

City of Isleton

City Council
Staff Report

DATE: November 9, 2022

ITEM#: 4.A

CATEGORY: Consent Calendar

DEPARTMENT OF WATER RESOURCES-THE CITY OF ISLETON SUCCESSFULLY COMPLETED A COMMUNITY ASSISTANCE CONTACT (CAC) MEETING, CONDUCTED BY THE CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR), ON BEHALF OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FEBRUARY 24, 2022.

SUBJECT:

As a participating community in the National Flood Insurance Program (NFIP), the City of Isleton agreed to adopt and enforce floodplain management regulations that meet the minimum NFIP standards and current California Building Codes to help mitigate flood risk. In exchange, FEMA provided access to flood insurance to property owners and renters in your community. The CAC meeting provided an opportunity to answer any technical assistance questions your staff may have. By successfully closing the CAC, the Community is found to be compliant with the NFIP.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

To receive information.

ATTACHMENTS

- Email from California Department of Water Resources

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

Reviewed by: City Manager, Charles Bergson 



Diana O'brien

From: Burgett, Daniel@DWR <Daniel.Burgett@water.ca.gov>
Sent: Tuesday, November 01, 2022 3:43 PM
To: cbergson@cityofisleton.com
Cc: dianaobrien@cityofisleton.com; Lampa, Robert@DWR
Subject: City of Isleton Community Assistance Contact Closure Letter
Attachments: CAC Closure Letter-City of Isleton FINAL.pdf

Good Afternoon,

I'm pleased to report that the Community Assistance Contact for the City of Isleton is complete and that the city remains in good standing with the National Flood Insurance Program. Attached is a copy of a closure letter that my office will be mailing to the mayor. I will be update FEMA's records to show that this CAC has been completed and that there are no outstanding issues to resolve. Thank you for your work on this CAC. If you have any questions regarding this CAC or any floodplain management related topics, please don't hesitate to contact me.

Sincerely,
Daniel Burgett
Water Resources Engineer
California Department of Water Resources
South Central Region Office
(916) 204-2470

DEPARTMENT OF WATER RESOURCES

SOUTH CENTRAL REGION OFFICE
691 NORTH LAVERNE AVE, STE 104
FRESNO, CA 93727-6820



October 27, 2022

Honorable Eric Pene
Mayor of the City of Isleton
101 2nd Street
Post Office Box 716
Isleton, California 95641

Dear Mayor Pene:

The purpose of this letter is to notify you that the City of Isleton successfully completed a Community Assistance Contact (CAC) meeting, conducted by the California Department of Water Resources (DWR), on behalf of the Federal Emergency Management Agency (FEMA), on February 24, 2022. This CAC is now closed. We would like to commend the Community's Floodplain Administrator and staff for their diligent work in the city's floodplain management program.

As a participating community in the National Flood Insurance Program (NFIP), the City of Isleton agreed to adopt and enforce floodplain management regulations that meet the minimum NFIP standards and current California Building Codes to help mitigate flood risk. In exchange, FEMA provided access to flood insurance to property owners and renters in your community. The CAC meeting provided an opportunity to assess the community's ability to enforce your local floodplain management regulations, and to provide DWR and FEMA with an opportunity to answer any technical assistance questions your staff may have. By successfully closing the CAC, the Community is found to be compliant with the NFIP.

Thank you for the city's participation in the NFIP and continued commitment to reducing the impacts of flooding through effective floodplain management. The NFIP standards and the city's roles and responsibilities are specified in your city's current floodplain ordinance. The NFIP requirements are outlined in Title 44, Code of Federal Regulations, Parts 59-60, and in the California Code of Regulations, Title 24, Part 2, 2.5, and 10, which requires one foot of freeboard for all residential and non-residential construction structures built in the Special Flood Hazard Areas.

Honorable Eric Pene
Page 2
October 27, 2022

DWR and FEMA Region 9 are available to support the city's floodplain management program. Please contact Daniel Burgett if you have any questions or need assistance, at (916) 204-2470 or Daniel.Burgett@water.ca.gov. I can be reached at (916) 574-2314 or at kelly.soule@water.ca.gov.

Sincerely,

Kelly Soule

Kelly Soule, PE, MBA, CFM
State NFIP Coordinator

Enclosures:

Cc (email):

Mr. Charles Bergson, City Manager
City of Isleton
cbergson@cityofisleton.com

Ms. Diana O'Brien, Administrative Assistant
City of Isleton
dianaobrien@cityofisleton.com

Ms. Serena Cheung, Floodplain Management Specialist
Federal Emergency Management Agency, Region IX
Serena.cheung@fema.dhs.gov

Ms. Anntonette Duncan, NFIP CAP-SSSE Administrator
Division of Flood Management
Department of Water Resources
Anntonette.Duncan@water.ca.gov

City of Isleton

City Council
Staff Report

DATE: November 9, 2022

ITEM#: 5.A

CATEGORY: Consent Calendar

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 25, 2022

SUMMARY

A. Review of the Regular City Council Meeting minutes of October 25, 2022.

FISCAL IMPACT



There is no fiscal impact associated with this action.

RECOMMENDATION

A. City Council review and approve the draft minutes of the Regular City Council meeting of October 25, 2022.

ATTACHMENTS

- Minutes of the Regular City Council Meeting of October 25, 2022.

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

CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, October 25, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

You can call in to join our public meeting

TELECONFERENCE OR IN PERSON MEETING

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

Join Zoom Meeting

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

Meeting ID: 337 903 7904

Passcode: 123456

1. OPENING CEREMONIES

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

B. Pledge of Allegiance

C. Roll Call

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

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.

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.

ACTION: Don Cain – Clarify Michelle Burke appointing to Isleton Historical Review Board-CUP submitted. Fees regarding site plan review. Michelle Burke – in your report you suggest me on board. No fees in Muni Code for CUP Application. David Kent – Mei Wah special event, free coffee and bar open. I will make myself available for any questions, consider it an interview. Jennifer Stone – regarding RDA funds to be paid to RDUSD. Maghoney – regarding RDA fees to be paid to RDUSD.

4. COMMUNICATION

A. None.

5. CONSENT CALENDAR

A. SUBJECT: Approval of Minutes of the Regular City Council Meeting of October 11, 2022.

RECOMMENDATION: City Council review and approve the draft minutes of the Regular City Council meeting of October 11, 2022.

ACTION: Councilmember Paul Steele motion to approve the draft minutes of the Regular City Council meeting of October 11, 2022. Councilmember Kelly Hutson second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None. **PASSED 5-0.**

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

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

ACTION: Councilmember Paul Steele motion no on AB361. Councilmember Iva Walton second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan. **NOES:** Mayor Eric Pene. **ABSTAIN:** None. **ABSENT:** None. **NO ON AB361 PASSED 4-1.**

6. PUBLIC HEARING

A. SUBJECT: None.

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7. OLD BUSINESS

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

RECOMMENDATION: Status report on the event permit application for the Isleton 100th Anniversary-Crawdad Festival for 17-18 June 2023.

ACTION: Update on meeting bi-weekly with committee. Next meeting is November 7, 2022.

- B. **SUBJECT:** City of Isleton Sacramento Local Agency Formation Commission (LAFCo) Selection.

RECOMMENDATION: It is recommended that City Council appoint one councilmember and alternate to the Local Agency Formation Commission.

ACTION: Tabled until election is complete.

- C. **SUBJECT:** City of Isleton Cannabis Equity Assessment by the California Center for Rural Policy.

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

ACTION: Councilmember Kelly Hutson motion to approve the City of Isleton Cannabis Equity Assessment prepared by the California Center for Rural Policy.

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

- D. **SUBJECT:** Isleton Municipal Code, Title VIII Public Places Chapter 8.01 Encroachments, Proposed Ordinance No. 2022-002.

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

ACTION: Councilmember Kelly Hutson motion to approve second reading and adopt Ordinance No. 2022-002, Regulating Encroachments in the Public Right-of-way. Councilmember Iva Walton second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 5-0.

- E. **SUBJECT:** City Project List for California Consulting, Inc. Grant November 23, 2021, status.

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RECOMMENDATION: Information only.

ACTION: Information only.

8. NEW BUSINESS

- A. SUBJECT:** Sacramento County American Rescue Plan Act (ARPA) of 2021 Federal Subaward agreement for the Wilson Skate Park and Main Street Park Restroom Projects.

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

ACTION: Councilmember Paul Steele motion to approve the American Rescue Plan Act of 2021 Federal Subaward Agreement for the Wilson Skate Park and Main Street Restroom Projects. Councilmember Iva Walton second the motion. **AYES:** Councilmember Paul Steele, Iva Walton, Kelly Huston, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

- B. SUBJECT:** Criminal Justice Cabinet Full Committee Members and Designees.

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

ACTION: Tabled until election in complete.

9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Kelly Hutson – No stop sign on 6th and H St.
- B. Councilmember Paul Steele – Del Rio evicted residents. Grant to hire security.
- C. Councilmember Iva Walton – Flyers on table. Traffic meeting in Rio Vista. Halloween Parade October 31, 2022-Elementary School.
- D. Vice Mayor Pamela Bulahan – SACOG Land Use meeting Nov. 3, 2022.
- E. Mayor Eric Pene – Cooper comes in office - Solano County drafted up 911 response.

10. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report – 703k in public service funds.
- B. Fire Chief Report – 10:30 October 31, School parade. PTA Trunk or Treat at 3:30 come out and support the kids.
- C. Code Enforcement Report – report in packet.

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

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11. CLOSED SESSION

11.1 None.

12. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Eric Pene

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

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

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City of Isleton

City Council
Staff Report

DATE: November 9, 2022

ITEM#: 5.B

CATEGORY: Consent Calendar

CONTINUED FROM SEPTEMBER 13, 2022 AND OCTOBER 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

Staff is seeking clarification on public comment. Can public continue to comment via zoom

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

No Recommendation.

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

Reviewed by: City Manager, Charles Bergson _____



CONTINUED FROM SEPTEMBER 13, 2022 & OCTOBER 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

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: November 8, 2022

Moved to November 9, 2022

ITEM#: 6.A

CATEGORY: Public Hearings

**TENTATIVE SUBDIVISION MAP 2022-01
ALEXANDER KUSHNER, APPLICANT**

SUMMARY

Alexander Kushner, property owner, has submitted an application for subdivision of 1.13-acres of vacant land into seven lots for single-family residential development located on 6th Street at the corner of D Street and Gas Well Road. The City's subdivision regulations require City Council consideration of this request.

DISCUSSION

Regulatory Requirements: In accordance with Section 11.08.030 of the Subdivision Ordinance all tentative maps are subject to consideration by the Planning Commission and the City Council. This part of the municipal code includes standards and procedures for processing land subdivision applications including review for consistency with the General Plan and compliance with the Zoning Code. Design standards for lots development are referenced in the Zoning Code.

Planning Commission Review and Public Comments: The Planning Commission reviewed this application on October 4, 2022, considered public comment, and adopted Resolution PC 03-22, recommending that the City Council approved this project (Attachment C). Details of the project, including the Planning Commission Staff Report are found in Attachment B). Four neighbors to the project noted concerns during the public hearing; two in support of the project, and two indicating potential issues with traffic, such as two lots that will have driveways on 6th Street. It was noted that the project will provide curb, gutter, and sidewalks to the area for safer pedestrian travel, improved traffic conditions, and neighborhood enhancements with newly constructed housing. Draft meeting notes of the meeting are available upon request of staff.

Environmental Determination: In accordance with CEQA requirements, an Environmental Assessment/Initial Study was prepared for the proposed project with the conclusion that a Mitigated Negative Declaration (MND) is the appropriate document per CEQA regulations. The Final Initial Study/Proposed MND (refer to Attachment B-Planning Commission Staff Report Package) concludes that any potentially significant adverse environmental impacts from the project would be reduced to a level of non-significance subject to a number of mitigation measures. Specifically, mitigation measures are proposed for Air Quality, Cultural Resources and Tribal Cultural Resources, Geology and Soils. In accordance with CEQA, the City Council will need to concur with the adequacy of the Final Initial Study/MND and proposed mitigated negative declaration before taking action to approve the project.

FISCAL IMPACT

The construction of new dwellings from the subdivision will result in increased property tax revenues, but also require additional City services which should not significantly impact the City.

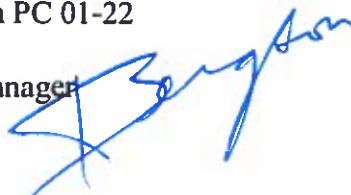
RECOMMENDATION

Adopt City Council Resolution 31-22 approving Tentative Map 2022-01

ATTACHMENTS

- A. City Council Resolution 31-22, Approving Tentative Map 2022-01
- B. October 4, 2022, Planning Commission Staff Report Package (as modified per direction to staff per Planning Commission)
- C. Planning Commission Resolution PC 01-22

Submitted by: Charles Bergson, City Manager



Attachment A
City Council Resolution 31-22 Approving Tentative Map 2022-01

RESOLUTION 31-222

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON
APPROVING TENTATIVE MAP 2022-01**

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

WHEREAS, on April 26, 2022, Alexander Kushner (“Applicant”) submitted a planning application to the City of Isleton for Tentative Subdivision Map 2022-01, for the subdivision of a 1.13 acre lot into seven (7) residential lots at 501 6th Street, Isleton, CA, APN# 157-0040-053 (“Project”); and

WHEREAS, the Project application was submitted in accordance with the Municipal Code 11.04 for Subdivisions, in the One Family Residential (R), Zoning District (R-1-7, APN# 157-0040-053; and

WHEREAS, The Planning Department prepared an Initial Study and Mitigated Negative Declaration as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA). Mitigation Measures were incorporated into the project to fully mitigate all potentially significant impacts on the environment; and

WHEREAS, the City has independently reviewed, analyzed, and considered the Initial Study and Mitigated Negative Declaration prior to making its decision on the project. The Mitigated Negative Declaration reflects the independent judgement of the City of Isleton, as lead agency; and

WHEREAS, the proposed subdivision (incorporating mitigation measures for the project’s Mitigated Negative Declaration) and subject to certain Conditions of approval complies with all standards of the Zoning Code and is consistent with the General Plan; and

WHEREAS, this project was noticed and advertised for consideration by the City Council for noticed public hearing on November 8, 2022; and

WHEREAS, due to Election Day held on the same day as this public hearing noticed for November 8, 2022, the public hearing was carried over to the next day of November 9, 2022; and

WHEREAS, at said moved November 9, 2022 public hearing, the City Council considered the staff report dated November 4, 2022, the Planning Commission’s October 4, 2022, recommendation on the project and the Mitigated Negative Declaration; and

WHEREAS, on November 9, 2022, the City Council conducted a moved public hearing on this Tentative Map 2022-01.

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

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

Section 2. The City Council approves Tentative Map 2022-01 based on the findings made below and subject to the Conditions of approval: Kushner Tentative Subdivision Map 2022-01, located at 501 6th Street, in the One Family (R) Residential Zoning District (R-1-7), APN# 157-0040-053, subject to the following Conditions of Approval:

Conditions of Approval for Tentative Map 2022-01

1. The final subdivision map shall conform to all the applicable requirements of the Subdivision Map Act and the Isleton Municipal Code.
2. The sub-divider shall enter into a contract agreement with the City to perform the installation and construction of all improvements as contained in the conditions of approval of the subdivision and those required by the subdivision sections of the City, and shall post bond, cash deposit, or instrument of credit, guaranteeing the installation and construction of all required improvements within the time period specified herein or approved time extension in accordance with the provisions of the City. If a Subdivision Improvement Agreement is approved by the City, all required improvements shall be completed within a period not to exceed 24 months from the date of the recording of the final map.
3. The improvement plans for this subdivision shall be prepared by a California Registered Civil Engineer and shall be approved by the City Engineer prior to the filing of the final map. These plans shall be submitted concurrently and shall include, but not be limited to, grading, street, drainage, sewer, water, dry utilities and appurtenant improvements. The plan submittal shall also include construction cost estimates, plan check fees, soils reports, and all pertinent engineering design calculations. The final map may not be filed unless the City Engineer has approved improvement plans.
4. The improvement plans shall conform to the City's Municipal Code and other standards as applicable, except as noted otherwise on the approved improvement plans.
5. All taxes to which the property is subject must be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Approximately two weeks prior to submitting the subdivision map to the City for recordation, please contact the Tax Collector's Office. The receipt from the Tax Collector's Office must be submitted with the subdivision map.
6. If the applicant desires to record the Final Map prior to completion of the grading and improvements as shown on the approved grading and improvement plans, the applicant shall enter into an agreement to complete the grading and public improvements; and shall post sufficient surety guaranteeing the construction of all of the improvements, in accordance with the City's Municipal Code and the California Subdivision Map Act. The applicant must supply the City with a cost estimate, prepared by a licensed Civil Engineer, for all improvements shown on the grading/improvement plans. The cost estimate must be approved by the City Engineer. The City will then prepare an agreement which will require City Council approval and will be required to be recorded prior to Final Map approval.
7. No construction shall commence and no grading shall be performed prior to the approval of the improvement plans by the City Engineer. Preliminary grading may be permitted subject to the approval of a preliminary grading plan by the City Engineer.
8. The lot design on the Subdivision Map shall be designed in substantial conformance with the approved Tentative Map as filed with the City of Isleton. Minor modifications to final

configuration may be approved by the City Engineer; however, the number of parcels shall not exceed that shown on the approved Tentative Map.

9. Prior to final map recordation, in-lieu fees for park and recreation facilities shall be paid in accordance with Chapter 11.12 of the Municipal Code.
10. The project is subject to 14 Mitigation Measures referenced in the Mitigated Negative Declaration as described in more detail Attachment A of these Conditions of Approval.
11. Prior to this Tentative Map becoming effective, the applicant shall complete filing of the Notice of Determination regarding the related CEQA Mitigated Negative Declaration, which shall include paying all recording fees and California Department of Fish and Wildlife Service (Fish & G. Code, § 711.4) when filed with the County Clerk's office within five days of the Planning Commission's action on the Tentative Map (or as prescribed by Governor's Executive Order N-54-20).
12. The developer shall provide all necessary easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the City standards. In the event such easements cannot be obtained from the property owner involved by negotiation; the City may acquire them at the expense of the developer by exercise of the power of eminent domain. The developer shall bear all of the costs of appraisal, acquisition, attorney fees, and court costs.
13. The developer shall procure easements or consents from all affected landowners (if needed) for any diversion of historical flows, changes in drainage conditions, or acceptance of any additional water flowing over their property.
14. The developer shall dedicate and improve all streets, including curbs, gutters and sidewalks to comply with the City's related standards. Street lighting may be required as part of these improvements as determined by the City Engineer.
15. All streets, sidewalks, curbs, and gutters adjacent to the subdivision shall be improved as necessary to provide safe vertical and horizontal transitions to connect improvements constructed within this subdivision to existing improvements, as directed by the City Engineer. Any street, alley, sidewalk, or curb damaged by the developer or its agents or employees shall be repaired at developer's expense.
16. All new water, gas, sewer, underground electrical power, Cable or telephone lines, or conduits or underground drain lines associated with this project shall be installed before any paving is placed. Utility stub connections to property boundaries of each lot may be omitted only with express and written permission of the City Engineer.
17. The developer shall set all monuments required by the Subdivision Map Act before his bond is released, and said bond shall be security.
18. All new utility facilities shall be placed underground and located within easements as required by the serving utility company. The easements shall be shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Isleton this 9th day of November, 2022, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Eric Pena, Mayor

ATTEST:

APPROVED AS TO FORM:

Yvonne Zepeda, City Clerk

Andreas Booher, City Attorney

Attachment B
October 4, 2022, Planning Commission Staff Report Package
(as modified per direction to staff per Planning Commission)

City of Isleton

DATE: October 4, 2022

Planning Commission
Staff Report

ITEM#:

CATEGORY: New Business

TENTATIVE SUBDIVISION MAP 2022-01
ALEXANDER KUSHNER, APPLICANT

BACKGROUND AND PROJECT DESCRIPTION:

This project consists of a subdivision of 1.13-acres of vacant land into seven lots for single-family residential development. The property is located on 6th Street at the corner of D Street and Gas Well Road. All lots will be accessed by existing public right of ways. Lots 1, 2, and 3 will be accessed via D Street. Lots 4 and 5 will be accessed via 6th Street, and Lots 6 and 7 will be accessed via Gas Well Road. City water and sewer are available to the property. The property is zoned Residential One Family, R-1-7, which allows for single-family housing at a minimum lot size of 7,000 square feet. The proposed Tentative Map will split the parcel into 7 lots: Lot 1 (7,143 SF), Lot 2 (7,000 SF), Lot 3 (7,000 SF), Lot 4 (7,000 SF), Lot 5 (7,000 SF), Lot 6 (7,000 SF), and Lot 7 (7,174 SF). All tentative map applications are subject to consideration and recommendation by the Planning Commission to the City Council. All details of the project, including the subdivision map, possible house design, are presented in Exhibit A.

PROJECT SITE SETTING

The property a 1.13 acre lot located at 501 6th Street, which is in the southern portion of Isleton. The property is currently vacant and generally flat. The project site is surrounded by vacant land to the north, a house to the west, a vacant lot to the south. Photos of the project site and surroundings can be found in Exhibit D, the Project Initial Study.

PROJECT EVALUATION

Subdivision Code Compliance: In accordance with Section 11.08.030 of the Subdivision Ordinance all tentative maps are subject to consideration by the Planning Commission. This part of the municipal code includes standards and procedures for processing land subdivision applications including review for consistency with the General Plan and compliance with the Zoning Code. Design standards for lots development are referenced in the Zoning Code.

General Plan Consistency and Zoning Code Compliance: The tentative map would subdivide the property into Seven (7) single-family residential. The 1.13-acre property is designated low density residential (6-9 housing units per net acre) which results in 6.19 units per acre which is within this land use density range. The site is also zoned R-1-7 providing for a minimum of seven lots per acre. The project is within the required lot range of the Zoning Code. All proposed lot widths and depths are shown to be in compliance with the Zoning Code which states:

Section 604 (C): Frontage, width and depth of site.

1. *Each site in an R district shall have not less than 50 feet of frontage on a public street*

except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than 40 feet provided the width of the site, as measured along the front yard setback line, is at least 50 feet.

2. *The minimum width of each site in an R District shall be 50 feet for an interior lot and 60 feet for a corner lot. 3. The minimum depth of each site shall be 90 feet for an interior lot and 80 feet for a corner lot.*

Home Design: Single family home design is exempt from design or site plan review under the Zoning Code. Due to the flood elevation requirements of the site, the lower floor of any house in the subdivision may not be habitable; generally used as a garage or carport (see Exhibit D, Hydrology Section).

Public Outreach/Staff/Agency/Public Review: The project was reviewed by City staff, including the City Administrator/City Engineer and Fire Chief to provide technical evaluation and to consider these provisions of the code. The project was circulated for public agency comment between July 18, 2022 and August 16, 2022, and then this project was noticed for a public hearing at least ten days before the meeting in the newspaper and noticing sent by mail to all property owners within a 300 foot radius of the project site. The environmental document was also circulated to various public agencies for review. The project's environmental document was also circulated to staff and other public agencies for review. Comments were received and responded to (see Exhibits C and D). The only formal comments received were from the Central Valley Regional Water Quality Control Board. The letter provides a summary of State and Federal Permit requirements for the project. All identified permits and clearances will be obtained in accordance with those items cited in the letter as referenced in both the recommended conditions of approval for the project are related mitigation measures from the initial study.

ENVIRONMENTAL DETERMINATION

In accordance with CEQA requirements, an Environmental Assessment/Initial Study has been prepared for the proposed project with the conclusion that a Mitigated Negative Declaration (MND) is the appropriate document per CEQA regulations. The Final Initial Study/Proposed MND (Exhibit D) concludes that any potentially significant adverse environmental impacts from the project would be reduced to a level of non-significance subject to a number of mitigation measures. Specifically, mitigation measures are proposed for Air Quality, Cultural Resources and Tribal Cultural Resources, Geology and Soils. In accordance with CEQA, the Planning Commission will need to concur with the adequacy of the Final Initial Study/MND and proposed mitigated negative declaration before taking action to approve the project.

FINDINGS AND CONDITIONS

Exhibit B of this staff report consists of Planning Commission Resolution PC 03-22 which includes a number of findings and conditions necessary for the Commission's recommendation of approval to the City Council.

RECOMMENDATION

The Planning Commission should hold a public hearing, consider the applicant's, staffs and public comments and approve Planning Commission Resolution PC 03-22 (based on findings and subject to conditions) and recommend this item to the City Council. Or the Commission may continue this item with further direction to staff. Should the Commission choose to recommend denial of the project, the item should be continued with direction to staff to prepare findings for this action.

Attachments Exhibit A-Tentative Subdivision Map exhibit

Exhibit B-Planning Commission Resolution of Approval
Exhibit C- Table of Public Comments and Staff Responses
Exhibit D-Initial Study/Mitigated Negative Declaration

**Exhibit A – Tentative Subdivision Map TM 2022-01
Plat Map**



Attachment A-Mitigation Measures for Tentative Map 2022-01

AIR-1. Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Sacramento Metropolitan Air Quality Management District (SMAQMD). Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas for adequate dust control.

AIR-2. Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.

AIR-3. Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the City Fire Chief.

AIR-4. During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.

AIR-5. Grading permits shall be secured for any applicable activity from the City of Isleton Building Department. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.

AIR-6. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.

AIR-7. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from SMAQMD prior to beginning any construction activities. Contact SMAQMD for more details.

AIR-8. All engines must notify Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to beginning construction activities and prior to engine use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements.

CUL-1. In the event that human remains are inadvertently encountered during any project associated ground-disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County

Coroner's office upon any discovery of human remains.

CUL-2. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately in accordance with the provisions of the Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022.

GEO-1. Prior to final map recordation, a preliminary soils report, prepared by a registered civil engineer and based upon adequate test borings, shall be submitted for the subdivision. Additional subdivision measures may be added to mitigate potential geologic/soil conditions on the site to accommodate residential development. If the indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the City Engineer. Such soils investigation shall be done by a registered civil engineer, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.

GEO-2: Prior to any ground disturbance and/or operation, the applicant shall submit Erosion Control and Sediment Plans to the City for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.

GEO-3: Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the City in accordance with the City of Isleton Municipal code(s). Plans for grading shall include disclosure of location and method of treatment/storage of exported materials.

GEO-4: The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

Exhibit C – Public Comments and Staff Responses

**SUMMARY LIST OF RESPONSES: Summary of Public Comments and City Responses
(refer to all written correspondence following this Table)**

Commenting Agency or Entity	Date	Summary of Comments	City Response
Letter from Peter G. Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board	August 16, 2022	Summary of State and Federal Permit requirements for the project.	All identified permits and clearances will be obtained in accordance with those items cited in the letter.

The following are the formal comments received by the City during the draft initial study circulation between July 18, 2022, and August 16, 2022.

Letter of August 16, 2022 from Peter Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board:



Central Valley Regional Water Quality Control Board

16 August 2022

Yvonne Zepeda
City of Isleton
101 2nd Street
Isleton, CA 95641
Yvonne.Zepeda@cityofisleton.com

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, KUSHNER TENTATIVE SUBDIVISION MAP PROJECT, SCH#2022070311, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 18 July 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Kushner Tentative Subdivision Map Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board decisions/adopted orders/general orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board%20decisions/adopted%20orders/general%20orders/r5-2016-0076-01.pdf)

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel here

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

Exhibit D-- Initial Study/Mitigated Negative Declaration

**Final
Initial Study/Proposed
Mitigated Negative Declaration**

**for the
Kushner Tentative Subdivision Map**

August 18, 2022



**City of Isleton Planning Department
101 2nd Street, Isleton, CA 95641
916-777-7770**

FINAL ENVIRONMENTAL INITIAL STUDY PUBLIC REVIEW

The draft Initial Study for this project was circulated for public review between July 18, 2022 and August 16, 2022. This circulation included distribution to the California Clearinghouse and local agencies. Below are all the written comments received during this circulation.

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(refer to all written correspondence following this Table)**

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16 August 2022

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Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel here

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

**Mitigation Monitoring Program:
Background:**

State Assembly Bill AB 3180 was enacted by the California State Legislature in 1988 to provide a mechanism to ensure that mitigation measures adopted through the CEQA process is implemented in a timely manner and in accordance with the terms of project approval. Under AB 3180, which added Section 21081.6 to CEQA, public agencies are required to adopt a monitoring or reporting program designed to ensure compliance during project implementation. This program is required to be adopted when the public agency is making required findings after consideration of the Final EIR (Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091). This mitigation monitoring and reporting program has been prepared in compliance with Public Resources Code Section 21081.6. In accordance with state law, a mitigation monitoring program should identify the action being monitored, responsibility for implementation, the schedule for implementation, and the mechanism that verifies that monitoring is complete.

The attached table provides a proposed Mitigation Monitoring and Reporting Program (MMRP) for the Kushner Tentative Subdivision Map. This MMRP outlines procedures for the implementation of mitigation measures identified in this Final Initial Study/Mitigated Negative Declaration (IS/MND).

These mitigation measures would reduce the level of impact of potential environmental effects of the proposed action. In all cases, these mitigation measures would reduce the impact of effects determined to be significant prior to mitigation to less-than-significant levels.

Content The MMRP for the project (Attached Table) is organized in table format and is keyed to each mitigation measure identified in the Final IS/MND. The MMRP is organized by environmental issue area, and discusses only those impacts for which mitigation has been identified. The intent of formatting the MMRP as a table is to provide the reader with a concise and quick summary of the measure(s) to be implemented, agencies involved, timing of implementation, and frequency of monitoring. The purpose of each column heading is as follows:

1. Impact Number refers to the environmental initial study checklist as to reference of the impact.
2. Mitigation Measure describes the mitigation measure and related requirements.
3. Responsible Agency describes who is responsible to implementing and or monitoring the mitigation measure.
3. Verification provides the check off of when the mitigation measure is implemented as a record for making sure the measures are complied with.

**Kushner Tentative Subdivision Map
Mitigation Monitoring and Reporting Plan
14 Mitigation Measures**

Impact No.	Mitigation Measure	Responsible Entity	Verification / Remarks
III. Air Quality			
AIR-1	Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Sacramento Metropolitan Air Quality Management District (SMAQMD). Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas for adequate dust control.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD)	
AIR-2	Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD)	
AIR-3	Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the City Fire Chief.	City Engineer	
AIR-4	During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.	City Engineer	
AIR-5	Grading permits shall be secured for any applicable activity from the City of Isleton Building Department. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.	City Engineer	

AIR-6	Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD)	
AIR-7	If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from SMAQMD prior to beginning any construction activities. Contact SMAQMD for more details	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD)	
AIR-8	All engines must notify Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to beginning construction activities and prior to engine use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD)	
V. Cultural & Tribal Resources			
CUL-1	In the event that human remains are inadvertently encountered during any project associated ground-disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.	City Planner	
CUL-2	In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately in accordance with the provisions of the Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022.	City Planner	
VII. Geology and Soils			
GEO-1	Prior to final map recordation, a preliminary soils report, prepared by a registered civil engineer and based upon adequate test borings, shall be submitted for the subdivision. Additional	City Engineer	

	<p>subdivision measures may be added to mitigate potential geologic/soil conditions on the site to accommodate residential development. If the indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the City Engineer. Such soils investigation shall be done by a registered civil engineer, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.</p>		
GEO-2	<p>Prior to any ground disturbance and/or operation, the applicant shall submit Erosion Control and Sediment Plans to the City for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.</p>	City Engineer	
GEO-3	<p>Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the City in accordance with the City of Isleton Municipal code(s). Plans for grading shall include disclosure of location and method of treatment/storage of exported materials.</p>	City Engineer	
GEO-4	<p>The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.</p>	City Engineer	

CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title: Kushner Tentative Subdivision Map

Lead agency name: City of Isleton

Address: 101 2nd Street, Isleton, CA 95641

Contact person: Yvonne Zepeda, City Clerk

Phone number: 916-777-7770

Project sponsor's name: Robert Wood

Phone Number: 530-446-6765

Project Owner: Alexander Kushner

Project Location: 501 6th Street, Isleton, CA 95641

General plan description: LD (Low Density)

Zoning: R-1-7 (Single Family Residential)

Description of project:

The applicant proposes to subdivide the 1.13-acre property into seven lots for single-family residential development. The subject property is located on 6th Street at the corner of D Street and Gas Well Road. The parcel currently is undeveloped. All lots will be accessed by existing public right of ways. Lots 1, 2, and 3 will be accessed via D Street. Lots 4 and 5 will be accessed via 6th Street, and Lots 6 and 7 will be accessed via Gas Well Road. City water and sewer are available to the property.

The zoning designation for this parcel is R-1-7, which is characterized as low-density, single-family housing and allows lot areas of 7,000 square feet minimum. The proposed Tentative Map will split the parcel into 7 lots: Lot 1 (7,143 SF), Lot 2 (7,000 SF), Lot 3 (7,000 SF), Lot 4 (7,000 SF), Lot 5 (7,000 SF), Lot 6 (7,000 SF), and Lot 7 (7,174 SF).

Surrounding land uses and setting: The project site is surrounded by vacant land to the north, a house to the west, a storage and commercial operations to the east, and some industrial activities on a vacant lot to the south.

Other public agencies whose approval is required (e.g., permits, financial approval, participation agreements):

Final Subdivision Map, if this Tentative Map is approved, encroachment permits for street, sidewalk and drainage improvements, building permits for any future houses on the lots; all subject to approval by the City of Isleton.

NATIVE AMERICAN CONSULTATION

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) section 21080.3.1? Yes No

If yes, ensure that consultation and heritage resource confidentiality follow PRC sections 21080.3.1 and 21080.3.2 and California Government Code 65352.4

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

Note: Cultural Study concludes that the project has not potentially significant impacts on tribal resources. No tribes have contacted the City to request consultation under State law.

Initial Study Attachments

- A. Biological Resources Assessment, Greg Matuzak Environmental Consulting, June 2022
- B. Cultural Resources Inventory Survey, Sean Michael Jenson, M.A. May 17, 2022

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 4 for additional information.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Biological Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation (choose one):

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Charles Bergson,
City Manager

Print Name

Signature

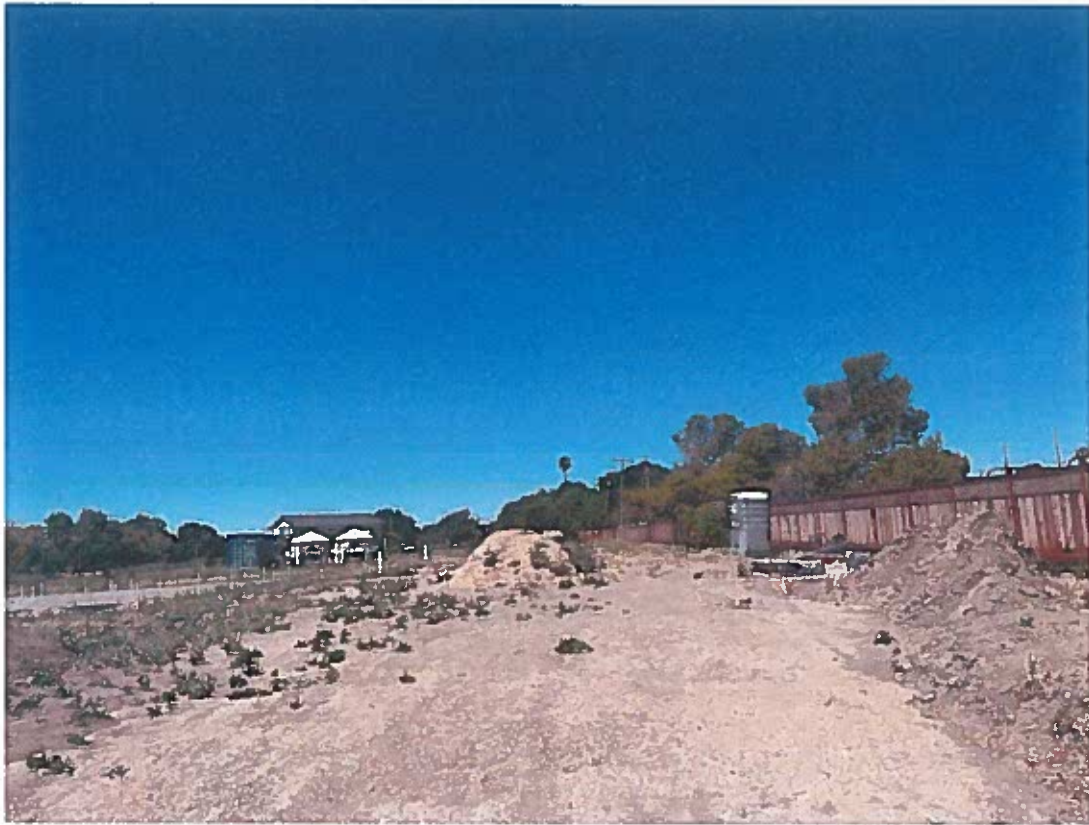
Date

Tentative Subdivision Map



Photos of Project Site:





Example of House within Subdivision:
(Site Plan)

CEQA Environmental Checklist

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

Question	CEQA Determination
a) Have a substantial adverse effect on a scenic vista?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less Than Significant Impact

Environmental Setting or Reference

The project is located in the City of Isleton, a small community on the Sacramento – San Joaquin River Delta. Isleton is located on State Route 160 (SR 160) and near State Highway 12 (SH 12) and not on a scenic highway.

Evaluation of Potential Aesthetic Impacts:

a-b) No Impact. There are no designated scenic vistas or any significant scenic resources in the project area that may be impacted by the project. Therefore, no impacts are expected.

c-d) Less than Significant Impact. The project would not degrade the existing visual character or quality of the site or the surroundings, nor would it create a new source of substantial light or glare. The project does not propose any development on the site. However, future development of the site would include new single-family residences, which would be subject to City standards for light and glare, and would be visually consistent with the rural character of the area (see photo design of typical house). This type of development is consistent with the Zoning and General Plan for the

project site. Therefore, impacts would be less than significant because the new (future) development will remain residential in nature.

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Question	CEQA Determination
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	No Impact

Environmental Setting or Reference

The Department of Conservation’s map entitled “Sacramento County Important Farmland 2018” designates the site as “Other Land” on the project site. “Other Land” is defined as land which does not meet the criteria of any other category. Common examples include low density rural development, wetlands, dense brush and timberlands, gravel pits, and small water bodies.

California Government Code Section 51104(g) defines “Timber,” “Timberland,” and “Timberland Production Zone” for the purposes of CEQA as either trees of any species maintained for eventual harvest for forest production purposes (“Timber”); privately owned land, or land acquired for State Forest purposes, used for growing and harvesting timber (“Timberland”); or “Timberland Production Zone” which means an area zoned and used for growing and harvesting timber. The project site is not considered “Timber” or “Timberland”.

Evaluation of Potential Agriculture and Forestry Impacts

a - e) No Impact. The site is not designated as Prime, Unique, or Farmland of Statewide Importance. Furthermore, the site is not under a Williamson Act contract and is not currently

zoned for agricultural uses. Therefore, the proposed project will not result in adverse impacts to agricultural resources.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

Question	CEQA Determination
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less Than Significant with Mitigation Incorporated
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?	Less Than Significant with Mitigation Incorporated
c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant with Mitigation Incorporated
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant with Mitigation Incorporated

Environmental Setting or Reference

The project site is located within the Sacramento Metropolitan Air Quality Management District (SMAQMD), which is part of the Sacramento Valley Air Basin. The Sacramento Valley Air Basin has been further divided into Planning Areas called the Northern Sacramento Valley Air Basin (NSVAB) and the Greater Sacramento Air region, designated by the U.S. Environmental Protection Agency (EPA) as the Sacramento Federal Ozone Non-attainment Area. The Nonattainment area consists of all of Sacramento and Yolo counties, and parts of El Dorado, Solano, Placer, and Sutter counties.

SMAQMD is responsible for limiting the number of emissions that can be generated throughout the County by various stationary and mobile sources. Specific rules and regulations have been adopted by the SMAQMD Board of Directors that limit the emissions that can be generated by various uses and/or activities, and identify specific pollution reduction measures that must be implemented in association with various uses and activities. These rules not only regulate the emissions of the six criteria pollutants, but also toxic emissions and acutely hazardous materials. Emissions sources subject to these rules are regulated through the SMAQMD's permitting process. Through this permitting process, the SMAQMD also monitors the number of stationary emissions being generated and uses this information in developing new clean air plans. The proposed project would be subject to SMAQMD rules and regulations to reduce specific emissions and to mitigate potential air quality impacts. Sacramento County is a known area of non-attainment for state and federal standards for ozone and particulate matter less than 10 microns in diameter (PM10). Implementation of the project would result in increases in both construction emissions and increases in reactive organic gases (ROG) and NOx, which are precursor components of ozone, and PM10.

Evaluation of Potential Air Quality Impacts:

a) **Less than Significant Impact with Mitigation Incorporated.** The project would not substantially conflict with or obstruct implementation of the Sacramento Metropolitan Air Quality Attainment Plan, or the goals and objectives of the City's General Plan. Although the project does not propose any development on the site at this time, future development of residential properties as shown on the tentative subdivision map would involve short-term construction activities that could result in minor increases in air pollutant emissions. The activities, such as grading, can generate temporary or short-term increase in dust and particulate matter, but would be expected to be minor due to the small size of the proposed project. Any future construction activities on the site would be subject to SMAQMD and City regulations designed to reduce impacts to air quality. Therefore, a less than significant impact is expected.

b - d) Less than Significant Impact with Mitigation Incorporated. The Sacramento Metropolitan Air Quality Management District (SMAQMD) has adopted guidelines for determining potential adverse impacts to air quality in the region. The SMAQMD guidelines state that construction of 27 Single Family Residential units or more is considered a potentially significant adverse impact. Although no development is proposed as part of this project, future development of the site will include seven single-family residences. Given that the proposed project is well below the SMAQMD threshold, impacts to air quality are considered less than significant. In addition, effects on air quality can be divided into short term construction-related effects and those associated with long term operation of the project. Construction activities, such as grading and vehicular traffic, may generate temporary or short-term increase in dust and particulate matter, and are expected to be minor due to the small size of the proposed project. The air pollutants generated by the proposed project would be primarily dust and particulate matter during construction of single-family residences. No sensitive receptors would be exposed to minor amounts of construction dust and equipment emissions for short or long-term exposure nor would there be objectionable odors created by this proposed project. This proposed project is a tentative subdivision map, and does not involve any activity that would generate odors. Uses on the new parcels would be residential and as such, would not create objectionable odors affecting a substantial number of people. Implementation and adherence to Mitigation Measures AIR 1 through AIR 8 will reduce potential impacts to less than significant.

Mitigation measures:

AIR-1. Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Sacramento Metropolitan Air Quality Management District (SMAQMD). Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas for adequate dust control.

AIR-2. Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.

AIR-3. Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the City Fire Chief.

AIR-4. During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.

AIR-5. Grading permits shall be secured for any applicable activity from the City of Isleton Building Department. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.

AIR-6. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.

AIR-7. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from SMAQMD prior to beginning any construction activities. Contact SMAQMD for more details.

AIR-8. All engines must notify Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to beginning construction activities and prior to engine use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements.

IV. BIOLOGICAL RESOURCES

Would the project:

Question	CEQA Determination
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less Than Significant Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

Environmental Setting

A Biological Assessment was conducted by Greg Matuzak Environmental Consulting in June, 2022 (Attachment A). The subject parcel is located within a rural developed setting just south of the Sacramento River within the City of Isleton in Sacramento County, CA. The subject parcel is adjacent to/nested within a largely developed area given the proximity to 6th Street, D Street, Gas Well Road, downtown City of Isleton, and the rural residential properties that are located adjacent to the subject parcel/Project area. Therefore, any development within the subject parcel/Project area would have an overall low potential to impact sensitive wildlife and plant resources given the low likelihood of such sensitive biological resources to occur within or immediately adjacent to the subject parcel. Furthermore, the Sacramento River is located approximately 1,000 feet to the north of the subject parcel/Project area and the Georgiana Slough and Ox Bow Marina are located approximately 4,000 feet to the south of the subject parcel/Project area. A majority of sensitive biological resources within the greater Project area associate with the aquatic and riverine systems, including riparian habitats, that are located within the delta region of northern California. Therefore, this Biological Resources Assessment concludes that the subject parcel does not contain any sensitive biological resources or any sensitive habitats for special-status species and the development of the Project would not have an impact on such sensitive biological resources.

Evaluation of Potential Biological Impacts

a) No Impact - None of the special-status wildlife species identified within 3 miles of the proposed Project area have a potential to occur with the subject parcel/Project area. Therefore, any site disturbance and noise would have no potential to impact these or any other special-status wildlife species, including nesting migratory birds and raptors so pre-construction nesting bird surveys are not required as part of the Tentative Map

project within the subject parcel.

b) Less than significant impact. According to the Biological Assessment prepared by Greg Matuzak Environmental Consulting LLC in June 2022, the project will not have a substantial adverse effect on any riparian habitat and/or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

c) Less than significant impact. According to the Biological Assessment prepared by Greg Matuzak Environmental Consulting LLC in June 2022, the project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

d) Less than significant impact. According to the Biological Assessment prepared by Greg Matuzak Environmental Consulting LLC in June 2022, the project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e) No Impact. The Project is consistent with local policies or ordinances protecting biological resources. No impact will occur and no mitigation is needed.

f) No Impact. The project is not located in an area covered under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact will occur and no mitigation is needed.

V. CULTURAL RESOURCES

Would the project:

Question	CEQA Determination
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	Less Than Significant Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Less Than Significant with Mitigation Incorporated
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	Choose an item.

Environmental Setting

This section evaluates the proposed Project's potential impacts on archaeological, historical, and paleontological resources. Resources of concern include, but are not limited to, prehistoric and historic artifacts, burials, sites of religious or cultural significance to Native American groups, and historic structures. This section provides a detailed discussion of impacts potentially attributable to the proposed project, and criteria used to determine impact significance to cultural resources. A report, Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022, was prepared for this project site (Attachment B).

Existing records at the North Central Information Center document that none of the present APE had been subjected to previous archaeological investigation, and that one traditional cultural landscape (P-34-5225) had been documented within the APE. As well, the present effort included an intensive-level pedestrian survey. No prehistoric or historic-era cultural resources were identified during the pedestrian survey. The traditional cultural landscape (P-34-5225) was subjected to a formal evaluation, and recommended not eligible for the CRHR due to a substantial lack of integrity.

Evaluation of Potential Cultural Resource Impacts

a) Less Than Significant Impact. Intensive pedestrian surveys and records searches were conducted in June 2021, no historic resources were discovered in the Project area. As a result, no eligible built

environment resources occur in the Project area.

- b) **Less Than Significant Impact with Mitigation Incorporated.** See discussion under item a) above.
- c) **Less Than Significant Impact with Mitigation Incorporated.** See discussion under item a) above.

Less Than Significant with Mitigation. As indicated in the Historic Resource Investigation report prepared for the project, no human remains were identified within the project area (Sub-Terra Heritage Resource Investigations, 2021). There is the possibility of accidental discoveries of human remains during construction-related ground-disturbing activities. The procedures identified in State Health and Safety Code Section 7050.5 will reduce potential impact. State Health and Safety Code Section 7050.5 requires that if human remains are found no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. Implementation and adherence to CUL-1 and CUL-2 will reduce potential impacts to less than significant. Based on the absence of significant historical resources/unique archaeological resources within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed, although the following Mitigation Measures are considered appropriate:

Mitigation Measures

CUL-1. In the event that human remains are inadvertently encountered during any project associated ground-disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.

CUL-2. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately in accordance with the provisions of the Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022.

VI. ENERGY

Would the project:

Question	CEQA Determination
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less Than Significant Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less Than Significant Impact

Environmental Setting or Reference

Buildings in California are required to comply with California's Energy Efficiency Standards for Residential and Nonresidential Buildings established by CEC regarding energy conservation standards and found in Title 24, Part 6 of the California Code of Regulations. Energy efficient buildings require less electricity.

Evaluation of Potential Energy Impacts

a) **Less Than Significant Impact.** The project proposes a seven-lot single-family residential tentative subdivision map on a currently undeveloped site. During construction there would be a temporary consumption of energy resources for the movement of equipment and materials. The construction and operation of the project would be required by State law to comply with the California Green Building Standards Code (commonly known as "CALGreen"). Compliance with local, state, and federal

regulations, which limit engine idling times and require recycling construction debris, would reduce short-term energy demand during the project's construction to the extent feasible and project construction would not result in a wasteful or inefficient use of energy. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities or use of equipment that would not conform to current emissions standards and related fuel efficiencies. Furthermore, individual project elements are required to be consistent with City policies and emissions reductions strategies, and would not consume energy resources in a wasteful or inefficient manner.

b) Less Than Significant Impact. The proposed residential subdivision map would not conflict with or obstruct an energy plan. The proposed project would adhere to all Federal, State and local agency requirements.

VII. GEOLOGY AND SOILS

Would the project:

Question	CEQA Determination
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less Than Significant Impact
ii) Strong seismic ground shaking?	Less Than Significant Impact
iii) Seismic-related ground failure, including liquefaction?	Less Than Significant Impact
iv) Landslides?	Less Than Significant Impact
b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant with Mitigation Incorporated
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant with Mitigation Incorporated
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Less Than Significant Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant with Mitigation Incorporated

Environmental Setting

Soils of the Isleton planning area are Delta peat, ranging from 101 to as much as 40' in depth; These soils have undergone varying degrees of subsidence over the years and subsidence continues as the result of exposure (oxidation) of peat soils to the drying factors of air and subsequent shrinkage and wind erosion.

Such subsidence is typical throughout the Delta. These naturally occurring conditions require special engineering evaluation for determining appropriate foundation design for structures.

Evaluation of Potential Geology and Soils Impacts

- a) i. **Less than Significant Impact.** There are no known faults crossing through the project site. The site is not located within an Alquist-Priolo earthquake hazard zone. Therefore, less than significant impacts would occur with respect to fault rupture.
- ii. **Less than Significant Impact.** The project would be designed and constructed in accordance with the requirements of the Uniform Building Code. As a result, the risk of ground shaking would be reduced to a minimum and is considered to be less than significant.
- iii. **Less than Significant Impact.** Liquefaction is most likely to occur in deposits of water-saturated alluvium or similar deposits of artificial fill. The potential for liquefaction must account for soil types and density, the groundwater table, and the intensity of ground shaking. Within Sacramento County, the downtown area and the Delta are areas that have been suggested as posing potential liquefaction problems. Based upon the known soil, groundwater, and ground shaking conditions within the City of Isleton (as identified in the General Plan), the potential for liquefaction is considered low. Therefore, adverse impacts from liquefaction are expected to be less than significant.
- iv. **Less than Significant Impact.** The area of the project site proposed for construction is relatively flat; therefore, the likelihood of landslides is minimal. Adverse impacts from landslides are expected to be less than significant.
- b) **Less Than Significant Impact with Mitigation Incorporated.** Grading of the site during future development may create minor contour changes necessary to direct surface runoff. Construction of improvements to accommodate the subdivision would also result in the placement of paving and concrete. Erosion control will be required to mitigate impacts. As a condition of approval of any grading or building permit, the contractor is required to control dust and wind erosion through a combination of watering and erosion control practices. The project would not result in substantial soil erosion, siltation, or loss of topsoil. Therefore, a less than significant impact is expected.
- c) **Less than Significant Impact with Mitigation Incorporated.** The project site is essentially level with little topographic variation. There is lack of information on the site's geological characteristics to determine the level of risk to exposing people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the geologic characteristics of the site. However, there are examples of similar and more intense development around the project site, that such potential impacts can be avoided through appropriate treatment. A preliminary soils study will be required to mitigate impacts to a level of non-significance.
- d) **Less than Significant Impact with Mitigation Incorporated.** The project site may have the potential for expansive soils. There is lack of information on the site's geological characteristics to determine if there are expansive soils on the site. However, there are examples of similar and more intense development around the project site, that such potential impacts can be avoided through appropriate treatment. A preliminary soils study will be required to mitigate impacts to a level of non-significance.
- e) **Less than Significant Impact.** The proposed project is within an area that is identified to utilize septic tank systems and not connect to a public municipal wastewater disposal system. Any septic system installed on the proposed lot must be installed pursuant to Sacramento County Environmental Health improvement standards. Therefore, no significant impacts from sewage disposal are expected.

- g) **Less than Significant Impact.** As referenced in the Cultural Report, there is no evidence of any unique paleontological resources on the site. Also, there is no evidence of any unique geologic feature on the site.

Implementation and adherence to Mitigation Measures GEO-1 will reduce potential impacts to less than significant.

Mitigation Measure

GEO-1. Prior to final map recordation, a preliminary soils report, prepared by a registered civil engineer and based upon adequate test borings, shall be submitted for the subdivision. Additional subdivision measures may be added to mitigate potential geologic/soil conditions on the site to accommodate residential development. If the indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the City Engineer. Such soils investigation shall be done by a registered civil engineer, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.

GEO-2: Prior to any ground disturbance and/or operation, the applicant shall submit Erosion Control and Sediment Plans to the City for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.

GEO-3: Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the City in accordance with the City of Isleton Municipal code(s). Plans for grading shall include disclosure of location and method of treatment/storage of exported materials.

GEO-4: The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

Question	CEQA Determination
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant with Mitigation Incorporated
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant with Mitigation Incorporated

Environmental Setting

The project site is located within the Sacramento Metropolitan Air Quality Management District (SMAQMD), which is part of the Sacramento Valley Air Basin. The Sacramento Valley Air Basin has been further divided into Planning Areas called the Northern Sacramento Valley Air Basin (NSVAB) and the Greater Sacramento Air region, designated by the U.S. Environmental Protection Agency (EPA) as the Sacramento Federal Ozone Non-attainment Area. The Nonattainment area consists of all of Sacramento and Yolo counties, and parts of El Dorado, Solano, Placer, and Sutter counties.

SMAQMD is responsible for limiting the emissions that can be generated throughout the County by various stationary and mobile sources. Specific rules and regulations have been adopted by the SMAQMD Board of Directors that limit the emissions (including greenhouse gas) that can be generated

by various uses and/or activities, and identify specific greenhouse gas reduction measures that must be implemented in association with various uses and activities. The proposed project would be subject to SMAQMD rules and regulations.

Evaluation of Potential Greenhouse Gas Emissions Impacts

- a) **Less Than Significant Impact with Mitigation Incorporated.** Air quality impacts, including Carbon Dioxide emissions from the project, which contribute to global warming, need to be analyzed using the current guidelines or procedures specified by the local air district or the Air Resources Board. Calculations of CO₂, CH₄, and N₂O emissions are provided to identify the magnitude of potential project effects. This analysis focuses on CO₂, CH₄, and N₂O since these comprise 98.9 percent of all GHG emissions by volume (IPCC 2007) and are the GHG emissions that the project would emit in the greatest quantities. Fluorinated gases, such as HFC, PFCs, and SF₆ were not used in this analysis, as they are primarily associated with industrial processes and the proposed project involves retail development and does not include an industrial component. Emissions of all GHGs are converted into metric tons of carbon dioxide equivalent (MT of CO₂e), which presents the volume of GHGs equivalent to the global warming effect of CO₂. While minimal amounts of other GHGs, such as chlorofluorocarbons (CFC), would be emitted, they would not substantially add to the calculated CO₂e quantities. Calculations are based on the California Air Pollution Control Officers Association (CAPCOA) CEQA & Climate Change white paper (CAPCOA 2008).

To assist lead agencies in determining significance, in October 2014 SMAQMD adopted the current GHG thresholds of significance which include a CO₂ construction threshold (1,100 metric tons GHG/year), a land use operational threshold (1,100 metric tons GHG/year), and a stationary source operational threshold (10,000 metric tons GHG/year). Projects whose emissions are expected to meet or exceed the significance criteria will have a potentially significant adverse impact on global climate change. Based on this GHG threshold a project that generates less than 110 Vehicles Miles Traveled (VMT) per day would be considered to have a negligible impact.

This project results in a net increase in six dwelling units which will increase greenhouse gas emissions from both house construction and residential occupancy and use. Greenhouse gas contributions from this project would potentially result in a significant GHG impact since this would result in an increase of approximately 200 VMT (based on SMAQMD Threshold Standards). However, the greenhouse gas emissions generated by the project is expected to be reduced with residential construction requirements under the California Green Building Code which requires that all new houses be EV capable. Each dwelling unit must have a listed raceway to accommodate a dedicated 208/40-volt branch circuit. This is anticipated to reduce emissions to less than significant.

- b. **Less Than Significant Impact.** See discussion above (a).

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Question	CEQA Determination
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less Than Significant Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less Than Significant Impact

Question	CEQA Determination
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less Than Significant Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

Environmental Setting

The project is on vacant property intended for residential development per the City of Isleton General Plan. There is nothing unique to this property that would indicate that future residential development would result in adverse hazardous outcomes.

Evaluation of Potential Hazards and Hazardous Materials Impacts

a, b) Less Than Significant Impact. The use of hazardous substances during normal construction activities is expected to be limited in nature, and would be subject to standard handling and storage requirements. Accordingly, impacts related to the release of hazardous substances are considered less than significant.

c) Less than Significant Impact. There are no existing or proposed school sites within one-quarter mile of the project site. Further, operation of the proposed project does not propose a use that involves activities that would emit hazardous substances or waste that would affect a substantial number of people and is therefore considered to have a less than significant impact. No mitigation measures are required.

d) No Impact. The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. Therefore, there is no impact.

e) No Impact. Isleton is not located within the boundaries of an airport land use plan or within two miles of a public airport. No impact will occur and no mitigation is needed.

f, g) No Impact. Isleton is surrounded by cultivated farmland, and the Sacramento River. The threat of wildland fires is considered to be minimal.

X. HYDROLOGY AND WATER QUALITY

Would the project:

Question	CEQA Determination
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	Less Than Significant Impact

Question	CEQA Determination
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site;	Less Than Significant Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	Less Than Significant Impact
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less Than Significant Impact
(iv) impede or redirect flood flows?	Less Than Significant Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less Than Significant Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant Impact

Environmental Setting

Isleton is located along the south bank of the Sacramento River, approximately 3.12 miles upstream of its confluence with Steamboat Slough. Isleton's elevation is approximately 5 feet above sea level. The city is confronted with persistent flood hazards due to its iconic location within the California Delta and the surrounding water features such as the Sacramento River, Georgiana Slough, San Joaquin River, and Mokelumne River. Virtually the entire city lies within the 100-year flood zone designated by the Federal Emergency Management Agency (FEMA), as displayed in Flood Hazard Map Exhibit below.

Isleton has been flooded by the Sacramento/San Joaquin River systems at least five times since its inception as a City. The most recent 1972 flood, caused by a failed levee on the south side of Brannan-Andrus Levee Maintenance District (BALMD) along the right bank levee of the San Joaquin River, left Isleton under as much as eight feet of water.

Evaluation of Potential Hydrology and Water Quality Impacts

a) Less Than Significant Impact. Construction activities disturbing one acre or more of land are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity. Since the project site involves more than one acre in size the applicant is required to submit a NOI to the RWQCB that covers the General Construction Permit (GCP) prior to the beginning of construction. The GCP requires the preparation and implementation of a Water Quality Management Plan (WQMP) and a Storm Water Pollution Prevention Plan (SWPPP) both of which must be prepared before construction can begin. The SWPPP outlines all activities to prevent stormwater contamination, control sedimentation and erosion, and compliance with Clean Water Act (CWA) requirements during construction. Implementation of the SWPPP starts with the commencement of construction and continues through to the completion of the project. The WQMP outlines the project site design, source control and treatment control of BMPs utilized throughout the life of the project. Upon completion of project construction, the City, as the applicant must submit a Notice of Termination (NOT) to the RWQCB to indicate that construction is completed. Therefore, with implementation of NPDES and the SWPPP in compliance with the RWQCB, impacts to water quality and discharge requirements.

b) Less Than Significant Impact. The development of a net increase in six dwellings would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. All houses within the

subdivision would be served public water. There will be no groundwater extraction from wells on the site. Public water supply is from California America Water Company which maintains the system consisting of three wells, pumps, water treatment equipment, water storage, distribution piping, fire hydrants, valves and other equipment. The system draws from groundwater with a storage capacity of over 100,000. The project is estimated to result in an increase of about 500 gallons per day water demand from the public system (about 85 gallons per day per dwelling) which is considered negligible.

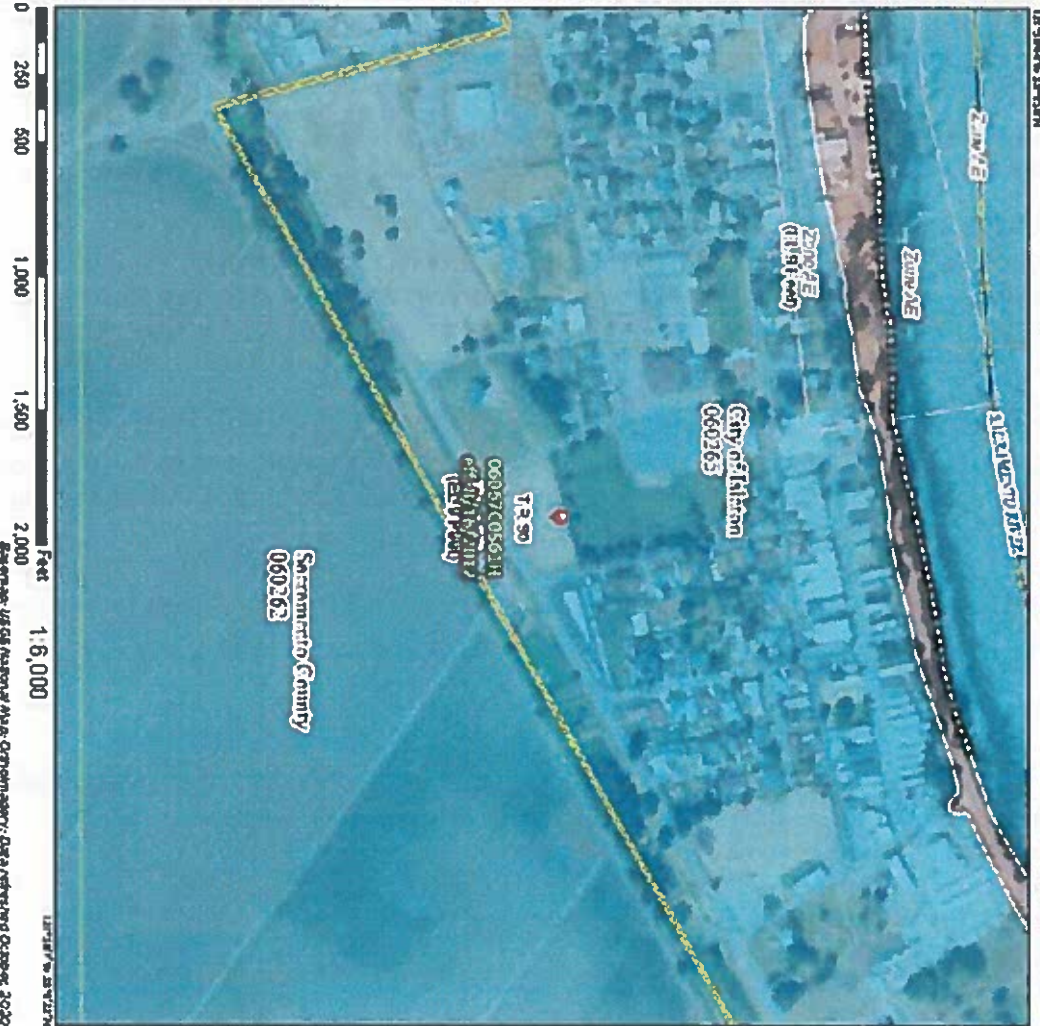
c) Less Than Significant Impact. The project site is located in an AE-9 Flood Hazard Zone based on Federal Emergency Management Agency (FEMA) mapping (see Flood Hazard Map next page). Each dwelling unit within the subdivision will need to be constructed so the living portion of the unit is located above the flood elevation. As shown in the project description, the typical house will have non-occupied space, such as the garage located on the bottom floor and the living area located above the flood elevation. All construction on the subdivision lots will be required to comply with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection. This Code outlines standards for construction within flood hazard zones. In addition, as part of the final map recordation clearances may be required obtain a Conditional Letter of Map Revision (CLOMR) to address how the project would affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway or effective Base Flood Elevations.

d) Less Than Significant Impact. As noted in c above, proposed improvements from the project are within the floodplain. All improvements shall be conducted in accordance with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection, which includes avoidance of pollutants into the flood area.

e) Less Than Significant Impact. Addressed in c and d above.

Flood Hazard Map

National Flood Hazard Layer FIRMette



Legend

SEE THE NUMBER FOR CORRELATION TO THE NATIONAL FLOOD HAZARD LAYER

SPECIAL FLOOD HAZARD AREAS

- Maplewood River Floodplain (SFD) Zone 1 & 2
- Maplewood River Floodplain (SFD) Zone 3
- Highway Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard Area of 3% Annual Chance Flood Hazard Area
- 1% Annual Chance Flood Hazard Area
- 1% Annual Chance Flood Hazard Area
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XI. LAND USE AND PLANNING

Would the project:

Question	CEQA Determination
a) Physically divide an established community?	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact

Environmental Setting

The 1.13-acre property is designated low density residential (6-9 housing units per net acre) in the City’s current General Plan and is located in the R-1-7 residential Zoning District. Subdivision of the property into 7 residential lots for single family development would be consistent with both general plan and zoning of the project site.

Evaluation of Potential Land Use and Planning Impacts

a) No Impact. The proposed Project would not physically divide an established community. The proposed project involves the development of a 7-lot single-family residential subdivision and associated infrastructure improvements, including roadways. The proposed improvements will not physically divide an established community.

b) No Impact. The applicable local land use plan is the City General Plan. The proposed Project is consistent with the City’s General Plan policies.

XII. MINERAL RESOURCES

Would the project:

Question	CEQA Determination
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact

Environmental Setting or Reference

The State Mining and Geology Board (SMGB) prioritizes areas to be classified as containing significant mineral resources and areas to be designated as containing mineral deposits of regional or statewide significance. Mineral Resource Zone (MRZ) categories are used to identify areas of identified, undetermined, and unknown mineral resource significance.

Evaluation of Potential Mineral Resource Impacts

a) No Impact. The State Mining and Geology Board (SMGB) prioritizes areas to be classified as containing significant mineral resources and areas to be designated as containing mineral deposits of regional or statewide significance. Mineral Resource Zone (MRZ) categories are used to identify areas of identified, undetermined, and unknown mineral resource significance. No MRZ designations have been applied to the City of Isleton.

b) No Impact. See response to item a) above.

XIII. NOISE

Would the project result in:

Question	CEQA Determination
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less Than Significant Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

Environmental Setting

This section evaluates short-term and long-term potential noise impacts of the proposed Project on sensitive uses adjacent to the proposed Project site.

The need to mitigate noise impacts under State of California requirements is triggered by one of the following:

- New development proposed adjacent to a roadway that will be negatively impacted by the existing or future traffic noise.
- A new roadway proposed to cross through or along an existing development, where future traffic noise will negatively impact the development.
- Expansion of an existing roadway where projected traffic noise will negatively impact adjoining land uses.
- Establishment of a new land use that will negatively impact on existing use; or
- Establishment of a new land use the will be negatively impacted by the proximity of an existing noise producing use.

Evaluation of Potential Noise and Vibration Impacts

a) Less than Significant with Mitigation Incorporated. Short-term noise impacts would occur during construction of the proposed Project. Construction-related, short-term noise levels would be higher than existing ambient noise levels in the vicinity of the Project site, but would cease once Project construction is completed.

Construction and Noise Generation from Project: Two types of short-term noise impacts could occur during Project construction. First, construction crew commutes and the transport of construction equipment and materials to the Project site would incrementally increase noise levels on roads accessing the Project site. The second type of short-term noise impact is related to noise generated during Project construction. Construction is conducted in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics that change the character of the noise generated on site. Therefore, the noise levels will vary as construction progresses. Despite the variety in the types and sizes of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Typical maximum noise levels range up to 85 dBA Lmax at 50 feet during the noisiest construction phases. Site preparation, which includes excavation and grading, tends to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavators, bulldozers, backhoes and front loaders. Earthmoving and compacting equipment includes graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

b) Less than Significant Impact. Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors where the motion may be discernible; without the effects associated with the shaking of a building, there is less adverse reaction. Typical sources of groundborne vibration are heavier construction activities (e.g., blasting and pile driving), steel-wheeled trains, and occasional traffic on rough roads. Construction for the proposed Project does not require the use of blasting or pile driving and would not result in substantial vibration.

c) No Impact. The project site is not located with within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

XIV. POPULATION AND HOUSING

Would the project:

Question	CEQA Determination
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less Than Significant Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

Environmental Setting

The proposed project would result in the creation of 7 single family lots. According to the City of Isleton Housing Element, the average household size is 2.01 persons per household. Based on this figure, and the proposed number of housing units that could be constructed on the parcel, the proposed project could add 14 new residents to the local population.

Evaluation of Potential Population and Housing Impacts

a) Less Than Significant Impact. Since the project includes the development of 7 single-family residential lots into the community, it will result in a minor increase in population. However, the development is consistent with the development anticipated for the project area by the Isleton General Plan. Therefore, this impact is less than significant.

b) No Impact. The Project site is currently vacant land that would be subdivided into 7 lots. As such, the proposed Project would not displace existing housing. Development of the proposed Project would increase the housing inventory of the City of Isleton by 7 single-family residential units which would be consistent with the General Plan land use designation of the site and buildout of the City.

XV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

Question	CEQA Determination
a) Fire protection?	Less Than Significant Impact
b) Police protection?	Less Than Significant Impact
c) Schools?	Less Than Significant Impact
d) Parks?	Less Than Significant Impact
e) Other public facilities?	Less Than Significant Impact

Environmental Setting

The City of Isleton cooperates with Sacramento County Sherriff for police services and has its own Fire Department. The City Public Works Department manages the parks system.

Evaluation of Potential Public Service Impacts

a - e) Less than significant impact. The proposed project does not propose any new fire protection facilities. The proposed project will result in incremental demand for these services. In accordance with Chapter 3.56 of the Municipal Code, payment of development impact fees for house development will off-set the impacts the project would have on these City services.

School impact fees collected at the time building permits are issued for houses within the subdivision will off-set the impacts from this project on school services and facilities.

There would be a minimal increase in the use of existing park facilities as a result of the net increase in 6 single-family residences once built out. This would result in an additional demand of recreational facilities from six new families occupying all dwellings in the subdivision. This would be considered a negligible impact.

Police protection services within the City of Isleton are provided through a contract with the Sacramento County Sherriff Department. Development of the proposed Project may incrementally increase the demand for police protection services due to the increased population of residents on the site. This would be considered a negligible impact.

XVI. RECREATION

Question	CEQA Determination
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less Than Significant Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less Than Significant Impact

Environmental Setting

The City Public Works Department oversees park maintenance. City facilities accommodate a wide range of activities, including softball, soccer, volleyball, and basketball. The proposed Project is not adjacent any parks or other recreational facilities.

Evaluation of Potential Recreation Impacts

a, b) Less Than Significant Impact. There would be a minimal increase in the use of existing recreational facilities as a result of the net increase in 6 single-family residences once built out. This would result in an additional demand of recreational facilities from six new families occupying all dwellings in the subdivision. This would be considered a negligible impact.

XVII. TRANSPORTATION

Would the project:

Question	CEQA Determination
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less Than Significant Impact
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Less Than Significant Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less Than Significant Impact
d) Result in inadequate emergency access?	Less Than Significant Impact

Environmental Setting

All lots will be accessed by existing public right of ways. Lots 1, 2, and 3 will be accessed via D Street. Lots 4 and 5 will be accessed via 6th Street, and lots 6 and 7 via Gas Well Road. The site is relatively flat. The proposed subdivision provides adequate access.

Evaluation of Potential Transportation Impacts

- a) Less than Significant Impact.** The subject property is surrounded and accessed on the south, east and west sides of 6th, D Street and Gas Well Road, via residential streets. All lots will have adequate access. Street improvements to the project will be completed prior to any new dwelling unit construction or occupancy. The project will comply with all City regulations and policies addressing the circulation system
- b) Less than Significant Impact.** Based on the International Traffic Engineers manual the project will result in some increased traffic of about 57 average trips daily for six more single family dwellings over the existing development scenario of about 10 trips if the site was built out with a single dwelling unit. This would be considered negligible to current traffic levels in the neighborhood and would not result in significant increases in Vehicle Miles Traveled (VMT) as provided under Section 15064.3 of the CEQA Guidelines.
- c) Less than Significant Impact.** All lots proposed in the subdivision would have adequate access to residential streets and driveway access to each lot should not result in any dangerous vehicular conflicts.

- d) **Less than Significant Impact.** As proposed, the project is not expected to result in any impact related to adequate emergency access

XVIII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Question	CEQA Determination
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	Less Than Significant Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less Than Significant Impact

Environmental Setting

Chapter 532, Statutes of 2014 (i.e., AB 52), requires Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include “[s] sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources.” AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a “tribal cultural resource.”

CEQA defines a “historical resource” as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC §5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (4) is determined to be a historical resource by a project’s Lead Agency (PRC §21084.1 and *State CEQA Guidelines* §15064.5[a]). A resource may be listed as a historical resource in the California Register if it meets any of the following National Register of Historic Places criteria as defined in PRC §5024.1(C):

- A. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- B. Is associated with the lives of persons important in our past.
- C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- D. Has yielded, or may be likely to yield, information important in prehistory or history.

A “substantial adverse change” to a historical resource, according to PRC §5020.1(q), “means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.”

As detailed in response to Checklist Question 3.5a, a Project-specific cultural resources assessment was conducted for the Project site and included archaeological and historical records search, communication with Native American tribal representatives, and an intensive pedestrian survey of the Project site (Appendix C). The records search revealed 458 cultural resources were previously recorded within one mile of the Project site. The Project site has not been subject to a previous cultural resources assessment and no cultural resources have been previously identified within its boundaries. The intensive pedestrian survey of the Project site failed to identify any prehistoric archaeological remains and the results of the

survey indicate that the surface of entire Project site has been disturbed by existing uses occupying the site.

Evaluation of Potential Tribal and Cultural Impacts

a) Less than significant with mitigation incorporated. Chapter 532, Statutes of 2014 (i.e., AB 52), requires Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include “[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources.” AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a “tribal cultural resource.”

b) Less than Significant with Mitigation Incorporated. CEQA defines a “historical resource” as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC §5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (4) is determined to be a historical resource by a project’s Lead Agency (PRC §21084.1 and *State CEQA Guidelines* §15064.5[a]).

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B. Is associated with the lives of persons important in our past.

C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

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In accordance with California Government Code Section 65092, on or after March 1, 2005, local governments must consult with tribes before designating open space, if the affected land contains a cultural place and if the affected tribe has requested public notice. In this case, no tribe has requested consultation from the City of Isleton under this Code, so the City is not obligated to request further consultation from tribes.

Based on the absence of significant historical resources/unique archaeological resources within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed, although the following Mitigation Measures are considered appropriate:

Mitigation Measures:

See Cultural Resource section of this ISMND. CUL 1 and CUL 2 mitigation measure apply to this Tribal Cultural Resource section.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

Question	CEQA Determination
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less Than Significant Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less Than Significant Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant Impact

Environmental Setting

The Project will connect to existing gas, electric, and sanitary sewer stub outs in the adjacent street rights-of-way. Runoff from the lots would be collected in a series of at-grade concrete swales, catch basins, and pipe conveyance system (including water quality BMPs). The collected site runoff would be conveyed and discharged to the existing via a new drainage ditch or pipe.

Evaluation of Potential Utility and Service Systems Impacts

a) Less Than Significant Impact. The project will not impact existing and/or proposed utility/service infrastructure systems, including but not limited to water/wastewater treatment systems, storm water drainage systems, electric power, natural gas, or telecommunications facilities. The project parcels will be served with sanitary sewer and have power through PG&E.

b) Less Than Significant Impact. The development of a net increase in six dwellings would not substantially increase water service demands. All houses within the subdivision would be served public water. There will be no groundwater extraction from wells on the site. Public water supply is from California America Water Company which maintains the system consisting of three wells, Pumps, water treatment equipment, water storage, distribution piping, fire hydrants. valves and other equipment. The system draws from groundwater with a storage capacity of over 100,000. The project is estimated to result in an increase of about 500 gallons per day water demand from the public system (about 85 gallons per day per dwelling) which is considered negligible.

c) **Less than Significant Impact.** Sewage collection, treatment and disposal is provided by the City of Isleton. The City's sewage treatment plant was replaced in 1976 following the flood which damaged the old plant in 1972. Consisting of engineered evaporation/percolation ponds located along Georgiana Slough southeast of the City, the facility provides only a primary level of treatment. The plant currently has sufficient capacity to service a net six additional dwellings as proposed by this subdivision.

d) **Less than Significant Impact.** The project would be required to coordinate with the waste hauler, Cal Waste Recovery, to develop collection of recyclable materials from the project site on a common schedule as set forth in applicable local, regional, and state programs. Solid waste is transported to the Delta transfer station near Isleton from where it is trucked to the County's 656-acre sanitary landfill at Kiefer Blvd. and Grantline Road southeast of Sacramento. The County's landfill site has an expected useful life to the year 2040. Materials that would be recycled by the project include paper products, glass, aluminum, and plastic. Additionally, the project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, state, and federal solid waste disposal standards.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Question	CEQA Determination
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less Than Significant Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

Evaluation of Potential Wildfire Impacts

- a) **No Impact.** The project as designed will provide sufficient emergency access.
- b) **Less than Significant Impact.** The site is virtually flat and with minimal slope and therefore will not exacerbate wildfire risks exposing project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire
- c) **No Impact.** The Project is located in a non-rural urbanized area served by existing water and roadway infrastructure and does not require the installation or maintenance of wildland protection features such as fire roads, fuel breaks, or emergency water sources. In the absence of any need for such features, no impact (temporary or ongoing) would result from development of the proposed uses.
- d) **No Impact.** Similar to adjacent properties, the Project site is flat. No hillside areas or natural areas prone to wildfire fire are located in the immediate Project vicinity. As the Project would not expose persons or structures to post-fire slope instability or post-fire drainage, no impact would occur.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Question	CEQA Determination
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Less Than Significant Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Less Than Significant Impact

Attachment C
Planning Commission Resolution PC 01-22

RESOLUTION PC 03-22

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ISLETON RECOMMENDING APPROVAL TO THE CITY
COUNCIL OF TENTATIVE SUBDIVISION MAP 2022-01**

The Planning Commission of the City of Isleton hereby finds as follows:

WHEREAS, on April 26, 2022, Alexander Kushner ("Applicant") submitted a planning application to the City of Isleton for Tentative Subdivision Map 2022-01, for the subdivision of a 1.13 acre lot into seven (7) residential lots at 501 6th Street, Isleton, CA, APN# 157-0040-053 ("Project"); and

WHEREAS, the Project application was submitted in accordance with the Municipal Code 11.04 for Subdivisions, in the One Family Residential (R), Zoning District (R-1-7, APN# 157-0040-053); and

WHEREAS, A duly noticed public hearing to consider the project was advertised for October 4, 2022; and

WHEREAS, The Planning Department prepared an Initial Study and Mitigated Negative Declaration as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA). Mitigation Measures were incorporated into the project to fully mitigate all potentially significant impacts on the environment; and

WHEREAS, the City has independently reviewed, analyzed, and considered the Initial Study and Mitigated Negative Declaration prior to making its decision on the project. The Mitigated Negative Declaration reflects the independent judgement of the City of Isleton, as lead agency; and

WHEREAS, the proposed subdivision (incorporating mitigation measures for the project's Mitigated Negative Declaration) and subject to certain Conditions of approval complies with all standards of the Zoning Code and is consistent with the General Plan; and

WHEREAS, at said hearing, the Planning Commission considered the staff report dated October 4, 2022, including the Mitigated Negative Declaration; and

WHEREAS, on October 4, 2022, the Planning Commission conducted a public hearing on this Tentative Map 2022-01.

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

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

Section 2. The Planning Commission recommends the City Council approve the Tentative Subdivision Map for the project based on the findings made below and subject to the Conditions of approval: Kushner Tentative Subdivision Map 2022-01, located at 501 6th Street, in the One

Family (R) Residential Zoning District (R-1-7), APN# 157-0040-053, subject to the following Conditions of Approval:

Planning Commission Recommended Conditions of Approval for Tentative Map 2022-01

1. The final subdivision map shall conform to all the applicable requirements of the Subdivision Map Act and the Isleton Municipal Code.
2. The sub-divider shall enter into a contract agreement with the City to perform the installation and construction of all improvements as contained in the conditions of approval of the subdivision and those required by the subdivision sections of the City, and shall post bond, cash deposit, or instrument of credit, guaranteeing the installation and construction of all required improvements within the time period specified herein or approved time extension in accordance with the provisions of the City. If a Subdivision Improvement Agreement is approved by the City, all required improvements shall be completed within a period not to exceed 24 months from the date of the recording of the final map.
3. The improvement plans for this subdivision shall be prepared by a California Registered Civil Engineer and shall be approved by the City Engineer prior to the filing of the final map. These plans shall be submitted concurrently and shall include, but not be limited to, grading, street, drainage, sewer, water, dry utilities and appurtenant improvements. The plan submittal shall also include construction cost estimates, plan check fees, soils reports, and all pertinent engineering design calculations. The final map may not be filed unless the City Engineer has approved improvement plans.
4. The improvement plans shall conform to the City's Municipal Code and other standards as applicable, except as noted otherwise on the approved improvement plans.
5. All taxes to which the property is subject must be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Approximately two weeks prior to submitting the subdivision map to the City for recordation, please contact the Tax Collector's Office. The receipt from the Tax Collector's Office must be submitted with the subdivision map.
6. If the applicant desires to record the Final Map prior to completion of the grading and improvements as shown on the approved grading and improvement plans, the applicant shall enter into an agreement to complete the grading and public improvements; and shall post sufficient surety guaranteeing the construction of all of the improvements, in accordance with the City's Municipal Code and the California Subdivision Map Act. The applicant must supply the City with a cost estimate, prepared by a licensed Civil Engineer, for all improvements shown on the grading/improvement plans. The cost estimate must be approved by the City Engineer. The City will then prepare an agreement which will require City Council approval and will be required to be recorded prior to Final Map approval.

7. No construction shall commence and no grading shall be performed prior to the approval of the improvement plans by the City Engineer. Preliminary grading may be permitted subject to the approval of a preliminary grading plan by the City Engineer.
8. The lot design on the Subdivision Map shall be designed in substantial conformance with the approved Tentative Map as filed with the City of Isleton. Minor modifications to final configuration may be approved by the City Engineer; however, the number of parcels shall not exceed that shown on the approved Tentative Map.
9. Prior to final map recordation, in-lieu fees for park and recreation facilities shall be paid in accordance with Chapter 11.12 of the Municipal Code.
10. The project is subject to 14 Mitigation Measures referenced in the Mitigated Negative Declaration as described in more detail Attachment A of these Conditions of Approval.
11. Prior to this Tentative Map becoming effective, the applicant shall complete filing of the Notice of Determination regarding the related CEQA Mitigated Negative Declaration, which shall include paying all recording fees and California Department of Fish and Wildlife Service (Fish & G. Code, § 711.4) when filed with the County Clerk's office within five days of the Planning Commission's action on the Tentative Map (or as prescribed by Governor's Executive Order N-54-20).
12. The developer shall provide all necessary easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the City standards. In the event such easements cannot be obtained from the property owner involved by negotiation; the City may acquire them at the expense of the developer by exercise of the power of eminent domain. The developer shall bear all of the costs of appraisal, acquisition, attorney fees, and court costs.
13. The developer shall procure easements or consents from all affected landowners (if needed) for any diversion of historical flows, changes in drainage conditions, or acceptance of any additional water flowing over their property.
14. The developer shall dedicate and improve all streets, including curbs, gutters and sidewalks to comply with the City's related standards. Street lighting may be required as part of these improvements as determined by the City Engineer.
15. All streets, sidewalks, curbs, and gutters adjacent to the subdivision shall be improved as necessary to provide safe vertical and horizontal transitions to connect improvements constructed within this subdivision to existing improvements, as directed by the City Engineer. Any street, alley, sidewalk, or curb damaged by the developer or its agents or employees shall be repaired at developer's expense.
16. All new water, gas, sewer, underground electrical power, Cable or telephone lines, or conduits or underground drain lines associated with this project shall be installed before any paving is placed. Utility stub connections to property boundaries of each lot may be omitted only with express and written permission of the City Engineer.

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17. The developer shall set all monuments required by the Subdivision Map Act before his bond is released, and said bond shall be security.
 18. All new_utility facilities shall be placed underground and located within easements as required by the serving utility company. The easements shall be shown on the final map.

PASSED AND ADOPTED by the Planning Commission of the City of Isleton this 4th day of October, 2022, by the following vote:

AYES: Planning Commissioner's Mandy Elder, Ruby Fowler, Joe Kessner.

NOES: None.

ABSTAIN: Planning Commissioner's Michelle Burke and Chair Jack Chima.

ABSENT: None.


CHAIR, Jack Chima

ATTEST:


DEPUTY CITY CLERK, Yvonne Zepeda

City of Isleton

City Council Staff Report

DATE: November 9, 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

Status report on the 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: November 9, 2022

ITEM#: 7.B

CATEGORY: Old Business

RESOLUTION 32-22 OF THE CITY COUNCIL OF THE CITY OF ISLETON ADOPTING THE ISLETON CANNABIS LOCAL EQUITY ASSESSMENT AND ISLETON CANNABIS LOCAL EQUITY PROGRAM

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. The Cannabis Equity Program consists of two elements – the Assessment report and a Program Manual (both attached). This action is to approve the City of Isleton Cannabis Equity Program Manual and pass a resolution memorializing this action.

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."

The Assessment was completed and approved by City Council on October 25th, 2022. This Assessment looks at the impact of cannabis criminalization and poverty on the Isleton community.

Staff requests City Council to approve by Resolution 32-22 City Council adopting the City of Isleton Local Equity Assessment and the City of Isleton Local Equity Program. This Equity program, once put into effect, is to encourage economic business proposals from and for cannabis based industries in Isleton. The City's responsibility is to allocate the State Cannabis equity grant funds among the business proposals pursuant to the program manual.

The passing of this resolution will allow the City to apply for Cannabis Equity Funds for the benefit of Isleton Cannabis businesses.

Staff requests City Council approve Resolution 32-22 Adopting the City of Isleton Equity Assessment and the City of Isleton Cannabis Local Equity Program.

FISCAL IMPACT

There is no fiscal impact to City funds. Subsequent to this action, the City will apply for "Tier 2" funding, estimated to be \$400,000, for the Isleton Local Cannabis Equity Program and disburse these funds.

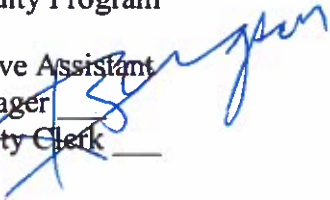
RECOMMENDATION

It is recommended that City Council passed by Resolution 32-22 adopting the City of Isleton Local Equity Assessment and the City of Isleton Local Equity Program.

ATTACHMENTS

- A. City of Isleton Resolution 32-22
- B. City of Isleton Cannabis Local Equity Assessment
- C. City of Isleton Cannabis Local Equity Program

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



RESOLUTION 32-22

RESOLUTION 32-22 OF THE CITY COUNCIL OF THE CITY OF ISLETON ADOPTING THE ISLETON CANNABIS LOCAL EQUITY ASSESSMENT AND ISLETON CANNABIS LOCAL EQUITY PROGRAM; AND AUTHORIZING CITY MANAGER TO SUBMIT APPLICATION AND SIGN AGREEMENT FOR STATE OF CALIFORNIA CANNABIS EQUITY ACT GRANT FUNDING TYPE 2

WHEREAS, the members of the California Legislature have recognized the need for cannabis equity grant funding; and

WHEREAS, funding has been provided to the Governor's Office of Business and Economic Development to provide grant funds to local governments pursuant to AB 97 (Stats. 2019, Ch. 40);

WHEREAS, the City Council of the City of Isleton adopts the City of Isleton Local Equity Assessment and the City of Isleton Local Equity Program; and authorizes City Manager to submit application for Type 2 Funding for Type 2: Assistance for Cannabis Equity Program Applicants and licensees commercial cannabis activity.

WHEREAS, the City Council of the City of Isleton has determined that it will use grant funds from the Governor's Office of Business and Economic Development to assist local equity applicants and licensees through its local equity program for commercial cannabis activity as described in its application for grant funds.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Isleton adopts the City of Isleton Local Equity Assessment and the City of Isleton Local Equity Program, authorizes the City Manager to submit grant application and to execute by electronic signature on behalf of City Council of the City of Isleton the grant agreement with the Governor's Office of Business and Economic Development, including any extensions or amendments thereof and any subsequent grant agreement with the Governor's Office of Business and Economic Development in relation thereto.

IT IS AGREED that any liability arising out of the performance of this grant agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The Governor's Office of Business and Economic Development and the State of California disclaim responsibility for any such liability.

PASSED AND ADOPTED by the City Council of the City of Isleton this 9th day of November, 2022, by the following vote:

AYES:

NOES:

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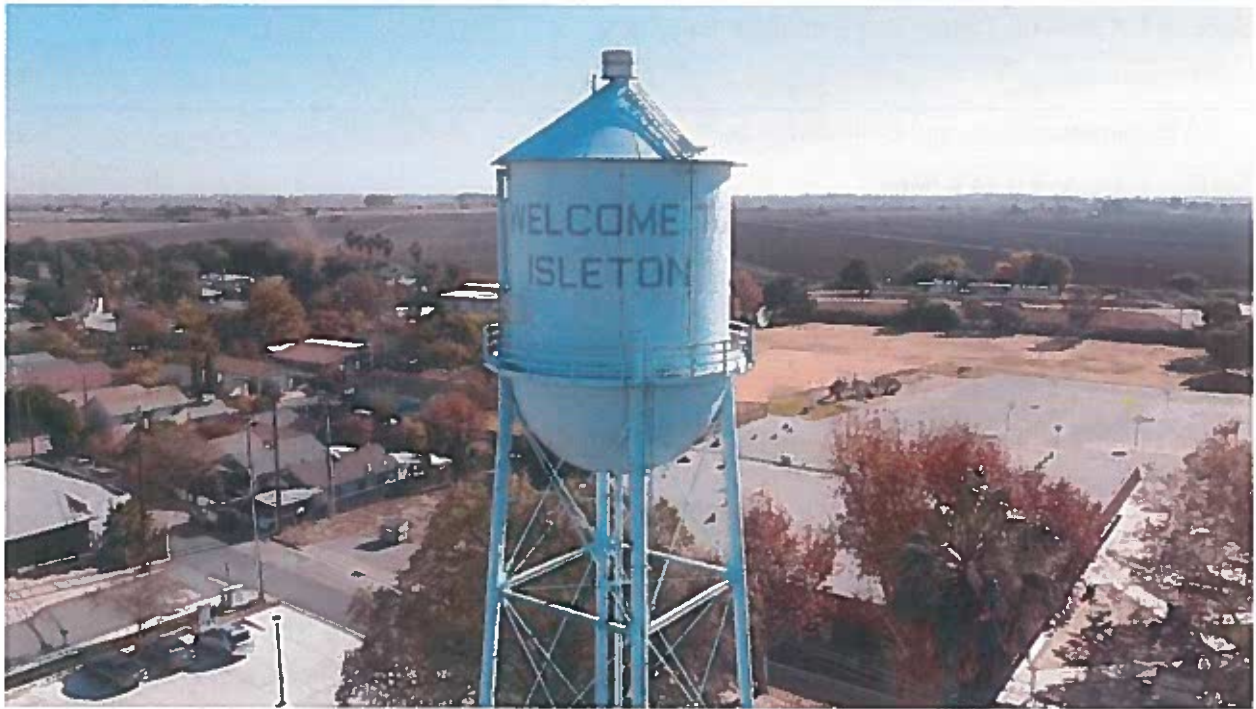
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City of Isleton Cannabis Equity Assessment V1 -- October 25, 2022

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.



TABLE OF CONTENTS

Section 1. Cannabis Equity and Executive Summary	4
1.1 Key Findings	6
1.2 Recommendations and Considerations	6
Section 2. Overview of Isleton	7
Section 3. Equity Analysis	9
3.1 Methodology	9
3.2 Impacts of Cannabis Criminalization and History of Cannabis Policy in Isleton, Sacramento County, and California	10
3.3 Cannabis, Drug Arrest Rates and Racial Disproportionality in The City of Isleton, Sacramento County, California, and the United States	15
<i>Cannabis and Drug Arrest Data</i>	15
<i>Isleton Cannabis Arrest Rates</i>	17
<i>The Impact of Cannabis Criminalization on the Isleton Community as a Whole</i>	18
<i>Impact of Cannabis Criminalization on Communities within Isleton</i>	21
<i>Isleton PD Data: Black/ White Cannabis Arrest Rates</i>	22
<i>Sacramento County Sheriff: Black/ White Cannabis Arrest Rates</i>	22
<i>All Law Enforcement in Sacramento County: Black/ White Cannabis Arrest Rates</i>	23
<i>Isleton - Drug Arrest Rates</i>	23
<i>Isleton Drug Arrest Rates</i>	24
<i>Impact of Drug Arrests on Black and Hispanic People in Sacramento County:</i>	27
<i>California and the United States</i>	30
Section 4. Current Conditions in Isleton	31
4.1 Economic Conditions in Isleton	32
<i>Income and Poverty</i>	32
<i>Employment</i>	34
<i>Employment by Sector and Income:</i>	36
<i>Economic Impact of Legalization</i>	38
4.2 Housing in The City of Isleton	39
<i>Housing Affordability</i>	39
<i>Homeownership</i>	40
<i>Single Householders</i>	40
4.3 Educational Attainment in The City of Isleton	40

4.4 Youth Cannabis Use	41
Section 5. Overview of the Isleton Cannabis License Process & Issued Permits	43
5.1 Existing Regulatory Environment	43
5.2 Review of Issued Permits in Isleton and Application Process	44
<i>Application Process</i>	44
Section 6. Barriers to Entry	45
Section 7. Cannabis Equity Program Recommendations	48
Appendix: Isleton Ordinance History	54
References	56

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

¹ Census table P1

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

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 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.

While the resumption of a large housing development promises an increase in housing supply, housing affordability is a challenge for the community (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.

³ Census table P1

⁴ Census table P2

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

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 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.

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.

¹² Census table S15010

- 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 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

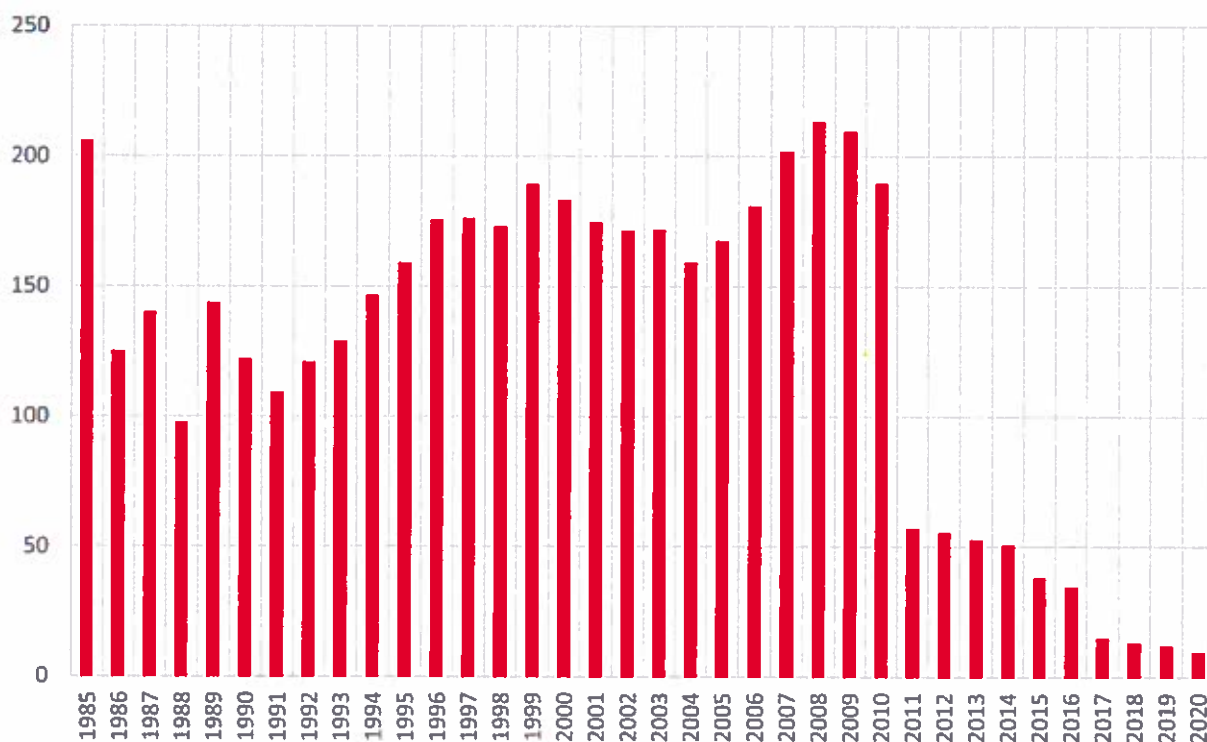
individuals. During the same period, the Hispanic people in Sacramento County were arrested for felony drug offenses at over twice the rate of white individuals (see Section 3.3).

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 Population*¹³



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.

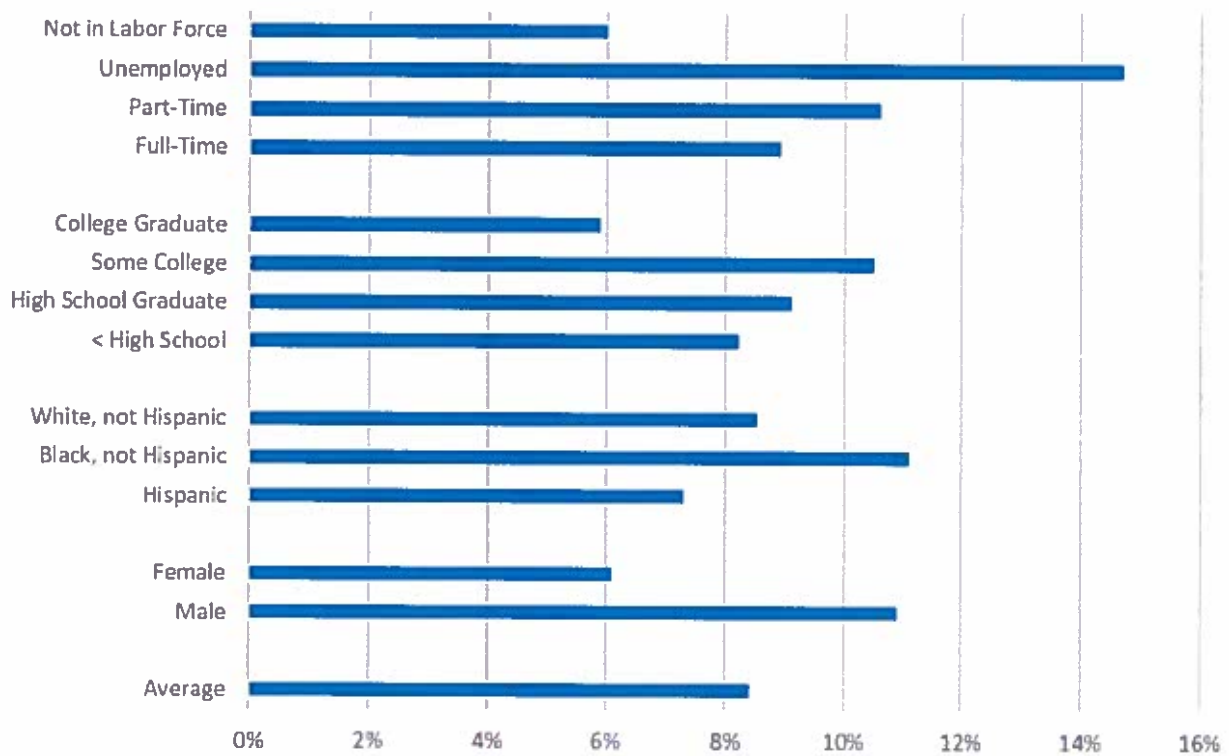
Unemployment is a key factor in cannabis use, where unemployed individuals are more than twice as likely to report cannabis use than those with a full-time job. Although the nature of any cause-and-effect relationship between unemployment and cannabis use is unclear, some scholarship provides evidence 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)



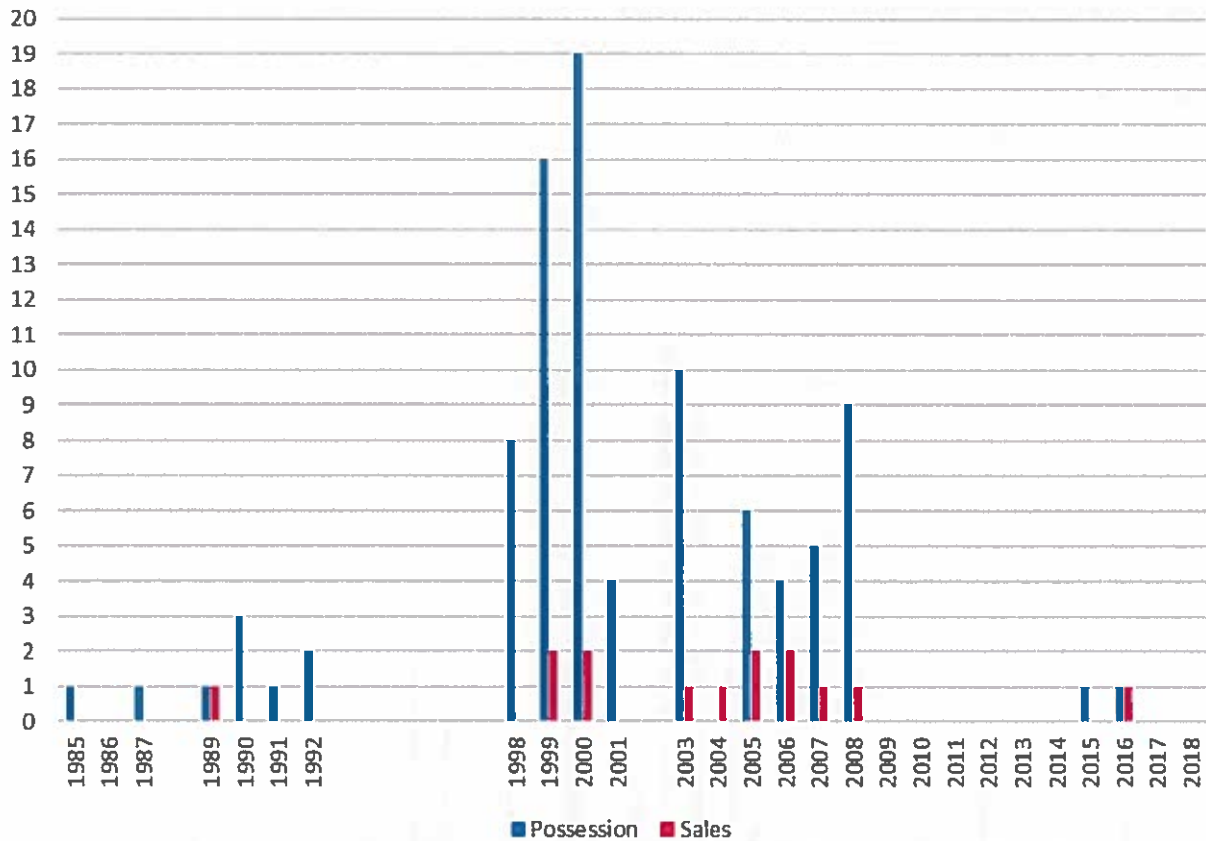
The Impact of Cannabis Criminalization on the Isleton Community as a Whole

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



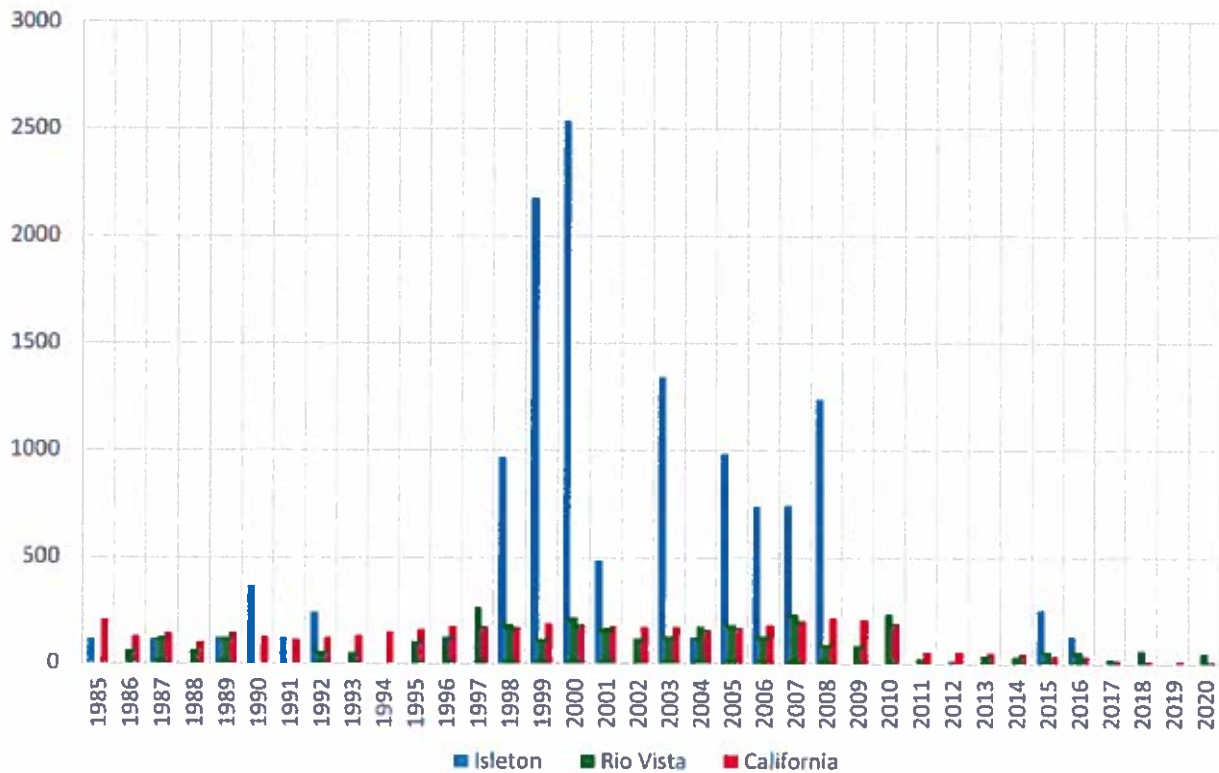
To assess the impact of cannabis criminalization (*fig. 3.5 below*) on the Isleton community we compare relative cannabis arrest rates between Isleton, its neighbor Rio Vista, and the state average¹⁹. While the Rio Vista Police Department reported arrests similar to the statewide rates throughout the 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

²¹ Assumes missing year values are 0 arrests for Isleton.

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

of the drug war on demographic groups within Isleton based on data from the broader Sacramento County.

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

²⁴ Data 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 (American Civil Liberties Union).

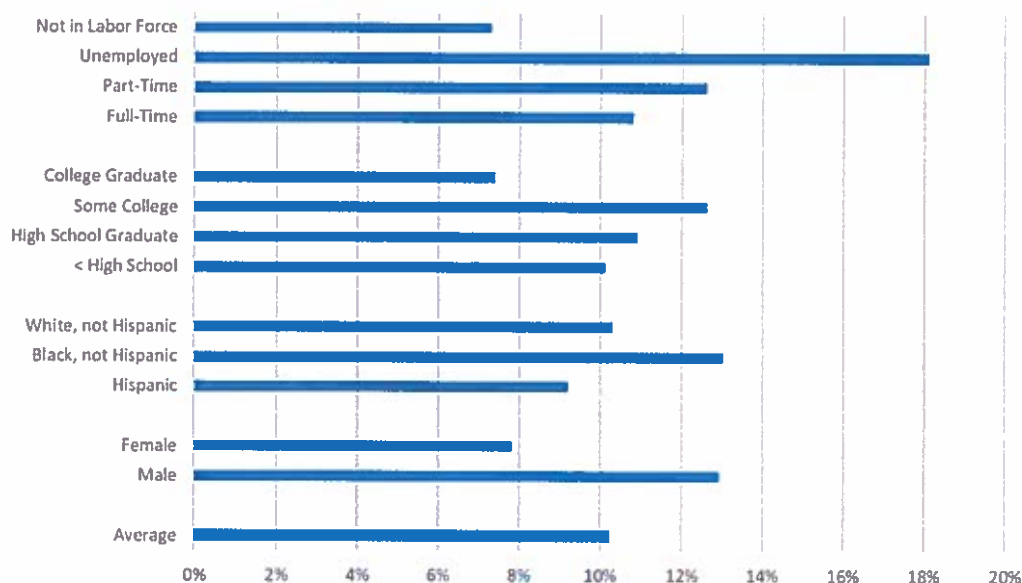
It is unfortunate that FBI-sourced arrest data do not distinguish between white Hispanic and non-white Hispanic in arrest data. In the absence of evidence to the contrary, we believe that Isleton’s significant Hispanic population would have had law enforcement experiences similar to those in Sacramento 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)



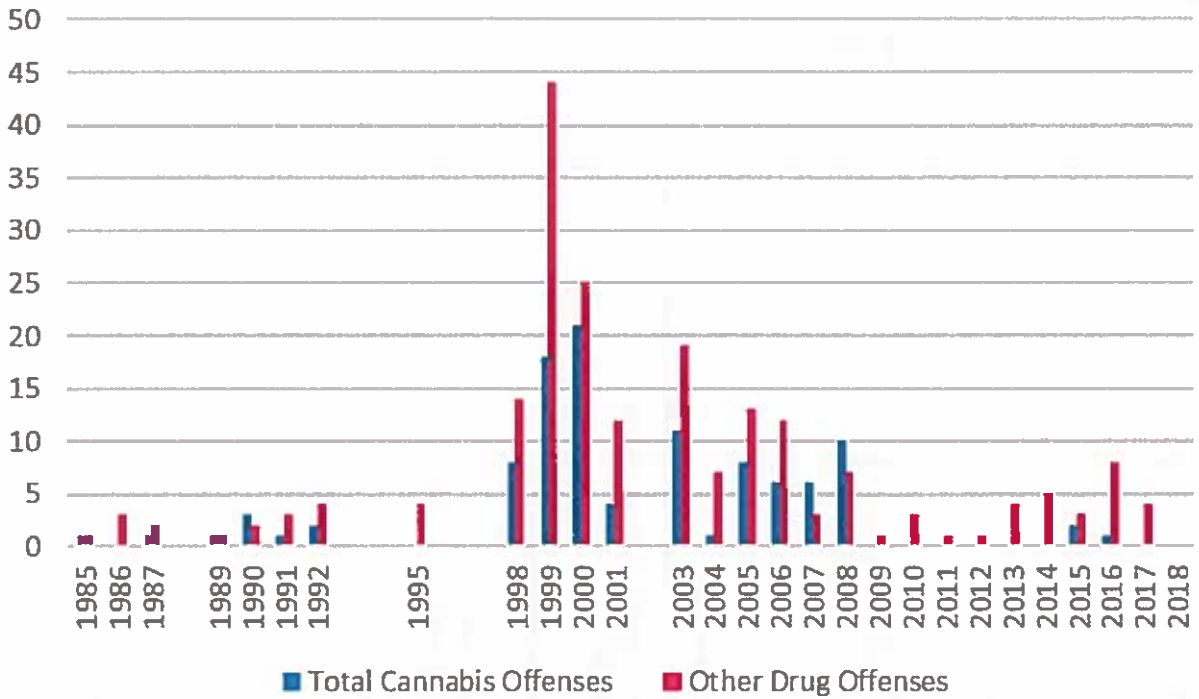
Isleton Drug Arrest Rates

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

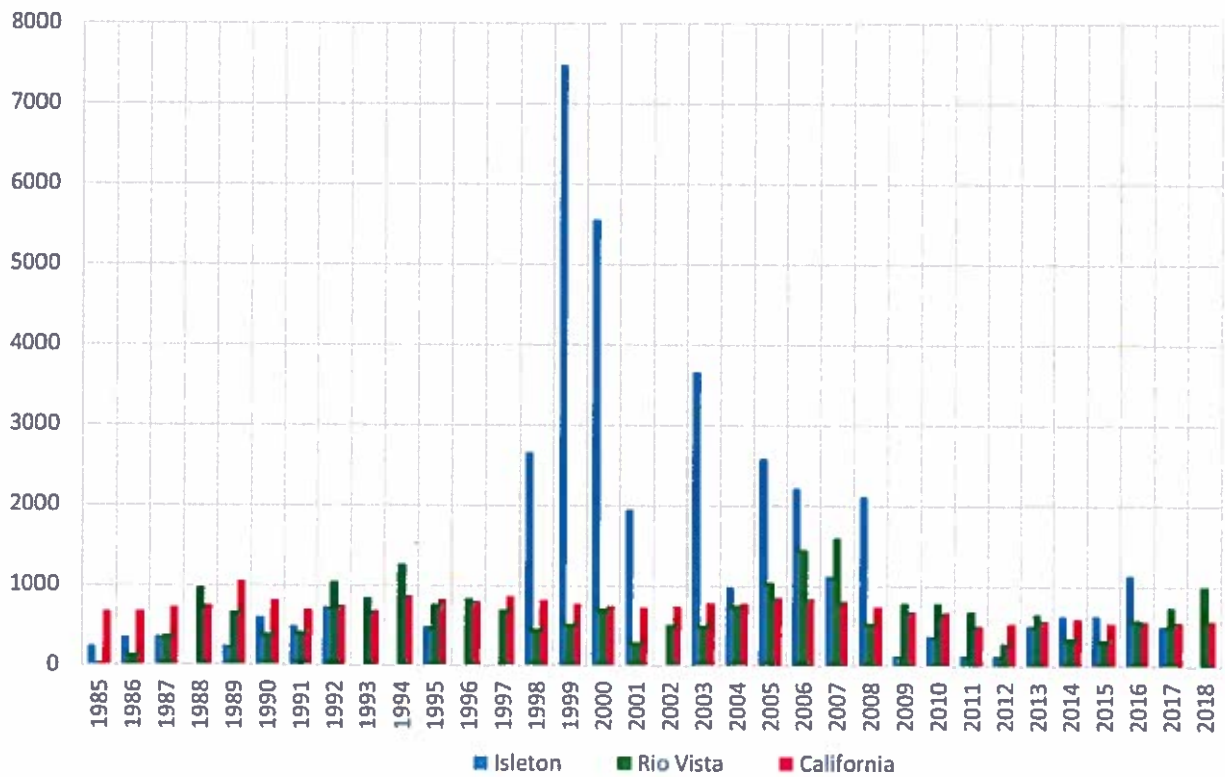
Drug Arrests by Isleton PD and SCS²⁵

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.



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.

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:

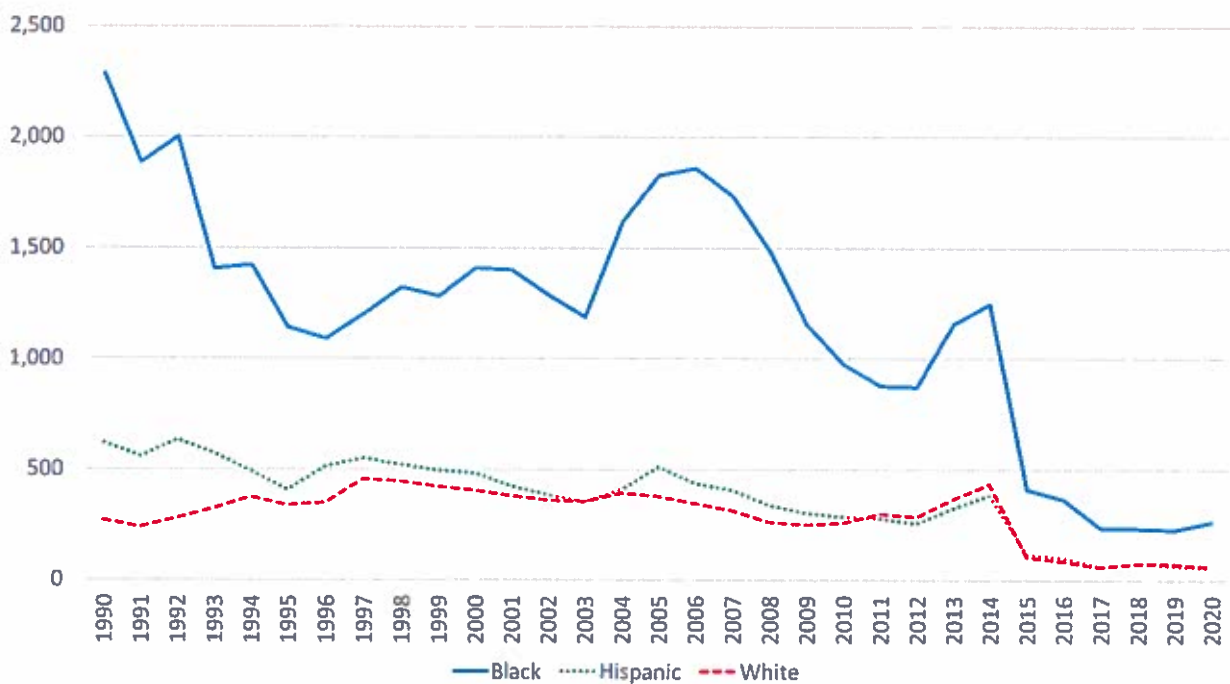
Data from the California Department of Justice Monthly Arrest and Citation Register (MACR) database provide more opportunity to analyze arrests by race and ethnicity, age, as well as information about the outcome of the arrest. In particular, unlike the FBI data, these data differentiate Hispanic as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

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.

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 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



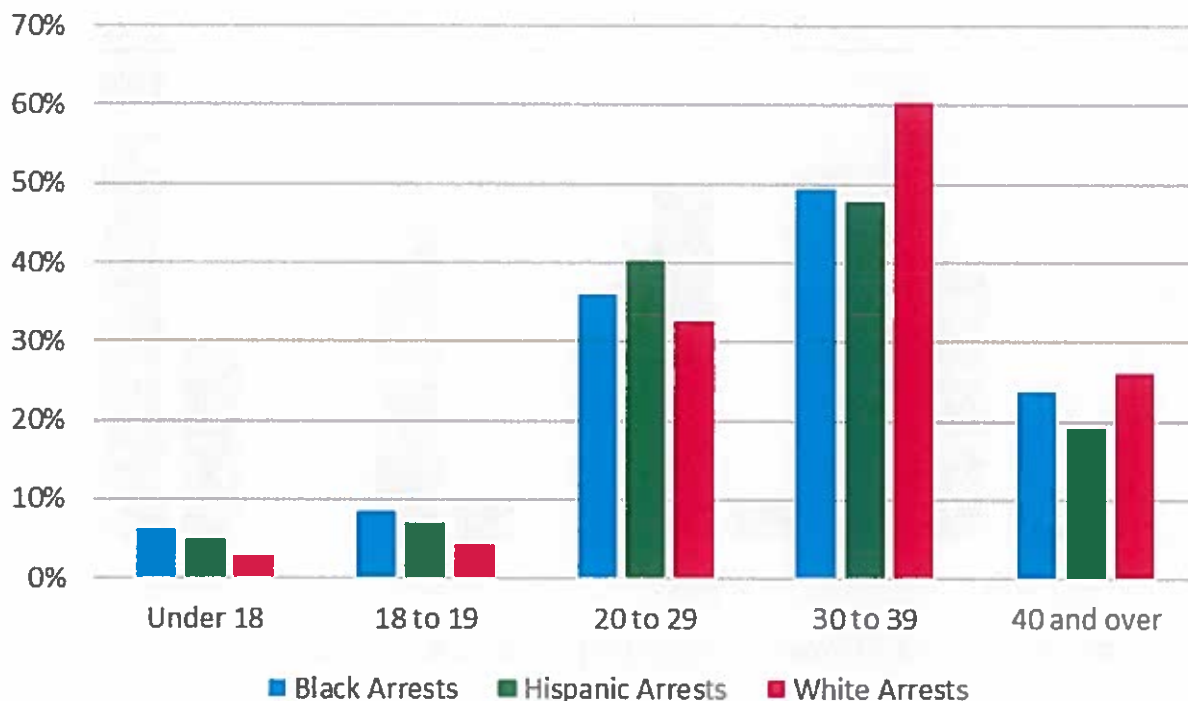
Analyzing these data by age reveals further disparities. Black and Hispanic arrests are heavily skewed toward younger arrestees. Felony arrests made of Black minors constitute 6.2% of total Black arrests, whereas just 2.7% of felony drug arrests of white suspects are under 18 (fig. 3.14 below). Similarly, 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.

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.

Figure 3.14

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



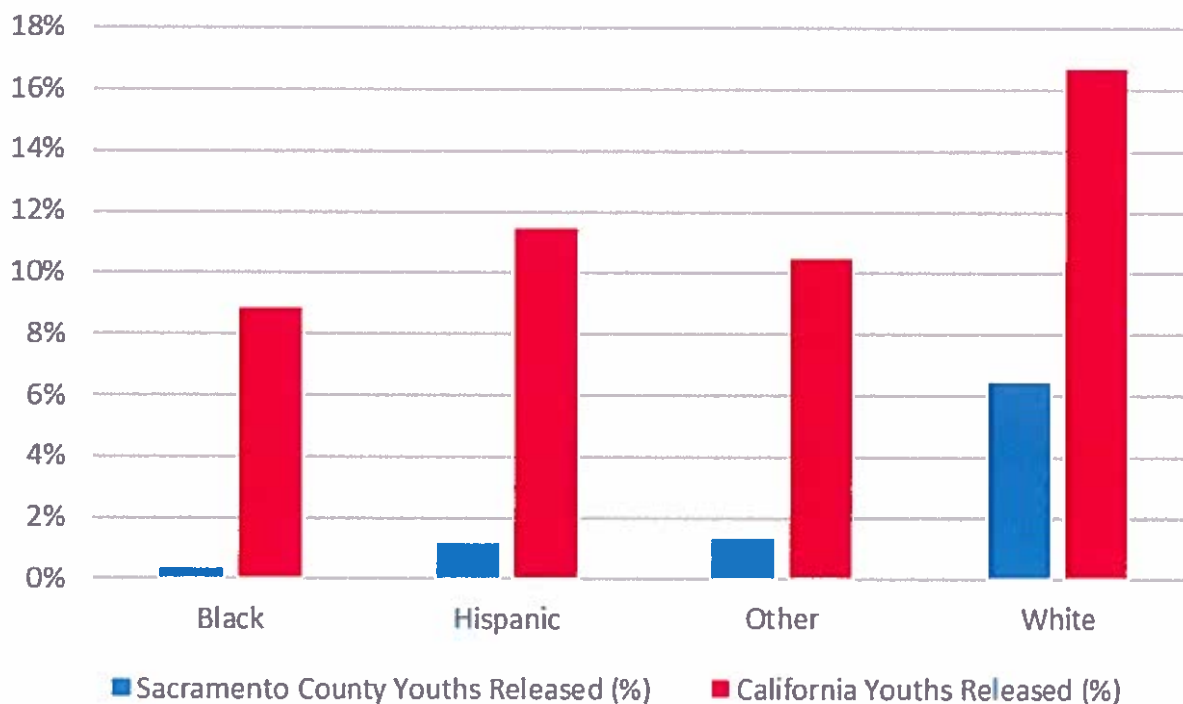
Furthermore, evidence indicates that Black and Hispanic populations experienced greater consequences of arrests during this period, both relative to other race/ethnicity groups within the county as well as to the statewide rate. A white youth in Sacramento County is 5.5 times more likely than a Sacramento 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 American Civil Liberties Union (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

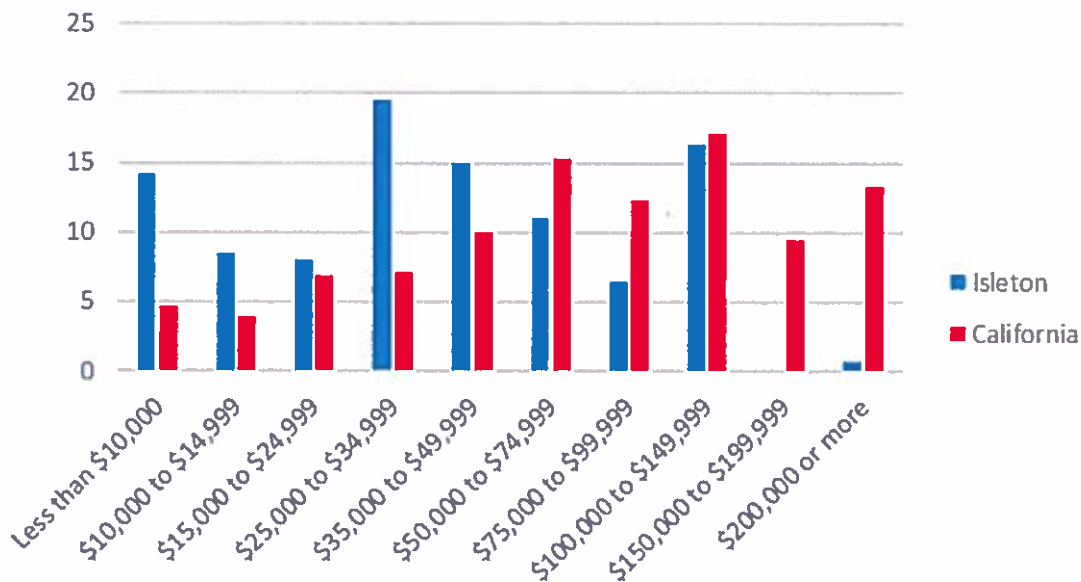
Structural conditions within Isleton create vulnerabilities that exacerbate the effects of the War on Drugs for the citizens of Isleton. These conditions include poverty, unemployment, low rates of higher educational attainment, and lack of affordable housing. For example, those with a college education, 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

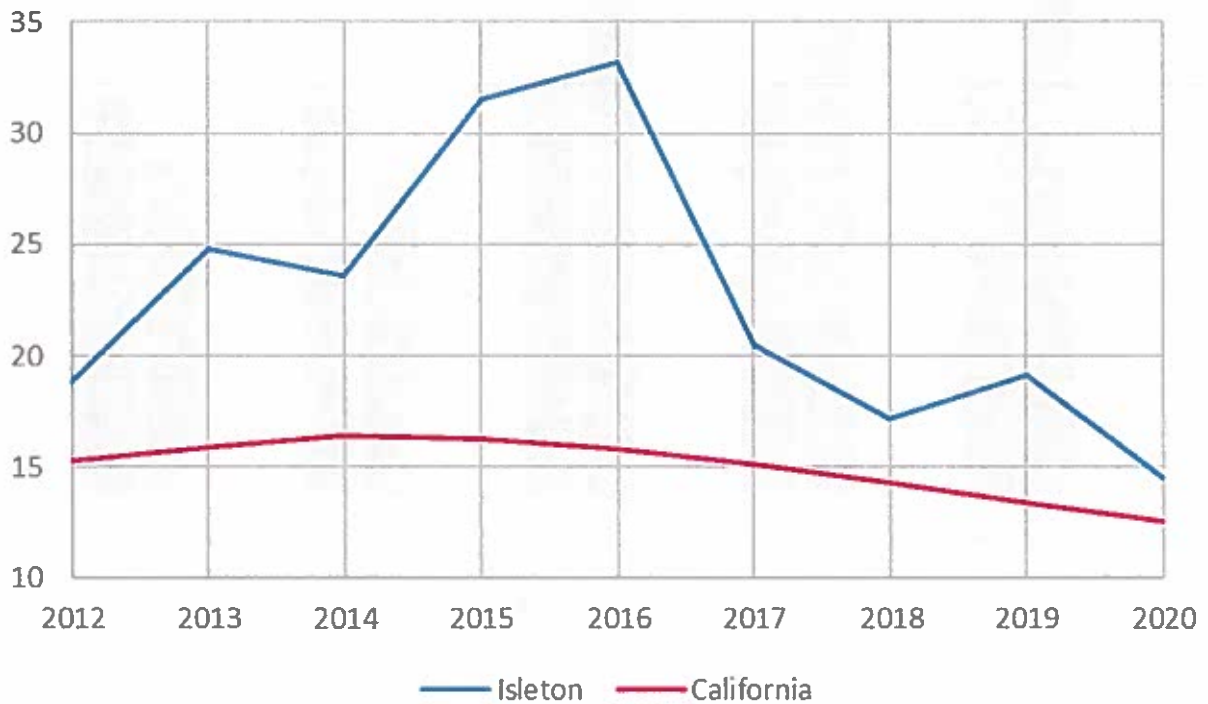


Estimates of the poverty rate for Isleton have a high degree of uncertainty due to the limited sample size; however, the poverty rate trends consistently higher than the state average (*fig. 4.2 below*). Following the Great Recession in 2014, the California poverty rate began to steadily decline, however 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*).

³¹ Census table S1901

³² Census table DP03

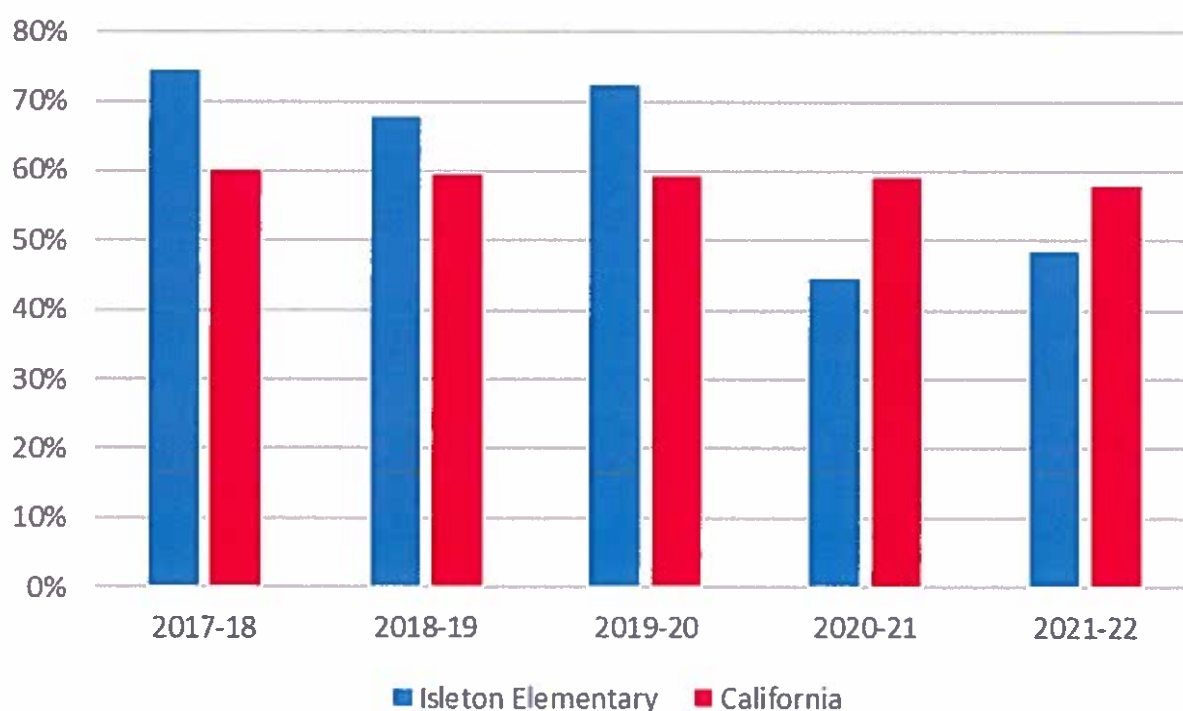
Figure 4.2
Isleton Poverty Rate



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).

Figure 4.3
Free and Reduced Priced Meals Eligibility

³³ Census table S2201



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.

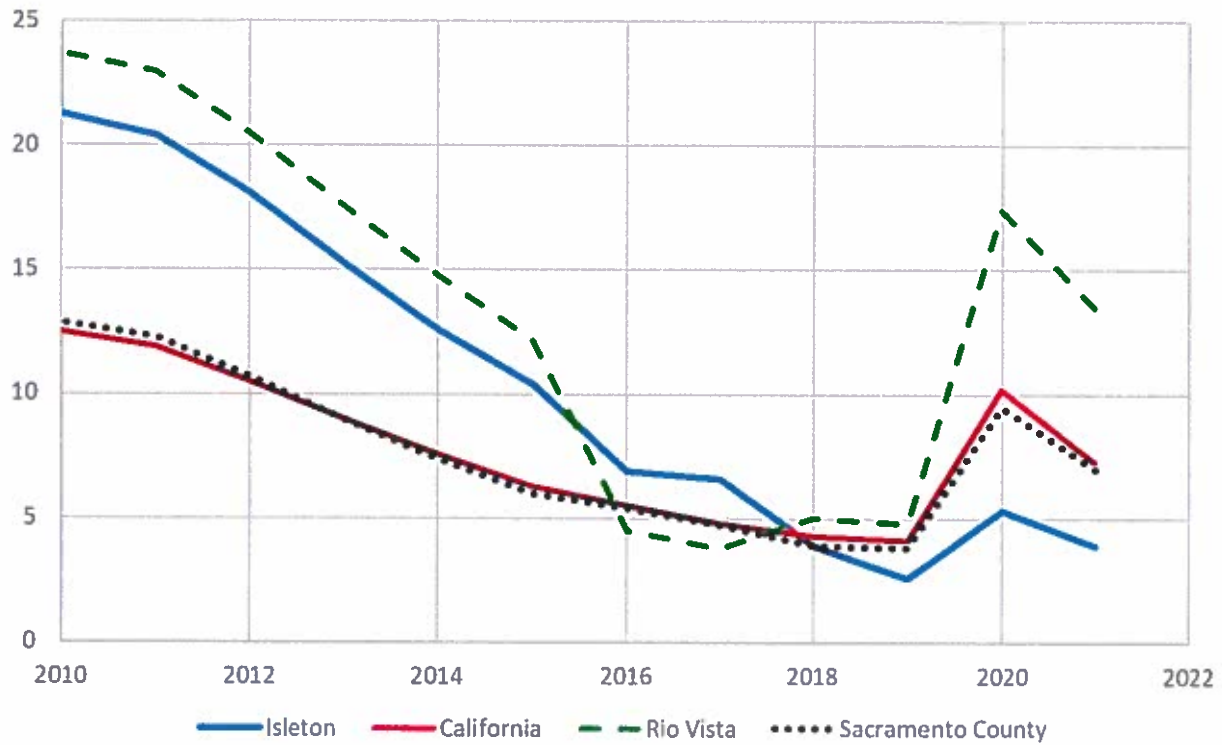
Since employment opportunities are limited in Isleton, most residents commute to jobs within the region (City of Isleton). Only 8.9% of Isleton's working population has a commute time less than 10 minutes³⁴, and due to the limited size of the city, we can infer from this statistic that the vast majority 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

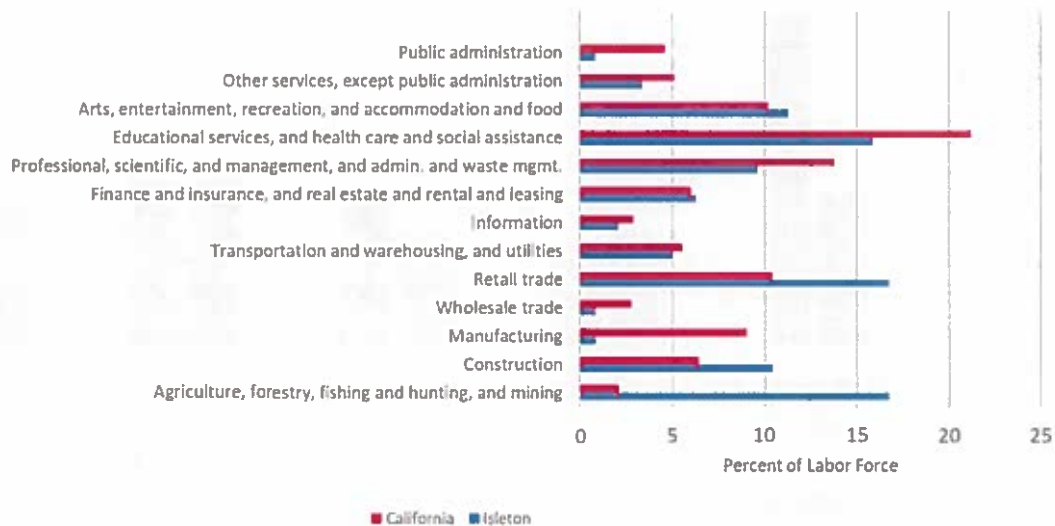


Figure 4.6
Percentage of Working Population by Sector

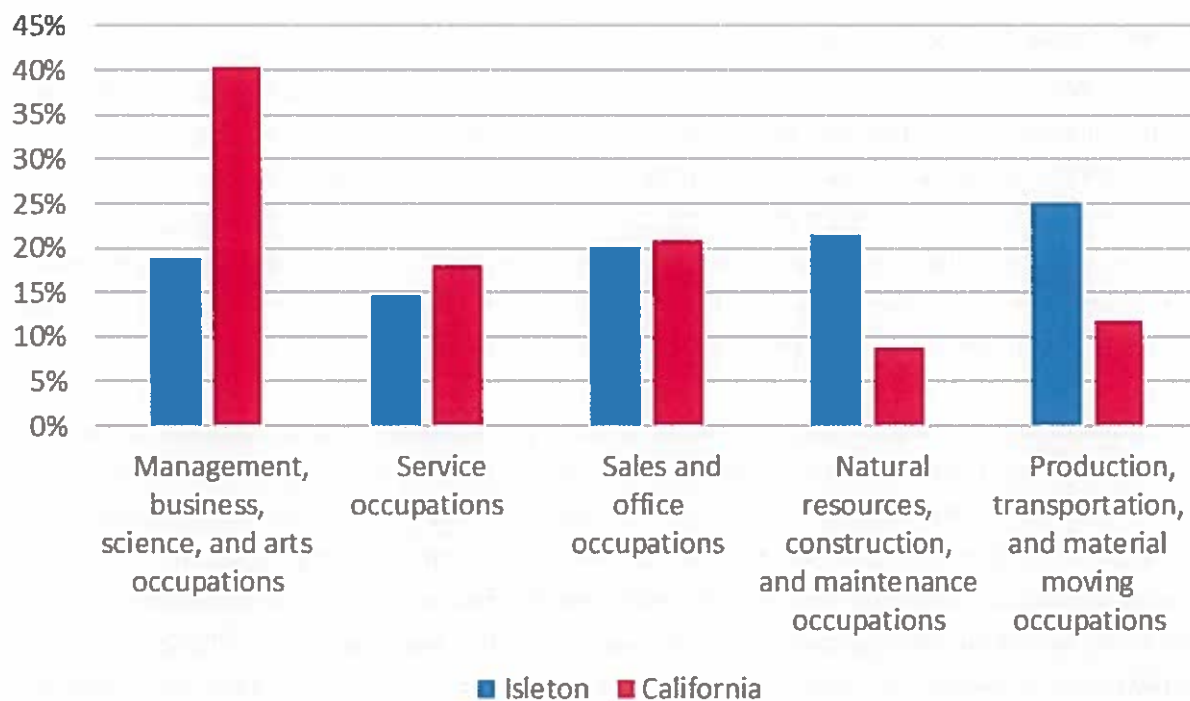
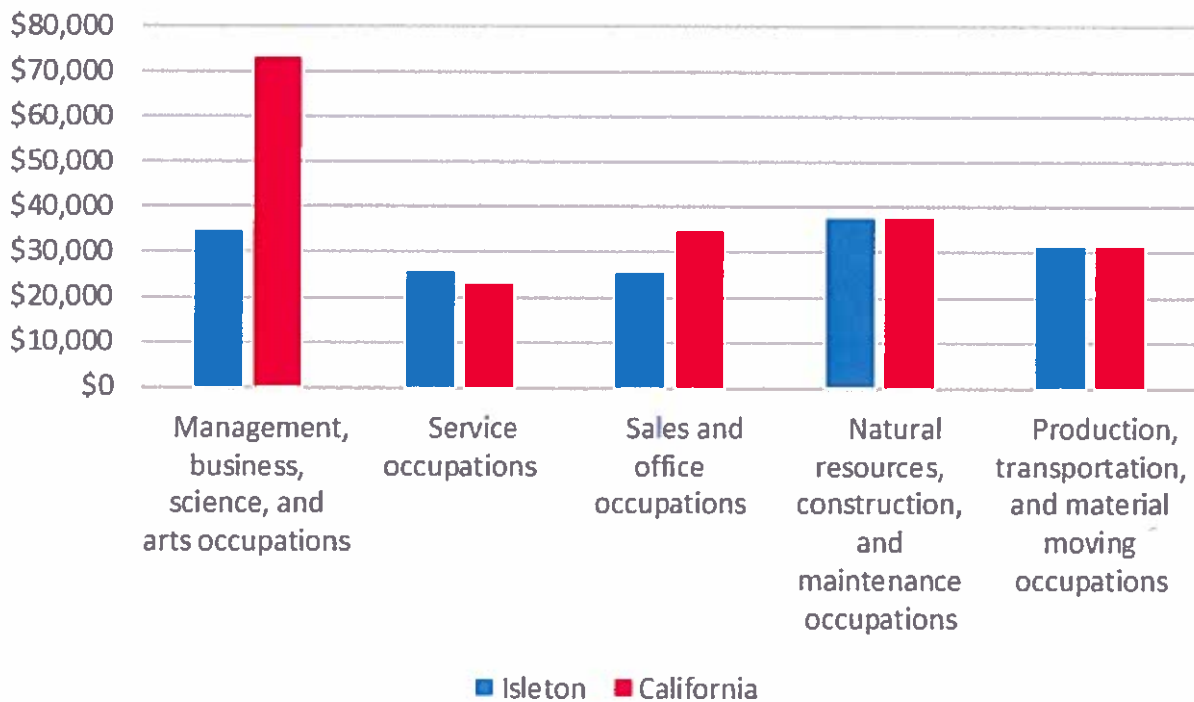


Figure 4.7

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.

Homeownership

The headline rate of homeownership is similar to the state average: 60.2% of households in Isleton⁴¹ compared with 57.9% statewide. However, since Isleton's population skews older (the median age is 44.3 compared to the state median of 36.7⁴²), we would expect to find much higher rates of homeownership than average since rates of homeownership increase significantly with age⁴³. 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 state⁴⁴. 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%⁴⁵. 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 older held a bachelor's degree or higher compared to the state average of 32.9%⁴⁶. 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 time⁴⁷.

⁴⁰ ACS Table S2504

⁴¹ ACS Table B25008

⁴² ACS Table DP05

⁴³ ACS Table B25007

⁴⁴ ACS Table DP02

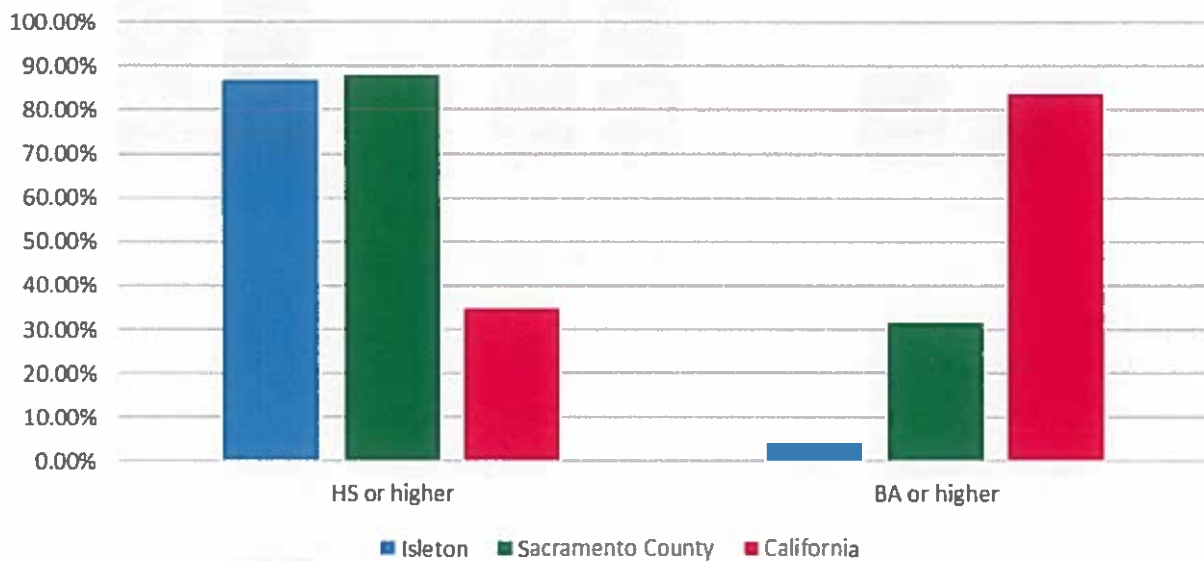
⁴⁵ ACS Table S0601

⁴⁶ ACS Table S1501

⁴⁷ Census Table DP2

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).

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

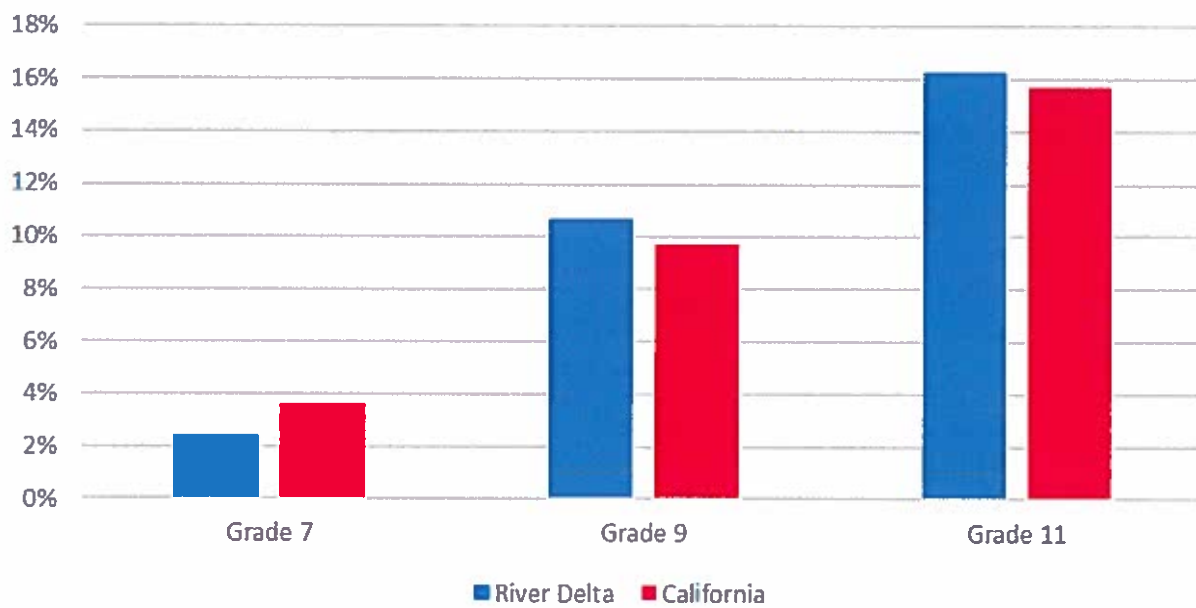
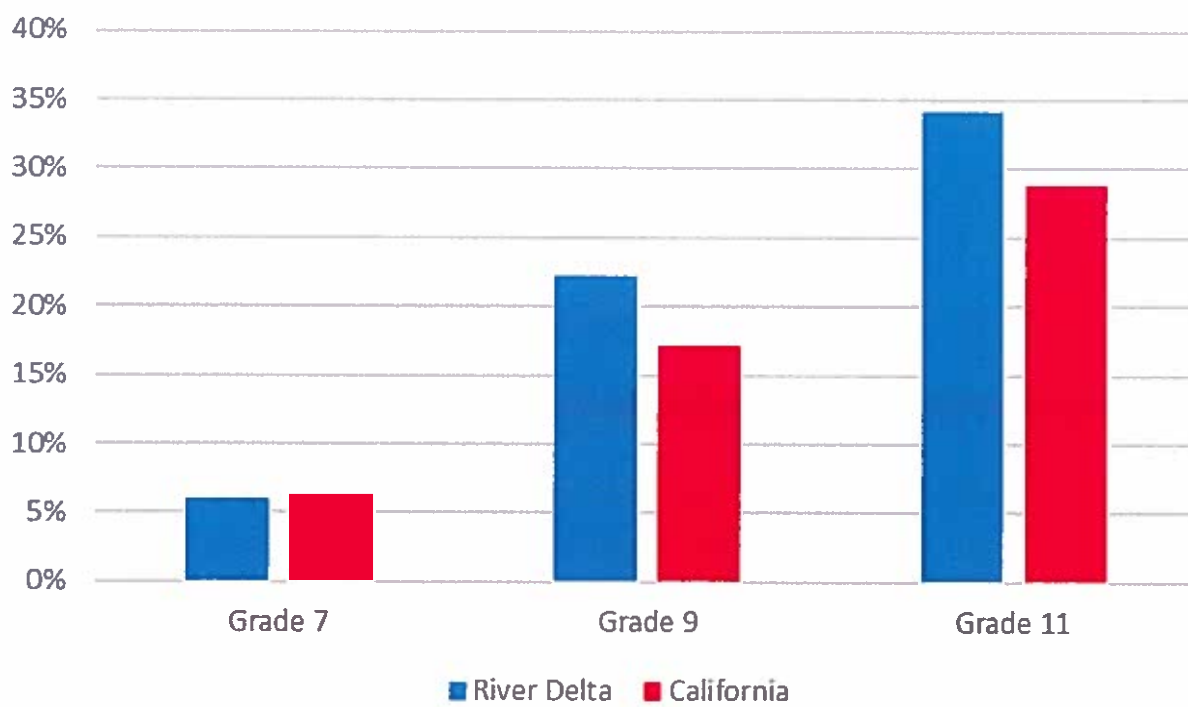


Figure 4.10
One or More Days of Cannabis Use in Lifetime



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 3⁴⁸.

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,

⁴⁸ 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’.

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.

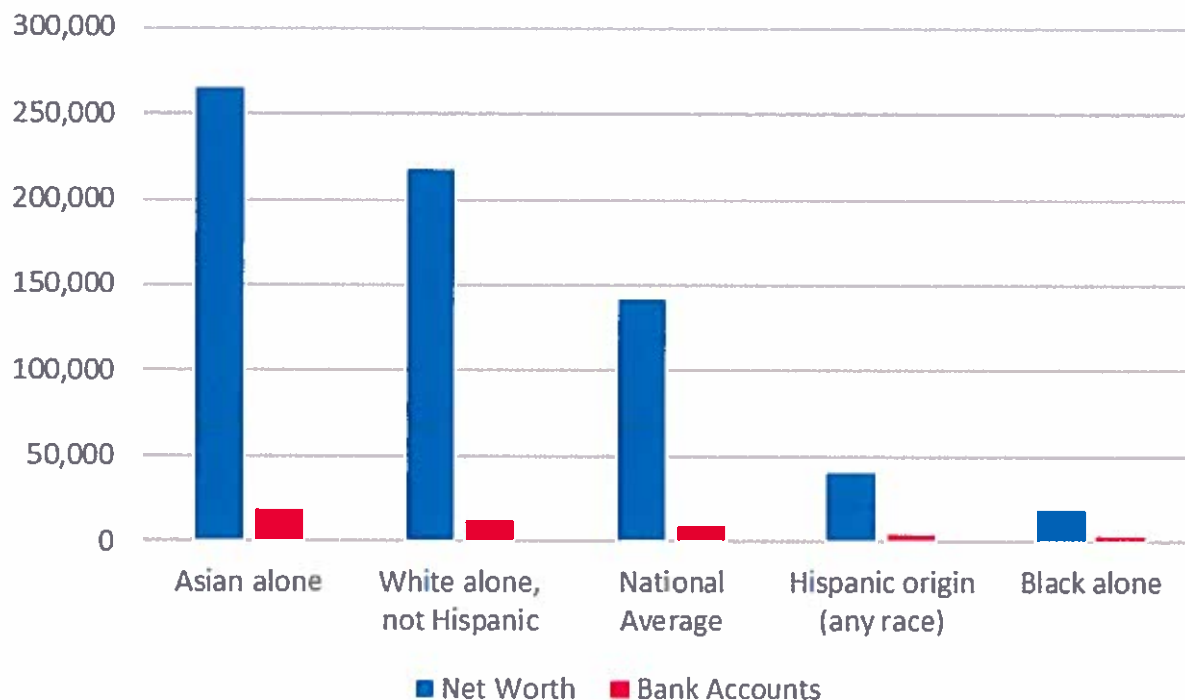
Financial

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 if 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 apply⁴⁹
- 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.

⁴⁹ 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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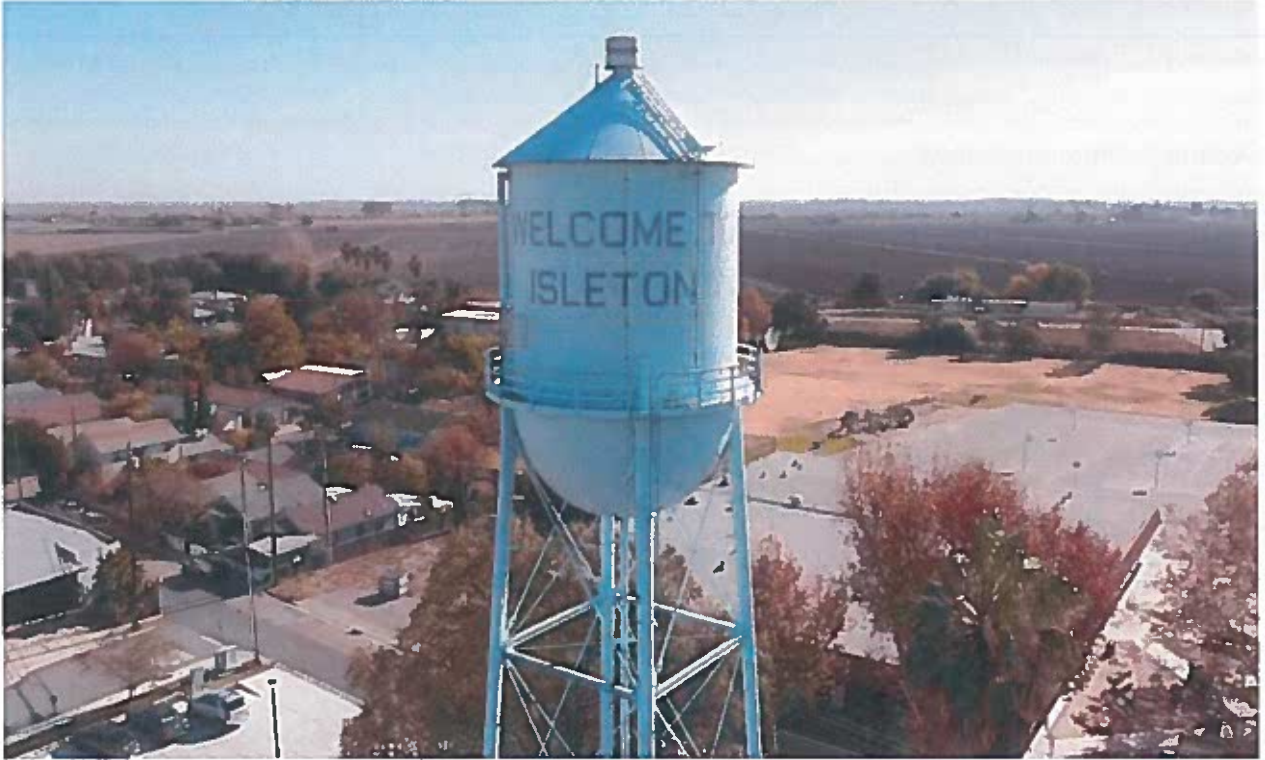
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DRAFT



CITY OF ISLETON CANNABIS LOCAL EQUITY PROGRAM MANUAL 2022

Abstract: The program will assist community members that experienced harm from decades of cannabis criminalization and poverty to participate in Isleton's legal cannabis industry.



CITY OF ISLETON

Local Equity Program Manual

Contents

.....	Error! Bookmark not defined.
Section 1. Purpose.....	3
Section 2. Program Eligibility.....	3
Section 3. Program Access.....	6
Section 4. Services.....	7
Section 5. Additional Services for Cannabis Businesses.....	11
Section 6. Program Administration.....	12
Section 7. Provision of Services.....	13
Section 8. Program Monitoring and Evaluation.....	14
Appendix A. Review of Peer Jurisdiction’s Local Equity Programs.....	15
Section 1. Humboldt County.....	15
Section 2. Mendocino County.....	17
Section 3. Lake County.....	19
Section 4. City of Oakland.....	20
Section 5. City of Los Angeles.....	22
Section 6. City of Sacramento.....	23
Section 7. City of Long Beach.....	24



CITY OF ISLETON

Local Equity Program Manual

Section 1. Purpose

In 2022 City of Isleton contracted with Cal Poly Humboldt's California Center for Rural Policy (CCRP) to perform a comprehensive analysis of the impact of cannabis criminalization and poverty in the City of Isleton. This analysis, known as the City of Isleton Cannabis Equity Assessment (CEA) (2022) established that certain persons in the City have been substantially and adversely affected by poverty and the re-criminalization of cannabis.

Many rural communities in California have a history of entrenched local poverty and economic hardship.¹ These communities were impacted significantly by the re-criminalization of cannabis, including Isleton as illustrated by the CEA. According to the City of Isleton Equity Assessment (2022), Local Equity Programs can provide significant assistance to communities impacted by cannabis criminalization and the war on drugs, especially those that are struggling to transition to the regulated market.

The purpose of this manual is to describe program participation qualifications for the City of Isleton Local Equity Program (LEP). The LEP is informed by findings in the CEA, which itself will be revised and updated periodically as the program matures in alignment with program participation and outcomes achieved.

Additionally, this manual provides programmatic examples of services offered by other California jurisdiction's state funded Local Equity Programs. Please note that the information below is updated as of November 2021. The jurisdictions are outlined in the following order in Appendix A (pg. 13):

1. Humboldt County
2. Mendocino County
3. Lake County
4. The City of Oakland
5. The City of Los Angeles
6. The City of Sacramento
7. The City of Long Beach

Section 2. Program Eligibility

The Governor's Office of Business and Economic Development's (GO-Biz) Cannabis Equity Grant (CEG) outlines that local jurisdictions will be aiding equity applicants and licensees to build a business in the regulated market. Accordingly, individuals and not business entities are

¹ City of Isleton Cannabis Equity Assessment (2022)



CITY OF ISLETON Local Equity Program Manual

the only ones eligible to apply to the Local Equity Program. Equity applicants are required to have at least 51% ownership of their business. Eligibility criteria for the program is:

Program Eligibility	
Tier A Eligibility Criteria	
Those who meet one or more of the below Tier A eligibility criteria will be considered for state funding and state funded services.	
Cannabis or other drug arrest or conviction	Criteria: <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
Residency	Additional consideration to those who have resided in Isleton for multiple years prior to and including 2016.
Income	Additional consideration for households with income at or below 80% of the area median income for house size.
Poverty status or economic hardship	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.
Veteran Status	Additional consideration to those with veteran status.
Tier B Eligibility Criteria	
The following eligibility criteria is only applicable if the applicant meets at least 1 criteria in Tier A:	

² City of Isleton income limits for 2022 can be accessed through the following link:
<https://www.hcd.ca.gov/grants-and-funding/income-limits>



CITY OF ISLETON Local Equity Program Manual

Legacy trauma from CAMP raids in the 1980s	Give additional consideration to individuals and children who experienced CAMP raids in the 1980s
Prop 215 and SB 420 compliance	Any individual seeking support or services to participate in the legal cannabis industry in Isleton that can demonstrate compliance with Proposition 215 and SB 420. Documentation is inclusive of but not limited to a Seller's Permit, Collective Agreement, and Tax payments.
Women	Data shows a disproportionate impact of cannabis criminalization on women in City of Isleton relative to the state.
Parents with Children in Isleton School	Give additional consideration to parents who have, or have had, children enrolled in Isleton Public School; and close family members thereof
Communitarian associations	Give additional consideration to cultivation stakeholders who have served their communities as volunteer firefighters, nonprofit volunteers, or other similar community institutions
Residency consideration	Any individual seeking support or services to participate in the legal cannabis industry in the City of Isleton who has resided in the City for at least five years between 1970-2018. The City reserves the right to make this a mandatory requirement.

In order to determine and categorize which individual applicants are most in need of support, a score will be determined for each equity applicant based on the number of eligibility criteria the applicant meets. Each qualification will have an assigned value that will be determined by how direct the impact was. Tier A criteria will be scored at two points each and Tier B criteria will be scored at one point each. The City reserves the right to adjust eligibility criteria and scoring method as needed to reflect current needs and trends in the City. The score will support prioritization of services for equity applicants. The goal of the applicant scoring system is to ensure that those most impacted by cannabis criminalization and poverty have priority access to local equity program funding.

The City of Isleton will take into consideration the following applicant types when determining available services:

- Applicants that have already received their license
- Applicants that are facing barriers to entry in receiving their license
- Applicants that are not yet in the permitting process but are planning to start



CITY OF ISLETON Local Equity Program Manual

Section 3. Program Access

To ensure that applicants who are eligible for the City of Isleton Local Equity Program have adequate opportunity to benefit from the program, options to foster ongoing support may include:

Program Access	
Prioritization	Consider a prioritized permit process for equity applicants. Equity Businesses can receive priority application review, allowing them to move quicker through the application process.
Ratios	Consider mandating a requisite number/percentage of equity applications during permitting
Incubation Program	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.
Provisional Approval	Consider allowing 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.
Operations	Consider facilitating co-operative or co-location arrangements.



CITY OF ISLETON Local Equity Program Manual

The City will notify the community about the Local Equity Program and all information pertaining to it through the following avenues:

- Information on the Cannabis information webpage on City website.³
- News releases and other media outreach.
- Social media campaigns.
- Through community partners selected by the City.

The City of Isleton may determine other avenues to ensure that the community is aware of the Local Equity Program and is able to access information about becoming eligible for funds. The City would like to encourage diversifying license types for cannabis businesses/operations for added value to local operators.

The City of Isleton will address feedback from communities and populations eligible for the Local Equity Program in the following ways:

- Written e-comment.
- Opportunities to speak with planning.
- Listening sessions.
- Surveys.

Section 4. Services

Services to be provided by the City of Isleton Cannabis Local Equity Program may include one or more of the services listed in the below tables. The availability and scope of services will depend on need and the availability of funds from grants or other sources.

The City of Isleton intends to provide a majority of services via direct funding assistance to equity applicants and licensees to assist them in entering and succeeding in the regulated cannabis industry.⁴ Wherever possible, the City of Isleton will align services with funding requirements and recommendations from the State of California.

Beginning with services that address and mitigate the City of Isleton specific barriers of entering the regulated market, the following assistance will be offered:

³ <https://www.cityofisleton.com>

⁴ Any and all financial assistance relevant to the City of Isleton Cannabis Equity Program is made available through grant funding provided by the State of California. Grant funding will only be available until funds are exhausted, or until the State mandated expiration of the equity grant program, whichever occurs sooner.



CITY OF ISLETON Local Equity Program Manual

1. Re-criminalization mitigation	
1.	Compensate re-criminalized cannabis cultivators that could not get permitted in time to have a 2022 cultivation season up to \$25,000 .
2.	For CEQA consultant costs due to the TAA lawsuit, reimburse all re-criminalized cultivators including those who were permitted in time for their 2022 cultivation season up to \$10,000 .

2. Language	
1.	Provide interpretation services for every aspect of the cannabis program.
2.	Provide application and review materials in Hmong language.

3. Infrastructure	
1.	Prioritize grants that increase onsite water storage.
2.	Culvert creation or repair.
3.	Assistance with code-compliance issues related to required onsite housing.
4.	Roadwork associated with compliance.



CITY OF ISLETON Local Equity Program Manual

The subsequent categories reflect general services to support cannabis businesses adapted from peer jurisdictions:

4. Financial	
1.	<p>Direct grants to applicants for purposes of assuring compliance with regulatory requirements of the City or California permits or licenses that mitigate adverse environmental effects of cannabis cultivation or other activities including, but not limited to:</p> <ul style="list-style-type: none"> ● Water storage for irrigation during forbearance periods of surface water diversion required by state or local regulations. ● Rent for said facilities where the above activity is occurring and when cultivation of cannabis activities are permitted by the owner. ● Funds to cover fire suppression and compliance, such as water tanks. ● Funds to cover trainings and certifications for best management practices such as pesticide use, etc.
2.	Direct payment of fees related to meetings with City staff.
3.	Assistance with application fees for Development, Zoning, Minor Use, and Conditional Use Permit application.
4.	Assistance with fees for studies required as part of the land use application such as cultural studies, hydrology reports, biology reports, etc.
5.	Assistance to secure property with security equipment and 24 hour security services.



CITY OF ISLETON Local Equity Program Manual

The following services are anticipated to address and mitigate administrative or technical barriers of entry into the legal cannabis market:

5. Administrative/Technical	
1.	Assistance to cover fees to agencies and/or professionals who provide technical assistance for the formation of an incorporated cooperative composed of members that are cannabis equity program applicants or licensees.
2.	Provide technical assistance to assist equity applicants with the state licensing process.

These next services help equity applicants with establishing trust and confidence with participating in the legal cannabis market:

6. Outreach and Education	
1.	Conduct outreach and education efforts for potential equity applicants (including Hmong-American individuals) to encourage those individuals to apply for licenses and enter the legal industry. An example of outreach may include hosting listening sessions.
2.	Provide technical assistance grants for training in sustainable and regenerative cannabis cultivation best practices.
3.	Conduct outreach and education efforts regarding the Department of Cannabis Control's disaster relief programs so that cannabis operators in the City of Isleton know of opportunities to receive assistance from the State. ⁵

The last collection of services will be focused on assisting equity applicants with developing adequate business acumen for thriving in the legal cannabis market:

7. Business Acumen	
1.	Training for equity participants and their employees in licensed cannabis operations in the City of Isleton
2.	Provide training/support for business owners to understand workforce rules and regulations (view section below).

⁵ <https://cannabis.ca.gov/resources/disaster-relief-programs/>



CITY OF ISLETON Local Equity Program Manual

Section 5. Additional Services for Cannabis Businesses

If it is determined that there is funding available and an existing need from equity applicants and equity licensees, the City of Isleton may explore the following additional services for inclusion in the Local Equity Program through a future program revision.

Recommendations are divided into the following categories listed in priority order: Manufacturing/Productions, Agriculture/Cultivation, and Retail.

Additional Services	
1.Manufacturing/Production	
1.	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).
2.	Access to incubator programs such as manufacturing hubs that can hire, cross train and job share positions between small entrepreneurs. Incubation hubs will provide (1) mentorship in business skills; (2) technical assistance; (3) a reporting system to monitor and ensure neither equity licensee nor business mistreat the other; and (4) a system that allows equity licensees and businesses to anonymously provide suggestions and complaints about the existing program.
3.	Training to learn how to use METRC, the state’s track and trace system used to track commercial cannabis activity and movement across the distribution chain.

Additional Services	
2.Agriculture/Cultivation	
1.	Access to business planning, low-cost loans or investment sources that can assist smaller, often multi-generational family farmers with the costs of legalization, so that income can be spent on hiring, training, growing wages and benefits of a variety of jobs-from farm management to bookkeeping.
2.	Support for reasonable regulations and zoning that promote and incentivize employers to build good business and workforce development practices.
3.	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,



CITY OF ISLETON Local Equity Program Manual

	setting job benchmarks and performance standards, evaluating performance for promotion or wage scale increases.
4.	Access to business and HR tools: developing HR manuals and procedures, how to frame up a request for a consultant scope, interview and select the right consultant or consultant firm, how to manage a consultant scope.
5.	Developing, securing, and increasing farm management skills in agricultural, biology, and land management.
6.	Access to agricultural extension services to help with the science of plant biology from a medicinal and commercial standpoint, and help feed local graduates in biology and environmental sciences into the industry-much like the timber industry has done.
7.	Training on Occupational Safety and Health Administration (OSHA) regulations and standards.

Additional Services	
3. Retail	
1.	Access to comprehensive business and marketing strategies that connect cannabis retail to tourism, related workforce development (hiring, training, presentation, customer service, job readiness, and supervisory skills).
2.	Access, training, or mentorship in general business supervisory, customer service, workplace norms, and software skills.
3.	Evaluate the specific need and content for a program that certifies front line positions (bud tending, security, track and trace, manufacturing, and packaging personnel).

Section 6. Program Administration

The City of Isleton intends to seek available funding from the State of California for the Local Equity Program as is outlined in Senate Bill 1294 (Bradford), referred to as the California Cannabis Equity Act. SB 1294 created a fund for local jurisdictions with cannabis equity programs to apply for funding to assist local equity applicants and local equity licensees gain entry to and successfully operate in the state's regulated cannabis marketplace.



CITY OF ISLETON Local Equity Program Manual

The use of local funding for the Local Equity Program will remain at the discretion of the City.

Program Administration	
1.	No more than ten percent (10%) of any funding from the California Governor's Office of Business and Economic Development (GO-Biz) Local Equity Program Grant Funds may be utilized for program administration.
2.	Principal administration and coordination of services shall be performed by the City Planning.
3.	City Planning or other designated entity determined by the Board of Supervisors shall receive and process all applications to determine eligibility of equity program participants.
4.	City Planning or other designated entity determined by the City Council shall monitor and report on all program services provided through the LEP, at least annually and more frequently as directed by the Board of Supervisors, state law, or regulation.

Local jurisdictions that have been previously awarded a Cannabis Equity Grant from GO-Biz are eligible to apply for a subsequent grant only if:

- The jurisdiction has expended at least 50 percent (50%) of any grant funds awarded more than 12 months ago and;
- Expended at least 80 percent (80%) of any grant funds awarded more than 18 months ago.

Section 7. Provision of Services

Staff in the Cannabis Division serve as the liaison between equity licensees/permitted operators who receive grant funding and the selected agency that provides an eligible service.



CITY OF ISLETON Local Equity Program Manual

Provision of Services	
Involved agencies may include but are not limited to:	
1.	Small business development organizations
2.	Planning Department

Section 8. Program Monitoring and Evaluation

For the purposes of understanding the impacts of the adult-use cannabis industry, the City of Isleton will track data on general and equity applicants. The purpose of collecting data on an ongoing basis is to measure the success of the local cannabis equity program.

Completion of an annual demographic questionnaire will be voluntary and will be aligned with the demographic questionnaire developed by the State of California. Applicants and existing operators will be encouraged to participate so that the City can assure that equity funding is being awarded to populations of highest need. Recommended metrics are as follows and conform to the City’s discretion:

Program Monitoring and Evaluation	
Recommended Metrics	
Number of equity applicants to apply	<ol style="list-style-type: none"> 1. Types of drug-related offenses 2. Income status 3. Race Ethnicity 4. Gender 5. Sexual Identity 6. Residency Status 7. Ownership Structure
Workforce characteristics	<ol style="list-style-type: none"> 1. Total number of employees 2. Number of local employees 3. Employment status (full-time, part-time, etc.)



CITY OF ISLETON

Local Equity Program Manual

Equity program-specific data	<ol style="list-style-type: none"> 1. Number of applicants eligible for equity program 2. Associated permit types 3. Number and types of services provided to equity applicants 4. Number of equity program applicants to receive licenses/permits. 5. Number of equity program applicants starting ancillary businesses 6. Feedback from participants to understand the impact of receiving funds on their socioeconomic status or ability to stay in Isleton
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Appendix A. Review of Peer Jurisdiction’s Local Equity Programs

The following appendix presents a snapshot of services and programs offered by peer jurisdictions in the State of California. The information in this appendix is updated as of November 2021.

Section 1. Humboldt County

Humboldt County Project Trellis⁶

The Project Trellis Local Equity Program provides direct grants to equity applicants for the following services

- i. Application assistance meetings.
- ii. Deposits and permitting fees.
- iii. Sealing and annual registration of scales used in cannabis licensed businesses, or fees associated with Pesticide Applicator requirements.
- iv. Amounts up to \$10,000 towards equity applicant or licensee’s annual fees
- v. Direct payments on the applicant’s behalf of fees to agencies and/or professionals offering technical assistance for the formation of an incorporated cooperative. Cost of project may not exceed \$10,000 or funds remaining.
- vi. Direct grants, not to applicants, not to exceed \$10,000 per grant, for purposes of assuring compliance with regulatory requirements of the Jurisdiction or California

⁶ <https://www.gohumco.com/195/Project-Trellis>



CITY OF ISLETON Local Equity Program Manual

permits or licenses, mitigating adverse environmental effects or ensuring financial solvency. Funds can be used for, but is not limited to, the following:

- a. Water storage for irrigation during forbearance periods of surface water diversion required by state or local regulations.
 - b. Remediation and relocation of cannabis facilities located within streamside setbacks required by state or local regulation.
 - c. Installation of solar electrical systems to replace diesel or gasoline generator power for off-grid cannabis facilities where connecting to the grid is economically infeasible.
 - d. Rent for facilities where the above activity is occurring with documented consent of facility owner(s) of the cannabis cultivation and related activities.
- vii. Direct payment on the applicant's behalf of fees to agencies and/or professionals who offer cannabis small business development assistance, including but not limited to business planning, loan application preparation, site location services, human resource management, capital procurement services, bookkeeping and accounting practices and systems, for Humboldt County-based cannabis businesses. Cost of project may not exceed \$10,000 or funds remaining.
- viii. Direct payment on the applicant's behalf of fees for employment skill training for eligible equity participants and employees of their licensed cannabis operations in their jurisdiction.

Qualification criteria for the Project Trellis Local Equity Program are as follows:⁷

- Any individual and/or entity that has obtained or applied for a permit (either temporary or permanent), and the permit is for a business located in an area in Humboldt County with a poverty rate of 17% or above.
- Have engaged in or are currently engaged in small-scale cultivation of cannabis on property in Humboldt County owned, leased, or with the express permission of the owner, with a cultivation area less than 10,000 square feet;
- Any woman, person of color, or LGBTQ individual who has or worked in, or currently works in the cannabis industry in Humboldt County;
- Any individual who has obtained or applied for a cannabis permit in Humboldt County, or who has worked in or currently works in the cannabis industry, and was arrested and/or convicted of a non-violent cannabis-related offense, or was subject to asset forfeiture arising from a cannabis-related event;

⁷ Qualification criteria was sourced from its Notice of Funding Availability (2020). Criteria may have changed since then.



CITY OF ISLETON Local Equity Program Manual

- Are a person who experienced sexual assault, exploitation, domestic violence, and/or human trafficking while participating in the cannabis industry.
- Have become homeless or suffered a loss of housing as a result of marijuana enforcement.

For those who do not meet the primary qualifications set forth above, applicants may still become eligible for consideration for funding and services if they meet THREE of the following alternative qualifications:

- Are one of the following:
 - i. An individual permitted for, seeking a permit for or employment in a Humboldt County permitted cannabis business;
 - ii. A board member of a non-profit cannabis business;
 - iii. Have a membership interest in a cannabis business formed as a cooperative per B&P Code section 26220 - 26231.2.
- Have resided in Humboldt County for at least five years during the period 1971 – 2016.
- Have obtained or applied for, or intend to apply for, a permit or zoning clearance for commercial cannabis activities in Humboldt County.
- Have lived within a 5-mile radius of the location of raids conducted by the Campaign Against Marijuana Planting (“CAMP”) program.
- Household income below the California poverty level.
- Have a parent, sibling or child who was arrested for or convicted of the sale, possession, use, manufacture or cultivation of cannabis (including as a juvenile).
- Can reasonably demonstrate that, on the basis of equity, applicant was adversely impacted as a result of the criminalization of cannabis (i.e. the War on Drugs).

Section 2. Mendocino County

Mendocino County LEEP: Local Equity Entrepreneur Program⁸-(Elevate Impact)

Equity applicants are allowed to apply for the following grants:

1. Direct grants of up to \$50,000

LEEP Designees can apply for up to \$50,000 in Direct Grants (disbursed in up to two \$25,000 tranches at the discretion of the grant recipient) for purposes of assuring compliance with regulatory requirements of local or state permits or licenses that mitigate adverse environmental effects of cannabis cultivation. Suggested activities include (but are not limited to):

⁸ <https://elevateimpactmendo.com/>



CITY OF ISLETON

Local Equity Program Manual

- Water storage for irrigation during forbearance periods of surface water diversion required by state or local regulations.
- Remediation and relocation of cannabis facilities located within stream side setbacks required by state or local regulation.
- Installation of solar electrical systems to replace diesel or gasoline generator power for off-grid cannabis facilities where connecting to the grid is economically infeasible.
- Road remediation, watershed mitigation, culverts or infrastructure needed to meet state and local regulations.
- Grants for the purpose of employment skill training for eligible equity participants or seeking employment in licensed cannabis operations in Mendocino County.
- General business purposes including: (1) technical assistance or professional services including consultants providing CEQA analysis and Appendix G development, biological studies, bookkeeping, accounting, legal, insurance requirements; (2) business location procurement prior to or during the application process (i.e., rent and/or lease assistance); (3) assistance in required trainings such as Cal OSHA (4) cannabis related tax payments.

2. Fee and permit waiver grants of up to \$7,000

LEEP Designees can apply for a fee waiver for cannabis related County Permits or Licenses. The maximum cumulative amount per grantee is \$7,000 for County cannabis related permits, licenses, and application fees. While you may apply for more than one waiver, no partial fee waivers will be granted. Commercial Cannabis Business Tax true up invoices or quarterly payments are not eligible. LEEP Fee Waiver Grants will be awarded and will be scored on a pass or not approved basis. Incomplete or not approved applications will be encouraged to reapply. Complete applications will be eligible for grant awards as funding allows. Funding will be provided on a first come first served basis.

3. Technical assistance grants of up to \$2,000

LEEP Designees can apply for up to \$2,000 in Technical Assistance Grants (TA Grants). Technical Assistance refers to support to help cannabis equity applicants and licensees acquire the knowledge and/or skills necessary in order to gain entry to, and operate in, the regulated cannabis marketplace. Direct technical assistance includes:

- Water storage for irrigation during forbearance periods of surface water diversion required by state or local regulations.
- One-on-one consulting and group training, to provide equity applicants and licensees the technical knowledge and expertise necessary to facilitate business



CITY OF ISLETON Local Equity Program Manual

ownership and employment in the cannabis industry.

- Small business support services, training and education related to state cannabis licensing and regulatory requirements, financial management, and business resilience.

Technical Assistance is defined as:

- Small Business Development Assistance including business planning, grant and loan application preparation, human resources management, capital procurement services, bookkeeping and accounting practices and systems, etc.
- Cannabis Cooperative Associations including understanding legal regulations pursuant to Business and Professions Code sections 26220-26231.2, and educational information regarding the process of forming Cannabis cooperatives.

Qualification criteria for Mendocino County's LEEP are as follows⁹:

- Any individual that has obtained or applied for a permit (either temporary or permanent), and the permit is for a business located in an area in Mendocino County with a poverty rate of 20% or above.
- Any individual engaged in small-scale cultivation of cannabis on property in Mendocino County owned, leased, or with the express permission of the owner, with a cultivation area less than 10,000 square feet.
- Any individual that can demonstrate disadvantage for reasons including but not limited to race, ethnicity, gender, sexual orientation, income level, education level, conviction history, and veteran status.
- Any individual who has obtained or applied for a cannabis permit in Mendocino County, or who has worked in or currently works in the cannabis industry, and was arrested and/or convicted of a non-violent cannabis-related offense, or was subject to asset forfeiture arising from a cannabis-related event.
- Are a person who experienced sexual assault, exploitation, domestic violence, and/or human trafficking while participating in the cannabis industry.
- Have become homeless or suffered a loss of housing as a result of cannabis enforcement.

Section 3. Lake County

The County of Lake Cannabis Local Equity program provides services to individuals, not businesses, who have experienced negative effects due to the criminalization of cannabis. Assistance to program participants come mainly through direct grants. Assistance to equity

⁹ Please note that criteria for Mendocino County was sourced from the Mendocino County Local Equity Program Manual (2019). Criteria may have changed since then.



CITY OF ISLETON Local Equity Program Manual

applicants is potentially capped at \$50,000 per permit.¹⁰ Applicants must meet one of the following eligibility criteria:

- Any individual who has obtained or applied for a cannabis permit in Lake County, or who has worked in or currently works in the cannabis industry and was arrested and/or convicted of a non-violent cannabis-related offense or was subject to asset forfeiture arising from a cannabis-related event.
- Any individual and/or entity that has obtained or applied for a permit, and the permit is for a business located in an area in Lake County with a poverty rate higher than the State of California, or any individual who can demonstrate their income is below the median income in Lake County.
- Any woman, person of color, or LGBTQ individual who has worked in, or currently works in the cannabis industry in Lake County.
- Are a person who experienced sexual assault, exploitation, domestic violence, and/or human trafficking while participating in the cannabis industry.
- Any individual who became homeless or suffered a loss of housing as a result of cannabis enforcement.
- Any individual who has experienced eradication for less than 50 plants on their own property.
- Any stakeholder that has “small scale” cultivation by Lake County’s standards based on analysis of current application data.
- Any stakeholder that has a parent, sibling, or child who was arrested for or convicted of the sale, possession, use, manufacture or cultivation of cannabis (including as a juvenile).

Section 4. City of Oakland

*[City of Oakland Grant Program \(Elevate Impact\)](#)*¹¹

To receive grant funds, equity applicants must complete a grant application and undergo a business verification process. Grant amounts are disbursed in tiers that are designed for equity applicants to build sustainable businesses. If an equity applicant meets the requirements of all five grant tiers, they will be eligible to receive a maximum grant amount of \$90,000, as summarized below:

City of Oakland Grant Program			
Tier	Purpose	Tier Amount	Combined Amount

¹⁰ Lake County is currently under review via GO-Biz on a budget modification that will determine this cap.

¹¹ <https://www.elevateimpactoakland.com/grant-program-overview/>



CITY OF ISLETON Local Equity Program Manual

Tier 1	Establish the Business	\$5,000	\$5,000
Tier 2	Become Compliant	\$10,000	\$15,000
Tier 3	Open the Business	\$15,000	\$30,000
Tier 4 ¹²	Start Operations	\$20,000	\$50,000
Tier 5	Expand the Business	\$40,000	\$90,000

City of Oakland GRASS (Gaining Resources to Achieve Sustainable Success) Program

To help Oakland's Equity Grant recipients build long-term sustainable and successful businesses, Oakland offers a business coaching program modeled after programs implemented by other capital providers such as micro-lenders and equity investors who seek to ensure growth and that success is achieved by the entrepreneurs they funded.

City of Oakland Technical Assistance Program

Make Green Go is the City's consultant assigned to provide technical assistance with establishing a compliant cannabis business. Technical assistance consists of workshops, consultations, and online training for Equity Applicants in all phases.

WORKSHOPS:

- Compliance Workshops
- Subject Matter Experts

CONSULTATIONS:

- Business Coaching
- Document Review
- Business Plan Review
- Compliance Related Topics

COURSES:

- Entrepreneurship Training
- Business Plan Development
- State of California Licensing Information

¹² Tiers 4 and 5 are only available to businesses that are 100% owned by equity qualified individuals or businesses that match the City's grant amount with an equal-sized loan, investment or grant from a third-party. Applicants must have already received grants totaling the \$50,000 before applying for Tier 5.



CITY OF ISLETON Local Equity Program Manual

RESOURCES:

- Sample Plans & Templates
- Start-Up Advice
- Industry Research
- Legal Resources
- Sales & Marketing
- Funding Sources

City of Oakland Shared Use Manufacturing Facilities

The City of Oakland advances opportunities for equity manufacturers by sponsoring two separate shared-use manufacturing facilities for a one-year period through grant funds received from the Bureau of Cannabis Control (BCC). These facilities will provide equity applicants with both compliant locations to manufacture products and support in distributing products to retailers.

City of Oakland Legal Assistance Program

The City of Oakland provides equity operators and applicants with limited, no-cost legal services to advise equity businesses on matters including but not limited to licensing, regular compliance, business formation, raising capital, contracts, commercial leasing, and dispute resolution.

Section 5. City of Los Angeles

City of Los Angeles SEED Program¹³ (Partnership between City of LA Department of Cannabis Regulation and Elevate Impact LA)

In April of 2021, the City of Los Angeles established the Social Equity Entrepreneur Development Grant Program (SEED). This program utilizes funding from the Cannabis Equity Grant for Local Jurisdictions (CEG) to provide financial assistance to verified Social Equity Individual Applicants.

Through SEED 2.0, verified Social Equity Individual Applicants may apply to receive a financial grant of \$10,000 available in two disbursements upon meeting the following licensing milestones:

- \$5,000 when DCR deems the Pre-Application eligible for further processing; and
- \$5,000 when the Applicant is eligible for a Notice of Local Compliance Underway.

City of Los Angeles Department of Cannabis Regulation; Application Processing

¹³<https://cannabis.lacity.org/social-equity-program/program-benefit-and-resources/seed-grant-program>



CITY OF ISLETON Local Equity Program Manual

Los Angeles Department of Cannabis Regulation provides Social Equity Applicants the following when certain criteria requirements¹⁴ are met:

- Priority access to retail and delivery Licenses
- Priority License Application Processing
- Priority License Renewal Processing

City of Los Angeles Department of Cannabis Regulation; Business, Licensing, and Compliance Assistance

The Department of Cannabis Regulation selected five vendors to provide targeted programming to Social Equity entrepreneurs interested in launching a commercial cannabis business in Los Angeles. This online programming will cover: State and Local licensing Requirement, Commercial Cannabis Regulations, Cannabis Specific Business Development and Workforce Development, General Business Development, Cannabis Technology Business Development Services Education. (Online webinars/programming)

City of Los Angeles Department of Cannabis Regulation; Fee Deferral Program

The Department of Cannabis Regulation is currently working to establish requirements to participate in the Program. Participation in the Fee Deferral Program may be subject to the availability of resources.

City of Los Angeles Department of Cannabis Regulation; Pro Bono Legal Services

The goal of this referral resource is to promote fair and equitable participation in the licensed commercial cannabis industry, and to foster a level playing field as it relates to access to legal counsel and help deter predatory practices targeting the social equity community.

Section 6. City of Sacramento

City of Sacramento Cannabis Opportunity Reinvestment and Equity (CORE) Grant Program (Elevate Impact)

General program benefits may include but are not limited to: business plan development, business monitoring, coaching on access to capital, business needs assessment, loan readiness assessment, market assessment, data and research strategies an support, assistance with a legal entity, assistance with criminal records expungement, lease negotiation assistance, small business legal considerations, mentoring, fiscal management, marketing/social media, technical training, employee training, and regulatory compliance. A CORE Program participant shall be entitled to receive the following benefits based on the applicable classification:

¹⁴ Requirements can be found here: <https://cannabis.lacity.org/application-processing>



CITY OF ISLETON Local Equity Program Manual

Classifications 1, 2, 3 & 5¹⁵: Participants shall receive the following:

- All support services offered under the program
- Priority processing of application(s)
- Waiver of the Business Operating Permit (BOP) fee
- Exclusive access to any future storefront dispensary permits
- Exemption from the Neighborhood Responsibility Plan (NRP) requirement

Classification 4: Participants shall receive the following:

- Qualified and ready CORE participants to host
- Priority processing of application(s)

Sacramento's CORE Program also offers the *CORE Capital Loan Program*¹⁶

Section 7. City of Long Beach

City of Long Beach Cannabis Social Equity Program

Individuals who qualify for the Equity Program and want to open an adult-use cannabis business in Long Beach are eligible to receive benefits and assistance to help navigate the City's cannabis application and licensing process.

To qualify for the Equity Program, individuals must be verified as Equity Applicants by the Office of Cannabis Oversight and then be verified as Equity Businesses by the Business License Division. To qualify as an Equity Business, Equity Applicants must have a minimum of 51% ownership of the entity that will apply for an Adult-Use Cannabis Business License.

Equity Program Benefits¹⁷:

- Application workshops: assistance on how to prepare and submit a complete cannabis business license application and learn strategies on how to increase opportunities for approval at each stage of the application process.
- Fee Waivers*¹⁸: All zoning, application, plan check, inspection and other application City fees are waived for Equity Businesses. Fee waivers will cover city costs that Equity

¹⁵ Please see the following link for a breakdown of the City of Sacramento's Equity Applicant Classifications:
<https://www.cityofsacramento.org/City-Manager/Divisions-Programs/Cannabis-Management/Core-Program>

¹⁶
<https://www.cityofsacramento.org/City-Manager/Divisions-Programs/Cannabis-Management/Core-Program/LoanProgram>

¹⁷<https://www.longbeach.gov/citymanager/cannabis-information/cannabis-social-equity-program/open-an-equity-business/>

¹⁸ *Fee waivers (except for application fees), direct grants and direct technical assistance are made available through grant funding provided by the State of California. Grant funding will only be available until funds are exhausted, or until the State mandated expiration of the equity grant program, whichever occurs sooner.



CITY OF ISLETON Local Equity Program Manual

Businesses would otherwise incur through the cannabis business license application and permitting process, thus allowing Equity Businesses to conserve resources for other costs associated with opening a cannabis business In Long Beach.

- **Direct Grants*:** Direct grants are intended to offset non-City costs associated with completing each phase of the cannabis business license application and permitting process. Equity Applicants and Equity Businesses who complete cannabis business licensing direct grant milestones are eligible to receive a grant amount associated with each milestone. The following chart is a breakdown:

City of Long Beach Grant Program	
Cannabis Business Licensing Direct Grant Milestones¹⁹	Grant Amount
Pre-Application Milestone A: Equity Status Verification Issued before July 23, 2020	\$5,000
Pre-Application Milestone B: Equity Workshop Scheduled or Attended Before July 23, 2020	\$5,000
Milestone #1: Cannabis Business License Application Review	\$100,000
Milestone #2: Completion of Conditional Use Permit (CUP) or Administrative Use Permit (AUP) Process	\$80,000
Milestone #3: Submittal of Facility Architectural Plans	\$85,000
Milestone #4: Issuance of Building Permit	\$80,000
Milestone #5: Final Building Sign-Off or Issuance of Certificate of Occupancy	\$20,000
Milestone #6: Issuance of Cannabis Business License	\$80,000
Total Possible Grant Funding (excluding per-application milestones)	\$445,000

- **Expedited application review:** Equity Businesses will receive priority application review, allowing them to move quicker through the application process.
- **Cultivation tax deferrals:** Equity Businesses who applied for an adult-use cannabis cultivation license may pay their first year's taxes on a monthly payment plan instead of the full payment that is usually required prior to issuance of a cannabis cultivation business license.
- **Direct Technical Assistance*:** Equity Applicants and Equity Businesses will have access to business consulting services to start, sustain, and grow a viable cannabis business in Long Beach.

¹⁹<https://www.longbeach.gov/citymanager/cannabis-information/cannabis-social-equity-program/direct-grants-program/>

City of Isleton

City Council Staff Report

DATE: November 9, 2022

ITEM#: 7.C

CATEGORY: Old Business

ORDINANCE 2016-02 OF THE CITY OF ISLETON CONCERNING CAMPING WITHIN CITY LIMITS; DIRECTION

SUMMARY

Homelessness continues to be a challenge for the City and residents of Isleton. The living conditions of persons experiencing homelessness in the City are unhealthy and adverse to the health, safety, and welfare of the City residents.

DISCUSSION

Staff requests City Council discuss and give direction to amend Ordinance 2016-02 of the City of Isleton Concerning Camping Within City Limits.

Provided for information and guidance is the Elk Grove City Council's staff report and ordinance dated June 8, 2022, Elk Grove's laws pertaining to Unlawful Camping. This ordinance, recently adopted, is a comprehensive ordinance addressing homelessness and unlawful camping. This ordinance provides for temporary seizure of personal property, fines for violations, remedies through the court, and has broader definitions for encampments, public facilities, and prohibited conduct.

Staff recommends that the Council review and provide direction to amend the City's unlawful camping ordinance.

FISCAL IMPACT

There is no fiscal impact associated with this action.

RECOMMENDATION

It is recommend that City Council discuss amending the City's Unlawful Camping Ordinance and provide direction.

ATTACHMENTS

- A. Ordinance 2016-02 An Ordinance of the City of Isleton Concerning Camping with City Limits
- B. City of Elk Grove Council Staff Report and ordinance on Unlawful Camping.

Prepared by: Diana O'Brien, Administrative Assistant

Reviewed by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Deputy City Clerk

ORDINANCE NO. 2016-02

An Ordinance of the City of Isleton Concerning Camping Within City Limits

Section 1. Enactment.

1. Authority and purpose.

The purpose of this chapter is to protect public and private property within the city from the detrimental impacts that accompany unauthorized camping on public and private property. It also is enacted to ensure that proper health and safety accommodations be provided to those who do camp. It is enacted to prevent degradation of public and private lands and assure that such lands can be utilized for their intended purpose. The city council enacts this chapter in accordance with the authority granted to cities by Article XI, Section 11 of the California Constitution.

2. Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases as used in this title are defined in this section.

- A. "Camp" means to place, pitch or occupy camp facilities, or to use camp paraphernalia in a place not designated for camping.
- B. "Camp facilities" include, but are not limited to, tents, huts, vehicles, vehicle camping outfits or temporary shelter.
- C. "Camp paraphernalia" includes, but is not limited to, bedrolls, tarpaulins, cots, beds, sleeping bags, hammocks or cooking facilities and similar equipment.

3. Camping on public property.

Except as may be permitted within parks by the parks and recreation director, it is unlawful to camp on any public property owned by the City of Isleton or the State of California, including, without limitation, upon streets, easements, parks, dump sites, creek beds, electric utility substations, parking lots or corporation yards. Violation of this section shall be charged as a misdemeanor.

4. Camping on private property.

- A. Except as otherwise provided in this section, it is unlawful to camp upon private property within the city. Violation of this section shall be charged as a misdemeanor.
- B. Exceptions. This section shall not apply to persons camping upon their own land or camping with the owner of the land, or to persons camping with the written consent of the owner of the land; provided, that such written consent is in their possession at the time and is shown upon demand of any peace officer; and further provided, that all local zoning and health ordinances of the city and county are met and all Health Code sections of the state are complied

with. This section shall not apply to persons lawfully camping within campgrounds or trailer parks specifically designated and/or approved for such use pursuant to the zoning ordinance of the city.

C. There is a 72 hour time limit if it is on their own property.

5. Campfires.

A. No person shall kindle or maintain an open campfire or bonfire.

B. Nothing in this chapter shall be construed to permit fires otherwise prohibited by law or to negate the requirement for burning permits otherwise required by law.

Section 2. EFFECTIVE DATE – POSTING.

This ordinance shall take effect thirty (30) days following its passage and adoption, provided it is posted within (15) days prior to its effective date in three conspicuous places in the City of Isleton, namely: City Hall, Post Office, DE Jacks Country Store.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council, on the 19th day of October 2016, and by unanimous vote of the councilpersons present, further reading was waived.

PASSED AND ADOPTED by the City Council of the City of Isleton at a regular meeting on the 19th day of October 2016, by the following vote:

AYES: Mayor Bettencourt, Vice Mayor Jankovitz, Councilmembers: Bulahan, Samano

NOES: None

ABSTAIN: None

ABSENT: Councilmember Pene

ATTEST:

MAYOR, Mark Bettencourt

CITY CLERK, Yvonne Zepeda

RECEIVED

OCT 31 2022



**CITY OF ELK GROVE
CITY COUNCIL STAFF REPORT**

AGENDA TITLE: Receive information and consider an Ordinance adding Chapter 9.38 to the Elk Grove Municipal Code related to unlawful camping (CEQA Exempt)

MEETING DATE: June 8, 2022

PREPARED BY: Jonathan P. Hobbs, City Attorney
Rodney Rego, Police Captain
Sarah Bontrager, Housing and Public Services Manager
Rosa Tapia, Code Enforcement Manager

DEPARTMENT HEAD: Jonathan P. Hobbs, City Attorney
Robert Davis, Police Chief
Darren Wilson, P.E., Development Services Director

RECOMMENDED ACTION:

Staff recommends that the City Council receive information from staff and introduce and waive the full reading, by substitution of title only, an ordinance adding Chapter 9.38 to the Elk Grove Municipal Code (EGMC) related to unlawful camping.

BACKGROUND INFORMATION:

On March 23, 2022, the City Council created an ad hoc committee dedicated to discussing issues related to homelessness. The ad hoc committee, comprised of Council Members Nguyen and Hume, began by focusing on resident concerns around homelessness.

Addressing homelessness continues to be a challenge locally, regionally, and statewide. In Elk Grove, concerns about homelessness are often raised at public meetings, in public forums such as Facebook or NextDoor, and in calls for service to Police and Code Enforcement. During the pandemic, homelessness became more visible as encampments expanded and more

residents used the trails, pathways, and public infrastructure where persons experiencing homelessness often reside.

Pandemic-related impacts, historically low vacancy rates, rising rents, and conversion of rental housing into ownership housing have all contributed to increasing homelessness. Staff estimates there are approximately 150 people experiencing homelessness in Elk Grove at any given time. Homeless individuals include a mix of families, single adults, and couples. Families tend to live in vehicles, while single adults and couples might live in vehicles, tents, or other non-permanent structures.

A primary resident concern is camping on public property, especially when an encampment site develops and spreads out over large areas, generates considerable garbage or waste, or when unlawful camping, coupled with other illegal activity, impacts a sensitive land use, such as a daycare center or school. Camping on public property creates public health and safety hazards for City residents and for people living in encampment sites, including impacts related to the disposal of hazardous materials and unsanitary conditions that can lead to an infestation of vermin and the spread of communicable diseases. In some cases, camping on public property has also been a problem for Public Works staff. Access to public facilities has been impeded by individuals camping and trash and debris have accumulated in creeks and other storm drain facilities, in some cases reducing flood control capacity and/or threatening the environment, affecting the City's ability to comply with state permitting requirements.

The City currently provides a number of resources to people experiencing homelessness, including:

- Navigation services to connect people with resources that they need to secure housing, as well as shelter and transitional housing resources when available (e.g., ID cards, financial benefits, mobile phones).
- Trash clean-up incentive program, which provides gift cards to people who keep their encampments clean.
- Motel vouchers for families with children and vulnerable populations.
- Transitional housing to help individuals and families stabilize over three to 18 months.
- Connections to permanent housing, including preference for some affordable housing opportunities and landlord incentives for market-rate housing.

Despite the City's efforts around homelessness, the problem persists. Under applicable state and federal law, the City also has limitations on the scope of its enforcement efforts. With all of these considerations in mind, and in consultation with the ad hoc committee, staff has prepared the proposed ordinance for the City Council's consideration.

ANALYSIS/DISCUSSION:

The ad hoc committee directed staff to draft an ordinance related to unlawful camping for presentation to the City Council. The proposed ordinance, which was reviewed by the ad hoc committee on May 23, 2022, would add Chapter 9.38 to the EGMC concerning unlawful camping. The focus of the ordinance concerns unlawful camping on public property, but also addresses unlawful camping on private property.

Concerning public property, the proposed ordinance would:

- Prohibit camping (as defined) within 500 feet of the grounds of any daycare center, school, playground, or youth center.
- Prohibit camping in an area greater than 150 square feet per person.
- Prohibit encampments, which are defined as four or more persons camping within 50 feet of each other without permitted electrical, water, and/or bathroom facilities.
- Require camping areas to be kept clean and free of garbage, debris, and waste.
- Prohibit breaking or damaging any lock on public facilities or impeding access to any public facility, including by locking City staff out of a facility or public area.
- Prohibit blocking or obstructing access to a public facility, sidewalk, and/or other public right-of-way.

Camping on private property would also be prohibited without the consent of the property owner. Camping would not be prohibited under the ordinance if done with the permission of the owner of public or private property.

The ordinance provides a remedy for City officials to temporarily seize the personal property of those violating the ordinance. Before a seizure, the violator would be provided not less than 72 hours' notice and information about available housing support services. Property seized would be held by the City, at the City's expense, for no less than 90 days, for retrieval by the violator. Property not retrieved within the 90 days would be subject to

disposition or destruction by the City. The City would have no obligation to store hazardous or illegal items seized.

The ordinance also provides for typical remedies for the City, such as infractions or administrative citations with fines of \$100 per day. Similar to the seizure provision noted above, such fines could not be issued until the violator is provided information about available housing support services. Note that this ordinance does not place an affirmative obligation on the City to provide housing to violators of the ordinance. Staff recognizes that the provision of housing is important, and the effort to provide such housing is being separately analyzed and addressed by City staff, including the City's Housing Division.

For the reasons presented above, staff recommends that the City Council adopt the proposed ordinance.

ENVIRONMENTAL ANALYSIS:

Adoption of this ordinance is exempt from environmental review under the California Environmental Quality Act (California Public Resources Code, Section 21000, et. seq., hereafter "CEQA"). Adoption of the ordinance will not result in a direct or reasonably foreseeable indirect adverse physical change to the environment, and therefore, its adoption is exempt from CEQA review. (CEQA Guidelines, Sections 15060(c)(2), 15061(b)(3)) The ordinance is also an effort directed to improve public health and safety and is thus exempt from CEQA as an action taken by the City to assure the maintenance, restoration, or enhancement of a natural resource and/or the environment. (CEQA Guidelines, Sections 15307, 15308)

ALTERNATIVE ACTION:

The City Council could decide not to adopt the proposed ordinance. Staff recommends against this alternative because the ordinance provides an additional resource for staff to address the public health and safety issue presented by unlawful camping. If, however, the City Council has requested revisions to the ordinance presented, staff will receive such direction from the City Council.

FISCAL IMPACT:

Adoption of the ordinance will result in City enforcement costs, including the costs of retaining personal property held under the ordinance and cleanup of encampments, which may involve the collection and disposal of trash and potential hazardous material response. The Police Department and Code

Enforcement Division will be primarily responsible for enforcement and handling of personal property, while the Public Works Department will provide support for coordinating the pickup and disposal of trash and hazmat response through its contractors.

First year cleanup costs are expected to be accommodated and absorbed within the remaining FY22 approved budget and the proposed FY23 budget. The Public Works proposed FY23 operating budget includes \$75,000 for services related to homeless encampment cleanup, including the potential need for hazardous material response.

Future costs are unknown and are dependent on changes in the homeless population and the amount of enforcement associated with the proposed ordinance.

ATTACHMENTS:

1. Ordinance

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
ENACTING CHAPTER 9.38 OF THE ELK GROVE MUNICIPAL CODE**

WHEREAS, the City Council recognizes that unlawful camping by unhoused persons, and the activities often attendant with unlawful camping, have created public health and safety problems within the City; and

WHEREAS, the City Council wishes to adopt an ordinance seeking to address unlawful camping in the City of Elk Grove.

NOW, THEREFORE, the City Council of the City of Elk Grove does hereby ordain as follows:

Section 1: Purpose and Findings

The purpose of this ordinance is to amend the Elk Grove Municipal Code to enact regulations to address unlawful camping and homelessness in the City. The City Council has authority to adopt this ordinance pursuant to California Constitution Article XI, Section 7.

In adopting this ordinance, the City Council makes the following findings:

- A. There are currently approximately 150 unsheltered persons experiencing homelessness within the City.
- B. The living conditions of persons experiencing homelessness in the City are unhealthy and unsafe, and negatively impact the health, safety, and welfare of City residents and the homeless community in the City.
- C. According to Homelessness in Sacramento County (which documents the results from the 2019 Point-in-Time Count), 21 percent of unsheltered respondents reported having a severe psychiatric condition and 9 percent of respondents reported that their use of alcohol or drugs prevents them from keeping a job or maintaining stable housing.
- D. Research indicates that nationally approximately one-third of individuals who are homeless experience alcohol and drug problems. (Gillis, Dickerson, & Hanson, 2010).
- E. Homeless camping areas and encampments generate hazardous waste, including human waste, creating dangerous health conditions within the City. Such unsanitary conditions can lead to infestation of vermin and the spread of communicable diseases.
- F. Some homeless persons in the City live in makeshift shelters on both private and public property, such as tents, tarps, non-permanent boarded structures, and other non-substantial temporary structures creating a public health and safety hazard.

- G. The City's police department and other City departments regularly receive calls for service related to homeless activities.
- H. Criminal activity may be present in and near homeless camping areas or encampments, which creates potential victimization of all residents, housed and unhoused. The prevalence of substance abuse and mental health disorders can also lead to an increase in low-level offenses due to individuals being disconnected from support and housing opportunities.
- I. The City is the owner of a Municipal Separate Storm Sewer System (MS4) that includes, without limitation, storm drains, detention basins, creeks, and channels; and is subject to the requirements of the Clean Water Act National Pollutant Discharge Elimination System (NPDES) Permit, which requires controls to reduce the discharge of pollutants in storm water from MS4s to the maximum extent practicable. Unlawful camping activity can lead to pollutants in runoff, and pollutants in runoff can threaten and adversely affect human health and aquatic organisms.
- J. Unlawful camping can lead to damage to and/or hindrance of operation of public infrastructure in the City, creating a potential health and safety hazard.
- K. Unlawful camping can have a deleterious impact on businesses, private property, and economic development within the City.
- L. By this ordinance, the City Council seeks to implement enforcement efforts to address the health and safety concerns presented by unlawful camping and the homelessness issue in the City, while seeking to provide those experiencing homelessness with potentially available resources to ameliorate their condition.

Section 2: California Environmental Quality Act (CEQA)

Finding: Adoption of this ordinance is exempt from environmental review under the California Environmental Quality Act (California Public Resources Code, Sections 21000, et. seq., hereafter "CEQA") pursuant to state CEQA Guidelines Sections 15060(c)(2), 15061(b)(3), 15307, and 15308.

Evidence: CEQA requires analysis of government agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (CEQA Guidelines, § 15378.) The proposed project includes discretionary amendments to the City's Municipal Code and is a project under CEQA; but it is exempt from CEQA review as set forth below.

CEQA Guidelines section 15060(c)(2) states that a project is not subject to CEQA review where the activity will not result in a direct or reasonably foreseeable indirect physical change to the environment. CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in

question may have a significant effect on the environment.” The approval of the code amendments set forth in this ordinance does not approve any physical development project, and it would not result in a direct or indirect adverse physical changes in the environment. Rather, this action is directed toward addressing homeless issues in the City, including improving conditions within the City through enforcement efforts.

Because the ordinance is aimed at improvement or restoration of the environment through enforcement efforts directed to improve public health and safety, adoption of the ordinance is also exempt from CEQA under CEQA Guidelines 15307 and 15308, as an action taken by the City to assure the maintenance, restoration, or enhancement of a natural resource and/or the environment.

Section 3: Action

Elk Grove Municipal Code Title 9 is hereby amended by the addition of Chapter 9.38 as shown in Exhibit A, incorporated herein by this reference.

Section 4: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 7: Effective Date and Publication

This ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

INTRODUCED:
ADOPTED:
EFFECTIVE:

BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

JASON LINDGREN, CITY CLERK

JONATHAN P. HOBBS,
CITY ATTORNEY

Date signed: _____

**Exhibit A
Municipal Code Amendments**

Additions are shown in underlined text.

Chapter 9.38 is added to the Elk Grove Municipal Code to read as follows:

Chapter 9.38

UNLAWFUL CAMPING

9.38.010 Definitions

9.38.020 Prohibitions

9.38.030 Temporary Seizure of Property

9.38.040 Administration

9.38.050 Violations

9.38.010 Definitions.

As used in this chapter, the following terms shall have the following meaning:

- A. "Day care center" means a child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school-age child care centers.
- B. "Camp" or "camping" means to engage in any of the following activity at a single camping area within the City for a period longer than twenty-four (24) consecutive hours: place, pitch, or occupy camp facilities; live temporarily in a camp facility or camping area or outdoors; and/or to use camp paraphernalia.
- C. "Camping area" includes the primary physical area of occupation of a single camping person.
- D. "Camp facilities" includes, but is not limited to, tents, huts, vehicles, or temporary shelter.
- E. "Camp paraphernalia" includes, but is not limited to, bedrolls, tarpaulins, cots, beds, sleeping bags, hammocks, or cooking facilities and similar equipment.
- F. "City" means the City of Elk Grove, including its employees and agents.
- G. "City manager" means the city manager of the City of Elk Grove or their designee.
- H. "Encampment" means four (4) or more persons camping together within fifty (50) feet of each other and without permitted electrical power, permitted running water, and/or permitted bathroom facilities that serve that encampment.
- I. "Housing support services" means housing support services intended to connect a person with temporary or permanent housing resources.

- J. “Playground” means any recreational area specifically designed to be used by children which has play equipment installed, including, without limitation, public grounds designed for athletic activities such as baseball, football, soccer, or basketball, or any similar facility located on public or private school grounds, or on city, county, or state parks.
- K. “Public property” means any real property located in the City and owned in fee title, or its equivalent, by the City or any federal, state, or local government agency.
- L. “Public facility” means any building, structure, or area enclosed by a fence located on public property, whether secured, unsecured, locked, unlocked, open, or enclosed.
- M. “Private property” means any real property located in the City and owned in fee title, or its equivalent, by a private person or entity. The fact that private property may contain an easement, lien, or other interest less than fee title, or its equivalent, by a governmental or public agency does not negate the status of the property as private property.
- N. “School” means the buildings and grounds of any public or private school used for the purposes of the education of children in kindergarten or any of the grades one (1) through twelve (12) inclusive.
- O. “Sidewalk” means any area in the City provided for the use of pedestrians, including planting areas, driveway approaches or parking strips, between the public vehicular roadway and the edge of right-of-way bordering fronting or adjacent private property.
- P. “Youth center” means any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

9.38.020 Prohibitions.

- A. It shall be unlawful and a violation of this chapter for any person or persons to do any of the following on any public property within the City:
 - 1. Camp within 500 feet of the grounds of any day care center, school, playground, or youth center.
 - 2. Occupy a camping area greater than 150 square feet measured from the center of the primary living area of the total camping area.
 - 3. Occupy any encampment.

4. Fail to keep any camping area clean and free of garbage, debris, waste, including without limitation, hazardous waste and/or human waste.
 5. Camp in any structure or structures that an authorized City official finds is unsafe for human occupation.
 6. Break or damage any lock on any public facility in order to access the public facility, and/or to camp within a public facility.
 7. Lock or otherwise impair or impede access of public employees or agents to any public facility.
 8. Block, obstruct, or otherwise interfere with access to, a public facility, sidewalk, and/or other public right-of-way.
- B. It shall be unlawful and a violation of this chapter for any person to camp on private property without the consent of the owner of the private property.
- C. Notwithstanding the foregoing, it shall not be a violation of this section or this chapter for a person to camp on public or private property with the express permission of the owner of the property.

9.38.030 Temporary Seizure of Property.

- A. Subject to section 9.38.050, any person who violates section 9.38.020 shall be subject to having their personal property temporarily seized by the City pursuant to this section.
- B. Prior to any seizure of personal property pursuant to this section, the City shall provide the owner/possessor of the personal property not less than seventy-two (72) hours' written notice, on a form prescribed by the City Manager. The written notice may be personally served on the owner of the personal property or posted at the location where the personal property is stored or located.
- C. Upon seizure of any personal property pursuant to this section, the City shall provide the owner/possessor with a written receipt itemizing the personal property seized, advising that the personal property will be held by the City for not less than 90 days, that the owner/possessor of the seized property may retrieve such personal property within that 90-day period at an address provided on the receipt, during normal business hours, and that the City may destroy or otherwise dispose of that personal property if not reclaimed and retrieved by the owner/possessor within that 90-day period. Nothing herein shall require the City to store or maintain personal property that is determined by the City to present a health or safety hazard, is soiled by human waste or other contamination, is illegal, illegally possessed, and/or that is used or intended to be used in furtherance of illegal activity, including, without limitation, paraphernalia used or intended to be used for illegal drugs.

D. Following seizure of any personal property pursuant to this section, the City shall secure and store the personal property seized, at the City's expense, for a period of not less than ninety (90) days. Such personal property shall be returned to the owner/possessor upon presentation of the receipt identified in subsection (C), or such other proof satisfactory to the City that person seeking return of the property is the owner or otherwise has a viable claim to reclaim the personal property. Any personal property not reclaimed within ninety (90) days of its seizure may be destroyed or disposed of by the City, in its discretion.

9.38.040 Administration.

The City Manager shall be authorized to administer the provisions of this chapter including, without limitation, developing all documentation and forms, and taking all actions reasonably necessary and consistent with this chapter, to administer the provisions of this chapter.

9.38.050 Violations.

A. Any person violating this chapter shall be subject to the following penalties.

1. Temporary seizure of personal property, as set forth at section 9.38.030.
2. An infraction citation and penalty of One Hundred and no/100ths (\$100.00) Dollars for each day's violation of this chapter pursuant to EGMC chapter 1.04.
3. An administrative citation and penalty of One Hundred and no/100ths (\$100.00) Dollars for each day's violation of this chapter pursuant to EGMC chapter 1.12 and section 16.18.700, and/or any other generally applicable resolution or provisions of the EGMC concerning administrative fines and penalties.
4. Prior to the City pursuing any of the remedies set forth at subsection (A)(1)-(3), inclusive, above, the City shall provide the violator, orally or in writing, with information about housing support services. Nothing in this section or this chapter shall require the City to provide housing to such violator.

B. Notwithstanding subsection A of this section:

1. Any violation of this chapter may be remedied by a civil action brought by the City Attorney.
2. Violations of this chapter are hereby declared to be public nuisances subject to abatement by the City by any lawful means.

C. The remedies set forth in this chapter shall be cumulative and in addition to any and all other remedies, civil, equitable or criminal, afforded to the City under the law.

City of Isleton

Special City Council Staff Report

DATE: November 9, 2022

ITEM#: 7.D

CATEGORY: New Business

CODE ENFORCEMENT SERVICES, WILLDAN ENGINEERING AGREEMENT

SUBJECT

Staff is recommending that City Council approve an agreement with Willdan Engineering for code enforcement services.

SUMMARY

This agreement will provide basic code enforcement service and will include enforcement of nuisances, property violations, rights-of-way issues, and vehicle abatement. This agreement will also provide enforcement action regarding the De Rio Hotel, rental housing, the Central Commercial District non retail spaces requirements, unlawful camping and cannabis permits. This can be accomplished at no change to the City's budget.

DISCUSSION

Due to recent personal assignments, code enforcement operations have been suspended. Staff recommends retaining a professional firm to administer the City's code enforcement program.

This past June, the City encountered hazardous working conditions at the public works yard, found the wastewater treatment plant in violation of federal and state wastewater plant regulations, and no public works supervision. As a result of these conditions and problems with the federal and state authorities, the Code Enforcement Officer was reassigned interim Public Works Supervisor. The Code Enforcement Officer has extensive experience in public works operations and wastewater collection and treatment. This reassignment to Public Works has corrected the public works hazards, has rectified relations with federal authorities and the State Water Quality Control Board, and has provided effective the management and supervision of public works and the wastewater treatment plant. Additionally, the Public Works Supervisor has been instrumental in securing the Hotel Del Rio and addressing property violations.

Code Enforcement Services

This reassignment resulted in code enforcement operations being suspended since July. During this time period staff has obtained a proposal from a company that provides professional code enforcement services through the state; Willdan Engineering (proposal attached). Willdan Engineering's services will provide enforcement of City nuisance ordinance (Isleton Municipal Code chapter 10.16 Nuisance Abatement), enforcement of cannabis use permits, assist in enforcement of property prosecutions, the rental housing inspection program, Main Street Retail frontages (IMC section 803), vehicle clean up, and property violations. Willdan has extensive code enforcement experience and provides service to cities similar to Isleton's profile e.g. Big Bear Lake, Irwindale, Los Alamitos, Hawaiian Gardens. Willdan's service also includes the preparation and participation in court prosecutions.

Staff is recommends exercising the provision of the purchase policy, City Ordinance 2021-002, for waiver of formal proposal solicitation. Reason for this waiver are the following:

- a. Time is critical.
- b. A formal process will cause substantial disruption of City operations. The City has begun the code enforcement on several major issues - the Del Rio Hotel, the rental housing inspections, Main Street retail enforcement, unlawful encampments, and cannabis agreements. Undergoing a proposal process requires half a year which will delay or end progress on these current issues.
- c. The City can commence a formal proposal process while code enforcement services are in operation.

Staff recommends engaging Willdan Engineering for a trial period of six months. After which the City can elect to solicit formal proposals for these services or continue the agreement.

FISCAL IMPACT

Costs at the proposed rate of \$70 per hour at 8 man-hours a week will be approximately \$29,000 annually. The City has budgeted \$25,000 per year for this service and the increase of \$4,000 is within the capacity of the budget. This figure can be offset in the first year by the rental housing inspect grant of \$40,000 received from Sacramento Area Council of Governments Regional Early Action Planning grant aimed at improving housing stock.


In the alternative, the City can combine these operations and expend up to \$69,000 a year for a level of effort up to 18 man-hours a week – more than two days enforcement per week.

RECOMMENDATION

It is recommended that the City Council approve the agreement with Willdan Engineering for Code Enforcement Services.

ATTACHMENTS

- Willdan Engineering Code Enforcment Services proposal, 29 September 2022

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

September 29, 2022

Mr. Charles Bergson, P.E.
City Manager
City of Isleton
101 Second St.
P.O. Box 716
Isleton, CA 95641

Subject: Code Enforcement Services

Dear Mr. Bergson:

Willdan Engineering (Willdan) appreciates the opportunity to submit this proposal to provide contract code enforcement services to the City of Isleton. We have outlined our approach to the services requested and presented our key staff in the attached document.

Willdan has provided municipal consulting services including code compliance for over 57 years to cities and counties throughout the State of California. We have provided interim, part-time and full-time code enforcement officers to various jurisdictions.

The proposed Project Manager, Joe Cuffe, will provide general oversight and will monitor service delivery on behalf of Willdan and the City of Isleton. Mr. Cuffe has extensive experience in developing and managing various code programs for numerous clients in California. Willdan can provide the City of Isleton with a hands-on, experienced code team, capable of efficiently dealing with all aspects of the assigned project.

We look forward to discussing our qualifications and ideas for project implementation with you. If you have any questions or require additional information, please call me at (916) 563-1645.

Respectfully submitted,
WILLDAN ENGINEERING



Joe Cuffe
Principal Project Manager
jcuffe@willdan.com
916-563-1645

Table of Contents

Firm Profile	2
Scope of Work	3
Project Manager	4
Fee Schedule	4
Related Experience	5
References	7

Firm Profile

Founded in 1964, Willdan Group, Inc. is a leading nationwide provider of value-added professional technical and consulting services. The primary markets Willdan serves are 1) municipal engineering, planning and staff augmentation; 2) infrastructure and transportation; and 3) energy; economic and financial analysis. The company serves these three complementary markets through its three service segments — engineering (Willdan Engineering), energy efficiency (Willdan Energy Solutions), and public finance (Willdan Financial Services).

Willdan has been in business for over 57 years

Willdan has a reputation for delivering high-quality projects on time and within budget. Rooted in Willdan's corporate culture is its focus on quality customer service. The company has more than 1300 employees, including licensed engineers, program and construction managers, financial analysts, planners, and other skilled professionals.

Willdan benefits from well-established relationships with local and state government agencies, investor-owned and municipal utilities, and private sector commercial and industrial firms throughout the United States. The company served more than 800 distinct clients in 2015. Headquartered in Anaheim, the company operates from offices in more than 30 states across the US.

Willdan Engineering

Willdan, a California Corporation and subsidiary of WGI, specializes in solutions tailored to the unique needs of municipalities and other local government agencies. Services range from full-time, in-house staffing to interim or part-time assistance on a project-by-project basis.

Willdan's understanding of public agency needs and issues is unique in the industry. In addition to the significant portion of our staff that have served in public agency management positions prior to joining Willdan, we have had numerous assignments with over 90% of the cities and counties in California for building officials, city engineers, planning directors, traffic engineers, and other public agency staff members. With our depth of experience, expertise, knowledge and resources, Willdan is able to offer practical solutions that are timely, cost effective, and that meet the needs of individual communities. The diversity of our staff experience is an added value of our professional services.

Willdan's business model is centered on the public sector.

We can function as part of the City of Isleton's team without a conflict of interest.

Building and Safety/Engineering Services

Willdan's experience and strength in plan review and inspection services encompasses the complete range of technical disciplines, including permit issuance, building inspection, grading inspection, accessibility inspection, **Code Enforcement**, CASp services, OSHPD III plan check and inspection, flood zone experience, building plan review, and fire-life safety. Willdan maintains an excellent working knowledge of all applicable codes and standards including Caltrans Standard Plans and Specifications, APWA Standards and Specifications, AWWA Standards and Specifications, California Building Codes, CEQA, and Americans with Disabilities Act requirements and California Title 24 requirements on accessibility. The inspection and plan review staff maintain current certifications and attends training on a regular basis to stay current with industry technologies and standards.

Scope of Work

Code Enforcement Services

Code enforcement services are among the most complex and challenging services that government agencies provide. According to nationwide studies, property values, crime rates, insurance rates, business development, and the sense of community pride can be directly impacted by the successes of a jurisdiction's code enforcement program.

To aid jurisdictions with the difficult task of maintaining the quality of life for its citizens through such programs, Willdan has assembled a quality staff with extensive public agency experience in the areas of neighborhood preservation, housing inspection and code enforcement. Our expertise includes the development and implementation of inspection programs designed to ensure public safety, promote community involvement and protect quality of life issues through community education and enforcement of municipal and related codes including preparation for, and participation in, prosecution by city and district attorneys.



Willdan provides the following Code Enforcement Services:

- Inspection, regulation and enforcement of medicinal marijuana dispensaries.
- Vehicle abatement and parking enforcement.
- Provide full-time, part-time, interim and/or weekend staff as onsite "employees"
- Assist in enforcement, including preparation and participation in prosecution by city and district attorneys.
- Inspection services for HUD section 8 programs.
- Review, study and analysis of existing programs.
- Development of ordinances and writing of grant proposals.
- Neighborhood cleanup and improvement programs.
- Community education programs.
- Development of educational materials.
- Provide project managers and/or supervisors as onsite "employees."
- The registration and enforcement of vacation rentals.
- The regulation of group and/or sober living homes.



Staffing

- Senior code officers
- Code compliance Inspectors
- Code technicians
- Clerical support



Management

- Code enforcement directors
- Code compliance managers
- Code supervisors



Analysis

- Code databases
- Revenue collection efforts
- Policies and procedures
- Community based neighborhood improvement programs

Contract Code Inspection Services

The project shall consist of Willdan staff coordinating with the City of Isleton Community Development Department to provide Code inspection staff to the City. Willdan staff shall conduct inspections and re-inspections of code enforcement cases and will also identify and enforce all violations of City's municipal code, ordinances, laws and all applicable statutes as directed by City personnel. Willdan employees shall issue notifications, letters, and citations when necessary to achieve compliance. Staff will be required to document all complaints received, inspections conducted through photos, notes and correspondences. In addition to the services mentioned above, Willdan employees would provide the following to the City (this is not intended to be a comprehensive list):

- Investigate complaints from the public and staff regarding violations of the municipal codes, ordinances, standards and health and safety regulations.
- Initiate contact with residents, business representatives, and other parties to explain the nature of the violations and encourage voluntary compliance with municipal codes, zoning and land use ordinances, and community standards.
- Prepare notices of violation for non-compliance according to applicable codes and regulations.
- Prepare reports for cases requiring legal action or civil abatement.
- When required, meet with legal counsel and provides testimony on criminal cases.
- Maintain records of complaints, inspections, violation notices and other field enforcement activities.
- Coordinate with City departments on cases as they relate to code enforcement.

Project Manager

Joe Cuffe shall be the Project Manager and is fully responsible for seeing that the project is completed in compliance with the provisions of the agreement (see resume attached). Mr. Cuffe has over 25 years' experience in the code profession has provided contract code services to numerous municipalities in California. He specializes in developing new code programs, improving existing divisions, revenue enhancement, ordinance revisions, maximizing staff efficiency and enhancing customer relations.

Fee Schedule

The Willdan rate for code compliance services is \$70.00 dollars an hour. The rate is comprehensive and includes project management and any additional costs incurred by Willdan in performance of this contract.

Related Experience

City of Rancho Cordova – Project Manager. Provided code enforcement staff to assist with parking and code enforcement.

County of El Dorado – Project Manager. Provided code enforcement staff who were responsible for enforcing the Municipal Code.

City of Big Bear Lake – Project Manager. Provide seasonal code enforcement staff for the enforcement of short-term lodging.

City of Laguna Beach – Project Manager. Provided code enforcement staff on a contract basis to address unregistered and non-complaint vacation rentals.

City of Palm Desert – Project Manager. Provided code enforcement staff on a contract basis to address unregistered and non-complaint vacation rentals.

City of Fountain Hills, AZ – Project Manager. Developed and implemented a town code enforcement department. The scope of work included hiring staff, training and supervision for an eight-month period.

City of Irwindale – Project Manager. Provided municipal code enforcement services including monitoring of a local racetrack for compliance with the City Sound Ordinance on an interim basis.

City of Long Beach – Project Manager. Provided interim code enforcement staff who were responsible for enforcing the City's Municipal Code.

City of Manhattan Beach – Project Manager. Provided interim code enforcement staff.

City of Hermosa Beach – Project Manager. Providing interim code enforcement staff.

City of Laguna Hills – Project Manager. Assisted the city in the development of a public education program concerning the city's code program.

City of Los Alamitos – Directed and participated in review of the city's code enforcement policy and procedures and made recommendations for changes, as necessary. Additionally, provided interim code enforcement staff and a Community Development Director.

City of Hawaiian Gardens – Project Manager. Assisted the City of Hawaiian Gardens in developing and implementing an Administrative Citation program.

City of Rosemead – Project Manager. Provided interim code enforcement staff to inspect a targeted areas of the city to facilitate neighborhood improvements.

City of San Clemente – Project Manager. Provided interim Code Enforcement staff to assist with their Code Enforcement Program.

City of Superior, AZ – Direct and participate in the review of the city's code enforcement policy and procedures and make recommendations for changes, as necessary. Development and Implementation of a Nuisance and an Administrative Citation Ordinance.

City of La Canada Flintridge – Direct and participate in the review of the city's code enforcement policy and procedures and make recommendations for changes, as necessary. Development and Implementation of a Nuisance, Cost Recovery and an Administrative Citation Ordinances. Provided interim code enforcement staff to conduct inspections and facilitate neighborhood improvements.

City of Huntington Beach – Project Manager. Provided interim Code Enforcement staff to assist with their Code Enforcement Program.

City of Del Mar - Provided interim code enforcement staff to the City and managed their entire Code program.

City of Newport Beach - Provided interim code enforcement staff to the City and managed their entire Code program.

It should be noted that the projects listed above is not a comprehensive list of all our past code clientele but represents a small portion of the Municipalities we have served. We have also successfully provided service to the following jurisdictions:

- Ventura
- Bradbury
- Costa Mesa
- Desert Hot Springs
- El Monte
- Fountain Valley
- Laguna Woods
- Pasadena
- Laguna Niguel
- Burbank
- Maywood
- San Diego County
- Thousand Oaks
- San Juan Capistrano
- San Luis Obispo
- West Hollywood

References

CITY OF RANCHO CORDOVA

Russell Ducharme
Neighborhood Services Manager
rducharme@cityofranhocordova.org
916.851.8770
2880 Gold Tailings Ct., Rancho Cordova, CA 95670

Our employees are responsible for enforcing all municipal code provisions, but most investigations are related to violation of the City's abandoned and inoperable vehicle program. The officers assigned to the City are required to document their findings using investigative techniques to resolve code complaints on behalf of the City.

CITY OF SHAFTER

Dennis Fidler
Building Official
dfidler@shafter.com
661.746.5026
336 Pacific Avenue, Shafter, CA 93263

Willdan personnel is tasked with investigating code concerns related to property maintenance, inoperable vehicles, un-permitted building, business license and various other provisions. Staff is required to prepare notices and citations when necessary to successfully resolve code cases using standard investigative techniques and several forms of documentation.

CITY OF ORANGE COVE

Rudy Hernandez
City Manager
Rudy@cityoforangecove.com
559.626.4488
633 Sixth Street, Orange Cove, California 93646

In closing, Willdan has provided code compliance services to numerous different California Cities and Counties. We are confident our team can provide the customer service-based code compliance program the City is seeking. We hope this proposal meets with your approval. The resumes for our proposed team are attached. Please let me know if you have any questions or require additional information.

Joe Cuffe, CBO

Project Manager/Building Official

Education

*Cosumnes River College,
Sacramento, CA*

Certifications

ICC Certified Building Official

ICC Certified Fire Marshall

*Certified Code Officer Safety
Specialist, CEOSF-CALBO
CTI California*

*Building Official Credential
CALBO CTI California
Counter Technician*

*Credential CalOES Safety
Assessment Program –
Disaster Service Worker*

*CalEMA Safety Assessment
program Evaluator*

26 Years' Experience

Mr. Joe Cuffe is a Willdan Engineering Certified Building Official with 26 years of experience in the Building and Safety industry with over 20+ years of experience working within municipal and governmental guidelines for structures and construction.

Relevant Project Experience

City of Rancho Cordova, Rancho Cordova California. Building Official.

- Overseeing city employees, and consultant employees, with oversight of annual \$2 million budget
- Responsible for all Building & Safety Division related communication for public and media, including web pages and social media content
- Provided information about methods and materials to correct problems and bring construction in compliance with ordinances and codes
- Liaison with partner agencies, both internal and external staff development and training
- Developed several new, innovative programs, including Long-Term Accessibility Program, Development Assistance Program, and helped start City's Development Services Team
- Standardized applications, forms and other documents
- Developed and updated handouts detailing codes, procedures and policies
- Revamped inspection, evaluation and approval or denial procedures
- Strengthened team operations by improving permitting processes
- Determined work met applicable city, state and federal guidelines and discipline-specific codes
- Investigated complaints, incidents, and accidents at work sites
- Kept up to date on inspection regulations, codes, ordinances, and techniques
- Documented recurrent issues and worked with contractors to prevent re-occurrence
- Reviewed drawings and assessed construction against plans
- Completed inspections of current construction, refurbishment, and repair projects
- Noted violations and issued documentation such as stop work orders to contractors or owners

City Of Rancho Cordova, Rancho Cordova – Permit Services Supervisor

- Policy and Procedure Development for Rancho Cordova Building & Safety Department
- Maintained customer satisfaction with forward thinking strategies focused on addressing customer needs and resolving concerns.
- Assistant to Building Official for day-to-day operations of Rancho Cordova Building & Safety Department office.
- Handled customer complaints and inquiries.
- Assisted with training and development of team members.
- Updated job knowledge by attending workshops, training sessions and educational opportunities.
- Clarified customer issues and determined root cause of problems to resolve product or service complaints.
- Offered advice and assistance to customer attention to special needs or wants.
- Supervised administrative team members and provided constructive feedback, resulting in morale and increased employee retention.
- Drove implementation of permitting and software to automate office operations.

Hector Jim Soria

Sr. Code Enforcement Officer

Education

Modesto Jr. College,
Modesto CA,
Merced College CA,
Modesto Police Academy
CA.

Courses taken:

Code Enforcement Academy,
Patrol Procedures,
Administration of Justice,
Supervisory Management,
Terrorist Awareness Hospital
Incident Command
Supervision, Techniques for
Effective Aggressive
Management Behavior

Certifications

Basic & Intermediate
P.O.S.T. Certificate,
Basic Code Enforcement
Certificate,
PC 832 Certificate, P.O.S.T
Certificate

20 Years' Experience

Mr. Hector Jim Soria is a Willdan Engineering code enforcement officer with 6 years code experience and over 20 years of municipal government experience. Mr. Soria is experienced in enforcing the municipal codes to help improve the quality of life in the communities. Jim specializes in working collaboratively with communities utilizing solution orientated based enforcement techniques. Mr. Soria is available to our Northern California clients.

Relevant Project Experience

City of Rancho Cordova, California. Code Enforcement Officer. Performed field inspections and enforced municipal code provisions (such as nuisance regulations, business license requirements, and building permits). Explained regulations relating to municipal code provisions including zoning, land use, planning, and design review. Responded to citizen complaints regarding potential code violations; conducted research of property ownership, past permits and all applicable code regulations.

City of Waterford, California. Code Enforcement Officer. Performed field inspections and enforced municipal code provisions (such as nuisance regulations, business license requirements, and building permits). Explained regulations relating to municipal code provisions including zoning, land use, planning, and design review. Responded to citizen complaints regarding potential code violations; conducted research of property ownership, past permits and all applicable code regulations. Coordinated enforcement actions with other City departments and other governmental agencies, as necessary.

City of Livingston, CA. Mayor. Mr. Soria served and represented the community in the capacity of Mayor. As a whole, he was responsible for voting on items to key projects and approve funding for the City's operations. He also voted and enacted if needed, on City ordinances to enhance the quality of life in Livingston. Mr. Soria planned and organized a general plan for growth and community development.

City of Livingston, CA. Council Member/Elected Official. Mr. Soria was elected as a council member in 2012. He served the residents and the City of Livingston as 1/5th member in a city government council. He provided direction to the city manager and city attorney. Mr. Soria reviewed city budgets, city general plans and city ordinances. He planned, directed, voted and to improve the quality of life in the community. As an elected official, he had extensive community contact and involvement.

City of Mendota, CA/Mendota Police Department. Senior Code Enforcement Officer. Mr. Soria's responsibilities were enforcing the municipal codes to help provide a better quality of life in the community. He did research, statistics and analysis to improve the quality of life. Mr. Soria assisted the Police Department when needed as a police officer. Mr. Soria aided in restructuring the Code Enforcement Department and the Animal Control Department. Mr. Soria wrote a policy and procedure pertaining to security. He supervised one code enforcement officer and two security officers before the Mendota Police Department was reestablished. He supervised three full-time employees in code enforcement, animal control and the police department.

Mr. Soria Continued

Mendota Police Department. Police Officer Reserve Level I. Mr. Soria was a volunteer and paid special assignment police officer. He patrolled in a marked police vehicle and on a foot. He investigated crimes of a misdemeanor and felony nature. Mr. Soria responded to scenes of traffic accidents and of violent acts. He enforced all state, federal and local laws. He supervised and provided training to police officers. Mr. Soria was instrumental in assisting with the rebuilding of the Police Department when it was reestablished. He investigated all violations of law.

Santa Rosa Rancheria Tribal Police Department. Police Training Sergeant. Mr. Soria supervised two police officers, six security officers and one dispatcher assigned to his squad. He provided training to over eight police officers and 22 security officers. He oversaw supervising, scheduling, monitor officers' calls as the watch commander. He was responsible for subordinate evaluations, and he delegated responsibilities to officers. Mr. Soria provided continuous training to police and security personnel.



City of Isleton

DATE: November 9, 2022

City Council

ITEM: #: 7.E

Agenda Report

CATEGORY: Old Business

CONTRACT OFF-DUTY SHERIFF'S NIGHT PATROL, APPROVE

STATEMENT

The City is considering engaging a night daily night patrol for the City.

DISCUSSION

The City has requested the engagement of Sacramento County Sheriff's Off-Duty services. A contract has been submitted for the City Council review. This service is initially to be a nightly patrol service. The Sheriff Office has indicated its flexibility in adjusting this schedule as needed.

FISCAL IMPACT

There is no impact on City funds. These funds are not budgeted funds and are in excess of the City's regular Proposition 172 allocation. These funds will come from the City supplemental Proposition 172 Funds (Public Safety Augmentation Funds). These funds are restricted to paying for public safety purposed.

The cost of this off-duty service is approximately \$6,700 weekly.

RECOMMENDATION

It is recommended that the City Council approve contract for monthly services of Night Patrol Off-Duty Program.

Prepared and Reviewed by Charles Bergson, City Manager

Submitted by Yvonne Zepeda, City Clerk



Charles Bergson

From: Offduty <Offduty@sacsheriff.com>
Sent: Wednesday, November 2, 2022 12:19 PM
To: Charles Bergson
Subject: City of Isleton (Empl# 1250) November contract for Off-Duty
Attachments: City of Isleton NOV 2022 patrol.pdf

Hi Charles,

I've attached a contract for a period of two weeks. We will need the original signed contract and payment (check made payable to: Sacramento County Sheriff's Office) as soon as possible. As I mentioned yesterday, we are experiencing issues with low staffing levels, so it is likely that shifts will go unfilled. Let me know if you have any questions.

Thank you,

SRO II Kristina Morgan
Off Duty Supervisor
Sacramento County Sheriff's Office
4500 Orange Grove Ave
Sacramento Ca 95841
Mail code 138-01A
916-874-5167
kmorgan@sacsheriff.com

"Service with Concern"



Call Sign ILTN8

Employer ID 1250
Date of Event Nov 21-Dec 12, 2022

Sacramento Sheriff's Office
Off-Duty Employer Application

Job # _____

District 8

Applicant To Complete

Business or Organization Hiring Officer: City of Isleton
Contact Name: Charles (Chuck) Bergson
Billing Address: 101 Second Street
City/State/Zip Code: Isleton, CA 95641
Phone: 916-777-7771 Alternate Phone: 916-215-3196 (Cell) Email: cbergson@cityofisleton.com
Address of Event: City of Isleton
Person Deputy Reports to (if different from Contact Name): _____
Type of Event: Patrol Estimated Attendance: N/A
Serving Alcohol: N/A Music Type: N/A
Types of Duties Requested, i.e. general security, fixed post, etc.: Patrol, general law enforcement duties

Employer Agreement

Please check all information above for accuracy before signing. Your signature guarantees you will abide by the policies of the Off-Duty Program and pay all fees when billed. Further, you understand that a portion of the fees collected include coverage for worker's compensation, liability and employer contributions for FICA. As the employer, you are authorizing the County to collect these contributions and forward the applicable fees to the Social Security Administration on your behalf and to pay the officers for services performed.

Deputies can perform law enforcement functions only, which includes but is not limited to enforcing laws & ordinances; operating a patrol vehicle; responding to complaints; giving information & assistance; making building security inspections; reporting and/or investigating unusual, suspicious or hazardous conditions; interviewing & taking statements from victims, suspects, & witnesses; preparing reports; searching, transporting & booking prisoners. The attached indemnity agreement provides for the County of Sacramento to indemnify the off-duty employer for any losses which arise from the deputy's performance of law enforcement services pursuant to this agreement. The County of Sacramento will not indemnify for activities that are outside the scope of such law enforcement services or which are caused in whole or in part by the off-duty employer. By the attached indemnity agreement, the off-duty employer agrees to indemnify the County of Sacramento for any losses or damages caused in connection with the performance of activities that are outside the scope of law enforcement services provided pursuant to this agreement.

No job will be scheduled until this form, the required fees and signed indemnity agreement is received. We require forty-eight (48) hours notice to cancel this job/contract, otherwise the employer is responsible for paying each scheduled officer the required minimum. You will be billed for, and agree to pay, any additional hours officers must spend on activities resulting from off-duty work, including but not limited to reports, booking evidence and arrests, and court appearances. There is a \$53.00 charge for returned checks.

The Off-Duty program makes no guarantee that a deputy will be found to work as requested. The Sheriff's Office may, at its discretion, cancel any or all off-duty jobs at any time due to departmental conflicts.

Employer Initials _____

OFF-DUTY PROGRAM POLICIES

1. Deputies can perform law enforcement functions only.
2. The liability coverage provided by the County **does not** extend to activities which are other than a law enforcement function.
3. No job can begin until the *Indemnification Agreement* and the *Employer Agreement* are signed and returned to the Off-Duty Office.
4. Our minimums are three (3) continuous hours per officer Monday through Thursday, and four continuous (4) hours per officer Friday, Saturday, and Sunday.
5. We require a forty-eight (48) hour notification in order to cancel a job/contract. If enough notice is not given, the employer will be responsible for paying each scheduled officer the required minimum.
6. For officer and public safety, a minimum number of officers per number of attendees at an event is required. We make the determination of how many officers we will require if we accept the job. **This is not a negotiable figure.** In addition, if we receive information that greater numbers of people are expected than was first anticipated, additions will be made in the number of officers assigned.
7. Any time more than four officers are required for an event, the fifth officer will be paid as a supervisor. (Examples: If an event requires five (5) officers, four (4) of these officers would be paid officer pay and one (1) would be paid as a supervisor. If an event requires fifteen (15) officers, three (3) would be supervisors and twelve (12) would be officers.) Note: Supervisors are hired as supervisors. If, for example, only four of the five officers assigned show up, the supervisor must still be paid as a supervisor.
8. Any time more than four supervisors are required for an event, the fifth supervisor will be paid as a manager. (Example: If an event requires twenty-five (25) officers, twenty (20) of these officers would be paid officer pay, four (4) of these officers would be paid supervisor pay, and one (1) would be paid manager pay.) Note: Managers are hired as managers. If, for example, only four of the five supervisors assigned show up, the manager must still be paid as a manager.
9. To ease communications, our staff will deal with one person as a primary contact. One alternate may be selected.
10. All schedule changes are to be communicated to the Off-Duty Employment Coordinator, preferably emailed to offduty@sacsheriff.com. (Initial requests and cancellations **must** be in writing).
11. Problems with the program or with a deputy should be communicated to the Off-Duty Employment Coordinator or the Off-Duty Employment Supervisor.
12. Officers shall receive compensation for time spent on reports or any other activities resulting from their off-duty employment, including but not limited to report writing, booking evidence and arrests. Sacramento County will not be responsible for paying overtime to officers for any off-duty employment.
13. All authorized off-duty jobs require the private employer's representative to first contact the department's Off-Duty Employment Coordinator (874-5096) with the initial job request. Officers not working in a departmentally sanctioned job are subject to not only disciplinary action, but leave both themselves and their employers open for possible private liability and worker's compensation lawsuits.
14. For one time only jobs, Administrative Fees are due a minimum of 10 business days prior to the event. No job will be scheduled until all fees are received.
15. For on-going, long term jobs, a deposit is required before the job is scheduled to start. Thereafter, the Administrative Fees are due 20 days from the invoiced date. A job will be canceled when the account becomes 45 days delinquent.
16. The Sheriff's Office may, at its discretion, cancel any or all Off-Duty jobs at any time due to departmental conflicts. In addition, if the Federal Government deems that the threat escalates to the highest threat level, the Sheriff's Department stands ready to deploy all available officers and personnel to address the added security needs of the community. All Off Duty employment may be canceled and with very little notice.

Employer Initials _____

OFF-DUTY JOB GUIDELINES

Several types of job requests are automatically refused. Following is a list of those jobs.

1. Jobs that are not in the unincorporated areas of Sacramento County (locations within the city limits or other counties, for example).
2. Jobs requesting plain-clothes officers (refer 70 PC).
3. Jobs at commercial businesses, bars, or lounges, inside or outside, whose main source of income is derived from either a "cover charge" or from the sale of alcoholic beverages. (Includes sidewalk and parking lots when the commercial establishment is permanently licensed by Alcoholic Beverage Control).
4. Mobile jobs where an unmarked, private vehicle would be used for patrol or transport. Only marked security vehicles may be used by deputies working off-duty.
5. Jobs with **armed** private security. Note: In cases where officers work with **unarmed** security, private security officers are obligated to take direction from deputies.
6. Jobs involving civil matters (domestic situations, labor disputes, union meetings, landlord/tenant disputes, etc.).
7. Jobs requiring deputies to act in a "bodyguard" capacity.
8. Jobs which constitute a conflict of interest on the part of the officers or the Department.

Employer initials _____

Page 3 of 6

Officers	Start	End	Total	Officers	Start	End	Total
2 Officer/1 Veh	11/21/22 18:00	11/22/22 0:00	6:00	2 Officer/1 Veh	11/28/22 18:00	11/29/22 0:00	6:00
2 Officer/1 Veh	11/22/22 18:00	11/23/22 0:00	6:00	2 Officer/1 Veh	11/29/22 18:00	11/30/22 0:00	6:00
2 Officer/1 Veh	11/23/22 18:00	11/24/22 0:00	6:00	2 Officer/1 Veh	11/30/22 18:00	12/01/22 0:00	6:00
2 Officer/1 Veh	11/24/22 18:00	11/25/22 0:00	6:00	2 Officer/1 Veh	12/01/22 18:00	12/02/22 0:00	6:00
2 Officer/1 Veh	11/25/22 18:00	11/26/22 0:00	6:00	2 Officer/1 Veh	12/02/22 18:00	12/03/22 0:00	6:00
2 Officer/1 Veh	11/26/22 18:00	11/27/22 0:00	6:00	2 Officer/1 Veh	12/03/22 18:00	12/04/22 0:00	6:00
2 Officer/1 Veh	11/27/22 18:00	11/28/22 0:00	6:00	2 Officer/1 Veh	12/04/22 18:00	12/05/22 0:00	6:00

of Officers 2 # of Supervisors _____ # of Managers _____ # of Vehicles 1 # Motorcycles _____

Fees:

Officer Cost 2 Officer(s) X 84.0 hours X \$74.59 = **\$12,531.12**

Supervisor Cost Supervisor(s) X hours X \$81.05 = **\$0.00**

Manager Cost Manager(s) X hours X \$88.15 = **\$0.00**

Vehicle Fee 1 Vehicle(s) X 84.0 hours X \$11.00 = **\$924.00**

Total Fees Due: \$13,455.12

FOR OFFICE USE ONLY

Day of Week	Date	Hours	Officers Assigned
Sunday	11/27/22	1800-0000	2 Officer/1 Veh/6 hours
	12/04/22	1800-0000	2 Officer/1 Veh/6 hours
Monday	11/21/22	1800-0000	2 Officer/1 Veh/6 hours
	11/28/22	1800-0000	2 Officer/1 Veh/6 hours
Tuesday	11/22/22	1800-0000	2 Officer/1 Veh/6 hours
	11/29/22	1800-0000	2 Officer/1 Veh/6 hours
Wednesday	11/23/22	1800-0000	2 Officer/1 Veh/6 hours
	11/30/22	1800-0000	2 Officer/1 Veh/6 hours
Thursday	11/24/22	1800-0000	2 Officer/1 Veh/6 hours
	12/01/22	1800-0000	2 Officer/1 Veh/6 hours
Friday	11/25/22	1800-0000	2 Officer/1 Veh/6 hours
	12/02/22	1800-0000	2 Officer/1 Veh/6 hours
Saturday	11/26/22	1800-0000	2 Officer/1 Veh/6 hours
	12/03/22	1800-0000	2 Officer/1 Veh/6 hours

Check the appropriate Type and justify below
Type 1 X Type 2 _____

Division Commander Approval _____ Date _____

Job Details	Specific Officers Requested
Patrol in an effort to deter crime. General security.	
For Office Use Only	
Date Feed Received _____ Received by _____	Check/Money Order # _____ Invoice# _____

Please return completed contract and payment to:
Sacramento County Sheriff's Office
Off Duty Program
4500 Orange Grove Ave
Sacramento, CA 95841

Off Duty Coordinator
(916) 874-5096
E-mail: Offduty@sacsheriff.com

Employer Initials _____

SACRAMENTO COUNTY SHERIFF'S OFFICE

Costs for Off-Duty Officers

Rates in Effect 07-01-2019

Officer Pay	\$64.59 per hour
Supervisor Pay	\$71.05 per hour
Manager Pay	\$78.15 per hour
Administrative Fee	\$10.00 per hour, per officer
Vehicle Fee	\$11.00 per hour

Important Fee Information: Per General Orders, the off-duty officer's hourly rate of pay is based upon top step deputy pay and will be increased in conjunction with pay increases approved by the County of Sacramento. The hourly rate of pay is determined by a contract between the County of Sacramento and the Sacramento County Deputy Sheriff's Association, thus, is a non-negotiable issue. In the event of a rate increase, a letter will be sent out at least 30 days in advance of the effective date of the rate increase to notify customers of the upcoming rate increase. If this office does not receive a request for modification of services or rescission of the contract, off-duty services and billing will continue at the increased rate of pay.

Employer initials _____

Page 5 of 6

INDEMNIFICATION AGREEMENT

Sacramento County shall indemnify, defend and hold harmless _____,
(Employer name)

it's officers, employees and agents from and against any and all claims, losses liabilities or damages, demands and actions, including payment of reasonable attorney's fees ("claims") arising out of or resulting from the performance of law enforcement services rendered pursuant to this Off-Duty Law Enforcement agreement, reduced in proportion to and to the extent such claims are caused in whole or in part by any negligent or willful act or omission of _____, its officers, employees, and agents.
(Employer name)

_____ shall indemnify, defend and hold harmless
(Employer name)

Sacramento County, its officers, employees and agents from and against any and all claims, losses liabilities or damages, demands and actions, including payment of reasonable attorney's fees ("claims") arising out of or resulting from the performance of non-law enforcement services, reduced in proportion to and to the extent such claims are caused in whole or in part by any negligent or willful act or omission by Sacramento County its officers, employees and agents.

For the purposes of this agreement, the off-duty deputy is not an agent of the County of Sacramento.

The parties have each carefully reviewed this entire Agreement and have agreed to each term herein. The person signing this Agreement for Employer hereby represents and warrants that he or she is fully authorized to sign this Agreement on behalf of Employer.

Employer or Agent (Printed)

Employer or Agent Signature

Date

For-Scott R. Jones, Sheriff

SACRAMENTO COUNTY



SHERIFF'S DEPARTMENT

SCOTT R. JONES

Sheriff

11/1/2022

Process for Hiring Off-Duty Sheriff's Deputies

Thank you for your interest in the Off-Duty Program. Enclosed are the required forms to hire off-duty deputies. All information requested on the *Off-Duty Employer Application* must be provided and the form must be signed. The back of the form is for the office's use only and should not be completed by the applicant unless otherwise instructed. In addition, pursuant to state law effective January 1, 1998, the enclosed *Indemnification Agreement* must be signed and returned before an off-duty officer can work.

Your signature on the *Employer Application* acknowledges receipt of the Off-Duty policies as well as confirms the date, day and time the deputy(s) should be scheduled. If you did not receive a policy statement, please contact the Off-Duty Office. Also attached is a statement of the fees charged. The basic cost per hour per officer, as well as any additional charges for equipment, if requested or required, will be added as outlined on the cost sheet.

The signed forms and fees must be received in the off-duty office at least ten days prior to your event. Larger jobs, those requiring five or more officers, require more than ten days for scheduling. Contact the Off-Duty Coordinator for additional details.

Officers will not be scheduled until the fees are received. The total amount due can be found on the back of the *Employer Application*. Please make your check or money order payable to the "Sacramento County Sheriff's Office". We cannot accept cash.

Mail your check and the completed forms back to the Sheriff's Office at the address below. Please make sure to send it to the attention of "Off-Duty."

Several changes to the Off-Duty Program took effect January 1, 1998. The fees noted on the back of the *Employer Application* are for both officer pay and county administrative fees. Officers are no longer paid directly by the employer. Should the officer be required to work over the time scheduled, the Off-Duty Office will bill you for that additional cost.

If the date or time listed on the form is incorrect, you may make the necessary corrections directly on the form. Please call the Off-Duty Work Coordinator at 874-5096 if you have any questions.

City of Isleton

Special City Council
Staff Report

DATE: November 9, 2022

ITEM#: 8.A

CATEGORY: New Business

A RESOLUTION OF THE CITY OF ISLETON APPROVING A DECREASE IN THE NUMBER OF APPROVED CARDROOM TABLES FROM FOUR (4) TO ONE (1) FOR ROGELIO'S CARD ROOM LICENSE

SUBJECT

Mr. & Mrs. Rogelio would like to change the card room license from four tables to one table.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

It is recommended that City Council approve Resolution No. 33-22, a Resolution of the City of Isleton approving a decrease in the number of approved cardroom tables from four (4) to one (1) for Rogelio's Card Room License.

ATTACHMENTS

- Email from Rogelio
- Resolution No. 33-22

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

Rcv'd 11-1-22

Yvonne Zepeda

From: rogelio garcia <rogeliospoker@yahoo.com>
Sent: Tuesday, November 01, 2022 3:06 PM
To: Yvonne
Subject: Rogelio's card room license

*Hi Yvonne, as per our conversation today, I would like to change the card room license from four tables to one.
Thank you for your help. Have a wonderful day.
Rogelio garcia*

Sent from my iPad

RESOLUTION NO. CC 33-22**A RESOLUTION OF THE CITY OF ISLETON APPROVING A DECREASE IN THE NUMBER OF APPROVED CARDROOM TABLES FROM FOUR (4) TO ONE (1) FOR ROGELIO'S CARD ROOM LICENSE**

WHEREAS, Mr.& Mrs. Rogelio Garcia have operated a licensed card room under the name of Rogelio's Card Room License; and

WHEREAS, Rogelio's Card Room License is presently licensed for four (4) card tables; and

WHEREAS, City Ordinance No. 335 provides for not more than fifty (50) card tables in any card room; and

WEREAS, Rogelio's Card Room License is requesting and decrease in the total number of allowable tables from four (4) to one (1); and

WHEREAS, the California State Gaming Commission requires local governmental approval of the total number of allowable table prior to the State consideration thereof; and

WHEREAS, any expansion of said establishment will require prior approval of Fire and Police Chief's as well as Building Inspector of the City of Isleton.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Isleton to approve the requested decrease in the number of card table for Rogelio's Card Room License from four (4) to one (1) subject to the following:

1. What ever expansion, modifications or repairs to said premises shall be in conformance with all applicable governmental regulations in force and affect at the time of said expansion.

- 2. Any expansion of or to the card room shall also be subject to the approval of the California State Gaming Commission and other applicable agencies.

PASSED AND ADOPTED this 9th day of November 2022, by the following vote to wit:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

MAYOR, Eric Pene

ATTEST:

APPROVED AS TO FORM:

DEPUTY CITY CLERK, Yvonne Zepeda

 //s//
CITY ATTORNEY

City of Isleton

Special City Council
Staff Report

DATE: November 9, 2022

ITEM#: 8.B

CATEGORY: New Business

CITY HALL TREE, MAINTENANCE

SUBJECT

The Fremont Cottonwood behind City Hall has been identified in the City's 2021 Tree Report for removal.

SUMMARY

All the City's trees were surveyed in 2021 which included a recommendation to remove the Fremont Cottonwood tree behind City Hall for removal. City Hall is a temporary structure located in the original location of 'City Park'.

When obtaining quotes for removal, the contractors recommended a significant trimming instead of removing the tree. Both contractors are arborists.

This tree is reported to be the oldest tree in Isleton and is located behind City Hall. Staff has obtained quote for \$3,000 to \$15, 000 for trimming.

FISCAL IMPACT

Costs for trimming this tree is \$3,000.

RECOMMENDATION

That City Council approve trimming of the Fremont Cottonwood Tree located at City Park.

ATTACHMENTS

- Tree ID photo at 101 2nd St.
- Campbell's Tree Service quote, 10-19-22.
- Master Tree Care quote, 10-18-22.

Prepared and Reviewed by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, City Clerk _____



James Log guy my use
or disk some of the log



MASTER TREE CARE

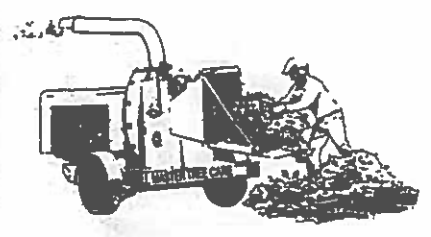
CERTIFIED ARBORIST SERVICES
 Expert Pruning of trees & shrubs
 Stump Grinding & Tree Removal
 Dermal Spraying (In Season)
 Hazardous Tree Removal
 Certified Arborist Reports
 Tree Planting

DOWNTOWN 448-TREE ROSEVILLE 723-8733 GREENHAVEN 351-8733 SACRAMENTO 377-TREE

insured P.L. & P.D. & Workman's Comp.
 Quality Workmanship Since 1966
 FREE ESTIMATES
 California Contractors License #673488

NO JOB TOO SMALL!
 Formerly TREEMASTERS

Tree NATIONAL ARBORIST ASSOCIATION



DATE 10/18/2022

70 FOOT TRUCK NAME

CITY OF ISLETON

TUESDAY MORNING

ADDRESS LOCATION: 101 2ND STREET (CALL WHEN THERE NANCY CLYMER)

847-630-6377

ISLETON

95641

MAP REFERENCE

PHONE #

CITY

ZIP

QUAN.	DESCRIPTION	TOTAL
1	CERTIFIED ARBORIST TO LOOK AT A COTTONWOOD TREE AND RECOMMEND CUT DOWN STUMP ; \$30,000.00	
1	GRIND STUMP \$2,100.00	
1	HERITAGE SIZE SWAMP COTTONWOOD PREVIOUSLY POLLARDED AT 30 FOOT HIGH POSSIBLY 35 TO 40 YEARS AGO LIMBS SECOND GROWTH HAVE GROWN LONG HEAVY AND OVER BURDEN WITH WEIGHT, SOME CROWN TIP DIE BACK CUT BACK SECOND GROWTH LIMBS RE-POLLARD TWO FOOT ABOVE OLD HEADING CUTS AT ABOUT 32' HIGH. STACK FIREWOOD AT EDGE OF PARKING LOT.	\$15,000.00
	JOB APPROVED TO BEGIN WORK _____	
WE WANT THE JOB!		

INCLUDED IN MY PRICE WE WILL: 916 371 TREE

A Quality Job

- CHIP BRUSH
- RAKE UP
- SWEEP UP
- CUT FIREWOOD INTO 20" BLOCKS
- TAKE AWAY FIREWOOD
- LEAVE FIREWOOD

Completed: _____ By: _____

X *John [Signature]*

Campbell's Tree Service

*(707)374-3299**Check our License # @WWW.CSLB.CA.GOV ** # Lic.#883258**

Name of Customer City of Isleton

Address 101 main st

Campbell's Tree, hereby agree to perform the following services:

1 Back of city haul

2 pollard Cotton wood back to old cuts

3 3000-

Price includes removal of tree trimming and cleaning up surrounding area unless otherwise specified. Price valid 90 day unless otherwise specified.

I, Colin Campbell (owner) have verbally assured customer that Campbell's Tree carries the required Workers Compensation Ins. And is also fully Bonded and Insured to cover any and all accidents that might occur on the Owner's property during the performance of the specified services listed above. *Except Sprinkler System damage during Stump Grinding & Root Removals, or fruit from fruit trees that may discolor cement or decking *

All Tree Permits are the responsibility of said client.
All POOL owners are responsible for covering pool prior to said work is done.

In addition Isleton is hereby relieved of all responsibility for any course of action that might arise as result of the performance of the specified services herein.

Please be advised that Campbell's Tree Service will perform work that is written on Bid sheet only. Any changes to work-order must be approved by office 48 hrs. BEFORE work is schedule to be done. Otherwise you could be charged full price on work-order unless approved by owner, Colin Campbell. **Payment due immediately upon completion.**

**** We do not accept credit cards.****

Customer's Signature _____

Colin's Signature  Date 10/19/22

101 2nd Street (Behind City Hall)



Tree ID	210	On Street	2 nd Street
Common	Freemont Cottonwood	Property Address#	101
Botanical	Populus fremontil	Side	Rear
Species ID	229	Property Street	2 nd Street
Tree Condition:	Poor	Site Number	0
DBH Range	30+	Parkway Type	Tree Well
Exact DBH	99	Parkway Size	14
Height Range	60+	Hardscape Damage	No
Exact Height	75	Clearance	No Data
Crown	70	Utility Conflict	No
# of Trunks	1	Observations	Decay
Tree Tag	No Data	Notes Basal decay, decay under growths, bark sloughing off, die back present, water shoots a sign of stress. Can get probed but it's not doing well	
Status	Tree		
Recommended Maintenance	Priority 1 Removal		
Property	Isleton	Created By	emcgrath@arborprousa.com
On Address#	0	Last Edited On	11/24/2021
Fictitious	Y		

