

# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 4.A

CATEGORY: Communication

**CAL CITIES BOARD OF DIRECTORS APPLICATION PROCESS IS OPEN.  
DOWNEY BRAND LLP LETTER, WATER TREATMENT PLANT OVERFLOWS INTO  
RECLAMATION DISTRICT NO. 407 DITCHES.  
HSIP APPLICATION, CONGRATULATIONS ON BEING AWARDED A TOTAL OF  
\$339, 000.  
SACRAMENTO COUNTY CLEAN CALIFORNIA COMMUNITY DAY  
ISLETON MUSEUM THANK YOU LETTER**

### **SUBJECT:**

- A. Cal Cities Board of Directors Application Process is open.
- B. Downey Brand LLP Letter, Water Treatment Plant Overflow into Reclamation District No. 407 ditches.
- C. HSIP Application, congratulations on being awarded a total of \$339,000.
- D. Sacramento County Clean California Community Day. (Clean California is hosting a Free Dump Day Event on Saturday, March 25, 2023 at Sunrise Maintenance Station 11325 Sanders Dr., Rancho Cordova, CA. 95742 from 8am to 2pm. Or until capacity is reached.
- E. Isleton Museum thank you letter.

### **RECOMMENDATION**

City Council receive communication.

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



## Yvonne Zepeda

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**From:** Charles Anderson <canderson@calcities.org>  
**Sent:** Thursday, March 16, 2023 3:13 PM  
**Subject:** Cal Cities Board of Directors Application Process is Open

Sacramento Valley Division Members,

Cal Cities is now accepting applications from city officials interested in serving on the 2023-24 Board of Directors in one of six at-large positions, as first vice president, or as second vice president.

If you are interested in serving in one of these positions or know city officials who might be interested, information about the positions and the application process is available on the Cal Cities website [here](#).

Charles

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### Charles Anderson

Regional Public Affairs Manager, Sacramento Valley Division  
League of California Cities  
Cell: 916-798-2231  
[canderson@calcities.org](mailto:canderson@calcities.org) | [www.calcities.org](http://www.calcities.org)



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through Advocacy and Education**

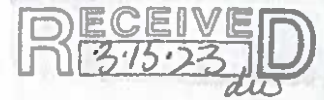
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# DOWNEY BRAND

Andrea P. Clark  
aclark@downeybrand.com  
916.520.5424 Direct  
916.520.5824 Fax

Downey Brand LLP  
621 Capitol Mall, 18<sup>th</sup> Floor  
Sacramento, CA 95814  
916.444.1000 Main  
downeybrand.com



March 13, 2023

**DELIVERY BY EMAIL TO cbergson@cityofisleton.com AND VIA CERTIFIED MAIL**

Chuck Bergson, City Manager  
City of Isleton  
101 2<sup>nd</sup> Street  
Isleton, CA 95641

Re: Water Treatment Plant Overflows into Reclamation District No. 407 Ditches

Dear Mr. Bergson:

I serve as counsel to Reclamation District 407 ("District"). The District learned this past Friday, March 10, 2023, through your attendance at a District board meeting, that the City's wastewater treatment plant was, at that time, at risk of overflowing into surrounding waters, including District ditches. District trustees expressed grave concerns at that meeting about potential impacts to District lands of overflows into District ditches.

We now understand through communications with Cal OES and through personal inspection (and not through any communications from the City) that partially treated wastewater is in fact being pumped by the City into District ditches. The District is, operationally, in a season in which based on weather and other hydrologic circumstances water is pumped from District ditches into Georgiana Slough.

The District urgently seeks the following information from the City: (i) the nature and quantity of flows into District ditches; (ii) anticipated length of time of such flows; and (iii) any and all communications and/or notifications regarding the overflow condition between the City and the California Office of Emergency Services, the State Water Resources Control Board, Central Valley Regional Water Quality Control Board, and any other state or local authority.

In addition, the District requests frequent (at least every other day, if not more frequent) updates directly from the City regarding this situation. Such updates should go directly to Board Chair Larry Gardiner at (916)425-1571. Copies of all communications should be sent directly to me at aclark@downeybrand.com.

The District will not be responsible or liable for any damages or claims associated with overflows from the City's treatment system into District ditches, whether authorized or unauthorized.

I can be reached if needed at (916)520-5424. Thank you for your attention to this urgent matter.

Sincerely,

DOWNEY BRAND LLP

*Andrea P. Clark.*

Andrea P. Clark

APC

cc (email only): Pamela Bulahan ([pbulahan@cityofisleton.com](mailto:pbulahan@cityofisleton.com))  
Paul Steele ([paulsteele@cityofisleton.com](mailto:paulsteele@cityofisleton.com))  
Iva Walton ([ivawalton@cityofisleton.com](mailto:ivawalton@cityofisleton.com))  
Kelly Hutson ([kellyhutson@cityofisleton.com](mailto:kellyhutson@cityofisleton.com))  
David Kent ([davidkent@cityofisleton.com](mailto:davidkent@cityofisleton.com))  
Larry Gardiner ([larrylgardiner@gmail.com](mailto:larrylgardiner@gmail.com))

1852220v1

Diana Obrien

RECEIVED  
MAR 13 2023

**From:** Ruta Jariwala <rjariwala@TJKM.com>  
**Sent:** Monday, March 13, 2023 3:22 PM  
**To:** Diana O'brien; Mark Doty  
**Cc:** 'Charles Bergson'  
**Subject:** HSIP Applications - Congrats !!  
  
**Importance:** High

Diana:

Congratulations on being awarded a total of \$339K for safety improvements within the city. It has been our pleasure to assist you and your team in developing the LRSP and helping in preparation of the HSIP Grant Applications and are glad that we were able to help you in achieving your goal of enhancing safety for all modes of transportation by securing these funds.

We enjoyed working with you and look forward working with you in future.

Great team work, Congrats once again !  
Ruta

|    |            |              |   |         |   |   |                   |       |   |   |   |
|----|------------|--------------|---|---------|---|---|-------------------|-------|---|---|---|
| 27 | H11-03-010 | 03-telecom-1 | 3 | telecom | 3 | 9 | Sacramento County | SACOG | Systemic Improvements at Unsignalized Intersections   | Various intersections throughout the city: H St/Man St, 2nd St/A St, SR-160, SR-180/H St, and Union St/D St | Install/upgrade STOP or into upgrade intersection pavement distance to intersection |
| 28 | H11-03-011 | 03-telecom-2 | 3 | telecom | 3 | 9 | Sacramento County | SACOG | Pedestrian Improvements at Unsignalized Intersections | Various intersections throughout the city: H St/Man St, 2nd St/A St, SR-160, Union St/D St, and SR-180/C St | Install pedestrian improvements: rectangular rapid flashing be                      |



**Ruta Jariwala, PE, TE**  
Principal  
925-264-5023 | Cell: 408-421-0768  
rjariwala@tjkm.com

California | Florida | Texas  
Corporate Office: 4305 Hacienda Dr. Suite 550, Pleasanton, CA 94588  
[www.tjkm.com](http://www.tjkm.com) | [tjkm@tjkm.com](mailto:tjkm@tjkm.com) | 925-463-0611

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**From:** Diana O'brien [mailto:dianaobrien@cityofisleton.com]  
**Sent:** Monday, September 12, 2022 11:06 AM  
**To:** Mark Doty <MDoty@TJKM.com>  
**Cc:** 'Charles Bergson' <cbergson@cityofisleton.com>; Ruta Jariwala <rjariwala@TJKM.com>  
**Subject:** RE: HSIP Applications

Mark,

Thank you. Can you send any remaining invoices for the LRSP so I can send in for reimbursement and get the grant closed.

Thanks,  
Diana

**From:** Mark Doty [<mailto:MDoty@TJKM.com>]  
**Sent:** Monday, September 12, 2022 10:43 AM  
**To:** Diana O'brien <[dianaobrien@cityofisleton.com](mailto:dianaobrien@cityofisleton.com)>  
**Cc:** Charles Bergson <[cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)>; Ruta Jariwala <[rjariwala@TJKM.com](mailto:rjariwala@TJKM.com)>  
**Subject:** RE: HSIP Applications

Hey Diana,

Great to hear you were able to submit and they were received with no issues!

Please let us know if you need anything else from us and good luck!

Mark



**Mark Doty**  
Senior Planner  
[MDoty@tjkm.com](mailto:MDoty@tjkm.com)

California | Florida | Texas  
Corporate Office: 4305 Hacienda Dr. Suite 550, Pleasanton, CA 94588  
[www.tjkm.com](http://www.tjkm.com) | [tjkm@tjkm.com](mailto:tjkm@tjkm.com) | 925-463-0611

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**From:** Diana O'brien [<mailto:dianaobrien@cityofisleton.com>]  
**Sent:** Monday, September 12, 2022 10:18 AM  
**To:** Mark Doty <[MDoty@TJKM.com](mailto:MDoty@TJKM.com)>; 'Soka, Soka H@DOT' <[soka.soka@dot.ca.gov](mailto:soka.soka@dot.ca.gov)>  
**Cc:** Charles Bergson <[cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)>  
**Subject:** HSIP Applications

Mark and Soka,

I wanted to thank you both and the Caltrans Team for all their help in assisting us in submitting the Caltrans HSIP grants. I received confirmation that both have been received by DOT.

Regards,  
Diana



|            |              |         |       |   |  |  |            |            |
|------------|--------------|---------|-------|---|--|--|------------|------------|
| H11-03-010 | 03-Isleton-1 | Isleton | SACOG | Systemic Improvements at Unsignalized Intersections   | Various intersections throughout the city: H St/Main St, 2nd St/A St./SR-160, SR-160/H St, and Union St./D St. | Install/upgrade STOP or intersection warning/regulatory signs, upgrade intersection pavement markings, and improve sight distance to intersection. | \$ 109,800 | \$ 98,820  |
| H11-03-011 | 03-Isleton-2 | Isleton | SACOG | Pedestrian Improvements at unsignalized intersections | Various intersections throughout the city: H St/Main St; 2nd St/A St./SR-160; Union st/D St; and SR-160/C St.  | Install pedestrian improvements (crossings, refuge island, and rectangular rapid flashing beacon) at unsignalized intersections.                   | \$ 267,500 | \$ 240,750 |



## Yvonne Zepeda

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**From:** Sacramento County, CA <casacram@service.govdelivery.com>  
**Sent:** Friday, March 17, 2023 2:02 PM  
**To:** yvonne.zepeda@cityofisleton.com  
**Subject:** District 3 - Rich Desmond Update: Clean California Community Day



## Supervisor Rich Desmond



*You are subscribed to News updates from District 3 - Rich Desmond for Sacramento County.*

District 3 - Rich Desmond

Dear Friends,

The season's changing! Let's Spring into action and support Clean California Community Days.

Clean California is hosting a **FREE DUMP DAY EVENT** on **SATURDAY, MARCH 25, 2023** at **SUNRISE MAINTENANCE STATION 11325 SANDERS DR, RANCHO CORDOVA, CA 95742** from 8 a.m. to 2 p.m. or until capacity is reached.

This event allows residents, small businesses, and community-based organizations to deposit non-hazardous yard and household waste **FREE OF CHARGE**. The goal is to prevent waste that may end up illegally dumped along roadways, waterways, rest stops, and park and ride locations.

Visit Clean California for additional opportunities to participate in keeping California clean.

RICH DESMOND

## Supervisor, Third District

700 H Street, Suite 2450  
Sacramento, CA 95814  
(916) 874-5471  
[richdesmond@saccounty.gov](mailto:richdesmond@saccounty.gov)

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GovDelivery, Inc. sending to yvonne.zepeda@cityofisleton.com on behalf of Sacramento County, CA · 700 H Street, Suite 7650 · Sacramento CA 95814 · 1-800-439-1420





**RECEIVED**  
3-23-23

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

March 21<sup>st</sup> 2023

City of Isleton  
P.O. Box 716  
Isleton, CA 95651  
Attention: Paul Steele, Iva Walton, Kelly Hutson and David Kent

Dear City Council Members,

On behalf of the board members of the Isleton Museum, I would like to extend our thanks for waiving our sewer tax fees.

As a struggling nonprofit we appreciate any help that we can get. We are grateful that the City of Isleton is helping us in our endeavors to promote not just the history of Isleton, but Isleton itself.

Thank you again,

Karen Franscioni  
Isleton Museum Treasurer



# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 5.A

CATEGORY: Consent Calendar

### MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 14, 2023

#### SUMMARY

A. Review of the Regular City Council Meeting minutes of March 14, 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 March 14, 2023.

#### ATTACHMENTS

- Minutes of the Regular City Council Meeting of March 14, 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, March 14, 2023 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

You can call in to join our public meeting

### **TELECONFERENCE OR IN PERSON MEETING**

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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=cWdVNkN5aHUxcjVwRGRlMlBpajcwZz09>

Meeting ID: 337 903 7904

Passcode: 123456

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#### **1. OPENING CEREMONIES**

- A. Welcome & Call to Order – Mayor Pamela Bulahan called to order 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call: Present: Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan, City Manager Charles Bergson.
- D. Recognition of Councilmember Service.

#### **2. AGENDA CHANGES OR DELETIONS**

ACTION: Item 1.D is moved to City Council meeting on April 11, 2023.

#### **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

**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.

scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

**ACTION:** None.

#### **4. COMMUNICATION**

- A. League of California Cities-Call for Applications – 2023 California Civic Leadership Institute.
- B. City of Rio Vista, City of Isleton Wastewater.
- C. City of Isleton letter to Rio Vista, Transfer of Wastewater from Isleton to Rio Vista, request.

**ACTION:** Information only. Councilmember Kent comment on Paradise letter, noticed he underlined the word resiliency.

#### **5. CONSENT CALENDAR**

- A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of February 28, 2023 and Special City Council Meeting of January 30, 2023.

**RECOMMENDATION:** City Council review and approve draft minutes of the Regular City Council meeting of February 28, 2023 and Special City Council Meeting of January 30, 2023.

**ACTION:** Vice Mayor Paul Steele motion to approve Regular Minutes of February 28, 2023 and Special City Council Meeting of January 30, 2023 with amendment to minutes that Councilmember Iva Walton requested a list of the Cannabis Conditional Use Permits (CUP's) up or for renewals as annotated in the minutes. 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.

#### **6. PUBLIC HEARING**

- A. **SUBJECT:** None.

#### **7. OLD BUSINESS**

- A. **SUBJECT:** City of Isleton, Crawdad Festival update.

**RECOMMENDATION:** Receive update on Crawdad Festival.

**ACTION:** Vice Mayor Paul Steele said everything is working. In need of Golf Carts.

**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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- B. SUBJECT:** First Reading of Ordinance No. 2023-05, an Ordinance of the City of Isleton City Council amending Ordinance 2016-02 and replacing with 2023-05 regarding the prohibition of camping in the City.

**RECOMMENDATION:** It is recommended that City Council conduct a first reading and approve amending the City's Unlawful Camping Ordinance No. 2023-05.

**ACTION:** Tabled. Council would like definition of Unhoused and Unsheltered and the 300<sup>th</sup> clarified.

## **8. NEW BUSINESS**

- A. SUBJECT:** Annual Progress Report 2022, General Plan Housing Element.

**RECOMMENDATION:** Open item for public comment and approve report.

**ACTION:** Councilmember David Kent recuse his self. Contract Planner Gary Price read Annual Progress Report 2022, General Plan Housing Element. Public Comment open: No Public Comments. Councilmember Kelly Hutson motion to open item for public comment and approve report. Vice Mayor Paul Steele second the motion.

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

- B. SUBJECT:** General Plan Implementation Policy 01-23; City Policy for Interim Ministerial review of certain Housing Development Projects to require certain objective design standards.

**RECOMMENDATION:** Open item for public comment and adopt General Plan Implementation Policy 01-23.

**ACTION:** Contract Planner Gary Price read report General Plan Implementation Policy 01-23; City Policy for Interim Ministerial review of certain Housing Development Projects to require certain objective design standards. City Council would like to table this and have a joint meeting with Planning Commission to discuss location of low income housing designation. Joint meeting April 18, 2023.

## **9. COUNCIL REPORTS AND COMMITTEE UPDATES**

- A. Councilmember Kelly Hutson-None.**

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- B. Councilmember David Kent-None.
- C. Councilmember Iva Walton-Can we have agendas Thursday and list of CUP's.
- D. Vice Mayor Paul Steele-I just wanted 6 chickens and eggs, end of story. Spam Festival donated \$500.00 to PTA/School.
- E. Mayor Pamela Bulahan- Yolo County Velasquez, Vice Mayor, Senator Bill Dodd. Green means go.

## **10. STAFF GENERAL REPORTS AND DISCUSSION**

- A. City Manager Report – \$75,000.00 traffic study. \$340,000.00 for traffic improvements. Press release on sewer ponds and continue to spill. State and Federal County offices maintain integrity of the ponds. Sewage is primarily treated. 2024-2025f to repair the pipes. Staff is doing an exceptional job. Find leaks and plug them. FEMA is in tomorrow.
- B. Fire Chief Report – We have been working 24hours it's not raw sewage, it's clear ground water. Mr. Hume meet with Fire and Vice Mayor Paul Steele regarding Sheriff's and City of Isleton. Noon shut down City of Isleton Doc, elevation is too high, barricade it and close it. OES 2-3 weeks.
- C. Planning Commission – None.
- D. Code Enforcement-None.

## **11. CLOSED SESSION**

11.1 None.

## **12. ADJOURNMENT**

AYES:

NOES:

ABSTAIN:

ABSENT:

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MAYOR, Pamela Bulahan

ATTEST:

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DEPUTY CITY CLERK, Yvonne Zepeda

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# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 6. A

CATEGORY: Public Hearings

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### **CONDITIONAL USE PERMIT CUP 01-23**

### **THE MEADOWS RV PARK**

### **SANDEEP LIDDER, APPLICANT**

#### **BACKGROUND**

This project involves proposed construction and operation of a recreational vehicle (RV) park, 121 RV sites, 14 small home rental cabins, a central lodge and related amenities on 13.73 acres at 301, 401, 501 Jackson Slough Rd. The project requires discretionary approval by the Planning Commission (recommendation) and approval by the City Council of a conditional use permit. On March 7, 2023, the Planning Commission adopted Resolution PC001-23, recommending that the City Council approve the project (see attachment). All details of the project can be found in the attached Planning Commission staff report and also in the CEQA report found on the City's website at:

<chrome-extension://efaidnbmnnnibpcajpglclefndmkaj/https://cityofisleton.com/wp-content/uploads/2023/02/Meadows-at-Isleton-IS-FINAL-DRAFT-NO.-1.pdf>

The complete ISMND (Initial Study Mitigated Negative Declaration) is available in hard copy upon request of staff.

The City Council is requested to review all related material on the project and consider adoption of Resolution 08-23 which would:

- 1) Concur with approval of a CEQA Mitigated Negative Declaration, and
- 2) Approve Conditional Use Permit CUP 01-23, granting approval of the project based on findings and subject to conditions of approval.

#### **FISCAL IMPACT**

Fiscal impacts of development and operation of the project to the City are unknown. However, operation of an RV park as conceived in this project could increase revenue to the City in terms of

transient occupancy, sales, and property tax. It is also not known what service costs this project will have on the City, such as police, fire, public works, and administration.

Conduct public hearing, consider comments from the public and staff, and recommendation from the Planning Commission, and adopt Resolution 08-23.

#### **ATTACHMENTS**

1. Resolution 08-23
2. Planning Commission Resolution PC01-23
3. Complete Planning Commission Staff Report Package
4. Environmental Initial Study/Mitigated Negative Declaration-see the following link to the Environmental Report at:

<chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://cityofisleton.com/wp-content/uploads/2023/02/Meadows-at-Isleton-IS-FINAL-DRAFT-NO.-1.pdf>

## **RESOLUTION 08-23**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON APPROVING CONDITIONAL USE PERMIT CUP 01-23 FOR AN RV PARK AND RELATED IMPROVMENTS AT 301, 401, 501 JACKSON SLOUGH ROAD**

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

**WHEREAS**, on October 21, 2022, Sandeep Lidder ("Applicant") submitted a planning application to the City of Isleton for Conditional Use Permit CUP 01-23, for construction and operation of a 121 space Recreational Vehicle (RV) park with related improvements consisting of a lodge, and 14 small home rental cabins on 13.73 acres at 301, 401, 501 Jackson Slough Rd Street, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 ("Project"); and

**WHEREAS**, the Project application was submitted in accordance with the Article 14 of the Zoning Code, based on an interpretation of allowing RV parks in residential zones with a conditional use permit made by the Planning Commission and the City Council in 2020; and

**WHEREAS**, in accordance with Section 1407 of the Zoning Code, the City Council finds that the proposed project, under this conditional use permit and subject to conditions of approval, is consistent with the following:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
  - b. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
  - b. That the proposed use will comply with each of the applicable provisions of this ordinance;
- 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 conditional use permit (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**, the City Council has received Resolution PC 01-23 from the Planning Commission recommending approval of Conditional Use Permit CUP 01-23; and



**WHEREAS**, A duly noticed public hearing to consider the project was advertised for this March 28, 2023, meeting of the City Council.

**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;

**Section 2.** The City Council finds that the project will not result in a significant adverse impact to the environment by concurring with approving a mitigated negative declaration based on review of the CEQA Initial Study and concurring with certain mitigation measures contained within this document.

**Section 3.** The City Council hereby approves Conditional Use Permit CUP 01-23 based on the findings made below and subject to the Conditions of approval for construction and operation of a 121 space Recreational Vehicle (RV) park with related improvements consisting of a lodge, and 14 small home rental cabins on 13.73 acres at 301, 401, 501 Jackson Slough Rd Street, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 Isleton, California subject to the following conditions of approval:

**Conditions of Approval for Conditional Use Permit CUP 01-23**

***A. GENERAL CONDITIONS OF APPROVAL:***

1. This approval shall be for two (2) years and shall expire on (to be filled in later: two years from final City Council Approval), unless the project has been effectuated (i.e., a building permit has been issued) or the applicant requests a time extension that is approved by the Planning Commission pursuant to the Zoning Code.

2. Prior to the issuance of grading and/or building permits, the applicant shall secure approval of Site Plan Review approval in accordance with the Zoning Code. The Site Plan Review Application plans shall be substantially consistent with the site plan lay-out under this conditional use permit, but will include more details, such as the architecture and design of all permanent structures, exterior lighting, fencing, garden and retaining wall, other walls, signs, trash enclosures, dump station, propane gas dispensary, equipment and storage yards, and landscaping.

3. The Project is approved as a Transient Occupancy Use as defined in Chapter 3.16 et. seq. of the City's Municipal Code and shall be subject to the City's Transient Occupancy Tax. As a Transient Occupancy Use, tenants shall not occupy the RV sites or lodging quarters for a duration exceeding sixty (60) consecutive days. Within each of the RV sites no permanent structures shall be constructed, including, but not limited to decks, storage buildings, awnings, etc, unless first approved by the City (and the California Department of Housing and Community Development if applicable).

4. Recurring noise violations as defined under Chapter 6.44 of the Isleton Municipal Code shall be grounds for revocation of this use permit by the determination of the Planning Commission.



5. Campfires shall not be permitted due to air quality impacts and nuisances to surrounding residents. However, some barbecues, and gas appliances, may be used as approved by the City Manager, subject to prior approval by the Sacramento County Metropolitan Air Quality Management District.
6. The applicant shall file a Notice of Determination, including payment of associated fees, in the office of the County Clerk within (5) days after the final approval date of the project by the City Council. The applicant shall provide a copy of the notice to the City.
7. The applicant agrees to defend, indemnify, and hold harmless the City in any action or proceeding brought against the City to void or annul this discretionary land use approval.
8. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.

*B. OTHER AGENCY APPROVALS:*

1. The applicant shall submit an application with the State Housing and Community Development Department (HCD) for review and approval of building, electrical, plumbing, and mechanical permits for the project.
2. As outlined in the January 4, 2023, letter from the Central Valley Regional Water Quality Control Board (CVRWQCB), all permits and/or clearances shall be obtained and disclosed to the prior to City issuance of any grading and/or building permit.
3. As outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC), all recommended measures shall be taken regarding studies, review, possible remediation, of on-site and off-site soils used by the project. Clearances, if required by the CDTSC shall be secured and disclosed to the prior to City issuance of any grading and/or building permit.
4. School Impact Fees shall be collected at the time of building permit issuance for the project for the manager's quarters and any permanent housing developed within the project.
5. The applicant shall secure clearances from Sacramento County Environmental Health Division permits relevant to the project, including, but not limited to any commercial food facilities, such as prepared food, retail sales of food, maintenance storage of materials and/or hazardous materials/wastes.
6. Prior to issuance of a grading or building permit, clearances for off-site drainage from the project may be required by the City Engineer from the Brannan Andrus Levee Maintenance District and Reclamation Districts 407 and 556.

7. Prior to issuance of a grading or building permit, water connection clearances shall be obtained from Cal American Water Company's municipal water system and submit to the City Engineer evidence that all clearances have been obtained.

8. If the project involves development of a septic system for collection and disposal of sewer, prior to issuance of a grading or building permit, an engineered septic system design plan shall be submitted for review and approval by the Sacramento County Health Division and the City Engineer. The collection and disposal system shall be constructed in accordance with the approved design plans and shall demonstrate proper function prior to issuance of a certificate of occupancy for the project.

9. No amplified music and/or voice shall be allowed on the project site (Also is Mitigation Measure NOI-6.

10. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.

11. Conditional Use Permit CUP 07-19 for a commercial lavender cultivation operation on 2.5 acres on this project site shall become null and void upon activation of this Conditional Use Permit CUP 01-23.

*C. PRIOR TO ISSUANCE OF A GRADING PERMIT, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:*

1. The applicant shall submit to the City Engineer for review and approval, drainage plans and hydrologic and hydraulic calculations All construction building pad will be required to comply with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection.

2. The applicant shall submit to the City for review and approval, an improvements and grading plan prepared by a Registered Civil Engineer licensed by the State of California; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with City improvement Standards.

3. The applicant shall submit to the City for review and approval two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the

pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, and the City Engineer.

4. If any retaining walls or other wall structures equal to or greater than four feet in height (from the base of the footing to the top of the wall) are identified on the grading/improvement plans, the applicant shall:

a. Place a note on the grading/improvement plans stating that any walls equal to or greater than four feet in height will require a Building Permit prior to being constructed.

b. Submit design calculations for the wall(s) for review and acceptance.

c. If the proposed wall(s) are to be constructed against a cut slope, in a manner of which will not meet minimum OSHA requirements, submit:

1. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer identifying a temporary shoring plan and how the cut slopes for the walls will be protected from the weather during construction.

2. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer stating that a copy of the required OSHA Permit will be supplied to the City prior to any excavation on the site and that a qualified OSHA Approved inspector or Professional Civil Engineer will:

a. be onsite during excavation and construction of the retaining walls;

b. be onsite at least once a day during inclement weather; and

c. will submit daily reports to the City.

5. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge identification number, issued by the state, to the City Engineer (also refer to Mitigation Measure HY/WQ-1).

6. Measures shall be implemented for site design, source control, runoff reduction, and storm water treatment (also see Mitigation Measure HY-/WQ-2)

7. A detailed grading, permanent erosion control plan shall be submitted for review and approval by the City Engineer prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans (also see Mitigation Measures HY-/WQ-2).

8. If the project involves connection to the City's public sewer system, the applicant shall submit sewer calculations for review and approval by the City Engineer for the proposed development and any calculations necessary to verify the existing sewer system's ability to carry the additional flow created by the development.

9. All lots within the project site shall be merged so there are not conflicts with buildings, circulation, and parking between parcels. This shall require submittal to the City for review and approval of a lot line adjustment or parcel merger and recording of this merging verified with the City Engineer.

*D. PRIOR TO INITIATING GRADING AND/OR CONSTRUCTION OF THE SITE IMPROVEMENTS, THE DEVELOPER SHALL INITIATE THE FOLLOWING:*

1. That prior to any work being conducted within City right-of-way, an encroachment permit shall be secured from the City.

2. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify the City Engineer of the intent to begin grading operations. Prior to notification, all grade stakes shall be in place identifying limits of all cut and fill activities. After notification, the City Engineer shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.

3. Submit for review and approval by the Fire Department, a Fire Safety Plan with adequate emergency access.

*E. DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:*

1. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the solid and/or geologic investigation report, or were such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.

2. No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of as approved by the City Engineer. Any soil removed and disposed of from the site, or soil imported to the site shall be subject to clearances as outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC).

3. The contractor shall comply with all Occupational Safety & Health Administration (OSHA) requirements. For any public work, the contractor shall comply with all Department of Industrial Relations (DIR) requirements including complying with prevailing wage requirements.

*F. PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND EXONERATION OF BONDS, OR OTHER FORM OF SECURITY, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:*

1. A Warranty and Guarantee security guaranteeing the public improvements for a period of one year in the amount of 10% of the total improvement costs.
2. The applicant shall offer to dedicate to the City for public use, all the public streets right-of-way or easements necessary to install, maintain, and re-install all public improvements described on the improvements and grading plans, if any. All offers of dedication must be recorded and a copy provided to the City Engineer.
3. The applicant shall sign and record a covenant and agreement to ensure that the onsite storm water facilities will be maintained by the property owner(s).
4. The applicant shall submit "As-built" plans, signed by the Engineer of Record, to the City Engineer on Mylar and a CD with an AutoCAD (or equivalent) drawing of the public improvements.
5. Submit a final report prepared by the soils engineer, in accordance with the California Building Code, to the City Engineer.
6. The grading contractor shall submit a statement of conformance to the as-built plans and specifications. Statement must meet intent of the California Building Code. An example follows: "As the grading contractor, I confirm that all improvements were constructed as shown on these improvement plans. Include the signature, company, and date.

*G. PRIOR TO THE CITY ISSUING A CERTIFICATE OF OCCUPANCY:*

1. All site improvements shall be completed in accordance with the improvements and grading plans as determined by the City Engineer, Building Official and Fire Chief.
2. All directional signage shall be installed in accordance with the approved traffic directional sign plan.

*H. MITIGATION MEASURES (Refer to CEQA Initial Study/Mitigated Negative Declaration on file with the City):*

*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.

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.

#### BIOLOGICAL RESOURCES:

BIO-1 Grubbing, grading, or other soil/vegetation disturbance within 250 feet of the Himalayan blackberry brambles will not occur during the tricolored blackbird nesting season (March 15 through July 30). All project soil/vegetation disturbance will occur between August 1 and March 14 to the extent feasible. Alternatively, if project-related soil/vegetation disturbance is scheduled to occur between March



15 and July 30, surveys will be conducted for prospecting or nesting tricolored blackbird colonies in all potentially suitable nesting habitats that are within and out to 250 feet from the project boundaries. The surveys will be conducted by a qualified biologist during the season immediately preceding initiation of the proposed project. The surveys will be conducted according to the following schedule: a total of two visits during March 15 to July 30 with at least one month between survey visits. If nesting colonies are found prior to initiation of project soil/vegetation disturbance in the year of the survey, a no work exclusion zone will be established within 250 feet of each active nesting colony until a qualified biologist determines that the young-of-the-year are no longer reliant upon the nest site.

Alternatively, the project applicant may retain a qualified biologist to conduct daily monitoring of any active nesting colonies that are within 250 feet or less from project soil/vegetation disturbance to determine if the individuals are exhibiting any behaviors that would suggest that nest failure could occur. If the qualified biologist determines that disturbance is sufficient to cause nest failure, all activities within 250 feet of the nesting colony will be terminated until the young-of-the-year are no longer reliant upon the nest.

BIO-2 To compensate for the loss of known nesting habitat for tricolored blackbird on the project site, the project applicant will plant Himalayan blackberry at a minimum 2:1 compensation ratio. The compensation stands of Himalayan blackberry will be sited on the nearest suitable land to which the project applicant has access or on nearby alternative land on which the project applicant has acquired a conservation easement acceptable to the CDFW. Compensation sites will be chosen to avoid any loss of existing natural wetland communities. Annual monitoring of the compensation stands will be conducted to determine if tricolored blackbirds are utilizing the compensation habitat. If no evidence of utilization has been found after five years of monitoring, the project applicant will be required to plant additional Himalayan blackberry at a minimum 1:1 compensation ratio on other lands where there is no active episodic human disturbance that would preclude tricolored blackbirds from settling and nesting in the compensation habitat.

BIO-3 If construction activities occur during the bird nesting season (February 1 – August 31), preconstruction nesting bird surveys (2 visits at least 1 week apart) will be conducted by a qualified biologist within the 14 days prior to construction to detect the presence of any nesting birds within or adjacent to the proposed project (within 200 feet of the project site). If construction/maintenance activities occur during the non-breeding season for birds (September 1 – January 31), preconstruction surveys will not be required. If the preconstruction nesting bird surveys detect actively nesting birds, the results of the surveys shall be submitted to the CDFW within three days of completing the surveys. If any active nests of loggerhead shrike, song sparrow, or other nesting birds afforded protection under California Fish and Game Code § 3503 are found onsite, the applicant will avoid initiating any construction activities within less than 200 feet from each nest until nesting has been completed and the young are no longer reliant upon the nest as determined by a qualified biologist.

BIO-4 Preconstruction surveys for nesting Swainson's hawk, white-tailed kite, and other raptors will be conducted consistent with the Biological Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994) if construction is initiated between

March 1 and September 15. If an active Swainson's hawk, white-tailed kite, or other raptor nest is detected during preconstruction surveys, a no-disturbance buffer zone of 500 feet will be implemented during the nesting season (March 1 to September 15) or until August 15 if Management Authorization is provided by the CDFW (2000). Furthermore, a nest monitoring plan will be developed and implemented for all active nests within 500 feet. If monitoring demonstrates that nesting individuals are being adversely affected, the no-disturbance zone will be increased in 100-foot increments until all adverse effects are eliminated. No mitigation is required if the proposed project is constructed/initiated during the non-nesting season for Swainson's hawk, white-tailed kite, or other raptors (i.e., September 16 to February 28).

#### CULTURAL RESOURCES:

CUL-1 Prior to the start of construction, the Meadows of Isleton shall hold a pre-grading meeting with contractors. A Project Archaeologist (identified by the City) shall attend the pre-grading meeting with contractors to conduct a Cultural Resources Worker Sensitivity Training for all construction personnel working on the proposed Project. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated, and any other appropriate protocols. The City shall also be notified of this training so City staff can attend and/or monitor this training.

CUL-2 If prehistoric or historic-period archaeological deposits are discovered during Project activities, all work within 25 feet of the discovery should be redirected and the archaeologist should assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits should be avoided by Project activities, but if such impacts cannot be avoided, the deposits should be evaluated for their California Register eligibility. If the deposits are not California Register-eligible, no further protection of the finds is necessary. If the deposits are California Register-eligible, they should be protected from Project-related impacts, or such impacts should be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.

CUL-3 Should paleontological resources be identified on the Project site during any ground disturbing activities related to the Project, all ground disturbing activities within 100 feet of the discovery shall cease and the City of Isleton shall be notified within 24 hours of the discovery. The Project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, Project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other



appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

CUL-4 Any human remains encountered during Project ground-disturbing activities should be treated in accordance with California Health and Safety Code Section 7050.5. The lead agency should inform its contractor(s) of the sensitivity of the Direct Area of Potential Effect for human remains and verify that the following directive has been included in the appropriate contract documents:

If human remains are encountered during Project activities, the Project shall comply with the requirements of California Health and Safety Code Section 7050.5. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the county coroner has determined the manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel/ construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

#### GEOLOGICAL RESOURCES:

GEO- 1 The project shall adhere to all recommendations and treatments contained in the Geotechnical Engineering Report prepared by Mid Pacific Engineering, Inc. included as Appendix E. in this ISMND.

GEO-2 Prior to site plan approval, a preliminary soils report shall be submitted to the City, prepared by a California licensed civil engineer. The report shall include evaluation of adequate test borings. Additional measures may be added by the City to mitigate potential geologic/soil conditions on the site to accommodate development. If the report indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation may be required by the City Engineer. Such soils investigation shall be done by a California licensed civil engineer, who shall recommend the corrective actions which will prevent structural damage to any structure proposed to be constructed in the area where such soils problem exists.

GEO-3 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-4 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-5 The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

#### HYDROLOGIC AND WATER QUALITY:

HY/WQ-1 Prior to the issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the City of Isleton. This plan shall demonstrate the drainage basin has capacity to accommodate any additional increase in peak runoff from the project beyond what is existing and that any increase of runoff off the site is approved by agencies that control regional drainage.

HY/WQ-2 Prior to the issuance of a grading permit, a detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Planning/Engineering Division prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans.

#### NOISE EXPOSURE:

NOI-1 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

NOI-2 All stationary construction equipment shall be placed so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NOI-3 As applicable, all equipment shall be shut off when not in use.

NOI-4 To the degree possible, equipment staging shall be located in areas that create the greatest distance between construction-related noise and vibration sources and sensitive receptors surrounding the project site.

NOI-5 Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be directed away from existing residences east of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They shall reach up from the ground and block the line of sight between equipment and the nearest off-site residences. The shielding shall be without holes and cracks.

NOI-6 No amplified music and/or voice shall be allowed on the project site.

NOI-7 Haul truck deliveries shall not occur outside of the hours presented as exempt for construction per City's Municipal Code Section 6.44.010.

NOI-8 The use of a vibratory roller within 20 feet and large bulldozer within 12 feet of the existing residential structures to the north and south of the project site shall be limited to avoid significant impacts.

**PASSED AND ADOPTED** by the City Council of the City of Isleton this 28th day of March, 2023, by the following vote:

**AYES:** \_\_\_\_\_  
**NOES:** \_\_\_\_\_  
**ABSTAIN:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_

\_\_\_\_\_, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

**RESOLUTION PC 001-23**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ISLETON RECOMMENDING APPROVAL TO THE CITY COUNCIL OF  
CONDITIONAL USE PERMIT CUP 01-23  
FOR AN RECREATIONAL VEHICLE PARK ON 13.73 ACRES**

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

**WHEREAS**, on October 21, 2022, Sandeep Lidder ("Applicant") submitted a planning application to the City of Isleton for Conditional Use Permit CUP 01-23, for construction and operation of a 121 space Recreational Vehicle (RV) park with related improvements consisting of a lodge, and 14 small home rental cabins on 13.73 acres at 301, 401, 501 Jackson Slough Rd Street, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 ("Project"); and

**WHEREAS**, the Project application was submitted in accordance with the Article 14 of the Zoning Code, based on an interpretation of allowing RV parks in residential zones with a conditional use permit made by the Planning Commission and the City Council in 2020; and

**WHEREAS**, in accordance with Section 1407 of the Zoning Code, the Planning Commission finds that the proposed project, under this conditional use permit and subject to conditions of approval, is consistent with the following:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- b. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
- b. That the proposed use will comply with each of the applicable provisions of this ordinance; and

**WHEREAS**, A duly noticed public hearing to consider the project was advertised for February 8, 2023; 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 conditional use permit (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 February 15, 2023, including the Mitigated Negative Declaration; and

**WHEREAS**, on February 21, 2023, the Planning Commission meeting was cancelled due to a power outage in Isleton, so the public hearing on this matter was continued to the next regular meeting of the Planning Commission on March 7, 2023; and

WHEREAS, on March 7, 2023, the Planning Commission meeting conducted a continued public hearing on this Conditional Use Permit CUP 01-23.

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 Conditional Use Permit CUP 01-23 for the project based on the findings made below and subject to the Conditions of approval: Sandeep Lidder Conditional Use Permit CUP 01-23, located at 301, 401, 501 Jackson Slough Rd, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 subject to the following Conditions of Approval:

**Planning Commission Recommended Conditions of Approval for Conditional Use Permit CUP 01-23**

**A. GENERAL CONDITIONS OF APPROVAL:**

1. This approval shall be for two (2) years and shall expire on (to be filled in later: *two years from final City Council Approval*), unless the project has been effectuated (i.e., a building permit has been issued) or the applicant requests a time extension that is approved by the Planning Commission pursuant to the Zoning Code.
2. Prior to the issuance of grading and/or building permits, the applicant shall secure approval of Site Plan Review approval in accordance with the Zoning Code. The Site Plan Review Application plans shall be substantially consistent with the site plan lay-out under this conditional use permit, but will include more details, such as the architecture and design of all permanent structures, exterior lighting, fencing, garden and retaining wall, other walls, signs, trash enclosures, dump station, propane gas dispensary, equipment and storage yards, and landscaping.
3. The Project is approved as a Transient Occupancy Use as defined in Chapter 3.16 et. seq. of the City's Municipal Code and shall be subject to the City's Transient Occupancy Tax. As a Transient Occupancy Use, tenants shall not occupy the RV sites or lodging quarters for a duration exceeding sixty (60) consecutive days. Within each of the RV sites no permanent structures shall be constructed, including, but not limited to decks, storage buildings, awnings, etc, unless first approved by the City (and the California Department of Housing and Community Development if applicable).
4. Recurring noise violations as defined under Chapter 6.44 of the Isleton Municipal Code shall be grounds for revocation of this use permit by the determination of the Planning Commission.
5. Campfires shall not be permitted due to air quality impacts and nuisances to surrounding residents. However, some barbecues, and gas appliances, may be used as approved by the City Manager, subject to prior approval by the Sacramento County Metropolitan Air Quality Management District.
6. The applicant shall file a Notice of Determination, including payment of associated fees, in the office of the County Clerk within (5) days after the final approval date of the project by the City Council. The applicant shall provide a copy of the notice to the City.

7. The applicant agrees to defend, indemnify, and hold harmless the City in any action or proceeding brought against the City to void or annul this discretionary land use approval.

8. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.

**B. OTHER AGENCY APPROVALS:**

1. The applicant shall submit an application with the State Housing and Community Development Department (HCD) for review and approval of building, electrical, plumbing, and mechanical permits for the project.

2. As outlined in the January 4, 2023, letter from the Central Valley Regional Water Quality Control Board (CVRWQCB), all permits and/or clearances shall be obtained and disclosed to the prior to City issuance of any grading and/or building permit.

3. As outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC), all recommended measures shall be taken regarding studies, review, possible remediation, of on-site and off-site soils used by the project. Clearances, if required by the CDTSC shall be secured and disclosed to the prior to City issuance of any grading and/or building permit.

4. School Impact Fees shall be collected at the time of building permit issuance for the project for the manager's quarters and any permanent housing developed within the project.

5. The applicant shall secure clearances from Sacramento County Environmental Health Division permits relevant to the project, including, but not limited to any commercial food facilities, such as prepared food, retail sales of food, maintenance storage of materials and/or hazardous materials/wastes.

6. Prior to issuance of a grading or building permit, clearances for off-site drainage from the project may be required by the City Engineer from the Brannan Andrus Levee Maintenance District and Reclamation Districts 407 and 556.

7. Prior to issuance of a grading or building permit, water connection clearances shall be obtained from Cal American Water Company's municipal water system and submit to the City Engineer evidence that all clearances have been obtained.

8. If the project involves development of a septic system for collection and disposal of sewer, prior to issuance of a grading or building permit, an engineered septic system design plan shall be submitted for review and approval by the Sacramento County Health Division and the City Engineer. The collection and disposal system shall be constructed in accordance with the approved design plans and shall demonstrate proper function prior to issuance of a certificate of occupancy for the project.

9. No amplified music and/or voice shall be allowed on the project site (Also is Mitigation Measure NOI-6).

10. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic

study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.

11. Conditional Use Permit CUP 07-19 for a commercial lavender cultivation operation on 2.5 acres on this project site shall become null and void upon activation of this Conditional Use Permit CUP 01-23.

**C. PRIOR TO ISSUANCE OF A GRADING PERMIT, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

1. The applicant shall submit to the City Engineer for review and approval, drainage plans and hydrologic and hydraulic calculations. All construction building pad will be required to comply with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection.
2. The applicant shall submit to the City for review and approval, an improvements and grading plan prepared by a Registered Civil Engineer licensed by the State of California; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with City improvement Standards.
3. The applicant shall submit to the City for review and approval two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, and the City Engineer.
4. If any retaining walls or other wall structures equal to or greater than four feet in height (from the base of the footing to the top of the wall) are identified on the grading/improvement plans, the applicant shall:
  - a. Place a note on the grading/improvement plans stating that any walls equal to or greater than four feet in height will require a Building Permit prior to being constructed.
  - b. Submit design calculations for the wall(s) for review and acceptance.
  - c. If the proposed wall(s) are to be constructed against a cut slope, in a manner of which will not meet minimum OSHA requirements, submit:
    1. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer identifying a temporary shoring plan and how the cut slopes for the walls will be protected from the weather during construction.
    2. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer stating that a copy of the required OSHA Permit will be supplied to the City prior to any excavation on the site and that a qualified OSHA Approved inspector or Professional Civil Engineer will:
      - a. be onsite during excavation and construction of the retaining walls;
      - b. be onsite at least once a day during inclement weather; and
      - c. will submit daily reports to the City.



5. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge identification number, issued by the state, to the City Engineer (also refer to Mitigation Measure HY/WQ-1).

6. Measures shall be implemented for site design, source control, runoff reduction, and storm water treatment (also see Mitigation Measure HY-/WQ-2)

7. A detailed grading, permanent erosion control plan shall be submitted for review and approval by the City Engineer prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans (also see Mitigation Measures HY-/WQ-2).

8. If the project involves connection to the City's public sewer system, the applicant shall submit sewer calculations for review and approval by the City Engineer for the proposed development and any calculations necessary to verify the existing sewer system's ability to carry the additional flow created by the development.

9. All lots within the project site shall be merged so there are not conflicts with buildings, circulation, and parking between parcels. This shall require submittal to the City for review and approval of a lot line adjustment or parcel merger and recording of this merging verified with the City Engineer.

**D. PRIOR TO INITIATING GRADING AND/OR CONSTRUCTION OF THE SITE IMPROVEMENTS, THE DEVELOPER SHALL INITIATE THE FOLLOWING:**

1. That prior to any work being conducted within City right-of-way, an encroachment permit shall be secured from the City.

2. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify the City Engineer of the intent to begin grading operations. Prior to notification, all grade stakes shall be in place identifying limits of all cut and fill activities. After notification, the City Engineer shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.

3. Submit for review and approval by the Fire Department, a Fire Safety Plan with adequate emergency access.

**E. DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:**

1. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the solid and/or geologic investigation report, or were such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.

2. No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of as approved by the City Engineer. Any soil removed and disposed



of from the site, or soil imported to the site shall be subject to clearances as outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC).

3. The contractor shall comply with all Occupational Safety & Health Administration (OSHA) requirements. For any public work, the contractor shall comply with all Department of Industrial Relations (DIR) requirements including complying with prevailing wage requirements.

**F. PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND EXONERATION OF BONDS, OR OTHER FORM OF SECURITY, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

1. A Warranty and Guarantee security guaranteeing the public improvements for a period of one year in the amount of 10% of the total improvement costs.
2. The applicant shall offer to dedicate to the City for public use, all the public streets right-of-way or easements necessary to install, maintain, and re-install all public improvements described on the improvements and grading plans, if any. All offers of dedication must be recorded and a copy provided to the City Engineer.
3. The applicant shall sign and record a covenant and agreement to ensure that the onsite storm water facilities will be maintained by the property owner(s).
4. The applicant shall submit "As-built" plans, signed by the Engineer of Record, to the City Engineer on Mylar and a CD with an AutoCAD (or equivalent) drawing of the public improvements.
5. Submit a final report prepared by the soils engineer, in accordance with the California Building Code, to the City Engineer.
6. The grading contractor shall submit a statement of conformance to the as-built plans and specifications. Statement must meet intent of the California Building Code. An example follows: "As the grading contractor, I confirm that all improvements were constructed as shown on these improvement plans. Include the signature, company, and date.

**G. PRIOR TO THE CITY ISSUING A CERTIFICATE OF OCCUPANCY:**

1. All site improvements shall be completed in accordance with the improvements and grading plans as determined by the City Engineer, Building Official and Fire Chief.
2. All directional signage shall be installed in accordance with the approved traffic directional sign plan.

**H. MITIGATION MEASURES (Refer to CEQA Initial Study/Mitigated Negative Declaration on file with the City):**

**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.

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.

#### **BIOLOGICAL RESOURCES:**

BIO-1 Grubbing, grading, or other soil/vegetation disturbance within 250 feet of the Himalayan blackberry brambles will not occur during the tricolored blackbird nesting season (March 15 through July 30). All project soil/vegetation disturbance will occur between August 1 and March 14 to the extent feasible. Alternatively, if project-related soil/vegetation disturbance is scheduled to occur between March 15 and July 30, surveys will be conducted for prospecting or nesting tricolored blackbird colonies in all potentially suitable nesting habitats that are within and out to 250 feet from the project boundaries. The surveys will be conducted by a qualified biologist during the season immediately preceding initiation of the proposed project. The surveys will be conducted according to the following schedule: a total of two visits during March 15 to July 30 with at least one month between survey visits. If nesting colonies are found prior to initiation of project soil/vegetation disturbance in the year of the survey, a no work exclusion zone will be established within 250 feet of each active nesting colony until a qualified biologist determines that the young-of-the-year are no longer reliant upon the nest site. Alternatively, the project applicant may retain a qualified biologist to conduct daily monitoring of any active nesting colonies that are within 250 feet or less from project soil/vegetation disturbance to determine if the individuals are exhibiting any behaviors that would suggest that nest failure could occur. If the qualified biologist determines that disturbance is sufficient to cause nest failure, all activities within 250 feet of the nesting colony will be terminated until the young-of-the-year are no longer reliant upon the nest.

BIO-2 To compensate for the loss of known nesting habitat for tricolored blackbird on the project site, the project applicant will plant Himalayan blackberry at a minimum 2:1 compensation ratio. The compensation stands of Himalayan blackberry will be sited on the nearest suitable land to which the project applicant has access or on nearby alternative land on which the project applicant has acquired a conservation easement acceptable to the CDFW. Compensation sites will be chosen to avoid any loss of existing natural wetland communities. Annual monitoring of the compensation stands will be conducted to determine if tricolored blackbirds are utilizing the compensation habitat. If no evidence of utilization has been found after five years of monitoring, the project applicant will be required to plant additional Himalayan blackberry at a minimum 1:1 compensation ratio on other lands where there is no active episodic human disturbance that would preclude tricolored blackbirds from settling and nesting in the compensation habitat.

BIO-3 If construction activities occur during the bird nesting season (February 1 – August 31), preconstruction nesting bird surveys (2 visits at least 1 week apart) will be conducted by a qualified biologist within the 14 days prior to construction to detect the presence of any nesting birds within or adjacent to the proposed project (within 200 feet of the project site). If construction/maintenance activities occur during the non-breeding season for birds (September 1 – January 31), preconstruction surveys will not be required. If the preconstruction nesting bird surveys detect actively nesting birds, the results of the surveys shall be submitted to the CDFW within three days of completing the surveys. If any active nests of loggerhead shrike, song sparrow, or other nesting birds afforded protection under California Fish and Game Code § 3503 are found onsite, the applicant will avoid initiating any construction activities within less than 200 feet from each nest until nesting has been completed and the young are no longer reliant upon the nest as determined by a qualified biologist.

BIO-4 Preconstruction surveys for nesting Swainson's hawk, white-tailed kite, and other raptors will be conducted consistent with the Biological Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994) if construction is initiated between March 1 and September 15. If an active Swainson's hawk, white-tailed kite, or other raptor nest is detected during preconstruction surveys, a no-disturbance buffer zone of 500 feet will be implemented during the nesting season (March 1 to September 15) or until August 15 if Management Authorization is provided by the CDFW (2000). Furthermore, a nest monitoring plan will be developed and implemented for all active nests within 500 feet. If monitoring demonstrates that nesting individuals are being adversely affected, the no-disturbance zone will be increased in 100-foot increments until all adverse effects are eliminated. No mitigation is required if the proposed project is constructed/initiated during the non-nesting season for Swainson's hawk, white-tailed kite, or other raptors (i.e., September 16 to February 28).

#### **CULTURAL RESOURCES:**

CUL-1 Prior to the start of construction, the Meadows of Isleton shall hold a pre-grading meeting with contractors. A Project Archaeologist (identified by the City) shall attend the pre-grading meeting with contractors to conduct a Cultural Resources Worker Sensitivity Training for all construction personnel working on the proposed Project. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated, and any other appropriate protocols. The City shall also be notified of this training so City staff can attend and/or monitor this training.

CUL-2 If prehistoric or historic-period archaeological deposits are discovered during Project activities, all work within 25 feet of the discovery should be redirected and the archaeologist should assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits should be avoided by Project activities, but if such impacts cannot be avoided, the deposits should be evaluated for their California Register eligibility. If the deposits are not California Register-eligible, no further protection of the finds is necessary. If the deposits are California Register-eligible, they should be protected from Project-related impacts, or such impacts should be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.

CUL-3 Should paleontological resources be identified on the Project site during any ground disturbing activities related to the Project, all ground disturbing activities within 100 feet of the discovery shall cease and the City of Isleton shall be notified within 24 hours of the discovery. The Project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, Project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

CUL-4 Any human remains encountered during Project ground-disturbing activities should be treated in accordance with California Health and Safety Code Section 7050.5. The lead agency should inform its contractor(s) of the sensitivity of the Direct Area of Potential Effect for human remains and verify that the following directive has been included in the appropriate contract documents:

If human remains are encountered during Project activities, the Project shall comply with the requirements of California Health and Safety Code Section 7050.5. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the county coroner has determined the manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel/ construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

#### **GEOLOGICAL RESOURCES:**

GEO- 1 The project shall adhere to all recommendations and treatments contained in the Geotechnical Engineering Report prepared by Mid Pacific Engineering, Inc. included as Appendix E. in this ISMND.

GEO-2 Prior to site plan approval, a preliminary soils report shall be submitted to the City, prepared by a California licensed civil engineer. The report shall include evaluation of adequate test borings. Additional measures may be added by the City to mitigate potential geologic/soil conditions on the site to accommodate development. If the report indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation may be required by the City Engineer. Such soils investigation shall be done by a California licensed civil engineer, who shall

recommend the corrective actions which will prevent structural damage to any structure proposed to be constructed in the area where such soils problem exists.

**GEO-3** 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-4** 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-5** The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

#### ***HYDROLOGIC AND WATER QUALITY:***

**HY/WQ-1** Prior to the issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the City of Isleton. This plan shall demonstrate the drainage basin has capacity to accommodate any additional increase in peak runoff from the project beyond what is existing and that any increase of runoff off the site is approved by agencies that control regional drainage.

**HY/WQ-2** Prior to the issuance of a grading permit, a detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Planning/Engineering Division prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans.

#### ***NOISE EXPOSURE:***

**NOI-1** All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

**NOI-2** All stationary construction equipment shall be placed so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

**NOI-3** As applicable, all equipment shall be shut off when not in use.

**NOI-4** To the degree possible, equipment staging shall be located in areas that create the greatest distance between construction-related noise and vibration sources and sensitive receptors surrounding the project site.

**NOI-5** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be directed away from existing residences east of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They shall reach up from the ground and block the line of sight between equipment and the nearest off-site residences. The shielding shall be without holes and cracks.

NOI-6 No amplified music and/or voice shall be allowed on the project site.

NOI-7 Haul truck deliveries shall not occur outside of the hours presented as exempt for construction per City's Municipal Code Section 6.44.010.

NOI-8 The use of a vibratory roller within 20 feet and large bulldozer within 12 feet of the existing residential structures to the north and south of the project site shall be limited to avoid significant impacts.

PASSED AND ADOPTED by the Planning Commission of the City of Isleton this 7th day of March, 2023 by the following vote:

AYES: Planning Commissioners Mandy Elder, Michelle Burke, Joe Kessner, Ruby Fowler, and Jack Chima

NOES: None

ABSTAIN: None

ABSENT: None

  
CHAIR, Jack Chima

ATTEST:

  
DEPUTY CITY CLERK, Yvonne Zepeda

# City of Isleton

## Planning Commission Staff Report

DATE: March 7, 2023

ITEM#:

CATEGORY: New Business

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**CONDITIONAL USE PERMIT CUP 01-23  
THE MEADOWS RV PARK  
SANDEEP LIDDER, APPLICANT**

### **BACKGROUND AND PROJECT DESCRIPTION:**

**Summary Description:** Construction and operation of a recreational vehicle (RV) park, 121 RV sites, 14 small home rental cabins, a central lodge and related amenities on 13.73 acres at 301, 401, 501 Jackson Slough Rd, Reduced project plans are presented in this staff report. Full scale plans of the project will be distributed to the Commission and presented formally at the meeting. Also, more details for the project and site can be viewed in Attachment B of this report which consists of the CEQA Initial Study document.

### **Figure 1, Site Aerial Imagery**









Figure 3, Project Amenities

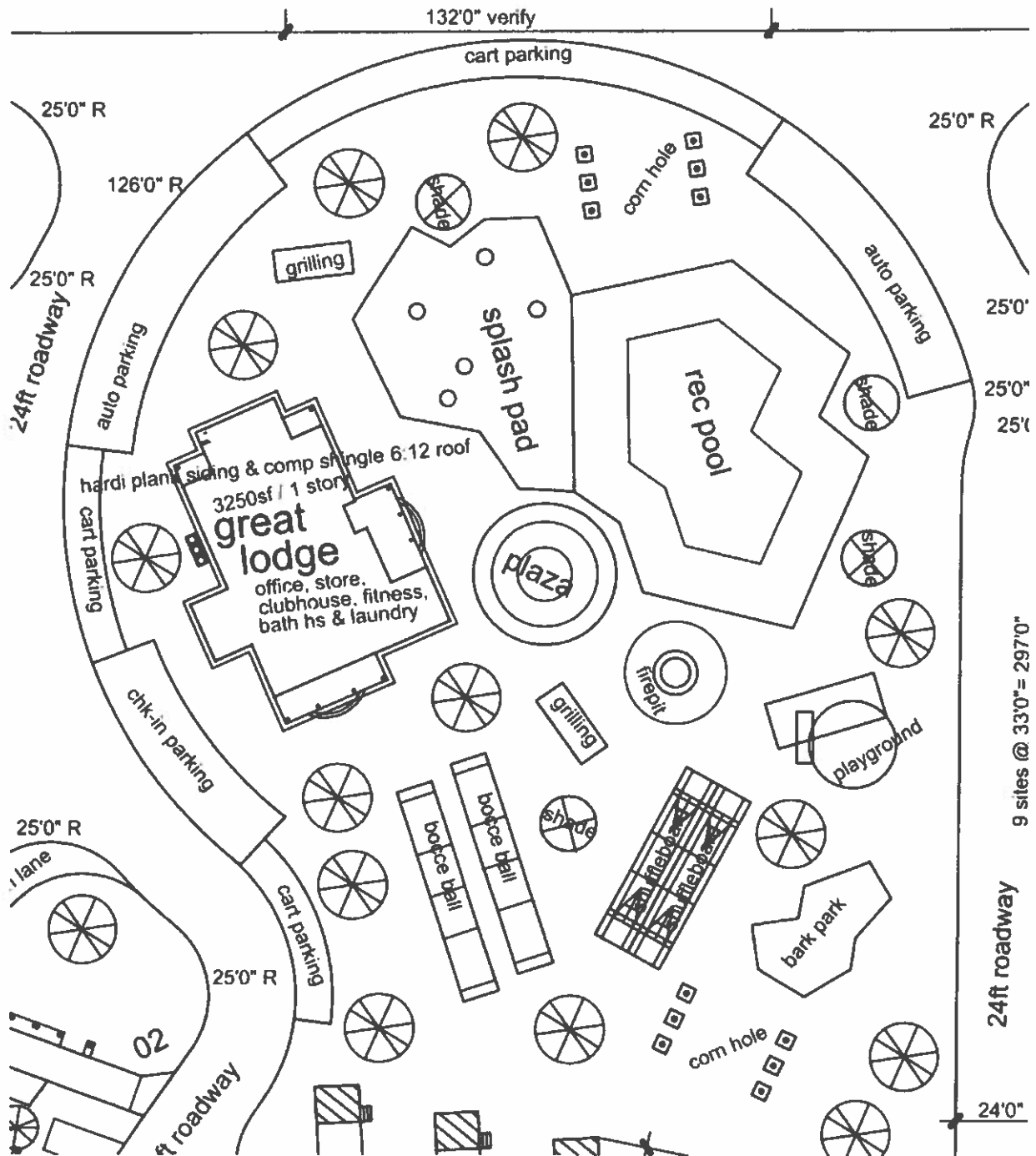
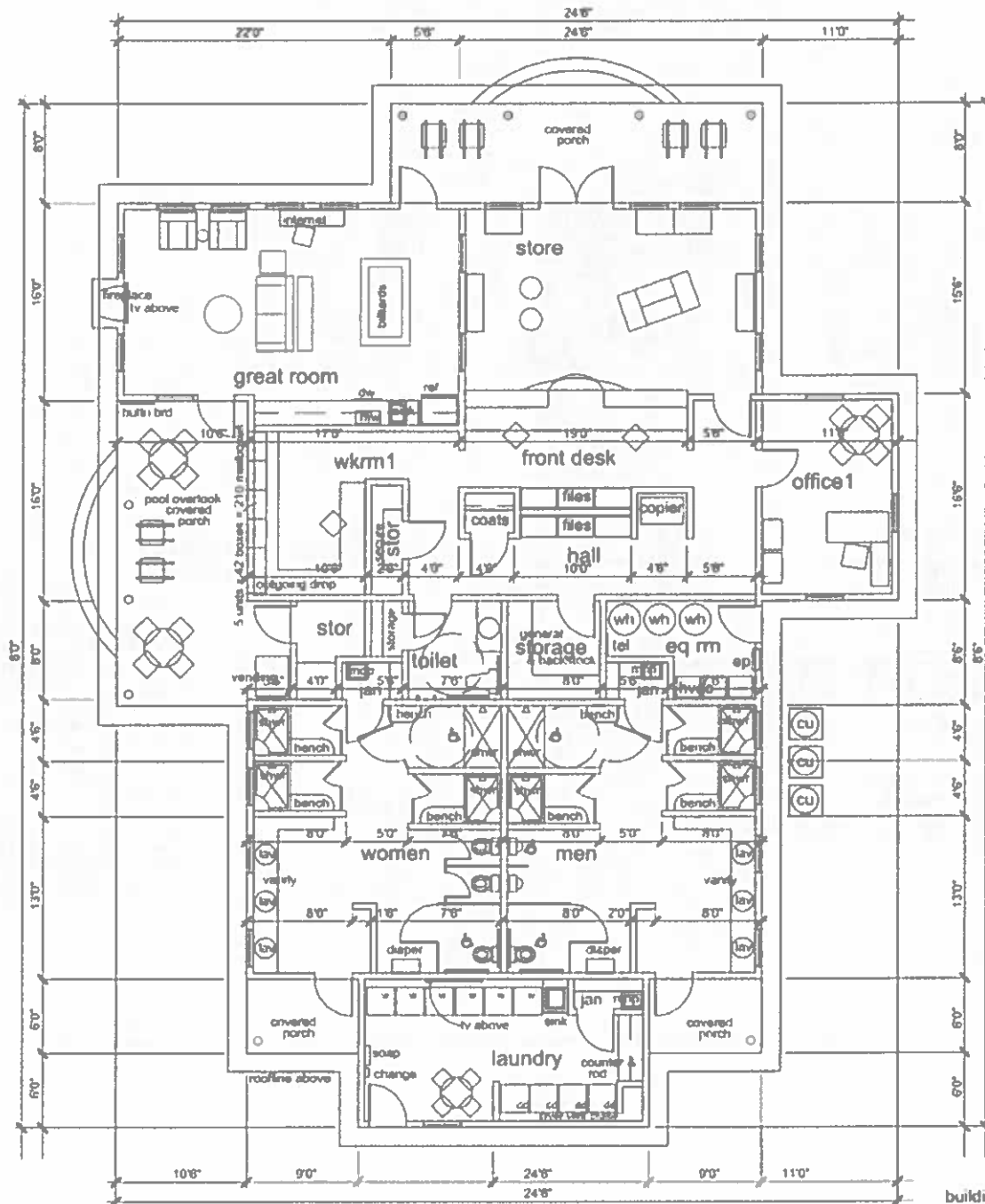
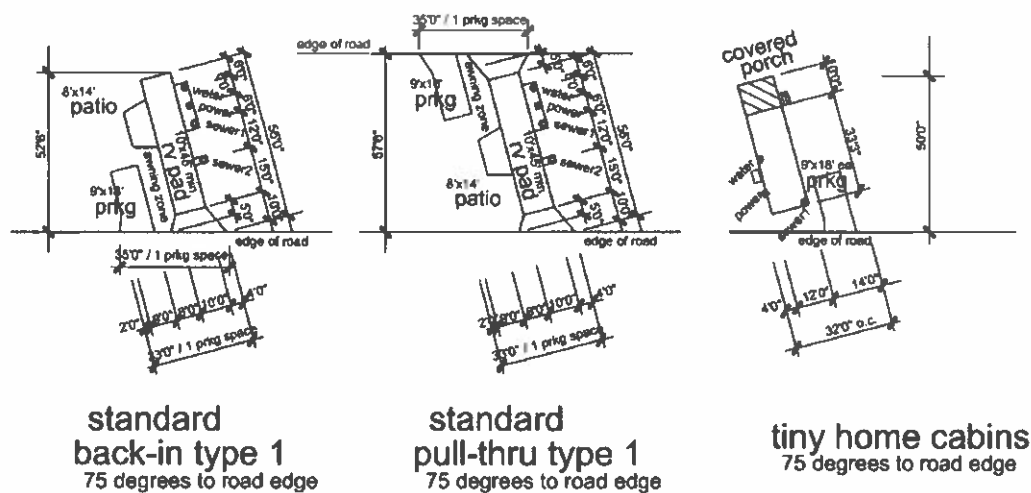


Figure 4, Preliminary Floor Plan for Lodge



building area:  
conditioned = 3,250sf  
porches = 640sf

Figure 5, Typical Lay-Out of Lodge



# isleton rv park

isleton CA

0' 20' 40' 60'

measure 1" for scale this sheet

15 may 22

**ron d. beard & associates austin**  
 FULL SPECTRUM national RESORT SPECIALISTS  
 ARCHITECTURE, PLANNING & CONSULTING SERVICES

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**Environmental Setting:** Topography across the site is relatively level and mostly consists of an open field with vegetation in the southernmost that consists mostly of non-native annual grassland with an extensive mix of ruderal (weedy) species. There is 0.8-acres within the southernmost portion of the project site that has been used in a manner like a community garden. These areas currently support some lavender but are in the process of being overgrown by the weedy species described above for the southernmost portion of the project site. The site is bounded to the southeast by Jackson Slough Road, to the northeast by vacant lot and single-family residences, to the northwest by farmland, and to the southwest by a single-family residence beyond which is farmland. There is also a baseball field located at the northeast section of the property. There is also a campground located to the northeast of the site.

**Site Plan:** The site plan shows the development of a 121 space Recreational Vehicle (RV) park (96 back-in RV sites, 25 pull through) for short term camping. In addition to the RV camping spaces, 14 tiny home cabins would be constructed. (See Figure 1 RV Park Resort Site Plan). The typical RV spaces are a concrete pad approx. 10 feet wide by 45 feet in length. The back in RV pads are 10 feet in width by 45 feet in length accessible from both sides. Each RV pad has an adjoining concrete patio 8 feet x14 feet in length. A concrete vehicle parking area of 9 feet by 18 feet in length adjoins the RV parking facilities for owner vehicles.

**Access, Parking and Circulation:** As shown on Figure 2, the site would be accessed via a main gated entrance on Jackson Slough Road and gated emergency-only access at Georgiana Avenue.

**Clubhouse:** Additional user amenities would be located within the main clubhouse building of approximately ±3,250-square square feet including restrooms laundry facilities, recreation room, lounge area, check-in services, and a mini store to provide essential supplies for guests of the RV Resort. The clubhouse is proposed for guests of the RV Park Resort solely.

**Recreational Amenities:** The RV Park Resort will offer many amenities including a walking path throughout, a dog-friendly area, restrooms with showers, office check in, game room, coin laundry, bocce ball, fire pit areas, BBQ/picnic areas, an outdoor luxury pool, clubhouse/Lodge and, general store. The RV Park spaces will include full-service hookups, including electric, water, and sewer. Each space will consist of a concrete pad with landscaping framing each of the sites. Three (3) restroom facilities with showers will be situated throughout the site, including the clubhouse.

## PLANNING REVIEW

In accordance with Section 1301 of the Zoning Code, upon, on receiving recommendation from the Planning Commission, on November 6, 2019, the City Council interpreted, that certain uses, such as recreational vehicle parks and camp sites would be considered as a use that would be allowed with a conditional use permit in R-MH (Multi-family residential, Mobile Home) and R-1-7 (Single-family residential) respectively, and specifically this project site. Therefore, this project requires discretionary approval by the Planning Commission (recommendation) and approval by the City Council of a conditional use permit.

Article 14 of the Zoning Code provides criteria for Planning Commission review of Conditional Use Permits. This type of review considers the project's use, development intensity, and compatibility of the proposed use in relation to the neighborhood. All Conditional Use Permits are also subject to City Council approval upon recommendation of the Planning Commission. There is sufficient information in the project plans for this level of review.

Article 15 of the Zoning Code also requires Planning Commission Site Plan Review and approval. This review involves more detailed review of the project design, such as appearance, landscaping, lighting, signage, fencing, and other improvement details. The applicant is preparing more detailed site plans which will be submitted to the City for review at a later time. Assuming the project is approved by the City Council, the next step will be final site plan review approval by the Planning Commission.

### **PROJECT EVALUATION**

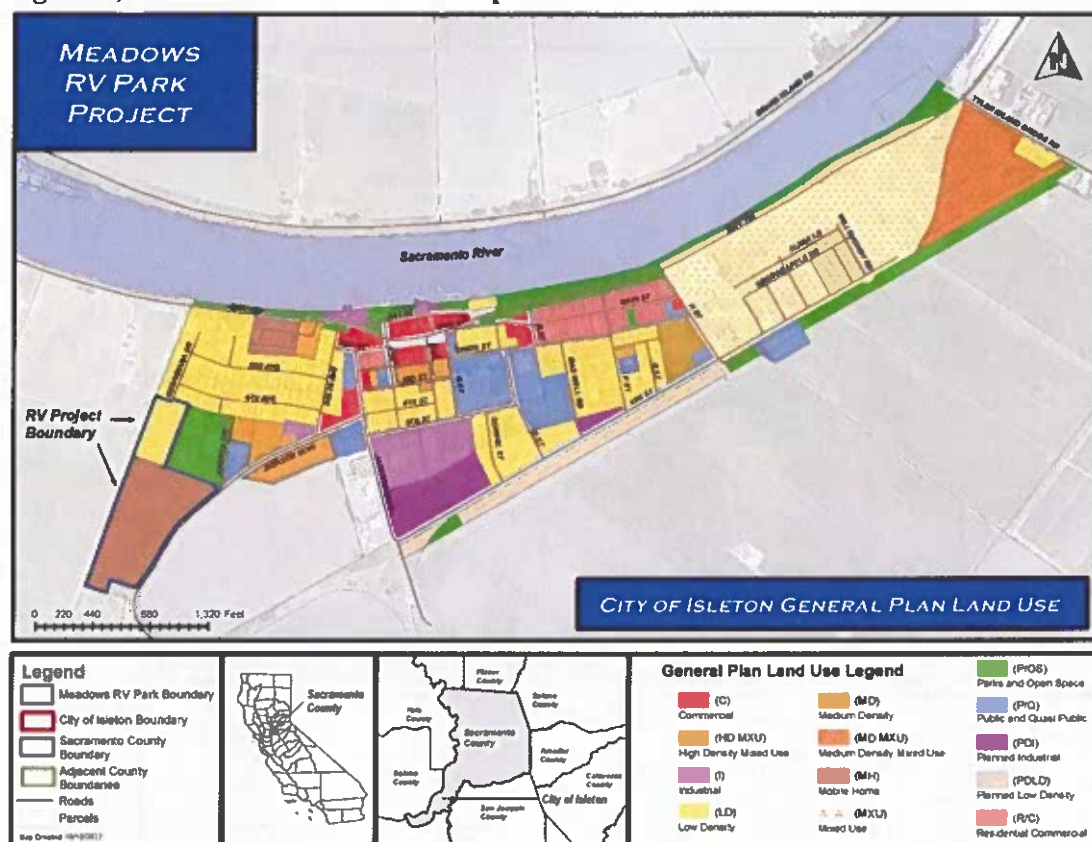
**General Plan Consistency:** The General Plan designates the properties as Medium Density/Mobile Home (southern portion of 301 Jackson, 401 and 501 Jackson) and Low Density (the northern portion of 301 Jackson-see General Plan Table and Figure 12 General Plan Boundary Map). The Zoning for these properties is R-MH (Multi-family residential, Mobile Home) and R-1-7 (Single-family residential) respectively (see Table 1 and Figure 6).

**Table 1, General Plan Land Use Designations by Assessor Parcel Number:**

| <i>Situs-APN/Situs</i>                | <i>Acres</i>       | <i>Land Use Designations</i>            |
|---------------------------------------|--------------------|---|
| 501 Jackson-157-0100-070              | 3.74 acres         | Medium Density Residential/Mobile Home  |
| 401 Jackson-57-0100-071               | 0.76 acres         | Medium Density Residential/Mobile Home  |
| 301 Jackson-157-0100-069<br>(Partial) | 5.23 acres         | Medium Density Residential/ Mobile Home |
| 301 Jackson-157-0100-069<br>(Partial) | 4 acres            | Low Density Residential                 |
| <b>Total</b>                          | <b>13.73 acres</b> |   |



**Figure 6, General Plan Land Use Map:**

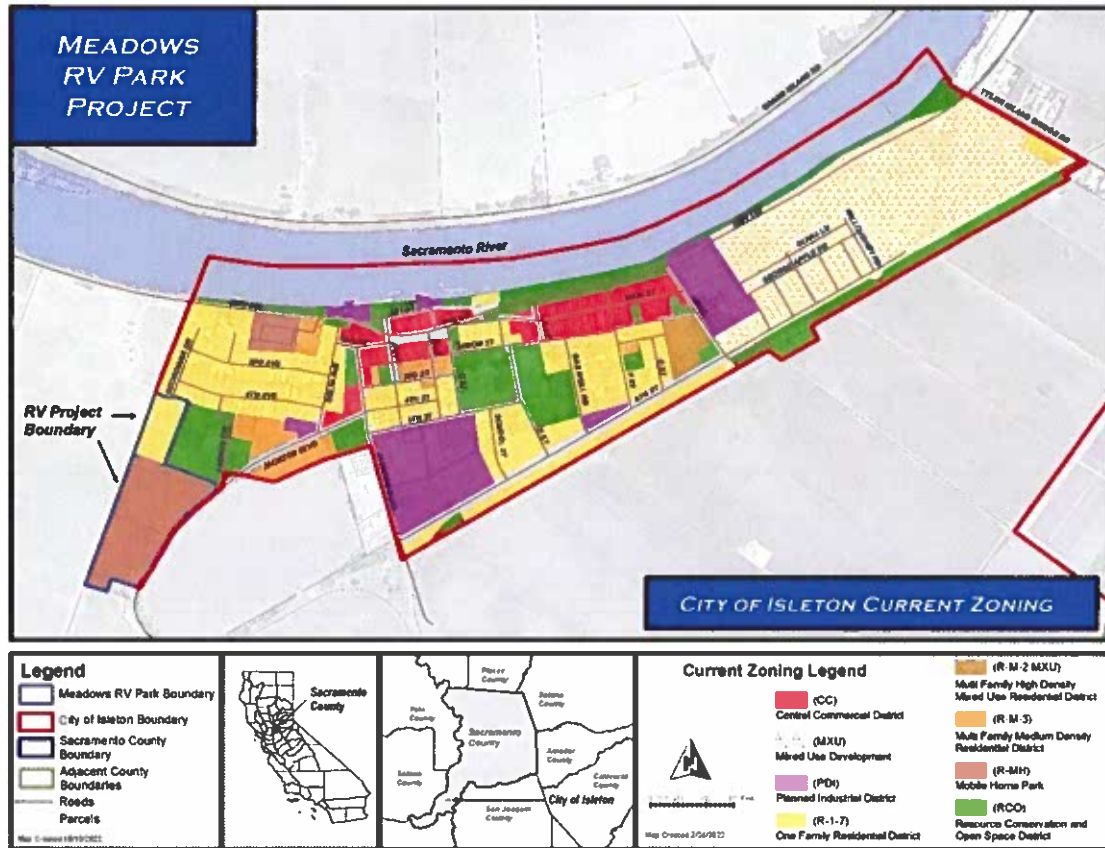


**Zoning Compliance:** The Zoning Code does not reference Recreational Vehicle Parks as a particular use in either RM-Medium Density/Mobile Home or R-1-7, One Family (maximum one dwelling per 7,000 square foot lot area) zone districts (see Table 2, and Figure 7).

**Table 2, Zoning by Assessor Parcel Number:**

| Situs/APN                          | Acres              | Zoning   |
|------------------------------------|--------------------|--|
| 501 Jackson-157-0100-070           | 3.74 acres         | Residential Multi-Family Residential Mobile Home (R-MH)                      |
| 401 Jackson-57-0100-071            | 0.76 acres         | Residential Multi-Family Residential Mobile Home (R-MH)                      |
| 301 Jackson-157-0100-069 (Partial) | 5.23 acres         | Residential Multi-Family Residential Mobile Home (R-MH)                      |
| 301 Jackson-157-0100-069 (Partial) | 4 acres            | Single Family Residential (R-1-7)/Multi-Family Residential Mobile Home (R-M) |
| <b>Total</b>                       | <b>13.73 acres</b> |  |

**Figure 7: Zoning Map:**



As previously noted, the Planning Commission interpreted that recreational vehicle parks and camp sites would be considered as a use that would be allowed with a conditional use permit in these zoning districts (see Zoning Code excerpts below):

*City of Isleton Zoning Code Excerpts:*

*Sec. 1301 - Addition of permitted uses*

*“Upon receipt of an application, or on its own initiative, the planning commission may, by resolution, add a use to the lists of permitted uses and conditional uses prescribed in articles 4 through 10 of this code, if the commission makes the following findings, as applicable:*

- A. That the addition of the use to the list of permitted uses will be in accordance with the purposes of the district in which the use is proposed.*
- B. That the use has the same basic characteristics as the uses permitted in the district*
- C. That the use reasonably can be expected to conform with the required conditions for the district.*
- D. That the use will not be detrimental to the public health, safety or welfare, or adversely affect the character of any district in which it would be located.*



- E. *That the use will not create more vehicular traffic than the volume normally created by the uses permitted in the district.*
- F. *That the use will not create more odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the other uses permitted in the district.*
- G. *That the use will not create any greater hazard of fire or explosion than the hazards normally created by any of the uses permitted in the district.*

In accordance with Section 1407 of the Zoning Code, the Planning Commission must make the following findings to approve this conditional use permit:

- A. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- B. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
- C. That the proposed use will comply with each of the applicable provisions of this ordinance.

To assure that the City can make these findings, certain aspects of the project should be considered, such as providing certain conditions for neighborhood compatibility and safe public use as discussed further in this report. Please also refer to the project environmental assessment which provides a more detailed review of the project's potential physical impacts on the environment (see Attachment B).

*Compatibility Wall Installation:* The Commission may want to consider requiring a wall, or some solid fencing to be constructed along the northeast perimeter of the site where it adjoins some residences. Also, a barrier of some kind might be considered along the northwest side of the site where there are agricultural operations to avoid impacts of these operations, such as spraying of insecticide on RV Park users. These improvements would help make the project more compatible with the neighborhood and, therefore, support the Commission's findings for the Conditional Use Permit. Staff has included a possible condition for this wall in the attached resolution (Exhibit A) approving the project. However, the Commission is welcome to reconsider this, add something different, or omit this optional condition completely.

*Use of Camp Fires:* The project plans shows campfire pits to be included in each RV space. Due to the proximity of the project to nearby residential uses and the potential air quality impacts from campfires, recommended conditions of approval have limited the project to utilizing some barbeques and some gas type appliances that are subject to approval of the Sacramento Metropolitan Air Quality Management District.

*Transient Occupancy:* As referenced in the environmental assessment, the River Delta Unified School District, noted concerns with the impact new students living at the proposed RV Park would have on District resources. In accordance with the City's Transient Occupancy regulations, except for the manager's residence, no customers are expected to permanently reside in the RV Park, so no students, except of the manager's residence would attend public schools. Consequently, staff coordinated with the District a draft condition of approval to limit occupancy to no more than 60 days. The District plans to submit an updated written response to concurring with this 60 day occupancy restriction before the Planning Commission meeting. The applicant did request less restrictive occupancy restrictions, noting several RV Parks in California either have 90 day limitations or none at all. The applicant expects many of their clientele to consist of "snowbirds" wanting an extended stay. Staff would be concerned that if there were no restrictions, the project could become a trailer park and become an enforcement problem to try to address.

*Traffic Congestion:* According to the Transportation Study was prepared by Ganddinni Group, Inc. dated August 31, 2022, the project is expected to generate forecast to generate approximately 311 daily trips, including 24 trips during the AM peak hour and 31 trips during the PM peak hour (see environmental assessment). Average daily traffic (ADT) on Jackson Slough Road is estimated as 1,250 trips per day. The project is not expected to reduce levels of service (LOS) for vehicle travel on Jackson Slough Road or other roadway segments in the City. The Study conducted a qualitative evaluation of vehicle trips generated based on the characteristics of the use and indicated that the project would produce primarily shorter trip lengths compared to visitors that would have to find accommodations elsewhere if the project is not constructed. Therefore the project is reasonably anticipated to result in either a net decrease or negligible effect on total vehicle miles traveled as compared to if the project were to be built as a multiple family housing development or mobile home park that it is allowed by the zoning code for the property.

*Access and Circulation Considerations:* The project would be accessed by a single driveway centrally located off of Jackson Road. According to the Transportation Study prepared by Ganddinni Group, Inc. the project has been determined to have adequate stopping sight distance to avoid collisions and the available intersection sight distance is provided for vehicles departing the project site driveway and is not anticipated to result in substantial disruptions to flow along Jackson Slough Road. However, the Study, nonetheless identified some potential sight distance issues with accessing the site due to the bend in the road and tree locations as follows:

*"Ideally, intersection sight distance for left turn from stop would provide 770 feet of clear sight for RV vehicles based on a design speed of 55 miles per hour. As shown on Figure 3, the ideal intersection sight distance does not appear to be provided due to existing trees near the roadway bend at the south of the project site. This indicates there is adequate sight distance to avoid collisions, however, vehicles traveling on the major road may need to substantially slow down or stop to accommodate RVs exiting the site and turning left. In reality, vehicles exiting the bend are unlikely to be traveling at 55 miles per hour based on the advisory speeds of 30 miles per hour through this area. Additionally, the volume of vehicles exiting the project driveway is forecast to be relatively low, especially when considering only RVs making a left turn, and thus would have a minimal impact in terms of the likelihood of requiring northbound vehicles on Jackson Slough Road to substantially slow. For these reasons, adequate stopping sight distance is provided to avoid collisions and the available intersection sight distance for vehicles departing the project site driveway is not anticipated to result in substantial disruptions to flow along Jackson Slough Road."*



**Figure 3**  
**Project Driveway Sight Distance Analysis**

Meadows of Hiron RV Resort  
Focused Transportation Study  
19542



*Construction Timing:* Section 1411 of the Zoning Code provides a one year approval for conditional use permits. Section 1412, however, allows the City to grant more time to a conditional use permit due to the character of the project, such as size, nature and complexity of the proposed development. Conditions of approval provide for an initial two year approval for this project with some opportunity for the Commission to grant an extension of time.

*Lot Line Conflicts:* The project site consists of several lot lines that conflict with proposed improvements to the park, such as buildings. Conditions of approval for this Conditional Use Permit includes a requirement to either merge or adjust lot lines so there are not conflicts.

*Grading:* The preliminary grading plan calls for  $\pm 24,823$  cubic yards of cut and  $\pm 19,198$  cubic yards of fill resulting in an excess of  $\pm 5,625$  cubic yards of soil (see Attachment B, Initial Study for more details). The excess material is proposed to be used on-site for landscaping. Due to the relatively level topography/ no retaining walls are proposed with the project. However, just to be sure conditions include some provisions for addressing retaining walls in the event the final grading plan proposes these features. The site will be graded in compliance with ADA site accessibility standards. Detailed grading plans shall be required as part of the project construction permitting.

*Drainage:* A Preliminary Drainage Analysis was prepared to show that storm water treatment facilities were sized using a storage requirement for impervious surfaces constructed on the site (see Attachment B, Initial Study for more details). The CEQA Initial Study was circulated for review by the Prior to issuance of a grading or building permit, clearances for off-site drainage from the project may be required by the Brannan Andrus Levee Maintenance District (BALMD) and Reclamation Districts 407 and 556. It is not clear whether or not the project will result in increased concentrated drainage off-site since most of the site is proposed to be developed and there does not appear to be sufficient depth to retain stormwater on site with current water table levels. A condition of approval has been added to have the City Engineer review more detailed drainage plans and possibly contact BALMD to evaluate sufficient capacity to accept additional drainage from the project site.

*Domestic Water Supply:* Treated water is available and will be provided by Cal America Water. Cal America indicated that they do have capacity to provide water to this project.

*Fire Suppression Water Supply:* Fire hydrants will be installed centrally in the subject property. These fire hydrants will be feed from a dedicated 6" water supply line to meet the required fire flow requirements. This fire supply line will be fed by Cal Water's distribution system. Cal Water's system will meet the required 1,500 gpm for a 2-hour duration in accordance with City of Isleton's Fire Department standards. (see approval letter in Attachment B, Initial Study).

*Sanitary Sewer:* Every RV site is proposed to have sewer hookup. The project may or may not connect to the City's sanitary sewer service. If City sewer is utilized, the closest tie-in to the City's sewer system is approximately  $\pm 150$  feet from the site/ near the Georgiana Dr. / 4<sup>th</sup> Ave Road intersection. However, if the project doesn't not connect to City Sewer, the project site might be able to accommodate a septic system.

*Dry Utilities:* Dry utilities (i.e., natural gas, electrical supply, telephone/ cable) are located along. The exiting overhead powerlines that run north/south through the property will be undergrounded and rerouted on-site concurrently with site development.

*HCD Review:* In accordance with the California Code of Regulations, prior to building permit issuance, the proposed RV Park is subject to approval by the California Department of Housing and Community Development:

chrome-extension://efaidnbmnnnibpcajpcgiclfefndmkaj/https://www.hcd.ca.gov/manufactured-mobile-home/mobile-home-parks/docs/hcdmp514.pdf

The proposed conditions of approval for this conditional use permit includes requiring clearances be obtained from HCD.

*Site Plan/Design Review:* Project details, such as architecture and design of all permanent structures, exterior lighting, fencing, garden and retaining walls, other walls, signs, trash enclosures, dump station, propane gas dispensary, equipment and storage yards, and landscaping are subject to site plan approval by the Planning Commission in accordance with Article 15 of the Zoning Code. The applicant is in the process of assembling project details that respond to these details and plans to submit this application to the City once the conditional use permit is secured.

## **ENVIRONMENTAL DETERMINATION**

In accordance with CEQA(California Environmental Quality Act) requirements, an Environmental Assessment/Initial Study and Draft Mitigated Negative Declaration (ISMND) was been prepared for the proposed project with the conclusion that the project will not result in any significant adverse environmental impacts as long as certain mitigation measures are incorporated into the project. This study includes technical studies, prepared by qualified professionals, such as cultural, biological, and traffic impact analysis. A number of mitigation measures have been included in the document that the applicant has agreed to. The Final ISMND, which consists of the draft with revisions made to it to respond to public comments, was circulated to the Planning Commission for review. Changes between the Draft and the Final ISMND are shown in red in Exhibit C of this report. In accordance with CEQA, the Planning Commission will need to concur with the adequacy of the Final ISMND before taking action to recommend approval of the Conditional Use Permit to the City Council.

## **PUBLIC AND AGENCY COMMENT**

The project was reviewed by City staff, including the City Administrator/City Engineer and Fire Chief to provide technical evaluation and to consider design requirements by code. The project CEQA Draft Initial Study/Mitigated Negative Declaration (ISMND) was circulated for public and public agency comment between, between December 6, 2022 and January 20, 2023. This circulation included distribution to the California Clearinghouse, local agencies and Native American Tribes (from Native American Heritage Commission Native American Contact List) and notice sent to owners of property within a 300 radius of the project site.

All agency comments received during this circulation are referenced in the Final ISMND which included comments from the California Department of Toxic Substances Control (CDTS), the Regional Water Quality Control Board (RWQCB), and the River Delta Unified School District. Comments were then responded to (refer to Exhibit B- Letters from Public Agencies). Conditions of approval in the Conditional Use Permit recommendation include addressing site soil testing and possible remediation (CDTSC) and hydrologic requirements (RWQCB). The School District was most concerned with the potential impact of student attendance to the School and traffic impacts from the project. City staff's response to these comments is to place a condition of approval in the conditional use permit that restricts occupancy to temporary 60 days or less) and to add a condition to the Conditional Use Permit to require posting of directional signs for RV vehicles to the park. No other comments to the date this report was prepared have been received by the public.

The project was subsequently 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. A second notice of the continued meeting from March 7, was also noticed to the same property owners. To the date of this report, no other public comments were received. Any public comments received after this report is circulated to the Commission will be provided to all Commissioners before the meeting.

## **PREVIOUS REVIEW**

The Planning Commission and City Council previously approved a Conditional Use Permit CUP 07-19 for a commercial lavender cultivation operation on 2.5 acres of the project site consisting of in early 2020. 14 of the Zoning Code. It appears that the lavender farm was activated with signs of growing, but there has not been a lot of recent agricultural activity on the site that staff could see.

## **FINDINGS AND CONDITIONS**

Attachment A of this staff report consists of Planning Commission Resolution PC 001-23 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 02-23 (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    A-Planning Commission Resolution of Approval  
                      B- Letters from the public including agencies  
                      C-Track Changes to Initial Study/Mitigated Negative Declaration  
                      D-Final Initial Study/Mitigated Negative Declaration (available upon request of City staff)

**Exhibit A – Planning Commission Resolution**

**RESOLUTION PC001-23**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ISLETON RECOMMENDING APPROVAL TO THE CITY COUNCIL OF  
CONDITIONAL USE PERMIT CUP 01-23  
FOR AN RECREATIONAL VEHICLE PARK ON 13.73 ACRES**

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

**WHEREAS**, on October 21, 2022, Sandeep Lidder (“Applicant”) submitted a planning application to the City of Isleton for Conditional Use Permit CUP 01-23, for construction and operation of a 121 space Recreational Vehicle (RV) park with related improvements consisting of a lodge, and 14 small home rental cabins on 13.73 acres at 301, 401, 501 Jackson Slough Rd Street, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 (“Project”); and

**WHEREAS**, the Project application was submitted in accordance with the Article 14 of the Zoning Code, based on an interpretation of allowing RV parks in residential zones with a conditional use permit made by the Planning Commission and the City Council in 2020; and

**WHEREAS**, in accordance with Section 1407 of the Zoning Code, the Planning Commission finds that the proposed project, under this conditional use permit and subject to conditions of approval, is consistent with the following:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- b. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
- b. That the proposed use will comply with each of the applicable provisions of this ordinance; and

**WHEREAS**, A duly noticed public hearing to consider the project was advertised for February 8, 2023; 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 conditional use permit (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 February 15, 2023, including the Mitigated Negative Declaration; and

**WHEREAS**, on February 21, 2023, the Planning Commission meeting was cancelled due to a power outage in Isleton, so the public hearing on this matter was continued to the next regular meeting of the Planning Commission on March 7, 2023; and

**WHEREAS**, on March 7, 2023, the Planning Commission meeting conducted a continued public hearing on this Conditional Use Permit CUP 01-23.

**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 Conditional Use Permit CUP 01-23 for the project based on the findings made below and subject to the Conditions of approval: Sandeep Lidder Conditional Use Permit CUP 01-23, located at 301, 401, 501 Jackson Slough Rd, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 subject to the following Conditions of Approval:

**Planning Commission Recommended Conditions of Approval for Conditional Use Permit CUP 01-23**

**A. GENERAL CONDITIONS OF APPROVAL:**

1. This approval shall be for two (2) years and shall expire on **(to be filled in later: *two years from final City Council Approval*)**, unless the project has been effectuated (i.e., a building permit has been issued) or the applicant requests a time extension that is approved by the Planning Commission pursuant to the Zoning Code.
2. Prior to the issuance of grading and/or building permits, the applicant shall secure approval of Site Plan Review approval in accordance with the Zoning Code. The Site Plan Review Application plans shall be substantially consistent with the site plan lay-out under this conditional use permit, but will include more details, such as the architecture and design of all permanent structures, exterior lighting, fencing, garden and retaining wall, other walls, signs, trash enclosures, dump station, propane gas dispensary, equipment and storage yards, and landscaping.
3. The Project is approved as a Transient Occupancy Use as defined in Chapter 3.16 et. seq. of the City's Municipal Code and shall be subject to the City's Transient Occupancy Tax. As a Transient Occupancy Use, tenants shall not occupy the RV sites or lodging quarters for a duration exceeding sixty (60) consecutive days. Within each of the RV sites no permanent structures shall be constructed, including, but not limited to decks, storage buildings, awnings, etc, unless first approved by the City (and the California Department of Housing and Community Development if applicable).
4. Recurring noise violations as defined under Chapter 6.44 of the Isleton Municipal Code shall be grounds for revocation of this use permit by the determination of the Planning Commission.
5. Campfires shall not be permitted due to air quality impacts and nuisances to surrounding residents. However, some barbecues, and gas appliances, may be used as approved by the City Manager, subject to prior approval by the Sacramento County Metropolitan Air Quality Management District.
6. The applicant shall file a Notice of Determination, including payment of associated fees, in the office of the County Clerk within (5) days after the final approval date of the project by the City Council. The applicant shall provide a copy of the notice to the City.
7. The applicant agrees to defend, indemnify, and hold harmless the City in any action or proceeding brought against the City to void or annul this discretionary land use approval.
8. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.



## **B. OTHER AGENCY APPROVALS:**

1. The applicant shall submit an application with the State Housing and Community Development Department (HCD) for review and approval of building, electrical, plumbing, and mechanical permits for the project.
2. As outlined in the January 4, 2023, letter from the Central Valley Regional Water Quality Control Board (CVRWQCB), all permits and/or clearances shall be obtained and disclosed to the prior to City issuance of any grading and/or building permit.
3. As outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC), all recommended measures shall be taken regarding studies, review, possible remediation, of on-site and off-site soils used by the project. Clearances, if required by the CDTSC shall be secured and disclosed to the prior to City issuance of any grading and/or building permit.
4. School Impact Fees shall be collected at the time of building permit issuance for the project for the manager's quarters and any permanent housing developed within the project.
5. The applicant shall secure clearances from Sacramento County Environmental Health Division permits relevant to the project, including, but not limited to any commercial food facilities, such as prepared food, retail sales of food, maintenance storage of materials and/or hazardous materials/wastes.
6. Prior to issuance of a grading or building permit, clearances for off-site drainage from the project may be required by the City Engineer from the Brannan Andrus Levee Maintenance District and Reclamation Districts 407 and 556.
7. Prior to issuance of a grading or building permit, water connection clearances shall be obtained from Cal American Water Company's municipal water system and submit to the City Engineer evidence that all clearances have been obtained.
8. If the project involves development of a septic system for collection and disposal of sewer, prior to issuance of a grading or building permit, an engineered septic system design plan shall be submitted for review and approval by the Sacramento County Health Division and the City Engineer. The collection and disposal system shall be constructed in accordance with the approved design plans and shall demonstrate proper function prior to issuance of a certificate of occupancy for the project.
9. No amplified music and/or voice shall be allowed on the project site (Also is Mitigation Measure NOI-6.
10. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.
11. Conditional Use Permit CUP 07-19 for a commercial lavender cultivation operation on 2.5 acres on this project site shall become null and void upon activation of this Conditional Use Permit CUP 01-23.

## **C. PRIOR TO ISSUANCE OF A GRADING PERMIT, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

1. The applicant shall submit to the City Engineer for review and approval, drainage plans and hydrologic and hydraulic calculations All construction building pad will be required to comply with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection.

2. The applicant shall submit to the City for review and approval, an improvements and grading plan prepared by a Registered Civil Engineer licensed by the State of California; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with City improvement Standards.
3. The applicant shall submit to the City for review and approval two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, and the City Engineer.
4. If any retaining walls or other wall structures equal to or greater than four feet in height (from the base of the footing to the top of the wall) are identified on the grading/improvement plans, the applicant shall:
  - a. Place a note on the grading/improvement plans stating that any walls equal to or greater than four feet in height will require a Building Permit prior to being constructed.
  - b. Submit design calculations for the wall(s) for review and acceptance.
  - c. If the proposed wall(s) are to be constructed against a cut slope, in a manner of which will not meet minimum OSHA requirements, submit:
    1. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer identifying a temporary shoring plan and how the cut slopes for the walls will be protected from the weather during construction.
    2. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer stating that a copy of the required OSHA Permit will be supplied to the City prior to any excavation on the site and that a qualified OSHA Approved inspector or Professional Civil Engineer will:
      - a. be onsite during excavation and construction of the retaining walls;
      - b. be onsite at least once a day during inclement weather; and
      - c. will submit daily reports to the City.
5. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge identification number, issued by the state, to the City Engineer (also refer to Mitigation Measure HY/WQ-1).
6. Measures shall be implemented for site design, source control, runoff reduction, and storm water treatment (also see Mitigation Measure HY-/WQ-2)
7. A detailed grading, permanent erosion control plan shall be submitted for review and approval by the City Engineer prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans (also see Mitigation Measures HY-/WQ-2).
8. If the project involves connection to the City's public sewer system, the applicant shall submit sewer calculations for review and approval by the City Engineer for the proposed development and any calculations necessary to verify the existing sewer system's ability to carry the additional flow created by the development.

9. All lots within the project site shall be merged so there are not conflicts with buildings, circulation, and parking between parcels. This shall require submittal to the City for review and approval of a lot line adjustment or parcel merger and recording of this merging verified with the City Engineer.

*This Condition was omitted by Planning Commission*

**OPTIONAL CONDITION (based on Planning Commission determination):**

*10. A minimum six 6 foot tall solid concrete/block wall shall be installed along the perimeter of the site, where it adjoins residential development to reduce noise and potential nuisance impacts from activities in the RV Park. Also, a solid fence shall be installed along the northwesterly side of the project site to minimize agricultural impacts on RV Park uses, such as pesticide spraying. Details of these features shall be included with the Site Plan Review application (subject to Planning Commission approval). Wall/fencing plans shall be included in the project building plans and installed in accordance with the approved plans prior to occupancy of the park.*

**D. PRIOR TO INITIATING GRADING AND/OR CONSTRUCTION OF THE SITE IMPROVEMENTS, THE DEVELOPER SHALL INITIATE THE FOLLOWING:**

1. That prior to any work being conducted within City right-of-way, an encroachment permit shall be secured from the City.
2. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify the City Engineer of the intent to begin grading operations. Prior to notification, all grade stakes shall be in place identifying limits of all cut and fill activities. After notification, the City Engineer shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.
3. Submit for review and approval by the Fire Department, a Fire Safety Plan.

**E. DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:**

1. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the solid and/or geologic investigation report, or were such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
2. No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of as approved by the City Engineer. Any soil removed and disposed of from the site, or soil imported to the site shall be subject to clearances as outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC).
3. The contractor shall comply with all Occupational Safety & Health Administration (OSHA) requirements. For any public work, the contractor shall comply with all Department of Industrial Relations (DIR) requirements including complying with prevailing wage requirements.

**F. PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND EXONERATION OF BONDS, OR OTHER FORM OF SECURIW, THE FOLLOWING**

#### **CONDITIONS SHALL BE SATISFIED:**

1. A Warranty and Guarantee security guaranteeing the public improvements for a period of one year in the amount of 10% of the total improvement costs.
2. The applicant shall offer to dedicate to the City for public use, all the public streets right-of-way or easements necessary to install, maintain, and re-install all public improvements described on the improvements and grading plans, if any. All offers of dedication must be recorded and a copy provided to the City Engineer.
3. The applicant shall sign and record a covenant and agreement to ensure that the onsite storm water facilities will be maintained by the property owner(s).
4. The applicant shall submit "As-built" plans, signed by the Engineer of Record, to the City Engineer on Mylar and a CD with an AutoCAD (or equivalent) drawing of the public improvements.
5. Submit a final report prepared by the soils engineer, in accordance with the California Building Code, to the City Engineer.
6. The grading contractor shall submit a statement of conformance to the as-built plans and specifications. Statement must meet intent of the California Building Code. An example follows: "As the grading contractor, I confirm that all improvements were constructed as shown on these improvement plans. Include the signature, company, and date.

#### **G. PRIOR TO THE CITY ISSUING A CERTIFICATE OF OCCUPANCY:**

1. All site improvements shall be completed in accordance with the improvements and grading plans as determined by the City Engineer, Building Official and Fire Chief.
2. All directional signage shall be installed in accordance with the approved traffic directional sign plan.

#### **H. MITIGATION MEASURES (Refer to CEQA Initial Study/Mitigated Negative Declaration on file with the City):**

##### *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.

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.

#### *BIOLOGICAL RESOURCES:*

BIO-1 Grubbing, grading, or other soil/vegetation disturbance within 250 feet of the Himalayan blackberry brambles will not occur during the tricolored blackbird nesting season (March 15 through July 30). All project soil/vegetation disturbance will occur between August 1 and March 14 to the extent feasible. Alternatively, if project-related soil/vegetation disturbance is scheduled to occur between March 15 and July 30, surveys will be conducted for prospecting or nesting tricolored blackbird colonies in all potentially suitable nesting habitats that are within and out to 250 feet from the project boundaries. The surveys will be conducted by a qualified biologist during the season immediately preceding initiation of the proposed project. The surveys will be conducted according to the following schedule: a total of two visits during March 15 to July 30 with at least one month between survey visits. If nesting colonies are found prior to initiation of project soil/vegetation disturbance in the year of the survey, a no work exclusion zone will be established within 250 feet of each active nesting colony until a qualified biologist determines that the young-of-the-year are no longer reliant upon the nest site.

Alternatively, the project applicant may retain a qualified biologist to conduct daily monitoring of any active nesting colonies that are within 250 feet or less from project soil/vegetation disturbance to determine if the individuals are exhibiting any behaviors that would suggest that nest failure could occur. If the qualified biologist determines that disturbance is sufficient to cause nest failure, all activities within 250 feet of the nesting colony will be terminated until the young-of-the-year are no longer reliant upon the nest.

BIO-2 To compensate for the loss of known nesting habitat for tricolored blackbird on the project site, the project applicant will plant Himalayan blackberry at a minimum 2:1 compensation ratio. The compensation stands of Himalayan blackberry will be sited on the nearest suitable land to which the project applicant has access or on nearby alternative land on which the project applicant has acquired a conservation easement acceptable to the CDFW. Compensation sites will be chosen to avoid any loss of existing natural wetland communities. Annual monitoring of the compensation stands will be conducted to determine if tricolored blackbirds are utilizing the compensation habitat. If no evidence of utilization has been found after five years of monitoring, the project applicant will be required to plant additional Himalayan blackberry at a minimum 1:1 compensation ratio on other lands where there is no active episodic human disturbance that would preclude tricolored blackbirds from settling and nesting in the compensation habitat.

BIO-3 If construction activities occur during the bird nesting season (February 1 – August 31), preconstruction nesting bird surveys (2 visits at least 1 week apart) will be conducted by a qualified biologist within the 14 days prior to construction to detect the presence of any nesting birds within or adjacent to the proposed project (within 200 feet of the project site). If construction/maintenance activities occur during the non-breeding season for birds (September 1 – January 31), preconstruction surveys will not be required. If the preconstruction nesting bird surveys detect

actively nesting birds, the results of the surveys shall be submitted to the CDFW within three days of completing the surveys. If any active nests of loggerhead shrike, song sparrow, or other nesting birds afforded protection under California Fish and Game Code § 3503 are found onsite, the applicant will avoid initiating any construction activities within less than 200 feet from each nest until nesting has been completed and the young are no longer reliant upon the nest as determined by a qualified biologist.

BIO-4 Preconstruction surveys for nesting Swainson's hawk, white-tailed kite, and other raptors will be conducted consistent with the Biological Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994) if construction is initiated between March 1 and September 15. If an active Swainson's hawk, white-tailed kite, or other raptor nest is detected during preconstruction surveys, a no-disturbance buffer zone of 500 feet will be implemented during the nesting season (March 1 to September 15) or until August 15 if Management Authorization is provided by the CDFW (2000). Furthermore, a nest monitoring plan will be developed and implemented for all active nests within 500 feet. If monitoring demonstrates that nesting individuals are being adversely affected, the no-disturbance zone will be increased in 100-foot increments until all adverse effects are eliminated. No mitigation is required if the proposed project is constructed/initiated during the non-nesting season for Swainson's hawk, white-tailed kite, or other raptors (i.e., September 16 to February 28).

#### *CULTURAL RESOURCES:*

CUL-1 Prior to the start of construction, the Meadows of Isleton shall hold a pre-grading meeting with contractors. A Project Archaeologist (identified by the City) shall attend the pre-grading meeting with contractors to conduct a Cultural Resources Worker Sensitivity Training for all construction personnel working on the proposed Project. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated, and any other appropriate protocols. The City shall also be notified of this training so City staff can attend and/or monitor this training.

CUL-2 If prehistoric or historic-period archaeological deposits are discovered during Project activities, all work within 25 feet of the discovery should be redirected and the archaeologist should assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits should be avoided by Project activities, but if such impacts cannot be avoided, the deposits should be evaluated for their California Register eligibility. If the deposits are not California Register-eligible, no further protection of the finds is necessary. If the deposits are California Register-eligible, they should be protected from Project-related impacts, or such impacts should be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.

CUL-3 Should paleontological resources be identified on the Project site during any ground disturbing activities related to the Project, all ground disturbing activities within 100 feet of the discovery shall cease and the City of Isleton shall be notified within 24 hours of the discovery. The Project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, Project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

CUL-4 Any human remains encountered during Project ground-disturbing activities should be treated in accordance with California Health and Safety Code Section 7050.5. The lead agency should inform its contractor(s) of the

sensitivity of the Direct Area of Potential Effect for human remains and verify that the following directive has been included in the appropriate contract documents:

If human remains are encountered during Project activities, the Project shall comply with the requirements of California Health and Safety Code Section 7050.5. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the county coroner has determined the manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel/ construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

#### *GEOLOGICAL RESOURCES:*

GEO- 1 The project shall adhere to all recommendations and treatments contain in the Geotechnical Engineering Report prepared by Mid Pacific Engineering, Inc. included as Appendix E. in this ISMND.

GEO-2 Prior to site plan approval, a preliminary soils report shall be submitted to the City, prepared by a California licensed civil engineer. The report shall include evaluation of adequate test borings. Additional measures may be added by the City to mitigate potential geologic/soil conditions on the site to accommodate development. If the report indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation may be required by the City Engineer. Such soils investigation shall be done by a California licensed civil engineer, who shall recommend the corrective actions which will prevent structural damage to any structure proposed to be constructed in the area where such soils problem exists.

GEO-3 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-4 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-5 The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

#### *HYDROLOGIC AND WATER QUALITY:*

HY/WQ-1 Prior to the issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the City of Isleton. This plan shall demonstrate the drainage basin has capacity to accommodate any additional increase in peak runoff from the project beyond what is existing and that any increase of runoff off the site is approved by agencies that control regional drainage.

HY/WQ-2 Prior to the issuance of a grading permit, a detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Planning/Engineering Division prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans.

*NOISE EXPOSURE:*

NOI-1 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

NOI-2 All stationary construction equipment shall be placed so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NOI-3 As applicable, all equipment shall be shut off when not in use.

NOI-4 To the degree possible, equipment staging shall be located in areas that create the greatest distance between construction-related noise and vibration sources and sensitive receptors surrounding the project site.

NOI-5 Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be directed away from existing residences east of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They shall reach up from the ground and block the line of sight between equipment and the nearest off-site residences. The shielding shall be without holes and cracks.

NOI-6 No amplified music and/or voice shall be allowed on the project site.

NOI-7 Haul truck deliveries shall not occur outside of the hours presented as exempt for construction per City's Municipal Code Section 6.44.010.

NOI-8 The use of a vibratory roller within 20 feet and large bulldozer within 12 feet of the existing residential structures to the north and south of the project site shall be limited to avoid significant impacts.



**Exhibit B – Written Comments from the Public (including agencies)**

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

| <b>Commenting Agency or Entity</b>  | <b>Date</b>     | <b>Summary of Comments</b>  | <b>City Response</b>   |
|---|-----------------|---|--|
| <i>Public Agency Comments<br/>California State Agencies</i>   |                 |   |  |
| Letter from Peter G. Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board   | January 4, 2023 | 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. Refer to some minor clarifying changes to Hydrology and Water Quality Section of this Initial Study (made in track changes). A condition of approval for the Conditional Use Permit for this project was referenced here. |
| Letter from Gavin Mc Creary, Project Manager, Site Evaluation and Remediation Unit, Site Mitigation and Restoration Program, Department of Toxic Substances Control | January 6, 2023 | This letter indicates that the project site has experienced previous agricultural uses that may have resulted in soil contamination that could impact the project. The letter recommends testing and possible remediation of any contaminated soils referencing a number of measures. | Soil testing and possible remediation will be conducted for the project as noted in this letter. Refer to clarifying changes to the Hazards and Hazardous Materials Section of this Initial study (made in track changes). A condition of approval for the Conditional Use Permit for this project was referenced here.              |
| <i>Public Agency Comments<br/>River Delta Unified School District</i>   |                 |   |  |
| Letter from Tammy Busch, Assistant Superintendent of Business Services, River Delta Unified School District   | January 2, 2023 | Notes concerns with potential impacts to School District, specifically with potential students living at RV Park and attending school.  | E-mail follow up by staff addressing concerns.   |
| Stacy L. Toledo, Parker & Covert LLP, Attorney for  | January 4, 2023 | Notes further concerns with potential impacts to School District, including students living at RV   | E-mail follow up by staff addressing concerns and also addressed in  |

|  |                   |  |   |
|--|-------------------|--|---|
| River Delta Unified School District  |                   | Park and attending school and traffic impacts from project construction and RV travel.   | Population and Housing and Public Services Sections of this Initial Study (made in tract changes). Two added Conditions of Approval were added to the Conditional Use Permit regarding transient occupancy and payment of school fees.            |
| Letter from Tammy Busch, Assistant Superintendent of Business Services, River Delta Unified School District      | January 19, 2023  | Responds to staff email follow up addressing concerns and satisfied with response.   | Please see Population and Housing and Public Services Sections of this Initial Study (made in tract changes). Two added Conditions of Approval were added to the Conditional Use Permit regarding transient occupancy and payment of school fees. |
| Further discussion with Stacy L. Toledo, , Parker & Covert LLP, Attorney for River Delta Unified School District | February 15, 2023 | Applicant requested a larger timeline of 90 days transient occupancy for the project. By phone call, Ms. Toledo indicated that no more than 60 days would be acceptable to the District. The District plans on submitting further written correspondence to the City to confirm their concurrence. | The staff recommended conditions of approval for the project reflect an extended transient occupancy of 60 days.  |
| Letter from Tammy Busch, Assistant Superintendent of Business Services, River Delta Unified School District      | February 21, 2023 | District confirms acceptance of 60 day transient occupancy time limit. Noted that the directional sign program for improving traffic conditions be addressed.  | Email response from staff on February 21, 2023, indicates new condition of approval for the Conditional Use Permit will be added regarding directional sign program.  |



## Central Valley Regional Water Quality Control Board

4 January 2023

Charles Bergson  
City of Isleton  
101 2nd Street  
Isleton, CA 95641  
[cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)



### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, MEADOWS OF ISLETON PROJECT, SCH#2022120111, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 6 December 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 Meadows Of Isleton 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

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

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/](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](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](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.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 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/](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/](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](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](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](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_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/>

Meadows Of Isleton Project  
Sacramento County

- 5 -

4 January 2023

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

*Peter Minkel*

Peter Minkel  
Engineering Geologist

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



*Letter dated January 6, 2023 from Gavin McCreary, Project Manager, DTSC.*



**Yane Garcia**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Meredith Williams, Ph.D.  
Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

January 6, 2023

Ms. Yvonne Zepeda  
City Clerk  
City of Isleton  
101 2nd Street  
Isleton, CA 95641  
[Yvonne.Zepeda@cityofisleton.com](mailto:Yvonne.Zepeda@cityofisleton.com)



MITIGATED NEGATIVE DECLARATION FOR MEADOWS OF ISLETON – DATED  
NOVEMBER 2022 (STATE CLEARINGHOUSE NUMBER: 2022120111)

Dear Ms. Zepeda:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Meadows of Isleton (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the MND:

1. A State of California environmental regulatory agency such as DTSC, a Regional Water Quality Control Board (RWQCB), or a local agency that meets the requirements of [Health and Safety Code section 101480](#) should provide regulatory concurrence that the project site is safe for construction and the proposed use.
2. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate

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Ms. Yvonne Zepeda  
January 6, 2023  
Page 2

any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

3. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 [Information Advisory Clean Imported Fill Material](#).
4. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 [Interim Guidance for Sampling Agricultural Properties \(Third Revision\)](#).

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please visit DTSC's [Site Mitigation and Restoration Program](#) page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at [DTSC's Brownfield website](#).

If you have any questions, please contact me at (916) 255-3710 or via email at [Gavin.McCreary@dtsc.ca.gov](mailto:Gavin.McCreary@dtsc.ca.gov).

Sincerely,



Gavin McCreary  
Project Manager  
Site Evaluation and Remediation Unit  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research  
State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Mr. Dave Kereazis  
Office of Planning & Environmental Analysis  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)



## RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street  
Rio Vista, California 94571-1651  
(707) 374-1700 Fax (707) 374-2995  
<http://riverdelta.org>

January 2, 2023

Yvonne Zepeda  
Deputy City Clerk  
City of Isleton  
101 Second Street  
Isleton, CA 95641

**Superintendent**

Richard Herron

**Chief Business Officer**

Samya Kile

**Director, Educational Services Office**

**Board of Trustees**

Alicia Fernandez

President

Bill Schwan

Vice President

Sarah Doreilly

Clerk

Katy Maghoney

Member

Marlynn Riley

Member

Starr Rooney

Clerk

David Bettencourt

Member

Re: Proposed Mitigated Negative Declaration for Meadows of Isleton

Dear Ms. Zepeda:

Thank you for the opportunity to comment on the proposed Mitigated Negative Declaration (the "MND") for the Meadows of Isleton (the "Project"). The District values the ongoing and cooperative relationship between our two public agencies.

The District is concerned and seeks clarification about whether the Project will generate students to attend District schools.

Based on our initial review of the MND, it is the District's understanding that the Project is a recreational vehicle ("RV") park resort for temporary recreational use and not for permanent or long-term residential housing. Under the heading "Population and Housing" in the MND at page 69, we note the following statement describing the Project: "The RV park project with its *transient occupancies of less than 30 days* is not anticipated to cause unplanned population growth in the area, either directly or indirectly." (*emphasis added*) Is it a correct understanding that the users of the Project will occupy the Project only on a short-term basis, limited to less than 30 days, and not on a permanent long-term basis?

Additionally, what assurances can the City provide to the District that the Project will be implemented for use only on a temporary basis for recreation and not for long-term residential housing? The District is interested to know if there will be limitations on the Project such that users can only use the Project on a short-term basis. The District would also like to know if there are any restrictions on the Project, prohibiting it from being converted to permanent residential housing in the future.

The District will provide formal written comments, if any, on the MND by the deadline of January 4, 2023. We appreciate any information you can provide that will assist the District in providing a thoughtful response to the MND.

Bates School  
Clarksburg Middle

Isleton School  
Riverview Middle

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Walnut Grove School

D. H. White Elementary

River Delta High/Elementary School

Delta Elementary Charter School

Delta High School

Rio Vista High School

River Delta Community Day School

Wind River School  
Mokelumne High School

Respectfully,

Tammy Busch

Assistant Superintendent of Business Services

*Creating Excellence To Ensure That All Students Learn*

Bates School  
Clarksburg Middle

Isleton School  
Riverview Middle

Walnut Grove School  
D.H. White Elementary  
River Delta High/Elementary School  
Delta Elementary Charter School

Delta High School  
Rio Vista High School  
River Delta Community Day School

Wind River School  
Mokelumne High School

**Letter dated January 4, 2023 from Stacey Toledo, Legal representative for River Delta Unified School District.**



**Stacy L. Toledo**  
stoledo@parkercovert.com

**Sacramento**

January 4, 2023

**TUSTIN**  
17862 East Seventeenth Street  
Suite 204 • East Building  
Tustin, CA 92780-2164  
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www.parkercovert.com

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Ref Our File No.:  
RVRDELUSD 45

**VIA E-MAIL ONLY**

Yvonne Zepeda  
Deputy City Clerk  
City of Isleton  
101 Second Street  
Isleton, CA 95641  
yvonne.zepeda@cityofisleton.com

**Re: Comments to Proposed Mitigated Negative Declaration for Meadows of Isleton**

Dear Ms. Zepeda:

Our office represents the River Delta Unified School District (the "District"). On behalf of the District, we are submitting the comments set forth herein relating to the proposed Mitigated Negative Declaration for the Meadows of Isleton project.

It is our understanding the District received a copy of the "Notice of Intent to Issue a Mitigated Negative Declaration" in connection with a proposed recreational vehicle ("RV") park (the "Project"), dated December 7, 2022. The District separately sent correspondence to you, dated January 2, 2023, seeking clarification on whether the Project would provide permanent or long-term housing, resulting in generation of students to be served by the District. We understand that it is the District's goal to work collaboratively with the City and Project developers to resolve any concerns about the Project raised herein and to ensure that the Isleton community as a whole benefits from the development of this Project.

**School Facilities to Accommodate New Students Generated by the Project**

As mentioned in the District's prior January 2, 2023 letter, it is the District's understanding after its review of the MND, that the Project is a recreational vehicle ("RV") park for temporary use and not for residential housing. Under the headings "Land Use and Planning" and "Population and Housing" in the MND, the District notes that the property where the Project will be located is zoned for "R-MH Multi-family residential, Mobile Home" and "R-1-7 Single-family residential."

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## **PARKER & COVERT LLP**

Yvonne Zepeda  
January 4, 2023  
Page 2

The District further understands that RV parks and camp sites are not mentioned in the City's Zoning Code with respect to R-MH and R-1-7, and as a result, an application has been submitted to the City for a Conditional Use Permit to allow for RV and camping use within the specified zoning districts identified for the Project.

The District further notes that the MND states, under the "Population and Housing" heading, "The RV park project with its transient occupancies of less than 30 days is not anticipated to cause unplanned population growth in the area, either directly or indirectly."

Nevertheless, the District is concerned the MND does not adequately address and mitigate the need for interim and/or permanent school facilities as a result of students generated by the Project. In particular, the District is concerned that the Project could allow for residential occupancy now or in the future, based, in part, on the residential zoning districts for the Project. If this were to occur, there could be substantial impacts on the District's schools resulting from enrollment growth at its Isleton Elementary School and elsewhere in the District.

The District appreciates any opportunity to work with the City and the developer of the Project to address this concern, mitigate the impacts of the Project on the District, and to address funding challenges as necessary.

### **Transportation for New Students Generated by the Project**

In addition to school facilities needed to accommodate new students generated by the Project, the District is concerned about increases in bussing and changes in bussing and other traffic patterns in order to accommodate new students. The MND does not adequately address and mitigate transportation needs and traffic pattern issues that may arise as a result of an increase in students attending District schools serving the Isleton community generated by the Project.

### **Safe Routes to Schools for Students Attending Isleton Schools**

The MND, in particular under the heading "Transportation," discusses increases and changes in traffic during construction of the Project and by users of the Project once completed. The District is concerned about the safety of its students commuting to and from schools, especially on narrow roads, along the Sacramento River, with big heavy construction vehicles and equipment and RVs. The District believes the MND fails to consider the impacts of construction and operation of the Project on student safety while commuting to and from District schools.

Thank you for the opportunity for the District to provide comments on the proposed Project and its impacts on the District, its schools, and its students, faculty, and staff. The District looks forward to working cooperatively with the City and the Project applicant to continue to provide high quality public education for all students residing within the Isleton community.

**PARKER & COVERT LLP**

Yvonne Zepeda  
January 4, 2023  
Page 3

After you have had an opportunity to review this letter, please do not hesitate to contact me or Tammy Busch, Assistant Superintendent of Business Services of the District, with any follow up questions you may have.

Very truly yours,



Stacy L. Toledo  
for Parker & Covert LLP

cc: Tammy Busch, River Delta USD

Email Response to Stacy Toledo, School District:

From: Gary Price

Sent: Monday, January 9, 2023 2:33 PM

To: [stoledo@parkercovert.com](mailto:stoledo@parkercovert.com)

Cc: Charles Bergson - City of Isleton ([cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)) <[cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)>; [tbusch@rdusd.org](mailto:tbusch@rdusd.org)

Subject: Response to Comments to Proposed Mitigated Negative Declaration for Meadows of Isleton

***This email is being transmitted from Gary Price, Contract Planner, as prepared and authorized by Isleton City Manager, Charles Bergson.***

Dear Ms. Toledo:

Thank you for your letter of January 4, 2023, expressing concerns on behalf of the River Delta Unified School District (District) regarding the City's November, 2022, Draft Initial Study/Proposed Mitigated Negative Declaration (ISMND) for the proposed Meadows of Isleton RV Resort in Isleton, CA. In addition, the City also received a letter from Tammy Busch, Assistant Superintendent of Business Services, from the District on January 2, 2023 (see attached). Gary Price, the City's Contract Planner, responded to Ms. Busch's letter by email on January 4, 2023, per the attached email. Ms. Busch's letter references concerns with the potential impacts to the District from students that could be living at the Meadow's RV Park and potentially attending District schools. Your letter further describes these impacts and also adds some additional concerns regarding the potential safety impacts from traffic impacts from project construction and RVs and construction vehicles traveling through "narrow roads along the Sacramento River". In addition to responding to your letter this email further responds to Ms. Busch's letter.

The City would like to address these concerns through these responses as follows:

1. *Potential Impacts to School Facilities to Accommodate New Students Generated by the Project:* For clarification, the project is a recreational vehicle park and all occupants, except for the manager, will be limited to occupancy for not more than 30 days. As transient occupants, the City does not see any of them enrolling students or using any public school services. As part of the Conditional Use Permit, the City will add a condition of approval that restricts all occupants to transient limited to occupancy of not more than 30 days. The City does not anticipate that the project will generate any significant adverse impacts on the District from the project. The City ensures that this provision of its Municipal Code will be enforced. The Final ISMND will include further discussion of this and the District's concerns in Population and Housing Section.
2. *Potential Impacts to Students from Project Construction Transportation Generated by the Project:* Ruling out that the project will not result in significant impacts from new students generated from the project as described in No. 1 above, the Project Traffic Engineer prepared a response that indicates project construction will not result in a significant adverse traffic impacts on students or the general public. See email response below from Licensed Traffic Engineer, Giancarlo Ganddini, PE, PTP. The City will include the recommended condition from Mr. Ganddini, for traffic control as part of the Conditional Use Permit. This is a standard condition of the project building permit. The Final ISMND Transportation section will include this comment and how the City has addressed it.
3. *Potential Impacts Project Traffic Impacts to Safe Routes to Schools for Students Attending Isleton Schools:* This comment seems to suggest that the project may result in a significant adverse impact to the safety of its "students commuting to and from schools, especially on narrow roads, along the Sacramento River, with big heavy construction vehicles and equipment and RVs". As with other older towns throughout California and the nation, RVs, trucks, trailers, and other large vehicles regularly travel on public roads and highways along the Sacramento River that are maintained by Federal, State, and local governments. As noted in the Transportation Section of the ISMND and



based on the traffic impact report by Licensed Traffic Engineer, Giancarlo Ganddini, PE, PTP, the City concurs that the project will not generate significant adverse transportation impacts regarding increased hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. As referenced below, the project will include installation of several signs throughout the City to direct RVs, trailers and other travelers to the location of the RV park which is expected to reduce travels by these vehicles through the City by providing more direct routes by the traveling public. Although not considered a mitigation measure for the project, the City will include a condition of approval in the Conditional Use Permit for this project to require installation of these types of signs at locations in the City. For the purposes of clarity, the Final ISMND will be revised to include comments from the District and how the City has addressed them in the Transportation section of the document.

#### DIRECTIONAL SIGN EXAMPLES



The City anticipates receiving a number of comments from other agencies with regard to the circulation of this ISMND. After the closing of the public comment period of the ISMND (January 9, 2023), the City will update the ISMND to reflect all agency and public comments received and will provide opportunity for further comment. As noted above, this includes revisions to address yours and the District's previous comments. City staff soon after will circulate the revised MND to the District (and you) at least 10 days before the Planning Commission meeting on the Conditional Use Permit. The City will send public hearing notices and all relevant staff reports/resolutions to the District for Planning Commission and City Council regarding the Conditional Use Permit. We will continue to welcome participation in this public review of the ISMND and the project, including receiving further written comments from you and/or the District, and attending the public meetings to represent your concerns.

After receiving this email, we would appreciate a response from you and/or the District as to these responses to comments within 10 days or by January 19, 2023. We also welcome the opportunity to meet with you and/or District representatives concerning any further concerns you all have regarding this project. For any technical questions you have regarding how the City is proceeding with this process, please contact our contract planner, Gary Price, at (530) 530) 272-6434 or at [gary@plannerprice.com](mailto:gary@plannerprice.com). Otherwise, please feel free to contact me directly at (916) 777-7770 or at [cbergson@cityofsleton.com](mailto:cbergson@cityofsleton.com).

Sincerely,

Charles Bergson,  
City Manager

Sent: Thursday, January 5, 2023 12:00 PM

To: Ethan E. Mobley <[ethan@dynamicplanning.co](mailto:ethan@dynamicplanning.co)>



Cc: The Meadows <[info@themeadowsatisleton.com](mailto:info@themeadowsatisleton.com)>

Subject: RE: On Behalf of River Delta Unified School District - Comment Letter Re: Meadows of Isleton Project

Ethan,

Construction traffic would presumably be minimal, especially considering the extent of site improvements necessary for this type of project, and temporary. Most public works/engineering departments will usually require a condition for construction traffic management, which is provided by the construction contractor once selected. Our full TIA's usually include a statement along the lines of "the project shall comply with the following conditions as part of the City's standard development review process:

A construction work site traffic control plan that complies with State standards set forth in the California Manual of Uniform Traffic Control Devices shall be submitted for review and approval by the City Engineer prior to the issuance of a grading permit or start of construction. The plan shall identify any roadway, sidewalk, bike route, or bus stop closures and detours as well as haul routes and hours of operation. All construction related trips shall be restricted to off-peak hours to the extent possible."

Regarding operational impacts to student commuter safety, a response could include the following points:

- Per Transportation Study, the volume of traffic generated by the project is expected to be minimal and would not exceed the threshold requiring further analysis per County guidelines.
- Per Transportation Study, the project would not decrease public safety since on-site and site access improvements shall be constructed in accordance with City of Isleton design standards nor does the project propose changes to off-site transportation systems.
- The Transportation Study did review safety-related issues such as sight distance and the need for turning lanes at the project access.
- Based on the minimal project trip generation, there is insufficient nexus for the project to be responsible for addressing other possible off-site existing deficiencies.

Giancarlo Ganddini, PE, PTP  
Principal

GANDDINI GROUP, INC.  
555 Parkcenter Drive, Suite 225  
Santa Ana, CA 92705  
o. 714 795 3100 x 101  
c. 949 735 9314  
[ganddini.com](http://ganddini.com)



## RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street  
Rio Vista, California 94571-1651  
(707) 374-1700 Fax (707) 374-2995  
<http://riverdelta.org>

January 19, 2023

Charles Bergson, P.E.  
City Manager  
City of Isleton  
101 Second Street  
Isleton, CA 95641

Re: Response to City's Comments to Proposed Mitigated Negative Declaration for Meadows of Isleton

Dear Mr. Bergson:

Thank you for your e-mail response, by way of Gary Price, Contract Planner, dated January 9, 2023, to River Delta Unified School District's (the "District") comments concerning the City of Isleton's (the "City") draft proposed Mitigated Negative Declaration ("MND") relating to the Meadows of Isleton project (the "Project"). The District also appreciates the City's January 4, 2023 response to our initial inquiry about the Project. At this time, the District has no further comments on the proposed MND for the Project.

It is the District's understanding, based on the City's correspondence described above, that occupancy at the Project (except for the manager) will be limited to not more than 30 days. As a result of this limitation and the transient nature of the Project, the City does not anticipate that school-aged children occupying the Project will enroll in District schools or otherwise use services provided by the District.

Further, the District acknowledges that the City intends to include as a condition of approval for the Conditional Use Permit for the Project, a restriction on all occupants to transience limited to occupancy of not more than 30 days. The District is appreciative of the City's commitment to enforce this condition to assure the Project will not result in impacts to the District. The District looks forward to receiving additional information on the Conditional Use Permit and hearings before the Planning Commission and City Council.

The District also confirms its understanding that the City does not anticipate any significant impacts to traffic and safety of students due to construction vehicles and/or the recreational vehicles ("RV") using the Project. From the supplemental e-mail from the Traffic Engineer dated January 5, 2022, the District understands that traffic from construction vehicles and equipment will be minimal, especially given the extent of site improvements that are required for the Project. The District appreciates the City's

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|                                    |                           |                                  |                                 |                         |
|------------------------------------|---------------------------|----------------------------------|---------------------------------|-------------------------|
| Bates Elementary School            | Isleton Elementary School | Walnut Grove Elementary School   | Delta High School               | Wind River Adult School |
| Clarksburg Middle School           | Riverview Middle School   | D. H. White Elementary School    | Rio Vista High School           | Mokelumne High School   |
| River Delta High/Elementary School |                           | River Delta Community Day School | Delta Elementary Charter School |                         |

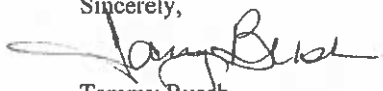
commitment to include, as part of the Conditional Use Permit, a traffic control plan and the installation of signage directing the RVs and other vehicles to the Project by way of more direct routes in order to lessen travel through the City.

If the District has misinterpreted any of the City's responses from its correspondence, please feel free to reach out to me to clarify the City's position. The District looks forward to reviewing any additional documentation for the Project and to continue to participate in the public review process for the Project.

As this Project moves forward, if there are any changes that may impact the District and its students and staff, especially during school hours, please contact the administration as soon as possible so we can make adjustments as necessary.

Thank you again for the opportunity to work cooperatively with the City to bring this new Project to our community.

Sincerely,



Tammy Busch  
Assistant Superintendent, Business Services  
River Delta Unified School District

cc: Gary Price, Price Consulting Services  
Stacy Toledo, Parker & Covert LLP

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|                   |                                    |                                  |                       |                       |
|-------------------|------------------------------------|----------------------------------|-----------------------|-----------------------|
| Bates School      | Isleton School                     | Walnut Grove School              | Delta High School     | Wind River School     |
| Clarksburg Middle | Riverview Middle                   | D.H. White Elementary            | Rio Vista High School | Mokelumne High School |
|                   | River Delta High/Elementary School | River Delta Community Day School |                       |                       |
|                   | Delta Elementary Charter School    |                                  |                       |                       |



## **RIVER DELTA UNIFIED SCHOOL DISTRICT**

**445 Montezuma Street  
Rio Vista, California 94571-1651  
(707) 374-1700 Fax (707) 374-2995**

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February 21, 2023

Yvonne Zepeda  
Deputy City Clerk  
City of Isleton  
101 Second Street  
Isleton, CA 95641

Re: Written Comments to Planning Commission Related to  
Meadows of Isleton Project

Dear Ms. Zepeda and Members of the Planning Commission:

Thank you for the opportunity to comment on the proposed Meadows of Isleton RV park project (the "Project") being considered by the Planning Commission. River Delta Unified School District (the "District") values the ongoing and cooperative relationship between the District and the City of Isleton (the "City").

In a letter to the City, dated January 2, 2023, the District sought clarification about the length of occupancy of users of the Project and whether the Project would generate students who may attend District schools. In a subsequent letter to the City, dated January 4, 2023, the District, through its legal representative, reiterated its concerns about the possibility of students generated from the Project who may use the District's educational services. Additionally, in the January 4 letter, the District raised concerns, about a potential increase in transportation needs and changes in traffic patterns resulting from the Project, as well as potential safety issues resulting from traffic impacts from project construction, construction vehicles, and recreational vehicles.

To address the concerns described above in connection with the City's proposed Mitigated Negative Declaration (the "MND") for the Project, the City agreed to add certain conditions of approval for a Conditional Use Permit for the Project. Specifically, the City agreed to add conditions that occupancy is limited to not more than 30 days, a requirement to implement a traffic control plan, and installation of signage directing vehicles to the Project by way of more direct routes in order to reduce travel through the City.

At this time, the District is satisfied with the City's proposed actions to mitigate the impacts of the Project and address the concerns of the District. The District has reviewed the revised MND and acknowledges that the condition of approval described by the City regarding the limitation on the maximum length of occupancy has been included in the revised MND under the "Population and Housing" and "Public Services" sections, along with a condition to impose school impact fees on the manager's quarters and any other permanent housing developed within the Project. The District further acknowledges, that the City's response to the District's January 2 and January 4 correspondence is included in the revised MND and describes how the Conditional Use Permit will include a requirement for traffic control and installation of directional signage for travel through the City. The District notes that the current revised MND does not contain revisions to the Transportation section as described in the City's response e-mail to the District dated January 9, 2023, at numbered paragraphs two and three.

Separately, the District's legal counsel spoke with the City's Contract Planner for the Project about the possibility of increasing the maximum length of occupancy to 60 days from 30 days. It would be acceptable to the District for the maximum length of occupancy to be increased to 60 days. However, an occupancy of greater than 60 days may have adverse impact on the District, by among other things, generating students who may attend the District's schools.

After the Planning Commission has had a chance to consider the District's comments, if additional information or clarification is needed, please do not hesitate to contact me.

The District looks forward to continuing to work with the City to bring this Project into our community and to mitigate any adverse impacts on our community.

Respectfully,



Tammy Busch

Assistant Superintendent of Business Services

cc: Charles Bergson, P.E., City Manager  
Gary Price, Price Consulting Services  
Stacy Toledo, Parker & Covert LLP



February 21, 2023 E-Mail

City Staff Response to February 21, 2023, Letter from School District:

Hello Tammy and Stacy,

Thanks so much for the letter. I apologize for overlooking the additional condition that should be added to the Planning Commission Conditional Use Permit for the Meadows RV Park regarding traffic directional signage. I prepared the attached memo to give to the Planning Commission that should be taken with your letter. Staff is recommending we add a separate condition of approval to the project and not revise the Final Initial Study. Here is the proposed new condition.

*Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.*

We hope this satisfies the District in the City's review of this project. This Conditional Use Permit, if approved by the Planning Commission, will need to be finally approved by the City Council, so we still have time to work on some of this if you would like.

Best Regards,

Gary



### **Attachment C- Track Changes to Initial Study Mitigated Negative Declaration**

The Initial Study Mitigated Negative Declaration (ISMND) document that was circulated to the Planning Commission and is on the City's Website, unfortunately Does not show changes in the document as a result of comments made by the agencies, such as the School District. Attached are excerpts from this document that shows these changes in red.

**PROJECT DESCRIPTION AND BACKGROUND**

**Project Title:** Meadows of Isleton RV Resort

**Lead agency name:** City of Isleton

**Address:** 101 2<sup>nd</sup> Street, Isleton, CA 95641

**Contact person:** Yvonne Zepeda, City Clerk

**Phone number:** 916-777-7770

**Project sponsor's name:** Sandeep Lidder

**Phone Number:** 832-474-4655

**Project Owner:** Meadows of Isleton, LLC.

**Project Location:** 301, 401, 501 Jackson Slough Rd, Isleton, CA 95641

**APN(s):** 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000

**Environmental Review:** This activity is considered a project that is subject to discretionary review by both the Planning Commission and the City Council so it is subject to CEQA evaluation (refer to Land Use Section of this report). This evaluation is being conducted to determine the levels of environmental significance the project will have and whether or not an Environmental Impact Report will be required.

**Draft Initial Study to Final Initial Study:** The draft Initial Study for this project was circulated for public review between December 6, 2022 and January 20, 2023. As a result of comments received during this circulation, the Draft Initial Study was amended to address these comments. Changes noted between the Draft Initial Study and the Final Initial Study are noted in track changes. However, all of these changes to the Draft Initial Study are clarifying changes and don't result in any substantive changes to the conclusions or mitigation measures so the Final Initial Study is not required to be recirculated.

**Description of project:** The proposed project would include the construction of a 135-site recreational vehicle (RV) park, 121 RV sites and 14 small home cabins with an approximately 3,250-square foot one-story lodge on a 13.73-acre site. (Figure 1) Site Plan). The lodge would consist of a great room, conference room, fitness center, laundry area, showers, and small storage area. Other on-site amenities would include a patio, luxury heated pool, splash pad, dog park, children playground, bocce ball court(s), shuffleboard, pickle ball courts, fire pit, and grilling area. Each RV site would have utility hookups for water, electricity, and wastewater disposal. The proposed project would include trees and shrubs along the perimeter of the site and lodge area, as well as along the RV parking areas.

**Site Plan:** The site plan shows the development of a 121 space Recreational Vehicle (RV) park (96 back-in RV sites, 25 pull through) for short term camping on +14 acres. In addition to the RV camping spaces, 14 tiny home cabins would be constructed. (See **Error! Reference source not found.** RV Park Resort Site Plan).

The typical RV spaces are a concrete pad approx. 10 feet wide by 45 feet in length. The back in RV pads are 10 feet in width by 45 feet in length accessible from both sides. Each RV pad has an adjoining concrete patio 8 feet x14 feet in length. A concrete vehicle parking area of 9 feet by 18 feet in length adjoins the RV parking facilities for owner vehicles.

## Page 98 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 |
| 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?  | Less Than Significant 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?   | Less Than Significant Impact |

### Environmental Setting or Reference

Based upon a search of the Sacramento County's Environmental Health Department's website, the proposed project site is not listed in any database of hazardous material sites. Hazardous materials stored and used onsite and on surrounding properties would be associated with common construction and household chemicals used. However, these chemicals are purchased legally and do not constitute a health hazard.

**Page 99** The Isleton City Fire Department responds to all calls for emergency services with City limits that include, but are not limited to fires, emergency medical incidents, hazardous materials incidents, public assists, traffic and vehicle accidents and other situations. The City's closest fire station is located on 101 2<sup>nd</sup> Street, this station is located just .05 miles from the project site.

Industrial and commercial facilities that use, store, or dispose of hazardous materials present the greatest potential hazards. A search of available environmental records conducted indicates that the project site is not listed as a hazardous materials site and no listed sites occur within the project vicinity.

### **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) Less than Significant 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. Staff conducted a record search on the *State's Geotracker, Envirostor, and Department of Conservation* websites and found no evidence of abandoned mine or hazardous waste sites in the project vicinity. As such, the project would not create a significant hazard to the public or the environment. Therefore, there is no impact. However, a January 6, 2023, letter from Gavin McCreary, Project Manager, Site Evaluation and Remediation Unit, Site Mitigation and Restoration Program, Department of Toxic Substances Control was received and incorporated into this Initial Study, referencing that due to current and previous agricultural operations experienced on the site, soils on the site may be contaminated that could impact the project. As noted below, a separate condition of approval will be included in the Conditional Use Permit for this project to address additional comments made in this letter which states:

*"As outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC), all recommended measures shall be taken regarding studies, review, possible remediation, of on-site and off-site soils used by the project. Clearances, if required by the CDTSC shall be secured and disclosed to the prior to City issuance of any grading and/or building permit."*

**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 needed.

**f) No Impact.** The project will not impair implementation of or physically interfere with an emergency response plan or emergency evacuation plan. Existing City standards for the development provide adequate access, fire flows, and other facilities to maintain an appropriate level of fire protection.

**Page 103** 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 **Error! Reference source not found.**

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 with Mitigation Incorporated.** Runoff from the park would be collected in a series of swales, catch basins, and located on the property (including water quality BMPs). The collected site runoff would be conveyed and discharged to the existing via a new drainage ditch or pipe. 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 required to submit a Notice of Intent (NOI) to the Regional Water Quality Control Board (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. *A January 4, 2023, letter from Peter Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board, was received and incorporated into this Initial Study, referencing various permits and clearance needed by the project. In addition to the mitigation measures noted below, a separate condition of approval will be included in the Conditional Use Permit for this project to address additional comments made in this letter which states:*

*" As outlined in the January 4, 2023, letter from the Central Valley Regional Water Quality Control Board (CVRWQCB), all permits and/or clearances shall be obtained and disclosed to the prior to City issuance of any grading and/or building permit."*

*The following standard mitigation measures requiring a grading permit and NPDES permit from the RWCB will reduce potential impacts to a less than significant level:*

### **Mitigation Measures**

**HY/WQ-1:** Prior to the issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act.

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?   | Less Than Significant Impact |

### Environmental Setting and Reference

The General Plan designates the properties as Medium Density/Mobile Home (southern portion of 301 Jackson, 401 and 501 Jackson) and Low Density (the northern portion of 301 Jackson-see General Plan Table and General Plan Boundary Map). The Zoning for these properties is R-MH (Multi-family residential, Mobile Home) and R-1-7 (Single-family residential) respectively (see Zoning Table and Zoning Boundary Map). The Zoning Code does not reference Recreational Vehicle Parks as a particular use in either RM-Medium Density/Mobile Home or R-1-7, One Family (maximum one dwelling per 7,000 square foot lot area) zone districts as allowed or conditionally allowed. However, in accordance with Section 1603 of the Zoning Code, the City Council, on receiving recommendation from the Planning Commission, on November 6, 2019, interpreted, that certain uses, such as Recreational Vehicle Parks and camp sites would be considered as a use that would be allowed with a conditional use permit in these zoning districts, and specifically this project site. **A separate condition will be added to the Conditional Use Permit to assure that users of the RV Park, with exception of the managers quarters, would be transient occupancies (not exceeding stays of greater than 60 days). This condition will read as follows:**

*"The Project is approved as a Transient Occupancy Use as defined in Chapter 3.16 et. seq. of the City's Municipal Code and shall be subject to the City's Transient Occupancy Tax. As a Transient Occupancy Use, tenants shall not occupy the RV sites or lodging quarters for a duration exceeding sixty (60) consecutive days. Within each of the RV sites no permanent structures shall be constructed, including, but not limited to decks, storage buildings, awnings, etc., unless first approved by the City."*

**Also, refer to School Impact discussion in the Public Services section of this report.**

Therefore, this project requires discretionary approval by the Planning Commission (recommendation) and approval by the City Council of a conditional use permit. The applicant has submitted for a Conditional Use Permit to the City for this project.

The City has capacity to serve the project by existing utilities including sewer, water, electric, gas and storm drainage.



**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:**

| <b>Question</b>             | <b>CEQA Determination</b>    |
|-----------------------------|------------------------------|
| 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 and Reference**

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. In accordance with Chapter 3.56 of the Municipal Code, payment of development impact fees for development will off-set the impacts the project would have on these City services.

School impact fees will be collected at the time of building permit issuance for the project for any permanent housing proposed on the project site, such as the manager's quarters to off-set the impacts from this project on school services and facilities. However, as noted in the Population and Housing Section of this report, all other uses of the RV Park would be transient, subject to limited stay, and would not result in adverse impacts on schools. It is noted that the River Delta School District did provide comments of these concerns. A separate condition of approval to the project Conditional Use Permit will be added to the project as follows:

"School Impact Fees shall be collected at the time of building permit issuance for the project for the manager's quarters and any permanent housing developed within the project."

There would be a minimal increase in the use of existing park facilities for this project. The project is not anticipated to increase the use of existing neighborhood and regional parks, recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. The RV park resort provides on-site recreational amenities for the tenants. The RV Park resort will not generate the need for additional park facilities. These impacts are considered less than significant



**Page 127** 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, and an intensive pedestrian survey of the Project site. A historic resource was identified 600 feet southeast of the project site consisting of railroad berms connected by a railroad bridge across Georgiana Slough. The site is not located within a railroad route. No evidence of historic deposits was found within the project site during the cultural resource survey. 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.

The Cultural Resources Survey by Tremaine & Associates October 2022 (**Appendix D.**) indicates that the project site falls within a Tribal Cultural Landscape identified by the Nisenan as Hoyo Sayo/Tah Sayo and by the Plains Miwok as Waka-ce/Waka-Ly. However, the study conducted by Tremaine and Associates indicate that the project site does not contain any of the primary characteristics that make up this landscape (e.g., waterways, tule habitat, fisheries, and other wildlife). Therefore, the project should not result in a significant impact to tribal resources.

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the project. The results were positive. As part of future consultation, the city reached out to all tribes on the certified list. As referenced in the public comment section of this final Initial Study none of the tribes contacted requested consultation on the project.

As noted in the Cultural Resource Impact section of this report, the project site does have a moderate to high possibility of subsurface resources that could be discovered during construction. In the City's discretion the site has no evidence of significance pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, cultural, and tribal resource sensitivity training will need to be conducted prior to soil disturbance and proper treatment of any discovered findings shall be made (see CUL 1 through CUL 4 Mitigation Measures).

### **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

**Attachment D-Final Draft Initial Study and Mitigated Negative Declaration**

Available at:

<chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://cityofisleton.com/wp-content/uploads/2023/02/Meadows-at-Isleton-IS-FINAL-DRAFT-NO.-1.pdf>

Also, Hard Copies of Document Available Upon Request of the City Staff

# City of Isleton

## City Council Staff Report

DATE: March 28, 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 100<sup>th</sup> 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**

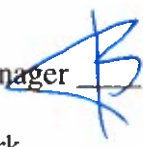
Status report on the event permit application for the Isleton 100<sup>th</sup> Anniversary-Crawdad Festival for 17-18 June 2023.

### **ATTACHMENT**

- None.

Reviewed by: Charles Bergson, City Manager \_\_\_\_\_

Submitted by: Yvonne Zepeda, City Clerk \_\_\_\_\_



# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 7.B

CATEGORY: Old Business

### **FIRST READING OF ORDINANCE NO. 2023-05, AN ORDINANCE OF THE CITY OF ISLETON CITY COUNCIL AMENDING ORDINANCE 2016-02 AND REPLACING WITH 2023-05**

#### **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 approve to amend Ordinance 2016-02 of the City of Isleton Concerning Camping Within City Limits.

This ordinance 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. This proposed Ordinance was discussed at City Council meeting on November 9, 2023 with direction to prohibit open flames. (Council requested we add definition of unhoused and unsheltered). Staff made the adjustments as requested.

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

#### **FISCAL IMPACT**

There is no fiscal impact associated with this action.

#### **RECOMMENDATION**

It is recommended that City Council conduct a first reading and approve amending the City's Unlawful Camping Ordinance No. 2023-05.

#### **ATTACHMENTS**

- A. Ordinance 2023-05 An Ordinance of the City of Isleton Concerning Camping within City Limits.

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



**ORDINANCE 2023-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON AMENDING  
ORDINANCE NO. 2016-02 AND REPLACING WITH 2023-05**

**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 Isleton.**

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

**Section 1: Purpose and Findings**

**The purpose of this ordinance is to amend the City of Isleton Ordinance 2016-02 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 11.**

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

- A. There are currently 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. Research indicates that nationally approximately one-third of individuals who are homeless experience alcohol and drug problems. (Gillis, Dickerson, & Hanson, 2010).**
- D. Homeless camping areas and encampments generate hazardous waste, including human waste, created dangerous health conditions within the City. Such unsanitary conditions can lead to infestation of vermin and the spread of communicable diseases.**

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The City of Isleton is an equal opportunity provider and employer.



- E. 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.**
- F. The City's fire department and other City departments regularly receive calls for service related to homeless activities.**
- G. 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.**
- H. The City is the owner of a Municipal Separate Storm Sewer System (MS4) that includes, without limitation, storm drains, detention basins; 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.**
- I. 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.**
- J. Unlawful camping can have a deleterious impact on businesses, private property, and economic development within the City.**
- K. 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.” (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.

### **Section 3: Action**

The City of Isleton Ordinance No. 2016-02 is hereby rescinded by the addition of Ordinance 2023-05 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**

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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:**

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**MAYOR, PAMELA BULAHAN**

**ATTEST:**

**APPROVED AS TO FORM:**

---

**YVONNE ZEPEDA, DEPUTY CITY CLERK**

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**CITY ATTORNEY, ANDREAS  
BOOHER**

## Exhibit A

### Municipal Code Amendments

Additions are shown in underlined text.

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**Chapter 5.60 is being replaced to the City of Isleton Municipal Code to read as follows:**

#### Chapter 5.60

#### **UNLAWFUL CAMPING**

##### **5.60.020 Definitions**

##### **5.60.025 Prohibitions**

##### **5.60.041 Temporary Seizure of Property**

##### **5.60.050 Administration**

##### **5.60.060 Violations**

##### **5.60.020 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 Isleton, including its employees and agents.
- G. "City manager" means the city manager of Isleton or their designee.
- H. "Encampment" means four (4) or more persons camping together within (50) feet of each other and without permitted electrical power, permitted running water, and/or permitted bathroom facilities that serve that encampment.
- I. Homeless – having no home or permanent place of residence (Merriam-Webster).
- J. "Housing support services" means housing support services intended to connect a person with temporary or permanent housing resources.
- K. "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.
- L. "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.
- M. "Public facility" means any building, structure, or area enclosed by a fence located on public property, whether secured, unsecured, locked, unlocked, open, or enclosed.
- N. "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 the 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.

- O. "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.
- P. "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 road way and the edge of right-of-way bordering fronting or adjacent private property.
- Q. "Unhoused" means not having a dwelling place or shelter: not covered by a protective housing.
- R. "Unsheltered" means not sheltered: having or offering no shelter.
- S. "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 arcaded, or similar amusement park facilities.

#### 5.60.025 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. Camping 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 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.
  9. Open flames or campfires or propane fires.
- 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.

#### 5.60.041 Temporary Seizure of Property.

- A. Subject to section 5.60, any person who violates section 5.60.041 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 store 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

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The City of Isleton is an equal opportunity provider and employer.



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.

#### 5.60.050 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 the chapter.

#### 5.60.060 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 5.60.
2. An infraction citation and penalty of 300 Hundred and no/300ths (\$300.00) Dollars for each day's violation of this chapter pursuant to CIMC chapter 5.60.
3. An administrative citation and penalty of 300 Hundred and (\$300.00) Dollars for each day's violation of this chapter pursuant to CIMC chapter 5.60 and section A, (1), (2), (3), (4), B and C, and/or any other generally applicable resolution or provisions of the CIMC concerning administrative fines and penalties.
4. Prior to the City pursuing any of the remedies set forth at subsection A, (B)-(C)-(D), inclusive, above, the City shall provide the violator, orally or in writing, with information about housing support services. Nothing in the 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 law.

# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 7.C

CATEGORY: Old Business

### **A RESOLUTION OF THE CITY OF ISLETON REQUESTING THAT THE SACRAMENTO COUNTY OVERSIGHT BOARD TRANSFER ALL ASSETS INCLUDING LAND, BUILDINGS, IMPROVEMENT AND EQUIPMENT LOCATED IN THE CITY OF ISLETON TO THE CITY OF ISLETON**

#### **SUMMARY**

Staff is presenting a request by the City to the Sacramento County Oversight Board to transfer the City's Tower Parking Lot from the County Oversight Board to the City.

#### **DISCUSSION**

In January 2011 the Governor of California proposed the elimination of redevelopment agencies in the state beginning July 1, 2011 and was incorporated into Assembly Bill 26. This action terminated the Isleton Redevelopment Agency and directed that the Agency reform itself as the Isleton Successor Agency. At the time of the State report the Isleton Redevelopment Agency did not complete the successor agency conversion. A successor agency, the Isleton Redevelopment Successor Agency, was formed and existed briefly from 2017 to 2020. In 2020 the State ordered that all successor agencies be consolidated into one county agency. The Isleton Successor Agency was consolidated into the Sacramento County Oversight Board.

In 2014 the State Controller Office issued an asset transfer review report concluding that \$1,490,640 in assets should have been transferred to the Isleton Successor Agency and that no assets were transferred to the Isleton Successor Agency. These assets included land, buildings, improvements, and equipment; basically the City's Tower Parking Lot. The assets are technically held by the Sacramento County Oversight Board. The Oversight Board has indicated its intent to return these assets to the City provided they continue to serve the public.

This resolution formalizes the City's request to transfer of all assets including land, buildings improvement, and equipment from the Sacramento County Oversight Board to the City of Isleton and pledge to keep these in public use.

#### **FISCAL IMPACT**

This action will reduce the liability of the old Isleton Redevelopment Agency at least \$152, 431. There is no impact on the City finances.

#### **RECOMMENDATION**

It is recommended that the City Council approve Resolution 10-23 requesting that the Sacramento County Oversight Board transfer all assets including land, building, improvements and equipment located in the City of Isleton to the City of Isleton.

**ATTACHMENT**

- Resolution 10-23

Reviewed by: Charles Bergson, City Manager \_\_\_\_\_

Submitted by: Yvonne Zepeda, City Clerk \_\_\_\_\_

**RESOLUTION NO. 10-23****A RESOLUTION OF THE CITY OF ISLETON REQUESTING THAT THE SACRAMENTO COUNTY OVERSIGHT BOARD TRANSFER ALL ASSETS INCLUDING LAND, BUILDINGS, IMPROVEMENTS AND EQUIPMENT LOCATED IN THE CITY OF ISLETON TO THE CITY OF ISLETON**

**WHEREAS**, in January 2011 the Governor of California proposed the elimination of redevelopment agencies in the state beginning July 1, 2011 and was incorporated into Assembly Bill 26, and

**WHEREAS**, the State Controller's Office issued an asset transfer review report in April 2014 concluding that \$1,490,640 in assets should have been transferred to the Isleton Successor Agency and that no assets were transferred to the Isleton Successor Agency, and

**WHEREAS**, these assets included land, building, improvements and equipment, to wit the City Tower Parking Lot with associated equipment and buildings, valued at \$152,431 and

**WHEREAS**, these assets are presently held by the Sacramento County Oversight Board, and

**WHEREAS**, these assets are in continuous use by the public;

**THEREFORE**, be it resolved that

The City of Isleton pledges to keep these assets including land, buildings improvements, and equipment for use by the public in perpetuity.

That the City of Isleton request the transfer of all assets including land, buildings improvement, and equipment from the Sacramento County Oversight Board to the City of Isleton, and

That the Isleton Successor Agency obligations be acknowledged as Recognized Obligation Payments.

**NOW THEREFORE BE IT RESOLVED**, that the City of Isleton, City Council hereby authorizes and directs the City Manager to commence exclusive negotiation for the transfer of said property and assets of the Isleton Redevelopment Successor Agency to the City of Isle

**PASSED AND ADOPTED**, by the City Council of the City of Isleton, California, this 28th day of March, 2023, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
MAYOR, Pamela Bulahan

ATTEST:

\_\_\_\_\_  
DEPUTY CITY CLERK, Yvonne Zepeda

# City of Isleton

## City Council Staff Report

DATE: 03/24/2023

ITEM#: 8.A

CATEGORY: New Business

### SUBJECT: Fire Department Vehicle Acquisition

#### SUMMARY

The Fire Department is requesting City Council to authorize the City Manager and Fire Chief to purchase a 2023 Chevy Silverado 1500. The Fire Department currently has \$50,000 set aside for a new vehicle purchase after selling our 2002 Ford F550 last year for \$30,000 and then budgeting \$20,000 for new vehicle acquisition. The remainder of the funds will come from the sale of two additional Fire Department Vehicles later this year. By purchasing this new pick up and selling two older vehicles we will lower the average age of our fleet and reduce the amount of rolling stock we currently have from 6 to 5. This will give us a smaller, newer fleet which will save money in terms of general maintenance as well as the amount of vehicles we insure.

#### FISCAL IMPACT

See attached quotes.

#### RECOMMENDATION

Review and direct staff.

#### ATTACHMENTS

- 

Reviewed by: Charles Bergson, City Manager



Submitted and prepared by: Scott Baroni, Fire Chief \_\_\_\_\_







SERVING THE DELTA SINCE 1935

280 North Front St  
Rio Vista, California 94571  
(707) 374-6317 | (800) 669-1329  
Fax (707) 374-6184  
[www.DriveAbel.com](http://www.DriveAbel.com)

**Service Hours:**  
Monday thru Friday  
7:00am to 5:30pm  
**Sales Hours:**  
Monday thru Friday  
7:30am to 6:00pm  
Saturday 9:00am to 5:00pm

Stock #

VIN

Deal # 0015911

March 23, 2023

## Vehicle Not Found ISLETON FIRE (CITY)

Phone:  
Mail:

Salesperson: CHRIS HARDING

### Sale Information

|                  |             |
|------------------|-------------|
| Retail price     | \$59,560.00 |
| Selling price    | \$59,560.00 |
| Accessories      | \$0.00      |
| Service Contract | \$0.00      |
| Gap Insurance    | \$0.00      |
| Rebates          | \$0.00      |
| Net trade        | \$0.00      |
| Fees             | \$908.75    |
| Sales tax        | \$5,218.94  |
| Balance due of   | \$65,687.69 |

### Trade Information

|                 |        |
|-----------------|--------|
| Trade allowance | \$0.00 |
| Trade payoff    | \$0.00 |
| Net trade       | \$0.00 |

### Cash Option

Balance due of \$65,687.69

### Finance Option

Initial investment

### Lease Option

Initial investment

### Balloon Option

Initial investment

Please submit this worksheet to management for its review. I understand 1) This worksheet is neither an offer nor a contract and is not binding on the customer or the dealership. 2) No offer to purchase any vehicle is binding until accepted in writing by an authorized sales manager and 3) Sales consultants cannot obligate or bind the customer or the dealership.

I hereby authorize the dealership to conduct an investigation of my credit and employment history and release such information to banks, lenders and credit agencies.

Customer signature:

Dealership approval:





WHERE FRIENDS SEND  
THEIR FRIENDS TO BUY  
SERVING THE COMMUNITY  
FOR OVER 30 YEARS

Phone: 916-790-5175

## NEW 2023 CHEVROLET SILVERADO 1500 CREW CAB SHORT BOX 4-WHEEL DRIVE RST

FOLSOM CHEVY NET PRICE \$59,400

MSRP \$61,650

VIN 3GCUDEE82PG213989 STOCK NUMBER 230303



### CURRENT OFFERS

|                                    |                                       |
|------------------------------------|---------------------------------------|
| MSRP                               | \$61,650                              |
| Pricing Details                    |                                       |
| Dealer Discount <sup>1</sup>       | - \$2,000                             |
| Folsom Chevy Sales Price           | \$59,650                              |
| Customer Cash <sup>2</sup> - \$250 | Take Retail Delivery<br>By 04-03-2023 |
| Folsom Chevy Net Price             | \$59,400                              |
| Savings                            | \$2,250                               |

### OTHER OFFERS YOU MAY QUALIFY FOR

|  |         |
|--|---------|
| HiM College Offer <sup>3</sup>   | - \$500 |
| Take Retail Delivery By 01-02-2024 - Not Compatible with Some Other Offers |         |
| HiM Educator Offer <sup>4</sup>  | - \$500 |
| Take Retail Delivery By 01-02-2024 - Not Compatible with Some Other Offers |         |
| HiM Military Offer <sup>5</sup>  | - \$500 |
| Take Retail Delivery By 01-02-2024 - Not Compatible with Some Other Offers |         |
| HiM Healthcare Professional Offer <sup>6</sup>                             | - \$500 |

### SPECIFICATIONS

|              |   |
|--------------|---|
| Exterior     | Summit White                                  |
| Interior     | Jet Black Cloth Seat Trim                     |
|              | 3.0L Duramax <sup>®</sup> Turbo Diesel engine |
| Engine       | engine  |
| Stock Number | 230303  |
| VIN          | 3GCUDEE82PG213989                             |

Take Retail Delivery By 01-02-2024 - Not Compatible with Some Other Offers

FIM First Responder Offer<sup>7</sup> - \$500

Take Retail Delivery By 01-02-2024 - Not Compatible with Some Other Offers

AVAILABLE SPECIALS

30 Day Payment 0% for 36mo Take Retail Delivery By 04-03-2023

Referral for Well-qualified Buyers

When Financed w/ FIM Financial<sup>8</sup>

[Click here for more offer information](#)



FUEL ECONOMY \*  
CITY / HWY



MILEAGE  
8 MILES



TRANSMISSION  
AUTOMATIC  
W/PADDLE  
SHIFTERS



EXTERIOR  
COLOR  
SUMMIT  
WHITE



INTERIOR  
COLOR  
JET BLACK  
CLOTH SEAT  
TRIM



ENGINE  
DATA  
3.0L  
DURAMAX®  
TURBO  
DIESEL  
ENGINE

Vehicles Disclaimer: Folsom Chevrolet makes every effort to present accurate information. Information provided is based on data provided by the vehicle manufacturer and/or other sources. Exact configuration, color, specifications and/or accessories should be used as a guide and cannot be guaranteed. Folsom Chevrolet will, under no circumstances, be held liable for any inaccuracies, claims, or losses of any kind. Inventory is subject to prior sale and prices can be changed without notice. Some vehicles may have dealer-added equipment or additional markup (due to availability) not disclosed. All advertised prices exclude government fees and taxes, any finance charges, any dealer document processing charge, any electronic filing charge, and any emission testing charge. Any and all discounts/rebates apply to retail vehicles only and are not associated with fleet vehicle purchases.

Vehicles MPG estimates on this website are EPA estimates; your actual mileage may vary. For used vehicles, MPG estimates are EPA estimates for the vehicle when it was new. The EPA periodically modifies its MPG calculation methodology; all MPG estimates are based on the methodology in effect when the vehicles were new (please see the Fuel Economy portion of the EPA's website for details, including a MPG recalculation tool).

The features and options listed are for the new 2023 Chevrolet Silverado 1500 and may not apply to this specific vehicle.



Phone: (877) 835-0729

## NEW 2023 CHEVROLET SILVERADO 1500 CREW CAB SHORT BOX 4-WHEEL DRIVE RST N-TRANSIT

PRICE AFTER ALL OFFERS\*\*\*

CONTACT US

MSRP \$61,710

THIS UNIT IS CURRENTLY IN-TRANSIT AND IS ESTIMATED TO BE AVAILABLE AT THE  
DEALERSHIP AS NOTED. PLEASE CONTACT DEALER FOR MORE SPECIFIC  
DELIVERY INFORMATION. EXPECTED DELIVERY DATE: 04/16/23

VIN 3GCUDEE87PG240718



### CURRENT OFFERS

|                            |                                       |
|----------------------------|---------------------------------------|
| MSRP                       | \$61,710                              |
| Price                      | Contact Us                            |
| Customer Cash <sup>1</sup> | - \$250                               |
|                            | Take Retail Delivery<br>By 04-03-2023 |

### AVAILABLE SPECIALS

|                           |             |                                       |
|---------------------------|-------------|---------------------------------------|
| 0 Day Payment             | 0% for 36mo | Take Retail Delivery<br>By 04-03-2023 |
| Referral for Well-        |             |                                       |
| Qualified Buyers          |             |                                       |
| When Financed w/          |             |                                       |
| GM Financial <sup>2</sup> |             |                                       |

Click here for more offer information

This unit is currently in-transit and is estimated to be available at  
the Dealership as noted. Please contact Dealer for more specific  
delivery information. 04/16/23

### SPECIFICATIONS

|              |                                      |
|--------------|--------------------------------------|
| Exterior     | Summit White                         |
| Engine       | 3.0L Duramax® Turbo Diesel<br>engine |
| Interior     | Jet Black Cloth Seat Trim            |
| Transmission | Automatic                            |
| VIN          | 3GCUDEE87PG240718                    |

**CONFIRM  
AVAILABILITY  
BY TEXT**

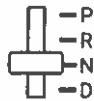




FUEL  
ECONOMY \*  
CITY /  
HWY



MILEAGE  
N/A



TRANSMISSION  
AUTOMATIC  
W/PADDLE  
SHIFTERS



EXTERIOR  
COLOR  
SUMMIT  
WHITE



INTERIOR  
COLOR  
JET BLACK  
CLOTH SEAT  
TRIM



ENGINE  
DATA  
3.0L  
DURAMAX®  
TURBO  
DIESEL  
ENGINE

**Vehicles DISCLAIMER** - Although every reasonable effort has been made to ensure the accuracy of the information contained on this site, absolute accuracy cannot be guaranteed. This site, and all information and materials appearing on it, are presented to the user as is without warranty of any kind, either express or implied. All vehicles are subject to prior sale. Prices exclude government fees and taxes, any finance charges, any dealer document processing charge, any electronic filing charge, and any emissions testing charge. Notice, all our vehicles have an anti-theft system installed. The advertised price excludes the purchase of this anti-theft system, which can be purchased for an additional cost or deactivated at the time of sale. Some vehicles may have dealer added equipment not disclosed. Price per All Offers includes dealer discount and applicable rebates, all prices and specifications are subject to change without notice. See dealer for details. The manufacturer's Suggested Retail Price excludes tax, title, license, dealer fees and optional equipment. Dealer sets final price.

Vehicles MPG estimates on this website are EPA estimates; your actual mileage may vary. For used vehicles, MPG estimates are EPA estimates for the vehicle when it was new. The EPA periodically modifies its MPG calculation methodology; all MPG estimates are based on the methodology in effect when the vehicles were new (please see the Fuel Economy portion of the EPA's website for details, including a MPG recalculation tool).

The features and options listed are for the new 2023 Chevrolet Silverado 1500 and may not apply to this specific vehicle.

CONFIRM  
AVAILABILITY  
BY TEXT



# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 8.B

CATEGORY: New Business

### **SACRAMENTO AREA COUNCIL OF GOVERNMENT MEMORANDUM OF UNDERSTANDING (SACOG MOU) FOR THE INFILL GREEN MEANS GO GRANT PROGRAM**

#### **SUMMARY**

The City of Isleton is a member of SACOG and is the recipient of a Dollars \$100,000 of SACOG Green Means Go funds that will be used to pay for the project as more particularly described in Exhibit "A" of the MOU.

#### **DISCUSSION**

The project goal is:

1. Implement the General Plan Housing Element and objectives of the Green Means Go Program by expanding residential development opportunities.
2. Developing a Residential Infill Development Facilitation Strategy to reduce mixed-use housing development constraints.
3. Add a housing component to the Caltrans-funded Isleton Main Street Redesign and Revitalization Planning effort
4. Help create a vital Main Street that reduces reliance on auto transportation.
5. Improve equal housing opportunities and enhance fair housing practices in the City by creating a new housing program that promotes alternative residential development opportunities.
6. Engage meaningful public participation to guide the program and strategy for residential infill development in the downtown and potentially other areas of town that are within the Green Zone vicinity.

The Study would become a component of the Main Street Redesign and Revitalization Plan that would integrating housing infill development strategies as key components to redesigning the downtown and enhancing economic and development opportunities from both public and private investment. In addition to more conventional single family and multiple family development in Isleton, the Residential Infill Development Study will introduce new concepts for housing development within the existing downtown and incentivize investment of this alternative housing types. The Study will also look at measures to reduce constraints to housing such as infrastructure, regulations, and parking. For example, template building plans for residential dwellings could be included and fee reductions could help target development of downtown housing.

## **FISCAL IMPACT**

The City of Isleton is a member of SACOG and is the recipient of a Dollars \$100,000 of SACOG Green Means Go funds that will be used to pay for the project as more particularly described in Exhibit "A" of the MOU.

## **RECOMMENDATION**

It is recommended to approve the SACOG MOU for the Green Means Go Program.

## **ATTACHMENT**

1. MOU Between the City of Isleton and SACOG for the Green Means Go Program

Written by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk \_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
SACRAMENTO AREA COUNCIL OF GOVERNMENTS  
And the  
[INSERT MEMBER JURISDICTION]  
FOR THE GREEN MEANS GO GRANT PROGRAM**

This Memorandum of Understanding ("MOU" or "Agreement") is made effective [REDACTED], 2023 (the "Effective Date"), by and between the Sacramento Area Council of Governments ("SACOG") and the [Insert Member Jurisdiction] ("Local Agency").

**RECITALS:**

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

**WHEREAS**, SACOG is the recipient of funds from the State of California Office of Planning and Research in connection with the Green Means Go funding program; and

**WHEREAS**, Local Agency is a member of SACOG and is the recipient of a [REDACTED] Dollars (\$ [REDACTED]) of SACOG Green Means Go funds (the "Funds") that will be used to pay for the [INSERT PROJECT DESCRIPTION] as more particularly described in Exhibit "A" attached hereto and incorporated herein (the "Project"); and

**NOW, THEREFORE**, SACOG and Local Agency agree as follows:

1. Recitals: the recitals above are hereby incorporated in this Agreement.
2. Compliance with Laws: Local Agency will comply with all applicable Federal, State, and local laws, codes, ordinances, regulations, orders, circulars, and directives, including, without limitation, all Federal regulatory requirements associated with the funding provided to Local Agency hereunder. Further, Local Agency will require the appropriate debarment certification form from all Local Agency contractors and Local Agency certifies that it will not knowingly enter into any transaction with a contractor, subcontractor, material supplier, or vendor who is debarred, suspended, declared ineligible, or voluntarily excluded from covered transactions by any Federal or State agency.
3. Funding Amount: The amount to be paid to Local Agency under this Agreement will not exceed \_\_\_\_\_ (\$ \_\_\_\_\_) unless agreed to in advance by the parties pursuant to a written amendment signed by SACOG's Executive Director or Deputy Executive Director. In no instance will SACOG be liable for any payments or costs for work in excess of this amount, nor for any unauthorized or ineligible costs.

4. Term: The term of this Agreement shall be from the Effective Date until \_\_\_\_\_, unless agreed to in advance by written amendment signed by SACOG's Executive Director or Deputy Executive Director.
5. Independent Contractor: The Local Agency, and the agents and employees of the Local Agency, in the performance of this Agreement, will act as and be independent contractors and not officers or employees or agents of SACOG. Local Agency, its officers, employees, agents, and subcontractors, if any, will have no power to bind or commit SACOG to any decision or course of action, and will not represent to any person or business that they have such power. Local Agency has and will retain the right to exercise full control of the supervision of the work and over the employment, direction, compensation and discharge of all persons assisting Local Agency in the performance of work funded by this Agreement. Local Agency will be solely responsible for all matters relating to the payment of its employees and contractors including, but not limited to, compliance with all laws, statutes, and regulations governing such matters.
6. Accounting Records:
  - a. Local Agency, its staff, contractors and subcontractors shall establish and maintain an accounting system and reports that properly accumulate incurred project costs by line. The accounting system shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment voucher or invoices.
  - b. Local Agency shall establish a separate ledger account for receipts and expenditure of the Funds and maintain expenditure details in accordance with the scope of work, project timeline and budget.
  - c. Local Agency shall maintain documentation of its normal procurement policy and competitive bid process (including the use of sole source purchasing), and financial records of expenditures incurred during the course of the project in accordance with GAAP.
  - d. Local Agency agrees that SACOG and the State of California or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement.
7. Reporting and Payment:
  - a. On a quarterly basis, Local Agency will provide SACOG with both a written report on the progress made on the Scope of Work (Exhibit "A") and an invoice for reimbursement. Invoices for contractual work completed through June 30 of a fiscal year must be submitted by July 30. Local Agency shall submit written invoices by e-mail in to SACOG. Local Agency's written progress report shall be completed as required by SACOG, and shall be for the periods ending March, June, September and December. Local Agency shall also provide a copy of Local Agency's annual progress report that is

submitted to the Office of Planning and Research and Strategic Growth Council annually in April.

b. Payments to Local Agency hereunder will be made in arrears. Local Agency will submit a detailed and properly documented invoice on its letterhead for reimbursement which invoice will include the following: (i) a description of the work performed, (ii) a detailed accounting of costs incurred, and (iii) evidence that Local Agency has already incurred costs for the Project. Attached as Exhibit [REDACTED] is SACOG's matrix of required supporting documentation for Local Agency invoices. Invoices for expenditures incurred prior to January 1, 2021 will not be reimbursed.

c. The Local Agency shall not be entitled to reimbursement of indirect costs unless a copy of an applicable, approved indirect cost plan has been received by SACOG prior to submittal of the first invoice from the Local Agency. Indirect cost rates shall be submitted annually in accordance with SACOG requirements.

d. Local Agency will be notified within ten (10) business days following receipt of its invoice by SACOG of any circumstances or data identified by SACOG in Local Agency's invoice that would cause withholding of approval and subsequent payment. Local Agency's invoice will include documentation of reimbursable expenses and billed items sufficient for SACOG, in its opinion, to substantiate billings. SACOG reserves the right to withhold payment of disputed amounts. Local Agency's failure to comply with any of the reporting requirements in this Agreement may impact Local Agency's ability to receive future Green Means Go funds.

8. Audit, Retention and Inspection of Records:

a. SACOG or its designee, including but not limited to any State or Federal agency, will have the right to review, obtain, copy, and audit all books, records, computer records, accounts, documentation and any other materials (collectively "Records") pertaining to performance of this Agreement, including any Records in the possession of any contractors or subcontractors. Such Records shall include all records of employment, employment advertisements, employment application forms, and other pertinent employment data, as well as any records pertaining to compliance with Public Contract Code Sections 10115, *et seq.* and Title 21, California Code of Regulations, Chapter 21, Section 2500, *et seq.* (when applicable) and other matters connected with the performance of the contract pursuant to Government Code Section 8546.7.

b. Local Agency agrees to provide SACOG or its designee, the State, the California State Auditor or any duly authorized representative of the State or Federal government, with any relevant information requested and will permit SACOG or its designees access to its premises, upon reasonable notice, during normal business hours, for the purpose of interviewing employees and inspecting and copying such Records for the purpose of determining compliance with any applicable Federal and State laws and regulations. Local Agency further agrees to maintain such

Records for a period of three (3) years after final payment under the Agreement or three (3) years from the conclusion or resolution of any and all audits or litigation relevant to this Agreement and any amendments, whichever is later. If any litigation, claim, negotiation, audit, monitoring, inspection or other action has been started before the expiration of the three (3) years after final payment under this Agreement, all records must be retained by Local Agency, its contractors and subcontractors until completion of the action and resolution of all issues which arise from it. Records related to any and all audits or litigation relevant to this Agreement shall be retained for five (5) years after the conclusion or resolution of the matter. SACOG shall have the right to audit Local Agency records and interview employees.

- c. If so directed by SACOG upon expiration of this Agreement, the Local Agency will cause all Records relevant to the Scope of Work to be delivered to SACOG as depository.
- d. In addition to any other remedies available to SACOG in law or equity for breach of this Agreement, SACOG, may at its discretion, exercise a variety of remedies, including, but not limited to, requiring repayment of the Funds disbursed and expended under this Agreement.

9. Third Party Contracts:

- a. All procurements related to the expenditure of the Funds must be conducted using a fair and competitive procurement process. Local Agency may use its own procurement procedures as long as the procedures comply with all City/County laws, rules and ordinances governing procurement, and all applicable provisions of California law.
- b. Any contract entered into as a result of this Agreement shall contain all the provisions stipulated in this Agreement and shall be applicable to Local Agency's contractors and subcontractors. Copies of all agreements with contractors and subcontractors shall be submitted to SACOG's project manager.
- c. Local Agency shall be responsible for monitoring and enforcement of all agreements with contractors and subcontractors to ensure compliance with the terms of this Agreement.

10. Termination:

- a. Either party may terminate this Agreement for any reason, with or without cause, at any time, by giving the other party fifteen (15) days written notice. The notice will be deemed served and effective for all purposes on the date it is deposited in the U.S. mail, certified, return receipt requested, addressed to the other party at the address indicated in Section 17 below.



- b. If either party issues a notice of termination, SACOG will reimburse Local Agency for work actually performed up to the effective date of the notice of termination, subject to the limitations in Section 6 and less any compensation to SACOG for damages suffered as a result of Local Agency's failure to comply with the terms of this Agreement.
  - c. Local Agency will have the right to terminate this Agreement in the event SACOG is unable to make required payments, including, without limitation, a failure of the State to appropriate funds. In such event, Local Agency will provide SACOG with seven (7) days written notice of termination. The notice will be deemed served and effective on the date it is deposited in the U.S. mail, certified, return receipt requested, addressed to SACOG at the address indicated in Section 17. SACOG will make payment to Local Agency through the date of termination, subject to the provisions of Section 6 above.
11. Indemnity: Local Agency specifically agrees to indemnify, defend, and hold harmless SACOG, its directors, officers, members, agents, and employees (collectively the "Indemnitees") from and against any and all actions, claims, demands, losses, costs, expenses, including reasonable attorneys' fees and costs, damages, and liabilities (collectively "Losses") arising out of or in any way connected with the performance of this Agreement. Local Agency shall pay all costs and expenses that may be incurred by SACOG in enforcing this indemnity, including reasonable attorneys' fees. The provisions of this Section shall survive the expiration, termination, or assignment of this Agreement.
12. Assignment: The parties understand that SACOG entered into this Agreement based on the Project proposed by Local Agency. Therefore, without the prior express written consent of SACOG, this Agreement is not assignable by the Local Agency either in whole or in part.
13. Binding Agreement: This Agreement will be binding on the parties hereto, their assigns, successors, administrators, executors, and other representatives.
14. Time: Time is of the essence in this Agreement and will follow the timeline set forth in the scope of work (Exhibit "A"), unless modified pursuant to Section 12.
15. Amendments: No alteration or variation of the terms of this Agreement will be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein, will be binding on any of the parties hereto.
16. Contractors and Subcontractors: Local Agency will be fully responsible for all work performed by its contractors and subcontractors.
- a. SACOG reserves the right to review and approve, which approval shall not be unreasonably withheld, any contract or agreement to be funded in whole or in part using funds provided under this Agreement.



b. Any contract or subcontract to be funded in whole or in part using funds provided under this Agreement will require the contractor and its subcontractors, if any, to:

- (1) Comply with applicable State and Federal law requirements that pertain to, among other things, labor standards, Non-Discrimination, the Americans with Disabilities Act, Equal Employment Opportunity, the Drug-Free Workplace Act.
- (2) Maintain at least the minimum State-required Workers' Compensation Insurance for those employees who will perform the work or any part of it.
- (3) Maintain unemployment insurance and disability insurance as required by law, along with liability insurance in an amount that is reasonable to compensate any person, firm, or corporation who may be injured or damaged by the Local Agency or any subcontractor in performing work associated with this Agreement or any part of it.
- (4) Retain all books, records, accounts, documentation, and all other materials relevant to this Agreement for a period of three (3) years from the date of termination of this Agreement, or three (3) years from the conclusion or resolution of any and all audits or litigation relevant to this Agreement and any amendments, whichever is later.
- (5) Permit SACOG and/or its representatives, upon reasonable notice, unrestricted access to any or all books, records, accounts, documentation, and all other materials relevant to this Agreement for the purpose of monitoring, auditing, or otherwise examining said materials.

17. Project Managers: SACOG's Project Manager for this Agreement is [Insert Project Manager], unless SACOG otherwise informs Local Agency. With the exception of notice of termination sent by certified mail pursuant to Section 8 above, any notice, report, or other communication required by this Agreement will be mailed by first-class mail to the SACOG Project Manager at the following address:

[Insert Project Manager]  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814  
Telephone: [Insert Phone Number]  
Email: [Insert Email]

Local Agency's Project Manager for this Agreement is [Insert Project Manager]. No substitution of Local Agency's Project Manager is permitted without prior written agreement by SACOG, which agreement will not be unreasonably withheld. With the exception of notice of termination sent by certified mail pursuant to Section 8 above, any

notice, report, or other communication to Local Agency required by this Agreement will be mailed by first-class mail to:

[Insert Project Manager]

[Address]

[Telephone]

[Email]

18. Successors: This Agreement will be binding on the parties hereto, their assigns, successors, administrators, executors, and other representatives.
19. Waivers: No waiver of any breach of this Agreement will be held to be a waiver of any prior or subsequent breach. The failure of SACOG to enforce at any time the provisions of this Agreement or to require at any time performance by the Local Agency of these provisions, will in no way be construed to be a waiver of such provisions nor to affect the validity of this Agreement or the right of SACOG to enforce these provisions.
20. Litigation: Local Agency will notify SACOG immediately of any claim or action undertaken by it or against it that affects or may affect this Agreement or SACOG, and will take such action with respect to the claim or action as is consistent with the terms of this Agreement and the interests of SACOG.
21. Non-Liability of SACOG: SACOG shall not be liable to Local Agency or any third party for any claim for loss of profits or consequential damages. Further, SACOG shall not be liable to Local Agency or any third party for any loss, cost, claim or damage, either direct or consequential, allegedly arising from a delay in performance or failure to perform under this Agreement.
22. Amendments Required by State Agencies: If any State agency having jurisdiction, requires a change to the terms of this Agreement, the parties will amend this Agreement as necessary, or will terminate it immediately.
23. Counterparts and Electronic Signatures: This MOU may be signed in one or more counterparts, each of which will constitute an original and all of which taken together shall constitute one and the same instrument. Documents executed, scanned, and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this MOU and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.
24. Authority: The persons signing on behalf of the parties to this MOU each warrant they have the legal authority to execute this MOU.
25. Entire Agreement: This MOU embodies the entire agreement of the parties in relation to the matters contained herein, and no other understanding, whether verbal, written, or otherwise, exists among the parties.

26. Americans with Disabilities Act (ADA) of 1990; Accessibility: By signing this Agreement, Local Agency assures SACOG that it complies with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101, *et seq.*), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA including, but not limited to, those found within the Code of Federal Regulations, Title 49, parts 27, 37, and 38. Local Agency also agrees that it will award no construction contract unless its plans and specifications for such facilities conform to the provisions of California Government Code Sections 4450 and 4454, if applicable.
27. Compliance with Non-discrimination and Equal Employment Opportunity Laws: It is SACOG's policy to comply with State and Federal laws and regulations including Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990 (ADA) and other Federal discrimination laws and regulations, (including 49 CFR Part 21 through Appendix C, 23 CFR part 200, 23 CFR part 230, 49 U.S.C. 5332, 42 U.S.C. 12101, *et seq.*, and the Title VI Assurance executed by California under 23 U.S.C. 324 and 29 U.S.C. 794), as well as the Unruh Civil Rights Act of 1959, the California Fair Employment and Housing Act (Government Code Section 12990, *et seq.*), and other California State discrimination laws and regulations. SACOG does not discriminate against any employee or applicant for employment because of race, religion (including religious dress and grooming practices) color, national origin, (includes use and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law), ancestry, disability, (including physical and mental, including HIV and AIDS) medical condition, (including genetic characteristics, cancer or a record or history of cancer), military or veteran status, marital status, sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions), age (40 and above), gender identity, gender expression, or sexual orientation pursuant to Sections 12940 *et seq.* of the Government Code. SACOG prohibits discrimination by its employees, Local Agencies, contractors and consultants.

Local Agency hereby certifies, under penalty of perjury under the laws of California, that it complies with, and that Local Agency will require that its contractors and subcontractors comply with, the following non-discrimination and equal opportunity laws. Any failure by Local Agency to comply with these provisions shall constitute a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as SACOG may deem appropriate.

- a. Local Agency and its contractors and subcontractors shall comply with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d, *et seq.*, with U.S. D.O.T. regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act", 49 C.F.R. Part 21, and with any applicable implementing Federal directives that may be issued. Title VI provides that the recipients of federal assistance will implement and maintain a policy of nondiscrimination in which no person shall, on the basis of race, color, ancestry, national origin, religion, religious creed, sex, age, or disability, be excluded from participation in,

denied the benefits of, or subject to discrimination under any program or activity by the recipients of federal assistance or their assignees and successors in interest.

- b. Local Agency and its contractors and subcontractors shall comply with all applicable equal employment opportunity (EEO) provisions of 42 U.S.C. § 2000e, implementing Federal regulations, and any applicable implementing Federal directives that may be issued. Local Agency and its contractors and subcontractors shall ensure that applicants and employees are treated fairly without regard to their race, color, creed, sex, disability, age, or national origin.
- c. Local Agency and its contractors and subcontractors will act in accordance with Title VI and will not unlawfully discriminate, harass, or allow harassment, against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religion, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition, age or marital status. Local Agency and its contractors and subcontractors will further ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment, including the improper denial of family and medical care leave and pregnancy disability leave. Local Agency and its contractors and subcontractors will comply with all applicable Federal and State employment laws and regulations including, without limitation, the provisions of the California Fair Employment and Housing Act (Government Code § 12900, *et seq.*) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, § 7285.0, *et seq.*), as well as Title 2, California Code of Regulations, Section 8103. The applicable regulations of the Fair Employment and Housing Commission implementing Government Code §§ 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Local Agency and its contractors and subcontractors will give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.
- d. Local Agency and its subcontractors shall also comply with the Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age, Section 324 of Title 23 U.S.C., prohibiting discrimination based on gender, and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.
- e. Local Agency, with regard to the work performed by it during the Agreement, shall act in accordance with Title VI. Specifically, Local Agency shall not discriminate on the basis of race, color, ancestry, national origin, religion, religious creed, sex, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment.
- f. Local Agency and its contractors will include the provisions of this Section 27 in all contracts to perform work funded under this Agreement. Local Agency shall

take such action with respect to any such contract as SACOG may direct as a means of enforcing such provisions, including sanctions for noncompliance.

- g. Sanctions for Noncompliance: In the event of the Local Agency's noncompliance with the nondiscrimination provisions of this Agreement, SACOG shall impose such contract sanctions as it or the State may determine to be appropriate, including, but not limited to:
  - i. Withholding of payments to the Local Agency under this Agreement until the Local Agency complies, and/or
  - ii. Cancellation, termination or suspension of the Agreement, in whole or in part.

28. Drug-Free Certification: By signing this Agreement, Local Agency hereby certifies under penalty of perjury under the laws of the State of California that Local Agency will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code § 8350, *et seq.*) and will provide a drug-free workplace by taking the following actions:

- a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited, and specifying actions to be taken against employees for violations.
- b. Establish a Drug-Free Awareness Program to inform employees about:
  - (1) The dangers of drug abuse in the workplace;
  - (2) The person's or the organization's policy of maintaining a drug-free workplace;
  - (3) Any available counseling, rehabilitation, and employee assistance programs; and
  - (4) Penalties that may be imposed upon employees for drug abuse violations.
- c. Every employee of Local Agency who works under this Agreement will:
  - (1) Receive a copy of Local Agency's Drug-Free Workplace Policy Statement; and
  - (2) Agree to abide by the terms of Local Agency's Statement as a condition of employment on this Agreement.

30. Union Organizing: By signing this Agreement, Local Agency hereby acknowledges the applicability of Government Code § 16645 through § 16649 to this Agreement, excluding § 16645.2 and § 16645.7.



- a. Local Agency will not assist, promote, or deter union organizing by employees performing work on this Agreement if such assistance, promotion, or deterrence contains a threat of reprisal or force, or a promise of benefit.
- b. Local Agency will not meet with employees or supervisors on SACOG or State property if the purpose of the meeting is to assist, promote, or deter union organizing, unless the property is equally available to the general public for meetings.

31. Prohibition of Expending State or Federal Funds for Lobbying:

- a. Local Agency certifies, to the best of his or her knowledge or belief, that:
  - (1) No State or Federal appropriated funds have been paid or will be paid, by or on behalf of the Local Agency, to any person for influencing or attempting to influence an officer or employee of any State or Federal agency, a Member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or any employee of a Member of the Legislature or Congress in connection with the awarding of any State or Federal contract, the making of any State or Federal grant, the making of any State or Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any State or Federal contract, grant, loan, or cooperative agreement.
  - (2) If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative Agreement, the Local Agency will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- b. This certification is a material representation of fact upon which reliance was placed when this Agreement was entered into. Submission of this certification is a prerequisite for making or entering into this Agreement imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- c. Local Agency also agrees by signing this Agreement that he or she will require that the language of this certification be included in all lower tier contracts and subcontracts.

32. Prevailing Wage and Labor Requirements.

- a. Should Local Agency award any construction contracts utilizing Federal funds under this Agreement, Local Agency agrees to comply with all pertinent statutes, rules and regulations promulgated by the Federal government including, but not limited to, (i) prevailing wage requirements of the Davis Bacon Act (40 U.S.C. §276a, *et seq.*) and related regulations (29 CFR Part 5); (ii) anti-kick back and payroll records requirements of the Copeland “Anti-Kickback” Act (40 U.S.C. §276c and 18 U.S.C. §874) and related regulations (29 CFR Part 3); and (iii) workweek computation and overtime requirements of the Contract Work Hours and Safety Standards Act (40 U.S.C. §327-333) and related regulations (29 CFR Part 5).
  - b. Should Local Agency award any “public work” contract, as defined by California Labor Code Section 1720, utilizing State funds under this Agreement, Local Agency agrees to comply with all pertinent California statutes, rules, and regulations including, but not limited to, prevailing wage provisions of Labor Code Section 1771.
  - c. Any contract or subcontract entered into as a result of this Agreement will contain all of the provisions of this section.
33. Economic Sanctions: Pursuant to California State Executive Order N-6-22 (Order) imposing economic sanctions against Russia and declaring support of Ukraine, SACOG shall terminate any contract with any individual or entity that is in violation of the Order or that is subject to economic sanctions therein, and shall not enter a contract with any such individual or entity while the Order is in effect.

**[Signatures on Next Page]**



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

**SACRAMENTO AREA COUNCIL  
OF GOVERNMENTS**

By: \_\_\_\_\_  
James Corless, Executive Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Sloan Sakai Yeung & Wong LLP  
Legal Counsel to SACOG

**[MEMBER AGENCY]**

By: \_\_\_\_\_  
Name, Title

## EXHIBIT "A"

### *Project Description*

**Jurisdiction:** City of Isleton

**Project Title:** City of Isleton Main Street Residential Infill Development Study

**Project Location:** Downtown Isleton (Main Street)

**Project Housing Nexus:**

*Check all that apply.*

☒ Reduce Time

☒ Impact on housing supply and/or affordability

☒ Reduce Development Costs  
entitlements

☒ Increase approval certainty and/or streamlines

☐ Infrastructure Capacity

☒ Other: Economic data to enhance housing Investment

**Project Location Type:**

*Check all that apply.*

☒ Green Zone

☐ Community wide

☐ Civic Lab Corridor

☐ Other: \_\_\_\_\_

**Project Goal Statement:**

1. Implement the General Plan Housing Element and objectives of the Green Means Go Program by expanding residential development opportunities.
2. Developing a Residential Infill Development Facilitation Strategy to reduce mixed-use housing development constraints.
3. Add a housing component to the Caltrans-funded Isleton Main Street Redesign and Revitalization Planning effort
4. Help create a vital Main Street that reduces reliance on auto transportation.
5. Improve equal housing opportunities and enhance fair housing practices in the City by creating a new housing program that promotes alternative residential development opportunities.
6. Engage meaningful public participation to guide the program and strategy for residential infill development in the downtown and potentially other areas of town that are within the Green Zone vicinity.

**Project Description:**

The Study outcomes will be included in the Main Street Redesign and Revitalization Plan with housing infill strategies to facilitate development opportunities from both public and private investment. In addition to more conventional single-family and multiple-family development in Isleton, the Residential Infill Development Study will introduce new concepts for housing development within the existing downtown and incentivize investment of these alternative housing types. The Study will also look at measures to reduce constraints to housing such as infrastructure, regulations, and parking. For example, template building plans for residential dwellings could be included and fee reductions could help target development of downtown housing.

This project involves assembling a program to reduce regulatory and cost constraints for developing additional housing within the City of Isleton Historic Downtown, which is also the City's Green Zone. The City currently will be conducting a Main Street planning effort for the downtown, but this study does not address residential aspects of the downtown. The downtown has many residential units, particularly in the upstairs of buildings that are being used either as live-work or as rental units that are a very important component to Isleton's economic needs and to accommodate additional workforce and affordable housing. Creating a Residential Infill Development Facilitation Program is expected to create at least 20 dwelling units in the City within the next ten years. Incorporating information from the Study into the Main Street Plan is essential to supporting residential infill opportunities, not only within the city, but also, within the SACOG region.

The Residential Infill Development Facilitation Study will involve the following:

1. An evaluation of the existing site and development conditions of the downtown and identifying barriers to infill housing conversion related, but not limited to, zoning, permitting, financing, environmental constraints, political resistance, and socio-economic perceptions. The Study will include a residential constraints analysis prepared by a qualified economist.
2. An evaluation of the regulatory process and zoning code assessment to provide an action plan identifying suggested improvements to amend regulations to reduce mixed-use housing development constraints.
3. An economic proforma will be conducted to review two samples of housing representative of stock within the downtown and a market assessment prepared by a qualified economist.
4. A public participation program will be conducted in coordination with the Main Street planning effort to reach residents and local leaders throughout the planning process via a multi-faceted outreach approach utilizing in-person/virtual meetings, surveys, and publications.

Finally, the Study will be coordinated with the Main Street plan development effort. The study will include the analysis and findings regarding constraints, and suggested recommendations on how to move forward with infill housing development in the downtown, such as reduced or waived development impact fees, tax abatements or exemptions, access to a streamlined development approval process, density bonuses, zoning variances, and reduced parking requirements.

**Implementation:**

The Study would become a component of the Main Street Redesign and Revitalization Plan that would integrating housing infill development strategies as key components to redesigning the downtown and enhancing economic and development opportunities from both public and private investment. In addition to more conventional single family and multiple family development in Isleton, the Residential Infill Development Study will introduce new concepts for housing development within the existing downtown and incentivize investment of this alternative housing types. The Study will also look at measures to reduce constraints to housing such as infrastructure, regulations, and parking. For example, template building plans for residential dwellings could be included and fee reductions could help target development of downtown housing.

## SCOPE OF WORK

### Project Tasks, Deliverables, Timeline and Budget

**Tasks:**

| Task # | Detailed Description of Tasks / Milestones                            | Task Timeline<br>(in months and year) | Deliverable(s) including<br>delivery date       | Total<br>Budget | Green<br>Means Go<br>Funds | Other Funds<br>(include<br>source) |
|--------|---|---------------------------------------|---|-----------------|----------------------------|------------------------------------|
| 1      | Regular reporting to SACOG (this is a required task for all projects) | Ongoing                               | 1. Progress report and<br>invoicing (quarterly) | \$5,000         | \$5,000                    |                                    |
| 2      | RFP process for consultant team                                       | 60 days                               | April/Map. 2023                                 | \$2,000         | \$2,000                    |                                    |
| 3      | Assemble Advisory Group and 1 <sup>st</sup> Meeting                   | 30 days                               | May/June 2023                                   | \$3,000         | \$3,000                    |                                    |
| 4      | Data collection   | 150 days                              | September/October 2023                          | \$15,000        | \$35,000                   |                                    |
| 5      | Multi-Day Charrette with Community                                    | 30 days                               | September/October 2023                          | \$10,000        | \$10,000                   |                                    |
| 6      | Draft Study   | 150 days                              | February/March 2024                             | \$40,000        |                            |                                    |
| 7      | Draft Study Workshop  | 30 days                               | April/May 2024                                  | \$10,000        |                            |                                    |

|   |   |  |         |  |                |          |  |  |  |
|---|---|--|---------|--|----------------|----------|--|--|--|
|   |   |  |         |  |                |          |  |  |  |
| 8 | Final study and adoption                                    |  | 60 days |  | June/July 2024 | \$10,000 |  |  |  |
| 9 | Coordination and integration of study into Main Street Plan |  | NA      |  |                | \$5,000  |  |  |  |

# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 8.C

CATEGORY: Old Business

### **CITY OF ISLETON DECLARATION STATE OF EMERGENCY – A DECLARATION BY THE MAYOR OF THE CITY OF ISLETON OF STATE OF EMERGENCY RESULTING FROM WINTER STORMS MARCH 9, 2023; APPROVE**

#### **SUMMARY**

The Sacramento County Board of Supervisors unanimously approved the ratification of a local state of emergency for the Sacramento County. The emergency proclamation comes as Sacramento County has experienced atmospheric river that began on March 9, 2023. Precipitation and snowpack melt from this warm atmospheric river are anticipated to result in sustained overtopping and runoff from rivers, streams and channels which is likely to significantly impact low-lying areas.

#### **DISCUSSION**

The emergency proclamation comes as the City of Isleton has experienced also an atmospheric river that began on March 9, 2023. Precipitation and snowpack melt from this warm atmospheric river are anticipated to result in sustained overtopping and runoff from rivers, streams and channels which is likely to significantly impact to the City of Isleton.

It is recommended that City Council approve the ratification of a local state of emergency for the City of Isleton.

#### **FISCAL IMPACT**

There is no fiscal impact to the City.

#### **RECOMMENDATION**

It is recommended that City Council approve the ratification of a local state of emergency for the City of Isleton

#### **ATTACHMENTS**

1. Declaration State of Emergency – A Declaration by the Mayor of the City of Isleton of State of Emergency Resulting from Severe Storms of March 2023

Prepared by: Diana O'Brien, Administrative Assistant

Reviewed by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Deputy City Clerk





**CITY OF ISLETON**

**DECLARATION STATE OF EMERGENCY**

**A DECLARATION BY THE MAYOR OF THE CITY OF ISLETON OF STATE OF EMERGENCY  
RESULTING FROM SEVERE STORMS OF MARCH 2023**

**WHEREAS**, pursuant to California Government Code Section 8630 (a) A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body; and

**WHEREAS**, the Deputy Director of Emergency Services of the County of Sacramento find that conditions of extreme peril to the safety of persons and property will arise within the County of Sacramento, from imminent and extreme winter storms that will result in widespread flooding, extraordinary stress upon levees, persistent levee overtopping, local flooding of communities and local infrastructure, and will exhaust local resources and budgets, and cause other critical conditions; and

**WHEREAS**, the City of Isleton has been providing ongoing operational response activities and continuing area damage assessments due to the severe storms in March, 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**, this local emergency condition commenced on March 9, 2023; and

**WHEREAS**, the City of Isleton must use all preventive measures, which will require access to available services, personnel, equipment, and facilities, to respond to the storm and prepare and carryout plans for the protection of persons and property within the City due to this emergency, including actual or threatened existence of conditions of disaster or extreme peril including epidemics, and

**WHEREAS**, further damages are anticipated as ongoing precipitation from multiple, continuing and projected storm and events are anticipated to result in sustained runoff inflow from rivers, streams and channels which continue to impact Isleton; and

**WHEREAS**, there may be extensive damages to homes, businesses, agricultural crops, products, large animals and livestock.

**BE IT FURTHER PROCLAIMED AND ORDERED**, the City Manager of the City of Isleton is authorized to use and employ any of the property, services, personnel and resources of the County to help mitigate this emergency, and may request Federal, State, and other public agencies provide mutual aid, including personnel, equipment and other available resources, to assist the City during this emergency, and

**BE IT FURTHER PROCLAIMED AND ORDERED**, the local emergency shall remain in effect for the next seven (7) days unless it has been ratified and extended by the Isleton City Council, who shall review the need for continuing the local emergency at least once every 60 days, and shall terminate the local emergency at the earliest possible date that conditions warrant.

**NOW, THEREFORE**, the Mayor of the City of Isleton, in accordance with the authority pursuant to Isleton Ordinance 230 and Isleton Municipal Code Chapter 5.40.060 finds that conditions to the health and safety of persons and property within the City of Isleton are threatened and hereby declares a State of Emergency in the City of Isleton.

\_\_\_\_\_  
Mayor Pamela Bulahan

**ATTEST:**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Yvonne Zepeda, Deputy City Clerk



**PROLAMATION OF LOCAL EMERGENCY RESULTING FROM  
SEVERE WINTER STORMS OF MARCH 2023**

WHEREAS, Sacramento County Code, Title 2, Chapter 2.46 empowers the County Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when Sacramento County is affected or likely to be affected by a public calamity, flood or natural disasters when the Sacramento County Board of Supervisors is not in session; and,

WHEREAS, pursuant to Sacramento County Code section 2.46.110, in the absence of the Director of Emergency Services, the Deputy Director is empowered with all the same authority empowered to the Director of Emergency Services; and

WHEREAS, the Deputy Director of Emergency Services of the County of Sacramento does hereby find that conditions of extreme peril to the safety of persons and property will arise within the County of Sacramento, from imminent and extreme winter storms that will result in widespread flooding, extraordinary stress upon levees, persistent levee overtopping, local flooding of communities and local infrastructure, and will exhaust local resources and budgets, and cause other critical conditions; and

WHEREAS, compounded by already elevated reservoir and river water levels as a result from previous rain and storm events, the expected volume and rate of active water that will flow through Sacramento County rivers and streams, specifically the Cosumnes River, will cause flooding of critical roads and communities, thereby necessitating local authorities to alert the public to imminent flooding and to issue, via the County emergency alerting system, emergency evacuation warnings, and subsequent orders, advising residents to prepare to leave their homes and seek safety; and

WHEREAS, ongoing work to repair levees damaged from previous storms, the pre-deployment of response resources as well as additional operational preparedness response activities – particularly in remote areas of the County where additional impacts are certain – have and will continue to divert local resources from day to day operations; and

WHEREAS, precipitation and snow pack melt, from multiple continuing and projected warm winter storm events are anticipated to result in sustained overtopping and runoff from rivers, streams and channels which is likely to significantly impact low lying

areas wherein the impacts of these storms will be beyond the control of personnel, services, equipment and budget of the County; and

WHEREAS, damages to infrastructure, homes, businesses, agricultural crops, products, large animals and livestock may be extensive.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, pursuant to California Government Code section 8630 of the California Emergency Services Act, and Sacramento County Code, Title 2, Chapter 2.46, a local emergency exists within and throughout Sacramento County as of March 8, 2023, and;

BE IT FURTHER PROCLAIMED AND ORDERED, during the existence of this local emergency, the powers, functions and duties of the Director and/or Deputy Director of Emergency Services shall be those prescribed by state law and Sacramento County ordinances, resolutions and the approved Emergency Plan, and;

BE IT FURTHER PROCLAIMED AND ORDERED, the Director and/or Deputy Director of Emergency Services is authorized to use and employ any of the property, services, personnel and resources of the County to help mitigate this emergency, and may request Federal, State, and other public agencies provide mutual aid, including personnel, equipment and other available resources, to assist Sacramento County during this emergency, and;

BE IT FURTHER PROCLAIMED AND ORDERED, the local emergency shall remain in effect for the next seven (7) days unless it has been ratified and extended by the Sacramento County Board of Supervisors, who shall review the need for continuing the local emergency at least once every 60 days, and shall terminate the local emergency at the earliest possible date that conditions warrant.

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Mary Jo Flynn-Nevins, Chief of Emergency Services  
Sacramento Deputy Director of Emergency Services  
Sacramento County Office of Emergency Services

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Date of Proclamation

**EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA**

**PROCLAMATION OF A STATE OF EMERGENCY**

**WHEREAS** on March 1, 2023, March 8, 2023, and March 12, 2023, I proclaimed a State of Emergency to exist in 40 counties, cumulatively, as a result of a series of ongoing winter storms that initially struck California beginning in late February and continue to significantly impact the counties identified in my Proclamations, as well as additional counties across California; and

**WHEREAS** on March 9, 2023, I requested a Presidential Emergency Declaration, which was issued forthwith, for direct federal assistance to make federal resources available to meet the State's critical emergency protection requirements; and

**WHEREAS** California must meet certain Federal validated damage thresholds to secure a Major Disaster Declaration and when it is determined that those thresholds have been met, I will act swiftly to request a Presidential Major Disaster Declaration; and

**WHEREAS** while the counties and the State are focused on lifesaving and life sustaining critical response operations, it is paramount that resources are not redirected to validate damages during these critical activities; and

**WHEREAS** these storms continue to bring heavy precipitation, record flood peaks, downed trees, widespread power outages, and have also damaged and continue to threaten federal and state highways and roads, critical infrastructure, levees, homes, and other buildings; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to these storms; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by these storms, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625, I find that local authority is inadequate to cope with the magnitude of the damage caused by these storms; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of these storms.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Alpine, Orange, and Trinity counties.

**IT IS HEREBY ORDERED THAT:**

All operative provisions contained in my March 1, 2023, March 8, 2023, and March 12, 2023, State of Emergency proclamations are hereby incorporated and applicable, as appropriate, to Alpine, Orange, and Trinity counties as a result of the storms identified in this and the previous Proclamations.

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have  
hereunto set my hand and caused  
the Great Seal of the State of  
California to be affixed this 14th day  
of March 2023.



GAVIN NEWSOM  
Governor of California

**ATTEST:**

\_\_\_\_\_  
SHIRLEY N. WEBER, Ph.D.  
Secretary of State



# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 8.D

CATEGORY: New Business

### **AGREEMENT BETWEEN CITY OF ISLETON AND SACRAMENTO LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO PAY FOR APPLICATION PROCESSING COSTS FOR MUNICIPAL SERVICE REVIEW**

#### **SUMMARY**

A municipal service review (MSR) is conducted by the Sacramento Local Agency Formation Commission (LAFCO) to assess a local agency's sphere of influence. The intent of the MSR is to inform the public with regard to understanding the availability and performance of governmental services provided within their jurisdiction prior to making a sphere of influence (SOI) determination. A sphere of influence MSR may also lead LAFCO to take other actions to better serve the public.

The City designated its proposed SOI in May 2021 and requested a municipal service review in February 2023.

#### **DISCUSSION**

Requesting a MSR is in order to assess the potential performance of public service activities in this SOI.

It is recommended City Council: 1) Approve LAFCO agreement. 2) Designate City Manager to act on behalf of City of Isleton. 3) Approve LAFCO indemnification.

#### **FISCAL IMPACT**

Estimated cost for this work is estimated to be \$30,000. SACOG planning funds will be used to cover these costs.

#### **RECOMMENDATION**

It is recommended City Council: a) Approve agreement to pay LAFCO application cost, b) Designate the City Manager to act on behalf of the City in matters, related to this agreement, c) Approve the LAFCO Indemnification.

#### **ATTACHMENT**

1. LAFCO Agreement to Pay for Application Processing Costs
2. LAFCO Legal Indemnification
3. Map of proposed SOI

Written by: Diana O'Brien, Admin. Asst./Grants Manager

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk \_\_\_\_\_





**Sacramento**  
**LAFCo**

## SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458

[www.saclafco.org](http://www.saclafco.org)

### Agreement to Pay for Application Processing Costs

Project No.: \_\_\_\_\_

Project Name: \_\_\_\_\_

This Reimbursement Agreement between Sacramento Local Agency Formation Commission (LAFCo) and the Project Applicant (undersigned) provides that the Project Applicant shall reimburse Sacramento LAFCo all costs to process the application submitted by the Applicant in accordance with Sacramento LAFCo's Fee Schedule, CA Department of Fish & Wildlife fees, Board of Equalization Fees and any other applicable fees and charges. Note: Fee schedules of other public agencies are beyond the control of LAFCo and may change at any time after submittal of project application.

Project costs include:

- Sacramento LAFCo staff time and materials,
- legal costs,
- consultant costs,
- filing fees,
- surveyor fees,
- public notices,
- costs associated with Municipal Service Reviews,
- environmental documents,
- Board of Equalization fees,
- Department of Fish & Game fees,
- publication/advertising,
- printing/copying,

and any other fees and costs incurred by Sacramento LAFCo to process the project application.

#### **Charges and Deposits**

LAFCo charges are based upon actual staff time and other actual expenses attributable to reviewing and processing applications and project proposals and researching matters as requested. Such charges may be incurred prior to or without the filing of an application with LAFCo. Individuals and agencies that request services, research or review must provide a deposit toward project expenses, as listed on the attached current fee schedule, along with a signed copy of this agreement. All fees and deposits are estimates. All charges will be paid prior to any required public hearing. All invoices are due upon receipt. Applicants should be aware that LAFCo charges may exceed the fee or applicable deposit. Any unexpended deposits will be refunded to Project Applicant.

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#### **Commissioners**

*Sue Frost, Rich Desmond, County Members ■ Patrick Hume, Alternate*  
*Iva Walton, Sean Loloee, City Members ■ Jay Vandenburg, Katie Valenzuela, Alternates*  
*Chris Little, Public Member ■ Timothy Murphy, Alternate*  
*Lindsey Liebig, Gay Jones, Special District Members ■ Charlea Moore, Alternate*

#### **Staff**

*José C. Henríquez, Executive Officer ■ Desirae Fox, Policy Analyst*  
*Nancy Miller, DeeAnne Gillick, Commission Counsel*



**Staff and Consultant Assignments**

The Executive Officer shall assign LAFCo staff members to projects as appropriate. Should the scope of a project require that outside consulting or other needed services be obtained, the applicants will be responsible for the entire cost of recruitment, source selection and payment for such outside services. Applicants are responsible for reimbursing actual costs for any services obtained by LAFCo through contract. To facilitate application processing, LAFCo may retain various experts on an as-needed basis.

**Billing Procedure**

An Applicant shall submit payments to:

Sacramento LAFCo  
1112 I Street, Suite 100  
Sacramento, CA 95814

- Initial deposit is due at time of project application submission.
- Applicant will be invoiced as expenses are incurred.
- Failure to pay invoices may result in a stoppage of work by LAFCo and its consultants until payments are current.
- Final payment is due prior to the first Public Hearing.
- Notice of Completion will not be filed until all subsequent outstanding costs and charges have been paid in full.
- Projects with delinquent balances will not be scheduled for hearing and LAFCo will consider applicants to have waived any and all statutory deadlines.

This form must be signed by the person responsible for payment and must be filed with LAFCo along with the applicable deposit and indemnity agreement when an application is filed or a request for staff services is submitted.

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Sacramento Local Agency Formation Commission  
José C. Henríquez, Executive Officer

\_\_\_\_\_  
Applicant





## SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458

[www.saclafco.org](http://www.saclafco.org)

Project Name:

Project Number:

*LAFCo staff will assign name and number*

### Legal Indemnification

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Sacramento Local Agency Formation Commission, its agents, officers, attorneys, and employees (collectively "LAFCo") from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of LAFCo. This indemnification obligation is intended to be as broad as permitted by law.

The Executive Officer may require a deposit of funds sufficient to cover estimated expenses of such proceedings. Applicant and the real party in interest agrees that LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit the obligations to indemnify and reimburse defense costs.

\_\_\_\_\_  
Name (please print clearly)

\_\_\_\_\_  
Signature of Property Owner/Applicant or Designated Agent

Executed at \_\_\_\_\_, on \_\_\_\_\_

#### Commissioners

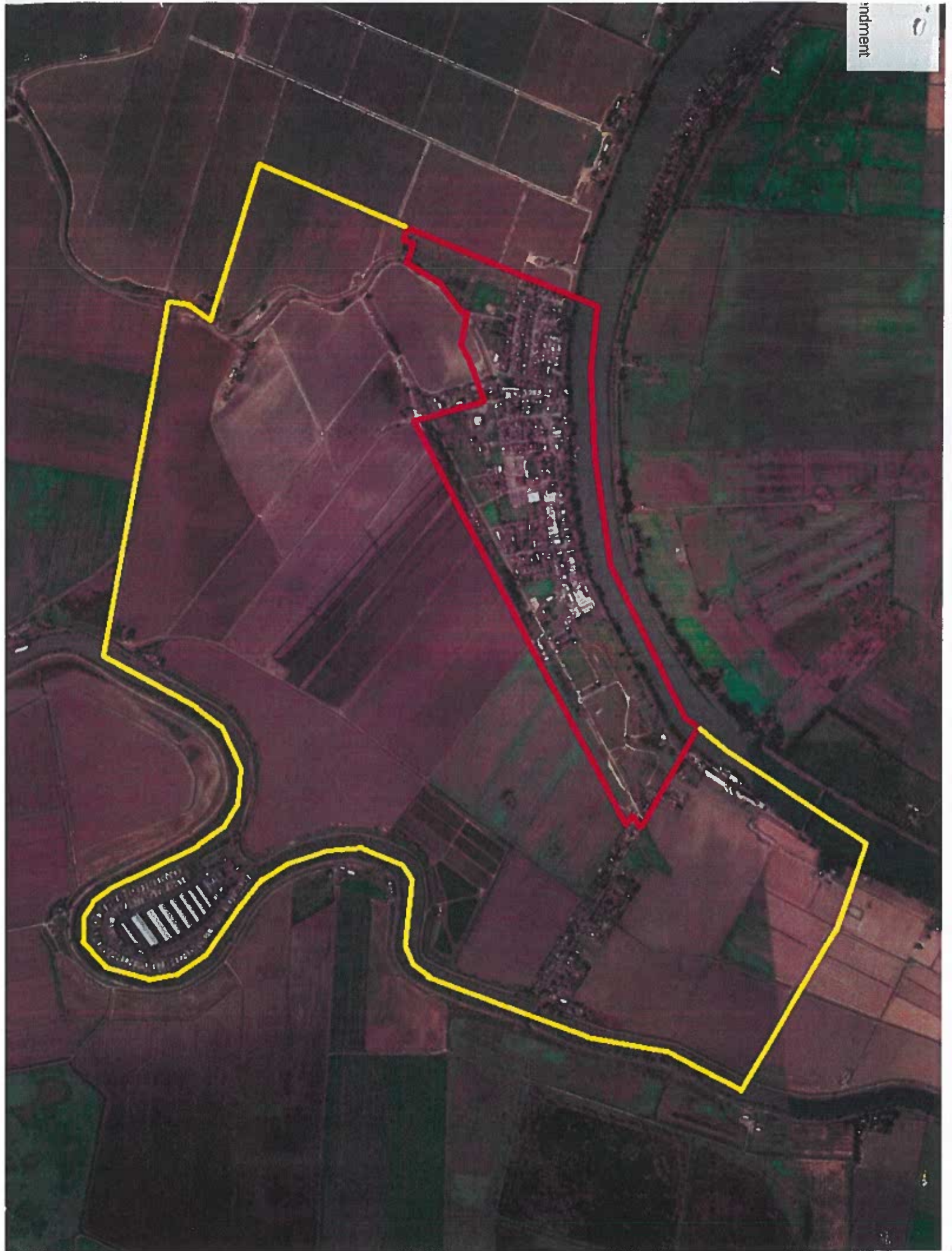
*Sue Frost, Rich Desmond, County Members ■ Phil Serna, Alternate*  
*Linda Budge, Sean Loloee, City Members ■ Vacant, Katie Valenzuela, Alternates*  
*Chris Little, Public Member ■ Timothy Murphy, Alternate*  
*Lindsey Liebig, Gay Jones, Special District Members ■ Charlea Moore, Alternate*

#### Staff

*José C. Henríquez, Executive Officer ■ Desirae Fox, Policy Analyst*  
*Nancy Miller, DeeAnne Gillick, Commission Counsel*









# City of Isleton

## City Council Staff Report

DATE: March 28, 2023

ITEM#: 10.D

CATEGORY: Staff Reports

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### CODE ENFORCEMENT REPORT

#### SUMMARY

Staff presents the code enforcement report for March by Code Enforcement Officer Nathan Anderson of Willdan Corporation. Code Enforcement by contract has started effect in February of this year.

Reviewed by: Charles Bergson, City Manager 

Submitted by: Yvonne Zepeda, City Clerk \_\_\_\_\_





# **ISLETON CODE ENFORCEMENT** **DAILY REPORT LOG**

Wednesday March 1<sup>st</sup>, 2023 0730-1300

- **#23-0004** - Complaint regarding motorhome parked on the corner of 5<sup>th</sup>/Jackson Ave
  - Green Warning tag issued (22651(k) 72 hour parking
  - Spoke with vehicle owner (son of) Chris Atkins, stated changing fuel pump/dropping fuel tank to repair vehicle and will get it moved. Informed him vehicle has to move every 72 hours or is subject to being towed
    - Documentation - Photos and Green Tag paperwork
    - Subject to tow on 3/7/2023



Vehicle No Longer There  
**\*\*\*CLOSED\*\*\***

- **#23-0005** - Silver Acura TL (LA plate 132 EYO) parked in front of 16 4<sup>th</sup> Ave, major front end damage and minor rear end damage. Resident at 16 4<sup>th</sup> Ave stated it is not their vehicle and it arrived several days ago. Contacted Sac Sheriff Dispatch and confirmed the vehicle is not stolen at this time, via VIN search with dispatch.
  - Green Warning Sticker issued (22651(k) 72 hour parking
  - Vehicle stolen status checked, not stolen as of this date/time
    - Documentation – Photos and Green Tag paperwork
    - Subject to tow on 3/7/2023



- 03/07/2023 – Vehicle no longer parked IFO location.

**\*\*\*CLOSED\*\*\***



# **ISLETON CODE ENFORCEMENT**

## **DAILY REPORT LOG**

Wednesday March 7<sup>th</sup>, 2023 0730-1300

- **#23-0005** - Silver Acura TL (LA plate 132 EYo) parked in front of 16 4<sup>th</sup> Ave, No longer on City street. **\*\*CLOSED\*\***
- **#23-0004** - Complaint regarding motorhome parked on the corner of 5<sup>th</sup>/Jackson Ave, No longer on City street. **\*\*CLOSED\*\***
- **#23-0005** – Green Warning sticker issued to White tractor trailer, Willoughby/Olivia



- **#23-0006** – Green Warning issued for grey Honda Accord (8YQK677) Second St/Delta Ave



- **#23-0007** – Silver Mazda Protégé (CA plate 5YUH203) towed for 22561(k), Jays Towing, 4<sup>th</sup> Ave/Andrus
- **#23-0008** – Gas Well vacant lot with Camper on it, collecting debris/trash, female living out of vehicle. Contacted and advised of IMC:
  - 5.60.040 - 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.



- Spoke with property owner of 8 Gas Well, Fred Lopez (415) 624-5302 on phone
  - Stated the property should be vacant, he has keys in his possession
  - Has been vacant to his knowledge for 2 weeks
  - Will contact a "junk removal" company to schedule them to clean the debris/trash
  - Will contact Code Enforcement once the area has been cleaned for inspection.
- Parking complaint 46 Main st, vehicle no longer at location

# **ISLETON CODE ENFORCEMENT**

## **DAILY REPORT LOG**

March 14, 2023

- #23-0006 - Green Warning issued for grey Honda Accord (8YQK677) Second St/Delta Ave  
**\*\*\*CLOSED, VEHICLE GONE\*\*\***
- #23-0003 – 2<sup>ND</sup> NOV/Admin Citation written, 106 2<sup>nd</sup> street
- #23-0005 - Trailer still at original location, no license plate or visible VIN number. Will begin removal process with attempting to locate a Tow Company who can remove a Tractor Trailer
- #23-0009 – 110 3<sup>rd</sup> Street, NOV written regarding garbage/debris



- Spoke with Property Owner of 8 Gas Well, working on scheduling a junk/debris removal company to comply with NOV
  - Made contact with a female at the address, Angelica Montoya, who stated she is the renter and was informed of the IMC Violation. Female stated she would have her son come and clean it up.
  - Called Property owner and informed him of the contact with female at address. Property owner will contact Sheriff Office to begin an eviction process and clean the property to comply with violation.
- 3 RIP, Rental Inspection Program, letters scheduling inspection date mailed out

