

# City of Isleton

## City Council Staff Report

DATE: October 12, 2021

ITEM#: 4.A, B, C, D & E

CATEGORY: Communications

### CITY COUNCIL COMMUNICATIONS

#### SUMMARY

City has received the following communications:

- A. County of Sacramento, Order of Health Officer
- B. Sacramento County Voter Registration and Election has posted information on the upcoming November 2, 2021, City of Isleton Fire Protection Services Tax.
- C. City of Isleton Redevelopment Agency Obligation Payment.
- D. California Environmental Protection Agency-Notice.
- E. Waste Characterization Study.

#### FISCAL IMPACT

There is no fiscal impact with this appointment.

#### RECOMMENDATION

There is no action required.

#### ATTACHMENT

- County of Sacramento, Order of Health Officer
- Sacramento County Voter Registration and Election, November 2, 2021.
- City of Isleton Redevelopment Agency Obligation Payment.
- California Environmental Protection Agency-Notice.
- Waste Characterization Study.

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



## Yvonne Zepeda

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**From:** Sacramento County, CA <casacram@service.govdelivery.com>  
**Sent:** Monday, September 27, 2021 10:40 AM  
**To:** yvonne.zepeda@cityofisleton.com  
**Subject:** City of Isleton Election Update - County Voter Information Guide Mailed

***Sacramento County Voter Registration and Elections has posted information on the upcoming November 2, 2021, City of Isleton Fire Protection Services Transaction and Use Tax Special Election on our website.***

You are subscribed to Voters Press Releases for Sacramento County. This information has recently been updated, and is now available.

### [Voters Press Releases](#)

Our free news notifications are not a substitute for official means of notification where such exist. You can view or update your subscriptions at any time on your [User Profile Page](#) by just using your email address. For questions or assistance, contact [subscriberhelp.govdelivery.com](mailto:subscriberhelp.govdelivery.com). [Unsubscribe](#).

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GovDelivery, Inc. sending on behalf of Sacramento County, CA · 700 H Street, Suite 7650 · Sacramento CA 95814 · 1-800-439-1420







RIVER DELTA UNIFIED SCHOOL DISTRICT  
445 Montezuma Street  
Rio Vista, California 94571-1651  
(707) 371-1700 Fax (707) 371-2995

RECEIVED

SEP 16 2021

City of Isleton  
Attn: Chuck Bergson, P.E.  
City Manager  
P.O. Box 716  
Isleton, CA 95616

September 10, 2021

Re: City of Isleton Redevelopment Agency Obligation Payment

Dear Mr. Bergson,

The Board of Trustees for the River Delta Unified School District discussed the letter dated on July 26, 2021, that you sent to them stating that the Isleton City Council authorized the payment of 2011 Redevelopment Funds to River Delta Unified School District in the amount of \$198,034.00 at rate of \$13, 202.00 for a period of fifteen (15) years.

As stated in the Minutes of the River Delta Unified School District Board of Trustees Regular Meeting on June 22, 2021, the Trustees were willing to establish a repayment plan of the \$198,034.00 including interest with the City of Isleton over a three (3) year period. Attached is the repayment plan that was establish and the initial invoice for the first payment due on January 1, 2022.

The calculations include the interest the district would have earned starting in 2011 at the calculation of simple interest over the last ten (10) years, including the next three (3) year payment period on balance that is due.

Respectfully,

Tammy Busch  
Chief Financial Officer  
River Delta Unified School District

*Creating Excellence to Ensure That All Students Learn*

Bates School  
Clarksburg Elementary

Isleton School  
Riverview School

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

Delta High School  
Rio Vista High School

Wind River School  
Mokelumne High School

City of Isleton Redevelopment Agency Obligation Payment

Year	Owed	Interest	Yearly Interest	New Balance
2011	\$ 198,034	0.424%	\$ 839.66	\$ 198,873.66
2012	\$ 198,034	0.444%	\$ 879.27	\$ 199,752.94
2013	\$ 198,034	0.373%	\$ 738.67	\$ 200,491.60
2014	\$ 198,034	0.378%	\$ 748.57	\$ 201,240.17
2015	\$ 198,034	0.539%	\$ 1,067.40	\$ 202,307.57
2016	\$ 198,034	0.950%	\$ 1,881.32	\$ 204,188.90
2017	\$ 198,034	1.377%	\$ 2,726.93	\$ 206,915.82
2018	\$ 198,034	0.892%	\$ 1,766.46	\$ 208,682.29
2019	\$ 198,034	2.090%	\$ 4,138.91	\$ 212,821.20
2020	\$ 198,034	0.834%	\$ 1,651.60	\$ 214,472.80
2021	\$ 198,034	0.639%	\$ 1,265.44	\$ 215,738.24
2022	\$ 198,034	0.639%	\$ 1,265.44	\$ 217,003.68
			<b>\$ 18,969.68</b>	<b>Total Interest</b>
2023	\$ 144,669	0.639%	\$ 924.44	
2024	\$ 73,259	0.639%	\$ 468.13	

Payment Schedule

	Payment Due	Principal	Interest
January 1, 2022	\$ 72,334.56	\$ 53,364.88	\$ 18,969.68
	<b>Balance</b>	\$ 144,669.12	
January 1, 2023	\$ 72,334.56	\$ 71,410.12	\$ 924.44
	<b>Balance</b>	\$ 73,259.00	
January 1, 2024	\$ 73,727.13	\$ 73,259.00	\$ 468.13
	<b>Balance</b>	\$ -	



September 24, 2021



## NOTICE

**To:** Private and Public Operators of Curbside Programs, Drop-off/Collection Programs, Community Service Programs, and Recycling Centers

**Subject:** Public Rate Hearing: January 1, 2022 Recycling Program Rates  
Public Workshop: Rate Determination Survey Methodology

The Department of Resources Recycling & Recovery (CalRecycle) will present a virtual Rate Hearing and Methodology Workshop, on Thursday, October 28, 2021. CalRecycle will review, discuss, and explain proposed January 1, 2022 recycling rates for all recycling programs. CalRecycle will also share, discuss, and explain the research and survey methods used to gather data and perform the 2023 statewide segregated and commingled rate studies.

### Rate Hearing

Division 12.1, Chapter 4, Section 14549.5 (b) and (c) of the California Public Resources Code requires the Department of Resources Recycling and Recovery (CalRecycle) to conduct a public Hearing at least 60 days prior to establishing any new statewide commingled rates. CalRecycle is required to make available to the public, and any affected parties, our review of the statewide commingled rates and any proposed changes or recalculations.

The Rate Hearing will identify changes to statewide segregated and commingled rates, which are proposed to become effective January 1, 2022. There will also be an opportunity to ask questions regarding the calculation of statewide commingled rates.

The Rate Hearing will be:

Thursday, October 28, 2021

1:30 p.m. – 2:00 p.m.

Streaming only at: <https://video.calepa.ca.gov/#/>

## Survey Methodology Workshop

Pursuant to Public Resources Code Section 14549.5, CalRecycle will, through the Workshop, consult with private and public operators of curbside, drop-off/collection, community service, recycling center, and reverse vending machine programs regarding the size of the statewide sample, appropriate sampling methodologies, and alternatives to exclusive reliance on a statewide commingled rate. The research and survey methods used by CalRecycle will be presented, and questions, comments, and input will be addressed. Participants are also encouraged to present ideas for alternative rate determination methodologies at the Workshop.

Those who want to learn about the research and survey methods used by CalRecycle to gather the data used to calculate statewide commingled rates, refund values, the number of containers per pound, etc., are encouraged to attend the Workshop. We recommend that selected or alternate participants in the 2023 survey year attend live stream.

The Rate Determination Survey Methodology Workshop will be:

Thursday, October 28, 2021

2:15 p.m. – 3:15 p.m.

Streaming only at: <https://video.calepa.ca.gov/#/>

If you want to submit comments or questions, or want copies of Workshop materials, please contact Cameron Swinko at (916) 322-4867 or [Cameron.Swinko@CalRecycle.ca.gov](mailto:Cameron.Swinko@CalRecycle.ca.gov).

Sincerely,



Hieu Le  
Acting Branch Chief  
Recycling Operations Program



**Diana O'brien**

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**From:** Firch, Jill@CalRecycle <Jill.Firch@CalRecycle.ca.gov>  
**Sent:** Wednesday, October 06, 2021 2:32 PM  
**To:** Diana O'brien  
**Subject:** Waste Characterization Study  
**Attachments:** Statewide Generator Characterization Study Letter and Request\_Isleton.docx; Generator-based WCS Fact Sheet for Jurisdictions\_accessible (1).pdf

Diana,

The California Department of Resources Recycling and Recovery (CalRecycle) is conducting a major data collection effort in 2021 and the first quarter of 2022 to characterize California's waste stream. Currently, CalRecycle, the contractor (Tetra Tech) and their subcontractors, are recruiting businesses in your jurisdiction for a commercial generator-based edible food waste characterization study. The contractor will be sampling at a variety of commercial generator (business) sites to determine amount of edible food waste disposed and recycled by specific industry groups in California. This data will support implementation of SB 1383 (Lara), including edible food capacity planning.

**We are recruiting now and will continue to recruit, sampling at sites will occur from mid-October 2021 through mid-March 2022.**

Please see the attached letter and fact sheet for more details and information.

Best Regards,  
Jill Firch, CalRecycle  
916.341.6685  
jill.firch@calrecycle.ca.gov





## **CalRecycle's Commercial Generator-Based Edible Food Waste Characterization Studies**

In 2021, CalRecycle began the second commercial generator-based edible food waste study. CalRecycle conducts periodic studies, in conjunction with consultant partners, to better understand the composition and quantities of various portions of the waste stream.

### **Why are these studies so important?**

Waste characterization data routinely provides the foundation for legislation, policy decisions, and programs targeted at reducing the amount of material landfilled in California. CalRecycle, local governments, the solid waste industry, and other stakeholders utilize these essential periodic studies to provide updated information to support data-driven decision-making.

### **What do we need from our facility partners?**

Prior to the site visit, CalRecycle or the contractor will need to collect relevant information in preparation of the site visit (contact information, time and days of trash pickup, how the team can gain access to the site, etc.). The contractor will also need time to administer a survey on the facility's current food management practices. The survey may be completed by phone ahead of time.

If the complex or facility requires access through a gate or the trash is secured, the team will need access to those sites.

The facility may choose to remain anonymous and sampling data will be sent to CalRecycle without identifying information. Site specific information will not be shared in the final reports, only aggregated information will be published.

### **What will CalRecycle provide participating facilities?**

- CalRecycle will provide you with a composition report of the sample collected at your site, broken down by material type
- Eternal thanks from the CalRecycle's Waste Characterization teams!

## What types of facilities can participate in this study?

CalRecycle is potentially looking for facilities in the following industry groups:

- Supermarkets and grocery stores
- Warehouse clubs and supercenters
- Commercial bakeries
- Food manufacturers
  - Fruit, vegetable, and specialty foods
  - Perishable prepared foods
- Grocery and related produce merchant wholesalers
- Food distributors
- K-12 schools with on-site food facility
- Hospitals with on-site food facility
- Assisted living facilities with on-site food facility
- Large venues and events
- Hotels with on-site food facility
- Caterers or food production facility
- Restaurants with more than 250 seats or 5,000 square feet
  - Full-service
  - Limited-service
  - Cafeterias, grill buffets, and buffets
- Correctional Institutions

## What are the basics of this study?

Study Aspect	Commercial Generator-Based Edible Food Waste Characterization Study
Overall purpose	To better understand the types and amount of food disposed and recycled by specific industry groups that are potential Commercial Edible Food Generators under SB 1383 (Lara)
Where does the sampling occur?	At facilities that are one of the identified industry groups (e.g., supermarkets, K-12 schools).
Who is doing the recruitment?	The contractor – Tetra Tech Inc
What waste streams are included?	Disposal and organics recycling, with a food contamination check for traditional recycling bin  Participating facilities need both a disposal bin and an organics bin
What material types are included?	Sort material into eight food categories based on type and edibility, plus three categories for all other material types
How are facilities chosen for sampling?	Facilities in specific industry groups will be chosen from three regions in California: Southern Region, Bay Region, and Valley Region
Other relevant information	Will also include a survey to capture more information on how facilities currently manage their food materials
Contractor	Tetra Tech Inc.



October 6, 2021

Diana O'Brien  
Administrative Assistant  
City of Isleton

RE: Commercial Generator-Based Edible Food Waste Characterization Study Within the City of Isleton

Dear Mrs. O'Brien,

As we have done in the past, the California Department of Resources Recycling and Recovery (CalRecycle) is conducting a major data collection effort in 2021 and the first quarter of 2022 to characterize California's waste stream. Currently, CalRecycle, the contractor (Tetra Tech) and their subcontractors, are recruiting businesses in your jurisdiction for a commercial generator-based edible food waste characterization study. The contractor will be sampling at a variety of commercial generator (business) sites to determine amount of edible food waste disposed and recycled by specific industry groups in California. This data will support implementation of SB 1383 (Lara), including edible food capacity planning.

**While we are recruiting now and will continue to recruit, sampling at sites will occur from mid-October 2021 through mid-March 2022.** The safety of the public, staff at sampling sites, and our sampling team is of utmost importance to the State of California. While sampling teams have extensive health and safety protocols, these protocols now include increased precautions due to COVID-19. All sampling teams will be wearing PPE (gloves, safety vests, hard hats, eye protection and masks) for the duration of retrieving the samples from sites.

When sites are recruited for the studies, project staff will alert the hauler (if known) and jurisdiction to make them aware of the sampling. All data collected from businesses will remain confidential, and only aggregate statewide data will be reported. The Contractor, Tetra Tech, will offer the site its own detailed composition data if they would like the information.

**Do you have any suggestions for businesses operators who may be interested in participating in these studies?** We have attached a fact sheet with more information.

**In your jurisdiction, we are looking for businesses in the following categories:**

Generator Group Name / NAICS Code	Number of Businesses
Caterers (food production facility) and food service contractors / 72232	10

Commercial Bakeries / 311812	10
Food distributors	10
Fruit, vegetable & specialty foods manufacturing / 3114	10
Grocery and Related Products Merchant Wholesalers / 4244	10
Perishable prepared food manufacturing / 311991	10

For questions or suggestions for potential sampling sites, please contact:

Commercial Generator Study Team

Ken King, Generator Study Project Manager

(916) 323-0574 | [Kenneth.King@calrecycle.ca.gov](mailto:Kenneth.King@calrecycle.ca.gov)

Jennifer Haynes White, Generator Study Recruitment Lead

(916) 341-6456 | [Jennifer.HaynesWhite@calrecycle.ca.gov](mailto:Jennifer.HaynesWhite@calrecycle.ca.gov)

Waste Characterization Team email: [wastechar@CalRecycle.ca.gov](mailto:wastechar@CalRecycle.ca.gov)

Thank you for your cooperation in these important studies.

Sincerely,

Jill Firch



# City of Isleton

City Council  
Staff Report

DATE: October 12, 2021

ITEM#: 5.A

CATEGORY: Consent Calendar

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**MINUTES OF THE REGULAR CITY COUNCIL MEETINGS OF SEPTEMBER 14, 2021 AND SEPTEMBER 28, 2021.**

## **SUMMARY**

Review of the Regular City Council Meetings of September 14, 2021 and September 28, 2021.

## **FISCAL IMPACT**

There is no fiscal impact associated with this action.

## **RECOMMENDATION**

City Council review and approve the draft minutes of the Regular City Council Meeting on September 14, 2021 and September 28, 2021.

## **ATTACHMENTS**

Minutes of September 14, 2021 and September 28, 2021.

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

Submitted and prepared by: Yvonne Zepeda, Deputy City Clerk 





**CITY OF ISLETON**

**Regular City Council Meeting Minutes**

Tuesday, September 28, 2021 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

You can call in to join our public meeting or come in person

**TELECONFERENCE OR IN PERSON**

**ORDER OF THE HEALTH OFFICER OF THE COUNTY OF SACRAMENTO DIRECTING  
ALL INDIVIDUALS IN THE COUNTY TO WEAR FACE COVERINGS INDOORS IN  
WORKPLACES AND PUBLIC SETTINGS**

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**1. OPENING CEREMONIES**

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

B. Pledge of Allegiance

C. Roll Call

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

**2. AGENDA CHANGES OR DELETIONS**

ACTION: None.

**3. PUBLIC COMMENT**

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

ACTION: Sue Tipp – Main Street Ordinance update, no living in commercial front space. Installed signs and banners on Main St to spruce it up. Joe Kessner -1/2 cent sales tax. All cannabis sales will not have to pay half cent tax? Don Cain –Ballot measure Over sight board committee, to maintain.

**4. COMMUNICATIONS**

A. County of Sacramento, Order of Health Officer.

B. 2022 Budget/Project – Community Development, SHRA.

**C. CONVERGE**

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

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

D. Sacramento Yolo Mosquito Vector Control District.

ACTION: Information only.

## 5. CONSENT CALENDAR

- A. **SUBJECT:** Approval of Minutes of the Special City Council Meeting of August 5, 2021 and September 9, 2021.

**RECOMMENDATION:** City Council review and approve draft minutes of the Special City Council Meeting of August 5, 2021 and September 9, 2021.

**ACTION:** Councilmember Paul Steele motion to approve draft minutes of the Special City Council Meeting of August 5, 2021 and September 9, 2021. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 4-0.

## 6. PUBLIC HEARINGS

- A. **SUBJECT:** None.

## 7. OLD BUSINESS

- A. **SUBJECT:** Transbay Challenge 3, Special Event License, October 30, 2021, Applicant; Emerald Farm Tours, LLC.

**RECOMMENDATION:** Approve permit with conditions.

**ACTION:** Councilmember Iva Walton motion to approve permit with conditions.

Councilmember Paul Steele second the motion. **AYES:** Councilmember Paul Steele, Iva Walton. **NOES:** Vice Mayor Pamela Bulahan, Mayor Eric Pene. **ABSTAIN:** None.

**ABSENT:** None. **NOT PASSED** 2-2.

## 8. NEW BUSINESS

- A. **SUBJECT:** Authorize the City Manager to enter into a contract between the City of Isleton and California Consulting, Inc. for Grant Management Services.

**RECOMMENDATION:** It is recommended the City Council authorize the City Manager to enter into a one-year contract with California Consulting for Grants Administration for FY 2021-2022.

**ACTION:** By consensus authorized City Manager to negotiate contract with California Consulting for Grants services providing there is a cap on applications that have no results and bring back to City Council.

- B. **SUBJECT:** City of Isleton, Wastewater System Evaluation, Presented by Dave Harding, PE, Bennett Engineering Services.

**RECOMMENDATION:** Receive and file.

**ACTION:** Received report from Dave Harding of Bennett Engineering on the Wastewater System Evaluation and come back next year.

**C. SUBJECT: Code Enforcement Officer.**

**RECOMMENDATION:** Staff requests direction from City Council to approve hiring part-time or full-time code enforcement officer.

**ACTION:** Directed staff to complete a job description and pay scale for Code Enforcement Officer and take back to council for review.

**9. COUNCIL REPORTS AND COMMITTEE UPDATES**

- A. Councilmember Vacant
- B. Councilmember Paul Steele – Delta Protection Committee.
- C. Councilmember Iva Walton – Isleton voted best City in the Delta. Thank you staff for your efforts.
- D. Vice Mayor Pamela Bulahan – None.
- E. Mayor Eric Pene – Paving starting next month.

**10. STAFF GENERAL REPORTS AND DISCUSSION**

- A. City Manager Report – Attached.
- B. Fire Chief Report – None.

**11. CLOSED SESSION:**

Closed Session – Gov't Code §54956.8  
Property Negotiations.  
No reportable action.

**12. ADJOURNMENT**

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
MAYOR, Eric Pene

ATTEST:

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



## CITY OF ISLETON

### Regular City Council Meeting Minutes

Tuesday, September 14, 2021 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

You can call in to join our public meeting or come in person

**TELECONFERENCE OR IN PERSON**

### **ORDER OF THE HEALTH OFFICER OF THE COUNTY OF SACRAMENTO DIRECTING ALL INDIVIDUALS IN THE COUNTY TO WEAR FACE COVERINGS INDOORS IN WORKPLACES AND PUBLIC SETTINGS**

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

- A. Welcome & Call to Order – Mayor Eric Pene called to order 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call

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

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

ACTION: None.

#### **3. PUBLIC COMMENT**

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

ACTION: Terri Comfort - 99 Jackson, fence up? City Manager said I made three calls and a letter, 14 days from Friday, we put it up. Don Cain – 59 Main St. /Minutes release, unless CC approves them. City Attorney check on that/ Cannabis on Main St. license. Mayor Eric Pene we are coming up on that. Janelle Taggart, how do you enforce livestock in town?

#### **4. COMMUNICATIONS**

A. County of Sacramento, Order of Health Officer.

B. Update on National Telecommunications and Information Administration Broadband Grant application for Isleton City Council.

ACTION: Information received.

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

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

## 5. CONSENT CALENDAR

- A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of July 13, 2021 and July 27, 2021 and August 10, 2021.

**RECOMMENDATION:** City Council review and approve draft minutes of the Regular City Council Meetings of July 13, 2021 and July 27 and August 10, 2021.

**ACTION:** Councilmember's Paul Steele motion to approve draft minutes of the Regular City Council Meeting of July 13, 2021. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 4-0.** Councilmember Iva Walton motion to approve draft minutes of the Regular City Council Meeting of July 27, 2021. Councilmember Paul Steele second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 4-0.** August 10, 2021 was missed and be brought back to next meeting.

## 6. PUBLIC HEARINGS

- A. **SUBJECT:** None.

## 7. OLD BUSINESS

- A. **SUBJECT:** American Rescue Plan Act Fund Allocation.

**RECOMMENDATION:** Staff recommends City Council approve for American Rescue Plan Act allocation.

**ACTION:** Councilmember Paul Steele motion to approve American Rescue Plan Act allocation. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 4-0.**

## 8. NEW BUSINESS

- A. **SUBJECT:** Notice of Cal-Waste Refuse and Recycle rate increase to start October 1, 2021.

**RECOMMENDATION:** Staff recommends City Council review rates and give direction to staff.

**ACTION:** Council directed to draft resolution to City Manager Charles Bergson.

- B. **SUBJECT:** Transbay Challenge 3, Special Event License. Applicant; Emerald Farm Tours, LLC.

**RECOMMENDATION:** Approve permit with conditions.

**ACTION:** Councilmember Paul Steele motion to approve permit with conditions. Councilmember Iva Walton second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton. **NOES:** Vice Mayor Pamela Bulahan, Mayor Eric Pene. **ABSTAIN:** None. **ABSENT:** None. **NOT PASSED 2-2.**

- C. **SUBJECT:** Street Sweeping Program-Second Street & Main Street, proposed.

**RECOMMENDATION:** It is recommended that the City Council review and provide direction on the proposed street sweeping program for Second Street and Main Street.

**ACTION:** Council by consensus asked staff to obtain 3 bids and pursue it.

- D. **SUBJECT:** The City of Isleton, City Council to nominate Thomas Malson to serve as the Representative to the Sacramento Environmental Commission for the upcoming three year term.

**RECOMMENDATION:** It is recommended that the City Council of the City of Isleton, reappoint Thomas Malson in support of Folsom and Galt's nomination of reappointment as the Representative to the Sacramento Environmental Commission.

**ACTION:** Councilmember Paul Steele motion to reappoint Thomas Malson in support of Folsom and Galt's nomination of reappointment as the Representative to the Sacramento Environmental Commission. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 4-0.**

#### 9. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Vacant
- B. Councilmember Paul Steele – Delta Protection Committee.
- C. Councilmember Iva Walton – Apartment inspection program start, end of Sept. or Oct.
- D. Vice Mayor Pamela Bulahan – SACOG. Abandoned truck on union.
- E. Mayor Eric Pene – RV talks, new change.

#### 10. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report – Attached.
- B. Fire Chief Report – August 21, Reserve engine to Amador and Caldor fire 25 days-50-55k, reimbursement.

#### 11. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
MAYOR, Eric Pene

ATTEST:

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





# City of Isleton

City Council  
Staff Report

DATE: October 12, 2021

ITEM#: 7.A

CATEGORY: Old Business

## CODE ENFORCEMENT OFFICER; DISCUSSION AND DIRECTION

### SUMMARY

Upon suggestions of public and the Planning Commission, the Council has directed that the City establish a code enforcement position and have a code enforcement officer.

The Code Enforcement Officer is authorized, and it shall be his duty, to enforce the provisions of all ordinances, resolutions, rules and regulations of the City (Isleton Municipal Code Title I General Provisions Chapters 1.08 Code Enforcement Authority (Reserved) and Chapter 1.10 Administrative Citations).

### DISCUSSION

The City has lacked code enforcement since the 2012 closing of the City Police Department. The Sheriff contract does not provide for code enforcement. Since that time Code Enforcement has been ad-hoc by various members of staff or none at all.

The City can establish a part-time Code Enforcement Officer at an expense of \$20,160 annually. Typically, Code enforcement operations are not self-sufficient. However, their costs will be offset by citations and fines. A suggested position description and associated duties is attached.

### FISCAL IMPACT

#### Financial Estimated Revenue and Expenses

Revenue	
Administrative Citations	\$10,000 to \$20,000
Expenses	
Code Enforcement Officer Part-time	\$20,160
Code Enforcement Officer Full-time	\$40,320

### RECOMMENDATION

That City Council establish a Code Enforcement Officer position and set its pay scale.

### ATTACHMENTS

- Job Description.

Prepared by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Revised 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 Fax: 916-777-7775

## About the Code Enforcement Division

Code Enforcement works to administer a fair and unbiased enforcement program, improve the overall appearance of the City, and works with residents, neighborhood associations, public service agencies, and other City departments to facilitate voluntary compliance with City codes.

## CITY OF ISLETON

### CODE ENFORCEMENT OFFICER

Part-Time

**THE POSITION:** Under general direction, conducts a variety of code enforcement related and routine investigations in the enforcement of City codes, ordinances, and abatement regulations; and performs related responsibilities as required.

### SALARY:

**QUALIFICATIONS:** Any combination of education, experience and training which demonstrates the knowledge, skills, and abilities to perform the duties of the position and to learn skills normally acquired on the job is qualifying. A typical entrance background is: Any combination equivalent to completion of twelfth grade (G.E.D. equivalent) and one (1) year of code enforcement experience or closely related field.

**Licenses/Certificates:** Possession of a valid Class C California Motor Vehicle Operator's License.

**THE SELECTION PROCESS:** Applications will be reviewed and evaluated; applicants who appear to be more qualified in terms of experience, education, and training will be invited to participate further. All applicants will be advised on their status in the selection process. The selection process may include written examination, drug and alcohol screening, and any other testing that may be deemed necessary. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the job.

**APPLY:** City of Isleton, Human Resources Services, 101 Second Street, Isleton, CA. 95641, telephone 916-777-7770. City application is required. Deadline to apply: October 29, 2021 by 5:00 p.m. [www.cityofisleton.com](http://www.cityofisleton.com)



# City of Isleton

City Council  
Staff Report

DATE: October 12, 2021

ITEM#: 7.B

CATEGORY: Old Business

## AMENDED RESOLUTION 005-21, RESOLUTION 009-21 AMENDING ISLETON VEHICLE BAIL SCHEDULE

### SUMMARY

Staff is recommending the addition of CVC violations to the Isleton Bail Schedule for the Parking Enforcement Pilot Program that was approved on the March 9, 2021, Resolution 005-21.

### DISCUSSION

Adding the below CVC violations will assist to tow abandoned and hazardous vehicles in a timely manner. During the preparation of the initial ordinance for parking enforcement, these code violations were overlooked.

CVC 22651 a,b,d,e,f,g,h(1)(2),i(1), j, k, l, m, n, o, p, r, 3, 5, 9 \$57.50

CVC 22661 - Abandoned Vehicle \$57.50

IMC 7.04.130 - When vehicles may be removed from streets

### FISCAL IMPACT

These additions will increase the fire & fee revenue a nominal amount.

### RECOMMENDATION

Staff requests City Council to adopt updated Resolution 005-21 and updating the Isleton Vehicle Bail Schedule for the Isleton Parking Enforcement Pilot Program

### ATTACHMENTS

- A. Resolution 009-021 Amending Isleton Vehicle Traffic Bail Schedule
- B. Updated Isleton Vehicle Bail Schedule
- C. Vehicle Code 22500 and Vehicle Code 22651

Prepared by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Deputy City Clerk



**RESOLUTION NO. 026-21**

**RESOLUTION 026-21 AMENDING RESOLUTION 005-21 CITY COUNCIL OF THE CITY OF ISLETON APPROVING ISLETON VEHICLE TRAFFIC BAIL SCHEDULE FOR THE PARKING ENFORCEMENT PROGRAM**

**WHEREAS**, California Vehicle Code Section 40200 et seq. authorizes cities to impose and collect civil fines and penalties for violations of any regulation pertaining to the stopping, standing or parking of a vehicle, and related charges, as specified in the California Vehicle Code, any federal statute or regulation, or any local ordinance; and

**WHEREAS**, Section 40203.5 of the California Vehicle Code authorizes the Cities of California to establish parking penalties for parking violations; and

**WHEREAS**, the Isleton Municipal Code, Chapter 1.10, Administrative Citations, establishes the citation proceedings and fines for any provision of the Isleton Municipal Code.

**WHEREAS**, the Isleton Municipal Code, Chapter 7, establishes regulations for vehicular and pedestrian traffic.

**WHEREAS**, the City Council of the City of Isleton has established a schedule of penalties for parking violations and related charges committed within the boundaries of the City of Isleton

**WHEREAS**, applicable State Law, including but not limited to California Vehicle Code Section 40200.3, permits the City to also recover administrative fees, process service fees, collection costs related to civil debt collection, late payment and other related charges pertaining to parking violations and related charges, and provides procedures governing the above; and

**WHEREAS**, the City Council desires to add the additional CVC violations to the City of Isleton

CVC 22651 a,b,d,e,f,g,h(1)(2),i(1), j, k, l, m, n, o, p, r, 3, 5, 9 \$57.50

CVC 22661 - Abandoned Vehicle \$57.50

IMC 7.04.130 - When vehicles may be removed from streets

**NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF ISLETON DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. The Schedule of Penalties for Parking Violations and Related Charges are set forth on Attachment "A" City of Isleton Vehicle Traffic Bail Schedule with additional CVC violations:

CVC 22651 a,b,d,e,f,g,h(1)(2),i(1), j, k, l, m, n, o, p, r, 3, 5, 9 \$57.50

CVC 22661 - Abandoned Vehicle \$57.50

IMC 7.04.130 - When vehicles may be removed from streets

Section 2. All other previous resolutions establishing the Schedule of Penalties for Parking Violations and Related Charges committed within the boundaries of the City of Isleton are hereby superseded by this Resolution 005-21 upon its date of adoption.

Section 3. The City shall adjust its schedule for penalties for parking violations and related charges every 24 months subsequent to the adoption of this resolution. The Finance Department of the City of Isleton shall adjust the penalties by applying the change in the Consumer Price Index for the Sacramento County Bail Schedule.

In addition to those penalties set forth in the City's Schedule of Penalties, the City Council hereby adopts and adds the following provision to its Schedule of Penalties:

“Should it become necessary or desirable for the City to seek collection of any penalty for a parking violation or related charge and/or a late payment penalty by referral to the California Department of Motor Vehicles, the California State Franchise Board or through a processing agency, collection agency, attorney or other collection service, the person not paying shall, in addition to the amounts owing for the penalty for a parking violation or related charge and any late payment penalties, be liable for the penalized further in the amount of the total actual out of pocket administrative costs, civil service of process costs, attorney's fees, and other direct costs incurred by the City to collect said delinquent penalties. This additional amount shall reimburse the City for collection costs related to civil debt collection.”

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered in the Book of Resolutions of the City of Isleton; and shall make a record of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same was passed adopted

Section 5. This Resolution shall take effect immediately upon its adoption by the City Council

Section 6. If any section, sub-section, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have adopted the Resolution and each section, sub-section, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

The foregoing Resolution 026-21 was introduced at a regular meeting of the City Council of the City of Isleton duly held on the 12<sup>th</sup> day of October, 2021, and was approved and enacted at a duly held regular meeting of the City Council held on the 12<sup>th</sup> day of October, 2021 by the following roll call vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Mayor, Eric Pene

ATTEST:

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





**CITY OF ISLETON**  
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**City of Isleton Vehicle Bail Schedule**  
 October 12, 2021

Legal Code	Key Code	Violation Description	Amount	Eff. Date	Notice	1 <sup>st</sup> Penalty	2 <sup>nd</sup> Penalty
CVC 26710	26710	Defective Windshield	\$35.00	01/17/11	+ 6 days	N + 15 days + \$35.00	N + 44 days + \$8.00
CVC 21113 (a)	2113a	Non Designated Parking	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 21461 (a)	21461a	Obedience to Off. Traffic Control Device	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22500 (b)	22500b	Crosswalk	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22500 (c)	22500c	Blocked Driveway	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22500 (f)	22500f	Sidewalk	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22500 (h)	22500h	Double Parked	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22500 (i)	22500i	Bus Zone	\$367.50	01/17/11	+ 6 days	N + 15 days + \$367.50	N + 44 days + \$8.00
CVC 22500 (1)	225001	Block Sidewalk Wheelchair Access	\$107.50	12/01/14	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22500.1	225001	Fire Lane	\$107.50	01/17/11	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22502 (a)	22502a	18 Inches from Curb	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22502 (b) (2)	22502b2	Wrong Side of Street	\$57.50	01/01/17	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22505 (a) (1)	22505a1	Stopping Prohibited	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22505 (b)	22505b	State Highway Parking Restricted	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22507.8 (a)	225078a	Disabled Space Parked in Stall Space	\$407.50	01/17/11	+ 6 days	N + 15 days + \$407.50	N + 44 days + \$8.00
CVC 22507.8 (b)	225078b	Disabled Space Parked Blocking Space	\$407.50	01/17/11	+ 6 days	N + 15 days + \$407.50	N + 44 days + \$8.00
CVC22507.8 (c1)	225078c1	Disabled Space Parked Over Space Line	\$407.50	01/17/11	+ 6 days	N + 15 days + \$407.50	N + 44 days + \$8.00
CVC 22507.8 (c2)	225078c2	Disabled Space Parked in Crosshatch Line	\$407.50	01/17/11	+ 6 days	N + 15 days + \$407.50	N + 44 days + \$8.00
CVC 22514	22514	Fire Hydrant	\$107.50	01/17/11	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22520	22520	Stopping on Freeway	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 22523 (a)	22523a	Abandoned Vehicle-Highway	\$107.50	01/17/11	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(a)	22651a	Parked Unattended Upon Any Bridge, Hazard	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(b)	22651b	Parked or Left Standing on a Highway, Hazard	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(d)	22651d	Parked Blocking a Driveway	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(e)	22651e	Parked Blocking a Fire Hydrant	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(f)	22651f	Parked or Left Standing for more than Four Hours	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(g)	22651g	Driver Injured or Incapacitated	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(h)(1)(2)	22651h1.2	Driver Served Notice of an Order of Suspension VC 23137	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(i)	22651i	More than Five Unpaid Parking Citations	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(j)	22651j	Illegally Parked, No License Plates or Registration	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(k)	22651k	Parked Over 72 Hours	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00



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**City of Isleton Vehicle Bail Schedule**  
 October 12, 2021

Legal Code	Key Code	Violation Description	Amount	Eff. Date	Notice	1 <sup>st</sup> Penalty	2 <sup>nd</sup> Penalty
CVC 22651(l)	22651l	Parked in Violation of Local Ordinance/Road Repair/Construction	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(m)	22651m	Parked Illegally in Area Designated Other than Traffic Flow	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(n)	22651n	Parking Prohibited by Local Ordinances or Resolution	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(o)	22651o	Vehicle Registration Expired Over Six Months	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(p)	22651p	Driver Issued a Citation for 12500 CVC or 14601 CVC	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651(r)	22651r	Parked Illegally and Blocking a Legally Parked Vehicle	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651.3	22651.3	Removal From Off-Street Parking Facility. 5+ Parking Citations	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651.5	22651.5	Parked with Audible Alarm Sounding	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22651.9	22651.9	Parked for Sale or Advertisement	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 22661	22661	Abandoned Vehicle	\$57.50	10/12/21	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
CVC 4000 (a)	4000a	Expired Registration	\$115.50	01/17/11	+ 6 days	N + 15 days + \$115.50	N + 44 days + \$8.00
CVC 40226	40226	Disabled Placard Not Properly Displayed	\$25.00	01/17/11	+ 6 days	N + 15 days + \$25.00	N + 44 days + \$8.00
CVC 4152.5	41525	Expired Foreign Registration	\$115.50	01/17/11	+ 6 days	N + 15 days + \$115.50	N + 44 days + \$8.00
CVC 4462 (b)	4462B	Evidence of Registration	\$115.50	01/17/11	+ 6 days	N + 15 days + \$115.50	N + 44 days + \$8.00
CVC 5200	5200	Display of Plate	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
CVC 5201 (c)	5200c	No Cover Permitted on Plate	\$115.50	01/17/11	+ 6 days	N + 15 days + \$115.50	N + 44 days + \$8.00
CVC 5204 (a)	5204a	Current Tabs	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.010 (1)	10240101	Curb Marking – Red	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.030 (b)	1024030b	Prohibited Stop-Standing	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.060 (a)	1024060a	Prohibited Parking in Alleys-Parkways	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.070 (a)	1024070a	Vehicle Parked for Sale	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.070 (b)	1024070b	72 Storing Hours or more – Parking	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.070 (c)	1024070c	Wrong Way Parking	\$57.50	01/01/10	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.070 (h)	1024070h	Unauth-Comm1	\$107.50	01/17/11	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
SCO 10.24.070 (i)	1024070i	Unauth-R.V.	\$107.50	01/17/11	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
SCO 10.24.070 (j)	1024070j	Detached Trailer	\$107.50	01/17/11	+ 6 days	N + 15 days + \$107.50	N + 44 days + \$8.00
SCO 10.24.100 (b)	1024100b	Limited-Time Parking Signs	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.140	1024140	Angle Parking	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.170 (b)	1024170b	Limited-Time Park County Property	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 10.24.175	1024175	Violation to Signs	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00



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**City of Isleton Vehicle Bail Schedule**  
October 12, 2021

Legal Code	Key Code	Violation Description	Amount	Eff. Date	Notice	1 <sup>st</sup> Penalty	2 <sup>nd</sup> Penalty
SCO 10.24.180	1024180	Parking on Private Prop/Violation of Signs	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 11.09.175	1009175	Unauthorized Pick Up Area	\$100.00	07/01/17	+ 6 days	N + 15 days + \$100.00	N + 44 days + \$8.00
SCO 9.36.048 (b)	936048	Park Signage Restrictions (posted)	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00
SCO 9.36.065 (e)	936065e	Parking within closed Park	\$57.50	01/17/11	+ 6 days	N + 15 days + \$57.50	N + 44 days + \$8.00



**VEHICLE CODE - VEH****DIVISION 11. RULES OF THE ROAD [21000 - 23336]** ( *Division 11 enacted by Stats. 1959, Ch. 3.* )**CHAPTER 9. Stopping, Standing, and Parking [22500 - 22526]** ( *Chapter 9 enacted by Stats. 1959, Ch. 3.* )

**22500.** A person shall not stop, park, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places:

- (a) Within an intersection, except adjacent to curbs as may be permitted by local ordinance.
- (b) On a crosswalk, except that a bus engaged as a common carrier or a taxicab may stop in an unmarked crosswalk to load or unload passengers when authorized by the legislative body of a city pursuant to an ordinance.
- (c) Between a safety zone and the adjacent right-hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, which sign or paint was erected or placed by local authorities pursuant to an ordinance.
- (d) Within 15 feet of the driveway entrance to a fire station. This subdivision does not apply to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle.
- (e) (1) In front of a public or private driveway, except that a bus engaged as a common carrier, schoolbus, or a taxicab may stop to load or unload passengers when authorized by local authorities pursuant to an ordinance.  
(2) In unincorporated territory, where the entrance of a private road or driveway is not delineated by an opening in a curb or by other curb construction, so much of the surface of the ground as is paved, surfaced, or otherwise plainly marked by vehicle use as a private road or driveway entrance, shall constitute a driveway.
- (f) On a portion of a sidewalk, or with the body of the vehicle extending over a portion of a sidewalk, except electric carts when authorized by local ordinance, as specified in Section 21114.5. Lights, mirrors, or devices that are required to be mounted upon a vehicle under this code may extend from the body of the vehicle over the sidewalk to a distance of not more than 10 inches.
- (g) Alongside or opposite a street or highway excavation or obstruction when stopping, standing, or parking would obstruct traffic.
- (h) On the roadway side of a vehicle stopped, parked, or standing at the curb or edge of a highway, except for a schoolbus when stopped to load or unload pupils in a business or residence district where the speed limit is 25 miles per hour or less.
- (i) Except as provided under Section 22500.5, alongside curb space authorized for the loading and unloading of passengers of a bus engaged as a common carrier in local transportation when indicated by a sign or red paint on the curb erected or painted by local authorities pursuant to an ordinance.
- (j) In a tube or tunnel, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility.
- (k) Upon a bridge, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility, and except that buses engaged as a common carrier in local transportation may stop to load or unload passengers upon a bridge where sidewalks are provided, when authorized by local authorities pursuant to an ordinance, and except that local authorities pursuant to an ordinance or the Department of Transportation pursuant to an order, within their respective jurisdictions, may permit parking on bridges having sidewalks and shoulders of sufficient width to permit parking without interfering with the normal movement of traffic on the roadway. Local authorities, by ordinance or resolution, may permit parking on these bridges on state highways in their respective jurisdictions if the ordinance or resolution is first approved in writing by the Department of

Transportation. Parking shall not be permitted unless there are signs in place, as may be necessary, to indicate the provisions of local ordinances or the order of the Department of Transportation.

(l) In front of or upon that portion of a curb that has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk.

(m) In a portion of a highway that has been designated for the exclusive use of public transit buses.

*(Amended by Stats. 2016, Ch. 716, Sec. 2. (SB 998) Effective January 1, 2017.)*



**VEHICLE CODE - VEH**

**DIVISION 11. RULES OF THE ROAD [21000 - 23336]** (*Division 11 enacted by Stats. 1959, Ch. 3.*)

**CHAPTER 10. Removal of Parked and Abandoned Vehicles [22650 - 22856]** (*Chapter 10 enacted by Stats. 1959, Ch. 3.*)

**ARTICLE 1. Authority to Remove Vehicles [22650 - 22711]** (*Article 1 enacted by Stats. 1959, Ch. 3.*)

**22651.** A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or a regularly employed and salaried employee, who is engaged in directing traffic or enforcing parking laws and regulations, of a city, county, or jurisdiction of a state agency in which a vehicle is located, may remove a vehicle located within the territorial limits in which the officer or employee may act, under the following circumstances:

- (a) If a vehicle is left unattended upon a bridge, viaduct, or causeway or in a tube or tunnel where the vehicle constitutes an obstruction to traffic.
- (b) If a vehicle is parked or left standing upon a highway in a position so as to obstruct the normal movement of traffic or in a condition so as to create a hazard to other traffic upon the highway.
- (c) If a vehicle is found upon a highway or public land and a report has previously been made that the vehicle is stolen or a complaint has been filed and a warrant thereon is issued charging that the vehicle was embezzled.
- (d) If a vehicle is illegally parked so as to block the entrance to a private driveway and it is impractical to move the vehicle from in front of the driveway to another point on the highway.
- (e) If a vehicle is illegally parked so as to prevent access by firefighting equipment to a fire hydrant and it is impracticable to move the vehicle from in front of the fire hydrant to another point on the highway.
- (f) If a vehicle, except highway maintenance or construction equipment, is stopped, parked, or left standing for more than four hours upon the right-of-way of a freeway that has full control of access and no crossings at grade and the driver, if present, cannot move the vehicle under its own power.
- (g) If the person in charge of a vehicle upon a highway or public land is, by reason of physical injuries or illness, incapacitated to an extent so as to be unable to provide for its custody or removal.
- (h) (1) If an officer arrests a person driving or in control of a vehicle for an alleged offense and the officer is, by this code or other law, required or permitted to take, and does take, the person into custody.
- (2) If an officer serves a notice of an order of suspension or revocation pursuant to Section 13388 or 13389.
- (i) (1) If a vehicle, other than a rented vehicle, is found upon a highway or public land, or is removed pursuant to this code, and it is known that the vehicle has been issued five or more notices of parking violations to which the owner or person in control of the vehicle has not responded within 21 calendar days of notice of citation issuance or citation issuance or 14 calendar days of the mailing of a notice of delinquent parking violation to the agency responsible for processing notices of parking violations, or the registered owner of the vehicle is known to have been issued five or more notices for failure to pay or failure to appear in court for traffic violations for which a certificate has not been issued by the magistrate or clerk of the court hearing the case showing that the case has been adjudicated or concerning which the registered owner's record has not been cleared pursuant to Chapter 6 (commencing with Section 41500) of Division 17, the vehicle may be impounded until that person furnishes to the impounding law enforcement agency all of the following:
  - (A) Evidence of his or her identity.
  - (B) An address within this state where he or she can be located.

(C) Satisfactory evidence that all parking penalties due for the vehicle and all other vehicles registered to the registered owner of the impounded vehicle, and all traffic violations of the registered owner, have been cleared.

(2) The requirements in subparagraph (C) of paragraph (1) shall be fully enforced by the impounding law enforcement agency on and after the time that the Department of Motor Vehicles is able to provide access to the necessary records.

(3) A notice of parking violation issued for an unlawfully parked vehicle shall be accompanied by a warning that repeated violations may result in the impounding of the vehicle. In lieu of furnishing satisfactory evidence that the full amount of parking penalties or bail has been deposited, that person may demand to be taken without unnecessary delay before a magistrate, for traffic offenses, or a hearing examiner, for parking offenses, within the county where the offenses charged are alleged to have been committed and who has jurisdiction of the offenses and is nearest or most accessible with reference to the place where the vehicle is impounded. Evidence of current registration shall be produced after a vehicle has been impounded, or, at the discretion of the impounding law enforcement agency, a notice to appear for violation of subdivision (a) of Section 4000 shall be issued to that person.

(4) A vehicle shall be released to the legal owner, as defined in Section 370, if the legal owner does all of the following:

(A) Pays the cost of towing and storing the vehicle.

(B) Submits evidence of payment of fees as provided in Section 9561.

(C) Completes an affidavit in a form acceptable to the impounding law enforcement agency stating that the vehicle was not in possession of the legal owner at the time of occurrence of the offenses relating to standing or parking. A vehicle released to a legal owner under this subdivision is a repossessed vehicle for purposes of disposition or sale. The impounding agency shall have a lien on any surplus that remains upon sale of the vehicle to which the registered owner is or may be entitled, as security for the full amount of the parking penalties for all notices of parking violations issued for the vehicle and for all local administrative charges imposed pursuant to Section 22850.5. The legal owner shall promptly remit to, and deposit with, the agency responsible for processing notices of parking violations from that surplus, on receipt of that surplus, the full amount of the parking penalties for all notices of parking violations issued for the vehicle and for all local administrative charges imposed pursuant to Section 22850.5.

(5) The impounding agency that has a lien on the surplus that remains upon the sale of a vehicle to which a registered owner is entitled pursuant to paragraph (4) has a deficiency claim against the registered owner for the full amount of the parking penalties for all notices of parking violations issued for the vehicle and for all local administrative charges imposed pursuant to Section 22850.5, less the amount received from the sale of the vehicle.

(j) If a vehicle is found illegally parked and there are no license plates or other evidence of registration displayed, the vehicle may be impounded until the owner or person in control of the vehicle furnishes the impounding law enforcement agency evidence of his or her identity and an address within this state where he or she can be located.

(k) If a vehicle is parked or left standing upon a highway for 72 or more consecutive hours in violation of a local ordinance authorizing removal.

(l) If a vehicle is illegally parked on a highway in violation of a local ordinance forbidding standing or parking and the use of a highway, or a portion thereof, is necessary for the cleaning, repair, or construction of the highway, or for the installation of underground utilities, and signs giving notice that the vehicle may be removed are erected or placed at least 24 hours prior to the removal by a local authority pursuant to the ordinance.

(m) If the use of the highway, or a portion of the highway, is authorized by a local authority for a purpose other than the normal flow of traffic or for the movement of equipment, articles, or structures of unusual size, and the parking of a vehicle would prohibit or interfere with that use or movement, and signs giving notice that the vehicle may be removed are erected or placed at least 24 hours prior to the removal by a local authority pursuant to the ordinance.

(n) Whenever a vehicle is parked or left standing where local authorities, by resolution or ordinance, have prohibited parking and have authorized the removal of vehicles. Except as provided in subdivisions (v) and (w), a vehicle shall not be removed unless signs are posted giving notice of the removal.

(o) (1) If a vehicle is found or operated upon a highway, public land, or an offstreet parking facility under any of the following circumstances:

(A) With a registration expiration date in excess of six months before the date it is found or operated on the highway, public lands, or the offstreet parking facility.



(B) Displaying in, or upon, the vehicle, a registration card, identification card, temporary receipt, license plate, special plate, registration sticker, device issued pursuant to Section 4853, or permit that was not issued for that vehicle, or is not otherwise lawfully used on that vehicle under this code.

(C) Displaying in, or upon, the vehicle, an altered, forged, counterfeit, or falsified registration card, identification card, temporary receipt, license plate, special plate, registration sticker, device issued pursuant to Section 4853, or permit.

(D) (i) The vehicle is operating using autonomous technology, without the registered owner or manufacturer of the vehicle having first applied for, and obtained, a valid permit that is required to operate the vehicle on public roads pursuant to Section 38750, and Article 3.7 (commencing with Section 227.00) and Article 3.8 (commencing with Section 228.00) of Title 13 of the California Code of Regulations.

(ii) The vehicle is operating using autonomous technology after the registered owner or person in control of the vehicle received notice that the vehicle's permit required for the operation of the vehicle pursuant to Section 38750, and Article 3.7 (commencing with Section 227.00) and Article 3.8 (commencing with Section 228.00) of Title 13 of the California Code of Regulations is suspended, terminated, or revoked.

(iii) For purposes of this subdivision, the terms "autonomous technology" and "autonomous vehicle" have the same meanings as in Section 38750.

(iv) This subparagraph does not provide the authority for a peace officer to stop an autonomous vehicle solely for the purpose of determining whether the vehicle is operating using autonomous technology without a valid permit required to operate the autonomous vehicle on public roads pursuant to Section 38750, and Article 3.7 (commencing with Section 227.00) and Article 3.8 (commencing with Section 228.00) of Title 13 of the California Code of Regulations.

(2) If a vehicle described in paragraph (1) is occupied, only a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, may remove the vehicle.

(3) For the purposes of this subdivision, the vehicle shall be released under any of the following circumstances:

(A) If the vehicle has been removed pursuant to subparagraph (A), (B), or (C) of paragraph (1), to the registered owner of, or person in control of, the vehicle only after the owner or person furnishes the storing law enforcement agency with proof of current registration and a valid driver's license to operate the vehicle.

(B) If the vehicle has been removed pursuant to subparagraph (D) of paragraph (1), to the registered owner of, or person in control of, the autonomous vehicle, after the registered owner or person furnishes the storing law enforcement agency with proof of current registration and a valid driver's license, if required to operate the autonomous vehicle, and either of the following:

(i) Proof of a valid permit required to operate the autonomous vehicle using autonomous technology on public roads pursuant to Section 38750, and Article 3.7 (commencing with Section 227.00) and Article 3.8 (commencing with Section 228.00) of Title 13 of the California Code of Regulations.

(ii) A declaration or sworn statement to the Department of Motor Vehicles that states that the autonomous vehicle will not be operated using autonomous technology upon public roads without first obtaining a valid permit to operate the vehicle pursuant to Section 38750, and Article 3.7 (commencing with Section 227.00) and Article 3.8 (commencing with Section 228.00) of Title 13 of the California Code of Regulations.

(C) To the legal owner or the legal owner's agency, without payment of any fees, fines, or penalties for parking tickets or registration and without proof of current registration, if the vehicle will only be transported pursuant to the exemption specified in Section 4022 and if the legal owner does all of the following:

(i) Pays the cost of towing and storing the vehicle.

(ii) Completes an affidavit in a form acceptable to the impounding law enforcement agency stating that the vehicle was not in possession of the legal owner at the time of occurrence of an offense relating to standing or parking. A vehicle released to a legal owner under this subdivision is a repossessed vehicle for purposes of disposition or sale. The impounding agency has a lien on any surplus that remains upon sale of the vehicle to which the registered owner is or may be entitled, as security for the full amount of parking penalties for any notices of parking violations issued for the vehicle and for all local administrative charges imposed pursuant to Section 22850.5. Upon receipt of any surplus, the legal owner shall promptly remit to, and deposit with, the agency responsible for processing notices of parking violations from that surplus, the full amount of the parking penalties for all notices of parking violations issued for the vehicle and for all local administrative charges imposed pursuant to Section 22850.5.

(4) The impounding agency that has a lien on the surplus that remains upon the sale of a vehicle to which a registered owner is entitled has a deficiency claim against the registered owner for the full amount of parking

penalties for any notices of parking violations issued for the vehicle and for all local administrative charges imposed pursuant to Section 22850.5, less the amount received from the sale of the vehicle.

(5) As used in this subdivision, "offstreet parking facility" means an offstreet facility held open for use by the public for parking vehicles and includes a publicly owned facility for offstreet parking, and a privately owned facility for offstreet parking if a fee is not charged for the privilege to park and it is held open for the common public use of retail customers.

(p) If the peace officer issues the driver of a vehicle a notice to appear for a violation of Section 12500, 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5, or 14604, and the vehicle is not impounded pursuant to Section 22655.5. A vehicle so removed from the highway or public land, or from private property after having been on a highway or public land, shall not be released to the registered owner or his or her agent, except upon presentation of the registered owner's or his or her agent's currently valid driver's license to operate the vehicle and proof of current vehicle registration, to the impounding law enforcement agency, or upon order of a court.

(q) If a vehicle is parked for more than 24 hours on a portion of highway that is located within the boundaries of a common interest development, as defined in Section 4100 or 6534 of the Civil Code, and signs, as required by paragraph (1) of subdivision (a) of Section 22658 of this code, have been posted on that portion of highway providing notice to drivers that vehicles parked thereon for more than 24 hours will be removed at the owner's expense, pursuant to a resolution or ordinance adopted by the local authority.

(r) If a vehicle is illegally parked and blocks the movement of a legally parked vehicle.

(s) (1) If a vehicle, except highway maintenance or construction equipment, an authorized emergency vehicle, or a vehicle that is properly permitted or otherwise authorized by the Department of Transportation, is stopped, parked, or left standing for more than eight hours within a roadside rest area or viewpoint.

(2) Notwithstanding paragraph (1), if a commercial motor vehicle, as defined in paragraph (1) of subdivision (b) of Section 15210, is stopped, parked, or left standing for more than 10 hours within a roadside rest area or viewpoint.

(3) For purposes of this subdivision, a roadside rest area or viewpoint is a publicly maintained vehicle parking area, adjacent to a highway, utilized for the convenient, safe stopping of a vehicle to enable motorists to rest or to view the scenery. If two or more roadside rest areas are located on opposite sides of the highway, or upon the center divider, within seven miles of each other, then that combination of rest areas is considered to be the same rest area.

(t) If a peace officer issues a notice to appear for a violation of Section 25279.

(u) If a peace officer issues a citation for a violation of Section 11700, and the vehicle is being offered for sale.

(v) (1) If a vehicle is a mobile billboard advertising display, as defined in Section 395.5, and is parked or left standing in violation of a local resolution or ordinance adopted pursuant to subdivision (m) of Section 21100, if the registered owner of the vehicle was previously issued a warning citation for the same offense, pursuant to paragraph (2).

(2) Notwithstanding subdivision (a) of Section 22507, a city or county, in lieu of posting signs noticing a local ordinance prohibiting mobile billboard advertising displays adopted pursuant to subdivision (m) of Section 21100, may provide notice by issuing a warning citation advising the registered owner of the vehicle that he or she may be subject to penalties upon a subsequent violation of the ordinance, that may include the removal of the vehicle as provided in paragraph (1). A city or county is not required to provide further notice for a subsequent violation prior to the enforcement of penalties for a violation of the ordinance.

(w) (1) If a vehicle is parked or left standing in violation of a local ordinance or resolution adopted pursuant to subdivision (p) of Section 21100, if the registered owner of the vehicle was previously issued a warning citation for the same offense, pursuant to paragraph (2).

(2) Notwithstanding subdivision (a) of Section 22507, a city or county, in lieu of posting signs noticing a local ordinance regulating advertising signs adopted pursuant to subdivision (p) of Section 21100, may provide notice by issuing a warning citation advising the registered owner of the vehicle that he or she may be subject to penalties upon a subsequent violation of the ordinance that may include the removal of the vehicle as provided in paragraph (1). A city or county is not required to provide further notice for a subsequent violation prior to the enforcement of penalties for a violation of the ordinance.

*(Amended by Stats. 2018, Ch. 667, Sec. 1. (AB 87) Effective January 1, 2019.)*

# City of Isleton

City Council  
Staff Report

DATE: October 12, 2021

ITEM#: 7.C

CATEGORY: Old Business

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**AMENDMENT TO ORDINANCE NO. 2021-002 ADDING SECTION 2a, ORDINANCE 2021-008 OF THE CITY COUNCIL OF THE CITY OF ISLETON, CALIFORNIA, ADOPTING POLICIES AND PROCEDURES FOR PURCHASING OF SUPPLIES AND EQUIPMENT, FOR PROCURING PROFESSIONAL AND MAINTENANCE SERVICES, AND FOR THE DISPOSAL OF SURPLUS PROPERTY; ADOPT**

## **SUMMARY**

This purchasing policy establishes standards and practices for obtaining formal bids, informal quotations, maintaining vendor lists, and the disposal for surplus equipment, materials, and supplies. These amendments will expand the City's eligibility for Federal and State grants.

## **DISCUSSION**

The City adopted the purchasing ordinance on May 25, 2021. The City has been requested to add the following section to the Purchasing Policy for state and federally funded grant requirements.

**Section 2a.** Contracting with small and minority businesses, women's business enterprises, and labor surplus area.

Contracting with small and minority businesses, women's business enterprises, and labor surplus area.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible

(b) Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, the women's business enterprises;
5. Using the services and assistance, as appropriate of such organizations as the Small Business Development Agency of the Department of Commerce; and

Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

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**FISCAL IMPACT**

There is no fiscal impact with this ordinance.

**RECOMMENDATION**

It is recommended that City Council adopt the amendments to Ordinance 2021-08

**ATTACHMENTS**

1. Ordinance No. 2021-08, as amended

Written by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk


## PURCHASING POLICY ORDINANCE NO. 2021-008

### AMENDMENT TO ORDINANCE NO. 2021-002 ADDING SECTION 2a, ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISLETON, CALIFORNIA, ADOPTING POLICIES AND PROCEDURES FOR PURCHASING OF SUPPLIES AND EQUIPMENT, FOR PROCURING PROFESSIONAL AND MAINTENANCE SERVICES, AND FOR THE DISPOSAL OF SURPLUS PROPERTY

The City Council of the City of Isleton does ordain as follows:

#### Section 1. Purchasing

##### Section 1.a. Purchasing Program Overview

- Establishment of written policies, regulations, controls and guidelines for the purchasing process
- Integration of budgeting and recordkeeping functions with purchasing processes

#### Section 2. Purchasing Policies

All purchases must go through the formal request and approval process detailed in the following policy. Exceptions to the process include credit card purchases and emergency purchases which are detailed in the Exceptions to the Normal Purchasing Process section (H.7.) of this policy.

Section 2a. Contracting with small and minority businesses, women's business enterprises, and labor surplus area.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible

(b) Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, the women's business enterprises;
5. Using the services and assistance, as appropriate of such organizations as the Small Business Development Agency of the Department of Commerce; and

Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

### **Section 3. Bid Requirements Policies**

All purchases over \$5,000 or more, 3 bids must go out to bid unless the City of Isleton can take advantage of a State Contract or a bid waiver is approved by the purchasing agent (See H.3.c for waivers). 3 Bids for Professional Services in excess of \$15,000 must be awarded by the City Manager and City Council.

All City purchases in excess of \$5,000, which do not go out to bid or are not reoccurring service charges, must have a completed Best Value Method Source Selection form (bid waiver) accompanying the purchase order. The form must be reviewed and signed by the City Manager and Finance Director.

#### **3. a. Competitive Quotation Process**

Departments with purchases that are at least \$5,000 but less than \$15,000 must solicit offers from at least three (3) vendors.

#### **3. b Competitive Proposal Process**

A request for Proposal (RFP) or Request for Qualification (RFQ) shall be written for all requests for professional services in excess of \$5,000. The process used for solicitation of proposals shall assure that a reasonable and representative number of vendors are given an opportunity to compete. The City Manager has the authority and responsibility to execute professional service contracts less than \$15,000.

#### **3. c. Waivers**

To request a bidding, quotation or proposal process be waived, a requesting administrator must make a written request to the City Manager to obtain a waiver. The processes may be waived for any of the following reasons:

1. Only one (1) reasonable or qualified source can be identified. This shall include situations such as the purchase of copyrighted materials and textbooks.
2. The purchase is made using one (1) of the State of California's contracts with a third party.
3. Time is a critical factor, and taking the time necessary to comply with the formal process would not be in the best interest of the City of Isleton.
4. In the opinion of the City Manager and/or Finance Director, an emergency requires the purchase of goods or services to avoid injury or damage to human life or property.
5. A special source, including but not limited to a sale, purchasing plan, government discount, or trade-in allowance, will supply a lower cost than that which would result from a bid process.
6. A formal process would result in substantially higher costs to the City and/or inefficient use of personnel, or cause substantial disruption of City operations.
7. Prices of goods or services are subject to specific federal or state competitive bidding requirements, including, but not limited to, "building projects" as defined in the California General Statutes.
8. Regional or cooperative purchases.
9. Information Technology Resources may be exempted by the City Manager.

Information Technology Resources, for the purpose of this section, means license, copyrighted or patented computer hardware, software or services; new computer equipment, products, peripherals, services and software where compatibility with existing equipment or products is desirable or necessary; proprietary or custom built software or information systems; technology services, consulting and maintenance contract; web-based software and software as service, platform as a service and infrastructure as a service applications or solutions.

10. Other exceptions to the policy will be determined on a case-by-case basis by the City Manager which may follow the goods and services purchasing categories exempted by the State of California.

#### 3.d Maintenance contracts

For the award of contracts for the maintenance and repair of city and sewer/fire facilities, the following procedures shall be followed:

1. For contracts for which the estimated cost of services is \$10,000.00 or more, a request for proposal shall be prepared and submitted to prospective bidders, bids shall be obtained from prospective bidders and reviewed, and the request for proposal, the qualifications and experience of the contractors and the amount of the price or prices included in the bids.
2. Contracts for which the estimated cost of services is less than \$10,000.00 may be awarded without obtaining bids. Such contracts shall be awarded based on the qualifications and experience of the contractor and the amount of the contract prices.
3. Maintenance and repair contracts for which the cost of services is \$25,000.00 or more, shall be awarded by the city council, and the city council may authorize the city manager or the purchasing officer to execute such contracts. Contracts in which the estimated cost of services is less than \$25,000.00 may be awarded by and executed by the purchasing officer.

#### Sec. 3-e Disposal of surplus or obsolete property.

(a) The head of any city department may declare supplies or equipment held by such department surplus. Such declaration shall be in writing and the written declaration shall be delivered to the purchasing officer who shall maintain a written inventory for circulation to and review by each department. If any department has use of such property, the department head may request reassignment of such property from the purchasing officer. The purchasing officer shall have the authority to assign the property to the department best able to make use of such property. If no department head makes a request for use of such property after the inventory has been circulated once, the property shall be deemed surplus.

(b) The purchasing officer shall have the authority to exchange for or trade in on new supplies or equipment all supplies or equipment which have been deemed surplus.

(c) The purchasing officer shall have the authority to dispose of surplus property or equipment by auction or sale or otherwise after receiving bids or proposals which, in his judgement, provide the best return to the city.

1) Sale on the open market. The purchasing officer shall cause to be published at least three days before the sale, in a locally adjudicated newspaper, a notice of sale setting forth a general description of the property to be sold, the day, time and location of the sale. The terms of all such sales shall be cash in the amount of the full purchase price.

(2) Sale by sealed bid or auction. As an alternative to the sale on the open market, the purchasing officer may, when in his judgement, it is in the best interest of the city, sell surplus property by means of sealed bid or public auction. In the case of sale by sealed bid or public auction, the purchasing officer shall cause to be published at least three days before the sale, in a locally adjudicated newspaper, a notice setting forth a general description of the property to be sold, the day, time and location of the sale. The terms of all such sales shall be cash in the amount of the full purchase price.

In conducting an auction, the purchasing officer may contract with a professional auctioneer and allow a flat fee, hourly fee or percentage of the amount of the sale to be paid based upon that which is common and customary method and rate for such auctioneering services.

The purchasing officer may, when in his judgement, sale or auction of surplus property is infeasible or will result in minimal return to the city, recommend to the city council that such surplus property be donated to any non-profit corporation or school located within or serving the City of Isleton, or sold to City employees at fair market value. Such surplus property shall only be donated or sold upon approval of the city council.

#### **Section 4. Requisitioning**

##### **4. a. Department Requests and Approvals**

##### **1. Submit Purchase Order Requests to the City Manager and Finance Department**

Purchase order requests must be completed and include the following information:

- *Vendor Name* – Determined by the requesting department or from the FMS Vendor list
- *Ship-to Code* – Location of where goods or services will be received
- *Account Number* – Account to be charged for the expense
- *Department* – Who is responsible for receiving the goods or services
- *Items for Purchase* – Description should include sufficient detail including any part numbers or vendor information about the item(s)
- *Extended Price* – The total price of the purchase, including any freight charges should be calculated and included
- *Total Anticipated Cost* – The total value of the goods or services included on the Purchase Order
- *Requestor ID (Name)* – The person responsible for addressing any issues regarding the request and the goods and/or services received per the Purchase Order

##### **2. Obtain Appropriate Approvals**

The request must be approved by the requestor's Department Head. All approved purchase requests are then reviewed and approved by the City Manager. The City Manager and Department Head must approve all purchases in excess of \$5,000 and less than \$15,000. Over \$15,000 require City Council approval.

##### **3. Payment Approval**

All purchases orders need to have proper approvals before the actual purchase can be made. Purchases conducted without the proper approvals made beforehand may result in non-payment.

##### **4. Purchase Order Thresholds**



The Finance Department will review vendors on file on an ongoing basis and implement a process to review purchase order thresholds. This process will help to identify users that may attempt to circumvent the PO process.

## **Section 5. Purchase Orders**

### **5. a. Preparation of the Purchase Order**

Department Heads and their staff use the purchase orders in file folder. The purchase orders are sent to the City Manager then Finance Department for review and processing. From there, approved purchase orders are then emailed or mailed to vendors. Any relevant documentation (packing slips, delivery confirmation, etc.) received in connection with goods or services covered by a purchase order must be filed at the department. The department will confirm the receipt of the goods or services and the vendor will be paid according to standard Accounts Payable procedures. The Finance Director/Department Head or City Manager must approve an appropriate allocation of funds before a vendor will be paid.

### **5. b Purchase Order Cancellation**

In the event a Department decides to cancel a purchase order, they should promptly email the Finance Department with the Subject "Cancelled Purchase Order for (insert department)". The purchase order number and date should be stated in the email. The email will act as approval from the department for cancellation of the purchase order. The Finance Department will archive all cancellation emails. It is the responsibility of the Department to promptly notify the vendor that the order has been cancelled. The Finance Department will then delete the Purchase Order from the system.

### **5.1 Credit Card and Store Charge Cards**

The City of Isleton and the respective entities that they provide services to do possess or maintain entity based credit cards (eg. Visa, MasterCard, American Express). Purchasing Cards are available to Department Heads and other City employees on an as-needed basis. All purchases made by City credit-cards are for City business only; personal expenditures are not allowed. Requests for credit-cards must be directly approved by the City Manager. On an annual basis, the Finance Department will compare the year's terminated employees against current cardholders to ensure all cardholders are active employees.

#### **Credit-Card Policy Agreement:**

All employees granted a credit-card must sign the Cardholder Agreement Form and Purchasing Card Use Policy. These policies outline purchasing ethics, general policies, the purchasing process, recordkeeping requirements and authorized account usage.

#### **Spending Limits:**

Cardholders are held to daily and monthly spending limits based on their job function. Individuals are granted either a \$1,000 single-transaction and \$5,000 monthly limit, or a \$5,000 single-transaction and \$15,000 monthly limit. On an annual basis, the Finance Department will review cardholder spending limits and adjust the limits at their discretion.

### **5.2. a. Credit Card Recordkeeping**

Cardholders are responsible for entering their purchases online and applying them to the correct account codes and sending to accounts payable. All purchases must be entered by the

15<sup>th</sup> of each month or the Finance Department will freeze the individual credit-card. Cardholders print their monthly expense report, attach supporting documentation and receipts, sign the report, have their Department Heads review and sign the report, and send it to the Finance Department for processing. The Finance Department performs monthly reviews of credit-card expenditures to ensure there is no backlog of unprocessed purchases and that all purchases have appropriate documentation. All reviews must be signed and dated.

**Store Charge Card Policy Agreement:**

The only authorized store credit cards for the City of Isleton and its respective entities are Home Depot, Ramos Oil, Ace Hardware, and Oil Wells. All employees granted a Store Charge Card must sign the Cardholder Agreement Form and Store Charge Card Use Policy. These policies outline purchasing ethics, general policies, the purchasing process, recordkeeping requirements and authorized account usage.

**Spending Limits:**

Cardholders and Staff are held to spending limits based on the type of card in their possession. Card limits range from \$100 to \$5,000. The Finance Department will reconcile each card on a monthly basis. On an annual basis, the Accounting Manager/City Manager will review cardholder and staffs spending limits and adjust the limits at their discretion.

**5.3. b Store Charge Card Recordkeeping**

Cardholders are responsible for entering their purchases online and applying them to the correct account codes. All purchases must be entered by the 15<sup>th</sup> of each month or the Finance Department will freeze the individual Store Charge card. Cardholders print their monthly expense report, attach supporting documentation and receipts, sign the report, have their Department Heads review and sign the report, and send it to the Finance Department for processing. The Finance Department performs monthly reviews of Store Charge expenditures to ensure there is no backlog of unprocessed purchases and that all purchases have appropriate documentation. All reviews must be signed and dated.

**Section 6. Exceptions to the Normal Purchasing Process**

Under certain emergency conditions, defined below, it may be necessary to deviate from the formal requisitioning and purchasing process.

**Definition of an Emergency**

An emergency exists when unforeseen circumstances beyond the City of Isleton control:

- a. Present a real, immediate threat to the proper performance of essential functions; or
- b. May reasonably be expected to result in
  - i. Material loss or damage to property,
  - ii. Bodily injury or
  - iii. Loss of life, if immediate action is not taken.

**Under \$15,000**

If an emergency determination is made that requires immediate action, the requestor will

contact the City Manager/Finance Department immediately and ask that the City Manager/Finance Director approve the purchase. An additional email request must be sent to the Finance Director for record-keeping purposes. The purchase will be approved and the invoice will be submitted to the Finance Department within 24 hours. The invoice will be matched to the emergency purchase. The requisition will be entered into FMS after-the-fact and the purchase approved by the Finance Director (or Accounting Manager in his/her absence).

#### \$15,000 or more

If an emergency determination is made whereby the time required to go through the formal bidding process is not feasible, the vendor selected will need to be approved by the City Manager and or (City Council when \$15,000 or more). The Finance Office will be informed promptly at any emergency declarations and provided the necessary direction to record contracted obligations.

A written contract shall be executed prior to commencing work. Where a purchase is made or work contracted without a prior written contract, a written contract shall be prepared and executed as early as possible. The contract shall contain such detail as is appropriate under the circumstances. At a minimum, the contract shall state the parties, the item to be purchased, the maximum amount, the basis for payment and require that the contractor comply with all statutory requirements. A copy of the contract shall be kept in the Finance Department files.

Because an emergency situation may require immediate action without incorporating all of the usual and customary contract provisions, Finance Department staff and the vendor should consider the use of a short term contract with limited authority whenever possible. During this interim period, alternatives should be considered, such as competition (by sealed bids or otherwise) for the remaining purchases or work, or a more detailed contract which incorporates the usual and customary terms. Even where an emergency is determined to exist, the City shall obtain competition whenever practicable, as the best means to assure quality services and minimum cost.

#### Purchasing Cards

Credit-Card holders are asked to use their cards for emergency situations. Card holders are asked to only use the exception process if the emergency purchase exceeds their daily or monthly spending limit.

**Section 7. Enactment.** The City Council hereby approves the purchasing ordinance.

**Section 8. Severability.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

**Section 9. Execution.** The Mayor shall sign and the City Clerk shall attest to the passage of this ordinance.

**Section 10. Effective Date and Publication.** This ordinance shall take effect thirty (30) days after its adoption. The Deputy City Clerk is hereby directed to publish this ordinance within fifteen (15) days after its passage in a newspaper of general circulation published in the City of Isleton or to post it in at least three (3) public locations in the City of Isleton.

PASSED AND ADOPTED by the City Council of the City of Isleton on this 12th day of October 12, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Eric Pene, Mayor

ATTEST:

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

# City of Isleton

City Council  
Staff Report

DATE: October 12, 2021

ITEM#: 8.A

CATEGORY: New Business

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## **RESOLUTION 025-21 OPTING TO AFFIRM AN EXEMPTION FROM THE REQUIREMENTS OF MANDATORY ORGANICS COLLECTION SERVICES ASSOCIATED WITH SB 1383; ADOPTION**

### **SUMMARY**

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program that requires each county and city to prepare and submit to the department a county integrated waste management plan.

As it pertains to solid waste management, SB 1383 establishes aggressive targets to achieve by year 2025 a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level; and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

Organic waste is food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Landfilling of organic waste leads to the anaerobic breakdown of that material, which in turn creates methane.

Implementing this action is onerous for small agencies. The Bill allows exemptions for small cities. This act is requiring the segregation of organic material – basically food waste – from the trash stream.

In recognition of the substantial challenges of implementing organics collection and expanding recycling facilities in rural areas, the regulations offer exemptions to counties with populations less than 70,000. This would exempt such counties from the requirements to provide organic waste collection services to all commercial and residential generators, organic waste capacity planning, and procurement of organic waste products. Isleton is eligible for this exemption.

### **DISCUSSION**

The City Council is being asked to adopt Resolution 025-21 opting to affirm an exemption from the mandatory organics collection requirements of SB1383. Resolution No. 025-21 authorizes City Manager to submit the CalRecycle the attached Low Population Waiver Application for Cities or Special Districts Providing Solid Waste Collection Services.

On September 3, 2021 staff met with Cal-Waste Services in regards to the cost of implementing the organic recycling program in Isleton and advised that this program is not feasible for Cal-Waste and Isleton residents at this time.

However, other components of SB 1383 are still applicable to the City beyond the solid waste arena. To that end various City and County departments are moving forward with steps to be in compliance with the non-exempt components of the law that fall in their area of responsibility, including:

- Edible Food Recovery Program (Public Works/Compliance in cooperation with the County of Lake)
- CalGreen Building Standards and Model Water Efficient Landscaping Ordinance (Community Development)
- Recycled Paper Product Procurement (Administration)
- Records maintenance and submittal of reports to CalRecycle (Public Works/Compliance)
- Landfill Status Impact Report (County of Lake)

In order to take advantage of the rural jurisdiction exemption offered by CalRecycle, the City Council must pass a resolution including findings as to the purpose and need for the exemption.

A resolution is provided for the Council's consideration (Attachment 1). The resolution affirms the City's desire for an exemption from the organic waste collection service requirements for commercial and residential generators.

If approved by CalRecycle, the exemption waiver be valid until December 31, 2026. The resolution includes a provision noting that if the waiver concludes in 2026, the City may qualify for a subsequent low population waiver (jurisdictions with a total population of less than 7,500 and reported disposal of less than 5,000 tons of solid waste in 2014). See list of cities opting for waivers at <https://hfh-consultants.com/blog/sb-1383-exempt/>.

The final attachment (Attachment 3) is the draft SB 1383 Rural Exemption Application which will be submitted to CalRecycle if the proposed resolution is adopted.

## **FISCAL IMPACT**

There is no fiscal impact with this Resolution

## **RECOMMENDATION**

City Staff recommends City Council adopt Resolution 025-21 as presented.

## **ATTACHMENTS**

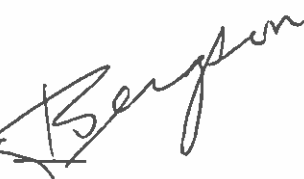
1. Resolution 025-21 Opting to affirm an exemption from the requirements of Mandatory Organics Collection Services Associated with SB 1383 Amended Purchase Policy

2. Low Population Waiver Application for Cities or Special Districts Providing Solid Waste Collection Services

3. SB 1383

Written by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

A handwritten signature in cursive script that reads "Bergson". The signature is written in black ink and is positioned above the printed name "Charles Bergson".

Submitted and prepared by: Yvonne Zepeda, City Clerk

A handwritten signature in cursive script that reads "Zepeda". The signature is written in black ink and is positioned to the right of the printed name "Yvonne Zepeda".





**RESOLUTION NO. 025-21**

**RESOLUTION NO. 025-21 OF THE CITY COUNCIL OF THE CITY OF ISLETON  
OPTING TO AFFIRM AN EXEMPTION FROM THE REQUIREMENTS OF  
MANDATORY ORGANICS COLLECTION SERVICES ASSOCIATED WITH SB 1383**

**WHEREAS**, the City of Isleton is committed to meeting its solid waste diversion requirements through program implementation of its Source Reduction and Recycling Element of its Integrated Waste Management Plan; and,

**WHEREAS**, the City of Isleton is committed to meeting its mandatory commercial recycling requirements, pursuant to PRC, Section 42649.3, through program implementation as directed by the Department of Resources Recycling and Recovery (CalRecycle); and,

**WHEREAS**, Senate Bill (SB) 1383 (Lara, 2016) was signed into law and establishes methane emissions reduction goals of 50 percent in the level of the statewide landfill disposal of organic waste from the 2014 level by 2020 and 75 percent by 2025 and increase edible food recovery by 20 percent by 2025; and,

**WHEREAS**, the Department of Resources Recycling and Recovery (CalRecycle) developed regulations in Title 14 Natural Resources, Division 7, Chapter 12: Short-lived Climate Pollutants in the California Code of Regulations to implement the goals in SB 1383; and

**WHEREAS**, Chapter 12 Article 3 (commencing with Section 18984) Organic Waste Collection Services requires jurisdictions implement an organic waste diversion program that provides organic waste collection services to all businesses and residences; and

**WHEREAS**, Section 18984.12 (c) allows the governing body of a rural jurisdiction to adopt a resolution exempting the jurisdiction from the requirements of Article 3 based upon findings as to the purpose of and need for the exemption; and,

**WHEREAS**, Section 42649.8 of the Public Resources Code defines a rural jurisdiction as a jurisdiction that is located entirely within one or more rural counties, or a regional agency comprised of jurisdictions that are located within one or more rural counties. A rural county means a county that has a total population of less than 70,000 persons; and

**WHEREAS**, City of Isleton has a population of 804 persons, which is less than 70,000 persons, as of the California Department of Finance's most current population estimate; and,

**WHEREAS**, there are 19 counties in California with populations of less than 70,000 persons, which collectively represent only 2.0% of the statewide waste stream; and,

**WHEREAS**, organic waste generators within rural jurisdictions that meet the definition of "Rural Jurisdiction" in Section 42649.8 of the Public Resources Code that are exempted pursuant to paragraph (1) of subdivision (c) of Section 18984.12 are not required to comply with the organic waste collection requirements specified in Article 3; and,

**WHEREAS**, the City of Isleton does not have the existing infrastructure, composting or anaerobic facilities, with the capacity to economically handle all the organic waste produced within the county; and,

**WHEREAS**, with the amounts of organic waste generated in the City of Isleton, it is not currently economically feasible to build sustainable processing facilities necessary to handle all the organic waste produced within the county; and,

**WHEREAS**, with the amounts of organic waste generated in City of Isleton and the distance to accessible processing facilities, it is not economically feasible for the City to require organics diversion at this time; and,

**WHEREAS**, the City of Isleton is committed to continue to pursue economically feasible alternatives for organics management; and,

**WHEREAS**, the City of Isleton is committed to encourage businesses and residences to reduce and recycle organics materials; and,

**WHEREAS**, on December 31, 2026, this exemption shall become inoperative, unless subsequent legislation or department regulations or approvals extends the rural exemptions beyond that date, at which time the City may qualify for the low population waiver (jurisdictions with a total population of less than 7,500 and reported disposal of less than 5,000 tons of solid waste in 2014).

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Isleton as follows:

**Section 1.** The City Council of the City of Isleton finds:

- A. The City of Isleton has a population of 804 persons as of the California Department of Finance's most current population estimates (January 2021) and the City is located within Sacramento County.
- B. The City of Isleton does not have the existing infrastructure, composting or anaerobic facilities, with the capacity to economically handle all the organic waste produced within the county.
- C. With the relatively small amount of organic waste generated in Isleton and the distance to accessible processing facilities, it is not economically feasible for the City to require organics diversion at this time.
- D. With the relatively small amount of organic waste generated in Isleton, it is not currently economically feasible to build sustainable processing facilities necessary to handle all the organic waste produced within the City; and

**Section 2.** Based on the foregoing findings for the purpose and need for an exemption, the City Council of the City of Isleton hereby chooses to exempt the City from the requirements of Article 3 of Title 14, Division 7, Chapter 12 of the California Code of Regulations (commencing with Section 18984) Organic Waste Collection Services.

**Section 3.** City Council reserves the right to rescind this Resolution at any time prior to the sunset date of December 31, 2026.

**Section 4.** The Deputy City Clerk or her designee is hereby instructed to submit this Resolution to the Department of Resources Recycling and Recovery pursuant to California Code of Regulations Section 18984.12, subdivision (c)(1).

**Section 5.** This Resolution shall become effective immediately upon its passage and adoption.

The foregoing Resolution was passed and adopted at a regular meeting of the City Council on the 12th day of October, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

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Eric Pene, Mayor

**ATTEST:**

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Yvonne Zepeda, Deputy City Clerk



# Low Population Waiver Application for Cities or Special Districts Providing Solid Waste Collection Services

CalRecycle is providing this form as a convenience to assist cities or special districts providing solid waste collection services for purposes of applying for low population waivers under 14 CCR 18984.12(a). Use of this form is optional and not a regulatory requirement.

A jurisdiction (city or special district providing solid waste collection services) may apply to CalRecycle for a waiver for some or all of its generators from some or all of the requirements of Article 3 in 14 CCR 18984 through 18984.13.

To qualify for a low population waiver, the following must apply to the jurisdiction:

- The jurisdiction disposed less than 5,000 tons of solid waste in 2014 as reported in the CalRecycle Disposal Reporting System.
- The jurisdiction has a total population of less than 7,500 people.

CalRecycle-approved waivers are valid for a period of up to five years. A jurisdiction may apply to renew a waiver at any time up to 180 days prior to the expiration of an existing approved waiver. An approved waiver does not waive a jurisdiction from its obligation to comply with the other requirements of the SB 1383 regulations including, but not limited to, promoting and providing information to generators about waste prevention, community composting, managing organic waste on site, and other means of recovering organic waste.

Please clearly print or type your responses. Attach additional pages as necessary.

Jurisdiction Name: City of Isleton	County: Sacramento
Person Completing the Application	
First Name: Charles	Last Name: Bergson
Title: City Manager	
Mailing Address: P.O. Box 716	
City: Isleton	
Zip Code: 95641	
E-mail Address: cbergson@cityofisleton.com	
Phone Number: 916-777-7770	

1. Did you dispose less than 5,000 tons of solid waste in 2014 as reported in the Disposal Reporting System?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
2. What is the current total population of your jurisdiction?	804	
3. How many generators are included in this waiver request? (This total includes all generators, such as residential, commercial, industrial, etc.)	4	
4. What duration are you requesting? (Requests cannot be longer than 5 years)	<input type="checkbox"/> 1 year	<input type="checkbox"/> 2 years
	<input type="checkbox"/> 3 years	<input type="checkbox"/> 4 years
		<input checked="" type="checkbox"/> 5 years

5. What requirements of Article 3 in 14 CCR 18984 are you requesting to be waived?		
<input type="checkbox"/> 14 CCR 18984 Combined Organic Waste Collection Services	<input type="checkbox"/> 14 CCR 18984.1 Three-Container Organic Waste Collection Services	<input type="checkbox"/> 14 CCR 18984.2 Two-Container Organic Waste Collection Services
<input type="checkbox"/> 14 CCR 18984.3 Unsegregated Single Container Collection Services	<input type="checkbox"/> 14 CCR 18984.4 Recordkeeping Requirements for Compliance with Organic Waste Collection Services	<input type="checkbox"/> 14 CCR 18984.5 Container Contamination Minimization
<input type="checkbox"/> 14 CCR 18984.6 Recordkeeping Requirements for Container Contamination Minimization	<input type="checkbox"/> 14 CCR 18984.7 Container Color Requirements	<input type="checkbox"/> 14 CCR 18984.8 Container Labeling Requirements
<input type="checkbox"/> 14 CCR 18984.9 Organic Waste Generator Requirements	<input type="checkbox"/> 14 CCR 18984.10 Commercial Business Owner Responsibilities	<input type="checkbox"/> 14 CCR 18984.11 Waivers Granted by a Jurisdiction
<input type="checkbox"/> 14 CCR 18984.12 Waivers and Exemptions Granted by the Department	<input type="checkbox"/> 14 CCR 18984.13 Emergency Circumstances, Abatement, Quarantined Materials and Federally Regulated Waste	This box is blank

I hereby certify under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

**Charles Bergson**

**City Manager**

-----  
Signature

-----  
Printed Name

-----  
Title

-----  
Date



**SB-1383 Short-lived climate pollutants: methane emissions: dairy and livestock: organic waste: landfills.** (2015-2016)

SHARE THIS:



### Senate Bill No. 1383

#### CHAPTER 395

An act to add Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and to add Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, relating to methane emissions.

[ Approved by Governor September 19, 2016. Filed with Secretary of State September 19, 2016. ]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1383, Lara. Short-lived climate pollutants: methane emissions: dairy and livestock: organic waste: landfills.

(1) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The state board is also required to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants, as defined, in the state.

This bill would require the state board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030, as specified. The bill also would establish specified targets for reducing organic waste in landfills.

This bill would require the state board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations, as specified. The bill would require the state board to take certain actions prior to adopting those regulations. This bill would require the regulations to take effect on or after January 1, 2024, if the state board, in consultation with the department, makes certain determinations.

This bill would require the state board, the Public Utilities Commission, and the State Energy Resources Conservation and Development Commission to undertake various actions related to reducing short-lived climate pollutants in the state. The bill would require state agencies to consider and, as appropriate, adopt policies and incentives to significantly increase the sustainable production and use of renewable gas.

(2) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program that requires each county and city and county to prepare and submit to the department a countywide integrated waste management plan.

The bill would require the department, in consultation with the state board, to adopt regulations that achieve the specified targets for reducing organic waste in landfills. The bill would authorize local jurisdictions to charge and

collect fees to recover the local jurisdiction's costs incurred in complying with the regulations. The bill would require, no later than July 1, 2020, the department, in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving the specified targets for reducing organic waste in landfills. The bill would authorize the department, depending on the outcome of that analysis, to amend the regulations to include incentives or additional requirements, as specified. By adding to the duties of local governments related to organic waste in landfills, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** (a) The Legislature finds and declares all of the following:

(1) Short-lived climate pollutants, such as black carbon, fluorinated gases, and methane, are powerful climate forcers that have a dramatic and detrimental effect on air quality, public health, and climate change.

(2) These pollutants create a warming influence on the climate that is many times more potent than that of carbon dioxide.

(3) Short-lived climate pollutants that are toxic air contaminants also are a significant environmental risk factor for premature death.

(4) Reducing emissions of these pollutants can have an immediate beneficial impact on climate change and on public health.

(5) To the extent possible, efforts to reduce emissions of short-lived climate pollutants should focus on areas of the state that are disproportionately affected by poor air quality.

(b) It is the intent of the Legislature to support the adoption of policies that improve organics recycling and innovative, cost effective, and environmentally beneficial uses of biomethane derived from solid waste facilities.

(c) It is intent of the Legislature that the disposal reduction targets established pursuant to Section 39730.6 of the Health and Safety Code shall serve as a statewide average target and not as a minimum requirement for each jurisdiction.

### **SEC. 2.** Section 39730.5 is added to the Health and Safety Code, to read:

**39730.5.** (a) No later than January 1, 2018, the state board shall approve and begin implementing the comprehensive short-lived climate pollutant strategy developed pursuant to Section 39730 to achieve a reduction in the statewide emissions of methane by 40 percent, hydrofluorocarbon gases by 40 percent, and anthropogenic black carbon by 50 percent below 2013 levels by 2030.

(b) Prior to approving the short-lived climate pollutant strategy pursuant to subdivision (a), the state board shall do all of the following:

(1) Coordinate with other state and local agencies and districts to develop measures identified as part of the strategy.

(2) Provide a forum for public engagement by holding at least three public hearings in geographically diverse locations throughout the state.

(3) Evaluate the best-available scientific, technological, and economic information to ensure that the strategy is cost effective and technologically feasible.

(4) Incorporate and prioritize, as appropriate, measures and actions that provide the following cobenefits:

(A) Job growth and local economic benefits in the state.

(B) Public health benefits.



(C) Potential for new innovation in technology, energy, and resource management practices.

(c) The state board shall publicly notice the strategy described in subdivision (a) and post a copy of that strategy on the state board's Internet Web site at least one month prior to the state board approving the strategy pursuant to subdivision (a).

**SEC. 3.** Section 39730.6 is added to the Health and Safety Code, to read:

**39730.6.** (a) Consistent with Section 39730.5, methane emissions reduction goals shall include the following targets to reduce the landfill disposal of organics:

(1) A 50-percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020.

(2) A 75-percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025.

(b) Except as provided in this section and Section 42652.5 of the Public Resources Code, the state board shall not adopt, prior to January 1, 2025, requirements to control methane emissions associated with the disposal of organic waste in landfills other than through landfill methane emissions control regulations.

**SEC. 4.** Section 39730.7 is added to the Health and Safety Code, to read:

**39730.7.** (a) For purposes of this section, the following terms have the following meanings:

(1) "Department" means the Department of Food and Agriculture.

(2) "Commission" means the Public Utilities Commission.

(3) "Energy commission" means the State Energy Resources Conservation and Development Commission.

(4) "Strategy" means the strategy to reduce short-lived climate pollutants developed pursuant to Section 39730.

(b) (1) The state board, in consultation with the department, shall adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations, consistent with this section and the strategy, by up to 40 percent below the dairy sector's and livestock sector's 2013 levels by 2030.

(2) Prior to adopting regulations pursuant to paragraph (1), the state board shall do all of the following:

(A) Work with stakeholders to identify and address technical, market, regulatory, and other challenges and barriers to the development of dairy methane emissions reduction projects. The group of stakeholders shall include a broad range of stakeholders involved in the development of dairy methane reduction projects, including, but not limited to, project developers, dairy and livestock industry representatives, state and local permitting agencies, energy agency representatives, compost producers with experience composting dairy manure, environmental and conservation stakeholders, public health experts, and others with demonstrated expertise relevant to the success of dairy methane emissions reduction efforts.

(B) Provide a forum for public engagement by holding at least three public meetings in geographically diverse locations throughout the state where dairy operations and livestock operations are present.

(C) In consultation with the department, do both of the following:

(i) Conduct or consider livestock and dairy operation research on dairy methane emissions reduction projects, including, but not limited to, scrape manure management systems, solids separation systems, and enteric fermentation.

(ii) Consider developing and adopting methane emissions reduction protocols.

(3) The state board shall make available to the public by posting on its Internet Web site a report on the progress made in implementing paragraph (2). Pursuant to Section 9795 of the Government Code, the state board shall notify the Legislature of the report.

(4) Notwithstanding the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the regulations adopted pursuant to paragraph (1) shall be implemented on or after January 1, 2024, if the state board, in consultation with the department, determines all of the following:

(A) The regulations are technologically feasible.

(B) The regulations are economically feasible considering milk and live cattle prices and the commitment of state, federal, and private funding, among other things, and that markets exist for the products generated by dairy manure management and livestock manure management methane emissions reduction projects, including composting, biomethane, and other products. The analysis shall include consideration of both of the following:

(i) Electrical interconnection of onsite electrical generation facilities using biomethane.

(ii) Access to common carrier pipelines available for the injection of digester biomethane.

(C) The regulations are cost effective.

(D) The regulations include provisions to minimize and mitigate potential leakage to other states or countries, as appropriate.

(E) The regulations include an evaluation of the achievements made by incentive-based programs.

(c) No later than July 1, 2020, the state board, in consultation with the department, shall analyze the progress the dairy and livestock sector has made in achieving the goals identified in the strategy and specified in paragraph (1) of subdivision (b). The analysis shall determine if sufficient progress has been made to overcome technical and market barriers, as identified in the strategy. If the analysis determines that progress has not been made in meeting the targets due to insufficient funding or technical or market barriers, the state board, in consultation with the department and upon consultation with stakeholders, may reduce the goal in the strategy for the dairy and livestock sectors, as identified pursuant to paragraph (1).

(d) (1) (A) No later than January 1, 2018, the state board, in consultation with the commission and the energy commission, shall establish energy infrastructure development and procurement policies needed to encourage dairy biomethane projects to meet the goal identified pursuant to paragraph (1) of subdivision (b).

(B) The state board shall develop a pilot financial mechanism to reduce the economic uncertainty associated with the value of environmental credits, including credits pursuant to the Low-Carbon Fuel Standard regulations (Subarticle 7 (commencing with Section 95480) of Title 17 of the California Code of Regulations) from dairy-related projects producing low-carbon transportation fuels. The state board shall make recommendations to the Legislature for expanding this mechanism to other sources of biogas.

(2) No later than January 1, 2018, the commission, in consultation with the state board and the department, shall direct gas corporations to implement not less than five dairy biomethane pilot projects to demonstrate interconnection to the common carrier pipeline system. For the purposes of these pilot projects, gas corporations may recover in rates the reasonable cost of pipeline infrastructure developed pursuant to the pilot projects.

(e) No later than January 1, 2018, the state board shall provide guidance on credits generated pursuant to the Low-Carbon Fuel Standard regulations (Subarticle 7 (commencing with Section 95480) of Title 17 of the California Code of Regulations) and the market-based compliance mechanism developed pursuant to Part 5 (commencing with Section 38570) of Division 25.5 from the methane reduction protocols described in the strategy and shall ensure that projects developed before the implementation of regulations adopted pursuant to subdivision (b) receive credit for at least 10 years. Projects shall be eligible for an extension of credits after the first 10 years to the extent allowed by regulations adopted pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500)).

(f) Enteric emissions reductions shall be achieved only through incentive-based mechanisms until the state board, in consultation with the department, determines that a cost-effective, considering the impact on animal productivity, and scientifically proven method of reducing enteric emissions is available and that adoption of the enteric emissions reduction method would not damage animal health, public health, or consumer acceptance. Voluntary enteric emissions reductions may be used toward satisfying the goals of this chapter.

(g) Except as provided in this section, the state board shall not adopt methane emissions reduction regulations controlling the emissions of methane from dairy operations or livestock operations to achieve the 2020 and 2030 greenhouse gas emissions reduction goals established pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500)).

(h) Nothing in this section shall limit the authority of the state board to acquire planning and baseline information, including requiring the monitoring and reporting of emissions.

(i) This section does not in any way affect the state board's or districts' authority to regulate emissions of criteria pollutants, toxic air contaminants, or other pollutants pursuant to other provisions of this division.

**SEC. 5.** Section 39730.8 is added to the Health and Safety Code, to read:

**39730.8.** (a) For purposes of this section, the following terms have the following meanings:

(1) "Commission" means the Public Utilities Commission.

(2) "Energy commission" means the State Energy Resources Conservation and Development Commission.

(3) "Strategy" means the strategy to reduce short-lived climate pollutants developed pursuant to Section 39730.

(b) The energy commission, in consultation with the state board and the commission, shall develop recommendations for the development and use of renewable gas, including biomethane and biogas, as a part of its 2017 Integrated Energy Policy Report prepared pursuant to Section 25302 of the Public Resources Code. In developing the recommendations, the energy commission shall identify cost-effective strategies that are consistent with existing state policies and climate change goals by considering priority end uses of renewable gas, including biomethane and biogas, and their interactions with state policies, including biomethane and all of the following:

(1) The Renewables Portfolio Standard program (Article 16 (commencing with Section 399.11) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code).

(2) The Low-Carbon Fuel Standard regulations (Subarticle 7 (commencing with Section 95480) of Title 17 of the California Code of Regulations).

(3) Waste diversion goals established pursuant to Division 30 (commencing with Section 40000) of the Public Resources Code.

(4) The market-based compliance mechanism developed pursuant to Part 5 (commencing with Section 38570) of Division 25.5.

(5) The strategy.

(c) Based on the recommendations developed pursuant to subdivision (b), and to meet the state's climate change, renewable energy, low-carbon fuel, and short-lived climate pollutants goals, including black carbon, landfill diversion, and dairy methane targets identified in the strategy, state agencies shall consider and, as appropriate, adopt policies and incentives to significantly increase the sustainable production and use of renewable gas, including biomethane and biogas.

(d) Based on the recommendations developed pursuant to subdivision (b), the commission, in consultation with the energy commission and the state board, shall consider additional policies to support the development and use in the state of renewable gas, including biomethane and biogas, that reduce short-lived climate pollutants in the state.

(e) In implementing this section, priority shall be given to fuels with the greatest greenhouse gas emissions benefits, including the consideration of carbon intensity and reduction in short-lived climate pollutants, as appropriate.

**SEC. 6.** Chapter 13.1 (commencing with Section 42652) is added to Part 3 of Division 30 of the Public Resources Code, to read:

**CHAPTER 13.1. Short-Lived Climate Pollutants**

**42652.** The Legislature finds and declares all of the following:

(a) The organic disposal reduction targets are essential to achieving the statewide recycling goal identified in Section 41780.01.

(b) Achieving organic waste disposal reduction targets requires significant investment to develop organics recycling capacity.

(c) More robust state and local funding mechanisms are needed to support the expansion of organics recycling capacity.

**42652.5.** (a) The department, in consultation with the State Air Resources Board, shall adopt regulations to achieve the organic waste reduction goals for 2020 and 2025 established in Section 39730.6 of the Health and Safety Code. The regulations shall comply with all of the following:

(1) May require local jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction and may authorize local jurisdictions to impose penalties on generators for noncompliance.

(2) Shall include requirements intended to meet the goal that not less than 20 percent of edible food that is currently disposed of is recovered for human consumption by 2025.

(3) Shall not establish a numeric organic waste disposal limit for individual landfills.

(4) May include different levels of requirements for local jurisdictions and phased timelines based upon their progress in meeting the organic waste reduction goals for 2020 and 2025 established in Section 39730.6 of the Health and Safety Code. The department shall base its determination of progress on relevant factors, including, but not limited to, reviews conducted pursuant to Section 41825, the amount of organic waste disposed compared to the 2014 level, per capita disposal rates, the review required by Section 42653, and other relevant information provided by a jurisdiction.

(5) May include penalties to be imposed by the department for noncompliance. If penalties are included, they shall not exceed the amount authorized pursuant to Section 41850.

(6) Shall take effect on or after January 1, 2022, except the imposition of penalties pursuant to paragraph (1) shall not take effect until two years after the effective date of the regulations.

(b) A local jurisdiction may charge and collect fees to recover the local jurisdiction's costs incurred in complying with the regulations adopted pursuant to this section.

**42653.** (a) No later than July 1, 2020, the department, in consultation with the State Air Resources Board, shall analyze the progress that the waste sector, state government, and local governments have made in achieving the organic waste reduction goals for 2020 and 2025 established in Section 39730.6 of the Health and Safety Code. The analysis shall include all of the following:

(1) The status of new organics recycling infrastructure development, including the commitment of state funding and appropriate rate increases for solid waste and recycling services to support infrastructure expansion.

(2) The progress in reducing regulatory barriers to the siting of organics recycling facilities and the timing and effectiveness of policies that will facilitate the permitting of organics recycling infrastructure.

(3) The status of markets for the products generated by organics recycling facilities, including cost-effective electrical interconnection and common carrier pipeline injection of digester biomethane and the status of markets for compost, biomethane, and other products from the recycling of organic waste.

(b) If the department determines that significant progress has not been made on the items analyzed pursuant to subdivision (a), the department may include incentives or additional requirements in the regulations described in Section 42652 to facilitate progress towards achieving the organic waste reduction goals for 2020 and 2025 established in Section 39730.6 of the Health and Safety Code. The department may, upon consultation with stakeholders, recommend to the Legislature revisions to those organic waste reduction goals.

**42654.** This chapter shall not limit the authority of a local jurisdiction to adopt, implement, or enforce requirements in addition to those set forth in the regulations adopted pursuant to this chapter.

**SEC. 7.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.