



City of Isleton

101 Second Street, Isleton, California 95641

CITY MANAGER REPORT

Date: September 24, 2024

To: City Councilmembers

From: Uyiosa Felix Oviawe, City Manager

SEWER BILLS – No report

CODE ENFORCEMENT – No report

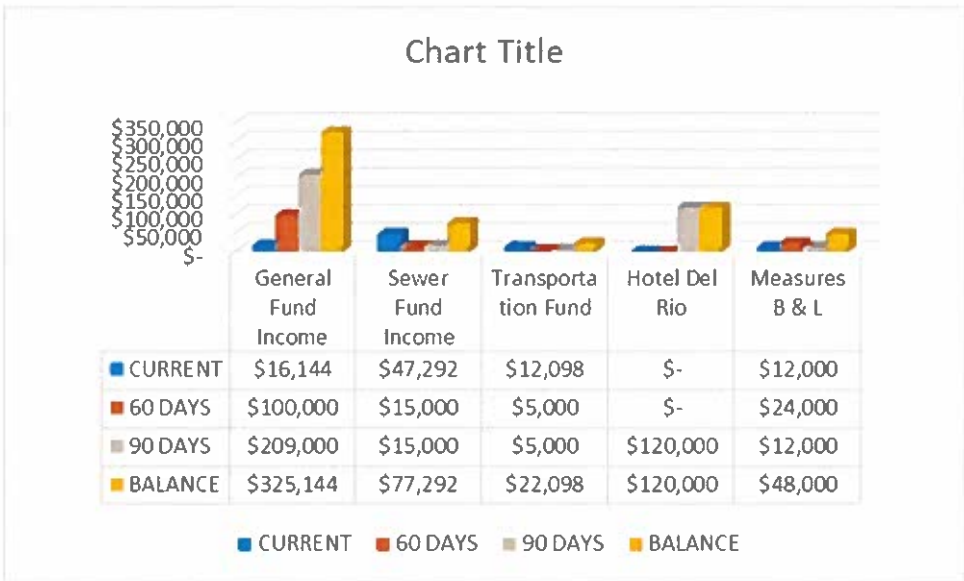
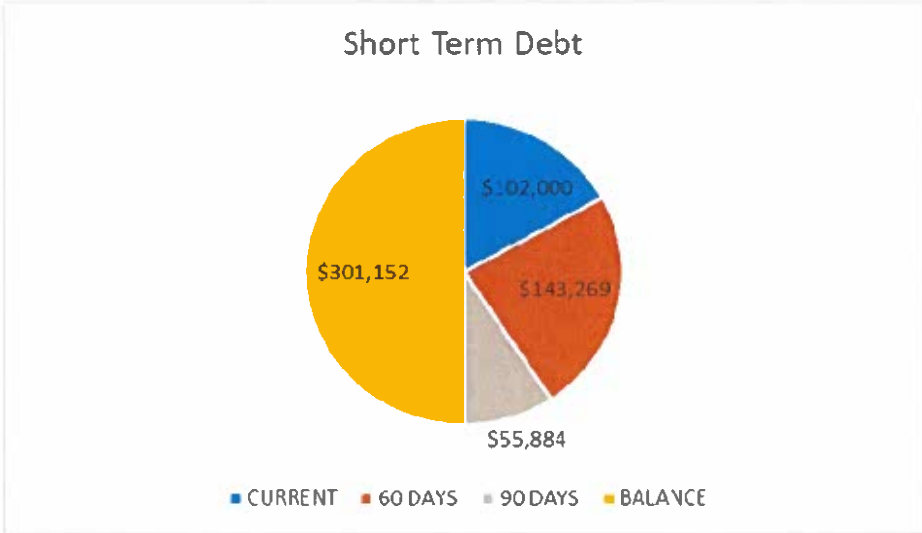
ADMINISTRATION

Position	Name	Hire Date
City Contract Engineer	Scott Lanphier	09/09/2024
Building Inspector	Nate Anderson	09/16/2024
City Clerk & Treasurer	Elected positions are unpaid	

COMMUNITY DEVELOPMENT

Project	Grant	Amount	Notes
Main St. Curb ADA Rehab	Sacramento Area Council of Governments (SACOG)	Design & Eng RFP \$30K	RFP Completed 1 bidder Waiting for Contract for CC approval
\$337K Grant Total			
Main St. Lighting & Streetscape	Sacramento Housing & Redevelopment Agency (SHRA)	Design & Eng RFP \$30 \$135K Grant Total	RFP Advertised 08/30/24 Close 10/04/24
City Website Upgrade	CETF	\$12,000 Website \$20,000K Grant Total	RFP Advertised 09/12/24 Close 10/15/24
Sustainability and Recovery Coordinator	CALOES JUMPSTART	Pay Grade: \$26.64 - \$32.70 / Hour \$800K Total Grant	RFP Advertised 09/18/24
CALOES Jumpstart Consultant	CALOES JUMPSTART	TBD \$800K Total Grant	RFP Advertised 09/18/24

FINANCE REPORTS – PRELIMINARY ONLY



Respectfully,
Uyiosa Felix Oviawe

City of Isleton

City Council
Staff Report

DATE: August 27, 2024

ITEM#: 4.A

CATEGORY: Communications

**A VERY NICE THANK YOU FROM A VISITOR REGARDING PUBLIC WORKS
STAFF ROBERT MCGAHEY**

**LEAGUE OF CALIFORNIA CITIES SACRAMENTO VALLEY DIVISION
CORNHOLE TOURNAMENT**

SUBJECT

The City received an email expressing her gratitude and thankfulness to our Public Works worker Robert McGahey.

Email of tournament from League of California Cities.

FISCAL IMPACT

There is no fiscal impact with this communication. You attend League of California cities tournament at your own cost.

RECOMMENDATION

City Council receive communication.

ATTACHMENT:

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

Reviewed by: City Manager, Uyiosa F. Oviawe UO

RECEIVED

Yvonne Zepeda

From: dianaobrien cityofisleton.com <dianaobrien@cityofisleton.com>
Sent: Tuesday, September 3, 2024 8:37 PM
To: yvonne.zepeda cityofisleton.com; Uyiosa Felix Oviawe
Subject: Re: Form Submitted

FYI

A very nice thank you from a visitor regarding Robert

On 09/03/7:51 PM EDT Wordpress <admin@portcitymarketing.com> wrote:

Name: Lanetta Wyatt
Email: lanettaphilyaw@gmail.com
Phone: 916-8211261
Subject: Lost phone

Message: I visited the fishing pier on Saturday August 31, 2024 which was a free fishing day. I brought my Uncle, our oldest living male member of our family and 2 cousins, one of which had never experienced fishing before that day. What quaint small town surrounded by water. In all the excitement I left my phone in the restroom. When I went to retrieve it, the doors had been locked. I called and emailed the the city of Isleton to explain my situation. The office was closed but I was transferred to the city of Isleton and spoke to Robert, from I believe it was City Hall. I explained my situation. He said that he had locked the door at the Isleton pier that evening but did not see a phone at that time. I received a call back the next morning and was advised that he would speak to the morning person who unlocked the bathroom doors at the Isleton pier that morning and would let me know either way. My sister called my phone and a person answered! A woman found my phone and her young son told her that she must find the owner. She explained that she was leave for home and was assisted by a bystander. My sister called my phone and it was answered. I spoke with the woman and the bystander asked me to describe my phone. After hanging up I called back Robert back and advised him that someone found my phone and that they were at the dock at that very minute. Sensing the urgency in my voice said that he would leave immediately and get it. I was called back by him and I spoke with the bystander to asked if it was ok to give my phone to Robert. While speaking with Robert, who asked me where I lived and saw that by the time I drove back there it would be late, mad plans to meet up the next evening at 7:00. Our directions on our phone lost connection several time which sent us in circles. It was now close to closing time so I contacted Robert who provided an address close to the pier and we found we were only 2 minutes away. Robert waited for us patiently and I received my phone which I would never get back! I must thank Robert for his kindness and patience in assisting me in getting my phone. It took a lot of good Samaritans to allow me to get my phone back. I want to thank your employer Robert for his excellent customer service. I would recommend Isleton, with it's charm and scenic ambiance to anyone. You are very lucky to have such a caring employee who would go out of his was to assist someone who he does not even know, I know he had more important things to do but human kindness is still alive in Isleton CA and In Robert. Thank you.

The League of California Cities

Sacramento Valley Division



TOURNAMENT

Friday, October 4, 2024 | 1:30-4:30 p.m.

Drake's The Barn in West Sacramento

985 Riverfront St, West Sacramento, CA 95691

Team of Two - \$60

You both will receive lunch, beverages and entry into the competition.

Individual Participant - \$35

You will receive lunch, beverages and entry into the competition.

[Click HERE to register.](#)

Contact Charles Anderson at canderson@calcities.org



City of Isleton

City Council Staff Report

DATE: September 24, 2024

ITEM#: 5.A

CATEGORY: Consent Calendar

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 27, 2024

SUMMARY

A. Review and approval of the Regular City Council Meeting minutes of August 27, 2024.

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 August 27, 2024.

ATTACHMENTS

- Minutes of the Regular City Council Meeting of August 27, 2024.

Reviewed by: Uyiosa Oviawe, City Manager UO

Prepared and Submitted by: Yvonne Zepeda, Deputy City Clerk

CITY OF ISLETON

City Council Meeting Minutes

Tuesday, August 27, 2024 at 6:30pm
208 Jackson Boulevard
Isleton, California 95641

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.

How to Listen to the City Council Meeting

<https://us02web.zoom.us/j/3379037904?pwd=cWdVNkN5aHUxcjVwRGRlM1BpajcwZz09>

Meeting ID: 337 903 7904

Passcode: 123456

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.
- D. Staff Reports – Uyiosa Oviawe discussed our finances and how we are in a dry period for the next few months. Also discussed the WWRB payment and reducing City Council meetings once a month and follow up with staff and looking into reducing cost. Fire Department more responsibilities with off hours public works. Councilmember David Kent recommended having a closed session after the meeting to discuss the WWRB 2019 payment. Vice Mayor Paul Steele asked to get more information and come back with the facts as we need that. Most of it is out of our control and I don’t like jumping into things immediately. We had a request from Don Cain on IHRPB if they have public meetings, do they allow public and do they post? Mayor Bulahan said its an advisory committee. Chuck and Clay always worked with the City staff. Coordinated with staff. City can develop a policy and take it under advisement. Mr. Oviawe is working with Michelle Burke smaller pigs and helping her get into compliance. David Kent amend ordinance or insist ordinance is followed until it is done. City Manager is working with Code Enforcement with Ms. Burke. Fire Chief Dockery gave his report of calls and a grant for oil spills its about 45k and its an asset for the city. I want to thank Vice Mayor Paul Steele for donating a sewer machine to clear sewer lines. Thank you, Paul Steele, for donating equipment to

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

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

public works. Ours was stolen so this was a nice surprise for us. We mailed weed abatements out also. IHRPB We have been working on flow charts with Nate Anderson Code Enforcement. We are not here to bring harm, just want to benefit and get better and improve it and resources. IHRPB would like the pebble stone planters removed. The COA website and is difficult to understand. How to make it a process? Look at templates from other districts. Iva Walton thank you for stepping up it's wonderful. David Kent new board I like all of that, progress. Paul C. business development is ongoing. Uyiosa Oviawe says it's a lawful process.

- E. Council Reports-Kelly Hutson defer to next meeting. David Kent office hours for Q&A every other Wednesday at City Hall 3-5.DWR water master endorsed by referendum. Water surrounds the island -Sacramento Valley Conservation I was called on to assist. We are confronted with Urban sprawl cast areas and ag. Land, zoning change and easements. What does planned development look like? Ground water and air quality effect. Grim topic SCORE-JPA insurance is one of the mechanisms. They called on Isleton regular reports and stick with the plan. City and Muni, Ceo /Staff comes and goes. Iva Walton-LAFCo and jumpstart grant-interviews yet? Free money- City Manager working with Kathy Schaffer and put out to the streets this week. RFP next week-CAL OES if city be reimbursed and job posting, we should be able to be reimbursed for it. Invited by Chief Cutino and went to a board meeting. I've been told not well trained or managed. They offer free courses and EMT courses all from California come to train. Use to be in our district. 2004 happened and anything benefit free training and our first responders. Its amazing what they do.

2. AGENDA CHANGES OR DELETIONS

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.

Michelle Burke – Preservation Board Code needs cleaned up, no old codes, city laws only set by council, work doing is poor, only City Council state law open-COA-board IHRPB open meeting state law. Chuck did not post a lot of laws, you have to dig for it. Both Don and I point out current rules, homeless ordinance change-camping. The harassment I am receiving. I read all codes and not fair to citizens and staff current folks. He lied to you repeatedly.

4. COMMUNICATION

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A. The Rotary Club of Sacramento is putting on the Century Bike Ride and will be stopping at Tower Park for lunch.

ACTION: Something that benefits the City. So great of McBoodery could cater for them. Vice Mayor Paul Steele have an open house. Councilmember Iva Walton more benefits to the City more festivals.

5. CONSENT CALENDAR

A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of August 13, 2024.

RECOMMENDATION: City Council review and approve the draft minutes of the Regular City Council Meetings of August 13, 2024.

ACTION: Vice Mayor Paul Steele motion to approve the drafts minutes of the Regular City Council Meeting of August 13, 2024. Councilmember Kelly Hutson second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

Comments from Councilmember Iva Walton was AI helpful? Councilmember David Kent never see if again. Summary not accurate.

6. PUBLIC HEARING

A. **SUBJECT:** 45 Main Street Shed Demolition.

RECOMMENDATION: It is recommended that City Council authorize City Manager on behalf of City Council to issue a Certificate of Hardship.

ACTION: Vice Mayor Paul Steele motion to authorize City Manager on behalf of City Council to issue a Certificate of Hardship. Councilmember David Kent second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

COMMENTS: Ruby Fowler they share the same alley. Few concerns pre-demo inspection-electrical and wire lines, call 811. 57 Main is red tagged, fall through the floor. Lori Kent its up to the building department next week and levee.

7. OLD BUSINESS

A. **SUBJECT:** Cal-Waste Isleton Rate Adjustment presentation.

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RECOMMENDATION: It is recommended that City Council receive presentation and approve 2024 rate adjustment.

ACTION: Vice Mayor Paul Steele motion to receive presentation and approve 2024 rate adjustment of 4%. Councilmember Iva Walton second the motion. **AYES:** Councilmember's Kelly Hutson, David Kent, Iva Walton, Vice Mayor Paul Steele, Mayor Pamela Bulahan. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

COMMENTS: Rudy Vacanza presented the rate increase of 4% per the contract and with the COLA for his employees and to maintain the vehicles and gas for services of garbage waste. Our spring cleanup required 6 trucks. 25% up on recycle. Councilmember Kent said, the problem we're having is not the service. Wages are not keeping place. The 4% rate increase every year will start to bother the citizens. At some point this is not going to be viable. Rudy – whether or not the case, it's a health and safety issue. I'm not putting my cost in there and you get the franchise fees back. It is something we need to provide. Vice Mayor Paul Steele said, your services is complimentary and I think its fair. Councilmember Kelly Hutson I'm in favor of it. **PUBLIC COMMENTS:** Michelle Burke anything that city could do to cut your cost down? Rudy said, clean your recyclables cuts down on our time.

8. NEW BUSINESS

A. SUBJECT: None.

9. FUTURE AGENDA ITEMS

A. Future Agenda Items – Draft Budget 20/21 & 2022/2023.

10. CLOSED SESSION

11.1 None.

11. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, Pamela Bulahan

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ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

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City of Isleton

DATE: September 24, 2024

City Council Staff Report

ITEM#: 6.A

CATEGORY: Public Hearings

TENTATIVE SUBDIVISION MAP 2022-01; ONE YEAR EXTENSION ALEXANDER KUSHNER, APPLICANT

SUMMARY

Project: This project involves subdivision of 1.13-acres of vacant land into seven lots for single-family residential development located on 6th Street at the corner of D Street and Gas Well Road. Below is the tentative map. More details of the project are provided in the attached staff report.



Background: On November 9, 2022, the City Council, at the recommendation of the Planning Commission (see attached Planning Commission Resolution PC 03-22), approved Tentative Map TM 2022-01 (see attached City Council Resolution). In accordance with the City's subdivision regulations and State Map Act, this initial approval is valid for two years, expiring on November 9, 2024 (Section 11.08.050 of the Municipal Code; Subdivision Regulations). If granted, the one-year extension would maintain the original approval (with the same conditions of approval) until November 9, 2025.

The applicant is working with the City to complete the final subdivision map and is requesting a one-year extension to the tentative map (as provided by both City and State regulations). The final map converts the tentative subdivision map into a subdivision of land to allow individual lot sales and includes public improvements, such as sidewalks and street lighting. The applicant plans to return to the City Council in the near future for approval of the final subdivision map (required prior to expiration of the tentative map).

PLANNING EVALUATION

The project was previously evaluated for General Plan consistency and compliance with Zoning, Subdivision, and other related chapters of the Municipal Code and found to be consistent and in compliance respectively. Attached is the previous Planning Commission staff report for the project that provides all details of this project. Review of this one-year extension to the map provides the City an opportunity to look at any changing circumstances that could impact the project, such as changes to the General Plan and/or Zoning Code. The only substantive change since the original map was approved has been an update to the Zoning Code. However, the Zoning Code regarding subdivision of this project, related to land use, lot design, and density, has not substantially changed so circumstances remain as they were since 2022.

Under the provisions of Section 66452.6(e) of the California Government Code, Subdivision Map Act, the City may not add any new conditions to the map unless agreed to by the applicant. Since circumstances have not changed since the map was originally approved, the tentative map, through this one-year approval extension should not require any new or amended conditions of approval. Should the Council finds circumstances have changed that could effect the project, then the Council could deny the request.

ENVIRONMENTAL DETERMINATION

In accordance with CEQA requirements, an Environmental Assessment/Initial Study was prepared for the tentative map project in 2022 with the conclusion that a Mitigated Negative Declaration (MND) is the appropriate document per the California Environmental Quality Act (CEQA) Guidelines. The MND essentially is a statement/finding, that with mitigation measures incorporated, the project will not result in a significant adverse impact on the environment. Specifically, mitigation measures are incorporated into the project regarding Air Quality, Cultural Resources and Tribal Cultural Resources, Geology and Soils. The Final Initial Study/Proposed MND is attached with the previous staff reports. In accordance with CEQA, to approve this one-year extension to the tentative map the Council will need to determine that the previous initial study and MND are still applicable. These findings are included in the City Council resolution approving the one-year extension.

FISCAL IMPACT

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

RECOMMENDATION

Adopt City Council Resolution 18-24 approving a one-year extension to Tentative Map 2022-01.

ATTACHMENTS

- A. City Council Resolution 18-24, Approving a one-year extension to Tentative Map 2022-01
- B. City Council Resolution 31-22
- C. Planning Commission Resolution PC -03-22
- D. October 4, 2022, Planning Commission Staff Report

RESOLUTION 18-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON APPROVING A ONE YEAR EXTENSION TO TENTATIVE MAP 2022-01

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

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

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

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

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

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

WHEREAS, on November 9, 2022, the City Council approved Tentative Map TM 2022-01 for two years, expiring on November 9, 2024; and

WHEREAS, in accordance with Section 11.08.050 of the Municipal Code; Subdivision Regulations, the Applicant submitted a request for a one-year extension to Tentative Map TM 2022-01 to the City on August 29, 2024, and

WHEREAS, the granting of an extension of a tentative map is discretionary under provisions of Section 66452.6(e) of the California Government Code and under the provisions of Section 11.08.050 of the Municipal Code; Subdivision Regulations, and

WHEREAS, circumstances have not changed significantly since when the tentative map was originally approved to require reconsideration of the tentative map nor require new conditions of approval, and

WHEREAS, the City Council has determined that the Initial Study and Mitigated Negative Declaration for Tentative Map TM 2022-01 is still valid and applicable to this one-year extension, and it reflects the independent judgement of the City of Isleton, as lead agency under CEQA; and

WHEREAS, in accordance with Section 11.08.050 (A) of the Municipal Code; Subdivision Regulations, on September 24, 2024, the City Council, on behalf of the Planning Commission, conducted a noticed public hearing and approved on the request for a one-year extension to Tentative Map 2022-01 subject to the original conditions of approval.

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

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

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

Conditions of Approval for Tentative Map 2022-01

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

will then prepare an agreement which will require City Council approval and will be required to be recorded prior to Final Map approval.

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

18. All new utility facilities shall be placed underground and located within easements as required by the serving utility company. The easements shall be shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Isleton this 24th day of September 2024, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Pamela Bulahan, Mayor

ATTEST:

APPROVED AS TO FORM:

Yvonne Zepeda, City Clerk

Andreas Booher, City Attorney

Attachment B
City Council Resolution 31-22

RESOLUTION 31-22

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 2. The City Council approves Tentative Map 2022-01 based on the findings made below and subject to the Conditions of approval: Kushner Tentative Subdivision Map 2022-01, located at 501 6th

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

Conditions of Approval for Tentative Map 2022-01

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

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

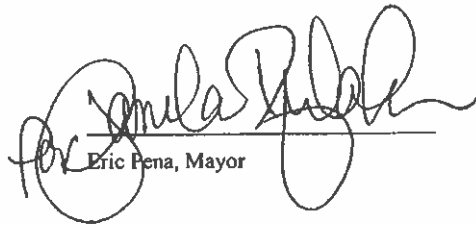
PASSED AND ADOPTED by the City Council of the City of Isleton this 9th day of November, 2022, by the following vote:

AYES: Councilmember's Paul Steele, Iva Walton, Kelly Hutson, Vice Mayor Pamela Bulahan, Mayor Eric Pene.

NOES: None.

ABSTAIN: None.

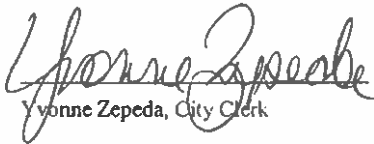
ABSENT: None.



Eric Pene, Mayor

ATTEST:

APPROVED AS TO FORM:



Yvonne Zepeda, City Clerk

Andreas Booher, City Attorney

Attachment C
Planning Commission Resolution PC 01-22

RESOLUTION PC 03-22

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

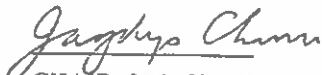
PASSED AND ADOPTED by the Planning Commission of the City of Isleton this 4th day of October, 2022, by the following vote:

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

NOES: None.


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

ABSENT: None.



CHAIR, Jack Chima

ATTEST:



DEPUTY CITY CLERK, Yvonne Zepeda

Attachment D
October 4, 2022, Planning Commission Staff Report Package

City of Isleton

DATE: October 4, 2022

Planning Commission
Staff Report

ITEM#:

CATEGORY: New Business

TENTATIVE SUBDIVISION MAP 2022-01
ALEXANDER KUSHNER, APPLICANT

BACKGROUND AND PROJECT DESCRIPTION:

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

PROJECT SITE SETTING

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

PROJECT EVALUATION

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

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

proposed lot widths and depths are shown to be in compliance with the Zoning Code which states:

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

1. *Each site in an R district shall have not less than 50 feet of frontage on a public street except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than 40 feet provided the width of the site, as measured along the front yard setback line, is at least 50 feet.*
2. *The minimum width of each site in an R District shall be 50 feet for an interior lot and 60 feet for a corner lot.*
3. *The minimum depth of each site shall be 90 feet for an interior lot and 80 feet for a corner lot.*

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

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

ENVIRONMENTAL DETERMINATION

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

FINDINGS AND CONDITIONS

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

RECOMMENDATION

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

Attachments Exhibit A-Tentative Subdivision Map exhibit
 Exhibit B-Planning Commission Resolution of Approval
 Exhibit C- Table of Public Comments and Staff Responses
 Exhibit D-Initial Study/Mitigated Negative Declaration

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



Attachment A-Mitigation Measures for Tentative Map 2022-01

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

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

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

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

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

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

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

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

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

Coroner's office upon any discovery of human remains.

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

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

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

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

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

Exhibit C – Public Comments and Staff Responses

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

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

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

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



Central Valley Regional Water Quality Control Board

16 August 2022

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

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

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

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

I. Regulatory Setting

Basin Plan

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

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

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

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

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

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

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

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

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

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

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

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

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

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

Clean Water Act Section 404 Permit

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

Clean Water Act Section 401 Permit – Water Quality Certification

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

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

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

Waste Discharge Requirements – Discharges to Waters of the State

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

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

Dewatering Permit

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

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

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

Limited Threat General NPDES Permit

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

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

NPDES Permit

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

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minke12@waterboards.ca.gov.

Peter Minke

Peter Minke
Engineering Geologist

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

Exhibit D– Initial Study/Mitigated Negative Declaration

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

**for the
Kushner Tentative Subdivision Map**

August 18, 2022



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

FINAL ENVIRONMENTAL INITIAL STUDY PUBLIC REVIEW

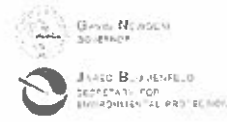
The draft Initial Study for this project was circulated for public review between July 18, 2022 and August 16, 2022. This circulation included distribution to the California Clearinghouse and local agencies. Below are all the written comments received during this circulation.

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

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

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

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



Central Valley Regional Water Quality Control Board

16 August 2022

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

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

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

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

I. Regulatory Setting

Basin Plan

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

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

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

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

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

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

Antidegradation Considerations

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

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

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

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

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

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

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

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

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

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

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

Clean Water Act Section 404 Permit

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

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

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

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

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

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

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

Peter Minkel

Peter Minkel
Engineering Geologist

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

**Mitigation Monitoring Program:
Background:**

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

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

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

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

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

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

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

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

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

CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title: Kushner Tentative Subdivision Map

Lead agency name: City of Isleton

Address: 101 2nd Street, Isleton, CA 95641

Contact person: Yvonne Zepeda, City Clerk

Phone number: 916-777-7770

Project sponsor's name: Robert Wood

Phone Number: 530-446-6765

Project Owner: Alexander Kushner

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

General plan description: LD (Low Density)

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

Description of project:

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

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

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

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

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

NATIVE AMERICAN CONSULTATION

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

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

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

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

Initial Study Attachments

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION

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

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

Charles Bergson,
City Manager

Print Name

Signature

Date

Tentative Subdivision Map

PROJECT INFORMATION

PROPERTY ADDRESS
301 6TH STREET

OWNER/APPLICANT
KUSHNER

PLANNING/ENGINEERING
KUSHNER

SURVEYING
KUSHNER

ASSESSOR'S PARCEL NUMBER
10000000000000000000

ZONING/GENERAL PLAN
MUNICIPAL OFFICE

LOT AREA
10000000000000000000

ELECTRICAL
KUSHNER

WATER
KUSHNER

SEWAGE DISPOSAL
KUSHNER

FIRE PROTECTION
KUSHNER

VICINITY MAP

TENTATIVE MAP
FOR
KUSHNER
CITY OF

NOTES

1. THIS TENTATIVE MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.

2. THE CITY ENGINEER'S OFFICE HAS REVIEWED THIS TENTATIVE MAP AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY ENGINEERING DEPARTMENT'S STANDARDS AND SPECIFICATIONS.

LEGEND

————— PROPERTY LINE

————— EASEMENT

————— UNDEVELOPED

DATE: MAY, 2022

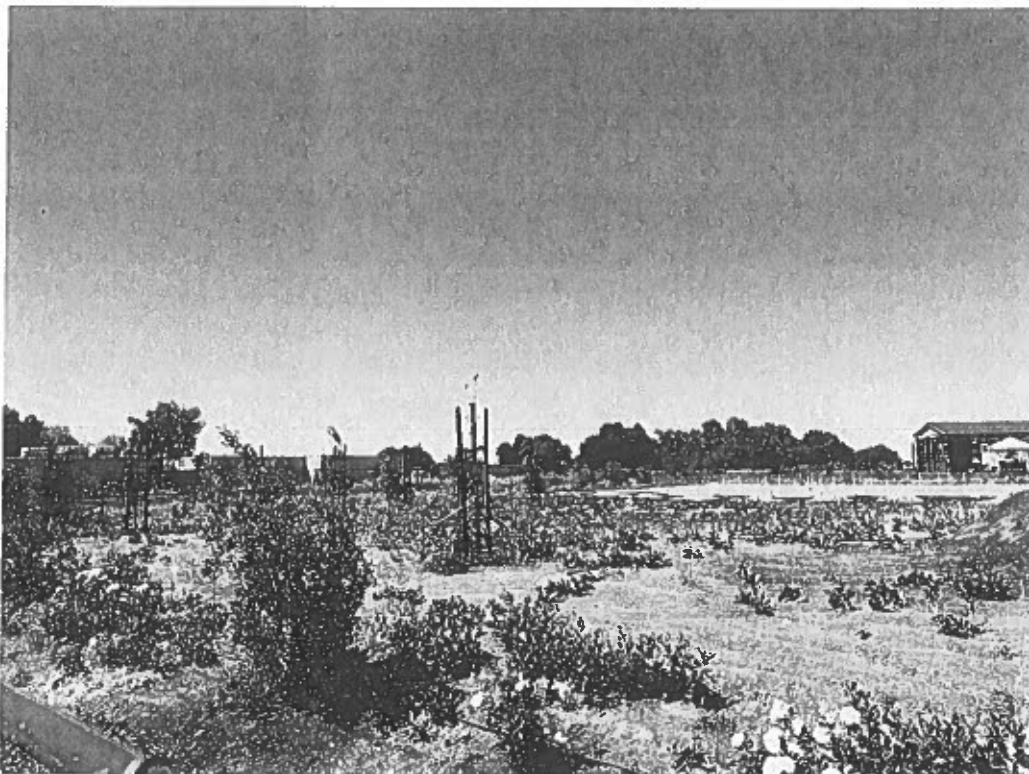
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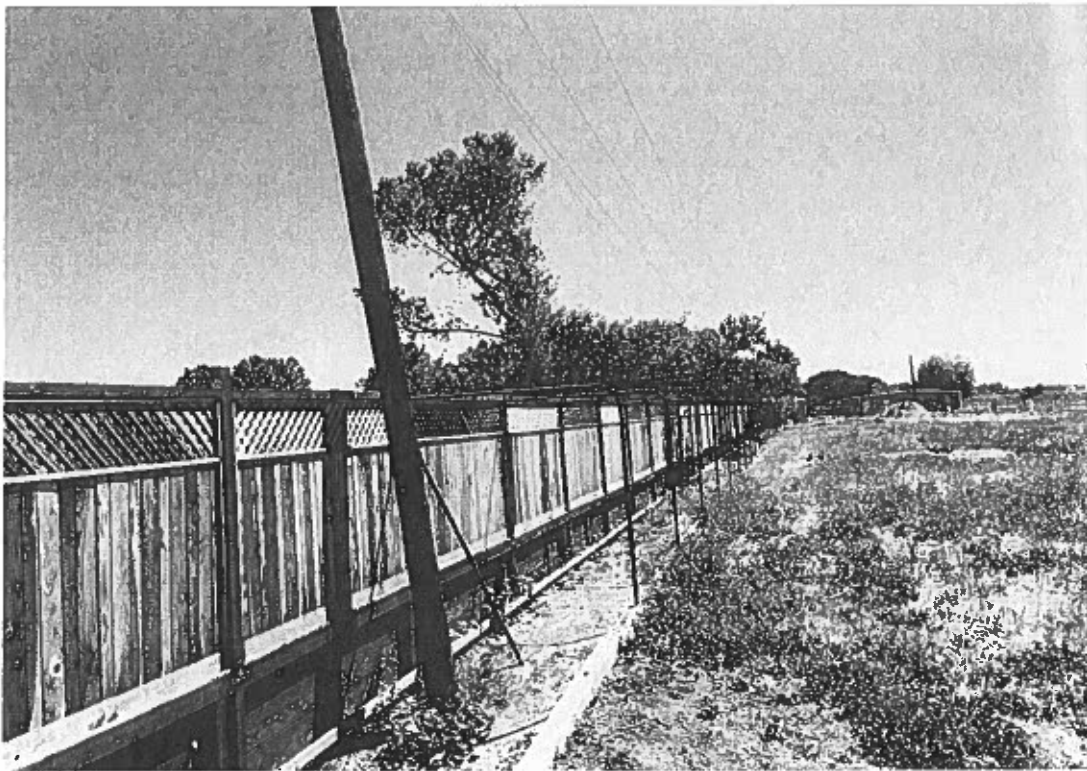
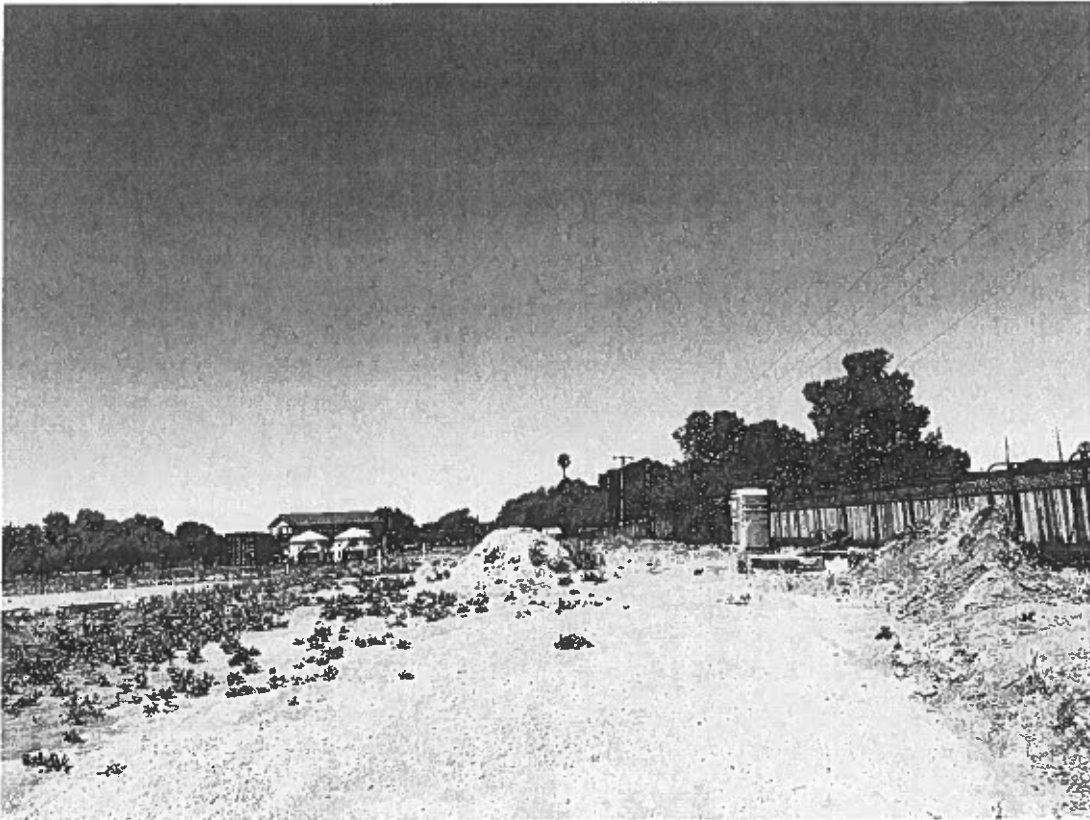
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KUSHNER
301 6TH STREET
TENTATIVE MAP

ILLUMINIUM

Photos of Project Site:





Example of House within Subdivision:
(Site Plan)

CEQA Environmental Checklist

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

I. AESTHETICS

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

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

Environmental Setting or Reference

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

Evaluation of Potential Aesthetic Impacts:

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

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

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

II. AGRICULTURE AND FOREST RESOURCES

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

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

Environmental Setting or Reference

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

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

Evaluation of Potential Agriculture and Forestry Impacts

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

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

III. AIR QUALITY

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

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

Environmental Setting or Reference

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

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

Evaluation of Potential Air Quality Impacts:

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

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

Mitigation measures:

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

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

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

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

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

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

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

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

IV. BIOLOGICAL RESOURCES

Would the project:

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

Environmental Setting

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

Evaluation of Potential Biological Impacts

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

project within the subject parcel.

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

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

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

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

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

V. CULTURAL RESOURCES

Would the project:

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

Environmental Setting

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

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

Evaluation of Potential Cultural Resource Impacts

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

environment resources occur in the Project area.

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

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

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

Mitigation Measures

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

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

VI. ENERGY

Would the project:

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

Environmental Setting or Reference

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

Evaluation of Potential Energy Impacts

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

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

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

VII. GEOLOGY AND SOILS

Would the project:

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

Environmental Setting

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

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

Evaluation of Potential Geology and Soils Impacts

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

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

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

Mitigation Measure

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

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

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

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

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

Environmental Setting

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

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

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

Evaluation of Potential Greenhouse Gas Emissions Impacts

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

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

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

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

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

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

Environmental Setting

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

Evaluation of Potential Hazards and Hazardous Materials Impacts

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

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

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

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

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

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

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

Environmental Setting

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

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

Evaluation of Potential Hydrology and Water Quality Impacts

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

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

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

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

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

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

Flood Hazard Map

National Flood Hazard Layer FIRMette



Legend

SPECIAL FLOOD HAZARD AREAS

- 100 Year Flood Elevation
- 500 Year Flood Elevation
- Accretion Flood Hazard
- Highway Floodway

OTHER AREAS OF FLOOD HAZARD

- 100 Year Flood Elevation
- 500 Year Flood Elevation
- Accretion Flood Hazard
- Highway Floodway

OTHER AREAS

- 100 Year Flood Elevation
- 500 Year Flood Elevation
- Accretion Flood Hazard
- Highway Floodway

GENERAL STRUCTURES

- 100 Year Flood Elevation
- 500 Year Flood Elevation
- Accretion Flood Hazard
- Highway Floodway

CELS

- 100 Year Flood Elevation
- 500 Year Flood Elevation
- Accretion Flood Hazard
- Highway Floodway

MAP PAUSES

- 100 Year Flood Elevation
- 500 Year Flood Elevation
- Accretion Flood Hazard
- Highway Floodway

Map Pauses

The map pausing feature allows users to pause the map at any time. This is useful for navigating to a specific location or for taking a break from the map. To pause the map, click on the 'Map Pauses' button in the top right corner of the map. To resume the map, click on the 'Map Pauses' button again.

XI. LAND USE AND PLANNING

Would the project:

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

Environmental Setting

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

Evaluation of Potential Land Use and Planning Impacts

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

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

XII. MINERAL RESOURCES

Would the project:

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

Environmental Setting or Reference

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

Evaluation of Potential Mineral Resource Impacts

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

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

XIII. NOISE

Would the project result in:

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

Environmental Setting

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

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

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

Evaluation of Potential Noise and Vibration Impacts

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

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

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

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

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

XIV. POPULATION AND HOUSING

Would the project:

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

Environmental Setting

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

Evaluation of Potential Population and Housing Impacts

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

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

XV. PUBLIC SERVICES

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

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

Environmental Setting

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

Evaluation of Potential Public Service Impacts

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

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

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

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

XVI. RECREATION

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

Environmental Setting

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

Evaluation of Potential Recreation Impacts

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

XVII. TRANSPORTATION

Would the project:

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

Environmental Setting

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

Evaluation of Potential Transportation Impacts

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

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

XVIII. TRIBAL CULTURAL RESOURCES

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

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

Environmental Setting

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

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

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

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

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

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

Evaluation of Potential Tribal and Cultural Impacts

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

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

A resource may be listed as a historical resource in the California Register if it meets any of the following National Register of Historic Places criteria as defined in PRC §5024.1(C):

A. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.

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

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

D. Has yielded, or may be likely to yield, information important in prehistory or history.

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

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

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

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

Mitigation Measures:

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

Environmental Setting

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

Evaluation of Potential Utility and Service Systems Impacts

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

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

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

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

XX. WILDFIRE

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

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

Evaluation of Potential Wildfire Impacts

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Attachment C
Planning Commission Resolution PC 01-22

RESOLUTION PC 03-22

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

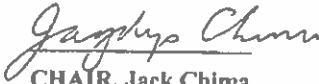
1. The final subdivision map shall conform to all the applicable requirements of the Subdivision Map Act and the Isleton Municipal Code.
2. The sub-divider shall enter into a contract agreement with the City to perform the installation and construction of all improvements as contained in the conditions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

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

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

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

AYES: Planning Commissioner's Mandy Elder, Ruby Fowler, Joe Kessner.
NOES: None.
ABSTAIN: Planning Commissioner's Michelle Burke and Chair Jack Chima.
ABSENT: None.


CHAIR, Jack Chima

ATTEST:


DEPUTY CITY CLERK, Yvonne Zepeda

City of Isleton

ITEM: 7.A

TO: City Council
FROM: Uyiosa Felix, City Manager
Gary Price, Contract Planner
SUBJECT: State Review of Zoning Code
MEETING DATE: September 24, 2024

Old Business

BACKGROUND: The California Department of Housing and Community Development (HCD) reviewed the City's recently updated Zoning Code for compliance with related statutes and found that some parts don't comply with housing law. The City Council is requested to adopt an interim policy for addressing their concerns regarding reserving two properties identified in the Housing Element for lower income housing. The Council is requested to adopt the interim policy recognizing this and that the Zoning Code, Phase II, will need to be completed and adopted within the next 12 months to address the related housing statutes. Attached is the resolution for adoption by the Council. In addition, the Council should adopt Policy 2024-01.

ANALYSIS: The Planning Commission and City Council approved/adopted the 6th Cycle, 2021-29 Housing Element and on December 5, 2022, HCD certified the Housing Element (see Attachment 1). The Housing Element documents (Policy and Background Reports) are available for review at:

<https://cityofisleton.com/departments/planning-department/>

The HCD letter identifies several programs important to the State to timely implement. In accordance with Program H-2.2, the City secured a grant and prepared an update of the Zoning Code to address most of the related housing statutes. That program states:

Zoning Code Amendments. Make the following zoning code amendments to maintain internal consistency and comply with State law requirements for housing:

- * Replace references to the R-1-6 zone in the zoning code with the R-1-7 zone and corresponding standards.
- * Include a statement in the purpose of the zoning ordinance (§ 102) that discusses furthering fair housing and California fair housing law.
- * Remove the requirement for a Conditional Use Permit for second units in order to allow them as a permitted use in all residential districts that allow single-family units (i.e., the UR, R, and RM).
- * Remove the requirement for two additional parking spaces for second units; reduce to one with the option to remove the condition if state-outlined conditions are present as outlined in Cal. Gov't. Code § 658252.2(e)(1-5).
- * Rezone to and in the interim shall allow development by right, pursuant to Cal. Gov. Code § 65583.2(c), when 20 percent or more of the units are affordable to lower income housing on sites identified in Appendix A of the Housing Element Background Report to accommodate the lower income RHNA that was previously identified in past housing element. This allowance may also be an overlay on the specific sites identified in the Housing Element Site Inventory. (Edited as mandated by HCD review 12/5/2022)
- * Remove the Conditional Use Permit requirement for group homes of more than six persons and replace with procedures to promote objectivity and approval certainty in all zones allowing residential uses.

- * Adopt definition for transitional and supportive housing that clearly states that transitional and permanent supportive housing are by-right residential uses subject to the same standards that apply to residential uses of the same type in the same zone.
- * Develop a ministerial review option or permitted use for proposed developments where at least 50% of the units are affordable to households making below 80 percent of the area median income, in compliance requirements in Cal. Gov't. Code § 65913.4(e)(1).
- * Explicitly allow single room occupancy in conformance with Cal. Gov't Code § 65583 (c)(1) and § 65583.2 (c); this may include modifying the definition of "dwelling unit" to include single room occupancy by eliminating the requirement for a kitchen in each unit.
- * Allow farmworker housing consistent with Cal. Health & Safety Code § 17021.6 which states that any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use and no conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone.
- * Modify the definition of "family" consistent with state law to remove the limit of five unrelated persons living together in a dwelling unit.
- * Modify the definition of "dwelling, one-family" to include employee housing for six or fewer persons, in accordance with Cal. Health & Safety Code § 17021.5.
- * Modify the 2014 emergency shelter ordinance to comply with parking requirements under Cal. Gov't Code, § 65583 (a)(4)(A)). Adopt a formal procedure for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws.
- * Allow for Low Barrier Navigation Centers to be a use by right in areas zoned for mixed use and nonresidential zones permitting multi-family uses if they meet requirements I Cal. Gov't Code § 65662(a-d), which include:
 - a. "It offers services to connect people to permanent housing through a services plan that identifies services staffing.
 - b. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. . .
 - c. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
 - d. It has a system for entering information regarding client stays, client demographics, client income, and exit destination . . ."
- * Allow for permanent supportive housing to be a use-by-right in all zones where multifamily and mixed uses are permitted, in compliance with Cal. Gov't Code 65583(c)(3), and consistent with requirements specified in Cal. Gov't Code 65651(a)(1-7).
- * Provide for streamlined development approval for supportive housing and low-barrier navigation centers that includes completeness review within 30 days and full review in 60 - 120 days, depending on the size of the project. (Source: Existing Action 5.1, modified with new updates)
- * Provide for streamlined development approval for supportive housing and low-barrier navigation centers that includes completeness review within 30 days and full review in 60 - 120 days, depending on the size of the project. (Source: Existing Action 5.1, modified with new updates)
- * Revise manufactured housing regulations to allow this type of housing to be treated the same as other single-family housing.
- * Amend Zoning Code to reduce residential development processing time by allowing the Planning Commission to approve use permits for residential developments without City Council approval

Responsibility: Planning, Planning Commission, Council

Time Frame: GP update adopted 2022, zoning code amendments to follow (estimated 2023 adoption)

Funding: General Fund; grant assistance

Quantified Objective: 8 accessory dwelling units during the planning period; updated zoning code

The City adopted the Zoning Code Update on June 11, 2024. As part of their new housing enforcement program HCD reached out to the City to review the Zoning Code update and determined that the Code update was not in complete compliance with housing statutes and is requiring the City adopt an interim policy to address affordable housing until Phase II of the Zoning Code Update is completed.

Interwest, who prepared the Zoning Code update indicated in Attachment 3 (email) that they had made some errors in the document, but also noted some interpretations to housing law that differed from HCD. It is also noted that the document was reviewed by staff, including the City Attorney.

City Manager, Uyiosa Felix, and City Planner, Gary Price, met with HCD on August 26, 2024, and proposed to adjust the Zoning Code as part of the Phase II Zoning Code update program. As Council may recall, when the Zoning Code was updated, it was determined that the City will need to update the Zoning Code as Phase II, after the new General Plan is adopted in 2025. This will allow the changes to the Code that reflect any land use policy changes that come out of the General Plan Update. Phase II would also provide the opportunity for additional adjustments that need to be made, such as new regulations concerning cargo containers and the keeping of animals, such as chickens. It is noted that the changes to the Zoning Code requested by HCD would be rather minor and staff recommends that these amendments simply be folded into the Phase II update that will be conducted next year. Staff also recommends that these changes be conducted by staff or a separate consultant team once funding becomes available for this task.

In addition to adopting the recommended Resolution, the new policy should also be established within a separate City Policy, as Policy 2024-01; also included as part of Resolution 19-12.

Target Affordable Housing Sites: Exhibit A of Resolution No. 19-24 identifies the two target housing sites in the Housing Element. These sites were selected by the City for affordable housing to comply with state housing law to meet the City's Regional Housing Needs Allocation (RHNA) when the Housing Element was adopted. The City's state assigned RHNA requires the City show capacity to develop at least 8 affordable housing units. These low-income/affordable housing units need to meet state criteria where at least 20% of the dwelling units in a development on these sites are reserved for lower income households. Lower income households in Isleton are defined as those that earn 80 percent or less of the area's median income. For the 2024 year, that equates to households earning less than approximately \$94,300 annually. This does not mean the City has to develop these units; it just means the City needs to reserve vacant land to accommodate the projection of at least 8 lower income housing units in the City.

RECOMMENDATION: That City Council Adopt Resolution No. 19-24 and approve Interim Housing Policy.

Attachments:

1. December 5, 2022, Letter from HCD Certifying Housing Element
2. Email Trail with HCD regarding housing law compliance
3. Email from Interwest referencing errors made in the Zoning Code Update
4. Resolution 19-24,

Attachment 1

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

GAVIN NEWSOM, Governor



December 5, 2022

Charles Bergson, City Manager
City of Isleton
P.O. Box 716
Isleton, CA, 95641

Dear Charles Bergson:

RE: City of Isleton's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Isleton (City) housing element that was adopted September 27, 2022, along with technical modifications authorized by Resolution No. 29-22 and received for review on October 6, 2022. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element in full compliance with State Housing Element Law (Article 10.6 of the Gov. Code). The adopted element addresses the statutory requirements described in HCD's December 7, 2021 review.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- *Program H-2.2 (Zoning Code Amendments)*: This program commits the City, by 2023, to make revisions to the City's zoning code including, but not limited to, to allow previously identified sites by-right when 20 percent or more of the units are affordable, remove the conditional use permit for group homes with seven or more residents, and revise definitions of transitional and supportive housing.
- *Program H-2.6 (Update Fee Schedule)*: This program commits to study and create a new fee schedule by 2025.
- *Program H-3.8 (Adopt ADU Ordinance)*: This program commits the City to adopt an accessory dwelling unit ordinance to comply with state law by 2023.
- *Program H-3.3 (Regional Fair Housing, Mobility Enhancement, and Place-Based Access)*: This program commits the City to taking actions to affirmatively further fair housing including, among other actions, distributing educational materials, encourage multifamily development, and invest in infrastructure improvements throughout the City, beginning in 2023.

Charles Bergson, City Manager
Page 2

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

In addition, HCD notes the technical modifications authorized by Resolution No. 29-22. HCD reminds the City that a copy of the updated adopted housing element including these modifications should be posted wherever the housing element is available to the public. HCD requests notification upon posting.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City now meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the dedication of the housing element team provided throughout the course of the housing element review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Hillary Prasad, of our staff, at Hillary.Prasad@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Attachment 2

Gary,

That is correct. The resolution would act as an interim policy once adopted, until the amendments could be made to the zoning code.



Tyler Galli (He / They)
Senior Housing Policy Specialist
Housing and Community Development
651 Bannon Street, Suite 400 | Sacramento, CA 958311
Phone: 916.776.7613 | Email: Tyler.Galli@hcd.ca.gov

From: Gary Price <gary@plannerprice.com>
Sent: Monday, August 26, 2024 5:48 PM
To: Galli, Tyler@HCD <Tyler.Galli@hcd.ca.gov>
Cc: Uyiosa Felix (uyiosa.oviawe@cityofisleton.com)
<uyiosa.oviawe@cityofisleton.com>
Subject: RE: City of Isleton Rezone Program H-2.2

Hi Tyler,

Just to be clear, the resolution becomes the interim placesaver to amending the zoning code to comply with these statutes within 12 months?

Gary

From: Galli, Tyler@HCD <Tyler.Galli@hcd.ca.gov>
Sent: Monday, August 26, 2024 5:16 PM
To: Gary Price <gary@plannerprice.com>
Cc: Uyiosa Felix (uyiosa.oviawe@cityofisleton.com)
<uyiosa.oviawe@cityofisleton.com>
Subject: RE: City of Isleton Rezone Program H-2.2

Good afternoon,

Thank you again for meeting with me on short notice.

To recap what we had discussed, and to present timelines:

1. The two sites, one Olivia Ln and River Rd which were identified on the previous cycle's housing element are within an MXU – Mixed Use zone.
2. The housing element states that as part of Action H-2.2, the city shall "Rezone to and in the interim shall allow development by right, pursuant to Cal. Gov. Code § 65583.2(c), when 20 percent or more of the units are affordable to lower income housing on sites identified in Appendix A of the Housing Element Background Report to accommodate the lower income RHNA that was previously identified in past housing element. This allowance may also be an overlay on the specific sites identified in the Housing Element Site Inventory"
3. Within the City's current zoning ordinance, Land Use Table 2.2-A shows both Farmworker Housing and Supportive and Transitional Housing as requiring CUPs within the MXU zone when they must be allowed as a "use by right" pursuant to Government Code section 65583.2, subdivision (i).
4. The city's definition of "Use, Permitted" is not compliant with the required definition of "use by right" pursuant to Government Code section 65583.2, subdivision (i).

In response, the city planned to update Table 2.2-A to reflect the use by right, amend/add the definition of "use by right" and release an interim interpretation manual for staff to adhere to internally and including these revisions within an ordinance in the next 6-12 months.

However, HCD is requesting a different approach to ensure compliance with the requirements within the Housing Element. I am attaching a template for resolution to be developed and adopted by the mayor and city council to address these changes – Once completed, please send to me prior to adoption to confirm.

The expected timeframe for this action, including the adoption of the resolution is 30-60 days.

I am happy to assist with this process and answer any questions you may have.

From: Galli, Tyler@HCD <Tyler.Galli@hcd.ca.gov>
Sent: Friday, August 23, 2024 3:32 PM
To: Gary Price <gary@plannerprice.com>
Subject: RE: City of Isleton Rezone Program H-2.2

Gary,

Would you be available for a short phonecall either Monday morning, or Tuesday afternoon? I have just a couple questions to tie together the ordinance, the site inventory in Appendix A of the Housing Background Report, and the Zoning Map on the city's website.



Tyler Galli (He / They)
Senior Housing Policy Specialist
Housing and Community Development
651 Bannon Street, Suite 400 | Sacramento, CA 958311
Phone: 916.776.7613 | Email: Tyler.Galli@hcd.ca.gov

From: Gary Price <gary@plannerprice.com>
Sent: Thursday, August 22, 2024 9:28 AM
To: Galli, Tyler@HCD <Tyler.Galli@hcd.ca.gov>; Uyiosa.Oviawe@cityofisleton.com
Subject: RE: City of Isleton Rezone Program H-2.2

Hi Tyler,

We are glad to assist you in any way with your review. I am the main contact for the Zoning Code update.

Please feel welcome to reach out to me with any questions or concerns.

Best Regards,

Gary

From: Galli, Tyler@HCD <Tyler.Galli@hcd.ca.gov>
Sent: Thursday, August 22, 2024 9:17 AM

To: Uyiosa.Oviawe@cityofisleton.com; Gary Price <gary@plannerprice.com>
Subject: City of Isleton Rezone Program H-2.2

Good morning,

My name is Tyler Galli, a Housing Policy Specialist with HCD's Housing Policy Division.

I'm reaching out to inform you that I am beginning the process of reviewing your rezones for Program H-2.2 (Zoning Code Amendments). I understand you had communicated with Reid Miller earlier this month, and this review has since been assigned to me, so I will be your main point of contact for the purposes of this review.

Please feel free to reach out if you have any questions or concerns at any point.



Tyler Galli (He / They)

Senior Housing Policy Specialist

Housing and Community Development

651 Bannon Street, Suite 400 | Sacramento, CA 958311

Phone: 916.776.7613 | Email: Tyler.Galli@hcd.ca.gov

Attachment 3

Hi Gary,

I looked at the comments below and I thought we had addressed the uses to be allowed by right in the zoning tables as well. It's possible an older version of a table slipped through the cracks, but we'll make sure that is cleaned up. I don't know that I was ever aware of the two MXU sites that were called out and I didn't realize the state views "uses, permitted" as different from "uses, by-right", but that's an easy fix. I'll try to take some time next week to work on this.



INTERWEST
CHANTAL POWER, AICP
SENIOR PLANNER

cpower@interwestgrp.com
909.754.1653

interwestgrp.com

large files may be sent via our secure cloud: <https://cloud.interwestgrp.com>

Attachment 4

RESOLUTION 19-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON
ESTABLISHING A POLICY FOR THE PROCESSING OF SPECIFIC
RESIDENTIAL DEVELOPMENT PROJECTS CONSISTENT WITH
GOVERNMENT CODE SECTION 65583.2, SUBDIVISIONS (C), (H), AND (I).**

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

WHEREAS, on September 27, 2022, the City Council adopted Resolution No. 29-22 approving General Plan Amendment GPA 2022-01 identifying specific parcels to meet the City's Regional Housing Needs Allocation (RHNA), and adopting and implementing the City of adopting the 2021-29 Housing Element; and

WHEREAS, Housing Element Action-H-2.2 Zoning Code Amendments indicates that the City will amend the zoning code to, among other things, rezone to and in the interim allow development by right, pursuant to Cal. Gov. Code § 65583.2(ci), when 20 percent or more of the units are affordable to lower income housing on sites identified in Appendix A of the Housing Element Background Report to accommodate the lower income RHNA that was previously identified in past housing element. This allowance may also be an overlay on the specific sites identified in the Housing Element Site Inventory; and

WHEREAS, after reviewing the recently updated Zoning Code, the California Department of Housing and Community Development (HCD) informed the City on August 26, 2024, that City staff incorrectly interpreted the Code to comply with Cal. Gov. Code § 65583.2(ci), of the Zoning Code and requested that the City adopt an interim policy to address this requirement until the Zoning Code is updated within the next 12 months; and

WHEREAS, Government Code Section 65583.2 requires that specific residential development projects shall be allowed through a by-right process on properties identified to accommodate the City's lower income RHNA.

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

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council hereby directs City staff to allow projects with at least 20 percent or more units affordable to lower income individuals through a by-right process per, Government Code Section 65583.2, Subdivisions (c), (h), and (i), on sites shown "vacant low income" identified in Exhibit A, attached hereto from the 2021-2029 Housing Element which have will be identified and/or to accommodate the lower income RHNA. For this purpose, "by-right" means that the City shall not require a Conditional Use Permit, Planned Unit Development Permit, or other discretionary review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

Section 3. The City Council hereby approved Interim Housing Policy 2024-01; Exhibit B.

PASSED AND ADOPTED by the City Council of the City of Isleton this 24th day of September 2024, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Pamela Bulahan, Mayor

ATTEST:

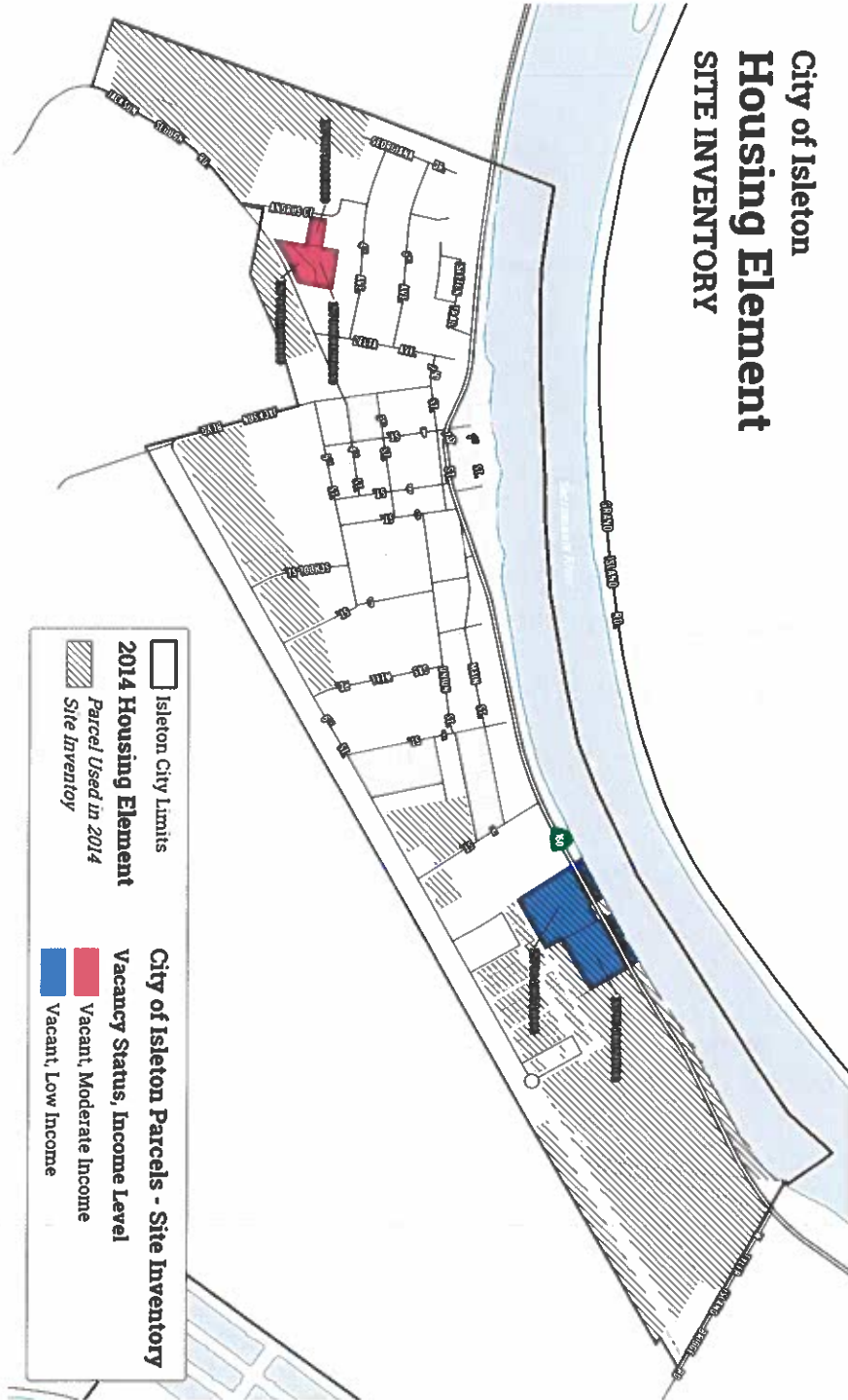
APPROVED AS TO FORM:

Yvonne Zepeda, City Clerk

Andreas Booher, City Attorney

Exhibit A

City of Isleton Housing Element SITE INVENTORY



**Exhibit B
Interim Housing Policy**



General Plan Implementation Policy 01-24

City Policy for Housing for Affordable to Lower Income individuals Through a By-Right Development Review for Certain Housing Development Projects in Compliance with Housing Element

BACKGROUND: The California Department of Housing and Community Development (HCD) reviewed the City’s recently updated Zoning Code for compliance with related statutes and found that some parts don’t comply with housing law. Several amendments to the Zoning Code will need to be made to assure compliance with related statutes in the next year. Noted that the City Council adopted Resolution 19-24 on September 24, 2024, to reflect the need to more immediately comply with Government Code Section 65583 (see Attachment 1). Also, several other changes need to be made regarding interpreting the Zoning Code in the interim until the Zoning Code is updated in the next 12 months.

ZONING CODE INTERPRETATION AND INTERIM POLICIES: The following changes shall be interpreted in the Zoning Code to comply with certain provisions of State Housing Code:

1. **RHNA Sites:** The two sites, one Olivia Ln and River Rd which were identified on the previous cycle’s housing element are within an MXU – Mixed Use zone. The housing element states that as part of Action H-2.2, the city shall “Rezone to and in the interim shall allow development by right, pursuant to Cal. Gov. Code § 65583.2(c), when 20 percent or more of the units are affordable to lower income housing on sites identified in Appendix A of the Housing Element Background Report to accommodate the lower income RHNA that was previously identified in past housing element. This allowance may also be an overlay on the specific sites identified in the Housing Element Site Inventory”.

Interim Policy A: All affordable housing projects located on vacant properties shown for low-income housing shall be allowed by right (See Map A). Low-income housing on

these sites consists of when 20 percent or more of the units are affordable to lower income families.

2. **By Right Uses:** Section 222 of the Zoning Code references uses allowed by zone and development standards and indicate that P is allowed but does not describe what allowed means.

Interim Policy B: Section 222 of the Zoning Code regarding Table 2.1-A - Land Use Table (Residential Zones) and Table 2.1-B – Land Use Table in Other Zones, under “P=use allowed” shall be interpreted to mean a “use by right” under Government Code section 65583.2, subdivision (i) which states:

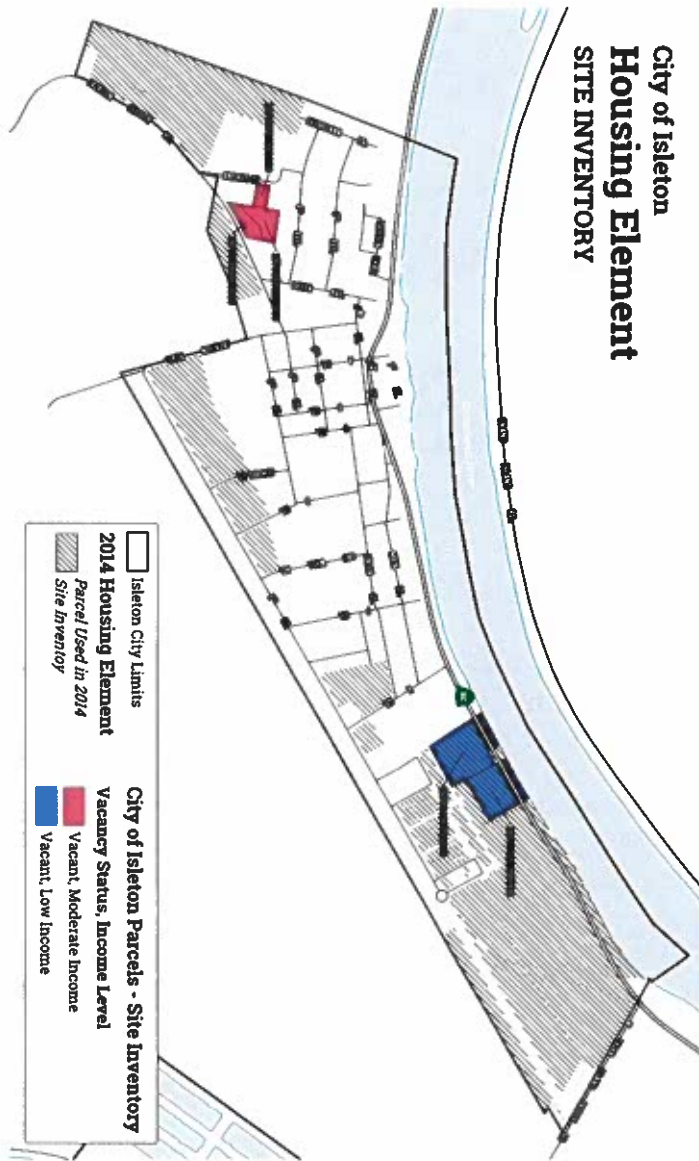
(i) For purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government's review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.

3. **Revised Uses Allowed by Right:** Section 222 of the Zoning Code references uses allowed by zone and development standards and indicate that P is allowed but does not describe what allowed means.

Interim Policy B: Table 2.1-A - Land Use Table (Residential Zones) and Table 2.1-B – Land Use Table in Other Zones incorrectly identify several residential and institutional uses that need to be permitted by right. The following uses shall be allowed by right in accordance with Government Code section 65583.2, subdivision (i):

Allowed by Right: Farmworker Housing and Supportive and Transitional Housing allowed by right in the MXU Zone and all residential zones.

Map A



City of Isleton

City Council Staff Report

DATE: September 24, 2024

ITEM#: 7.B

CATEGORY: Old Business

CC 2021-2022 BUDGET

SUMMARY

On June 25, 2021 City Council and citizens discussed budget and was to set hearing on Fiscal Year 2021-2022 budget and adopt budget. However, the budget was not brought back to Council to adopt.

DISCUSSION

Staff is requesting City Council adopt FY 2021-2022 budget.

FISCAL IMPACT

There is no fiscal impact to the City funds to adopt this budget.

RECOMMENDATION

It is recommended the City Council adopt Fiscal Year 2021-2022 Budget.

ATTACHMENTS

- A. City of Isleton 2021-2022 Budget

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

Reviewed by: Uyiosa Felix Oviawe, City Manager __

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

City of Isleton

City Council Staff Report

DATE: September 24, 2024

ITEM#: 7.C

CATEGORY: Old Business

CC APPROVE 2023-2024 BUDGET

SUMMARY

On June 25, 2021 City Council and citizens discussed budget and was to set hearing on Fiscal Year 2023-2023 budget and adopt budget. However, the budget was not brought back to Council to adopt.

DISCUSSION

Staff is requesting City Council adopt FY 2023-2024 budget.

FISCAL IMPACT

There is no fiscal impact to the City funds to adopt this budget.

RECOMMENDATION

It is recommended that the City Council adopt Fiscal Year 2023-2024 Budget.

ATTACHMENTS

- A. City of Isleton 2023-2024 Budget

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

Reviewed by: Uyiosa Felix Oviawe, City Manager __

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

Draft Budget Fiscal Year 2023-2024

City of Isleton

June 2023

Mayor Pam Bulahan

Vice Mayor Paul Steele

Councilmember Iva Walton

Councilmember Kelly Hutson

Councilmember David Kent

**City Manager Charles Bergson
Fire Chief Scott Baroni
Public Works Superintendent Dean Dockery
Deputy City Clerk Yvonne Zepeda
Finance Division Nancy Clymer
Administrative Assistant Diana O'Brien**

City of Isleton - budget FY 2023-24

FY23-24

REVENUES

DRAFT

		FY23 Annual	FY24 Annual
Lic perm fees, admn,bldg		\$ 40,000	\$ 50,000
Develp Aggrmnt fees		\$ 270,000	\$ 140,000
Property taxes		\$ 220,000	\$ 240,000
Sales and Use tx		\$ 400,000	\$ 420,000
SLEF-1 (COPS)		\$ 100,000	\$ 100,000
Program Income		\$ 90,000	\$ 60,000
(Bldg, Pking, Rec, Biz)			
LLAD - Village on Delta		\$ 25,000	\$ 16,000
Co.Meas A - new		\$ 50,000	\$ 69,000
Co.Meas B - old	to capital		
		\$ -	\$ -
Measure L (prev C)		\$ 100,000	\$ 100,150
Frachise fees, pge,CalWste		\$ 45,000	\$ 70,000
Sewer Enterprise Fund		\$ 570,000	\$ 600,000
LTF (Local Transp Fund)		\$ 80,000	\$ 87,000
TDA		\$ 10,000	\$ 10,000
HUTA		\$ 25,000	\$ 25,000
CIP overhead		\$ 40,000	\$ 50,000
City rda		\$ 100,000	\$ 100,000
Fire , 2021, Ms-B		\$ 100,000	\$ 100,000
SB-1, roads		\$ 50,000	\$ 50,000
SB-2, Planning		\$ 20,000	\$ 120,000
Prop 172		\$ 15,000	\$ 15,000
SB 1383 (FY23 only)		\$ 20,000	\$ -
Strike Force, Fire		\$ 30,000	\$ 20,000
Parking Enforcment		\$ 50,000	\$ 20,000
CARES Act rev	total	\$ -	\$ -
ARP, SacCo		\$ -	\$ 120,000
		\$ -	
		\$ 2,450,000	\$ 2,582,150

DRAFT

		Administration			1	
		FY 2023-24 Budget			DRAFT	
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION		FY 2023	FY 2024
				2023		
				Actual ++		
			EXPENDITURES			
			SALARIES & WAGES		\$320,000	\$266,400.00
			Dep City Clerk	\$72,000		
			City Manager	\$130,000		
			GrantManager	\$50,000		
			Office Asst	\$14,400		
			OPERATING EXPENSES			
			Contracts	maint bldgs		\$7,000.00
			Code Enforcement			\$45,000.00
				computers		\$20,000.00
			Equipment			
			Supplies		\$10,000	\$15,000.00
			Mileage			
			TOTAL OPERATING EXPENSES		\$330,000	\$353,400.00
			Administration		\$330,000	\$353,400

DRAFT

CITY COUNCIL					2	DRAFT	
FY 2023-24 Budget						FY 2023	FY 2024
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION				
			EXPENDITURES				
			SALARIES & WAGES				
			Council	\$0		\$0	\$6,000.00
			OPERATING EXPENSES				
			Contract			\$0	
				Attorney		\$102,900	\$92,650
				Equipment		\$2,100	\$2,100.00
			Supplies			\$0	
			Mileage			\$0	
			TOTAL OPERATING EXPENSES			\$105,000	\$100,750
			CITY COUNCIL BUDGET			\$105,000	\$100,750

DRAFT

Sheriff - - Police

3

FY 2023-24 Budget				DRAFT	
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION	FY 2023	FY 2024
			EXPENDITURES		
			SALARIES & WAGES		
			OPERATING EXPENSES		
			Law Enforcement	\$210,000	\$200,000
			Reserve	\$20,000	\$30,000.00
			Code Enforcement	\$40,000	\$0.00
			Equipment		
			Supplies		
			Mileage		
			TOTAL OPERATING EXPENSES	\$270,000	\$230,000.00
			Sheriff	\$270,000	\$230,000

DRAFT

6/23/2023

Fire Department				4		
FY 2023-24 Budget				DRAFT		
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION		FY 2023	FY 2024
				\$0		
			EXPENDITURES			
			SALARIES & WAGES		\$242,500	\$252,500.00
			Fire Chief	\$107,000	TRUE	
			Engineers, 2	\$56,000		
			OPERATING EXPENSES			
			Contracts		\$10,500	\$10,500.00
			Equipment		\$40,000	\$40,000
			Equip Reserve		\$42,000	\$42,000
			Supplies		\$15,000	\$15,000
			TOTAL OPERATING EXPENSES		\$350,000	\$360,000.00
			Fire		\$350,000	\$360,000

DRAFT

Public Works Department

5

FY 2023-24 Budget					DRAFT	
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION		FY 2023	FY 2024
			EXPENDITURES			
			SALARIES & WAGES		\$157,500	\$188,500
			PW Maint 1	\$70,000		
			PW Maint 2	\$43,500		
			Superintendent	\$75,000		
			OPERATING EXPENSES			
			Contracts/Services (major prjx to CIP)		\$31,000	\$5,000.00
			Equipment		\$18,250	\$18,250.00
			Supplies		\$18,250	\$18,250.00
			Mileage			
			TOTAL OPERATING EXPENSES		\$225,000	\$41,500.00
			Public Works		\$225,000	\$230,000

DRAFT

Planning Division					6	DRAFT	
FY 2023-24 Budget						FY 2023	FY 2024
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION				
			EXPENDITURES				
			SALARIES & WAGES			\$55,600.00	\$90,000.00
			Planner				
			OPERATING EXPENSES				
			Services			\$26,250.00	\$0.00
			Equipment				
			Supplies			\$3,150.00	\$0.00
			Mileage				
			TOTAL OPERATING EXPENSES			\$85,000.00	\$90,000.00
			Planning Div			\$85,000	\$90,000

DRAFT

Parks and Recreation Div

8

FY 2023-24 Budget				DRAFT		
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION		FY 2023	FY 2024
			EXPENDITURES			
			SALARIES & WAGES			
			OPERATING EXPENSES			
			Contracts			
			Equipment			
			Supplies		\$13,700	\$19,700
			Mileage		\$300	\$300
			TOTAL OPERATING EXPENSES		\$14,000	\$20,000
			Parks & Rec Div		\$14,000	\$20,000

DRAFT

Building Department

9

FY 2023-24 Budget

DRAFT

DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION			FY 2023	FY 2024
			EXPENDITURES				
			SALARIES & WAGES				
			Building Official				
			Admin Asst				
			OPERATING EXPENSES				
			Contracts			\$69,000.00	\$68,000.00
			Equipment				
			Supplies			\$1,000.00	\$2,000.00
			Mileage				
			TOTAL OPERATING EXPENSES			\$70,000.00	\$70,000.00
			Building			\$70,000	\$70,000

DRAFT

		Finance			10	DRAFT	
		FY 2023-24 Budget					
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION			FY 2023	FY 2024
			EXPENDITURES				
			SALARIES & WAGES				
			OPERATING EXPENSES				
			Contracts	Audit		\$20,000.00	\$20,000.00
				Consultant Finance		\$45,000.00	\$20,000.00
				Finance Mgr, priv		\$56,000.00	\$85,000.00
			Equipment	Quickbooks			\$3,000.00
			Supplies				
			Mileage				
			TOTAL OPERATING EXPENSES			\$121,000.00	\$128,000.00
			Finance			\$121,000	

DRAFT

Wastewater Division

11

FY 2023-24 Budget					DRAFT	
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION		FY 2023	FY 2024
			EXPENDITURES			
			SALARIES & WAGES		\$82,000	\$0
			Director	\$20,000		
			PW Maint 1	\$30,000		
			PW Maint 2	\$20,000		
			Consulting Sewer Operator			\$128,500
			OPERATING EXPENSES			
			Contracts		\$66,500	\$50,000
			Repairs		\$33,500	\$33,500
			Debt Service in \$7		\$0	
			Equipment		\$28,000	\$28,000
			Mech Capital		\$20,000	\$20,000
			Supplies		\$30,000	\$30,000
			Mileage			
			TOTAL OPERATING EXPENSES		\$260,000	\$290,000

DRAFT

Vehicle Internal Services Fund				12	
FY 2023-24 Budget				DRAFT	
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION	FY 2023	FY 2024
			EXPENDITURES		
			OPERATING EXPENSES		
			Contracts	\$0	
			Vehicle annual	\$35,000	\$50,000
			Equipment		
			Supplies	\$0	
			Mileage	\$0	
			TOTAL OPERATING EXPENSES	\$35,000	\$50,000
			VISF	\$35,000	\$50,000

DRAFT

Facilities Internal Services Fund				13	
FY 2023-24 Budget				DRAFT	
DEPT#	FUND#	ACCOUNT DESCRIPTION		FY 2023	FY 2024
ACCT#					
		EXPENDITURES			
			FISF	\$20,000	
		Facility Imprvm-maintc			
		computers	\$1,000	\$0	\$3,000
		Comm Ctr - repairs	\$5,000		\$33,000
		Facilities cleaning	\$4,000	\$0	\$4,000
		Supplies		\$0	\$1,000
		Mileage		\$0	
		TOTAL OPERATING EXPENSES		\$20,000	\$40,000
		FISF		\$20,000	\$40,000

DRAFT

Admin Internal Services Fund				14	
FY 2023-24 Budget				DRAFT	
DEPT#	FUND#	ACCT#	ACCOUNT DESCRIPTION	FY 2023	FY 2024
			EXPENDITURES		
			Insurance	\$50,000	\$110,000.00
			CC contingency	\$10,000	\$72,000.00
			OPERATING EXPENSES		
			(Insurance, Payroll Tax, Etc.)	\$180,000	\$90,000.00
			Reserve		
			Equipment		\$23,000.00
			Supplies	\$0	
			Mileage	\$0	
			AdiSF	\$240,000	\$295,000
			Insurance		

DRAFT

CITY OF ISLETON

DATE: September 24, 2024

City Council

ITEM #: 7. D

Agenda Report

CATEGORY: Old Business

CITY OF ISLETON EMPLOYEE HANDBOOK

SUBJECT:

City of Isleton Employee Handbook, Vacation Time and Comp Time, City Manager would like to CAP it.

SUMMARY

City Manager is recommending that the City Council review the official City of Isleton Employee Manual. The City Manager is bringing this to you to cap City of Isleton Employees/Staff Comp-Time and Vacation-Time.

DISCUSSION

An employee handbook is an important communication for employees. A handbook sets forth the City's expectations for its employees and it also describes legal obligations as an employer, and employees' rights.

Nearly all insurance, benefits agencies require that local agencies have a personnel manual in place. These manuals are also vital in providing the guidance for employee conduct, duties, responsibilities, and representations. It also insures that the City will stay current with the myriad of personnel and human resource laws issued by the Federal and State governments.

Staff is not recommending a cap on Comp-Time or Vacation Time as the City does not have CALPERS as was promised back in 2017. We are a small staff and wear a lot of hats and take pride in our work.

FISCAL IMPACT

The fiscal impact is under determined at this time.

RECOMMENDATION

It is recommended that the City Council review the proposed cap for City of Isleton Employees/Staff.

SEE ATTACHMENT – City of Isleton Employee Manual

Submitted by: Yvonne Zepeda, Deputy City Clerk _____

Reviewed by: City Manager, Uyiosa Oviawe UO

ORIGINAL

2014

CITY OF ISLETON
EMPLOYEE HANDBOOK

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1.0 THE CITY TEAM

Welcome to the City of Isleton! As a member of the Isleton Employees' team you are joining a group of hardworking, dedicated professionals. A well-run city requires employees to work together to meet common goals and objectives. We trust that you will have a long and pleasant association with Isleton and that your contributions and efforts will be rewarded with the satisfaction and enjoyment resulting from a job well done.

The Employee's Handbook is designed to assist you in better understanding your City government and to aid you on the job and in your personal affairs, as they relate to your employment.

The policies in this Handbook are necessarily in general terms and may not apply in every case. Although every attempt has been made to include a variety of topics, there may be policies not mentioned that apply to a particular situation. If there is a discrepancy between this Handbook and the officially adopted policies (such as labor agreements, ordinances, resolutions, policy manuals, etc.), or if there is an omission from this Handbook, the labor agreements, ordinances, resolutions, and policy manuals shall govern with priority given first to labor agreements, then to ordinances, then to resolutions, and finally to department policy manuals.

2.0 CITY GOVERNMENT

2.1 THE CITY

The City of Isleton ("City") is a "general law city" founded by Dr. Josiah Poole and incorporated in 1923. Home of the popular "Cajun (originally Crawdad) Festival" Isleton is situated on the banks of the mighty Sacramento River and represents an interesting blend of past and present with its Chinese and Japanese heritage reflected in its downtown architecture and its recreational and tourist orientation apparent in its restaurants, shops, water-oriented businesses and city dock. As a general law city, it is bound by the state's general law in governing municipal affairs. Since the California Constitution grants general law cities considerable freedom to conduct local activities, Isleton has not felt the need to become a charter city.

2.2 CITY COUNCIL

Isleton adopted the council-mayor form of government, which requires the elected City Council to appoint from its ranks, a council person to serve as the mayor. The City Council passes laws that apply to the citizens and businesses in Isleton. City Council consists of five members including the mayor, who serve staggered four-year terms. Council meetings are scheduled for the second and fourth Wednesday of every month at 7 p.m.

2.3 CITY MAYOR

The City Mayor is charged with running City Council meetings and participating with the other Council members in adopting policies to protect and advance the interests of the City.

2.4 CITY ATTORNEY

The City Attorney is appointed by the City Council and serves as a legal advisor to the Council and staff. The City Attorney prepares or reviews and “approves as to form” all ordinances, resolutions, contracts and other legal documents. The City Attorney serves as legal counsel for the City in litigation to which it is a party, and enforces local laws contained in the City’s ordinances.

2.5 CITY MANAGER

The City Manager is appointed by the City Council and serves as the administrative head of the City, implementing policy set by the City Council. The City Manager is responsible for hiring and firing of all subordinate employees of the City and for providing efficient administration of municipal resources.

2.6 CITY CLERK

The City Clerk serves to maintain official City documents and records. City contracts, agreements, deeds, ordinances, and numerous other documents, are filed in the City Clerk’s Office. Other duties include preparing City Council minutes, conducting elections, registering voters, administering oaths and handling legal advertising.

2.7 FINANCE OFFICER

Finance operations involve supervision and coordination of City financial matters including preparation of the payroll, compilation of budget expense reports and income estimates, financial accounting and reporting, and the collection of taxes, assessments, license fees and other funds. In addition, the department manages the disbursements of money and all claims and demands against the City.

2.8 CITY TREASURER

The City Treasurer is responsible for the custody and investment of all City money.

2.9 FIRE

Fire services are provided by the City of Isleton Fire Department. This service provides protection of life and property through fire prevention, suppression and emergency rescue.

2.10 POLICE

The Police Department is responsible for protecting the lives, property and rights of the citizens. This is accomplished through the detection of crime and arrest of criminals.

2.11 REDEVELOPMENT AGENCY/ BOARDS AND COMMISSIONS

The redevelopment agency, and all boards and commissions are created by the City Council. Both the redevelopment agency and the planning commission are integral parts of the process to plan and build towards a successful future for the City.

2.12 PUBLIC WORKS

The Public Works department includes all operations of the wastewater treatment plant, and the maintenance and repair of all public streets, parks, sewers and buildings. City water operations are handled by an independent utility company.

2.13 HUMAN RESOURCES

The Human Resources function of the City involves the handling of recruitment, development of job classifications, the implementation and enforcement of personnel rules and regulations and other activities required to select and retain employees for the City.

The City Manager serves as the City's Human Resources Officer. The Human Resources office maintains all employee personnel files as well as departmental and City personnel policies and procedures.

3.0 LABOR AGREEMENTS

3.1 RECOGNITION OF BARGAINING UNITS

Isleton recognizes the employees' right to form, join and participate in bargaining units which represent employees with respect to wages, benefits, work hours and other terms and conditions of employment. City employees may not be intimidated or discriminated against as a result of participating in a bargaining unit.

3.2 CONFLICT WITH MEMORANDUMS OF UNDERSTANDING

Should any rule, regulation or standard of this Employee Handbook conflict with any provision of an adopted memorandum of understanding (MOU) with any bargaining unit, the MOU shall govern.

3.3 RECOGNIZED BARGAINING UNITS

The City currently recognizes the following bargaining units:

- (a) Operating Engineers Local 3 representing the Public Works Department and office clerical staff.
- (b) Operating Engineers Local 3 representing Isleton Police Officers.
- (c) Operating Engineers Local 3 representing Isleton Fire Department.

4.0 EMPLOYMENT POLICIES AND PRACTICES

4.1 EMPLOYMENT

All vacancies for regular positions will be filled and recruitment conducted in accordance with good personnel practices and principles. The City Council may designate uniform procedures and methods for the hiring, promotion, demotion, discharge, and other personnel actions. Evaluations of fitness will be reasonable and practical in nature, including, but not limited to one or more of the following:

- (a) Written or oral tests
- (b) Performance tests
- (c) Rating of education, training, and experience
- (d) Professional certification
- (e) Physical examination, including screening for drugs and alcohol
- (f) Psychological examination
- (g) Criminal background check.

4.2 EMPLOYEE STATUS

City employees are typically classified in one of the following categories of service:

- (a) Probationary Status
Employees appointed to regular positions are required to serve a six (6) month probationary period before appointment is complete. During this period, the employee is evaluated and it is determined if the employee is qualified for regular employment. The probationer may be dismissed without the right to appeal the action.
- (b) Regular Status
In order to be a regular employee, an employee must have satisfactorily completed the probationary period.
- (c) Interim Status
An employee may be appointed to a position on an interim basis when he or she is appointed to a position which has been vacated temporarily.
- (d) Temporary Status
Temporary appointments may be made by the department head with the approval of the City Manager. A temporary appointment is designated as one of the following types:

- (i) **Provisional Appointment:** one is assigned to a position for which no eligibility list exists.
- (ii) **Seasonal Appointment:** one is assigned to a position for a specific duration of time, not to exceed six months, on an hourly or monthly basis.
- (iii) **Part-time Position:** one is assigned to a part-time position.

4.3 MEDICAL CERTIFICATION

All new employees entering City service on a probationary status may be required to have a physical examination to be completed within thirty (30) days of being hired. This examination will be performed by a physician recommended by the City who will send a report of the examination to the City Manager or his or her designee. Temporary employees are not exempt from this requirement.

Job offers are contingent upon a satisfactory report from the designated physician, as verified by the City Manager or his or her designee. Should the report be unsatisfactory, the City Manager may withdraw the job offer.

4.4 DISCRETIONARY MEDICAL EXAMINATION

A medical examination may be required at the discretion of the department head or the City Manager when an employee's medical condition is believed to be hampering his or her ability to perform normal duties or is hazardous to the employee or co-workers.

If it is determined that an employee no longer meets the medical standards for a position, the department head will notify the City Manager who may, at his or her discretion, and in accordance with all applicable requirements dismiss, demote, transfer or place the employee on leave of absence.

4.5 PERSONNEL FILES

The Human Resources Manager or his or her designee will maintain personnel files containing all official records and documents pertinent to employment status and history of each employee. Access to these files and disclosure of information contained within will be restricted by the City.

Any request for information from personnel files must be directed to the City Manager or his or her designee. Only the City Manager or his or her designee is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be restricted; however, the City will cooperate with lawful requests from authorized law enforcement or local, state, or federal agencies conducting official investigations.

Employees may request a review of their personnel records no more than once annually, unless they are in the process of appealing a personnel action taken by the City. Requests for review of

personnel records must be in writing by the employee at least one working day in advance of the requested review date. An employee requesting a review of personnel records must schedule an appointment with the City Manager or his or her designee to review the file.

4.6 THE MERIT SYSTEM

The City's personnel system provides for the selection and advancement of employees based on their relative ability, and for equitable pay for work performed. Employee retention should be based on satisfactory job performance. Fair treatment of applicants and employees in all aspects of personnel administration is of the utmost importance.

4.7 EMPLOYMENT OF RELATIVES

Applicants will not be hired in a position in which they directly or indirectly supervise or are supervised by a close family relative; nor will they be placed in a position where they work with or have access to sensitive or confidential information regarding a close family relative.

5.0 PERSONNEL POLICIES

5.1 GENERAL STATEMENT

This Section 5 covers all employees of the City of Isleton, subject to Section 3.2, above.

5.2 SUPERVISION

As a City employee, in a sense you are working for all of the citizens of Isleton. In performing your duties, however, you are directly accountable to your immediate supervisor. Your supervisor should answer any questions about your job and explain City policies and regulations.

5.3 ATTENDANCE

Employees shall report to their prescribed work location at the designated starting time. Tardiness, unexcused absence or failure to report as described in these rules and regulations may be grounds for discipline. In the event an employee cannot report to work on time, the employee shall notify the department head or payroll clerk no later than fifteen (15) minutes after the start of the day's work at which time the employee shall explain why he or she cannot report on time and state when he or she will report to work.

5.4 WORK SCHEDULE

The work schedule for each position shall be established by the department head who may change the schedule from time to time based on the needs of the department and subject to the approval of the City Manager. A department head may require an employee to work an unscheduled day and receive an otherwise scheduled work day off in which case the day worked shall not entitle the employee to over-time.

5.5 WORK WEEK

The duration of the work week for full-time employees shall be (40) hours.

5.6 WORK DAY

The duration of the work day for full-time employees shall be (8) hours except as otherwise approved by the City Manager.

5.7 UNAUTHORIZED ABSENCE FROM WORK

Employees absent from their assigned work stations and schedules for five (5) consecutive work days without approval shall be considered absent without leave. In such cases the department head shall give notice in person or by first class mail to the absent employee's last known address, notifying the employee to report to work or give good reason why work cannot be resumed by the next workday after receipt of such notice. Should the employee fail to respond by the next work day, after notice, or should such notice be returned to the City as undeliverable, the employee may be subject to discipline up to and including dismissal from City employment as allowed by law.

5.8 SALARY RANGES

The City Council shall establish salary ranges for all employees except those whose salary is set forth in a written contract signed by the employee and the City. The City Council periodically reviews changes in the federal cost of living figures for the local area in order to ascertain whether an across the board adjustment to the existing salary ranges is warranted.

5.9 HIRING RATE

The hiring pay rate shall be set at the lowest salary amount of the applicable salary range, assuming the employee meets the minimum qualifications for the job. An employee who does not meet the minimum qualifications may be hired at below the lowest salary amount of the applicable salary range and designated as a "Trainee." An employee who possesses skills and/or experience beyond the minimum qualifications may have his or her initial salary set at any amount up to the midpoint of the applicable salary range.

5.10 PROMOTIONS

An employee may be promoted from one job function to another with a higher salary range or level of responsibility.

5.11 PAYROLL

There are twenty-six (26) payroll periods in a year. Payroll periods fall every two weeks. The payroll clerk shall be designated by the City Manager. All employee inquiries relating to payroll should be directed to the City Manager.

5.12 OVERTIME

Over-time is based on a forty (40) hour work week, unless specified as thirty-two (32) hours. Anything over that time is considered over-time and will be paid at time and a half. Over-time shall be reported on the time card for the pay period. The employee has a choice of over-time to be paid or compensatory time, and this choice must be clearly indicated on the time card.

6.0 LEAVES

6.1 HOLIDAYS

All full-time employees shall be entitled, without loss of pay, to the holidays listed below. Employees shall be entitled to eight (8) hours of pay or equivalent time off for each City holiday observed. Refer to current MOUs for additional holidays that may apply to specific bargaining units.

New Year's Day
Martin Luther King's Birthday
Lincoln's Birthday
Washington's Birthday
Memorial Day
4th of July
Labor Day
Admission Day
Columbus Day
Veteran's Day
Thanksgiving Day
Christmas Day

If a holiday falls on a Sunday, the Monday following that Sunday shall serve as the holiday. If a holiday falls on a Saturday, the previous Friday shall serve as the holiday.

6.2 VACATION

Vacation leave shall be accrued and credited every payroll period for full-time regular employees:

1-3 yrs.	2 weeks	(3.0770 hours per/payroll)
4-9 yrs.	3 weeks	(4.6154 hours per/payroll)
10-Retirement yrs.	4 weeks	(6.1539 hours per/payroll)

Vacation time accrued but not used prior to enactment of these rules shall be calculated at the rate of eighty (80) hours per year and there shall be subtracted from such amount, the amount of vacation time used or the equivalent amount of payments made in lieu of vacation taken. This calculation shall be completed by the payroll clerk by reviewing payroll documents and in consultation with each employee.

(a) Holidays Within Vacation Leave

A holiday which occurs during a scheduled vacation shall not be counted as a vacation day.

(b) Illness or Disability During Vacation Leave

An employee who becomes ill or injured while on vacation may have such period of illness or injury charged to the employee's accumulated sick leave rather than vacation, provided that immediately upon return to duty, the employee submits to the department head a written request for sick leave, accompanied by a signed statement from the employee's attending physician describing the illness or injury.

6.3 SICK LEAVE

Sick leave shall be accrued and credited each payroll period for full-time regular employees. Employees shall accrue sick leave at the rate of one (1) day per month. Sick leave hours may be accumulated without restriction. However, sick leave is considered a form of personal disability protection. As such, it cannot be "cashed-out" upon resignation or termination of employment, unless otherwise stated in a MOU recognized by the City. Holidays occurring during sick leave shall not be counted as a day of sick leave or disability. Sick leave accrued but not used prior to enactment of these rules shall be calculated at the rate of two weeks per year. This calculation shall be completed by the payroll clerk by reviewing payroll documents and in consultation with each employee.

Sick leave should only be used in the event of one of the following:

- (a) illness or injury;
- (b) contraction of a contagious disease; or
- (c) attendance at a medical or dental appointment, when such appointment cannot be scheduled during off duty hours.

6.4 FAMILY MEDICAL AND PREGNANCY LEAVES OF ABSENCE

Under the Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), an employee who has completed twelve (12) months of service and 1,250 hours is authorized to take a total of twelve (12) work weeks of unpaid job protected leave with employer-paid health, dental, and vision benefits for one or more of the following reasons:

- (a) birth, adoption or foster care placement of a child;
- (b) to care for an immediate family member with a serious health condition; or
- (c) the employee is unable to work because of a serious health condition.

6.5 JURY DUTY

Employees summoned for jury duty or selected to serve on a jury shall receive their regular rate of compensation from the City during time away from work due to jury duty, provided the employee endorses to the City any compensation received from the county for jury duty (other than compensation for mileage). Employees must provide evidence of such summons and the number of jury duty days away from work to their department head, who will then notify the payroll clerk.

6.6 BEREAVEMENT LEAVE

Employees shall be entitled to a leave of absence with pay up to three (3) days in a calendar year to allow the employee to discharge the customary obligations arising from the death of an immediate family member. The term "immediate family" shall include the employee's father, mother, grandfather, grandmother, spouse, son, daughter, son-in-law, daughter-in-law, brother, sister and any person residing with the employee.

6.7 TIME OFF TO VOTE

The City encourages its employees to vote. Generally, employees are able to find time to vote before or after work. If employees are unable to vote in an election during nonworking hours, the City will grant up to one (1) hour of paid time off to vote.

6.8 DEPLETION OF VACATION, OVERTIME AND SICK LEAVE

If an employee depletes his or her accumulated sick leave, compensatory time and vacation in order to remain on paid status while absent due to an injury or illness, the City Manager may thereafter place the employee on leave without pay for a period not to exceed sixty (60) days.

6.9 LEAVES OF ABSENCE

Department heads may grant a full-time regular employee's leave of absence without pay or benefits related to employment. Such leaves shall be reported in writing to the payroll clerk. Further leaves of absence must be approved by the payroll clerk with the recommendation of the department head. In all cases, employers and department heads must report at least two (2) weeks in advance for vacation or any other leave of absence exceeding two weeks or more.

6.10 REPORTING A LEAVE OF ABSENCE

(a) Time Cards

Vacation, sick leave, or any other leave of absence must be recorded on the time card. The time card must be completed by the employee and signed by the department head.

(b) Vacation

Employees must request vacation time in writing to their department head. The department head must deliver a copy of that letter to the payroll clerk. Vacation time will be granted unless it will cause hardship. When a department head plans to take a vacation, he or she is responsible for coordinating with his or her employees to make sure no undue hardship is caused and the department head must report to the payroll clerk. The department head or payroll clerk may refuse to grant a request for leave to prevent an undue hardship on the City.

(c) Sick Leave

If an employee is sick, the employee must call in the morning to their department head. The department head must report sick leave to the payroll clerk. If an employee is unable to phone in the morning due to hospitalization and more than three (3) days lapse, a doctor's notification will be required. If a department head is sick, he or she is responsible for coordinating with his or her employees to make sure there is no undue hardship. That department head must report to the payroll clerk in writing.

7.0 BENEFITS

7.1 MEDICAL BENEFITS

Full-time regular employees are entitled to medical coverage through Kaiser Permanente Medical Group, provided that the employee meets all Kaiser Requirements. This benefit is paid for by the City. Employee's dependents can be covered through the City, but the City must be reimbursed by the employee on the 1st of each month.

7.2 WORKERS' COMPENSATION

Workers' compensation covers the cost of work-incurred injury or illness. Benefits help pay for an employee's medical treatment and for part of the income lost while recovering. Specific benefits are prescribed by law based on the circumstances of each case.

7.3 MEDICARE DEDUCTIONS

Medicare deductions are paid to the federal government in accordance with applicable law. The employee's portion is deducted from the employee's wages.

7.4 STATE DISABILITY INSURANCE (SDI)

State Disability Insurance deductions are paid to the State of California in accordance with applicable law. These payments are deducted from the employee's wages.

8.0 FAIR EMPLOYMENT

8.1 EQUAL EMPLOYMENT OPPORTUNITY

The City of Isleton is an equal opportunity employer. City policy prohibits unlawful discrimination based on race, color, creed, sex, marital status, age, national origin, physical handicap, disability, medical condition, ancestry, or any other consideration made unlawful by federal, state or local laws. This commitment applies to all persons involved in the operation of the City and prohibits unlawful discrimination by any employee of the City.

8.2 AMERICANS WITH DISABILITIES ACT (ADA) POLICY

The City will provide a work environment that is free of discrimination against any applicant or employee who qualifies under the ADA. This policy applies to recruitment activities, application process, and to all terms and conditions of employment including, but not limited to hiring, placement, promotion, discipline, transfer, compensation, layoff, training, leaves and benefits.

To comply with applicable laws the City will make reasonable accommodations for known physical or mental limitations of a qualified individual with a disability unless hardship would result. Any applicant or employee who requires an accommodation should contact a City representative and request an accommodation. The individual should specify the accommodation needed to perform the job. The City will identify the barriers to the applicant or employee's performance, and administer any accommodations unless they will impose an undue hardship.

8.3 AFFIRMATIVE ACTION

The City of Isleton is committed to policies of nondiscrimination in all aspects of employment. The City is committed to taking affirmative steps to ensure that minorities and women are given full opportunities and are adequately represented in the City's work force.

8.4 UNLAWFUL HARASSMENT

The City is committed to providing a work environment free of unlawful harassment. City policy prohibits sexual harassment and harassment because of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, age or any other basis protected by federal, state or local law, ordinance, or regulation. The City's anti-harassment policy prohibits unlawful harassment by any employee of the City, including supervisors and co-workers, as well as any person(s) doing business with or for the City. Prohibited unlawful harassment includes, but is not limited to, the following behavior:

- (a) Verbal harassment such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, sexual comments or continued requests for social or sexual contact after being advised such is unwelcome;
- (b) Visual conduct such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings, stares, leers, or gestures;
- (c) Physical conduct such as assault, unwanted touching, physical interference, or contact which interferes with work when directed at an individual because of sex, race or any other protected basis;
- (d) Threats or demands to submit to sexual requests as a condition of continued employment, offers of employment benefits in return for sexual favors, and retaliation for having reported or threatened to report harassment.

8.5 REPORTING UNLAWFUL HARASSMENT

If an employee believes that he or she has been unlawfully harassed, the employee must submit a written complaint to any supervisor or department head as soon after the incident as possible. The complaint should include details of the incident(s), name of the individuals involved, and names of any witnesses.

Supervisors or department heads will refer all harassment complaints to the City Manager. The City will immediately investigate harassment allegations. If the City determines that unlawful harassment has occurred, effective remedial action will be taken, up to and including termination. Disciplinary action will be determined no later than three (3) working days from the date the complaint was received from the reporting supervisor or department head. Action taken against the harasser will be reported to the complaining employee and the City Council.

The Federal Equal Employment Opportunity Commission investigates and prosecutes complaints of prohibited harassment in employment. Sexual harassment in the workplace is also a violation of California's Fair Employment and Housing Act (FEHA). Violations are investigated by the Department of Fair Employment and Housing (DFEH). An employee may file a complaint with the appropriate agency.

All rights which exist regarding confidentiality and/or privacy in these matters will be protected. The complainant's identity, however, will be disclosed if the investigation reveals the potential for formal disciplinary action or criminal prosecution. The City will not retaliate against the employee for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

8.6 IMMIGRATION REFORM AND CONTROL ACT COMPLIANCE

The City complies with federal immigration laws which require all individuals pass an employment verification procedure after they are hired. Within three (3) days after commencing work, an employee must produce documents providing satisfactory evidence of his or her

identity and authority to work in the United States or receipts showing application for acceptable documents. An employee who presents such receipts must present within an additional eighteen (18) days (twenty-one days after hire) documents establishing satisfactory proof of his or her identity and legal authority to work in the United States. An employee who cannot present such documents will be terminated.

9.0 PERSONNEL ACTIONS AND RULES OF CONDUCT

9.1 GRIEVANCES

Grievances often result from misinformation or lack of information. Discuss any grievances with your supervisor. If you and your supervisor cannot reach an agreement or solution to the problem, you may discuss your concerns with the City Manager.

9.2 DISCIPLINE

The purpose of discipline is to correct deficiencies in employee performance, improve performance to meet appropriate standards, and to correct violations of City policies. The disciplinary process provides general guidelines for disciplining employees. The normal progressive discipline procedure consists of:

- (a) **Verbal Counseling**
An opportunity to communicate that a problem is perceived and that the supervisor is available to help solve the problem. (Not appealable).
- (b) **Verbal Reprimand**
To communicate to the employee that a repeat action may result in more serious discipline. (Not appealable).
- (c) **Written Reprimand**
A written communication notifying the employee that an offense was committed. One copy of this warning is given to the employee and another copy is filed in the employee's personnel file. The employee may submit a written response to be attached to the written reprimand. (Not appealable).
- (d) **Suspension**
Removal of an employee from his or her duties by the City Manager for up to thirty (30) days without pay for misconduct. Employees may be suspended on the spot when there is a clear threat to the safety of other employees or the public.
- (e) **Demotion**
This involves the reduction in pay and/or reassignment of duties.
- (f) **Dismissal**
Termination of employment.

The City reserves the right to deviate from this policy when circumstances warrant deviation. The City Manager is vested with the authority to determine the appropriate course of action.

An employee serving an initial probationary period may be discharged without application of the disciplinary process with no rights to appeal. Regular employees will be discharged only after appropriate disciplinary proceedings.

9.3 SEPARATION FROM EMPLOYMENT

(a) Employee-initiated

An employee wishing to leave in good standing will submit a written resignation to his or her supervisor at least two weeks prior to the effective date of resignation. Absence without leave, whether voluntary or involuntary for five (5) consecutive work days, will be considered an automatic resignation from employment, effective as of the last date the employee worked as stated in Section 5.7 above.

(b) City-initiated

City-initiated termination of regular employees is subject to the disciplinary procedures as stated in Section 9.2 above. The City Manager may terminate the employment of any employee for lack of funds or lack of work, or by reason of termination of the position or program. The City Manager shall conduct a due process review prior to terminating a regular employee for cause.

Employees must return all City property in their possession or control on their final day of employment. This includes City-furnished uniforms, tools and equipment. Final payment of salary and accrued vacation or holiday time will not be made until the employee has returned all City property.

9.4 APPEALS PROCEDURES

When a regular employee is dismissed from employment, the City will give the employee a written statement stating the reasons for dismissal and notify the employee of his or her right to appeal.

The employee may appeal the dismissal by filing an appeal with the City Council within five (5) working days after his or her receipt of the decision. On receipt of appeal, the City Council will schedule a meeting with all involved parties within ten (10) working days, and notify the employee of the date, time and place. The City Council shall render a decision, in writing, within ten (10) working days after the disciplinary appeal meeting.

The appeal must contain the following information:

- (a) A statement of facts relied upon
- (b) Grounds for the appeal

(c) Relief requested

(d) Signature of the employee.

9.5 REDUCTION IN WORKFORCE

The City Manager may lay off employees pursuant to this Section 9 whenever necessary due to lack of work or funds, or whenever advisable. The City Manager may reassign, transfer, reduce or terminate an employee due to a reduction in work force. The City will attempt to provide at least two (2) weeks' notice to the employee, or payment in lieu of notice, in the equivalent amount of salary when there is a layoff.

Temporary positions within a department will be eliminated first. Further, in determining layoffs, the City Manager will take into account, operational requirements; the employee's skill, productivity, ability and past performance; and the employee's length of service. Employees may appeal a layoff to the City Manager, and the City Manager's decision will be final.

10.0 PERSONAL RESPONSIBILITIES

10.1 CONDUCT GENERALLY

Employees should work efficiently, be cooperative with the public and associates, and maintain appropriate standards of appearance and personal conduct.

10.2 PROHIBITED CONDUCT

The following conduct is prohibited by the City:

- (a) Violation of any federal, state or local law.
- (b) Using, possessing, dealing, distributing, or being under the influence of intoxicating beverages, unprescribed narcotics, or unlawful drugs while on duty or at work locations, or reporting to work or operating City vehicles or equipment.
- (c) Failure or refusal to comply with a lawful order or to accept a reasonable and proper assignment from an authorized supervisor.
- (d) Inefficiency, incompetence, carelessness or negligence in performance of duties.
- (e) Sexual harassment or other unlawful harassment of another employee.
- (f) Chronic or excessive absenteeism, whether excused or unexcused.
- (g) Rude or discourteous treatment of other employees or the public.

- (h) Dishonesty.
- (i) Solicitation of work for private business or personal acquaintance.
- (j) Failure to perform duties; insubordination.
- (k) Inattention to duty, tardiness, carelessness or negligence in the care and handling of City property.
- (l) Loss or misuse of City funds and supplies.
- (m) Improper or unauthorized use of City vehicles or equipment or misappropriation of supplies.
- (n) Damage to public property or waste of public supplies through misconduct or negligence.
- (o) Misuse of sick leave, including using sick leave under false pretenses.
- (p) Furnishing false information to secure appointment, or falsification of time cards or other records and reports.
- (q) Absence from duty without authorized leave, failure to report after leave of absence has expired, or after such leave of absence has been disapproved, revoked, or cancelled.
- (r) Violation of these rules, or any written policies prescribed by the City.
- (s) Acceptance by an employee of any bribe, gratuity, kickback, or other item of value when given in the hope or expectation of receiving preferential treatment.
- (t) Outside work that creates a conflict of interest with City work, or detracts from the efficiency of the employee in the performance of City functions.
- (u) Failure to obtain or maintain necessary qualifications, certificates, or licenses, required as a condition of employment.
- (v) Possession of an unsafe driving record by employees that operate City vehicles.
- (w) Conduct which discredits the City or City personnel.
- (x) Or other just cause.

10.3 OFF-DUTY CONDUCT

The City does not seek to interfere with the personal conduct of its employees, but certain types of off-duty conduct may interfere with the City's interests. Illegal or immoral off-duty conduct on the part of an employee that adversely affects the City's interests or the employee's ability to perform his or her job will not be tolerated.

10.4 OUTSIDE EMPLOYMENT

During active duty each employee should devote his or her whole time, attention and efforts to his or her employment. Each employee wishing to engage in outside employment should provide the City Manager or his or her designee a written explanation of the employment prior to its undertaking. Any City employee who engages in any outside employment in violation of this Section, will have committed an act of insubordination and will be subject to disciplinary action. Consideration should be given to any employment, activity or enterprise which:

- (a) Involves the use for private gain of City employment time, facilities, equipment or supplies; or the badge, uniform, prestige, or influence of the City or employment, or;
- (b) Involves receipt or acceptance by the employee of any money or other consideration for the performance of an act which the employee is required or expected to render in the regular course of City employment or as a part of assigned duties as a City employee, or;
- (c) Involves the performance of an act in other than the employee's capacity as a City worker, which may be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other officer or employee of the City, or;
- (d) Involves such time demands as to render performance of assigned duties less efficient, or;
- (e) Is incompatible or in conflict with duties, functions or responsibilities of the City position.

10.5 CHANGES IN PERSONNEL RECORDS

Employees should notify the Human Resources office of any change in name, address, telephone number, marital or family status, beneficiary or emergency information. It is the employee's duty to make sure that the Federal Withholding Statement and all other records reflect correct and current information.

10.6 CARE OF CITY PROPERTY

Employees are responsible for properly maintaining City property and making the most economical use of the City's supplies. All materials are purchased with public funds and employees can help minimize costs by exercising reasonable care.

10.7 FINANCIAL OBLIGATIONS

Employees should conduct their personal financial transactions in such a manner that creditors and collection agencies will not attempt to use the City to collect debts. Prolonged non-payment of debts by an employee may be grounds for disciplinary action.

10.8 PUBLIC RELATIONS

Public relations is one of the most important aspects of employment with the City. Everyone wants to be treated in a courteous and understanding manner, but not everyone will be courteous to you. However, it is your responsibility to maintain good relations in spite of such difficulties.

10.9 TELEPHONE

If your position requires the use of the telephone, adhere to the following standards of conduct:

- (a) Be sure someone is always in your office to answer the phone.
- (b) Identify your office and yourself.
- (c) Speak pleasantly, as if you were face to face.
- (d) If you do not know the answer to a caller's question, take the caller's name and phone number and have someone get back to the caller with the answer.
- (e) Keep calls as brief as possible while still providing full assistance.
- (f) If you place a call on "hold" check back frequently to assure the caller their call will be handled as soon as possible.

10.10 POLITICAL ACTIVITIES

California Government Code provides that:

An officer or employee cannot solicit or receive political funds from City employees; employees may not solicit or receive political funds or contributions for the express purpose of promoting a ballot measure which would affect the rate of pay or general working conditions of City employees; and City employees cannot engage in political activities during working hours.

11.0 TRAINING AND DEVELOPMENT

11.1 TRAINING GENERALLY

The City will train its employees to perform their jobs. After approval by the City Manager, special education classes, seminars and professional conferences may be provided at the City's expense where training is required to professionally perform functions assigned.

11.2 PERFORMANCE EVALUATION

Supervisors and employees are encouraged to discuss job performance and goals on an informal, day-to-day basis. At least once a year an evaluation interview will be conducted with each employee. The purpose is to permit the supervisor and employee to review the overall performance on a long-term basis. The most important aspects of the meeting are:

- (a) To reinforce areas of employee's strengths,
- (b) recognize what areas can be improved, and
- (c) to reach an agreement on methods for improvement.

New employees shall have additional performance evaluation interviews at the end of forty-five (45) calendar days of employment and at the end of ninety (90) calendar days of employment.

11.3 PROFESSIONAL MEMBERSHIPS

The City may reimburse employees for professional membership fees following a formal request to his or her immediate supervisor. The supervisor will forward the request to the City Manager with comments as to the necessity of the request.

12.0 HEALTH AND SAFETY

12.1 SAFETY POLICY

The safety and health of each employee and site visitor is important to the City. The City shall provide a workplace that is as free as possible from conditions and acts that may result in injuries or illnesses. The City recognizes its legal and moral responsibilities to maintain a safe workplace for its employees. However, employee's personal safety and health is the responsibility of the individual employee. The City will make every effort to maintain a safety program consistent with the best practices available.

12.2 WORKPLACE VIOLENCE PREVENTION

The City is committed to preventing workplace violence and maintaining a safe environment. The City adopted the following guidelines to deal with intimidation, harassment or other threats of (or actual) violence that may occur during business hours or on its premises. All threats of (or actual) violence, both direct and indirect, should be reported immediately to the employee's supervisor or any other member of management. This includes threats by employees, customers, vendors, solicitors or other members of the public. When reporting a threat of violence, be as specific as possible. All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Employees should not place themselves in peril. The City will conduct a prompt and thorough investigation all reports of threats of (or actual) violence and suspicious individuals or activities.

12.3 ACCIDENT AND INJURY REPORTING

Job related injuries or illnesses must be reported immediately to the employee's supervisor. The supervisor must report the illness or injury within twenty-four (24) hours to the City Manager. In the event of an emergency, seek medical care immediately.

ACKNOWLEDGEMENT OF RECEIPT

This is to acknowledge that I have received a copy of the City of Isleton Employee Handbook and understand that it sets forth the terms and conditions of my employment as well as rights, duties, and responsibilities of employment with the City. I understand and agree that it is my responsibility to read and familiarize myself with the provisions of this manual.

Employee Name (printed) _____

Employee's Signature _____

Date of Receipt _____

Note: If you have noted any errors, omissions, or conflict with official policies or laws in this booklet, please notify the City Clerk.

CITY OFFICES

City Council.....	777-7770
Administration.....	777-7770
Finance.....	777-7770
Public Works.....	777-4731
City Hall Fax Number.....	777-7775
Police Department.....	777-7778
Police Department Fax Number.....	777-7775
Corporation Yard.....	777-4731
Sewer Plant.....	777-4731
Police, Fire and Ambulance Emergency.....	911
Isleton Fire Department.....	777-7776
Sheriff.....	440-5115
Chamber of Commerce.....	777-5880
Elementary School.....	777-6515
High School.....	707/ 374-6336
Library.....	777-6638
Legal Matters.....	441-1978

City of Isleton

City Council Staff Report

DATE: September 24, 2024

ITEM#: 8.A

CATEGORY: New Business

CITY COUNCIL APPROVE TO SELL CITY PROPERTY, 204 A STREET

SUMMARY

City of Isleton purchased 204 A Street, parcel 157-0014-014-000, on 04/19 2022 as an investment for the City. The City paid \$85,000.00. This property has remained vacant and no improvements made since the purchase.

DISCUSSION

Due to the financial situation the City is in, staff is requesting City Council discuss and give direction on the sale of the 204 A Street property which should include administration and realtor fees.

The property is 8,700 square feet (0.199 acres) and located in the CC – Central Commercial District Zone. The adopted 2024 Zoning Code: SECTION 212 CC-CENTRAL COMMERCIAL DISTRICT - PURPOSES AND APPLICATION The commercial district included in this Code is designed to provide the opportunity for various types of retail stores, offices, service establishments, wholesale business, and residential uses to concentrate for the convenience of the public; to be established in such relationships to each other as to be mutually beneficial; and to be located and grouped on sites that are in logical proximity to the respective geographical areas and categories of patrons which they serve.

FISCAL IMPACT

The City fiscal impact will be income to pay off some of the debt.

RECOMMENDATION

It is recommended the City Council discuss and give direction on the sale of the 204 A Street property which should include administration and realtor fees.

ATTACHMENTS

None

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

Reviewed by: Uyiosa Felix Oviawe, City Manager 

Prepared and Submitted by: Yvonne Zepeda, Deputy City Clerk 



City of Isleton

101 Second Street

P.O. Box 716

Isleton, California 95641

Tel: 916-777-7770

January 31, 2022

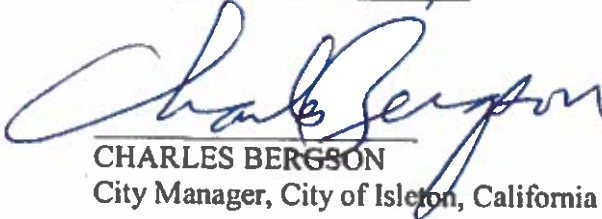
GOVERNMENTAL AGENCY DEED

California Government Code §27281

Deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant. If a certificate of acceptance is used, it shall be in substantially the following form:

This is to certify that the interest in real property located at 204 A Street, Isleton, California, Sacramento County assessor parcel number 157-0014-014, conveyed by the deed or grant dated January 7th, 2022 from Anh Van Ha to the City of Isleton, California is hereby accepted by the order of the City Council of the City of Isleton, California at its Regular City Council meeting of November 9, 2021. The undersigned officer on behalf of the City of Isleton, the Grantee, consents to the recordation thereof by its duly authorized officer.

Dated 31 January 2022


CHARLES BERGSON
City Manager, City of Isleton, California

(Amended by Stats. 199, Ch. 1312, Sec.2)

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT REPORT**

PROPERTY ASSESSED:
204 A Street
Isleton, Sacramento County, California 95641



**RSB Project No. 2111158
Report Date: December 30, 2021**

**Prepared For:
City of Isleton**



Your Environmental Business Partners

Corporate Office: 6001 Savoy Dr., Ste. 110 ● Houston, Texas 77036 ● 832.291.3473

Project Offices Nationwide

Phone: 1.800.304.6517 ● www.rsbenvironmental.com

City of Isleton

City Council Staff Report

DATE: September 24, 2024

ITEM#: 8.B

CATEGORY: New Business

CITY COUNCIL TO APPROVE PG&E/ECO-GREEN LOCAL AGENCY AND DISTRICT CUSTOMERS ON-BILL FINANCING LOAN AGREEMENT AND SET PUBLIC HEARING.

SUBJECT:

Authorize the City Manager to Execute a PG&E Agreement for an Energy Efficiency Retrofit Program Upgrade of Building Lighting Subject to Approval of Form by City Legal Counsel and set public hearing.

DISCUSSION

The findings of the recent energy efficiency audit indicate that much of the interior building lighting and some of the exterior building lighting qualifies for replacement under the retrofit program requirements. The City's lighting retrofit would consist of both light bulb replacement and in some cases, the light fixture replacement. Eco Green Solutions' audit findings estimate the cost of the lighting retrofit to be between \$22,794.73. The PG&E energy efficiency program would cover that cost in the form of a no interest (0%) loan to the City and repayment of the principal cost thru an "on utility bill" charge equal to the estimated energy cost savings of the City's building lighting retrofit. The "on utility bill" charge equal to the estimated energy cost savings of the City's building lighting retrofit. The "on utility bill" charge is estimated to be about \$310.24. Per month. This charge would be billed monthly until the principal loan amount is paid off. That charge essentially reverses the energy savings of the retrofit and results in the utility bill remaining at current amounts until the loan principal is paid off (80-84 months).

FISCAL IMPACT

Participation in the PG&E Energy Efficiency Retrofit Program will require that the City enter into a "Local Agency and District Customers On-Bill Financing Loan Agreement" (attached). The loan agreement generally defines a no interest (0%) loan principal equal to the amount of the District's building lighting retrofit costs which are estimated to be on the order of \$22,794.73, and repayment of that loan principal thru a monthly "on utility bill" charge associated with the predicted energy savings which are estimated to be on the order of \$308.04 per month. Therefore, it is predicted that 80 to 84 months of an "on utility bill" charge of about \$308.04 per month would be required to repay the costs to retrofit the City 's buildings lighting. In other words, the "on utility bill" charge will offset the energy savings until such time that the loan principal is paid off. Thus, the City will begin to realize the energy cost savings of about \$310.24 per month after the loan principal is paid off some 80 to 84 months after accomplishing the retrofit. Staff estimates that the lighting retrofit would have a 10 to 15-year useful life. Thus, the City could realize after 5 years of cost savings which is estimated to be \$20,985.88 and over 10 years \$49,069.73.

RECOMMENDATION

Authorize the City Manager to Execute a PG&E Agreement for an Energy Efficiency Retrofit Program Upgrade of Building Lighting Subject to Approval of Form by District Legal Counsel and set public hearing.

ATTACHMENTS

1. PG&E Local Agency and District Customers On-Bill Financing Loan Agreement
2. City of Isleton Energy Audit
3. ECO-GREEN PG&E Program Application Packet

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

Submitted by: Deputy City Clerk, Yvonne Zepeda ____

Reviewed by: City Manager, Uyiosa Felix Oviawe ____



**Pacific Gas and
Electric Company**

LOCAL AGENCY AND DISTRICT CUSTOMERS ON-BILL FINANCING LOAN AGREEMENT

The undersigned Local Agency or District¹ Customer ("Customer") has contracted for the provision of energy efficiency/demand response equipment and services (the "Work") which qualify for one or more of PG&E's applicable rebate or incentive programs. Subject to the conditions (including the process for Adjustment and preconditions to funding) set forth below, Pacific Gas and Electric Company ("PG&E") shall extend a loan (the "Loan") to the Customer in the amount of the loan balance (the "Loan Balance") pursuant to the terms of this On-Bill Financing Loan Agreement ("Loan Agreement") and PG&E's rate schedules E-OBF and/or G-OBF, as applicable (the "Schedule").

To request the Loan, Customer has submitted a completed On-Bill Financing Application and associated documentation as required by PG&E (the "Application"). Collectively the Application and this Loan Agreement (including any Adjustment hereunder) comprise the "Agreement".

1. Customer shall arrange for its Contractor, as identified at the end of this Agreement ("Contractor"), to provide the Work as described in the Application.
2. The estimated Loan Balance is set forth below. The total cost of the Work as installed, rebate/incentive for qualifying energy efficiency measures, Loan Balance, monthly payment, and loan term specified in this Loan Agreement may be adjusted, if necessary, after the Work at the post-installation inspection described in the Application and/or herein are completed (the "Adjustment"). The Adjustment will be calculated using the actual total cost of the Work, as installed, and the estimated energy savings (as described in the Application) of such Work. In no event will the Loan Balance be increased without Customer's written consent, even if Customer is eligible for such increased Loan Balance. Moreover, in no event will the Loan Balance exceed the maximum loan amount stipulated in the Application. Customer understands that in order to be eligible for the Loan, the initial Loan Balance for Work may not fall below the minimum loan amount, nor may the payback period exceed the maximum payback period. Accordingly, if after the Adjustment, the Loan Balance falls below the minimum loan amount or if the simple payback period exceeds the program maximum payback period, each as described in the Application, PG&E shall have no obligation to extend the Loan, as the Work would not meet program requirements. The Adjustment described in this paragraph will be communicated to the Customer in writing and will automatically become part of this Loan Agreement, except that any proposed increase in the Loan Balance will only become part of this Loan Agreement upon Customer's written consent to such increase.
3. PG&E shall have no liability in connection with, and makes no warranties, expressed or implied, regarding the Work. The Parties acknowledge and agree that PG&E is only providing the Local Agency or District cited here with financing. The Customer has independent hired contractors ("Local Agency or District Contractors") to perform the work on behalf of the Customer to qualify for financing. The Customer acknowledges and agrees that the Local Agency or District Contractors are not third party beneficiaries to this agreement between the Customer and PG&E. To the extent authorized by law and subject to appropriation of the Legislature, the Customer agrees that it will look only to Local Agency or District Contractors for any claims related to the installed equipment or its performance and that PG&E shall have no responsibility or liability, except for the payment of the loan proceeds, and the Customer shall indemnify PG&E for any claims made by the Local Agency or District Contractors against PG&E.
4. Customer represents and warrants that (a) Customer is receiving this Loan solely for Work obtained in connection with Customer's business and not for personal, family or household purposes; (b) Customer, if not an individual or a government agency, is duly organized, validly existing and in good standing under the laws of its state of formation, and has full power and authority to enter into this Agreement and to carry out the provisions of this Agreement. Customer is duly qualified and in good standing to do business in all jurisdictions where such qualification is required; (c) this Loan Agreement has been duly authorized by all necessary proceedings, has been duly executed and delivered by Customer and is a valid and legally binding agreement of Customer duly enforceable in accordance with its terms; (d) no consent, approval, authorization, order, registration or qualification of or with any court or regulatory authority or other governmental body having jurisdiction over Customer is required for, and the absence of which would adversely affect, the legal and valid execution and delivery of this Loan Agreement, and the performance of the transactions contemplated by this Loan Agreement; (e) the execution and delivery of this Loan Agreement by Customer hereunder and the compliance by Customer with all provisions of this Loan Agreement: (i) will not conflict with or violate any Applicable Law; and (ii) will not conflict with or result in a breach of or default under any of the terms or provisions of any loan agreement or other contract or agreement under which Customer is an obligor or by which its property is bound; and (f) all factual information furnished by Customer to PG&E in the Application and pursuant to this Agreement is true and accurate.
5. The Application must include the Federal Tax Identification Number or Social Security Number of the party who will be the recipient of the checks for the rebate/incentive or any Loan proceeds. Checks may be issued directly to the Customer or its designated Contractor or both, for the benefit of the Customer, as specified below. Customer acknowledges that PG&E will not be responsible for any tax liability imposed on the Customer or its contractor in connection with the transactions contemplated under the Agreement, whether by virtue of the Loan contemplated under the Agreement, or otherwise, and Customer shall indemnify PG&E for any tax liability imposed upon PG&E as a result of the transactions contemplated under the Agreement.

¹ Local Agency or District as defined in California Government Code §50001 and §58004.

6. Upon completion of the Work, Customer shall send a written confirmation of completion to PG&E's On-Bill Financing Program Administrator at the address listed in Section 15. Within 60 days after receiving the confirmation, PG&E (a) will conduct a post installation inspection and project verification, including review of invoices, receipts and other documents as required by PG&E to verify the correctness of any amount claimed by Customer; and (b) will adjust, if necessary, the total cost, incentive, Loan Balance, monthly payment, and loan term as stated above. Customer shall give PG&E reasonable access to its premises and the Work. If the Work conforms to all requirements of the Agreement and all amounts claimed by Customer as Work costs are substantiated to PG&E's reasonable satisfaction, PG&E will issue a check ("Check") to Customer or Contractor (as designated by Customer in Section 15) for all amounts PG&E approves for payment in accordance with the Agreement. The date of such issuance is the "Issuance Date". If the Check is issued to Customer, Customer shall be responsible for paying any outstanding fees due to Contractor for the Work. If the Check is less than the amount due from Customer to Contractor, Customer shall be responsible for the excess due to the Contractor.
7. Customer shall repay the Loan Balance to PG&E as provided in this Loan Agreement irrespective of whether or when the Work is completed or whether the Work is in any way defective or deficient, and whether or not the Work delivers energy efficiency savings to Customer.
8. The monthly payments will be included by PG&E on the Account's regular energy service bills, or by separate bill, in PG&E's discretion. Regardless of whether the monthly payments are included in the regular utility bill or a separate loan installment bill, the following repayment terms will apply:
 - a. The Customer agrees to repay to PG&E the Loan Balance in the number of payments listed below and in equal installments (with the final installment adjusted to account for rounding), by the due date set forth in each PG&E utility bill or loan installment bill rendered in connection with Customer's account (identified by the number set forth below ("Account")), commencing with the bill which has a due date falling at least 30 days after the Issuance Date.
 - b. If separate energy service bills and loan installment bills are provided, amounts due under this Loan Agreement as shown in the loan installment bill shall be deemed to be amounts due under each energy services bill to the Account and a default under this Loan Agreement shall be treated as a default under the Account.
 - c. If the Customer is unable to make a full utility bill payment in a given month, payment arrangements may be made at PG&E's discretion.
 - d. Any partial bill payments received for a month will be applied in equal proportion to the energy charges and the loan obligation for that month, and the Customer may be considered in default of both the energy bill and the loan installment bill.
 - e. Further payment details are set forth below.
9. Any notice from PG&E to Customer regarding the Program or the transactions contemplated under the Loan Agreement may be provided within a PG&E utility bill or loan installment bill, and any such notices may also be provided to Customer at the address below or to the Customer's billing address of record in PG&E's customer billing system from time to time, and in each case shall be effective five (5) days after they have been mailed.
10. The Loan Balance shall not bear interest.
11. Customer may, without prepayment penalty, pay the entire outstanding loan balance in one lump sum payment provided the customer first notifies PG&E by telephoning the toll free phone number (1-800-468-4743), and by sending written notice to PG&E On-Bill Financing Program Administrator at the address listed below, in advance of making the lump sum payment. Accelerated payments that are received from Customer without PG&E's prior approval may, at PG&E's sole discretion, be applied proportionally to subsequent energy charges and Loan repayments and PG&E shall have no obligation to apply accelerated payments exclusively to reduction of the outstanding Loan.
12. The entire outstanding Loan Balance will become immediately due and payable, and shall be paid by Customer within 30 days if: (i) the Account is closed or terminated for any reason; (ii) Customer defaults under the Agreement; (iii) Customer sells the equipment forming part of the Work to any third party; or (iv) Customer becomes Insolvent. Customer becomes "Insolvent" if: (i) Customer is unable to pay its debts as they become due or otherwise becomes insolvent, makes a general assignment for the benefit of its creditors, or suffers or permits the appointment of a receiver for its business or assets or otherwise ceases to conduct business in the normal course; or (ii) any proceeding is commenced by or against Customer under any bankruptcy or insolvency law that is not dismissed or stayed within 45 days.
13. Customer understands that without limiting any other remedy available to PG&E against Contractor or Customer, **failure to repay the Loan Balance in accordance with the terms of the Agreement could result in shut-off of utility energy service, adverse credit reporting and collection procedures, including, without limitation, legal action.**
14. If there is any conflict among the documents comprising the Agreement, the following order of priority shall apply: 1. this Loan Agreement; 2. the Application; 3. any documents attached to the Application.

15. LOCAL AGENCY OR DISTRICT REQUIREMENT

a. All Payment Obligations Subject to Appropriation

The Customer acknowledges that the cost incurred pursuant to this Loan Agreement will be part of the monthly bill electric use. All payment obligations and the Work replacement obligations of the Customer under this Loan Agreement or any related agreement or application is subject to appropriation by the Legislative body belonging Local Agency or District cited in this loan agreement.

b. No Lien or Encumbrance; Subordination:

(1) Notwithstanding any other provision in this Loan Agreement – , PG&E acknowledges that nothing in this Loan Agreement shall constitute a mortgage, charge, assignment, transfer, pledge, lien or encumbrance upon either the Work or any part of the buildings, structures or related facilities in which the Work is constructed, installed or situated (collectively, the "Related Facilities"). Accordingly, PG&E agrees it will not record or file any instrument that would indicate or imply it has a security interest in the Related Facilities, including but not limited to a UCC-1.

(2) In addition to the preceding paragraph (a), if this Loan Agreement were ever construed or deemed to create such an encumbrance, then: (i) this Loan Agreement shall be junior and subordinate and subject in all respects to the terms and conditions of any and all leases, and indentures related to lease revenue bonds issued by the Local Agency or District cited here or any other issuer of bonds on behalf of the Local Agency or District concerning the Related Facilities entered into in the past, the present or the future (the "Senior Security Documents"); and (ii) any term or condition of this Loan Agreement relating to any right, title or interest in the Related Facilities or other benefits derived there from shall be in all respects junior and subordinate to, and subject to the terms of, the Senior Security Documents.

16. Loan Particulars.

<i>This table is to be completed by PG&E</i>						
Total Cost	Incentive	Customer Buy- Down (if applicable)	Loan Balance ¹	Monthly Payment	Term ² (months)	Number of Payments
\$ 22,794.73	\$ -	\$ -	\$ 22,794.73	\$ 308.04	74	74

Check Made Payable to Customer or Contractor
 [customer to select payment method. Note that only one check can be issued]

17. This agreement at all times shall be subject to such modifications as the California Public Utilities Commission may direct from time to time in the exercise of its jurisdiction.

Federal Tax ID or Social Security #, Customer	Federal Tax ID or Social Security #, Contractor
94-6000349	80-0196823

PG&E Account # / Service Agreement #
7762177950 / 7762177345

Account Name, Customer	Name, Contractor
Primary Customer Name: CITY OF ISLETON - 101 2ND ST Project ID: Population Non-Res OBF - 54589 (Fire Station)	ECOGREEN SOLUTIONS. COREY BROPHY

Customer Address (For OBF Check Delivery)	Contractor Address (For OBF Check Delivery)
	27671 LA PAZ RD STE 100
	LAGUNA NIGUEL CA 92677

Name and Title of Authorized Representative of Customer	Name and Title of Authorized Representative of Contractor
	COREY BROPHY, ECOGREEN SOLUTIONS

Full Name & Title →

Signature of Authorized Representative of Customer

Full Signature →

Date

Date Signed →

ACCEPTED: Pacific Gas and Electric Company

By	Date
PG&E On-Bill Financing Authorized Representative	

¹ The Loan Balance shall not exceed two-hundred fifty thousand dollars (\$250,000), except where, in PG&E's sole opinion, the opportunity for uniquely large energy savings exist, in which case the Loan Balance may exceed two-hundred fifty thousand dollars (\$250,000) but shall not exceed four million dollars (\$4,000,000).

² The loan term in months will be established by PG&E at the time of the OBF Loan Agreement initiation. The maximum loan term shall be one hundred and twenty (120) months.

**On-Bill Financing Program (OBF)
 Loan Calculation Summary Sheet
 Simple project payback per meter**

Customer Name: CITY OF ISLETON - 101 2ND ST

Project Number: FA ID 014401

Calculations from: Original

(A) PROJECT COST FOR MEASURES	(B) REBATES or INCENTIVES	Customer Down Payment or Buy-Down	CUSTOMER TOTAL LOAN AMOUNT	(C) CUSTOMER AVERAGE RATE PER kWh	(D) CUSTOMER AVERAGE RATE PER Therm	(E) ESTIMATED ANNUAL ENERGY SAVINGS (kWh)	(F) ESTIMATED ANNUAL GAS SAVINGS (Therm)	ESTIMATED ANNUAL ENERGY COST SAVINGS	SIMPLE PAYBACK IN YEARS
\$ 22,794.73	\$ -	\$ -	\$ 22,794.73	\$ 0.32	\$ -	11,534.70	-	\$ 3,722.82	6.12
PAYBACK IN MONTHS BASED ON EXPECTED ENERGY SAVINGS	LOAN TERM (MONTHS) (1 month added for bill neutrality)	CUSTOMER FIXED MONTHLY LOAN PAYMENT	ESTIMATED MONTHLY ENERGY COST SAVINGS						
73	74	\$ 308.04	\$ 310.24						

(C) = (From utility bill) Total \$ amount (12-month) / Total kWh (same 12-month)

(D) = (From utility bill) Total \$ amount (12-month) / Total therm (same 12-month)

PG&E Program Application Packet



Checklist

- 1 Month's PG&E Utility Bill (Provided by the Customer)
- PG&E 3rd Party Letter of Authorization Form
- PG&E OBF Financing Supplement



\$0 Up Front Cost Energy Efficiency Upgrades

We've helped 1000's of companies **save energy and cut costs** by upgrading their existing equipment **for \$0 Up Front Cost** utilizing the utility companies' energy efficiency programs.

EcoGreen Solutions is a federal Department of Energy recognized Energy Services Company as well as a Trade Professional & Authorized Agent with SCE, SDG&E, PG&E and several others. We specialize in helping companies leverage the utility company programs to take advantage of the various rebates and incentives available.

Below are highlights of some of the benefits of the programs & equipment upgrades:

- Dramatically reduced energy usage across multiple technologies based on your current equipment
- We provide solutions for HVAC, 3-Phase Motors, Refrigeration, Air Compressors, Variable Frequency Drives, Pool pumps, Steam Line Insulation, Interior & Exterior Lighting and Agricultural/Artificial Lighting
- LED lamps and fixtures eliminate the high cost of replacement & maintenance while providing increased safety due to improved light levels
- Enhanced value of your property and curbside appeal
- **No money up front** while helping to save the environment
- **0% interest** fixed financing available
- Several substantial tax incentives available for energy efficiency upgrades
- All paperwork taken care of by EcoGreen Solutions and full turnkey solutions available

We have worked with several cities (Gilroy, Lincoln, Los Banos, Dixon, Fort Bragg), state agencies (CADMV, CALFIRE, CADPR, and CADEDD), school districts (Fallbrook, Newport-Mesa, San Jacinto, Atascadero USD), and large businesses all over the West Coast including Jaguar/Land Rover, Infiniti and Audi, Applebees etc.

We also specialize in helping nurseries, farms, office buildings, multi-tenant, wastewater treatment plants, food processing, heavy industrial, and municipal customers. References available upon request.



Pacific Gas and Electric Company

AUTHORIZATION TO RECEIVE CUSTOMER INFORMATION OR ACT UPON A CUSTOMER'S BEHALF

THIS IS A LEGALLY BINDING CONTRACT, PLEASE READ CAREFULLY
(Please Print or Type)

I, _____ NAME _____ TITLE (IF APPLICABLE) _____
 of _____ (Customer) have the following mailing address
 _____ NAME OF CUSTOMER OF RECORD _____
 _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____, and do hereby appoint
 _____ of _____
 _____ NAME OF THIRD PARTY _____ ADDRESS _____ MAILING _____
 _____ CITY _____ STATE _____ ZIP _____

To act as my agent and consultant (Agent) for the listed account(s) and in the categories indicated below:

ACCOUNTS INCLUDED IN THIS AUTHORIZATION:

1.	_____ SERVICE ADDRESS _____ CITY _____	_____ SERVICE ACCOUNT NUMBER _____
2.	_____ SERVICE ADDRESS _____ CITY _____	_____ SERVICE ACCOUNT NUMBER _____
3.	_____ SERVICE ADDRESS _____ CITY _____	_____ SERVICE ACCOUNT NUMBER _____

(For more than three accounts, please list additional accounts on a separate sheet and attach it to this form)

INFORMATION, ACTS AND FUNCTIONS AUTHORIZED – This authorization provides authority to the Agent. The Agent must thereafter provide specific written instructions/requests (e-mail is acceptable) about the particular account(s) before any information is released or action is taken. In certain instances, the requested act or function may result in cost to you, the customer. Requests for information may be limited to the most recent 12 month period.

I (Customer) authorize my Agent to act on my behalf to perform the following specific acts and functions (initial all applicable boxes):

→ 1. Request and receive billing records, billing history and all meter usage data used for bill calculation for all of my account(s), as specified herein, regarding utility services furnished by the Utility[†]

→ 2. Request and receive copies of correspondence in connection with my account(s) concerning (initial all that apply):

- a. Verification of rate, date of rate change, and related information.
- b. Contracts and Service Agreements
- c. Previous or proposed issuance of adjustments/credits, or
- d. Other previously issued or unresolved/disputed billing adjustments.

N/A 3. Request investigation of my utility bill(s).

→ 4. Request special metering, and the right to access interval usage and other metering data on my account(s).

N/A 5. Request rate analysis.

N/A 6. Request rate changes

→ 7. Request and receive verification of balances on my account(s) and discontinuance notices.

[†] The Utility will provide standard customer information without charge up to two times in a 12-month period per service account. After two requests in a year, I understand I may be responsible for charges that may be incurred to process this request.



AUTHORIZATION TO RECEIVE CUSTOMER INFORMATION OR ACT UPON A CUSTOMER'S BEHALF

I (CUSTOMER) AUTHORIZE THE RELEASE OF MY ACCOUNT INFORMATION AND AUTHORIZE MY AGENT TO ACT ON MY BEHALF ON THE FOLLOWING BASIS² (initial one box only):

²If no time period is specified, authorization will be limited to a one-time authorization

One time authorization only (limited to a one-time request for information and/or the acts and functions specified above at the time of receipt of this Authorization).

One year authorization - Requests for information and/or for the acts and functions specified above will be accepted and processed each time requested within the twelve month period from the date of execution of this Authorization.

→ Authorization is given for the period commencing with the date of execution until 3/22/2027 (Limited in duration to three years from the date of execution.) Requests for information and/or for the acts and functions specified above will be accepted and processed each time requested within the authorization period specified herein.

RELEASE OF ACCOUNT INFORMATION:

The Utility will provide the information requested above, to the extent available, via any one of the following. My (Agent) preferred format is (check all that apply):

Hard copy via US Mail (if applicable).

Facsimile at this telephone number. _____

Electronic format via electronic mail (if applicable) to this e-mail address: Submissions@ecogreen-solutions.net

→ (Customer), _____ (print name of authorized signatory), declare under penalty of perjury under the laws of the State of California that I am authorized to execute this document on behalf of the Customer of Record listed at the top of this form and that I have authority to financially bind the Customer of Record. I further certify that my Agent has authority to act on my behalf and request the release of information for the accounts listed on this form and perform the specific acts and functions listed above. I understand the Utility reserves the right to verify any authorization request submitted before releasing information or taking any action on my behalf. I authorize the Utility to release the requested information on my account or facilities to the above Agent who is acting on my behalf regarding the matters listed above. I hereby release, hold harmless, and indemnify the Utility from any liability, claims, demands, causes of action, damages, or expenses resulting from: 1) any release of information to my Agent pursuant to this Authorization; 2) the unauthorized use of this information by my Agent; and 3) from any actions taken by my Agent pursuant to this Authorization, including rate changes. I understand that I may cancel this authorization at any time by submitting a written request. I understand that this agreement at all times shall be subject to such modifications as the California Public Utilities Commission may direct from time to time in the exercise of its jurisdiction. [This form must be signed by someone who has authority to financially bind the customer (for example, CFO of a company or City Manager of a municipality).]

→ _____ AUTHORIZED CUSTOMER SIGNATURE → _____ TELEPHONE NUMBER
→ Executed this _____ day of _____ MONTH YEAR → at _____ CITY AND STATE WHERE EXECUTED

I (Agent) hereby release, hold harmless, and indemnify the Utility from any liability, claims, demand, causes of action, damages, or expenses resulting from the use of customer information obtained pursuant to this authorization and from the taking of any action pursuant to this authorization, including rate changes.

AGENT SIGNATURE [Signature]
EcoGreen Solutions
COMPANY

(949) 364-6800
TELEPHONE NUMBER

Executed this _____ day of _____ MONTH YEAR



Energy Efficiency Retrofit Loan Program Application Financing Supplement

The Energy Efficiency Retrofit Loan Program (the "Program") is funded by California utility customers and administered by Pacific Gas and Electric Company (PG&E) under the auspices of the California Public Utilities Commission (CPUC). The Program provides qualified PG&E customers with a means to finance energy-efficient (EE) retrofit projects implemented under select PG&E EE Programs (the "Qualified Program").

The loans issued under the Program are interest-free, unsecured loans to fully or partially reimburse qualified PG&E customers for the costs they incur in connection with a qualified retrofit project (the "Retrofit Project"), which term shall mean the energy efficiency retrofit project described in Customer's relevant Energy Efficiency Program Application.

1. Conditions for Eligibility: Participation in the Program is limited to PG&E customers that meet the following conditions and satisfy these conditions throughout the duration of the Retrofit Project up to and including the date of Final Verification (defined below in Section 8): (a) the PG&E customer must be a business ("Commercial Customer") or a federal, state, county or local government agency ("Government Customer").* Commercial Customers and Government Customers are collectively referred to as "Customer;" (b) Customer currently receives service from PG&E at the location of the Retrofit Project (the "Location"); (c) Customer has continually maintained an active PG&E account for the previous 24 months and has a minimum of 12 months of historical metered energy usage at Customer's current Location; (d) at the time the Customer's Program Application is Approved and Customer's Loan Agreement is executed, and at the time the loan is to be funded following completion of the Retrofit Project and satisfaction of all other requirements of the Loan Agreement, Customer must be in good credit standing, as determined by PG&E through credit review which may include a commercial credit check and a bill history review, which may be based upon the following and other criteria:

- a. No 24-hour disconnection notices in the last 12 months;
- b. No returned payments within the last 12 months;
- c. No more than 1 payment arrangement in the last 12 months;
- d. No broken payment arrangements within the last 12 months;
- e. No deposit assessed within the last 12 months; and
- f. The Retrofit Project qualifies, and Customer is eligible for an incentive under the Qualified Program.

2. Loan Features: The loans offered under the Program are interest-free (0%) and free of any fees, late payment penalties or other charges. The loan terms and conditions are set to provide simple payback from energy savings during the maximum allowed loan term and are calculated by dividing the loan amount (eligible project cost less Qualified Program Incentives) by the estimated monthly energy savings resulting from the Retrofit Project. The ensuing number of monthly payments must not exceed the Maximum Loan Term set forth in chart below ("Loan Amount and Term Limitations").

Loan Amount and Term Limitations	
Interest	0%, with no additional fees or charges
Minimum Loan Amount	\$5,000
Maximum Loan Amount	\$250,000 (up to \$4,000,000 per premises with approved exception)
Maximum Loan Term, not to exceed the Expected Useful Life (EUL) of the measures	120 months

*Residential customers are ineligible.

- 3. Eligibility:** Prior to purchasing and installing any energy efficient measures or equipment under the Qualified Program, Customer must satisfy the eligibility requirements of both the Program and Qualified Program.
- 4. Project Review:** PG&E will assist Customers in understanding the energy efficiency measures available under the Qualified Program and will answer their questions concerning this Program. After Customer has decided upon the measures that comprise the Retrofit Project, PG&E will request that project engineering documentation is developed on behalf of the customer by their installer, and that the package is reviewed by an independent engineer prior to submission to PG&E. Projects costs and energy savings from this documentation are required in order to calculate the Loan Terms and prepare the Loan Documents. Thereafter, PG&E will provide Customer with a Loan Agreement, the Application, the applicable On-Bill Financing (OBF) Gas and/or Electric Rate Schedule and Loan Calculation Summary Sheet (collectively, the "Loan Documents").
- 5. Loan Documents:** If the terms of the loan are acceptable, Customer shall execute the Loan Documents and return them to PG&E prior to the commencement of the Retrofit Project. Incomplete or incorrect applications cannot be processed and may result in the delay of PG&E's approval and possible disqualification from the Program. Customer may withdraw this Application for any reason without penalty by sending written notice to PG&E.
- 6. Changes to Project Scope and/or Cost:** It is common for a project's scope and/or cost to alter during the installation phase. Refer to "Changes to Project Scope and/or Cost" section of the OBF Customer and Contractor Handbook for requirements if the project scope and/or cost changes after the loan agreement is executed.
- 7. Customer's Responsibilities for Contractor and Vendor:** Upon execution of the loan agreement between the Customer and PG&E, Customer may begin the Retrofit Project pursuant to the contract agreed upon by Customer, its contractor or vendor. PG&E does not endorse or recommend any particular contractor or vendor nor does PG&E review any contractor or vendor proposals. Rather, Customer shall be solely responsible for reviewing the feasibility of the contractor's and vendor's proposal(s) and verifying their respective qualifications, pricing, energy savings, warranties and the terms and conditions of the contractor's and/or vendor's contract with Customer.
- 8. PG&E Disclaimers:** Customer's design of the retrofit project and selection and use of energy efficiency equipment, measures and selection of contractors and vendors is at customer's sole discretion and at customer's sole risk. To the extent permitted by applicable law, PG&E expressly and specifically disclaims any liability in respect of any advice, information or other instruction provided by or on behalf of PG&E to customer in connection with the qualified program, program or retrofit project. PG&E does not warrant or bear any responsibility for any of the following:
 - a. The work performed by customer's contractor(s) or vendor(s), that the retrofit project is appropriate for the location;
 - b. The retrofit will result in or yield any energy efficiency savings or a specific amount of energy efficiency savings or other reduction in customer's PG&E utility bill after completion of the retrofit project;
 - c. The contractor's or vendor's services will be timely, complete or error-free, or that defects in the retrofit project will be corrected by such individuals;
 - d. Any errors, omissions, defects or delays in the design or construction of the retrofit project or the operation of any energy efficiency measures installed at the location.
- 9. Verification:** Upon completion of the Retrofit Project, Customer shall request PG&E's post-install project review (submission may be provided by the customers installer) and final verification that the Retrofit Project has been completed in conformity with the requirements of the Qualified Program and that customer remains eligible (the "Final Verification").
 - a. If there has been any change to the Retrofit Project's scope, cost and/or incentives available under the Qualified Program or energy savings, Customer will be required to enter into a Loan Modification Agreement with PG&E, which may include new contract terms reflecting the changes in the Retrofit Project. (If a Loan Modification Agreement is required, it shall be deemed part of the "Loan Documents".) See "Changes to Project Scope and/or Cost" section of the OBF Customer and Contractor Handbook for further information.
 - b. If the changes to the Retrofit Project are such that it no longer meets the Program's payback criteria or other conditions, the Retrofit Project will be considered ineligible, the Loan Agreement will be terminated, and no loan proceeds will be disbursed.
 - c. If PG&E determines, in its absolute discretion, that customer's credit has deteriorated or has otherwise placed customer's repayment of the loan at risk, the loan proceeds shall not be issued, even though the retrofit project may have been satisfactorily completed at customer's expense.

10. Disbursements: Subject to and following PG&E's satisfactory Final Verification, an incentive check and the loan proceeds will be issued to Customer or, at Customer's written direction, to Customer's contractor or vendor.

11. General Provisions:

- a. Applications for loans under the Program will be accepted from qualified Customers on a first-come, first-served basis until the funds allocated by PG&E for the Program are no longer available. The Program may be modified or terminated by the CPUC or PG&E at any time and without prior notice. However, termination of the Program following execution of a Loan Agreement by Customer will not affect that Loan Agreement, or, if Customer thereafter satisfies all Program conditions, the disbursement.
- b. The loan proceeds may only be used to pay or reimburse Customer for implementing or installing energy-efficient measures or equipment through the Qualified Program.
- c. If there is any conflict between the terms of any document relating to the Program, the Loan Documents shall control.
- d. For all retrofit projects, including but not limited to streetlight, HVAC and lighting retrofits, Customer acknowledges and understands that Customer is able to use the installation vendor or contractor of their choice.
- e. The customer confirms that the OBF loan funds are required for the project to be completed, and that without the loan funds the project would not otherwise be able to be completed with the same scope or within the same time-frame.
- f. Energy Efficiency funds, including On-Bill Finance loan funds, are public funds. Depending on the project that receives Energy Efficiency or On-Bill Finance loan funds may be considered a public work (as defined under Labor Code section 1720 et. seq.). For information on the rules and regulations that apply to public works, including payment of prevailing wages, see the [Department of Industrial Relations](#).

I have read, understand and agree to all of the Energy Efficiency Retrofit Loan Program requirements and terms and conditions set forth in this Program description.

I understand that loan calculations will be based on pre-inspection results and on the applicable program documentation, and that my agency/company must meet all eligibility criteria and requirements in order to participate in the Program. Any unapproved changes to project scope, costs or run hours, or to my agency's/company's creditworthiness, between the time the Loan Documents are accepted and signed, and the Retrofit Project is completed and the project's and my agency's/company's continued eligibility are verified, could result in loan ineligibility.

<p>→ _____</p> <p>Legal Name of Business (i.e., the formal name on your tax return)</p>	<p>← _____</p> <p>Authorized Representative's Signature</p>
<p>→ _____</p> <p>Authorized Representative's Printed Name</p>	<p>← _____</p> <p>Title</p>
<p>→ _____</p> <p>Tax identification information (select one):</p>	<p>← _____</p> <p>Date</p>
<p>→ _____</p> <p>Federal Tax ID Number</p>	<p>← _____</p> <p>Social Security Number</p>

FOR PG&E USE ONLY:		
PG&E OBF Administrator	Printed Name	Date
Retrofit Program Application Number	OBF Application Number	

City of Isleton

City Council Staff Report

DATE: September 24, 2024

ITEM#: 8.C

CATEGORY: New Business

CITY REQUESTS THE SUSPENSION OF THE ISLETON HISTORIC PRESERVATION REVIEW BOARD (IHPRB)

SUMMARY

Staff contacted the City Attorney regarding a complaint on a Brown Act Violation for the Isleton Historic Preservation Review Board (IHPRB). The City's Attorney advised staff that the IHPRB must follow the Brown Act and staff informed the IHPRB. The City is requesting City Council assist in mediation between the City and IHPRB. The City wishes the IHPRB to fully comply with the Brown Act advised by City Attorney.

DISCUSSION

The City supports the IHPRB in continuing to develop policies, goals and objectives in order to advance the historic interests of the City. Staff has been working with IHPRB on updating the ordinance and COA. However, because of the complaint the City wants to fully be in compliance with the Brown Act. The focus is to post their meetings, agendas and minutes to the public. The Ordinance was updated and approved by City Council (see attached) 2024-.

Below is the response to the City from the City Attorney.

1. The Brown Act (Government Code Section 54950 et seq.) applies to all "meetings" of any "legislative body" of any "local agency".
 - a. "Local agency" includes cities (GC 54951).
 - b. "Legislative body" includes an "board . . . of a local agency, whether permanent or temporary, decision making or advisory, created by . . . ordinance, resolution, or formal action of a legislative body." The only exception is for "advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body" that do not have continuing jurisdiction (GC 54952(b).)
 - c. "Meeting" means "any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body" (GC 54952.2(a)). A "meeting" is not limited to a gathering where action is taken – if there is discussion about anything within the subject matter jurisdiction of the legislative body, a meeting has occurred. In addition, meetings occur even if a majority is not present in one location at one point in time, because the Brown Act expressly prohibits serial meetings: "majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a **series of communications of any kind, directly or through intermediaries**, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body" (GC 54952.2(b)(1)).
2. The Historic Review Board was created by Council action when the Council adopted Chapter 8.17.020 of the Isleton Municipal Code. The Board has continuing jurisdiction, and the membership of the Board includes members of the public as well as Planning Commissioners (and, you mentioned, the Mayor).

3. Therefore, the Historic Review Board is a “legislative body” as that term is defined in the Brown Act and all “meetings” must conform to the requirements of the Brown Act.
4. Finally, I need to point out that failure to comply with the Brown Act can be prosecuted as a crime: “Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.” (GC 54959).

FISCAL IMPACT

The fiscal impact to the City is City Attorney fees and staff fees.

RECOMMENDATION

It is recommended City Council assist in mediation between the City and IHPRB. The City wishes the IHPRB to fully comply with the Brown Act or suspend advised by City Attorney.

ATTACHMENTS

1. ORDINANCE 2024-03 AMENDING ORDINANCE 2023-02 ADOPTING A HISTORIC PRESERVATION ORDINANCE

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

Reviewed by: Uyiosa Felix Oviawe, City Manager UO

Submitted by: Yvonne Zepeda, Deputy City Clerk

ORDINANCE NO. _____

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON AMENDING ORDINANCE 2023-02 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON ADOPTING A HISTORIC PRESERVATION ORDINANCE AND ACCOMPANYING NEGATIVE DECLARATION

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

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

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

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

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

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

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

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

HISTORIC PRESERVATION ORDINANCE

Sections:

1.01 Purpose

1.03 Establishment of the Isleton Historical Preservation Review Board (IHPRB)

1.06 Designation of Historic Landmarks and Districts

1.09 Certificates of Appropriateness

1.12 Certificates of Hardship

1.15 Appeals

1.18. Duty to Maintain

1.21 Unsafe or Dangerous Conditions

1.23 Penalties

ORDINANCE NO. _____

1.01 Purpose

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

1.03 Establishment of the Isleton Historical Preservation Review Board

A. Establishment of Isleton Historical Preservation Review Board

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

B. Composition of the Isleton Historical Preservation Review Board

1. The board shall consist of five members as follows:

- a. must be at least 18 years of age.
- b. must reside or own property within the State of California
- c. vacancies shall be subject to and confirmed by a majority vote of the City council

C. Terms, officers and rules

1. Except as otherwise provided, each board member shall serve at the pleasure of the city council until his or her successor is seated. Vacancies shall be filled by majority vote of the city council.

ORDINANCE NO. _____

2. The term of a member who has been absent for three consecutive meetings without prior board approval, shall automatically terminate.
3. The board shall elect a chair and vice-chair, who shall each hold office for up to two years.
4. The chair and vice-chair shall be elected at the first board meeting after July 1st of each year or as soon thereafter as possible.
5. The board shall adopt its own operating rules, regulations and policies, and shall designate the time and place for its meetings.

D. Powers and duties of board

1. The board shall:

- a. maintain a list of possible landmarks and districts which may merit official historic recognition;
- b. investigate and report to the city council on the use of various federal, state, local, and private funding sources;
- c. be available to advise people concerning the goals and objectives of this chapter as they relate to proposed work on architectural historical or cultural resources in the community. Examples of such work include exterior painting, roofing, fencing, landscaping, glazing, and installation of light fixtures; and
- d. encourage public awareness, understanding and involvement concerning the unique historical, architectural and environmental heritage of the city through educational and interpretative programs.

2. The board shall also:

- a. make recommendations to the city council concerning the its designation of historic landmarks and districts which city council is hereby authorized to designate as provided herein;
- b. review applications for certificates of appropriateness as follows:
 - (1) the board shall review applications asking for permission to demolish structures, and recommend to city council whether and under what circumstances a certificate should issue;
 - (2) the board shall review and rule on applications asking permission to move, alter or construct structures, as well as all other 'major' proposals; and

ORDINANCE NO. _____

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

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

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

1.06 Designation of Historic Landmarks and Districts

A. Procedure for designation of historic landmarks and districts

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

a. at the recommendation of staff;

b. by recommendation of the board; or

c. by application of the property owner.

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

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

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

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

c. in the case of a historic district, notice of the hearing shall be given to the applicants and owners of all properties within the proposed historic district and advertised in a newspaper of general circulation at least ten days prior to the public hearing;

ORDINANCE NO. _____

- d. at the conclusion of the public hearing city council shall make a decision supported by written findings; and
- e. if city council makes a designation, the city clerk will forthwith cause to be recorded notice that such property has been designated and placed on the city's register of historic landmarks and districts and said notice shall state that the designation runs with the land.

B. Criteria for designation of landmarks and districts

- 1. In designating a landmark or district as being of historical or cultural significance and worthy of protection under this chapter, the property must be found to have historical or cultural interest or special character to the public.
- 2. The criteria to be used is that the place, site, building, structure, object, or improvement possesses integrity of location, design, setting, materials, and workmanship; and meets one or more of the following:
 - a. the proposed landmark or district reflects interest or value as part of the heritage of the city;
 - b. the proposed landmark or district was the location of a significant historic event;
 - c. the proposed landmark or district identifies with a person(s) who significantly contributed to the history and development of the city; or whose work has influenced the heritage of the city, state or country,
 - d. the proposed landmark or district contains outstanding or exemplary elements of attention to architectural design, detail, materials or craftsmanship of a particular historic period;
 - e. the proposed landmark or district is in a unique location or contains one or more physical characteristics representing an established and familiar visual feature of a neighborhood;
 - f. the proposed landmark or district is a source, site or repository of archeological interest; or
 - g. the proposed resource or district contains a natural setting that strongly contributes to the well-being of the people of the city.

C. Additional criteria for districts

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

ORDINANCE NO. _____

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

D. Findings for deletion of historic landmarks or historic districts

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

1.09 Certificates of Appropriateness

A. When certificates of appropriateness are required

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

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

B. Applying for a certificate of appropriateness

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

C. Processing of a certificate of appropriateness

1. The building official will use a "preservation check list" to determine if a proposal is "minor" or "major," and shall use design guidelines to determine if the proposal is compatible with the existing surroundings. All requests for

ORDINANCE NO. _____

new construction, subdivision, lot splits, demolition, or moving of a historic landmark shall be considered a major alteration. Applications for a certificate of appropriateness for major alterations, except demolition, shall be reviewed by the board. A certificate for demolition shall be reviewed by city council.

2. A certificate of appropriateness for minor improvements may be approved by the building official unless otherwise determined by the board.
3. The building official shall inform the board in writing of all decisions made regarding minor alterations within ten calendar days thereafter.
4. To approve an application, the proposed activity must be found to be consistent with this chapter and with the Secretary of Interior's standards and not detrimental to a historic landmark or district.
5. The board's decision will be supported by written findings.
6. A certificate of appropriateness shall become void unless construction is commenced and diligently pursued within eighteen months of the date of issuance. Certificates of appropriateness may be renewed for up to thirty-six months through the building official.

D. Additional criteria for moving a historic landmark or structure

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

1. the moving will not have a significant negative effect on the applicable goals and objectives of this chapter; and
2. the structure in its original setting is not of such interest or quality that it would reasonably meet federal or state criteria for designation as a historic landmark.

E. Additional criteria for demolishing a historic landmark or structure

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

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

ORDINANCE NO. _____

2. the structure is not of such unusual design, texture or materials that it cannot be reproduced or can only be reproduced with great difficulty and expense;
3. the structure is not of such interest or quality that it would reasonably meet federal or state criteria for designation as a historic landmark; and
4. conversion to a new use, rehabilitation and preservation are unfeasible.

F. Demolition mitigation measures

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

1. Each historic structure shall be documented as follows:
 - a. plans shall be prepared which include a site plan, floor plans, elevations, and detailed drawings of character defining features such as moldings, light fixtures, trim patterns and stairs, and given to the city for preservation; and
 - b. photographs shall be taken which include the exterior and interior of the structure, along with interior and exterior character defining features, and given to the city for preservation.
2. In an effort to preserve features and artifacts from historic structures, a determination whether items within or on the building should be salvaged will be made by the city prior to the issuance of a demolition permit.

1.12 Certificates of Hardship

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

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

ORDINANCE NO. _____

1.15 Appeals

A. Appeal of building official's decision

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

B. Appeal of board decision

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

C. Stay of approval

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

1.18 Duty to Maintain

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

1.21 Unsafe or Dangerous Conditions

Nothing in this chapter shall be interpreted to prohibit the construction, alteration, restoration, demolition, or relocation of any historical resource if such would jeopardize public safety or result in an unsafe or dangerous condition which cannot be satisfactorily rectified in the professional opinion of the building official.

1.23 Penalties

A. Misdemeanor

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

B. Nuisance

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

C. Civil penalties

ORDINANCE NO. _____

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

D. Moratorium

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

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

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

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Isleton duly held on the 27th day of February, 2024, and was approved and enacted at a duly held regular meeting or adjourned meeting of the Council held on the 27th day of February, 2024 by the following roll call vote:

AYES: Councilmember's Kelly Hutson, Iva Walton, David Kent, Vice Mayor Paul Steele, Mayor Pamela Bulahan.

NOES: None.

ABSTAIN: None.

ABSENT: None.



MAYOR, Pamela Bulahan

ATTEST:



DEPUTY CITY CLERK, Yvonne Zepeda

City of Isleton

Special City Council Staff Report

DATE: September 24 , 2024

ITEM#: 8.D

CATEGORY: New Business

RESOLUTION NO. 20-24, A RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) AND AUTHORIZING AND DESIGNATING ISLETON FIRE DEPARTMENT FIRE CHIEF FOR THE (OIL SPILL RESPONSE EQUIPMENT STAGING) PROJECT.

SUBJECT

City of Isleton Fire Department has submitted an application to the CDFW for funding for the OIL SPILL RESPONSE EQUIPMENT STAGING.

Prior to the CDFW executing a funding agreement, City of Isleton Fire Department is required to adopt a resolution authorizing an agent, or representative, to sign the funding agreement, amendments, and requests for disbursement on behalf of City of Isleton Fire Department, and to carry out other necessary Project-related activities;


RECOMMENDATION

It is recommended that City Council approve Resolution No. 20-24, Authorizing entering into a Funding Agreement with the California Department of Fish and Wildlife (CDFW) and Authorizing and Designating Isleton Fire Department Fire Chief for the (Oil Spill Response Equipment Staging) Project.

ATTACHMENTS

- Resolution No. 20-24

Reviewed by: Uyiosa Oviawe, City Manager _____

Submitted and prepared by: Yvonne Zepeda, Deputy City Clerk 

City of Isleton Fire Department

RESOLUTION NO. 20-24

A RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) AND AUTHORIZING AND DESIGNATING ISLETON FIRE DEPARTMENT FIRE CHIEF FOR THE (OIL SPILL RESPONSE EQUIPMENT STAGING) PROJECT.

Whereas, City of Isleton Fire Department has submitted an application to the CDFW for funding for the OIL SPILL RESPONSE EQUIPMENT STAGING; and

Whereas, prior to the CDFW executing a funding agreement, City of Isleton Fire Department is required to adopt a resolution authorizing an agent, or representative, to sign the funding agreement, amendments, and requests for disbursement on behalf of City of Isleton Fire Department, and to carry out other necessary Project-related activities;

Now, therefore, be it resolved and ordered, that City of Isleton Fire Department is hereby authorized to carry out this Project, enter into a funding agreement with the CDFW, and accept and expend funds for this Project in the amount of 45,000; and

Be it further resolved and ordered, that the Isleton Fire Department Fire Chief, or designee, is hereby authorized and designated to sign for, and on behalf of City of Isleton Fire Department, the funding agreement for this Project and any amendments thereto; and

Be it further resolved and ordered, that any and all actions, whether previously or subsequently taken by City of Isleton Fire Department, which are consistent with the intent and purposes of the foregoing resolution, shall be, and hereby are, in all respects, ratified, approved, and confirmed.

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the (Isleton City Council) at the meeting thereof held on 09/24/2024.

Ayes:

Noes:

Abstained:

Absent:

Signature: _____

MAYOR, Pamela Bulahan _____

Name and title of authorized record keeper of recipient's governing board or Seal of the Clerk

City of Isleton

Treasury Report
24-Sep-24

Account Title	Acct. No.	Balance	Acct. Type
General Fund	X9701	16,144.31	Ckg
Grant Funds Account	X0201	1,210.28	Ckg
LTF Account	X9701	7,401.33	Ckg
Measure A	X7401	4,696.32	Ckg
Sewer Operations & Maint	X3301	47,292.28	Ckg
Storm Account 2023	X4201	106.81	Ckg
Total F + M accounts		76,851.33	

