

City of Isleton

City Council
Staff Report

DATE: February 14, 2023

ITEM#: 4.A

CATEGORY: Communication

A CALIFORNIA STATE LANDS COMMISSION LETTER

SUBJECT:

- A. A letter from California State Lands Commission regarding General Lease – Public Agency Use, of Sovereign Land, located on the Sacramento River, City of Isleton, Sacramento County for public fishing pier with a tour boat landing and guest dock-fishing pier with a connecting float and fishing access float with a fish cleaning station; a tour boat landing float; accessible landing tower float with metal gangway connecting to a concrete landing; and 13 steel mooring piles Public side-tide guest dock-side-tide docking float; two pedestrian access configurations with landing tower floats; 60 metal gangways connecting to concrete approach landings; and 23 steel mooring piles.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

City Council receive communication.

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

Reviewed by: City Manager, Charles Bergson 

**CALIFORNIA STATE LANDS
COMMISSION**

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



Established in 1938

JENNIFER LUCCHESI, Executive Officer

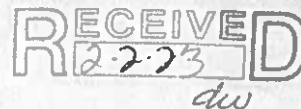
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from Voice Phone **800.735.2929**

or for Spanish **800.855.3000**

Contact Phone: (916) 574-1900



February 1, 2023

File Ref: Lease 8506
First Notice

City of Isleton
P.O. Box 716
Isleton, CA 95641

Subject: General Lease – Public Agency Use, of Sovereign Land, located on the Sacramento River, city of Isleton, Sacramento County, for a public fishing pier with a tour boat landing and guest dock - fishing pier with a connecting float and fishing access float with a fish cleaning station; a tour boat landing float; accessible landing tower float with metal gangway connecting to a concrete landing; and 13 steel mooring piles Public side-tide guest dock - side-tide docking float; two pedestrian access configurations with landing tower floats; 60 metal gangways connecting to concrete approach landings; and 23 steel mooring piles

Dear Lessee:

A review of our records indicates that the above referenced General Lease No. PRC 8506 will expire on February 01, 2024. If you still intend to occupy or use the lands in question, you will need to obtain a new lease from the State Lands Commission (Commission) prior to the expiration of this lease.

We encourage you to submit an application as soon as possible to allow sufficient time to complete the application process, conduct any required environmental review, and negotiate a new lease. The lease application is available on our website at [OSCAR.slc.ca.gov](https://www.slc.ca.gov). Information regarding the lease application is available at <https://www.slc.ca.gov/leases-permits/>.

We appreciate your cooperation in this matter and look forward to receiving your application. If you have any questions, please contact Ninette Lee, Regional Manager, at (916) 574-1869 or Ninette.Lee@slc.ca.gov

Sincerely,

Vicki Caldwell

Vicki Caldwell, Public Land Manager
Land Management Division



City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 5.A

CATEGORY: Consent Calendar

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 10, 2023

SUMMARY

A. Review of the Regular City Council Meeting minutes of January 10, 2023.

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 January 10, 2023.

ATTACHMENTS

- Minutes of the Regular City Council Meeting of January 10, 2023.

Reviewed by: Charles Bergson, City Manager __

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

CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, January 10, 2023 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.

1. OPENING CEREMONIES

- A. Welcome & Call to Order – Vice Mayor Pamela Bulahan called to order 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call: Councilmember's Paul Steele, Kelly Hutson, Iva Walton, David Kent, Vice Mayor Pamela Bulahan. Absent: Mayor Eric Pene.
- D. Sacramento County Registrar of Voters Certificate of Facts, accept the November 8, 2022, General Election Results. ACTION: Councilmember Paul Steele motion to approve Sacramento County Registrar of Voters Certificate of Facts, accept the November 8, 2022, General Election Results. Councilmember Iva Walton second the motion. PASSED 4-0-1.
- E. Oath of Office, new Councilmember's
- F. Exchange of Seats
- G. Reorganization of Council: ACTION: Councilmember Kelly Hutson motion for Pamela Bulahan be appointed Mayor. Councilmember Paul Steele second the motion. AYES: Councilmember Paul Steele, Kelly Hutson, Pamela Bulahan. NOES: Councilmember Iva Walton, David Kent. ABSTAIN: None. ABSENT: None. PASSED 3-2. Mayor Pamela Bulahan motion to appoint Paul Steele to Vice Mayor. Councilmember Kelly Hutson second the motion. AYES: Councilmember Paul Steele, Kelly Hutson, Pamela Bulahan. NOES: Councilmember Iva Walton, David Kent. ABSTAIN: None. ABSENT: None. PASSED 3-2.
- H. Recognition of Councilmembers: Congratulations to all Councilmember's and recognition will be held next month.
- I. Councilmember comments: David Kent – I wouldn't presume result of election on a number game. There are no losers no matter what. No one lost. Problems with

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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vandalism and hint of smearing and intent of those guidelines. It matters what occurred. If it is proven that the election worked and important.

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. We got the best possible outcome. Iva Walton_

ACTION: Ruby Fowler-Litter removal January 21st from 10-1 and meet at 46 Main St. Aleida Suarez-Off-Duty Sheriff's coverage? Armed robbery on Main St and shots were fired. City Manager-Apothek robbed at 4am and Sheriff's conducting an investigation. Kelly Hutson-Does owners live at apothek? No they do not. Alarm went off. Don Cain-League of California Cities-Brown Act-8 City Attorney's wrote it. Update on our Water permit. Site plan review-Chuck keeps saying there's a fee-muni code says none-fee set by ord or resolution set by City Council. Request per Brown Act a closed session. City Council meeting where as a personnel matter and bring charges against Mr. Bergson. It can be a closed session pages 30-35 says exempt is the public exempt to consider employment or dismiss or charges against the employer in closed session and mitigate any embarrassment. Frankly this is the last step with in the city, before it goes to court and fee schedule and documents sent and I want PC and CC to attend. Chuck-Consultant fees. Michelle Burke-its not in code. CC agendize and give direction. Website needs fixed, agenda packet and code need search function. Chris Medders-Cal Ripken baseball league would like to use the Wilson Ball Park facilities for 2023.Iva Walton – we sit and listen and then comment. City Manager we take comments and then done and City Council comment when public done. Kelly Hutson-3 minutes limit. David Kent-meet with applicant and have a private meeting. Iva Walton- Lets have a meeting and mitigate for everyone regarding 6th street-Michelle Burke and Partner Don Cain property.

4. COMMUNICATION

- A. Delta residents survey research project, from Annie Merritt Delta Council.
- B. November 28, 2022 State Water Resources Control Board member visit.
- C. City Manager email to Planning Commissioners, December 30, 2022.
- D. Department of Water Resources, Division of Flood Management.

ACTION: Information only. David Kent-Lack of information. I do want to recite from the survey. Walter flows and fish flow. more than the 1.5 billion people in the Delta. Hidden agenda. gain any information they can provide. Pam Bulahan-The survey link in our City website. Iva Walton-I want to read the survey and decide if right thing to promote and put on website.

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5. CONSENT CALENDAR

- A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of December 13, 2022.

RECOMMENDATION: City Council review and approve draft minutes of the Regular City Council meeting of December 13, 2022.

ACTION: Vice Mayor Paul Steele motion to approve minutes of the Regular City Council meeting on December 13, 2023. Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

6. PUBLIC HEARING

- A. **SUBJECT:** Isleton Water Tower Park, Historic Landmark designation, 411 Union Street, Isleton, CA.

RECOMMENDATION: Adopt City Council Resolution No. 002-23, approving designation of the Isleton Water Tower as a Landmark,

ACTION: There was a motion from Vice Mayor Paul Steele to continue Isleton Water Tower Park, Historic Landmark designation, 411 Union St. to next meeting on January 24, 2023. Councilmember Kelly Hutson second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

- B. **SUBJECT:** Cannabis Conditional Use Permit Application CUP 02-22 and Development Agreement DA 2022-02, 51 Main Street, Isleton Cannabis Company, Inc. formerly known as TPCC Incorporated and Timeless Palliative Care Collective.

RECOMMENDATION:

1. Adopt City Council Resolution 01-23 approving Conditional Use Permit Application CUP 02-02 and Development Agreement DA2022-02 (Attachment A); and
2. Conduct First Reading in title only of Ordinance 2023-01 approving Development Agreement DA 2022-02 (Attachment B).
3. Direct Staff to agendize second reading of ordinance for the next regular meeting of the City Council for January 24, 2023.

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ACTION: Contract Planner Gary Price reviewed staff report and let council know this is a name change and it is DA Agreement for Delivery, distribution and retail dispensary. Mark N.-Seek your approval to change ownership to myself and my partner. David Kent-My intended vote, ruling, there are concerns Mr. Steele may have different views in a sense the residents have inherited this. Cannabis is allowed and some attract business in town. Iva Walton-store front open to the public, showroom. Every 5 year reevaluate is disappointing, but tax revenue is great. I took that there would be 24 hour security guard but its cameras. David Kent-There is always a way for store front business. A measure of quality display of the building. Then we can come to a census on this. Iva Walton-the original business did have the agreement for store front. Gary Price- The display of cannabis by state law. They couldn't do it legally. Iva Walton- we were misinformed. Mayor Bulahan-It is coming up for review. Michelle Burke-I don't think it should go forward and rewritten what we concluded too. We didn't know that before-keep front 30' excludes form all these docs. Because the commercial zoning 900' or 30'-60' to be specific what is excluded 20'.

Vice Mayor Paul Steele motion to approve CUP with name change, ownership change. Councilmember Kelly Hutson second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

Vice Mayor Paul Steele motion to Adopt City Council Resolution 01-23 approving Conditional Use Permit Application CUP 02-02 and Development Agreement DA2022-02 (Attachment A); and Conduct First Reading in title only of Ordinance 2023-01 approving Development Agreement DA 2022-02 (Attachment B).

Direct Staff to agendize second reading of ordinance for the next regular meeting of the City Council for January 24, 2023.Councilmember Iva Walton second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

7. OLD BUSINESS

- A. SUBJECT:** Resolution No. 01-23 of the City Council of the City of Isleton authorizing Civicwell as independent contractor to provide project management and implementation for the Isleton Main Street Redesign and Revitalization Plan Project.

RECOMMENDATION: It is recommended that City Council pass Resolution No. 01-23, authorizing Civicwell as independent contractor to provide project

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management and implementation for the Isleton Main Street Redesign and Revitalization Plan Project.

ACTION: Vice Mayor Paul Steele motion to pass Resolution No. 01-23, authorizing Civicwell as independent contractor to provide project management and implementation for the Isleton Main Street Redesign and Revitalization Plan Project. Councilmember Kelly Hutson second the motion. AYES: Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. NOES: None. ABSTAIN: None. ABSENT: None. PASSED 5-0.

B. SUBJECT: General Plan Housing Element Policy Implementation.

RECOMMENDATION: It is recommended that City Council review draft Interim General Plan Interim Review Policy 1-23 and approve it.

ACTION: Tabled. Needs to go to Planning Commission first then to City Council.

8. NEW BUSINESS

A. SUBJECT: Sacramento Local Agency Formation Commission (LAFCo) selection.

RECOMMENDATION: It is recommended that City Council appoint one councilmember to Sacramento Local Agency Formation Commission (LAFCo) and one alternate.

ACTION: Councilmember David Kent motion to appoint one councilmember to Sacramento Local Agency Formation Commission (LAFCo). Councilmember Iva Walton was appointed to LAFCo. Vice Mayor Paul Steele second the motion. AYES: Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. NOES: None. ABSTAIN: None. ABSENT: None. PASSED 5-0.

LAFCo representative Enrique said City of Isleton has Chair of the Commission. They meet February 1, 2023 and 1st Wednesday of every month, except January and July. Galt has the alternate member.

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

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

ACTION: Vice Mayor Paul Steele motion to appoint David Kent to the Criminal Justice Cabinet Committee and they meet one time a month. Councilmember Kelly

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

C. SUBJECT: Sacramento Area Council of Governments Presentation.

RECOMMENDATION: To receive Sacramento Area Council of Governments Presentation.

ACTION: James Corlis presented SACOG update. Region plan every 4-5 years. BIG region plan blue print. Long range plan 2050 region. Transportation, land use, housing and earth quality. March and July pop up event. Path to get adopted in 2025. Six county trail plan, and bike trails just adopted. Working group on transportation projects. January ending off with roads, infrastructure, rams, rails ect. Transit center from here to Sacramento.

D. SUBJECT: Sewer Rate Study, direction to proceed.

RECOMMENDATION: It is recommended that City Council give direction to proceed on sewer rate study.

ACTION: City Manager to resume sewer rate study. We have a grant for the upgrade of the sewer plant. 8 million. Cost increased 30% and we get hit with 30 to 50,000 in repairs. David Kent-ongoing future reports. To receive on going capacity and ongoing reports mechanical on concern of rates. Report should be brought to council and citizens. Dean Dockery-rate done in 2012. Grants available for upgrade and grant to improve study. Councilmember Kelly Hutson motion to give direction to staff to proceed on sewer rate study. Councilmember David Kent second the motion. AYES: Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. NOES: None. ABSTAIN: None. ABSENT: None. PASSED 5-0.

9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Kelly Hutson – None.
- B. Councilmember David Kent-None.
- C. Councilmember Iva Walton- None.
- D. Vice Mayor Paul Steele- SPAM Festival February 19, 2023. Donation for raffle prizes-1st of next month.
- E. Mayor Pamela Bulahan-Don Notolli's retirement party at Laguna Town Hall.

10. STAFF GENERAL REPORTS AND DISCUSSION

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- A. City Manager Report – Jim Cooper swearing in. Dealing with the storm and challenging. Power outages.
- B. Fire Chief Report – Dean Dockery Fire Department and Public Works all been busy with this storm. Wires down, trees down, oxygen machines need charged. We have generator at Fire Station. We have sandbags at corporation yard. Mr. Kent-we commend you for public service. Dean Dockery I look forward to working with you all.

11. CLOSED SESSION

11.1 None.

12. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Pamela Bulahan

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

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City of Isleton

DATE: February 14, 2023

City Council Staff Report

ITEM#: 6.A

CATEGORY: Public Hearings

ISLETON WATER TOWER, HISTORIC LANDMARK DESIGNATION 411 Union Street

SUMMARY

The public hearing on this item was continued from the January 10, 2023, meeting, to allow the property owner, California American Water Company (CalAm), to have additional opportunity to address their concerns with the City. As referenced in the attached letter from Attorney, Joseph W. Haney, III Nossaman LLP., CalAm is not agreeable to the proposed designation of the Water Tower. Staff did not find out about the letter until after the January 10, 2023, staff report package was circulated to the Council. The City Attorney requested time to review the letter. So the public hearing for this item was continued to the February 14, 2023, meeting.

CalAm advised the City that they are planning to remove the Isleton Water Tower sometime in 2024, or soon thereafter. At its September 27, 2022, regular meeting, the City Council directed staff to evaluate the feasibility of designating the tower as a Landmark through the City's Historic Preservation Ordinance. On November 16, 2022, the Historic Preservation Board conducted a public meeting and recommended to the City Council designation of this structure as a landmark. The Council is requested to consider formally designating the tower as a landmark in accordance with the City's Historic Preservation Ordinance by adopting the attached resolution. Also attached is the complete staff report to the Board with all the project details and draft minutes of their meeting.

DISCUSSION

Based on the opinion of staff and the Historic Preservation Board, and in accordance with the City's Historic Preservation Ordinance the water tower meets the following criteria for designation as a landmark:

1. It reflects interest or value as part of the heritage of the city.

Analysis: Although staff was unable to find specific dates of installation, based on photo documentation, a water tower structure on this particular site has been around for more than 50 years and has become a visual icon for the City. Actual dates of installation could not be confirmed, but the first structure appears to have been constructed in the 1940s and replaced by a newer tower structure in the 1990s.

2. It contains outstanding or exemplary elements of attention to architectural design, detail, materials or craftsmanship of a particular historic period.

Analysis: Due to its height, location, and visual prominence, the tower has a visual character that exemplifies the City's heritage as a symbol for Isleton.

3. It is in a unique location or contains one or more physical characteristics representing an established and familiar visual feature of a neighborhood.

Analysis: The tower is in a central location in Isleton, both near the downtown and near the east entrance into Isleton from the Highway, welcoming visitors to the City. It represents an established familiar visual feature of the town and it's the only elevated water town structure in Isleton.

Public Comments: During the Board meeting, public comments were received and Nichole Baxter, External Affairs, Northern California, California American Water Company, confirmed the company's intention of removing the tower since it will no longer be needed because it will be installing a new ground mounted tank elsewhere to serve the City's water's needs (refer to Attachment C, Draft Minutes of the Historic Preservation Board Meeting). No other comments from the public were received.

Environmental Determination: Designation of the tower as a landmark is exempt from requirements of CEQA pursuant to Section 15308 of the CEQA Guidelines regarding actions by the City for the protection of the environment.

FISCAL IMPACT

There are no direct fiscal impacts on the City for taking this action. However, this action may be the first step in acquiring the water tower, which would result in some fiscal impacts. It is noted once the water tower is designated a landmark, future removal of the structure could result in significant environment review costs since it then becomes a potentially significant aesthetic feature of the community.

RECOMMENDATION

~~Adopt City Council receive comments from the City Attorney regarding CalAm's Attorney letter and then take action as recommended. Resolution 002-23 approving designation of the Isleton Water Tower as a Landmark is attached. (NO ACTION PER DIRECTION OF CITY ATTORNEY).~~

ATTACHMENTS

- A. City Council Resolution 002-23
- B. November 16, 2022, Historic Preservation Board Staff Report Package
- C. Letter from Attorney, Joseph W. Haney, III Nossaman LLP.

Submitted by: Charles Bergson, City Manager



City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 7.A

CATEGORY: Old Business

CONTINUATION

CITY OF ISLETON CRAWDAD FESTIVAL, 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.

Update – Mr. Goldstein has contacted the City's insurance carrier (SCORE) and familiarized with insurance requirements. He will retain the insurance closer to the event date.

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 – Crowdad Festival, June 2023

Reviewed by: Charles Bergson, City Manager 

Submitted by: Yvonne Zepeda, City Clerk _____

City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 7.B

CATEGORY: Old Business

COUNCIL AGENDA MODIFICATIONS, PROPOSED

SUBJECT:

It has been proposed by Councilmember Kent to modify the format of the City Council meeting agenda. A copy of the proposed modified agenda is attached. Councilmember Kent will present this proposal

FISCAL IMPACT

There is no fiscal impact associated with the item.

RECOMMENDATION

It is recommended that City Council review and provide direction on the proposed Agenda modifications.

Prepared by: City Manager, Charles Bergson

A handwritten signature in black ink, appearing to be 'CB', is written over the text 'Prepared by: City Manager, Charles Bergson'.

City of Isleton Sample Agenda and Proposed Improvements
2/02/2023
Revision 07

CITY OF ISLETON

Regular City Council Meeting Agenda

<Date of Meeting> 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=cWdVNkN5aHhUxcjVwRGRIeUJpajcwZz09>

Meeting ID: 337 903 7904

Passcode: 123456

Minutes of this meeting will be recorded, transcribed, and made available on <date> at <link>

A 5 minute recess will occur every 2 hours the Council is in session

CITY MOTTO: "Crawdad Town, USA"

STATEMENT OF OBJECTIVES:

"We, the City Council of Isleton, have been appointed through due process to enact solutions that represent the needs and wants of our citizens, individually and collectively, and to competently attend to the business of the City on their behalf. Our goal is for Isleton to become known and beloved by all as The Little Paris of the Delta."

I. OPENING CEREMONIES

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

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

- A. Welcome & Call to Order – Mayor
- B. Pledge of Allegiance
- C. Roll Call

2. RECOGNITION OR ADJUSTMENT OF PRIORITIES

Items may be added, removed, or reviewed at the discretion of the Council

- A. <Sample Item: “Debt Management and Public Safety”>
- B. <Sample Item: “CUP Timeout and Clarification”>
- C. <Sample Item: “Code Enforcement”>
- D. <Sample Item: “Water Tower”>
- E. <Sample Item: “Crawdad Festival”>

3. PRIOR STATEMENTS OF DIRECTION TO STAFF OR COMMITTEES

When so declared and issued, a Statement of Direction given by the Council to the City Manager or a Committee is to be entered into the Minutes and will appear here in ongoing Agendas, until deemed completed or no longer relevant by the Council or the City Manager.

4. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Mayor Pamela Bulahan
- B. Vice Mayor Paul Steele
- C. Councilmember Iva Walton
- D. Councilmember Kelly Hutson
- E. Councilmember David Kent
- F. Planning Commission Update
- G. Monthly Budget Report (4th Tuesday)

5. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report
- B. Fire Chief Report

6. PUBLIC COMMENT ON PRIORITIES, STATEMENTS, AND REPORTS

This is an opportunity for the public to speak to the Council on items discussed so far in this Agenda, specifically Priorities, Reports, and Statements of Direction. 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 are representing, if any. The Mayor, Vice Mayor, or a Councilmember will impose a time limit of 5 minutes per speaker, strictly enforced.

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7. AGENDA CHANGES OR DELETIONS

8. COMMUNICATIONS

9. CONSENT CALENDAR

10. PUBLIC HEARING

11. OLD BUSINESS

12. NEW BUSINESS

New business originating from a Committee or Staff shall be accompanied by the following, to be entered into the Minutes:

- A. Statement of benefit or incentive
- B. Brief summary of financial impact, if any
- C. Brief summary of community impact

Guidelines:

- A. Mayor reads item
- B. City Manager, Staff, or Committee comments
- C. Council comments or questions
- D. Public comments @ 3 minute time limit, strictly enforced
- E. Close public comments
- F. Council follow up comments or questions
- G. Council enters a motion or issues Statement of Direction to City Manager, Staff, or Committee

13. GENERAL 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 are representing, if any. The Mayor, Vice Mayor, or Councilmember will impose a time limit of 5 minutes per speaker, strictly enforced.

14. CLOSED SESSION

15. ADJOURNMENT

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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Agenda Guidelines

#1 Mayor reads agenda item

#2 City Manager/Staff comments

#3 Council comments/questions

#4 Public comments 3" time limit

#5 Close Public comments/questions

#6 Follow up comments/questions Council

#7 Council enter a motion or gives City Manager/Staff direction

City of Isleton

DATE: February 14, 2023

Special City Council

ITEM#: 8.A

Staff Report

CATEGORY: New Business

A RESOLUTION OF THE CITY OF ISLETON APPROVING A DECREASE IN THE NUMBER OF APPROVED CARDROOM TABLES FROM FIVE (5) TO FOUR (4) FOR ISLETON CASINO/DEL RIO CARD ROOM LICENSE

SUBJECT

Mr. Joe Malech of Isleton Casino/Del Rio Card Room would like to change the card room license from five tables to four tables.

DISCUSSION

Card room tables are governed by Ord. 335. The Council has authority over the number of Card tables per establishment.

FISCAL IMPACT

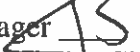
There is no fiscal impact.

RECOMMENDATION

It is recommended that City Council approve Resolution No. 04-23, a Resolution of the City of Isleton approving a decrease in the number of approved cardroom tables from five (5) to four (4) for Isleton Casino/Del Rio Card Room License.

ATTACHMENTS

- Resolution No. 04-23.

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

RESOLUTION NO. CC 04-23**A RESOLUTION OF THE CITY OF ISLETON APPROVING A DECREASE IN THE NUMBER OF APPROVED CARDROOM TABLES FROM FIVE (5) TO FOUR (4) FOR ISLETON CASINO/DEL RIO CARD ROOM LICENSE**

WHEREAS, Mr. Joe Malech, have operated a licensed card room under the name of Isleton Casino/Del Rio Card Room License; and

WHEREAS, Isleton Casino/Del Rio Card Room License is presently licensed for five (5) card tables; and

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

WEREAS, Isleton Casino/Del Rio Card Room License is requesting and decrease in the total number of allowable tables from five (5) to four (4); 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 Isleton Casino/Del Rio Card Room License from five (5) to four (4) 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 14th day of February 2023, by the following vote to wit:

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

MAYOR, Pamela Bulahan

ATTEST:

APPROVED AS TO FORM:

DEPUTY CITY CLERK, Yvonne Zepeda

//s//

CITY ATTORNEY

City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 8.B

CATEGORY: New Business

ISLETON MUSEUM REQUEST CITY SUPPORT, SEWER FEES

SUMMARY

The Isleton Museum has requested that the City waive its sewer fees.

DISCUSSION

It is not uncommon for a public agency to waive fees for cultural and non profit organization. The Isleton Museum is dedicated to preserving the history of the Chinese and Asian community in the Delta. In the interests of supporting the City's historical and cultural resources, staff recommends granting utility services at no charge provided the museum remains active and open to the public.

It is recommended that City Council grant sewer utility service to the Isleton Museum at no charge.

FISCAL IMPACT

The fiscal impact would be \$864.00 (\$72.00 x 12 months) from the sewer enterprise fund. This amount is not considered to be insignificant.

RECOMMENDATION

It is recommended that City Council grant sewer utility service to the Isleton Museum at no charge.

ATTACHMENT

1. Isleton Museum Letter dated 02/06/23

Written by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk _____





Isleton Museum
P.O. Box 933,
Isleton, CA 95641



2/6/2023

Isleton City Council Members,

During last fall our City Manager, Chuck Bergson, and I were discussing ways, other than direct financial support, that the City of Isleton could acknowledge gratitude for the efforts which have been required to complete the restoration of the Bing Kong Tong Building and have it open as a museum. After some thought he suggested that the sewer fees for 29 Main could be waived.

This was presented to the Board of Directors who heartily approved. We would greatly appreciate if you could agree to this.

Sincerely,

Lynne Hasz

Board of Directors President

City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 8.C

CATEGORY: New Business

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON AMENDING ORDINANCE 05-2011 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON ADOPTING A HISTORIC PRESERVATION ORDINANCE

SUMMARY

On August 24, 2011 the City Council of the City of Isleton adopted Ordinance 05-2011 An Ordinance of the City Council of the City of Isleton Adopting A Historic Preservation Ordinance.

DISCUSSION

The 1980 amendments to the National Historic Preservation Act of 1966, as amended, provided for the establishment of a Certified Local Government Program (CLG) to encourage the direct participation of local governments in the identification, evaluation, registration, and preservation of historic properties within their jurisdictions and promote the integration of local preservation interests and concerns into local planning and decision-making process. The CLG program is a partnership amount local governments, the State of California (OHP), and the National Park Service (NPS) which is responsible for administering the National Preservation Program.

As part of the CLG Program Federal grants are awarded annually to assist with historic preservation programs.

Staff met with the California State Office of Preservation (OHP) to process the City's application to become a Certified Local Government and was advised to make an amendment to the City of Isleton's 05-2011 Ordinance (see attached).

This amendment – deleting Section 1.06 D – removes the automatic designation as a local historic landmark. The State requires that all potential landmarks undergo the historic landmark review process. The City added an additional amendment by removing “No member shall serve more than eight consecutive years” in Section 1.03.C Term, Officer and Rules.

This action will assist the City complete the CLG application and become eligible for historic preservation grant funds.

FISCAL IMPACT

There is no fiscal impact for this action.

RECOMMENDATION

It is recommended City Council adopt Ordinance 2023-02 amending the City of Isleton Historic Preservation Ordinance.

ATTACHMENT

1. An Ordinance of the City Council of the City of Isleton Amending Ordinance 05-2011
An Ordinance of the City Council of the City of Isleton Adopting and Accompanying
Negative Declaration
2. Letter from Isleton Historical Review Board Approving Amendments

Written by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk



ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON AMENDING ORDINANCE 05-2011 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON ADOPTING AND ACCOMPANYING NEGATIVE DECLARATION

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

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

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

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

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

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

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

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

HISTORIC PRESERVATION ORDINANCE

Sections:

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

1.01 Purpose

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

1.03 Establishment of Historic Review Board

A. Establishment of historic review board

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

B. Composition of the historic review board

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

C. Term, officers and rules

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

1- Vacancies shall be filled by majority vote of the city council.

2. The term of a member who has been absent for three consecutive meetings without prior board approval, shall automatically terminate.

3. The board shall elect a chair and vice-chair, who shall each hold office for up to two years.

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

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

D. Powers and duties of board

1. The board shall:

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

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

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

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

2. The board shall also:

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

b. review applications for certificates of appropriateness as follows:

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

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

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

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

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

1.06 Designation of Historic Landmarks and Districts

A. Procedure for designation of historic landmarks and districts

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

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

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

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

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

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

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

B. Criteria for designation of landmarks and districts

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

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

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

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

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

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

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

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

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

C. Additional criteria for districts

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

1. whether it is a geographically definable area, urban or rural, possessing a significant concentration of objects, sites or structures unified by past events, or aesthetically by plan of development; or
2. whether the collective value of the area is greater than the value of each individual component.

~~D. Automatic designations~~

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

~~E.D. Findings for deletion of historic landmarks or historic districts~~

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

1.09 Certificates of Appropriateness

A. When certificates of appropriateness are required

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

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

6- new construction on property in a historic district.

B. Applying for a certificate of appropriateness

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

C. Processing of a certificate of appropriateness

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

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

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

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

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

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

D. Additional criteria for moving a historic landmark or structure

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

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

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

E. Additional criteria for demolishing a historic landmark or structure

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

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

F. Demolition mitigation measures

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

1. Each historic structure shall be documented as follows:

a. plans shall be prepared which include a site plan, floor plans, elevations, and detailed drawings of character defining features such as moldings, light fixtures, trim patterns and stairs, and given to the city for preservation; and

b. photographs shall be taken which include the exterior and interior of the structure, along with interior and exterior character defining features, and given to the city for preservation.

2. In an effort to preserve features and artifacts from historic structures, a determination whether items within or on the building should be salvaged will be made by the city prior to the issuance of a demolition permit.

1.12 Certificates of Hardship

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

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

1.15 Appeals

A. Appeal of building official's decision

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

B. Appeal of board decision

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

C. Stay of approval

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

1.18 Duty to Maintain

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

1.21 Unsafe or Dangerous Conditions

Nothing in this chapter shall be interpreted to prohibit the construction, alteration, restoration, demolition, or relocation of any historical resource if such would jeopardize

public safety or result in an unsafe or dangerous condition which cannot be satisfactorily rectified in the professional opinion of the building official.

1.23 Penalties

A. Misdemeanor

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

B. Nuisance

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

C. Civil penalties

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

D. Moratorium

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

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

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

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Isleton duly held on the 14th day of February, 2023, and was approved and

ORDINANCE NO.

enacted at a duly held regular meeting or adjourned meeting of the Council held on the 14th day of February, 2023 by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

MAYOR, Pamela Bulahan

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

SACRAMENTO

STATE ROUTE 160 (RIVER ROAD)

RIVER

E STREET

UNION STREET

MAIN STREET

F STREET

H STREET

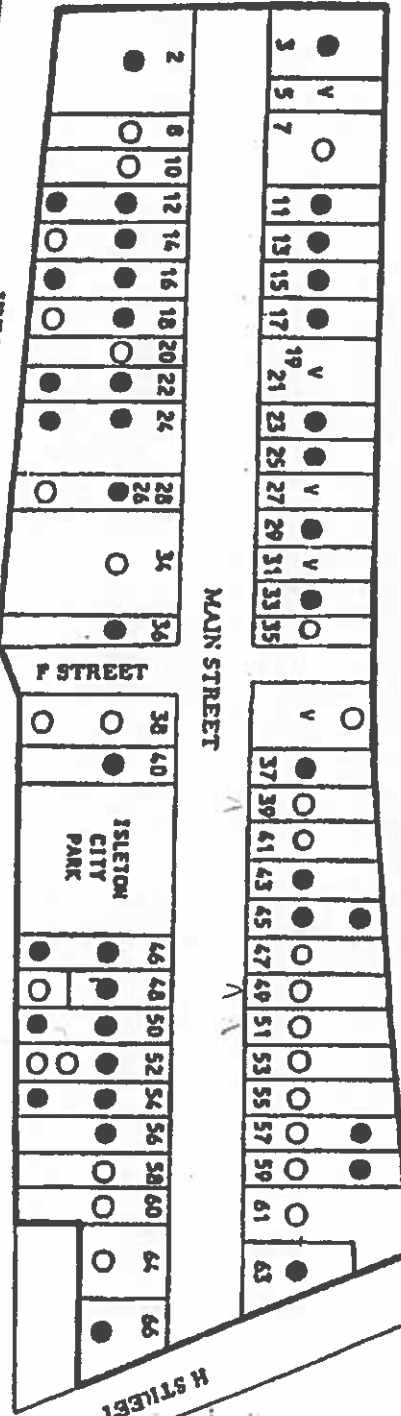
- DISTRICT BOUNDARIES
- 3 ADDRESS
- CONTRIBUTING BUILDING
- NON-CONTRIBUTING BUILDING
- = VACANT LOT

Changes made 11 JAN 2016

Isleton Historical Preservation Review Board
PAR ENVIRONMENTAL SERVICES, INC. 1990



0 100 FT.
Approx. Scale



To: City of Isleton, Isleton City Manager, Charles Bergson, P.E.

3 February 2023

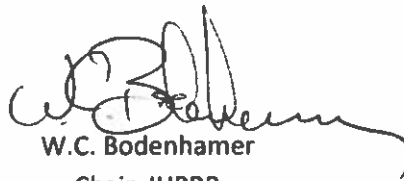
From: The Isleton Historical Preservation Review Board (IHPRB)

Subject: Amendments to Ordinance No. 05-2011

The IHPRB has reviewed the amendments as listed in the request dated January 30, 2023: Modification Requests to Ordinance No. 05-2011.

The IHPRB concurs with the recommended changes to Ordinance No. 05-2011 as stated in the modification request:

1. Remove automatic designation of properties listed in the national Register. Section 1.06 A-B
2. Section 1.03.C Term, Officer and Rules: Remove "No member shall serve more than eight consecutive years".
3. The ordinance does not state the board as "Isleton Historical Preservation Review Board". It is stated as "Isleton Historical Review Board". It is recommended to add "Preservation".



W.C. Bodenhamer
Chair, IHPRB

City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 8.D

CATEGORY: New Business

CITY COUNCIL SUB COMMITTEES ASSIGNMENTS

SUMMARY

With the start of a new year and the addition of new members to City Council, it is time for the Council to make assignments to the several Sub-committees currently established. These sub-committees are established to carry out a single particular purpose and generally are comprised of two Council members. These committees are created by formal action, but fall under the ad hoc sub-quorum committee Brown Act 's meeting requirements. Government Code§54952(b).

DISCUSSION

Current Sub-Committee Assignments, 2022 attached.

- Finance
- Sheriff Contract
- Code Enforcement
- Intergovernmental
- Personnel
- Development Agreements
- Parking
- Architecture Design Review
- General Plan

Appointments Board Member

Small Communities Organized Risk Effort (municipal insurance) 'SCORE':

SACOG – Sacramento Area Council of Governments:

BALMD – Brannan-Andrus Levee Maintenance District:

Delta Protection Commission – nominee: County Supervisor Notolli requested that the City offer a nominee for appointment to this Commission. The Delta Protection Commission is responsible for the protection and health of the Sacramento-San Joaquin Delta and consists of a 15 member Board that meets six times a year.

Delta Protection Commission

Delta Region GHAD

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

Staff recommends City to make Sub-Committee assignments.

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



City of Isleton

101 Second Street

P.O. Box 716

Isleton, California 95641

Tel: 916-777-7770

SUB-COMMITTEE ASSIGNMENTS 2023

FINANCE: AND PAUL STEELE

PUBLIC SAFETY: AND IVA WALTON

CODE ENFORCEMENT: PAUL STEELE AND IVA WALTON

INTERGOVERNMENTAL: PAMELA BULAHAN AND PAUL STEELE

PERSONNEL: AND IVA WALTON

DEVELOPMENT AGREEMENTS: IVA WALTON AND PLANNING COMMISSIONER

PARKING: PAMELA BULAHAN AND IVA WALTON

ARCHITECTURE DESIGN REVIEW: AND PLANNING COMMISSIONER MANDY ELDER

GENERAL PLAN: PAMELA BULAHAN AND

SCORE: – ALTERNATE CHARLES BERGSON

SACOG: AND ALTERNATE PAMELA BULAHAN

BALMD: CITY MANAGER, CHARLES BERGSON

DELTA PROTECTION COMMISSION NOMINEE: PAUL STEELE

DELTA REGION GHAD (NEW) CHARLES BERGSON

City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 8.E

CATEGORY: New Business

VILLAGE ON THE DELTA LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT No. 2007-1, REIMBURSEMENT REQUEST

SUMMARY

Request has been received by the owner of the Village on the Delta to be reimbursement for overassessment during the initial years of the Lighting and Landscaping Assessment District assessments.

DISCUSSION

This Lighting and Landscaping Assessment District (LLAD) was formed in about 2007 and remained inactive until 2017. During the first ten years the City was maintaining the LLAD facilities and lighting with General funds. No records were kept pertaining the maintenance costs that the City expended on the LLAD. In 2017 the City activated the fiscal function of the LLAD including commissioning an engineering study and establishing an assessment on the properties within the Village on the Delta.

In the beginning years the fees were based upon the initial engineering study which included costs reflecting a built-out Village on the Delta and theoretical maintenance expenses. During those years, the LLAD was collecting more than actual expenditures. Since that time the City has been tracking funds and has tailored the assessment to actual costs covering the maintenance and lighting expenses.

It has been determined that the LLAD initially collected revenue more than expended. This was especially the case on the vacant and unimproved lots. Mr. Garcia is requesting refund of the overpaid fees for those initial years, approximately 2017 through 2020. Included with this report is Mr. Garcia's estimate of the higher than actual assessments.

Staff is analyzing this request and will be able to recommend an amount to refund within two months.

FISCAL IMPACT

The fiscal impact has not been determined. Staff is reviewing this request for accounting and accuracy. The amount of reimbursement will be revenue neutral and have no impact on the LLAD or City's budget.

RECOMMENDATION

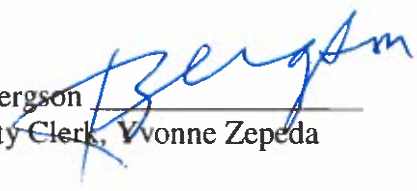
It is recommended that the City Council receive this request and direct the completion of the review and analysis of this request for reimbursement from the Village on the Delta Lighting and Landscaping Assessment District.

ATTACHMENT:

Mr. Garcia request of 06-23-22.

Reviewed by: City Manager, Charles Bergson

Submitted and prepared by: Deputy City Clerk, Yvonne Zepeda



Charles Bergson

From: ANTHONY GARCIA <ag@lucas-homes.com>
Sent: Thursday, June 23, 2022 2:38 PM
To: Charles Bergson
Cc: mnegaard@lucas-homes.com
Subject: Tax Resolution
Attachments: Isleton Tax Resolution Plan.pdf; Untitled attachment 01657.htm; City of Isleton Ditect Levy Removal Letter - refund.pdf; Untitled attachment 01660.htm; Back Tax Resolution Spreadsheet.pdf; Untitled attachment 01663.htm; Lucas homes Final copy.jpeg; Untitled attachment 01666.htm

Chuck,

I have attached a spreadsheet showing the Over billing for the vacant lots. It's pretty clear.

19/20 Should not have been charged as it was shared over the \$31,854.54 that was paid from 2017/18. A \$100 per lot credit should be applied of \$6,900

20/21 - Was charged \$210.50 for each Lot and should have been charged \$100 per lot, a \$110.50 per lot credit should be applied @ 69 \$7,624.50

21/22 - Was charged \$231.74 for each lot and should have been charged \$100 per lot, a \$131.74 per lot credit should be applied @ 69 Lots = \$9,090.06

Total Credit backed out of the taxes should be \$23,614.56

Amounts to be backed out./

19/20 - \$6,900

20/21 - \$7,6724.50

21/22 - \$9,090.06

Please let me know if you have any questions.

Regards,

Tony

Village on the Delta Tax Resolution Plan
Requested Relief

Tax Year	Amount Due	
17/18	\$31,854.54	Due / to be disbursed over 3 years
18/19	\$31,854.54	Waived
Total Due	\$63,709.08	

Village on the Delta Tax Resolution Plan
17/18 Funds Distribution

Tax Year	Amount Due	
17/18	\$10,618.18	1/3
18/19	\$10,618.18	1/3
19/20	\$10,618.18	1/3
	\$31,854.54	

Village on the Delta Tax Resolution.
Valuation Going forward

Vacant Lot valuation	\$100.00	\$6,900.00
Closed House Valuation	\$461.66	\$31,854.54

- * Based on the \$7,000 a year in hard costs supplied by the city
- * \$31,854.54 to be paid within the next 90 days through taxes.



City of Isleton

101 Second Street

P.O. Box 716

Isleton, California 95641

Tel: 916-777-7770 Fax: 916-777-7775

March 18, 2019

Anthony Garcia
9172 Greenback Lane, Suite A
Orangevale, CA 95662

RE: Direct Levy Correction – Removal: Village on the Delta Lighting and Landscaping District, Fiscal Year 2018-19

Dear Mr. Garcia

This is to confirm on January 22, 2019 the Isleton City Council approved the removal of the Village on the Delta Landscaping and Lighting Assessment District No. 2007-1, Direct Levy for Fiscal Year 2018-19.

This letter also confirms the City will reimburse the LLAD FY19 Funds of \$31,854.44 provided proof of payment to the Sacramento County for this assessment is provided to the City.

If you have any questions, please contact this office at 916-777-7771.

Truly yours,

Charles Bergson, P.E.
City Manager
City of Isleton
P.O. Box 716
Isleton, CA 95641
Tel: 916-777-7771
Fax: 916-777-7770
Email: cbergson@cityofisleton.com

Isleton Over billing for Vacant Lots

APN	19/20	20/21	21/22
	Remove amount	Remove amount	Remove amount
Action to be taken	This was covered by the over payment from 17/18	Bill is \$210.50 we agreed on \$100 amount to be removed is \$110.50	Bill is \$231.74 we agreed on \$100 amount to be removed is \$131.74
1570260015	100	110.50	131.74
1570260016	100	110.50	131.74
1570260017	100	110.50	131.74
1570260018	100	110.50	131.74
1570260019	100	110.50	131.74
1570260020	100	110.50	131.74
1570260021	100	110.50	131.74
1570260022	100	110.50	131.74
1570260023	100	110.50	131.74
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1570260026	100	110.50	131.74
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1570260030	100	110.50	131.74
1570260031	100	110.50	131.74
1570260032	100	110.50	131.74
1570260033	100	110.50	131.74
1570260034	100	110.50	131.74
1570260035	100	110.50	131.74
1570260036	100	110.50	131.74
1570260037	100	110.50	131.74
1570260038	100	110.50	131.74
1570260039	100	110.50	131.74
1570260040	100	110.50	131.74
1570260041	100	110.50	131.74
1570260042	100	110.50	131.74
1570260043	100	110.50	131.74
1570260044	100	110.50	131.74
1570260045	100	110.50	131.74
1570260046	100	110.50	131.74
1570270001	100	110.50	131.74
1570270002	100	110.50	131.74
1570270003	100	110.50	131.74
1570270004	100	110.50	131.74
1570270005	100	110.50	131.74
1570270006	100	110.50	131.74
1570270007	100	110.50	131.74
1570270008	100	110.50	131.74

APN	19/20	20/21	21/22	
1570270009	100	110.50	131.74	
1570270010	100	110.50	131.74	
1570270011	100	110.50	131.74	
1570270012	100	110.50	131.74	
1570270013	100	110.50	131.74	
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1570270023	100	110.50	131.74	
1570270027	100	110.50	131.74	
1570270029	100	110.50	131.74	
1570270030	100	110.50	131.74	
1570270031	100	110.50	131.74	
1570270032	100	110.50	131.74	
1570270033	100	110.50	131.74	
1570270034	100	110.50	131.74	
1570270035	100	110.50	131.74	
1570270036	100	110.50	131.74	
1570270037	100	110.50	131.74	
1570270038	100	110.50	131.74	
1570270039	100	110.50	131.74	
1570270040	100	110.50	131.74	
1570270041	100	110.50	131.74	
	6900	7624.50	9090.06	23614.56

City of Isleton

City Council Staff Report

DATE: February 14, 2023

ITEM#: 8.F

CATEGORY: New Business

RESOLUTION 05-23 OF THE CITY COUNCIL OF THE CITY OF ISLETON APPROVING CALOES FORM OES-FPD-130 (REV. 10-2022) DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES TO AUTHORIZE CITY MANAGER TO EXECUTE FOR AND ON BEHALF OF THE CITY OF ISLETON APPLICATION FOR DR-4683 APPLICATION.

SUMMARY

The County of Sacramento declared local emergency on December 31, 2022, Governor Newsom signed Proclamation of a State of Emergency due to Winter Storms on January 4, 2023, the President of the United States declared State of Emergency in the State of California identifying the County of Sacramento on January 8, 2023 and the City ratified Declaration of State of Emergency on January 30, 2023.

The City is submitting request for assistance application for the CALOES/FEMA California Severe Winter Storms, Flooding, Landslides, and Mudslides DR-4683.

DISCUSSION

It is recommended City Council approve Resolution 05-23 CALOES Designation of Applicant's Agent Resolution for Non-State Agencies to authorize City Manager to execute for and on behalf of the City of Isleton application for DR-4683 application.

The City has been providing ongoing operational response activities and continuing area damage assessments due to the 2023 Winter storms, particularly in sewer system ponds and areas of the City where additional impact, have diverted local resources from day to day operations, and the impacts of these storms are beyond the control of personnel, services, equipment and budget of the City.

FISCAL IMPACT

There is no fiscal impact for this action. Request for Assistance is for \$360,000

RECOMMENDATION

It is recommended City Council approve Resolution 05-23 of the City Council of the City of Isleton Approving CALOES Form OES-FPD-130 (Rev. 10-2022) Designation of Applicant's Agent Resolution for Non-State Agencies to authorize City Manager to execute for and on behalf of the City of Isleton application for DR-4683 application.

ATTACHMENT

1. Form OES-FPD-130 (Rev. 10-2022) CALOES Designation of Application's Agent Resolution for Non-State Agencies

2. Resolution 05-23 of the City Council of the City of Isleton Approving CALOES Form OES-FPD-130 (Rev. 10-2022) Designation of Applicant's Agent Resolution for Non-State Agencies to authorize City Manager to execute for and on behalf of the City of Isleton application for DR-4683 application.

Written by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk

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

RESOLUTION NO. CC 05-23

RESOLUTION 05-23 OF THE CITY COUNCIL OF THE CITY OF ISLETON APPROVING CALOES FORM OES-FPD-130 (REV. 10-2022) DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES TO AUTHORIZE CITY MANAGER TO EXECUTE FOR AND ON BEHALF OF THE CITY OF ISLETON APPLICATION FOR DR-4683 APPLICATION

WHEREAS, The County of Sacramento declared local emergency on December 31, 2022, Governor Newsom signed Proclamation of a State of Emergency due to Winter Storms on January 4, 2023, the President of the United States declared State of Emergency in the State of California identifying the County of Sacramento on January 8, 2023 and the City ratified Declaration of State of Emergency on January 30, 2023.
; and

WHEREAS, The City has been providing ongoing operational response activities and continuing area damage assessments due to the 2023 Winter storms, particularly in sewer system ponds and areas of the City where additional impact, have diverted local resources from day to day operations, and the impacts of these storms are beyond the control of personnel, services, equipment and budget of the City; and

WHEREAS, The City is submitting request for assistance application for the CALOES/FEMA California Severe Winter Storms, Flooding, Landslides, and Mudslides DR-4683.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Isleton to adopt and approve Resolution 05-23:

1. CALOES Form OES-FPD-130 (Rev 10-2022) Designation of Applicant's Agent Resolution for Non-State Agencies

PASSED AND ADOPTED this 14th day of February 2023, by the following vote to wit:

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

MAYOR, Pamela Bulahan

ATTEST:

APPROVED AS TO FORM:

DEPUTY CITY CLERK, Yvonne Zepeda

//s//

CITY ATTORNEY



Please check the appropriate box below

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): DR-4683

Passed and approved this 14 day of February, 2023

Charles Bergson, City Manager

(Name and Title of Governing Body Representative)

 (Name and Title of Governing Body Representative)

 (Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
 (Name) (Title)

City of Isleton, do hereby certify that the above is a true and
 (Name of Applicant)

correct copy of a resolution passed and approved by the City Council
 (Governing Body)

of the City of Isleton on the 14th day of February, 2023,
 (Name of Applicant)

 (Signature)

 (Title)



Cal OES ID No: _____

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE City Council OF THE City of Isleton
 (Governing Body) (Name of Applicant)

THAT City Manager, OR
 (Title of Authorized Agent)

_____, OR
 (Title of Authorized Agent)

 (Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Isleton,
 (Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM)**, under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA)**, under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the City of Isleton, a public entity established under the
 (Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.