parking adequate for the needs of its employees and service population;
 - 2. Provision of adequate waiting and visiting areas;
 - 3. Provision of adequate restroom facilities located inside the facility;
 - 4. Implementation of litter control services;
 - 5. Removal of graffiti within seventy-two hours;
 - 6. Provision for control of loitering and management of crowds;
 - 7. Maintenance of facility grounds, including landscaping, in a manner that is consistent with the neighborhood in which the facility is located;
 - 8. Participation in area crime prevention and nuisance abatement efforts; and
 - 9. Undertake such other good neighbor practices as determined appropriate by COUNTY, based on COUNTY's individualized assessment of SUBRECIPIENT's facility, services and actual impacts on the neighborhood in which such facility is located.
- B. SUBRECIPIENT shall identify, either by sign or other method as approved by the DIRECTOR, a named representative who shall be responsible for responding to any complaints relating to SUBRECIPIENT's compliance with the required good neighbor practices specified in this Section. SUBRECIPIENT shall post the name and telephone number of such contact person on the outside of the facility, unless otherwise advised by DIRECTOR.

- C. SUBRECIPIENT shall comply with all applicable public nuisance ordinances.
- D. SUBRECIPIENT shall establish an ongoing relationship with the surrounding businesses, law enforcement and neighborhood groups and shall be an active member of the neighborhood in which SUBRECIPIENT's site is located.
- E. If COUNTY finds that SUBRECIPIENT has failed to comply with the Good Neighbor Policy, COUNTY shall notify SUBRECIPIENT in writing that corrective action must be taken by SUBRECIPIENT within a specified time frame. If SUBRECIPIENT fails to take such corrective action, COUNTY shall take such actions as are necessary to implement the necessary corrective action. COUNTY shall deduct any actual costs incurred by COUNTY when implementing such corrective action from any amounts payable to SUBRECIPIENT under this Agreement.
- F. SUBRECIPIENT's continued non-compliance with the Good Neighbor Policy shall be grounds for termination of this Agreement and may also result in ineligibility for additional or future contracts with COUNTY.

XVII. NONDISCRIMINATION IN EMPLOYMENT, SERVICES, BENEFITS AND FACILITIES

- A. SUBRECIPIENT agrees and assures COUNTY that SUBRECIPIENT and any SUBCONTRACTORS shall comply with all applicable federal, state, and local Anti-discrimination laws, regulations, and ordinances and to not unlawfully discriminate, harass, or allow harassment against any employee, applicant for employment, employee or agent of COUNTY, or recipient of services contemplated to be provided or provided under this Agreement, because of race, ancestry, marital status, color, religious creed, political belief, national origin, ethnic group identification, sex, sexual orientation, age (over 40), medical condition (including HIV and AIDS), or physical or mental disability. SUBRECIPIENT shall ensure that the evaluation and treatment of its employees and applicants for employment, the treatment of COUNTY employees and agents, and recipients of services are free from such discrimination and harassment.
- B. SUBRECIPIENT represents that it is in compliance with and agrees that it will continue to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), the Fair Employment and Housing Act (Government Code §§ 12900 et seq.), and regulations and guidelines issued pursuant thereto.
- C. SUBRECIPIENT agrees to compile data, maintain records and submit reports to permit effective enforcement of all applicable antidiscrimination laws and this provision.
- D. SUBRECIPIENT shall include this nondiscrimination provision in all subcontracts related to this Agreement.

XVIII. INDEMNIFICATION

To the fullest extent permitted by law, for work or services (including professional services), provided under this Agreement, SUBRECIPIENT shall indemnify, defend, and hold harmless COUNTY, its governing Board, officers, directors, officials, employees, and authorized volunteers and agents, (individually an "Indemnified Party" and collectively "Indemnified Parties"), from and against any and all claims, demands, actions, losses, liabilities, damages, and all expenses and costs incidental thereto (collectively "Claims"), including cost of defense, settlement, arbitration, expert fees, and reasonable attorneys' fees, resulting from injuries to or death of any person, including employees of either party hereto, and damage to or destruction of any property, or loss of use or reduction in value thereof, including the property of either party hereto, and recovery of monetary losses incurred by COUNTY directly attributable to the performance of SUBRECIPIENT, arising out of, pertaining to, or resulting from the negligent acts, errors, omissions, recklessness, or willful misconduct of SUBRECIPIENT, its employees, or SUBRECIPIENT's subconsultants or subcontractors at any tier, or any other party for which SUBRECIPIENT is legally liable under law.

The right to defense and indemnity under this indemnity obligation arises upon occurrence of an event giving rise to a Claim and, thereafter, upon tender in writing to SUBRECIPIENT. Upon receipt of tender, SUBRECIPIENT shall provide prompt written response that it accepts tender. Failure to accept tender may be grounds for termination of the Agreement. SUBRECIPIENT shall control the defense of Indemnified Parties; subject to using counsel reasonably acceptable to COUNTY. Both parties agree to cooperate in the defense of a Claim.

This indemnity obligation shall not be limited by the types and amounts of insurance or self-insurance maintained by SUBRECIPIENT or SUBRECIPIENT'S SUBCONTRACTORS at any tier.

Nothing in this indemnity obligation shall be construed to create any duty to, any standard of care with reference to, or any liability or obligation, contractual or otherwise, to any third party.

XIX. INSURANCE

Without limiting SUBRECIPIENT'S indemnification, SUBRECIPIENT shall maintain in force at all times during the term of this Agreement and any extensions or modifications thereto, insurance as specified in Exhibit B. It is the responsibility of SUBRECIPIENT to notify its insurance advisor or insurance carrier(s) regarding coverage, limits, forms and other insurance requirements specified in Exhibit B. It is understood and agreed that COUNTY shall not pay any sum to SUBRECIPIENT under this Agreement unless and until COUNTY is satisfied that all insurance required by this Agreement is in force at the time services hereunder are rendered. Failure to maintain insurance as required in this agreement may be grounds for material breach of contract.

XX. INFORMATION TECHNOLOGY ASSURANCES

SUBRECIPIENT shall take all reasonable precautions to ensure that any hardware, software, and/or embedded chip devices used by SUBRECIPIENT in the performance of services under this Agreement, other than those owned or provided by COUNTY, shall be free from viruses. Nothing in this provision shall be construed to limit any rights or remedies otherwise available to COUNTY under this Agreement.

XXI. WEB ACCESSIBILITY

SUBRECIPIENT shall ensure that all web sites and web applications provided by SUBRECIPIENT pursuant to this Agreement shall comply with COUNTY's Web Accessibility Policy adopted by the Board of Supervisors on February 18, 2003 as well as any approved amendment thereto.

XXII. COMPENSATION AND PAYMENT OF INVOICES LIMITATIONS

- A. Compensation under this Agreement shall be limited to the Maximum Total Payment Amount set forth in Exhibit C, or Exhibit C as modified by COUNTY in accordance with express provisions in this Agreement, and as identified in Attachment A, Federal Funding Identification and Schedule.
- B. SUBRECIPIENT shall submit an invoice on the forms and in accordance with the procedures prescribed by COUNTY on a monthly basis for services performed during the previous month. Invoices shall be submitted to COUNTY no later than the fifteenth (15th) day of the month following the invoice period, and COUNTY shall pay SUBRECIPIENT within thirty (30) days after receipt of an appropriate and correct invoice. The payment shall only occur after the COUNTY reviews the GRANTEE's reimbursement request to ensure that expenditures detailed therein qualify for reimbursement in accordance with all published federal, state, and local guidance regarding the use of funds as specified by the US TREASURY. All payments from the COUNTY to the SUBRECIPIENT are subject to all applicable federal, state, and local laws regarding the governance of ARPA funds.
- C. COUNTY operates on a July through June fiscal year. Invoices for services provided in any fiscal year must be submitted no later than July 31, one month after the end of the fiscal year. Invoices submitted after July 31 for the prior fiscal year shall not be honored by COUNTY unless SUBRECIPIENT has obtained prior written COUNTY approval to the contrary.
- D. The COUNTY may request additional information from the SUBRECIPIENT, as needed, to meet any additional guidelines regarding the use of ARPA funds that may be established by the US TREASURY during the term of this Agreement.
- E. SUBRECIPIENT shall maintain for five years following termination of this Agreement full and complete documentation of all services and expenditures associated with the use of funds covered under this Agreement.

- F. In the event SUBRECIPIENT fails to comply with any provisions of this Agreement, COUNTY may withhold payment until such non-compliance has been corrected.

XXIII. LEGAL TRAINING INFORMATION

If under this Agreement SUBRECIPIENT is to provide training of County personnel on legal issues, then SUBRECIPIENT shall submit all training and program material for prior review and written approval by County Counsel. Only those materials approved by County Counsel shall be utilized to provide such training.

XXIV. SUBCONTRACTS, ASSIGNMENT

- A. SUBRECIPIENT shall obtain prior written approval from COUNTY before subcontracting any of the services delivered under this Agreement. SUBRECIPIENT remains legally responsible for the performance of all contract terms including work performed by third parties under subcontracts. Any subcontracting will be subject to all applicable provisions of this Agreement including any and all insurance requirements. SUBRECIPIENT shall be held responsible by COUNTY for the performance of any subcontractor whether approved by COUNTY or not.

SUBRECIPIENT shall attach and apply all terms and conditions in Exhibits D and E, as applicable, to all subcontracts, and shall require that all subcontractors of all levels comply with and attach and apply these terms and conditions to their subcontracts, if any, as applicable.

This Agreement is not assignable by SUBRECIPIENT in whole or in part, without the prior written consent of COUNTY.

XXV. AMENDMENT AND WAIVER

Except as provided herein, no alteration, amendment, variation, or waiver of the terms of this Agreement shall be valid unless made in writing and signed by both parties. Waiver by either party of any default, breach or condition precedent shall not be construed as a waiver of any other default, breach or condition precedent, or any other right hereunder. No interpretation of any provision of this Agreement shall be binding upon COUNTY unless agreed in writing by DIRECTOR and counsel for COUNTY.

XXVI. SUCCESSORS

This Agreement shall bind the successors of COUNTY and SUBRECIPIENT in the same manner as if they were expressly named.

XXVII. TIME

Time is of the essence of this Agreement.

XXVIII. INTERPRETATION

This Agreement shall be deemed to have been prepared equally by both of the parties, and the Agreement and its individual provisions shall not be construed or interpreted more favorably for one party on the basis that the other party prepared it.

XXIX. DIRECTOR

As used in this Agreement, "DIRECTOR" shall mean the Director of **XXXXXXX**, or his/her designee.

XXX. DISPUTES

In the event of any dispute arising out of or relating to this Agreement, the parties shall attempt, in good faith, to promptly resolve the dispute mutually between themselves. Pending resolution of any such dispute, SUBRECIPIENT shall continue without delay to carry out all its responsibilities under this Agreement unless the Agreement is otherwise terminated in accordance with the Termination provisions herein. COUNTY shall not be required to make payments for any services that are the subject of this dispute resolution process until such dispute has been mutually resolved by the parties. If the dispute cannot be resolved within 15 calendar days of initiating such negotiations or such other time period as may be mutually agreed to by the parties in writing, either party may pursue its available legal and equitable remedies, pursuant to the laws of the State of California. Nothing in this Agreement or provision shall constitute a waiver of any of the government claim filing requirements set forth in Title 1, Division 3.6, of the California Government Code or as otherwise set forth in local, state and federal law.

XXXI. TERMINATION

- A. COUNTY may terminate this Agreement without cause upon thirty (30) days written notice to the other party. Notice shall be deemed served on the date of mailing. If notice of termination for cause is given by COUNTY to SUBRECIPIENT and it is later determined that SUBRECIPIENT was not in default or the default was excusable, then the notice of termination shall be deemed to have been given without cause pursuant to this paragraph (A).

- B. COUNTY may terminate this Agreement for cause immediately upon giving written notice to SUBRECIPIENT should SUBRECIPIENT materially fail to perform any of the covenants contained in this Agreement in the time and/or manner specified. In the event of such termination, COUNTY may proceed with the work in any manner deemed proper by COUNTY. If notice of termination for cause is given by COUNTY to SUBRECIPIENT and it is later determined that SUBRECIPIENT was not in default or the default was excusable, then the notice of termination shall be deemed to have been given without cause pursuant to paragraph (A) above.

- C. COUNTY may terminate or amend this Agreement immediately upon giving written notice to SUBRECIPIENT that funds are not available because: 1) Sufficient funds are not appropriated in COUNTY's Adopted or Adjusted Budget; 2) the COUNTY is advised the funds are not available from external sources for this Agreement or any portion thereof, including if distribution of such funds to the COUNTY is suspended or delayed; 3) if funds for the services and/or programs provided pursuant to this Agreement are not appropriated by the State; 4) funds that were previously available for this Agreement are reduced, eliminated, and/or reallocated by COUNTY as a result of budget or revenue reductions during the fiscal year.
- D. If this Agreement is terminated under paragraph A or C above, SUBRECIPIENT shall only be paid for any services completed and provided prior to notice of termination. In the event of termination under paragraph A or C above, SUBRECIPIENT shall be paid an amount which bears the same ratio to the total compensation authorized by the Agreement as the services actually performed bear to the total services of SUBRECIPIENT covered by this Agreement, less payments of compensation previously made. In no event, however, shall COUNTY pay SUBRECIPIENT an amount which exceeds a pro rata portion of the Agreement total based on the portion of the Agreement term that has elapsed on the effective date of the termination.
- E. SUBRECIPIENT shall not incur any expenses under this Agreement after notice of termination and shall cancel any outstanding expenses obligations to a third party that SUBRECIPIENT can legally cancel.

XXXII. REPORTS

- A. SUBRECIPIENT shall, without additional compensation therefor, make fiscal, program evaluation, progress, and such other reports as may be reasonably required by DIRECTOR concerning SUBRECIPIENT's activities as they affect the contract duties and purposes herein. COUNTY shall explain procedures for reporting the required information.
- B. SUBRECIPIENT agrees that, pursuant to Government Code section 7522.56, SUBRECIPIENT shall make best efforts to determine if any of its employees or new hires providing direct services to the county are members of the Sacramento County Employees' Retirement System (SCERS).

SUBRECIPIENT further agrees that it shall make a report bi-annually (due no later than January 31st and July 31st) to the COUNTY with a list of its employees that are members of SCERS along with the total number of hours worked during the previous 6 months. This report shall be forwarded to where Notice is sent pursuant to Roman numeral III of this Agreement.

XXXIII. AUDITS AND RECORDS

- A. COUNTY or its designee shall have the right at reasonable times and intervals to audit, at SUBRECIPIENT premises, SUBRECIPIENT'S financial and program records as necessary to determine SUBRECIPIENT'S compliance with legal and grant agreement requirements and the correctness of claims submitted by SUBRECIPIENT. SUBRECIPIENT shall maintain such records for a period of at least five years following the expenditure of all funds by the County or after December 31, 2026, and shall make them promptly available for copying upon COUNTY'S request. COUNTY shall have the right to withhold any payment under this Agreement until SUBRECIPIENT has provided access to its financial and program records related to this Agreement.
- B. If SUBRECIPIENT expends seven hundred fifty thousand dollars (\$750,000) or more in federal awards during its fiscal year, the SUBRECIPIENT must have a single audit completed and conducted in accordance with 2 CFR § 200.514, unless SUBRECIPIENT elects to have a program-specific audit in accordance with 2 CFR § 200.501(c); and SUBRECIPIENT shall comply with all of the federal auditing requirements found in 2 CFR Subpart F.
- C. In addition to the OMB requirements of paragraph B of this section, COUNTY requires SUBRECIPIENT to provide an annual Audited or Reviewed financial statement as follows:
1. Annual Audited financial statements and accompanying Auditor's report and notes is required from SUBRECIPIENT when COUNTY has awarded contracts totaling \$150,000 or more for any twelve-month period. The Audited financial statement shall be prepared in accordance with Generally Accepted Accounting Principles (GAAP) and the Audit shall be performed by an independent Certified Public Accountant in accordance with Generally Accepted Auditing Standards (GAAS).
 2. Annual Reviewed financial statements are required from SUBRECIPIENT when COUNTY has awarded contracts totaling less than \$150,000, but more than \$50,000 for any twelve-month period. The Reviewed financial statement shall be prepared by an independent Certified Public Accountant in accordance with Statements on Standards for Accounting and Review Services issued by the AICPA. Audited financial statements may be substituted for Reviewed financial statements.
 3. Should any audit findings be noted in the Audit or Review SUBRECIPIENT must submit a Corrective Action Plan with the Audit or Review detailing how the audit findings will be addressed.
 4. If management letters are issued by a Certified Public Accountant separate from the audit, SUBRECIPIENT is required to provide copies to COUNTY, and submit corrective action plans to address findings or recommendations noted in the management letters.

5. The annual Audited or Reviewed financial statement shall include a Summary of Auditor's Results.

D. Term of the Audit or Review

The Audit(s) or Review(s) shall cover the entire term of the contract. If SUBRECIPIENT'S fiscal year is different than the contract term, multiple Audits or Reviews shall be required, in order to cover the entire term of the contract.

E. Termination

If the Agreement is terminated for any reason during the contract period, the Audit or Review shall cover the entire period of the Agreement for which services were provided.

F. Submittal and Due Dates for Audits or Reviews

SUBRECIPIENT shall provide to COUNTY a copy of the Audit or Review, as required in this section, due six months following the end of SUBRECIPIENT'S fiscal year. Audit or Review shall be sent to:

Contracts Manager
County of Sacramento
XXXXXXXX

G. Request for Extension of Due Date

SUBRECIPIENT may request an extension of the due date for the Audit or Review in writing. Such request shall include the reason for the delay, a specific date for the extension and be sent to:

Contracts Manager
County of Sacramento
XXXXXXXX

H. Past Due Audit/Review

COUNTY may withhold payments due to SUBRECIPIENT from all past, current and future contracts when past, current or future audits/reviews are not provided to COUNTY by due date or approved extended due date.

XXXIV. EQUIPMENT OWNERSHIP

COUNTY shall have and retain ownership and title to all equipment purchased by CONTRACTOR under this Agreement. CONTRACTOR shall furnish, and amend as necessary, a list of all equipment purchased under this Agreement together with the bills of sale and any other documents as may be necessary to show clear title and reasonableness of the purchase price. The equipment list shall specify the quantity, name, description, purchase price, and date of purchase of all equipment. CONTRACTOR shall make all equipment available to COUNTY during normal business hours for tagging or inventory. CONTRACTOR shall deliver all equipment to COUNTY upon termination of this Agreement.

XXXV. PRIOR AGREEMENTS

This Agreement constitutes the entire contract between COUNTY and SUBRECIPIENT regarding the subject matter of this Agreement. Any prior agreements, whether oral or written, between COUNTY and SUBRECIPIENT regarding the subject matter of this Agreement are hereby terminated effective immediately upon full execution of this Agreement.

XXXVI. SEVERABILITY

If any term or condition of this Agreement or the application thereof to any person(s) or circumstance is held invalid or unenforceable, such invalidity or unenforceability shall not affect other terms, conditions, or applications which can be given effect without the invalid term, condition, or application; to this end the terms and conditions of this Agreement are declared severable.

XXXVII. FORCE MAJEURE

Neither SUBRECIPIENT nor COUNTY shall be liable or responsible for delays or failures in performance resulting from events beyond the reasonable control of such party and without fault or negligence of such party. Such events shall include but not be limited to acts of God, strikes, lockouts, riots, acts of war, epidemics, acts of government, fire, power failures, nuclear accidents, earthquakes, unusually severe weather, acts of terrorism, or other disasters, whether or not similar to the foregoing, and acts or omissions or failure to cooperate of the other party or third parties (except as otherwise specifically provided herein).

XXXVIII. SURVIVAL OF TERMS

All services performed and deliverables provided pursuant to this Agreement are subject to all of the terms, conditions, price discounts and rates set forth herein, notwithstanding the expiration of the initial term of this Agreement or any extension thereof. Further, the terms, conditions and warranties contained in this Agreement that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Agreement shall so survive.

XXXIX. COVID-19 REQUIREMENTS

CONTRACTOR shall be solely and completely responsible for implementing the applicable COVID-19 guidelines from the California Division of Industrial Safety and the applicable COVID-19 guidance from the Centers for Disease Control and Prevention (CDC) including staff education, staff training, routine cleaning of staff and public space, on-site washing facilities, and to the extent applicable Personal Protective Equipment (PPE) donning and maintenance. CONTRACTOR shall submit a plan for compliance with these standards to the COUNTY. This safety plan and/or narrative description shall describe the education, training, routine

cleaning, on-site washing facilities and the PPE to be used or provided by the CONTRACTOR. CONTRACTOR shall make any reasonable corrections that COUNTY requests to such plans.

XL. ECONOMIC SANCTIONS

Pursuant to California State Executive Order N-6-22 (Order) imposing economic sanctions against Russia and declaring support of Ukraine, County shall terminate any contract with any individual or entity that is in violation of the Order or that is subject to economic sanctions therein, and shall not enter a contract with any such individual or entity while the Order is in effect.

XLI. INCORPORATION OF EXHIBITS AND ATTACHMENTS.

The Exhibits and Attachments attached to this Agreement are incorporated herein and shall be considered a part of this Agreement for all purposes.

XLII. DUPLICATE COUNTERPARTS

This Agreement may be executed in duplicate counterparts. The Agreement shall be deemed executed when it has been signed by both parties.

Signatures scanned and transmitted electronically shall be deemed original signatures for purposes of this Agreement, with such scanned signatures having the same legal effect as original signatures. This Agreement may be executed through the use of an electronic signature and will be binding on each party as if it were physically executed.

XLIII. AUTHORITY TO EXECUTE

Each person executing this Agreement represents and warrants that he or she is duly authorized and has legal authority to execute and deliver this Agreement for or on behalf of the parties to this Agreement. Each party represents and warrants to the other that the execution and delivery of the Agreement and the performance of such party's obligations hereunder have been duly authorized.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first written above.

COUNTY OF SACRAMENTO,

SUBRECIPIENT,

By: _____

By: _____

Date:

Date:

CONTRACT AND SUBRECIPIENT TAX STATUS

Agreement Number: -----

REVIEWED AND APPROVED BY COUNTY COUNSEL

By: _____ Date: _____

2356356

DRAFT

ATTACHMENT A to Agreement between the COUNTY OF SACRAMENTO, hereinafter referred to as "COUNTY", and (SUBRECIPIENT NAME) hereinafter referred to as "SUBRECIPIENT"

Federal Funding Identification and Schedule
Required Pursuant to 2 CFR 200.332

Subrecipient name (which must match the name associated with its unique entity identifier):	(SUBRECIPIENT NAME)
Subrecipient's unique entity identifier:	XXXXXX
Federal Award Identification Number (FAIN):	HR 1319, Title IX, Subtitle M, Section 9901
Federal Award Date (date when the Federal award is signed by the authorized official of the Federal awarding agency) of award to the recipient by the Federal agency:	05/19/2021
Subaward Period of Performance Start and End Date:	Start: Contract Execution Date End: Contract End Date
Subaward Budget Period Start and End Date:	Start: Contract Execution Date End: Contract End Date
Amount of Federal Funds Obligated by this action by the pass-through entity (Sacramento County) to the subrecipient:	XXXXXX
Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation:	XXXXXX
Total Amount of the Federal Award committed to the subrecipient by the pass-through entity:	XXXXXX
Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA):	For use compliant with Section 603 of the Social Security Act, as amended by Section 9901 of the ARP Act of 2021
Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity:	U.S. Department of Treasury Sacramento County, CA XXXXXXXXXX
Assistance Listings number and Title (pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement):	21.027 Coronavirus Local Fiscal Recovery Fund (CLFRF)
Is the award for research and development?	Yes or No
Indirect cost rate for the Federal award (including if the de minimis rate is charged) per § 200.414:	10% de minimis indirect cost rate

**EXHIBIT A to Agreement
between the County of Sacramento,
hereinafter referred to as "COUNTY," and
(SUBRECIPIENT NAME),
hereinafter referred to as "SUBRECIPIENT"**

SCOPE OF SERVICES

1. DESCRIPTION OF SERVICES

The services to be provided under this Agreement include

DRAFT

City of Isleton

Special City Council
Staff Report

DATE: October 25, 2022

ITEM#: 8.B

CATEGORY: New Business

CRIMINAL JUSTICE CABINET FULL COMMITTEE MEMBERS AND DESIGNEES

SUBJECT

The Criminal Justice Cabinet is located in Sacramento County. This is the 2022 Criminal Justice Cabinet.

SUMMARY

The City should appoint one designee and appoint one alternate to the Criminal Justice Cabinet. The Committee involves many public and private stakeholder agencies and works together to address crime and public safety in the community. This system include city, county and other law enforcement agencies, prosecution, defense, court, corrections, coroner, human assistance, public health, mental health, alcohol/drug and other groups who respond to adult crime and juvenile delinquency. Each agency make the most cost-effective use of allocated resources.

FISCAL IMPACT

There is no fiscal impact with this action.

RECOMMENDATION

It is recommended that City Council appoint one member and one designee to the Criminal Justice Cabinet Committee.

ATTACHMENTS

- Criminal Justice Cabinet Full Committee Members and Designees.

Reviewed by: Charles Bergson, City Manager 

Submitted and prepared by: Yvonne Zepeda, City Clerk _____

**CRIMINAL JUSTICE CABINET FULL COMMITTEE
MEMBERS AND DESIGNEES**

2022 Criminal Justice Cabinet

Executive Committee

Agency	Member	Designee
Superior Court	Presiding Judge Michael Bowman (Chair)	
Superior Court	Assistant Presiding Judge Bunmi Awoniyi	
Superior Court	Juvenile Court Presiding Judge Daniel Calabretta	
Court Executive Officer	Lee Seale	Kelly Sullivan
District Attorney	Anne Marie Schubert	Rod Norgaard
Public Defender	Public Defender Amanda Benson	Joe Cress
Sheriff	Scott Jones	Jim Barnes
		Dan Donelli
Social Services	Deputy County Executive Chevon Kothari	
Public Safety and Justice	Deputy County Executive Eric Jones	
Probation	Chief Marlon Yarber	Julie Wherry
Dept. of Health Services	Interim Director Dr. Sandy Damiano	Ryan Quist
Dept. of Child, Family & Adult Services	Michelle Callejas	Melissa Jacobs
Dept. of Human Assistance	Ethan Dye	Eduardo Ameneyro
Sacramento Police Department	Chief Kathy Lester	Adam Green
		Norm Leong
Conflict Criminal Defenders	Theresa Huff	

Cabinet Analyst

Catherine York

Cabinet Guests

Supervising Judge, Collaborative Courts	Hon. Lawrence Brown	
Director, Superior Court Juvenile Division	Sarah Davis	
County Director of Homeless Initiatives	Emily Halcon	
Manager/Director, Criminal Court Operations	Michelle Jeremiah	

Full Committee

Agency	Member	Designee
Board of Supervisors	Rich Desmond	Sue Frost
Superintendent of Schools	David Gordon	Jacquelyn White
County Executive	Ann Edwards	Eric Jones
Mayor Sacramento	Darrell Steinberg	Chief Kathy Lester
City Manager, Sacramento	Howard Chan	Chris Conlin
Mayor Galt	Shawn Farmer	Chief Brian Kalinowski
Mayor Isleton	Eric Pene	
Mayor Folsom	Kerri Howell	Chief Rick Hillman
Mayor Rancho Cordova	Donald Terry	Chief Brandon Luke
Mayor Citrus Heights	Porsche Middleton	Chief Alex Turcotte
Mayor Elk Grove	Bobbie Singh-Allen	Chief Bobby Davis

Quorum: No less than a simple majority - 8 of Executive Committee members or 13 of Full Committee members. Designees cannot be counted when determining a quorum of the Full Cabinet. Designees can be counted toward a quorum at Executive Committee meetings only. If a quorum is not present, absent Executive Committee members will be queried by email to obtain their vote. All will be notified of the final decision by email and/or at the next scheduled meeting.



City of Isleton

101 Second Street, Isleton, California 95641

CITY MANAGER REPORT

Date: October 25, 2022

To: City Councilmembers

From: Charles Bergson, City Manager

Year to date financial reports for Fiscal Year 2022-23 for the general fund and sewer fund are attached.

Late fees for sewer bills were suspended at the start of the coronavirus pandemic. Staff is recommended reinstating the late fee practice.

Delta Region Geologic Hazard Abatement District (DRGHAD) – Next meeting to be held on November 29, 2022.

Code Enforcement Report is attached.

Developments – The seven parcel tract map for Sixth Street at Gaswell Road has been approved by the Planning Commission, Del Rio Hotel was secured on September 27 and staff continues to monitor the building – the owner is making plans to submit to the City before year's end, the Meadows RV park is preparing its environment assessment report, a cannabis permit for 51 Main Street is under review.

City Hall is open to the public.

City Council meeting for Tuesday, November 8th is planned to be moved to Wednesday, November 9th, 2022, due to General Election activity at Isleton Community Center.

The City has received encroachment requests for: 1. Veteran's Day Event November 11 at 66 Main Street, and 2. Fryed Brother Concert at Delta Queen on November 12.

The FY2022-23 Budget will be brought to Council in November 2022.

The City of Isleton has issued 29 building permits for 2022.

Respectfully,
Charles Bergson, P.E.

General Fund - City of Isleton

Profit & Loss

July through September 2022

Accrual Basis

	Jul 22	Aug 22	Sep 22	TOTAL
Ordinary Income/Expense				
Income				
Charges for Services	897.93	8,287.93	4,969.82	14,155.68
Fines and Forfeitures	0.00	299.21	0.00	299.21
Licenses and Permits	351.13	1,189.47	320.00	1,860.60
Other Revenues	3,580.00	7,985.14	10,365.14	21,930.28
Taxes and Assessments	9,310.21	67,226.98	52,209.45	128,746.64
Interest Income	3.65	-200.89	0.00	-197.24
Grant Income	0.00	0.00	0.00	0.00
Total Income	<u>14,142.92</u>	<u>84,787.84</u>	<u>67,864.41</u>	<u>166,795.17</u>
Gross Profit	14,142.92	84,787.84	67,864.41	166,795.17
Expense				
09 · Grant Expense	7,106.11	22,496.63	19,349.13	48,951.87
10 · General Government	46,402.88	73,986.83	55,769.01	176,158.72
20 · Public Safety	57,960.54	51,388.98	37,396.03	146,745.55
30 · Parks & Recreation	2,252.86	20.81	1,242.08	3,515.75
52 · Public Ways and Facilities	12,212.39	46,933.48	35,316.30	94,462.17
53 · Community Development	178.68	164.93	1,114.83	1,458.44
56 · Non Departmental Expenses	125.08	-43.66	136.41	217.83
57 · Covid 19	0.00	0.00	27.18	27.18
Total Expense	<u>126,238.54</u>	<u>194,948.00</u>	<u>150,350.97</u>	<u>471,537.51</u>
Net Ordinary Income	-112,095.62	-110,160.16	-82,486.56	-304,742.34
Other Income/Expense				
Other Income				
9200112 · Indirect cost allocation	315.39	1,527.56	1,205.61	3,048.56
Total Other Income	<u>315.39</u>	<u>1,527.56</u>	<u>1,205.61</u>	<u>3,048.56</u>
Net Other Income	<u>315.39</u>	<u>1,527.56</u>	<u>1,205.61</u>	<u>3,048.56</u>
Net Income	<u><u>-111,780.23</u></u>	<u><u>-108,632.60</u></u>	<u><u>-81,280.95</u></u>	<u><u>-301,693.78</u></u>

General Fund - City of Isleton
Checks and Withdrawals
As of September 30, 2022

Type	Date	Num	Name	Debit	Credit
Check	09/02/2022	ach	MerchantServices		136.41
Bill Pmt -Check	09/06/2022	18456	Price Consulting Services		4,080.00
Bill Pmt -Check	09/06/2022	18457	State Compensation Insurance Fund		886.25
Bill Pmt -Check	09/06/2022	18458	Napa Auto Parts/Stewart Ind Suppl	0.00	
Bill Pmt -Check	09/06/2022	18459	PG&E- WILSON BALLPARK		9.86
Check	09/06/2022	18460	Rosenbauer South Dakota, LLC		6,148.73
Bill Pmt -Check	09/08/2022	18461	Frontier Communications		683.93
Bill Pmt -Check	09/08/2022	18462	Kaiser Foundation Health Plan		7,211.00
Bill Pmt -Check	09/08/2022	18463	California American Water - 307 2nd IRR		20.81
Bill Pmt -Check	09/08/2022	18464	Betty Garcia		150.00
Check	09/10/2022	ACH	Employment Development Department		750.00
Bill Pmt -Check	09/12/2022	18465	Ramos Oil Company		1,227.39
Bill Pmt -Check	09/12/2022	18466	Ramos Oil Company		926.07
Bill Pmt -Check	09/13/2022	18467	Sacramento County Sheriff's Dept.		4,000.00
Bill Pmt -Check	09/13/2022	18468	PG&E- City of Isleton		175.89
Bill Pmt -Check	09/13/2022	18469	IMAGE SOURCE		397.98
General Journal	09/13/2022	Payroll			625.00
General Journal	09/14/2022	PR 09/14/22			1,310.74
General Journal	09/14/2022	PR 09/14/22			21,380.61
General Journal	09/14/2022	PR 09/14/22			9,294.80
Bill Pmt -Check	09/14/2022	18470	Ramos Oil Company		336.87
Bill Pmt -Check	09/14/2022	18471	Rentafence.com	0.00	
Bill Pmt -Check	09/14/2022	18472	Aramark		186.35
Bill Pmt -Check	09/14/2022	18473	Rentafence.com		33.38
Bill Pmt -Check	09/14/2022	18474	Rio Vista Ace Hardware		72.07
Bill Pmt -Check	09/14/2022	18475	River Rata Toilet		938.00
Bill Pmt -Check	09/14/2022	18476	Zink, Gory		175.00
Bill Pmt -Check	09/14/2022	18477	Sacramento Metropolitan Air District		1,387.00
Check	09/14/2022	18478	Fred R Pereira		861.59
Check	09/14/2022	eft	Paychex		182.67
Bill Pmt -Check	09/14/2022	18493	California American Water-Combined		347.47
Bill Pmt -Check	09/15/2022	18479	State Compensation Insurance Fund		313.47
Bill Pmt -Check	09/15/2022	18480	Kronick Moskowitz Tiedeman & Girar	10,000.00	
Bill Pmt -Check	09/15/2022	18481	4Leaf, Inc		5,700.00
Bill Pmt -Check	09/15/2022	18494	Alliant Insurance Services Inc - 8377		375.00
Check	09/16/2022	ach	Paychex		217.00
Bill Pmt -Check	09/19/2022	18482	Premier Access Insurance Co		867.10
Bill Pmt -Check	09/20/2022	18484	City of Rio Vista		5,000.00
Bill Pmt -Check	09/20/2022	18485	Home Depot		830.85
Bill Pmt -Check	09/20/2022	18486	State Compensation Insurance Fund		7,770.71
Bill Pmt -Check	09/21/2022	18487	RIO VISTA ELECTRIC		987.20
Bill Pmt -Check	09/21/2022	18488	XEROX FINANCIAL SERVICES		150.11
Bill Pmt -Check	09/21/2022	18489	Napa Auto Parts/Stewart Ind Suppl		55.86
Bill Pmt -Check	09/21/2022	18491	California American Water - 307 2nd IRR		20.81
Bill Pmt -Check	09/21/2022	18492	Betty Garcia		150.00
Bill Pmt -Check	09/23/2022	ACH	STANDARD INSURANCE CO		60.36
Bill Pmt -Check	09/23/2022	18495	IMAGE SOURCE		410.81
Bill Pmt -Check	09/23/2022	18496	State Compensation Insurance Fund		2,160.75
Bill Pmt -Check	09/26/2022	18497	Verizon Wireless		494.45
Bill Pmt -Check	09/26/2022	18498	Sacramento Fire Chiefs Assn		100.00
Bill Pmt -Check	09/27/2022	18499	Energy Systems		916.93
Bill Pmt -Check	09/27/2022	18500	Fontbuena, Joe		6,119.21
Bill Pmt -Check	09/27/2022	18501	Sponsored Programs Foundation		16,000.00
General Journal	09/27/2022	Payroll			625.00
Bill Pmt -Check	09/28/2022	18503	SRCSD		1,123.00
Check	09/28/2022	ach	Paychex		182.67
General Journal	09/28/2022	PR 09/28/22			1,230.84
General Journal	09/28/2022	PR 09/28/22			19,605.50
General Journal	09/28/2022	PR 09/28/22			8,363.57
Bill Pmt -Check	09/29/2022	18502	US BANK		11,968.64
Bill Pmt -Check	09/29/2022	18504	Underground Svc. Alert of Northern CA		300.00
Bill Pmt -Check	09/29/2022	18505	PG&E- City of Isleton		5,342.91
Bill Pmt -Check	09/29/2022	18506	DeanDockery	0.00	
Bill Pmt -Check	09/29/2022	18507	DeanDockery		1,071.00
Bill Pmt -Check	09/30/2022	18517	Ramos Oil Company		1,730.82
					<u>0.00</u>
					<u>174,186.54</u>
					<u>0.00</u>
					<u>174,186.54</u>
					<u>0.00</u>
					<u>174,186.54</u>

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

	Jul 22	Aug 22	Sep 22	TOTAL
Ordinary Income/Expense				
Income				
40095SW · SEWER CONNECTION FEE	-9,957.48	0.00	0.00	-9,957.48
45100SW · Sewer - Single Family - City	18,144.06	18,144.06	18,216.06	54,504.18
45101SW · Sewer - Multi Family City	9,801.78	15,703.85	10,132.63	35,638.26
45102SW · Sewer - Commercial City	8,499.16	8,635.34	8,563.34	25,697.84
45103SW · Sewer - Resident Outside City	7,900.01	7,900.01	7,900.01	23,700.03
45104SW · Sewer - Commercial Outside City	2,085.64	2,085.64	2,085.64	6,256.92
6100041 · Grant DWR Small Community Waste	0.00	13,288.00	0.00	13,288.00
6100051 · Grant - State Water Resources	0.00	-13,288.00	0.00	-13,288.00
6100122 · Returned Check Charges	0.00	10.00	0.00	10.00
61002 · Insurance Proceeds Reimb	0.00	0.00	406.18	406.18
Total Income	36,473.17	52,478.90	47,303.86	136,255.93
Gross Profit	36,473.17	52,478.90	47,303.86	136,255.93
Expense				
71100SW · Salaries & Wage - Sewer	3,022.10	8,239.68	10,978.93	22,240.71
72104SW · Social Security Contr - Sewer	231.19	676.02	895.75	1,802.96
8170000 · Uniforms	149.08	0.00	0.00	149.08
82101SW · Telephone - Sewer	116.82	152.92	0.00	269.74
82200SW · GAS - Sewer	635.01	527.32	0.00	1,162.33
82203SW · WATER - SEWER	699.57	0.00	0.00	699.57
83100SW · Office & Comp Supplies Sewer	0.00	77.11	0.00	77.11
83150SW · Repairs & Maintenance Sewer	823.97	45.95	0.00	869.92
83151SW · Repairs & Maint - Sewer	45.68	3,488.21	92.00	3,625.89
83152SW · LAB TESTING	0.00	1,123.00	0.00	1,123.00
83153SW · Vehicle Parts/Repair Sewer	0.00	386.27	0.00	386.27
83830SW · Supplies - Sewer	300.00	2,631.29	85.76	3,017.05
83831SW · Equipment - Sewer	0.00	0.00	0.00	0.00
83840SW · Copier Costs SEWER	150.11	0.00	0.00	150.11
83910SW · Fuel - Sewer	745.94	0.00	0.00	745.94
84400SW · Prof Services Sewer	0.00	2,660.07	0.00	2,660.07
84410SW · Grant - DWR Small Cmnty Waste W	5,206.78	6,190.25	13,257.20	24,654.23
9210051 · Bank Service Charges	0.00	30.00	0.00	30.00
Total Expense	12,126.25	26,228.09	25,309.64	63,663.98
Net Ordinary Income	24,346.92	26,250.81	21,994.22	72,591.95
Other Income/Expense				
Other Income				
1320512 · Interest US Bank Bond	0.63	0.65	0.00	1.28
91100SW · Indirect Cost Allocation	-147.58	-676.02	-895.75	-1,719.35
Total Other Income	-146.95	-675.37	-895.75	-1,718.07
Other Expense				
90100SP · Interest Exp - USDA Sewer Proj	0.00	46,829.81	0.00	46,829.81
92001SW · Transfer Out - Debt Service	0.00	3.80	0.00	3.80
Total Other Expense	0.00	46,833.61	0.00	46,833.61
Net Other Income	-146.95	-47,508.98	-895.75	-48,551.68
Net Income	24,199.97	-21,258.17	21,098.47	24,040.27

410 Sewer O&M - City of Isleton
Sewer Account Checks and Withdrawals
As of September 30, 2022

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Credit</u>
Bill Pmt -Check	09/01/2022	2439	RIO VISTA ELECTRIC	987.20
Bill Pmt -Check	09/02/2022	2440	Bennett Engineering Services	12,992.05
				<u>13,979.25</u>

10/21/2022

Isleton City Manager Chuck Bergson

Listed below are projects and issues that I have been tasked with and/or completed since I started as the Isleton Code Enforcement Officer.

1. Municipal Code Enforcement
 - a. Cited 13 properties for nuisance abatement and saw through that these properties were cited accordingly and nuisances were resolved and/or had appropriate measures taken to be compliant, up to and including "Red Tagged" the property.
 - b. Enforced "No Overnight Camping" by informing person(s) of the Municipal Code in regards to overnight camping in the city of Isleton and usage of city facilities.
2. Rental Housing Inspection Program
 - a. Inspected properties that needed Rental Housing inspection per Ordinance 2021-004.
3. Miscellaneous
 - a. Informed contractors and private property owners (i.e. commercial, etc.) of building codes and permit processes (i.e. business license, work permits, etc.) when performing work upon structural building that require(s) such permits and licenses.
 - b. Receive complaints from residents via city hall on any issues noted in the community that should be inspected or looked at from a code enforcement point of view and completed remediation of those complaints as needed.


Name

10-21-22
Date

