

# City of Isleton

## City Council Staff Report

DATE: January 9, 2024

ITEM#: 4.A

CATEGORY: Communications

**LETTER FROM CALIFORNIA STATE SENATE BILL DODD, THIRD DISTRICT  
CONGRATULATIONS FROM THE AMERICAN WATER CHARITABLE FOUNDATION,  
JEAN YOKOTOB  
FEMA PUBLIC ASSISTANCE NATIONAL WORKFLOW**

### SUBJECT

- A. Letter from California State Senate Bill Dodd, Senator, Third District.
- B. Congratulations from the American Water Charitable Foundation, Jean Yokotobi.
- C. FEMA Public Assistance National Workflow

### RECOMMENDATION

Receiving Communication

### FISCAL IMPACT

There is no fiscal impact with this action.

### RECOMMENDATION

City Council receive communication.

### ATTACHMENT:

- D. Letter from California State Senate Bill Dodd, Senator, Third District.
- E. Congratulations from the American Water Charitable Foundation, Jean Yokotobi.
- F. FEMA Public Assistance National Workflow

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



STATE CAPITOL, ROOM 4032  
SACRAMENTO, CA 95814  
TEL (916) 651-4003  
FAX (916) 651-4903

# California State Senate

## BILL DODD

SENATOR, THIRD DISTRICT



CHAIR: SENATE GOVERNMENTAL ORGANIZATION COMMITTEE

COMMITTEES  
BUSINESS, PROFESSIONS  
& ECONOMIC DEVELOPMENT  
ENERGY, UTILITIES  
& COMMUNICATION  
INSURANCE  
TRANSPORTATION  
JOINT COMMITTEE  
EMERGENCY MANAGEMENT  
SELECT COMMITTEE  
CALIFORNIA'S WINE INDUSTRY  
CO-CHAIR

December 14, 2023

The Honorable Charles Bergson  
City Manager, City of Isleton  
101 2nd Street  
Isleton, CA 95641

Dear Charles,

As I reflect on this past year and look towards 2024, I want to personally thank you for your dedicated service to our community and shared constituents. I served in local office for 14 years before being elected to the Legislature, so I'm keenly aware of how tirelessly you work and how critical your efforts are for the people we serve. It certainly isn't simple or easy serving in local government – it takes incredible time and perseverance. We've had no shortage of challenges in recent years, and while the new year will present new obstacles to overcome, I am heartened by your capacity to serve. And I am confident that for every tribulation, we will have new opportunities to make positive change.

This year we were able to make meaningful progress in key areas, like maintaining education investments, wildfire prevention, and moving towards sustainability. However, with budget shortfalls on the horizon, and acute needs to address homelessness and housing, much work remains in the year ahead. I remain committed to being an effective advocate for you and our communities in the state Capitol.

If you need support dealing with a state agency, have a constituent in need of state resources, or have input on state policy, I want to be as helpful and accessible as possible. If you ever need any assistance, please contact one of my offices or email me directly at [bill.dodd@sen.ca.gov](mailto:bill.dodd@sen.ca.gov).

Thanks again for your efforts every single day to better the lives of our fellow Californians. I am looking forward to collaborating with you next year, and I wish you a productive and prosperous 2024. Harry Truman said, "America was not built on fear. America was built on courage, on imagination and an unbeatable determination to do the job at hand." I believe it is truer now than ever, and that together there is so much we can and will accomplish.

Sincerely,

A handwritten signature in black ink that reads "Bill Dodd".  
BILL DODD  
Senator, District 3

VACAVILLE OFFICE: 555 MASON STREET, SUITE 275, VACAVILLE, CA 95688 • TEL (707) 454-3808 FAX (707) 454-3811  
NAPA OFFICE: 2721 NAPA VALLEY CORPORATE DRIVE, NAPA, CA 94558 • TEL (707) 224-1990 FAX (707) 224-1992  
VALLEJO OFFICE: 420 VIRGINIA STREET, SUITE 1-C, VALLEJO, CA 94590 • TEL (707) 551-2389 FAX (707) 551-2390  
SONOMA COUNTY OFFICE: 50 D STREET, SUITE 300, SANTA ROSA, CA 95404 • TEL (707) 576-2093 FAX (707) 576-2095





## Charles Bergson

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**From:** Jean Yokotobi <jean@deltaecs.org>  
**Sent:** Thursday, December 14, 2023 11:11 AM  
**To:** Nichole Baxter; Charles Bergson  
**Subject:** Fw: Congratulations from the American Water Charitable Foundation! (Ref#2023120037)

For your info.

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**From:** noreply.grants@benevity.com <noreply.grants@benevity.com>  
**Sent:** Thursday, December 14, 2023 1:05 AM  
**To:** Jean Yokotobi <jean@deltaecs.org>  
**Cc:** awcfgrants@amwater.com <awcfgrants@amwater.com>; nichole.baxter@amwater.com <nichole.baxter@amwater.com>  
**Subject:** Congratulations from the American Water Charitable Foundation! (Ref#2023120037)

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Hi Jean,

Congratulations! We are happy to inform you that the American Water Charitable Foundation has approved your grant request in the amount of \$20,000.00. A paper check will be issued within the next two weeks and sent to the attention of the name provided on your application. We hope this will assist your organization in achieving its charitable mission and we thank you for your patience during the review process. As indicated during the application process, we will require a status update, or final completion report, regarding success and impact of your project. This is due within 6 months. We will send you a reminder as that date approaches.

Once again, we appreciate your interest in partnering with us and making a difference in communities served by American Water.

If you have any questions, please reach out to

[awcfgrants@amwater.com](mailto:awcfgrants@amwater.com).

Thank you,

American Water Charitable Foundation

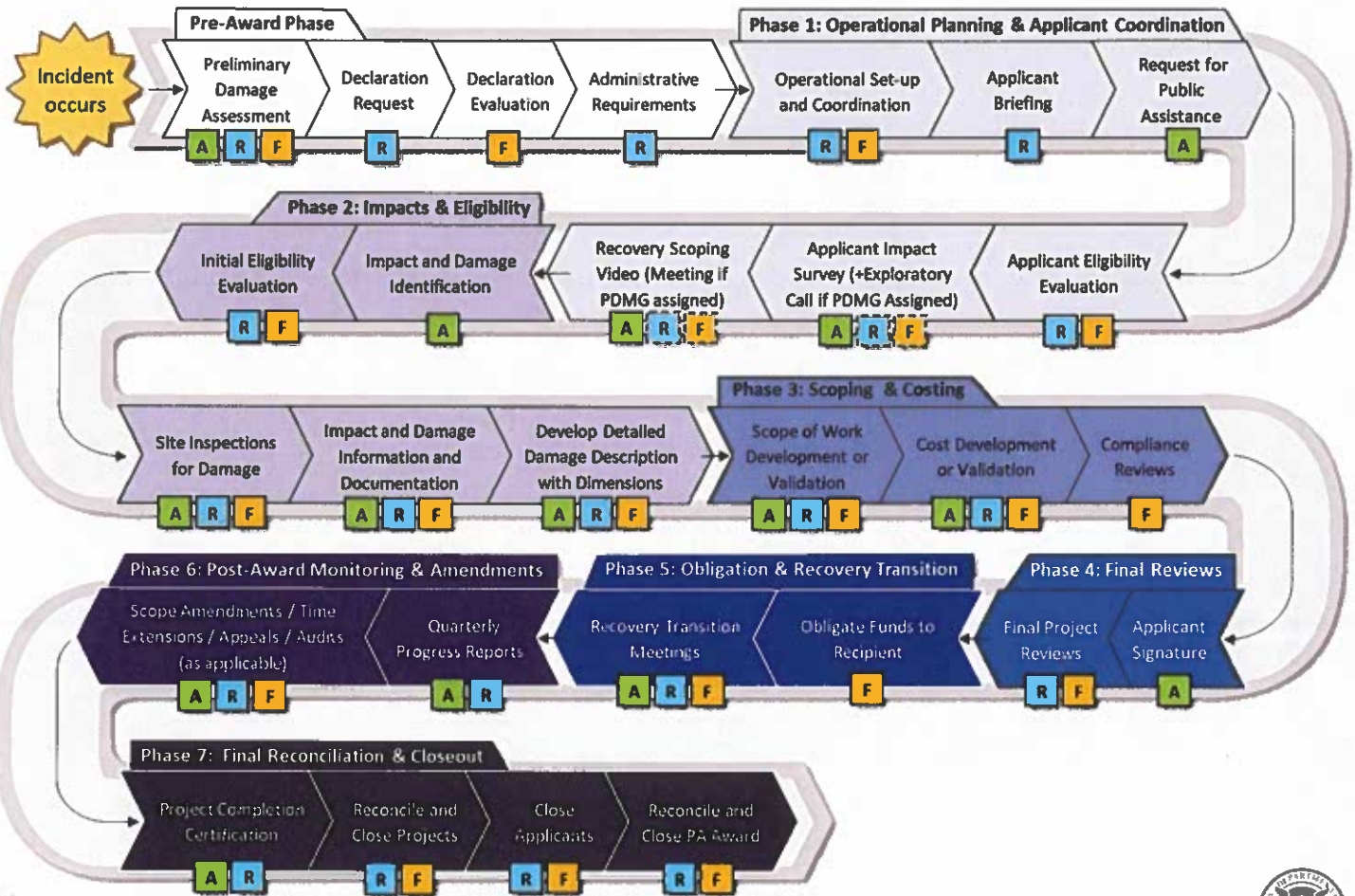
**Please do not reply to this email. Our server cannot receive email replies.**



# FEMA Public Assistance National Workflow

## PROGRAM DELIVERY PROCESS STEPS

Pre-Award Phase Phase 1 Phase 2 Phase 3 Phase 4 Phase 5 Phase 6 Phase 7



**Key:**  
 Applicant (A)  
 Recipient (R)  
 FEMA (F)







# City of Isleton

## City Council Staff Report

DATE: January 9, 2024

ITEM#: 5.A

CATEGORY: Consent Calendar

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### MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 12, 2023 AND SPECIAL MEETINGS OF DECEMBER 19, 2023.

#### SUMMARY

A. Review of the Regular City Council Meeting minutes of December 12, 2023 and Special Meetings of December 19, 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 December 12, 2023 and Special Meetings of December 19, 2023.

#### ATTACHMENTS

- Minutes of the Regular City Council Meeting of December 12, 2023 and Special Meetings of December 19, 2023.

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



## CITY OF ISLETON

### City Council Meeting Minutes

Tuesday, December 12, 2023 at 6:30pm  
208 Jackson Boulevard  
Isleton, California 95641

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This meeting will be held 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 listening to the 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.

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Join Zoom Meeting

<https://us02web.zoom.us/j/3379037904?pwd=cWdVNkN5aHUxcjVwRGRIMlBpajcwZz09>

Meeting ID: 337 903 7904

Passcode: 123456

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#### 1. OPENING CEREMONIES

A. Welcome & Call to Order – Mayor Pamela Bulahan 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 and City Manager Charles Bergson.

D. Recognition of City Councilmember's and Staff.

ACTION: Tabled.

#### 2. AGENDA CHANGES OR DELETIONS

ACTION: Move Code Enforcement 10.F after consent calendar item 5.A. Dryvac 8.A after consent calendar then 10.D.

#### 3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

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

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

**ACTION:** City Manager, Charles Bergson, read the Notice of Intent that was advertised on November 21, 2023 in the Rio Vista Beacon for the City of Isleton application with the U.S. Department of Agriculture, Rural Development, Emergency and Imminent Community Water Assistance Grants Program and public hearing set for December 12, 2021 for public comment. The Notice of Intent follows below:

November 21, 2023

**RE: NOTICE OF INTENT TO FILE APPLICATION**

The City of Isleton intends to file an application for federal financial assistance with the U.S Department of Agriculture, Rural Development, Emergency and Imminent Community Water Assistance Grants Program. The project includes critical improvements to the sewer system. The total funding request is approximately \$394,662 for engineering construction costs. A public meeting for comments will be held at 6:30pm on December 12, 2023 at Isleton Community Center, 208 Jackson Blvd Ext. to discuss the proposed project and to provide the opportunity for public comment. Any comments regarding this application should be submitted to the City of Isleton Deputy City Clerk, Yvonne Zepeda, [Yvonne.zepeda@cityofisleton.com](mailto:Yvonne.zepeda@cityofisleton.com).

No public comments received.

**4. COMMUNICATION**

A. City of Isleton Newsletter.

**ACTION:** Councilmember David Kent said, he wants to support our revitalization plan.

**5. CONSENT CALENDAR**

A. **SUBJECT:** Approval of Minutes of the Regular City Council meeting of November 28, 2023.

**RECOMMENDATION:** City Council review and approve draft minutes of the Regular City Council meeting of November 28, 2023.

**ACTION:** Vice Mayor Paul Steele motion to approve the minutes of the Regular City Council meeting of November 28, 2023. Councilmember David Kent second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-**

**6. PUBLIC HEARING**

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**A. SUBJECT:** None.

## **7. OLD BUSINESS**

**A. SUBJECT:** Waiver of Debt by the City of Isleton owed by Isleton Redevelopment Successor Agency, City of Isleton Resolution No. 27-23.

**RECOMMENDATION:** Staff recommends City Council vote to approve Resolution 27-23, Forgiving the Repayment of Any Loan, Advance, or Indebtedness Owed to the City of Isleton by the Redevelopment Successor Agency of the City of Isleton.

**ACTION:** Councilmember Kelly Hutson motion to approve Resolution No. 27.23, Forgiving the Repayment of Any Loan, Advance, or Indebtedness Owed to the City of Isleton by the Redevelopment Successor Agency of the City of Isleton. Vice Mayor Paul Steele second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NEOS:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 5-0.

**B. SUBJECT:** Father's Day Festival Proposals.

**RECOMMENDATION:** That City Council appoint a Festival Subcommittee to review the Father's Day Festival proposal and set a Special Council meeting for December 19, 2023.

**ACTION:** City Manager stated only one RFP was submitted. Pull Council and give Sebastian permission to do festival. By consensus Festival was awarded to Sebastian Maldonado of Isleton Foundation LLC and to provide traffic plan and pull a special events permit.

**C. SUBJECT:** City Council to consider appointment to the Isleton Historic Review Board (IHRB).

**RECOMMENDATION:** City Council receive and consider appointment for the Isleton Historic Review Board (IHRB) for standard term.

**ACTION:** Councilmember Iva Walton motion to appoint Michelle Burke to the Isleton Historic Review Board (IHRB). Councilmember David Kent second the motion. **AYES:** Councilmember's Iva Walton and David Kent. **NOES:** Councilmember's Kelly Hutson, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **ABSTAIN:** None. **ABSENT:** None. **NOT PASSED** 2 YES and 3 No.

## **8. NEW BUSINESS**

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**A. SUBJECT: DryVac Presentation to City Council – Wastewater Treatment.**

**RECOMMENDATION:** That City Council receive DryVac power point presentation.

**ACTION:** Dan Simpson gave a presentation on DryVac on their firm and their capacity regarding sewage.

**9. COUNCIL REPORTS AND COMMITTEE UPDATES**

- A. Councilmember Kelly Hutson-None.
- B. Councilmember David Kent- IHRB direction and assignment, don't change code and make progress you have.
- C. Councilmember Iva Walton- Safety Commission Meeting tomorrow. GHAD. YELP gave me an award for excellent business.
- D. Vice Mayor Paul Steele- Safety aspects when tree light up, fence off. Next year bigger event and City Hall take donations for kids. 10 and under? December 17 is Holiday brunch \$35.00. Wilson Park concrete complete. Gazebo maybe copper end of February-March?
- E. Mayor Pamela Bulahan- SACOG meeting, Yolo City/Cal Trans talking about making 80 a toll, District 3.

**10. STAFF GENERAL REPORTS AND DISCUSSION**

- A. City Manager Report – FEMA says we are getting the funds.
- B. Fire Chief Report –
- C. Planning Commission –
- D. Code Enforcement -
- E. Future Agenda Items -

**11. CLOSED SESSION**

- 11.1 A. None.

**12. ADJOURNMENT**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**MAYOR, Pamela Bulahan**

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ATTEST:

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DEPUTY CITY CLERK, Yvonne Zepeda

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## CITY OF ISLETON

### Special City Council Meeting Minutes

Wednesday, December 19, 2023 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

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The public may participate and provide public comments in person. Please be advised that teleconferencing option is provided as a courtesy to the public. If, for any reason, there are technical difficulties, the City Council meeting will continue in person.

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How to Listen to the City Council 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 and City Manager Charles Bergson.

#### 2. AGENDA CHANGES OR DELETIONS

ACTION: None.

#### 3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: None.

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**4. CLOSED SESSION**

11.1 Public Employee Performance Evaluation Pursuant to Government Section §54957,  
position: City Manager.

**ACTION:** City Manager Charles Bergson announced his resignation.

**5. 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: January 9, 2024

ITEM#: 7.A

CATEGORY: Old Business

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### **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON ASSIGNING THE DUTIES AND FUNCTIONS OF THE PLANNING COMMISSION TO THE CITY COUNCIL**

#### **SUMMARY**

The City's Planning Commission is currently not functioning due to the three vacancies. Staff has posted notices to recruiting of replacements for commissioners, but the City has not received any interest in filling those positions. Further, the lack of applicants is indicative of a less than adequate pool of potential candidates for this Commission.

#### **DISCUSSION**

Without a functioning Planning Commission the City cannot conduct planning business. For the interim and since the planning function for cities rests with the Council (Gov. Code § 65100 et seq.), it is recommended that the Council assume the responsibilities of the planning until such time the City can re-establish the Commission. It is not common for smaller municipalities councils to provide planning duties and functions.

The Planning Commission is established by Chapter 2.28 of the Municipal Code which references the powers, functions, membership, and other responsibilities:

#### *Planning Commission Responsibilities (Section 2.28.020 of the Municipal Code):*

- A. To hold hearings and issue recommendations on all zoning matters;
- B. To conduct such other hearings as are provided by law and in accordance with its own rules and regulations;
- C. To report its decisions and recommendations in writing to the city council;
- D. To recommend the adoption or amendment of the general plan governing land use and development by the city;
- E. To recommend the adoption or amendment of any specific plans governing land use and development in certain areas within the city limits or within the city's sphere of influence;
- F. To recommend to the council the adoption of any ordinances, resolutions, agreements, or programs concerning planning matters;
- G. To exercise any other powers and to fulfill any other duties assigned to the commission by the laws of the state and the ordinances of the city, including but not limited to California Government Code sections 65100 et seq. and Isleton City Ordinance No. 396.

Attached is an ordinance , prepared by the City Attorney, to assign the duties and function of the Planning Commission to the City Council.

## **FISCAL IMPACT**

There will be cost savings by assigning the Planning Commission responsibilities for City Council with reduced staffing resources for processing land use entitlements.

## **RECOMMENDATION**

It is recommended that the City Council adopt Ordinance 2024-02, An Ordinance of the City Council of the City of Isleton Assigning the Duties and Functions of the Planning Commission to the City Council.

Attachment: Ordinance No. 2024-02



**ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON  
ASSIGNING THE DUTIES AND FUNCTIONS OF THE PLANNING  
COMMISSION TO THE CITY COUNCIL**

**WHEREAS**, the city of ISLETON, California ("City") is a municipal corporation, duly organized under the Constitution and laws of the State of California; and

**WHEREAS**, Government Code section 65100 provides that the City Council may assign the powers of a planning agency to individuals and entities such as City staff, a planning commission, or to the Council itself. Currently the Isleton Municipal Code assigns to the Planning Commission certain municipal functions that are critical to the orderly operations of the City. For some time, however, the City has been unable to find enough City residents willing to serve on the Planning Commission and as a result, the Planning Commission has been unable to fulfill these critical functions; and

**WHEREAS**, The purpose of this Ordinance is to formalize the City Council's assumption of responsibility for those duties and functions under the Municipal Code and state law which are currently assigned to the Planning Commission. The City Council may repeal this ordinance in the future if it determines enough Planning Commissioners can be appointed so that the Planning Commission is able to act under all applicable laws.

**THE CITY COUNCIL OF THE CITY OF ISLETON, CALIFORNIA, DOES HEREBY ORDAY AS FOLLOWS:**

**Section 1.** Title. This ordinance shall be known as the Planning Commission Assignment Ordinance and shall be hereinafter called "Ordinance." The City of Isleton hereinafter shall be called "City."

**Section 2.** Assumption of Planning Commission Duties and Functions. Pursuant to Government Code section 65100, all duties and functions currently delegated to the City's Planning Commission are hereby assumed by the City Council. Any conflicting provision in any City ordinance, resolution, or rule is suspended until such time as the City Council repeals this Ordinance.

**Section 3.** Code References. Any reference to the Planning Commission within the Isleton Municipal Code shall be read to refer to the City Council while the City Council serves the function and exercises the duties of the City's planning agency.

**Section 4.** Severability. If any portion of this Ordinance or the application thereof to any person or circumstance is found to be invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have adopted this Ordinance, and each portion thereof irrespective of the fact that any one or more portion thereof be declared invalid.

**Section 5. Effective Date.** This Ordinance shall take effect thirty (30) calendar days from the date of its passage.

**Section 6. Publication.** The Deputy City Clerk shall certify to the adoption of this Ordinance and shall post or publish this Ordinance as required by law.

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council of the City of Isleton this \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

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

ATTEST:

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

# City of Isleton

## City Council Staff Report

DATE: January 9, 2024

ITEM#: 7.B

CATEGORY: Old Business

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### **CITY COUNCIL ADOPTION ORDINANCE 2024-01 ISLETON PUBLIC WORKS IMPROVEMENT STANDARDS**

#### **SUMMARY**

Public works improvement standards are used by local government to provide requirements for construction in the public rights-of-ways and public projects.

#### **DISCUSSION**

The purpose of establishing Public Improvement Standards is to help provide public facilities and services that ensure health and safety and enhance quality of life for the community. The City does not have an adopted public works improvement standards. Staff has compiled a set of standards from other cities.

These standards shall serve to regulate and guide the design and preparation of plans for: construction of streets, highways, alleys, drainage, sanitary sewer, street lighting, water supply facilities and related public improvements, and set guidelines for all private works which involve drainage, grading, erosion control, trees and related improvements.

Staff requests City Council adopt the attached Isleton Public Works Improvement Standards by Ordinance.

#### **FISCAL IMPACT**

There is no fiscal impact associated with this action.

#### **RECOMMENDATION**

It is recommended City Council adopt Ordinance 2024-01, Isleton Public Works Improvement Standards.

#### **ATTACHMENTS:**

1. Draft Isleton's Public Works Improvement Standards
2. Ordinance 2024-01

Written by: Diana O'Brien, Admin. Asst./Grants Mgr.  
Approved by: Charles Bergson, City Manager  
Submitted by: Yvonne Zepeda, Deputy City Clerk



**ORDINANCE NO. 2024-01**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON ADOPTING THE ISLETON PUBLIC IMPROVEMENT STANDARDS**

**WHEREAS**, the City Council has no previously adopted public improvement standards; and

**WHEREAS**, these drawings have been compiled with other public agencies; and

**WHEREAS** The City requires the establishment of uniform standards for common public works facilities; and

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

Section 1. The City Council of the City of Isleton hereby adopt and incorporated by this reference as though set forth in full, as part of the municipal rules and regulations of the City of Isleton.

Section 2. The City Clerk shall cause this Ordinance to be posted at the following three (3) locations within the City within (15) days after it is certified to be entered into the Book of Ordinances:

- Isleton City Hall, 101 Second Street
- Isleton Post Office, 202-205 Second and C Street
- DeJack’s Market, 106-107 Second Street.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Isleton duly held on the 9th day of January, 2024, and was approved and enacted at a duly held regular meeting of the City Council held on \_\_\_\_ day of \_\_\_\_\_ by the following roll call vote:

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

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

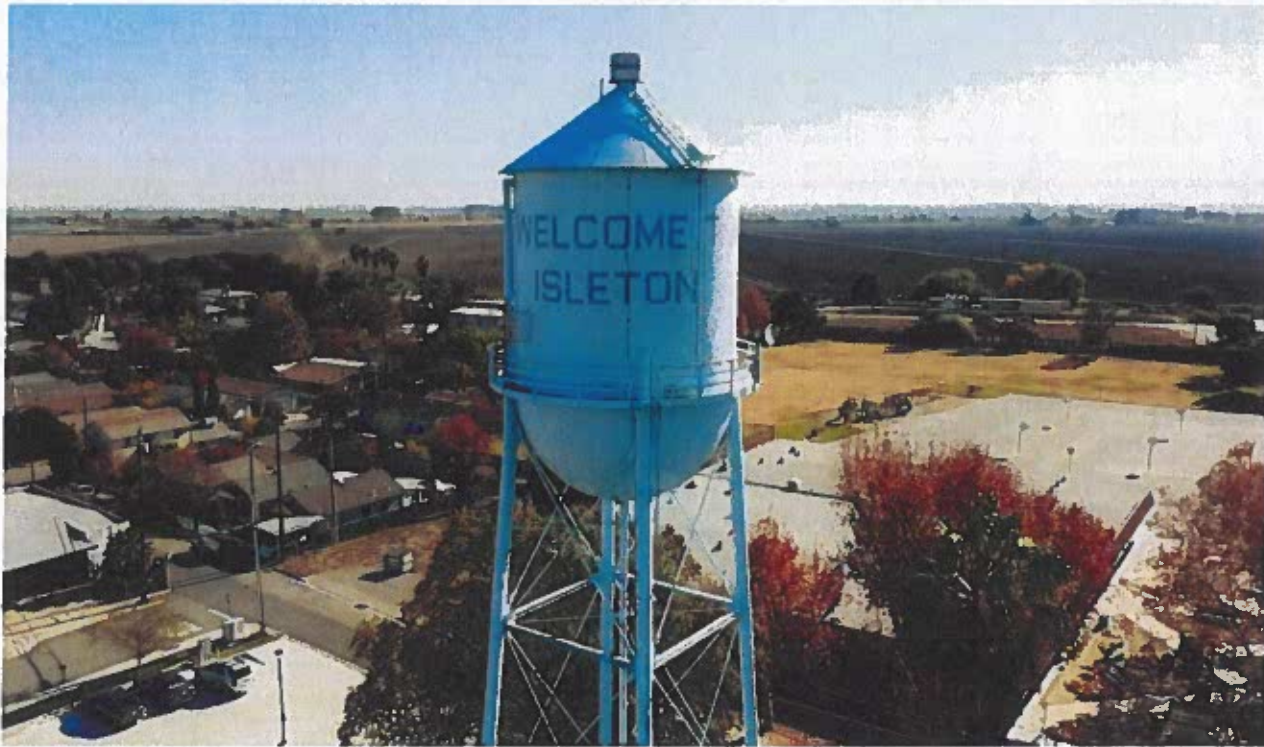
ATTEST:  
\_\_\_\_\_

APPROVED AS TO FORM:  
\_\_\_\_\_/s//\_\_\_\_\_

Deputy City Clerk, Yvonne Zepeda

City Attorney





# CITY OF ISLETON

## PUBLIC IMPROVEMENT STANDARDS



Authored by: Charles Bergson, P.E.  
City Manager  
December 2023

# PUBLIC IMPROVEMENT STANDARDS

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# City of Isleton

## City Council Staff Report

DATE: January 9, 2024

ITEM# 7.C

CATEGORY: Old Business

### **RESOLUTION 01-24 OF THE CITY COUNCIL OF THE CITY OF ISLETON AUTHORIZATION TO EXECUTE ALL MASTER AGREEMENTS, PROGRAM SUPPLEMENTAL AGREEMENTS, FUND EXCHANGE AGREEMENTS, FUND TRANSFER AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION**

#### **SUMMARY**

The City of Isleton is eligible to receive Federal and/or State funding for certain Transportation Projects, through the California Department of Transportation. Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds could be claimed

#### **DISCUSSION**

The City of Isleton has been awarded Federal and/or State funding for certain Transportation Projects through the California Department of Transportation. Resolution #01-24 is a blanket resolution that authorizes the Mayor, City Manager or City Engineer to execute these agreements.

Attached is the Program Supplement Agreement for the City's Project HSIPL-5260(004), Various intersections throughout the city: H St/Main St; 2nd St/A St./SR-160; Union st/D St and SR-160/C St. that needs to be signed on this day January 9, 2024 and returned along with Resolution 01-24 to California Department of Transportation as soon as possible.

#### **FISCAL IMPACT**

There is no fiscal impact for adopting Resolution and signing Program Supplement Agreement.

#### **RECOMMENDATION**

It is recommended City Council adopt Resolution 01-24 that authorizes the Mayor, City Manager or City Engineer to execute the Program Supplement Agreement for Isleton's project HSIPL-5260(004).

#### **ATTACHMENT:**

1. Resolution #01-24
2. Program Supplement Agreement for Isleton's Project HSIPL-5260(004)

Written by: Diana O'Brien, Administrative Assistant/Grants Manager

By: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Deputy City Clerk



## RESOLUTION NO. 01-24

**RESOLUTION 01-24 OF THE CITY COUNCIL OF THE CITY OF ISLETON AUTHORIZATION TO EXECUTE ALL MASTER AGREEMENTS, PROGRAM SUPPLEMENTAL AGREEMENTS, FUND EXCHANGE AGREEMENTS, FUND TRANSFER AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the City of Isleton is eligible to receive Federal and/or State funding for certain Transportation Projects, through the California Department of Transportation; and

**WHEREAS**, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds could be claimed; and

**WHEREAS**, the City Council of the City of Isleton in the County of Sacramento wishes to delegate authorization to execute these agreements and any amendments thereto to the Mayor, City Manager or City Engineer; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor, City Manager or City Engineer be authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with California Department of Transportation.

**PASSED AND ADOPTED THIS 9<sup>th</sup> day of January, 2024** at a meeting, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

I, Yvonne Zepeda, Deputy City Clerk of the City Council of the City of Isleton of Isleton, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Board at a meeting thereof held at its regular place of meeting on the date shown above and by the vote above stated, which resolution is on file in the office of said Board.

---

Deputy City Clerk, Yvonne Zepeda

---

Mayor, Pamela Bulahan



**PROGRAM SUPPLEMENT NO. F001**  
**to**  
**ADMINISTERING AGENCY-STATE AGREEMENT**  
**FOR FEDERAL-AID PROJECTS NO 03-5260F15**

Adv. Project ID  
 0324000080

Date: December 18, 2023  
 Location: 03-SAC-0-IST  
 Project Number: HSIPL-5260(004)  
 E.A. Number:  
 Locode: 5260

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 06/11/2020 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the Administering Agency on (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

**PROJECT LOCATION:** Various intersections throughout the city: H St/Main St; 2nd St/A St./SR-160; Union st/D St; and SR-160/C St.

**TYPE OF WORK:** Pedestrian Walkway

**LENGTH:** 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	YS60		LOCAL	OTHER
\$19,100.00		\$17,190.00	\$1,910.00	\$0.00

**CITY OF ISLETON**

By \_\_\_\_\_  
 Title \_\_\_\_\_  
 Date \_\_\_\_\_  
 Attest \_\_\_\_\_

**STATE OF CALIFORNIA**  
**Department of Transportation**

By \_\_\_\_\_  
 Chief, Office of Project Implementation  
 Division of Local Assistance  
 Date \_\_\_\_\_

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer



Date 12/18/2023

\$17,190.00

### SPECIAL COVENANTS OR REMARKS

1.
  - A. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
  - B. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).
  - C. STATE and ADMINISTERING AGENCY agree that any additional funds which might be made available by future Federal obligations will be encumbered on this PROJECT by use of a STATE-approved "Authorization to Proceed" and Finance Letter. ADMINISTERING AGENCY agrees that Federal funds available for reimbursement will be limited to the amounts obligated by the Federal Highway Administration.
  - D. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Attention is directed to Section 15.6 "Award Package" of the Local Assistance Procedures Manual.

E. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

### SPECIAL COVENANTS OR REMARKS

F. Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

G. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

H. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at [www.sam.gov](http://www.sam.gov).

## SPECIAL COVENANTS OR REMARKS

2. A. ADMINISTERING AGENCY shall conform to all State statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of Federal Regulation (CFR) and 2 CFR Part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.
- B. Invoices shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.
- C. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.
- D. Indirect Cost Allocation Plan/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.
- E. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or \$40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.
- F. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.



**SPECIAL COVENANTS OR REMARKS**

G. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

H. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

I. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

J. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

K. STATE reserves the right to conduct technical and financial audits of PROJECT WORK and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by the following paragraph:

ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT, and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

L. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system

### SPECIAL COVENANTS OR REMARKS

of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices set to or paid by STATE.

M. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends \$750,000 or more in Federal Funds in a single fiscal year of the Catalogue of Federal Domestic Assistance.

N. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

O. ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contracts over \$10,000, or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

P. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions B, C, F, H, I, K, and L under Section 2 of this agreement.

3. Appendix E of the Title VI Assurances (US DOT Order 1050.2A)

During the performance of this agreement, the ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors and subcontractor, (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities:

A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.

B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);

C. Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), (prohibits discrimination on the basis of sex);

D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as

### SPECIAL COVENANTS OR REMARKS

- amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not);
- H. Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).



# City of Isleton

## City Council Staff Report

DATE: January 9, 2024

ITEM#: 7.D

CATEGORY: Old Business

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### CITY OF ISLETON FATHER'S DAY FESTIVAL, STATUS

#### SUMMARY

The City has begun to prepare for the Father's Day Festival having selected a festival producer last month. Staff has commenced work to review the proposal by Isleton Foundation. The initial coordination meeting is scheduled for Monday, January 15<sup>th</sup>.

There are legal matters that have been raised and have been submitted to the City Attorney for review. A request has been received by the producer to use of the name City of Isleton Crawdad Festival and for the preparation of an agreement. These matters are under review by the City Attorney and will be reported to City Council at its next meeting.

#### FISCAL IMPACT

There is no fiscal impact associated with this action.

#### RECOMMENDATION

This is a status report to the City Council, no action required.

Reviewed by: Charles Bergson, City Manager



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



# City of Isleton

City Council  
Staff Report

DATE: January 9, 2024

ITEM#: 7.E

CATEGORY: Old Business

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## **CONDITIONAL USE PERMIT CUP 01-23; Review of Project Details**

### **THE MEADOWS RV PARK**

### **SANDEEP LIDDER, APPLICANT**

#### **BACKGROUND**

The City Council approved this project on March 28, 2023, with a condition for project details, such as architecture and design of all permanent structures, exterior lighting, fencing, signs, trash enclosures, and landscaping to return for Planning Commission review prior to construction. Acting on behalf of the Planning Commission in accordance with Gov. Code § 65100 et seq., the Council is requested to review these details and approve them. Next steps for the project would be to obtain City and agency permits to construct, such as building and encroachment permits from the City and water connection from CalAm.

#### **PROJECT DESCRIPTION**

This project, approved through Conditional Use Permit CUP, consists of a recreational vehicle (RV) park, including development and operation of 121 RV sites, 14 small home rental cabins, a central lodge and related amenities on 13.73 acres at 301, 401, 501 Jackson Slough Road (see attached plans).

#### **DISCUSSION**

An information package accompanying this report provides more details of the project design. Highlights of some of these details are attached to this report in reduced form. The following summarizes these details:

*A. Permanent Buildings:* Permanent buildings consist of the main clubhouse, patio structures, bathhouses, and tiny houses/rental cabins. The main building would consist of an attractive barn style black and white building that would be the central focal point of the project. Other buildings would carry over this architectural style and color. Examples of the tiny houses/rental cabins would consist of three different model pre-manufactured buildings that would be trailered

in and placed on foundation systems. All buildings would comply with building height and setback requirements of the Zoning Code.

*B. Exterior Lighting:* Exterior lighting would be limited to wall lighting on the buildings and some low-level landscaping lighting.

*C. Fencing:* Fencing would consist primarily of open view designs except for the east fence that separates the project from the adjacent residents. That fence would consist of a solid six-foot-tall wood fence. The City’s fence regulations allow for maximum 7-foot-tall fencing. The Council may wish to discuss design options for a taller fence and possibly a more permanent concrete wall for improved neighborhood compatibility. Compatibility concerns might be noise from RV activities onto adjoining residents, such as generator noise, lighting glare, and loud music.

*D. Signs:* Although there will be a number of small directional signs located throughout the park, the main sign will consist of a upper floor wall mounted sign on the main clubhouse facing Jackson Slough Road. Staff is working with the applicant on more details of these directional signs.

*E. Trash Enclosures:* Two trash enclosures are proposed to serve the park. They will incorporate conventional block construction, over 6-feet tall, with solid metal gates. Staff is working with the applicant on construction details for these enclosures.

*F. Landscaping:* Preliminary landscaping plans show significant plantings throughout the park. More detail plans, showing plant types, will be submitted as part of the building permit.

*G. Other Considerations:* These plans were circulated to staff for review. The Building Inspector and City Engineer had no concerns with the plans. Access was a particularly important point of concern with the Planning Commission, noting limitations on a single main access point from Jackson Slough Rd and an emergency access from Georgiana Avenue. As per the attached email from the Fire Chief, a third access driveway on Jackson Slough Road will be needed for fire safety emergency access. There appears to be sufficient opportunity to provide this third access by extending the westerly roadway to Jackson Slough Road. The Fire Chief will be attending the meeting to answer any questions.

**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.



**RECOMMENDATION**

Approve project details as proposed with revised site plan that provides a third driveway (can be emergency only) from Jack Slough Road as recommended by the City Fire Chief. Alternatively, the Council could discuss other design changes to any of these components of the project with changes to return either to the Council or staff for final review prior to City issuing the building permit for the project.

**ATTACHMENTS**

Email from Fire Chief  
Project Details



**Email from Fire Chief**

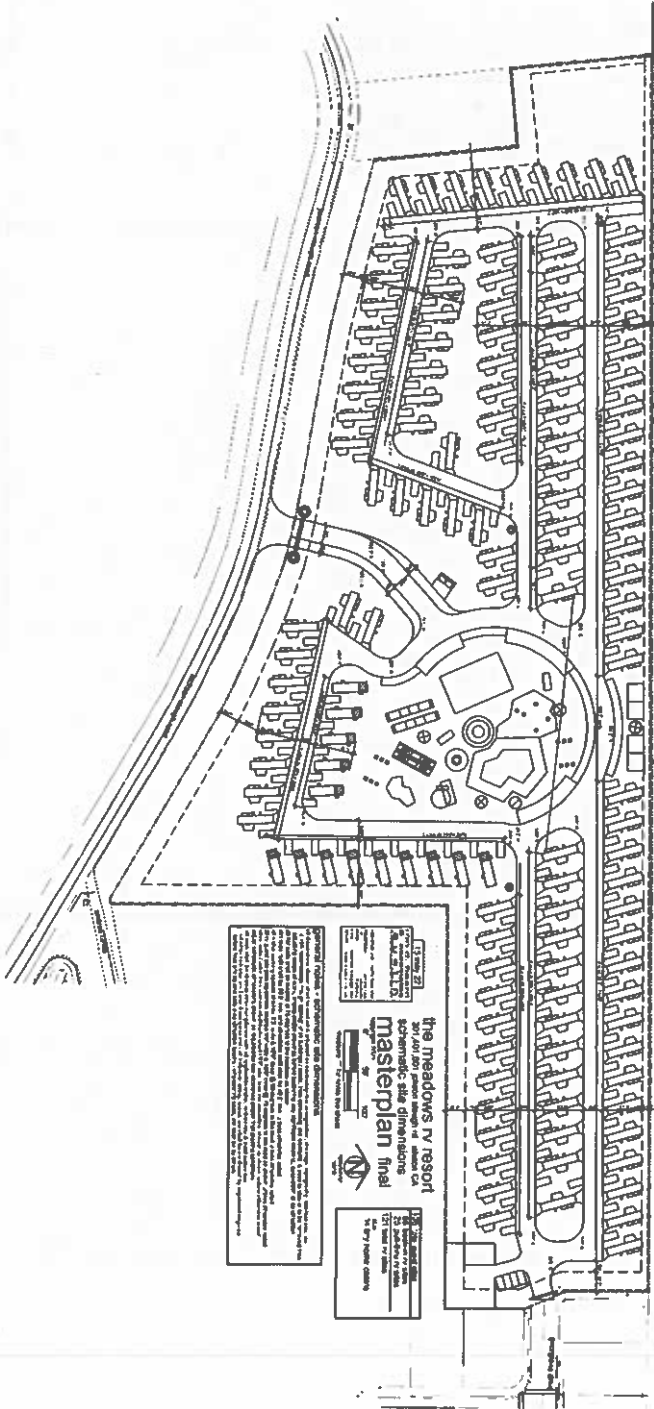
Gary,

Thanks for reaching out today. I have had a chance to look over the plans for the meadows and have some concerns. I would like to see a few more fire hydrants added and will follow your recommendation on bringing that up during the planning phase at a later date. My big concern at the moment is the access points off of Jackson slough road. I believe we should have two access point off Jackson slough to address the egress issues during both emergent and non-emergent situations. I understand that the access off of Georgiana drive is already there and can be used in emergencies but I do not feel that it, coupled with one off of Jackson slough, is adequate.

Scott Baroni  
Fire Chief  
City of Isleton

Sent from my iPhone

**Site Plan**

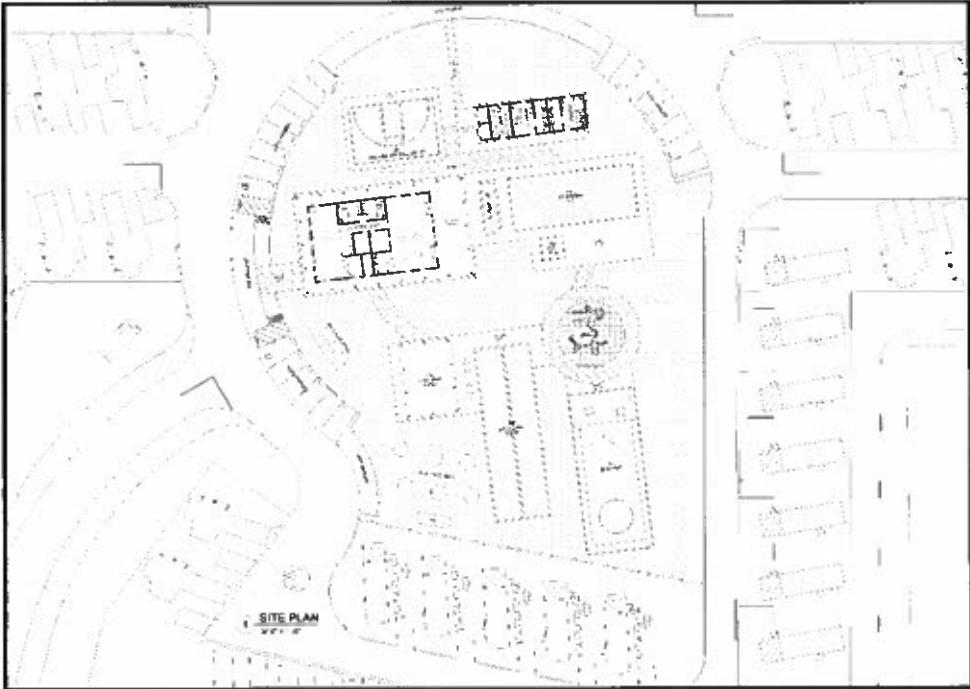


**DISCLAIMER:** This plan was prepared by the architect on the basis of information furnished by the client. The architect assumes no responsibility for the accuracy or completeness of the information furnished. The architect is not responsible for any errors or omissions in this plan, or for any consequences arising therefrom. The architect is not responsible for any construction methods or materials used in the construction of the project. The architect is not responsible for any delays or interruptions in the construction of the project. The architect is not responsible for any damage to property or persons during the construction of the project. The architect is not responsible for any other matters not specifically mentioned in this disclaimer.

**the meadows tv resort**  
 schematic site dimensions  
 masterplan final

**15.000.21**  
 15.000.21  
 15.000.21  
 15.000.21

Central Amenities



JOE JACKSON  
REGISTERED  
PLANNING  
C.P. 95841

ARL DESIGN

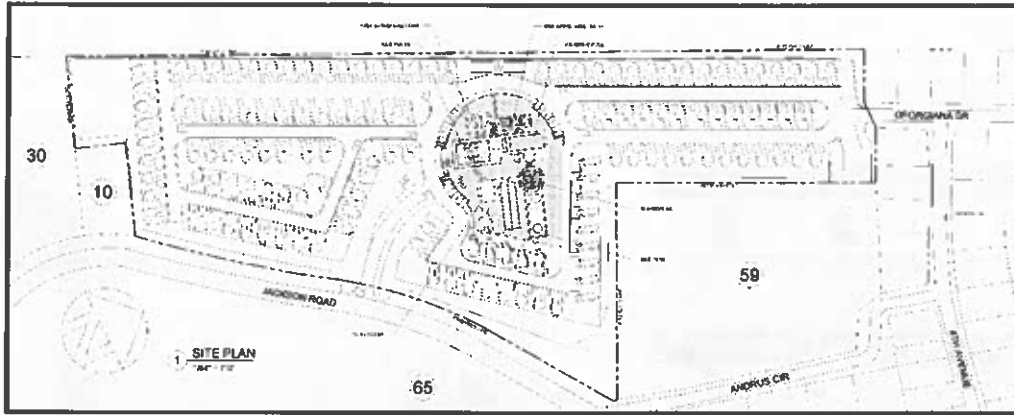
2015-2016  
1000 S. 10th St.  
Tulsa, OK 74106

THE MEADOWS RV PARK



DATE: 11/16/2015  
PROJECT: THE MEADOWS RV PARK  
SHEET: SITE PLAN  
SCALE: AS SHOWN  
**A-0.01**

# Main Clubhouse



30 JACKSON  
SLOUGH RD  
SLEYTON  
CA 95841

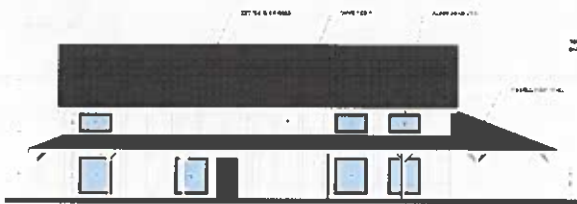
ARL DESIGN

THE MEADOWS RV PARK

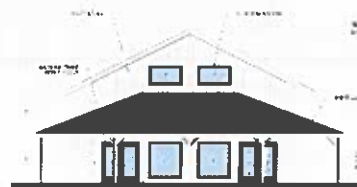


DATE: 03/20/2020

**SITE PLAN**  
A-0.02



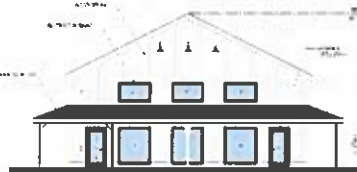
1 EAST ELEVATION - CLUB HOUSE - NEW  
1/8" = 1'-0"



2 NORTH ELEVATION - CLUB HOUSE - NEW  
1/8" = 1'-0"



3 WEST ELEVATION - CLUB HOUSE - NEW  
1/8" = 1'-0"



4 SOUTH ELEVATION - CLUB HOUSE - NEW  
1/8" = 1'-0"

30 JACKSON  
SLOUGH RD  
SLEYTON  
CA 95841

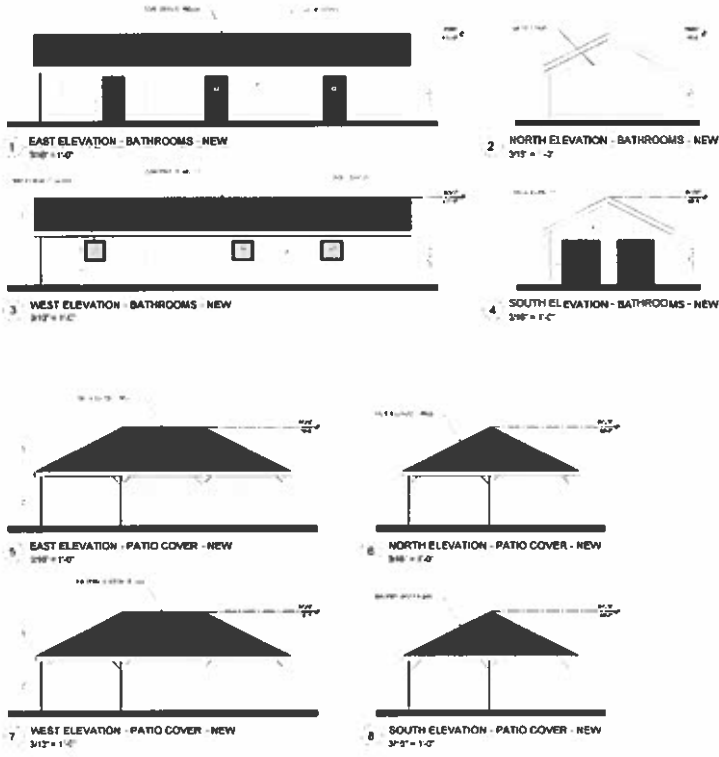
ARL DESIGN

THE MEADOWS RV PARK

DATE: 03/20/2020

**ELEVATION SHEET**  
A-1.03

# Bathhouse and Patio Structure



301 JACKSON  
SLOUGH RD.  
OLETON,  
CA 98541

ARL DESIGN

THE MEADOWS RV PARK

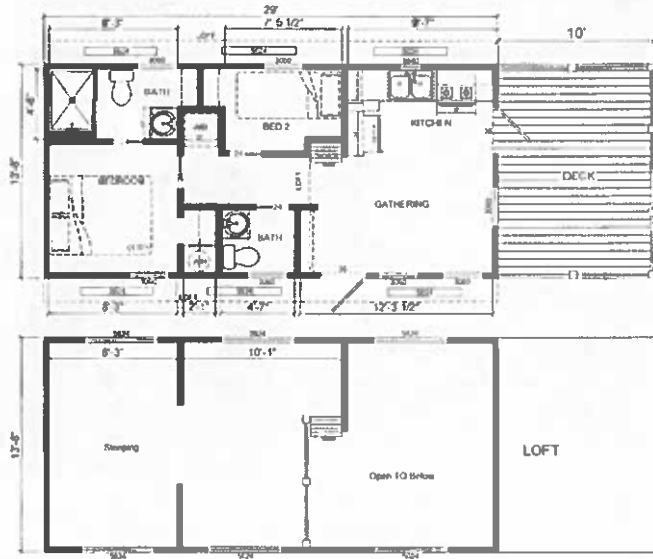
THE MEADOWS RV PARK

ELEVATIONS NEW

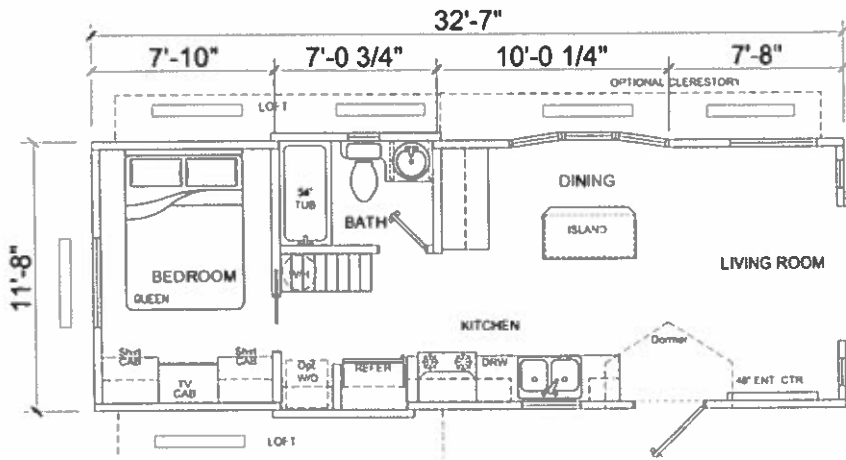
A-1.04

# Tiny Houses/Rental Cabins

## Plan 1

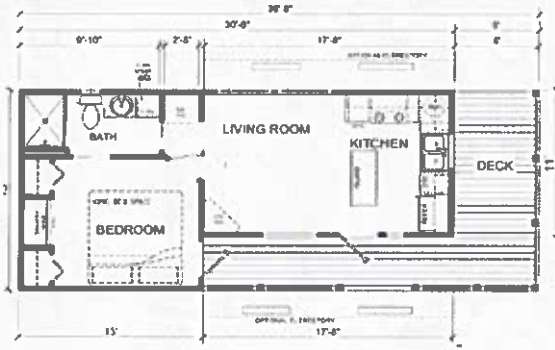


## Plan 2

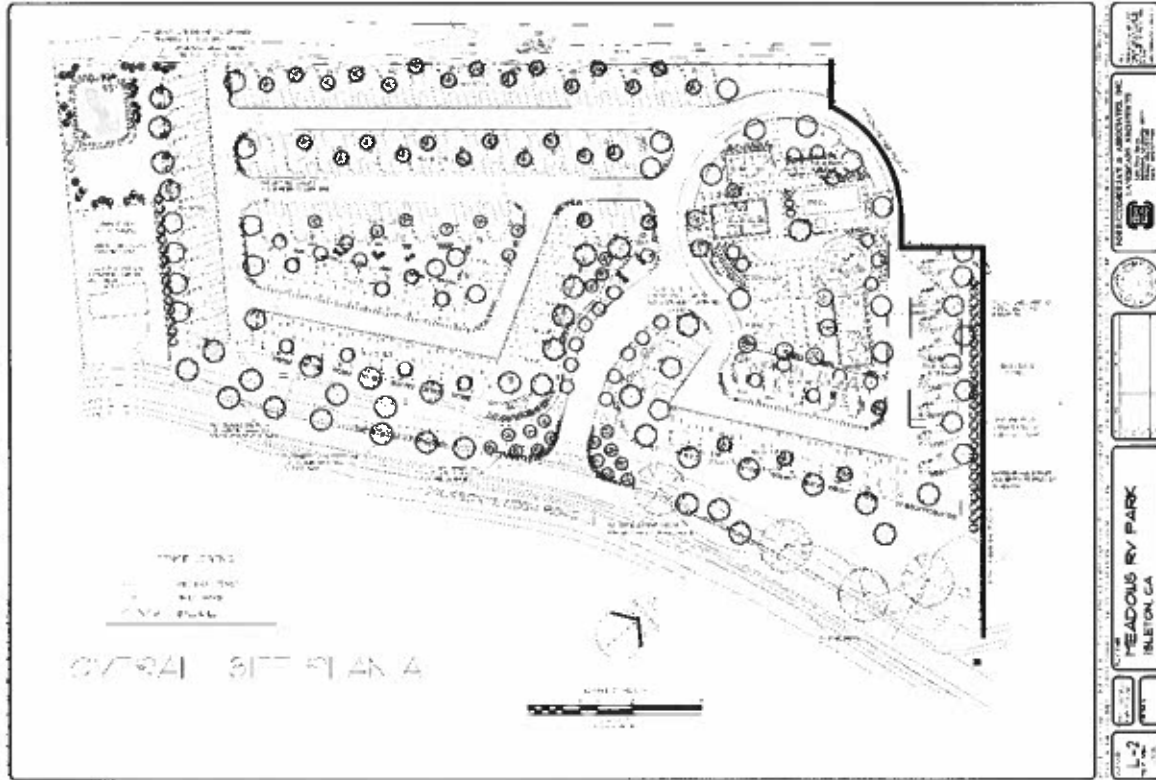




### Plan 3

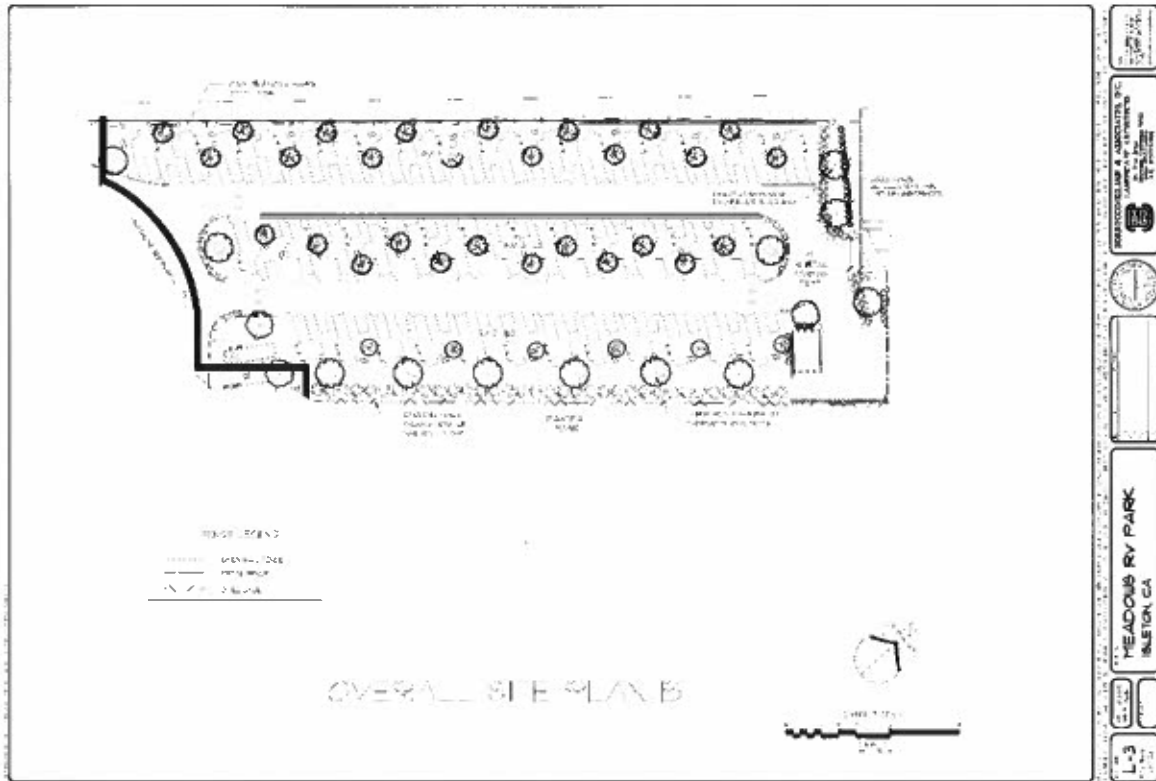


# Preliminary Landscaping and Lighting





# Fencing



**ANALYTICAL RESULTS**

ITEM	TEST	RESULT	UNIT
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**REINFORCING BAR PLAN LIST**

NO.	DESCRIPTION	QUANTITY	UNIT
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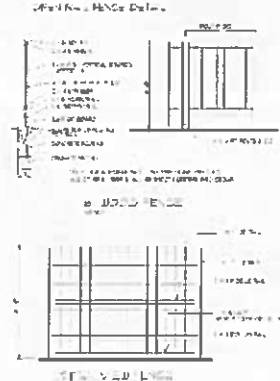
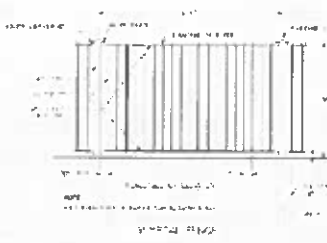


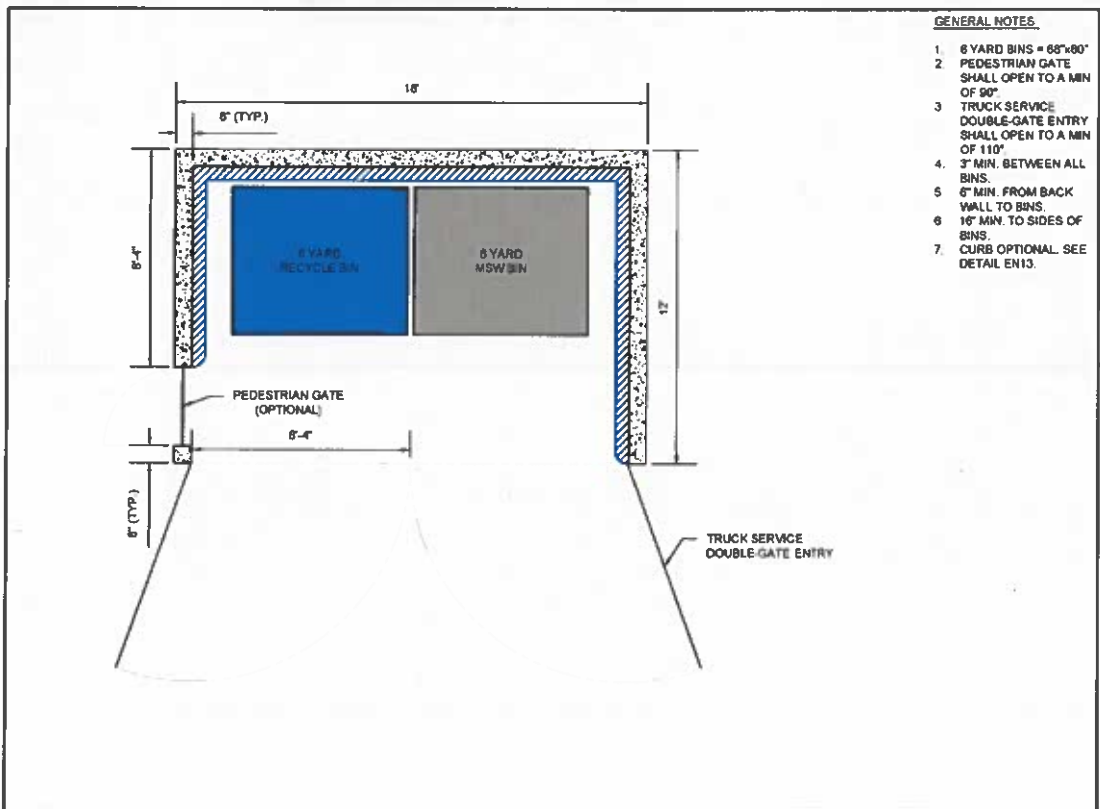
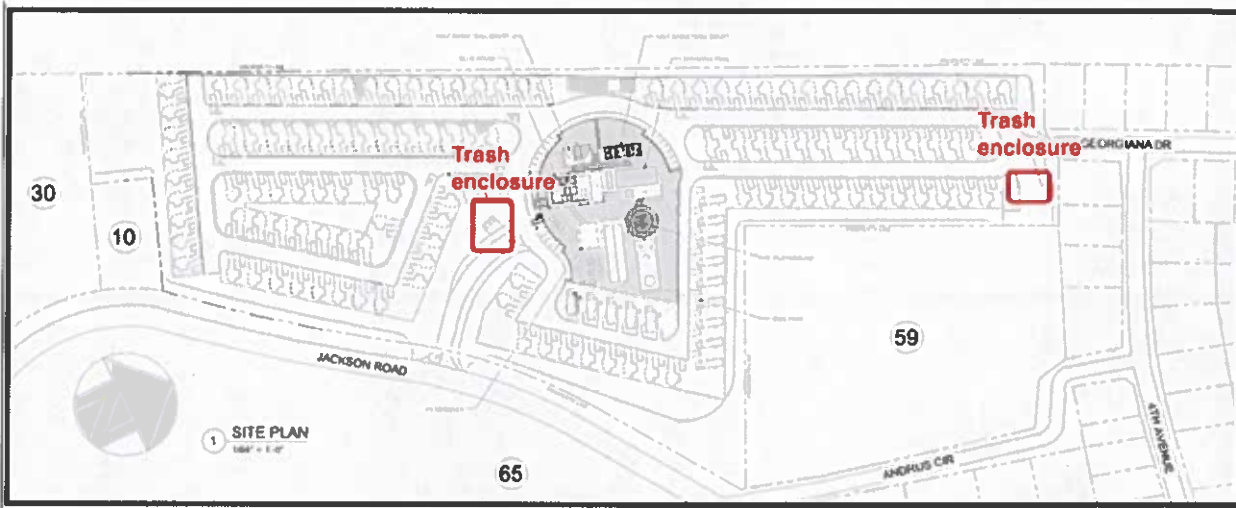
FIG. 10 - REINFORCING BAR DETAILS

PROJECT: MEADOWS RY PARK, SILETON CA  
 DRAWING NO.: 10-10  
 DATE: 10/10/10  
 SCALE: 1/4" = 1'-0"  
 SHEET NO.: 10-10  
 TOTAL SHEETS: 10-10  
 DESIGNER: [Signature]  
 CHECKER: [Signature]  
 APPROVER: [Signature]  
 LICENSE NO.: [Number]  
 EXPIRES: [Date]

**Signs**



# Trash Enclosures







# City of Isleton

## City Council Staff Report

DATE: January 9, 2024

ITEM#: 8.A

CATEGORY: New Business

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### COMMERCIAL CANNABIS STATUS

#### SUMMARY

Over the last several years the City has approved a number of commercial cannabis businesses through its regulations. All commercial cannabis businesses are required to obtain a conditional use permit and development agreement to operate legally within the City. These entitlements are subject to periodic performance review by the City. Each approved business includes typical language in their development agreements that state:

#### "Annual Review of Agreement.

**Review Date.** The annual review date of this Agreement (the "Review Date") as required by Development Agreement Law shall be approximately twelve (12) months from the Effective Date and every twelve (12) months thereafter.

**Procedures.** The procedures for annual review shall be as set forth in the Development Agreement Law.

**Fee for Annual Review.** The reasonable cost for the City's annual review of this Agreement shall be paid by Developer, not to exceed the actual costs incurred by the City in connection with the review."

Of the 12 permits issued, there appears to be 6 still active in various stages of performance. Typically performance involves assessing how each business is performing in terms of compliance with conditions of approval of the conditional use permit and under the terms of the development agreement. Most, if not all of the active businesses are not, or have not performed under these conditions/terms and there are provisions in these permits for termination due to default of the agreement or offering opportunities to correct these deficiencies. More information is needed from each active business before the City decides to proceed with any action. In general most of the permittees are behind submitting cannabis fees. Some of this tardiness is due to Covid pandemic and a downturn in the cannabis industry.

Due to the City's limited resources, the City has not had the opportunity for timely review of each of the many commercial cannabis businesses annually. Staff is setting up a program/process for these reviews which will include an application and fee to process each review. However, for the time being, staff has prepared a summary report on the status of each application the City received and current status. Additional information is being assembled, such as police reports ,reports on security issues, more detailed financial details, to name a few. Before staff move forward with reaching out to each of the active commercial cannabis businesses to obtain periodic performance review applications and fees for defraying City costs

to preparing more detailed evaluations, this is an opportunity for the Council to review the current status of all applications.

As noted in the attached status report, each business has unique characteristics that will require a more detailed understanding as to why some are not performing to comply with all the requirements of their associated conditional use permits and development agreements; such as payment of fees. Additional concerns regarding security and crime impacts on the City are referenced in the police reports attached to the status report. To defray the cost of staff review and processing each performance review with the City Council, it is suggested a deposit of \$500 for each application.

### **RECOMMENDATION**

It is recommended that City Council review general status report and direct staff to obtain performance review applications and fees from all active commercial cannabis businesses.

Attachment: Commercial Cannabis Status Report  
Application Checklist for City Performance Review



**City of Isleton  
Commercial Cannabis Projects  
Status Report  
January 3, 2024**

**I. Active Businesses:**

**1. 51 Main Street**

**Description/City Land Use Entitlements:** Conditional Use Permit CUP 02-22 and Development Agreement DA 2022-02 for Mark Mickelson, Isleton Cannabis Company, Inc., formerly known as TPCC Incorporated and Timeless Palliative Care Collective, for cannabis manufacturing, cannabis delivery-only dispensary, and cannabis distribution within an existing 2,880 square foot building. Final approval granted by the City Council on January 22, 2019 (becoming effective February 22, 2019). Note that ownership change was approved by the City Council to Isleton Industries, LLC, on August 8, 2023.

**Activity:** This business is active and has a valid City business license.

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Payments Status:** For most recent owner, Isleton Cannabis Company, first payment received October 30, 2023.

**Periodic Performance Review:** No performance review was conducted during this ownership change. The 5-Year review would need to be conducted by February 22, 2024.

**State Permitting:**

Active

Lic. No. C12-0000157-LIC (Provisional)

Commercial - Microbusiness

Activities: Distributor, Level 1 Manufacturer, Retailer Non-Storefront

Adult-Use and Medicinal

Effective on 2019-07-09

Expires on 2024-07-08

License Status Change on 2021-02-02

**Business Name:**

ISLETON CANNABIS COMPANY  
Legally named Isleton Cannabis Company  
Registered as Corporation  
Mark J Mickelson, Patrick DeMarco

2. *61 Main Street*

**Description/City Land Use Entitlements:** Conditional Use Permit 2018-03 and Development Agreement 2018-04 of Victoria Fletcher, Apothek Ventures LLC, for retail storefront dispensary, cultivation, distribution, and a retail and delivery dispensary business within an existing 5,100 square foot building at 61 Main Street. Final approval was granted by the City Council on February 12, 2019 (becoming effective February 12, 2019).

**Activity:**

**Compliance with Conditions:**

**Security Status:** Attached is a summary of police responses to this address. Appears that there have been over 30 police reports filed for this business. An enhanced security plan may be needed for this business.

**Public Comments:**

**Quarterly Payments Status:**

**Periodic Performance Review:** The 5-Year performance review would need to be conducted by March 12, 2024.

**State Permitting:**

Active

Lic. No. C12-0000217-LIC (Provisional)

Commercial - Microbusiness

Activities: Distributor, Retailer, Cultivator (less than 10K sq ft)

Adult-Use

Effective on 2019-07-24

Expires on 2024-07-23

License Status Change on 2021-02-02

**Business Name:**

Apothek  
Legally named Apothek Ventures LLC  
Registered as Limited Liability Company

Victoria Fletcher

**Remarks:** Business owner, Victoria Fletcher's letter to the City of July 23, 2023, cites several impacts to the business and has requested the City to exempt their business from past due fees (see Attachment A).

3. *66 Main Street*

**Description/City Land Use Entitlements:** Conditional Use Permit 08-18 and Development Agreement 2018-06 of Ali Cooper, 66 Main Group, LLC, for a cannabis distribution, and a retail and delivery dispensary business within an existing 4,403 square foot building at 66 Main Street. Final approval granted by the City Council February 26, 2019 (becoming effective March 26, 2019). City Council approved an amendment to the Conditional Use Permit for new owners, Delta Boyz for the storefront dispensary to allow for on-site consumption on May 12, 2020.

**Activity:** Business is fully active with a City issued business license.

**Compliance with Conditions:**

**Security Status:** Attached is a summary of police responses to this address. It appears that about 40 police calls were made to the business. An enhanced security plan may be needed for this business.

**Public Comments:**

**Quarterly Payments Status:** First payment of \$4,200 paid on 7/8/2018. Last payment of \$6,885.05 made on 9/8.2023.

**Periodic Performance Review:** The 5-Year review would need to be conducted by March 26, 2024. Cumulative payments: \$77,375.11

**State Permitting:**

Active

Lic. No. C10-0000269-LIC (Provisional)

Commercial - Retailer

Adult-Use and Medicinal

Effective on 2019-06-22

Expires on 2024-06-21

License Status Change on 2019-06-22

**Business Name:**

Delta Boyz Dispensary

Legally named 66 Main Group, LLC  
Registered as Limited Liability Company  
Jose Manuel Ramirez, Kailani Katlyn Haro, Kaitlyn Joachim, Neat Sawyer,  
Ravdeep Dhatt, Sebastian Anthony Maldonado

4. *402 Jackson Blvd*

**Description/City Land Use Entitlements:** Conditional Use Permit 10-18 and Development Agreement 2018-07 of Delta Agricultural Holdings, LLC (Sebastian Maldonado, owner/contact), for cannabis manufacturing at in an existing 6,800 square foot building located at 402 Jackson Boulevard. This approval was granted by the City Council on July 23, 2019 (becoming effective on August 23, 2019). This business is currently active.

**Activity:** Active, but no record of City business license

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Quarterly Payments Status:** Pending more information from Finance Department.

**Periodic Performance Review:** The 5-Year review would need to be conducted by August 23, 2024.

**State Permitting:**

Active

Lic. No. CDPH-10003044 (Annual)

Manufacturer - Type 7

Adult-Use and Medicinal

Effective on 2023-04-06

Expires on 2024-05-01

License Status Change on 2023-04-06

**Business Name:**

Aj Labs LLC

Legally named Delta Agricultural Holdings, LLC

Registered as Limited Liability Company

Andrew T Miyamoto, jai patel, Jeremy Nadel, Neat Sawyer, Ravdeep Dhatt,  
Sebastian Anthony Maldonado

5. *45 Main Street*

**Description/City Land Use Entitlements:** Use Permit 04-19 and Development Agreement 2019-02 of Sebastian Maldonado, Wook Bros, LLC, for cannabis manufacturing and distribution within a portion of a 6,800 square foot building at 45 Main Street. This approval was granted by the City Council on October 10, 2019 (becoming effective November 10, 2019).

**Activity:** This business is active and has a City business license.

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Quarterly Payments Status:** Pending more information from Finance Department.

**Periodic Performance Review:**

**State Permitting:** Nothing listed for Wook Bros. LLC

6. *14719 Highway 160*

**Description/City Land Use Entitlements:** Conditional Use Permit 11-18 and Development Agreement 2019-08 of WTO Essentials, for cannabis manufacturing in an existing 3,500 square foot building at 14719 Highway 160. This approval was granted by the City Council on July 23, 2010 (becoming effective August 23, 2019). The City Council approved ownership change to Isleton Industries, LLC, on August 8, 2023.

**Activity:** Business is active. WTO operated with City business license. New owners, Isleton Industries, LLC, is now operating business with no City business license found.

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Payments Status:** First payment of \$5,000 paid on 9/12/21. Last payment of \$110 paid on 3/8/2023. Cumulative payment: \$477, 134. 21. See Attachment B.

**Periodic Performance Review:** The 5-Year review would need to be conducted by August 23, 2024

**State Permitting:** WTO Commercial Cannabis License was withdrawn in June, 2022. Nothing listed for Isleton Industries

## II. Inactive Projects:

### 1. 66 H Street and 201 H Street

**Description/City Land Use Entitlements:** Conditional Use Permit 07-18 and Development Agreement 2018-04 of Mark Yandow and Ben Harris, Bang Mingo, LLC, for cannabis manufacturing, distribution, cultivation, and a retail/delivery dispensary business, within existing buildings on the properties, along with construction of two buildings not to exceed a total building area of 2,500 square feet, at 66 H Street and 201 H Street. 2024. Final approval by the City Council was granted on February 12, 2019 (becoming effective March 12, 2019).

**Activity:** Never activated. No record of business license for this use. See remarks below.

**Compliance with Conditions:** NA-

**Security Status:** NA

**Public Comments:** NA

**Quarterly Payments Status:** Appears that a quarterly payment was made to the City in 2019. Billing sent for remaining on June 1, 2019 for \$30K. No payment received.

**Performance Review:**

**State Permitting:** Withdrawn

Lic. No. CDPH-10002267 (Provisional)

Manufacturer - Type 6

Adult-Use and Medicinal

Effective on 2022-04-04

Expires on 2023-04-03

Name:

Bang Mingo

Legally named Bang Mingo LLC

Registered as Limited Liability Company

Benjamin Harris, Mark Yandow

Data Not Available

**Next Steps:** Send letter of automatic expiration.

**Remarks:** Some type of use appears to have been activated in 2019 with a quarterly payment received by the City in 2019. No additional payments received since and appears that the use is no longer active. There is no State



cannabis licensing that could be found for either business. Attachment B is a memo dated November 20, 2023 indicates that the business entity that was planned to operate 301 H Street, Bang Mingo LLC, is no longer in business and has been replaced. The new business entity for the retail store front at 301 H Street is Chronic Creations LLC. The three business owners are Mark Yadow, Tania Wright Yadow and Dr. Mike Scott. Chronic Creations LLC is not listed as having a State commercial cannabis license (see Attachment A).

2. *49 Main Street*

**Description/City Land Use Entitlements:** Conditional Use Permit 05-18 and Development Agreement DA 2018-02 of Adam Gallaty, for a cannabis manufacturing, distribution and delivery only dispensary operations within an existing 3,600 square-foot building at 49 Main Street. Final approval was granted by the City Council on February 12, 2019 (becoming effective March 12, 2019).

**Activity:** No activity experienced.

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Quarterly Payments Status:**

**Periodic Performance Review:** Conditional Use Permit Revoked February 12, 2019

**State Permitting:**

Expired

Lic. No. C12-0000262-LIC (Provisional)

Commercial - Microbusiness

Activities: Retailer, Level 1 Manufacturer, Cultivator (less than 10K sq ft), Distributor

Adult-Use and Medicinal

Effective on 2019-09-11

Expires on 2021-09-10

License Status Change on 2021-10-10

**Business Name:**

Legally named Gallaty Consulting Inc.

Registered as Corporation

Adam David Gallaty, Adam Gallaty

209-810-6959

3. *60 Main Street*

**Description/City Land Use Entitlements:** Conditional Use Permit CUP 03-19 and Development Agreement DA 2019-01 2019 of Kellyann Lamb, CanDo Wellness Holdings Inc., for off-site distribution conducted with a 2,940 sq-ft building.

**Activity:** Not active

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Quarterly Payments Status:**

**Periodic Performance Review:**

**State Permitting:** None found

4. *46 Main Street*

**Description/City Land Use Entitlements:** Conditional Use Permit CUP 01-20 and Development Agreement DA 2020-02 of Sebastian Maldonado, Foo Flowers, LLC, for manufacturing in a \_\_\_\_\_ sq-ft building.

**Activity:** Not active

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Quarterly Payments Status:** First payment of \$4,200 made on 2/24/2020. Last payment of \$10,000 made on 10/6/2023. Cumulative payment: \$32,317. Outstanding invoice of \$10,000 on 10/6/2023 not paid. See Attachment B.

**Periodic Performance Review:**

**State Permitting:** None found

5. *401 6<sup>th</sup> Street*

**Description/City Land Use Entitlements:** Conditional Use Permit CUP 2018-04 and Development Agreement DA of River Cities Farms establishment of a commercial building for housing cannabis cultivation and related activities. The project also includes a development agreement between the City and the applicant/property owner. The project includes the construction of 10,000 sq. ft. warehouse which would be used for

growing and processing cannabis. Environmental review was conducted in 2018 nothing else was done.

**Activity:** Not active. Andrew Ozomano, applicant representative, sold property. This application is null and void.

**Compliance with Conditions:** NA

**Security Status:** NA

**Public Comments:** NA

**Quarterly Payments Status:** NA

**Periodic Performance Review:** NA

**State Permitting:** NA

**Remarks:** Project application is automatically withdrawn.

**Next Steps:** Add note to file and close project out.

6. *54 Main Street*

**Description/City Land Use Entitlements:** Conditional Use Permit UP 08-19 and Development Agreement DA 2020-01 of LD Delivery, Inc, for off-site retail sales within an existing 3,648 sq-ft building.

**Activity:** Appears to be active. No business license found

**Compliance with Conditions:**

**Security Status:**

**Public Comments:**

**Payments Status:**

**Periodic Performance Review:**

**State Permitting:**

Previous licensing for LD Delivery was surrendered to Green Life Davis on June 12, 2019. Green Life Davis licensing was then surrendered on the same date. No licensing found for this project.

Surrendered

Lic. No. C9-0000088-LIC (Provisional)

Commercial - Retailer - Non-Storefront

Adult-Use and Medicinal

Effective on 2019-06-12

Expires on 2023-06-11

License Status Change on 2023-01-03

Green Life Davis

Legally named Gld Delivery Inc

Registered as Corporation  
Jorge Larios

Green Life Davis  
Surrendered  
Lic. No. C9-0000088-LIC (Provisional)  
Commercial - Retailer - Non-Storefront  
Adult-Use and Medicinal  
Effective on 2019-06-12  
Expires on 2023-06-11  
License Status Change on 2023-01-03

**Attachments:**

- A. Letters from applicants
- B. Payment Information
- C. Police Response Report for 61 and 66 Main Streets

Attachment A

July 9, 2023

Subject: Request for Relief from Past Due Fees

RECEIVED  
OCT 31 2023

Dear Mr. Bergson

I hope this letter finds you in good health and high spirits. I am writing on behalf of Apothek. We would like to bring to your attention the challenges we have been facing recently due to a series of unfortunate events, beginning with the COVID pandemic, the severe and unanticipated cannabis industry downturn, a series of failed harvests leading to lost crops, and a recent robbery incident.

The combination of these factors has severely impacted our business operations and financial stability. As a result, we find ourselves struggling to meet our financial obligations, particularly the past due fees owed to the city. We understand that these fees are crucial for the maintenance and development of our city, and we are committed to fulfilling our obligations.

However, the unprecedented circumstances we have encountered have significantly hampered our ability to generate revenue and maintain a steady cash flow. The industry downturn, exacerbated by the ongoing challenges posed by the pandemic, has resulted in a drastic decline in customer demand and revenue for our business. Additionally, failed harvests and lost crops have compounded our financial strain, leaving us with limited resources to allocate towards outstanding fees.

Furthermore, our recent robbery incident has dealt a severe blow to our business. Apart from the loss of inventory, the incident has caused a considerable setback in our ability to recover and resume operations at full capacity. We have had to invest in additional security measures to ensure the safety of our premises and prevent future incidents, further straining our already tight financial situation.

Given these extraordinary circumstances, we request your kind consideration in granting us relief from the past due fees. We genuinely value our relationship with the city and understand the importance of fulfilling our obligations. However, we believe that some relief would provide us with the necessary breathing room to stabilize our business, regain financial strength, and continue contributing to the economic growth of our community.

We are open to exploring any viable solutions, such as payment arrangements, deferred payments, or any other available options that would help us to fulfill our responsibilities to the city while navigating these challenges.

Thank you for your attention and understanding. We remain committed to overcoming these hardships and emerging stronger. We appreciate your support and look forward to the opportunity to discuss this matter further.

Yours sincerely,



Victoria Fletcher  
Apothek

*Memo*

Date: November 20, 2023

To: Charles Bergson, City Manager, City of Isleton

CC: Yvonne Zeped, Tania Yandow, Dr. Mike Scott

From: Mark and Tania Yandow

**Subject:** 301 H Street, Isleton CA 95641

This letter is to provide an update for the property located at 301 H Street in Isleton, an approved retail cannabis site, pending a certificate of occupancy.

This letter is to notify the City of Isleton that the business entity that was planned to operate 301 H Street, Bang Mingo LLC, is no longer in business and has been replaced. The new business entity for the retail store front at 301 H Street is Chronic Creations LLC. The three business owners are Mark Yandow, Tania Wright Yandow and Dr. Mike Scott.

Please let us know if any other documentation is needed for this request.

Respectfully,

Mark and Tania Yandow  
Property Owners  
301 H Street, Isleton, CA 95641  
(209) 270-7891



## CITY OF ISLETON PLANNING DEPARTMENT COM. CANNABIS PERFORMANCE REVIEW APPLICATION CHECKLIST

**TO APPLICANTS:** The following list includes all the items you must submit for a complete application. Some specific types of information may not apply to your proposal or individual application. If you are not sure, ask staff. **Planning Staff will use a copy of this list to check your application for completeness after it is submitted.** If your application is not complete, or information is omitted, then a copy of the list will be returned to you marked according to the legend at the end. This may prevent or delay processing your application. If submitting blueprints, Planning Staff encourages that you submit one copy of the plans to allow for application completeness check and, if necessary, allow you to revise the plans and then submit the required number of plan sets.

=====

*When a Conditional Use permit application is submitted, staff will conduct an environmental compliance evaluation to determine the project's application to the CEQA (California Environmental Quality Act) as mandated by state law. Based on this assessment additional information may be required above than required in this checklist, such as a preliminary geotechnical study, archaeological inventory, traffic impact analysis and/or biological inventory. To expedite processing staff will parallel this review with the normal City Conditional Use Permit review process.*

=====

APPLICATION NUMBER: \_\_\_\_\_

- A. **Planning Application Form** complete and signed.
- B. **Base Application Fee:** \$500
- C. **Site Photographs** of the project site, buildings, structures, interiors.
- D. **Performance:** Provide written information to address the following. Please provide reasons for not performing under the terms of the Development Agreement if that is the case and measures to be taken to make corrections along with timeline for making corrections:

***Fiscal:***

1. Required Payment. Developer and any Authorized Operator shall make quarterly payments to the City equal to two percent (2%) of Developer's and any Authorized Operator's Gross Receipts from Operations. Payments shall be made by the last day of the month following the end of each quarter (i.e., April 30th for the quarter running from January 1 through March 31). Payments shall be accompanied by such documentation as may

be reasonably required by the City. The 2% fee on Developer's and any Authorized Operator's Gross Receipts is not a tax and is particularly not an indirect tax on any consumer such as a sales and use tax, but is rather a direct fee levied on the Gross Receipts of the Developer and any Authorized Operator as a condition of this Development Agreement that is not to be passed along to the ultimate consumer. If the Developer or any Authorized Operator chooses to pass the 2% fee along to any consumer, it shall be required to include such amounts collected from any consumer as Gross Receipts. This documentation will include (but may not be limited to) the transportation manifests for cannabis products received at or transported from the Facility, and an accounting of Gross Receipts from Operations during the previous quarter. Late payments shall include interest at a rate of ten percent (10%) per annum. Failure to make any payment required by this Agreement when due shall be a material breach of the Agreement subject to Cure under the provisions of Section 13.3. Payments to the City shall be made by check, direct deposit, wire transfer or other electronic form of payment that originates from a legal financial channel that has been agreed to in advance by both parties. Upon request and with a minimum of ten (10) business days' notice prior to payment due date, alternative forms of payment, including cash, may be authorized at the City's discretion.

2. Quarterly Receipts. No later than the last day of the month following the end of each quarter, Developer shall deliver to City a report (the "Quarterly Report") showing (i) Gross Receipts from Operations for the immediate prior quarter received by Developer, and a cumulative total of all amounts of Gross Receipts from Operations received by Developer for the calendar year, (ii) a calculation of the quarterly payment due to City for the prior quarter, and (iii) a calculation of the cumulative total of all quarterly payments for the calendar year.
3. Statements of Receipts. Developer shall keep complete, accurate and appropriate books and records of all receipts from operations in accordance with generally accepted accounting principles. For purposes herein "books and records" shall mean all bookkeeping or accounting documents Developer utilizes in managing its business operations relating to the Project. Such books and records, as well as all other relevant



documents as City shall reasonably require, shall, upon reasonable written notice, be open for inspection by City, its auditors or other authorized representatives. If, at any time during the Term, such books and records prove inadequate in the reasonable judgment of City to record the Gross Receipts from Operations as herein required, Developer shall, upon the written request of City, procure and maintain such books and records as shall be of a character and form adequate for such purpose. City shall have the right to audit and examine such books, records and documents and other relevant items in the possession of Developer, but only to the extent necessary for a proper determination of Gross Receipts from Operations, and all such books, records, documents and other items shall be held available for such audit and examination. Upon request by the City, Developer shall make all such books, records and documents available to the City, and provide removable copies thereof, within thirty (30) of the date of the City's request. The cost for any audit shall be shared equally by the Parties. Developer shall preserve such books, records, documents, and other items in Isleton for a period of not less than seven (7) years for the purpose of auditing or re-auditing these accounts upon reasonable notice; except that, if an audit is made within the seven-year period and Developer claims that errors or omissions have occurred, the books and records shall be retained and made available until those matters are resolved. City shall keep strictly confidential all statements of revenue furnished by Developer and all other information concerning Developer's operation of the Premises obtained by City as a result of the inspection, audit and examination privileges of City hereunder, except as otherwise required by law. If City receives a request for such information pursuant to the Public Records Act (California Government Code Section 6250 et seq.), City shall provide Developer notice of any such request prior to disclosing any such information. Within seven (7) years after the receipt of any statement of receipts under this Agreement, City at any time shall be entitled to carry out an audit of such revenue either by City or agent to be designated by City. If it shall be determined as a result of such audit that there has been a deficiency in any payment due under this Agreement made on the basis of such statement, then such deficiency shall become immediately due and payable. If such statement of revenue for the relevant year shall be found to have understated receipts by more than two percent and City is entitled to any additional payment as a result of said understatement, then

Developer shall, in addition, pay all of City's reasonable costs and expenses connected with such audit, including the expense incurred in retaining such agent; otherwise City shall bear the cost and expense of such audit.

4. Copies of Tax Filings. Developer shall provide City with copies of any reports Developer is required to provide to the County of Sacramento or the State of California for sales, use or other tax purposes.

***Insurance:***

5. Provided Proof of Insurance:
  - a. At all times that Developer is constructing any improvements to the Property, Developer shall maintain in effect a policy of comprehensive general liability insurance with a per-occurrence combined single limit of one million dollars (\$1,000,000) and a deductible of not more than fifty thousand dollars (\$50,000) per claim. The policy so maintained by Developer shall name the City as an additional insured and shall include either a severability of interest clause or cross-liability endorsement.
  - b. Workers' Compensation Insurance. At all times that Developer is constructing any improvements, Developer shall maintain workers' compensation insurance for all persons employed by Developer for work at the Project site. Developer shall require each contractor and subcontractor similarly to provide workers' compensation insurance for its respective employees. Developer agrees to indemnify the City for any damage resulting from Developer's failure to maintain any such insurance.
  - c. Evidence of Insurance. Prior to commencement of construction of any improvements, Developer shall furnish City satisfactory evidence of the insurance required by this Sections 14 and evidence that the carrier is required to give the City at least fifteen (15) days prior written notice of the cancellation or reduction in coverage of a policy. The insurance shall extend to the City, its elective and appointive boards, commissions, officers, agents, employees and representatives and to Developer performing work on the Project. Developer shall additionally furnish City satisfactory evidence of the insurance coverage required under this Section whenever a policy is renewed, changed without impact to coverage, or at City's request.

***Licensing:***

Provide proof of licensing to the City: State of California Licensure of Operations and a copy of the City Business License.

**Additional Staff Comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





# City of Isleton

101 Second Street

P.O. Box 716

Isleton, California 95641

Tel: 916-777-7770

## Monthly Code Enforcement Report

Date: January 2023

### 1. Hazards to the Public:

The Code Enforcement Division continues its efforts to ensure the safety of the public. Enforcement activities focus on hazards present in public and private properties and address issues related to stranded and abandoned vehicles and equipment.

- Complaints regarding an ongoing and growing “homeless encampment” in the area of 6<sup>th</sup>/H Street. Encampment cleaned up and relocated.
- Homeless encampment now moved to travel trailer at 40 Main Street vacant lot (Union Street Side), complaints regarding the trailer having “swastika” style symbol on it and transient living out of it. Notice of Alleged Violation sent to the property owner; the property owner contacted Code Enforcement and advised he is working on resolving the issue and is looking for a place to move the trailer. Per the Sacramento County Sheriff’s Office, there is no crime with the “symbol,” and it is protected under the 1<sup>st</sup> Amendment.
- 28 Main Street violations, electrical, cracking/cracked walls, trash & debris, and ongoing RHIP violations are still not within compliance. No communication with the property owner.
- 57 Main Street Nuisance has been sent to the City Attorney for further Enforcement and legal advice.
- 502 6<sup>th</sup> Street, ongoing/Open Case regarding the municipal code violation with Pigs on 6<sup>th</sup> Street. The property owner was provided with the Ordinance and Municipal Code regarding “Animals” within the City. Numerous complaints regarding the area smelled and was loud, and the pigs escaped the enclosures on the property and ran into the roadway, causing a traffic hazard. This was also photographed and posted on Social Media by a citizen.

### 2. Main Street and Commercial Frontages:

- The City is committed to maintaining the infrastructure and pedestrian facilities along Main Street. Additionally, efforts have been initiated to educate all business owners about their obligations under the Code to keep their commercial frontages presentable, regardless of whether the business is active. Numerous addresses along Main Street have blocked or covered storefronts/windows/doors, preventing passersby from seeing inside the address. These businesses do not appear open to the public and confirm they are active businesses.
- Several addresses have been identified and sent Notice of Violation letters regarding the Downtown/Main Street Business/Residential Ordinance
- Code Enforcement is communicating with the IHRB and working on plans to revitalize the Downtown Main Street.



### **3. General Code Enforcement:**

The Code Enforcement Division actively monitors the city to identify properties and areas not complying with Municipal Code Section 10.16.020 on Nuisances. Various conditions have been observed, including abandoned or deteriorated buildings, litter and debris, adrift household goods, property maintenance issues, and abandoned vehicles.

- **Open Investigations:** The Code Enforcement Division has several ongoing investigations into potential Municipal Code Violations. In addition, letters of compliance have been sent to property owners in order to address any identified violations and bring the properties into compliance with the regulations. Administrative Citations and Fines are being issued for non-compliant properties.

- **Complaint regarding chickens, roosters, and barking dogs on F Street;** the property owner was contacted and complied with the City Ordinance and removed the chickens and roosters. The Resident also complied with mitigating the barking complaint, enclosed the dogs, and purchased barking collars to retrain the dogs. Code Enforcement confirmed the complaint was resolved with an on-site inspection with the resident.

- **Rental Housing Inspections Program:**

Numerous rental housing inspections have been performed. Several inspections had violations/issues located/found during the inspections; those were addressed, and reports were sent to the property owners to address/fix. Code Enforcement currently working numerous rental inspections or reinspections. Several non-compliant property owners do not meet the Rental Housing Inspection Program Municipal Code, and warning letters were sent to attempt compliance with the Municipal Code.

These monthly code enforcement efforts are aimed at safeguarding public safety, maintaining the attractiveness of Main Street, and ensuring compliance with the Municipal Code throughout the city.

Should you have any further inquiries or require additional information, please do not hesitate to contact the Code Enforcement Division.

Nate Anderson



Code Enforcement Division  
City of Isleton

