

# **Gridley City Council – Regular City Council Meeting Agenda**

Monday, November 4, 2019; 6:00 pm  
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

*“Our purpose is to continuously enhance our community’s vitality and overall quality of life. We are committed to providing high quality, cost-effective municipal services and forming productive partnerships with our residents and regional organizations. We collectively develop, share, and are guided by a clear vision, values, and meaningful objectives.”*

**CALL TO ORDER** - Mayor Johnson

**ROLL CALL** - Recording Secretary

**PLEDGE OF ALLEGIANCE** – Vice Mayor Williams

**INVOCATION** – None

**PROCLAMATIONS** – Homeless and Runaway Youth Month

**INTRODUCTION OF NEW OR PROMOTED EMPLOYEES** - None

**COMMUNITY PARTICIPATION FORUM** - *Members of the public may address the City Council on matters not listed on the agenda. The City Council may not discuss nor take action on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.*

**CONSENT AGENDA** – *Items on the Consent Agenda are considered routine and acted upon by one motion. Any Council member may request that an item be removed for separate consideration. The City Council may only make minor comments; otherwise the item should be removed from the Consent Agenda and placed as the first item(s) under “Items for Council Consideration”.*

1. City Council minutes dated October 21, 2019
2. Appointment of Elisa Arteaga as Acting Finance Director effective November 4, 2019
3. Appointment of Allen Byers as Interim City Administrator effective November 4, 2019

**PUBLIC HEARING** – None

## **ITEMS FOR COUNCIL CONSIDERATION**

4. Adoption of Resolution No. 2019-R-031: A Resolution of the City Council of the City of Gridley Authorizing and Designating City Representatives to Vote the City’s Interests in Governance Agreements Associated with City’s Participation in Programs, Projects and Services as a Member of the Northern California Power Agency

**CITY STAFF AND COUNCIL COMMITTEE REPORTS** - *Brief updates from City staff and brief reports on conferences, seminars, and meetings attended by the Mayor and City Council members, if any.*

**POTENTIAL FUTURE CITY COUNCIL ITEMS - (Appearing on the Agenda within 30-90 days):**

Tentative Map - Eagle Meadows South	11/18/2019
Award of Electric Department Building Addition	12/2/2019
IT Contract with Oroville	12/2/2019
Cancel January 7 <sup>th</sup> City Council Meeting (Due to Christmas Week)	12/16/2019
Administrator Appointment	1/21/2020
Garbage Services RFP Approval	1/21/2020
Police Department Digital Radio System	1/21/2020
Grant Writer	2/3/2020
Police Service Agreement	2/3/2020
Audit Approval	3/16/2020
Annual Budget FY 20-21 Introduction	4/6/2020

**CLOSED SESSION**

5. Closed Session to discuss with legal counsel a risk of potential/anticipated litigation pursuant to Government Code 54956.9

**ADJOURNMENT** – adjourning to the next regularly scheduled meeting on Monday, November 18, 2019

**NOTE 1: POSTING OF AGENDA-** This agenda was posted on the public bulletin board at City Hall at or before 6:00 p.m., November 1, 2019, in accordance with Government Code Section 54954.2. This agenda along with all attachments is available for public viewing online at [www.gridley.ca.us](http://www.gridley.ca.us) and at the Administration counter in City Hall, 685 Kentucky Street, Gridley, CA.

**NOTE 2: REGARDING UNSCHEDULED MATTERS** – In accordance with state law, it shall be the policy of this Council that no action shall be taken on any item presented during the public forum or on unscheduled matters unless the Council, by majority vote, determines that an emergency situation exists, or, unless the Council by a two-thirds vote finds that the need to take action arose subsequent to the posting of this agenda.

## **Homeless and Runaway Youth Month November 2019**

**WHEREAS**, California has an estimated 200,000 children who are homeless, including some 2,000 K-12 students in Butte County; and,

**WHEREAS**, natural disasters and lack of affordable housing have exacerbated youth homelessness across rural California; and,

**WHEREAS**, approximately 25% of youth exiting foster care will experience homelessness; and,

**WHEREAS**, a high percentage of homeless youth have been physically, sexually and/or emotionally abused by their guardians and are frequently re-victimized and exploited while living on the streets and in shelters; and,

**WHEREAS**, LGBTQ+ young adults are at a 120% higher risk of homelessness when compared to their peers, and comprise about 40% of the unaccompanied homeless youth population.

**WHEREAS**, due to a lack of stable housing, homeless youth face great difficulty in school, reducing the likelihood of successful graduation; and,

**WHEREAS**, the citizens of Gridley, California are the key to preventing youth homelessness by acting as mentors and role models for youth, guiding them towards available resources, healthy choices and creating opportunities for youth to successfully transition to adulthood.

**NOW, THEREFORE**, I, Bruce Johnson, Mayor of Gridley, on behalf of the Council and the citizens of Gridley, California, do hereby proclaim November 2019 as Homeless and Runaway Youth Awareness Month in the City of Gridley.

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**Bruce Johnson, Mayor**



# **Gridley City Council – DRAFT City Council Meeting Minutes**

Monday, October 21, 2019; 6:00 pm  
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

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## **CALL TO ORDER**

**Mayor Johnson called the meeting to order at 6 pm.**

## **ROLL CALL**

### **Councilmembers**

Present: Borges, Williams, Crye, Johnson  
Absent: Torres  
Arriving after roll call: None

### **Staff present:**

Paul Eckert, City Administrator  
Tony Galyean, City Attorney  
Daryl Dye, Utilities Director  
Al Byers, Police Chief  
Rodney Harr, Lieutenant  
Ross Pippitt, Public Works Supervisor  
Danny Howard, Electric Supervisor  
Elisa Arteaga, Assistant Finance Director

## **PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was led by Councilmember Ray Borges**

## **INVOCATION**

**Bishop Joshua McLean of the Church of Jesus Christ, Latter-Day Saints provided the invocation.**

## **PROCLAMATIONS – None**

## **INTRODUCTION OF NEW OR PROMOTED EMPLOYEES - None**

## **COMMUNITY PARTICIPATION FORUM**

**Mayor Johnson opened the forum and seeing no one present wishing to speak, the forum was closed.**

## **CONSENT AGENDA**

1. City Council minutes dated October 7, 2019

2. Consideration and Approval of Temporary Residential Housing Incentive Program #2
3. Consideration and Approval of revision to the City's FY 2019-2020 Budget to add back the position of Senior Accounting Technician
4. Approval of Electric Maintenance Services Outsourcing Agreement
5. Approval of Resolution No. 2019-R-029: A Resolution of The Gridley City Council Certifying and Adopting the Final CEQA Plus Initial Study and Mitigated Negative Declaration Report (Sch#2019079100) And the Mitigation Monitoring and Reporting Program for The Little Ave Lift Station and Force Main Replacement Project, Dated September 2019
6. Approval of Resolution No. 2019-R-030: A Resolution of The City Council of The City of Gridley Certifying and Adopting the Draft CEQA Plus Initial Study and Mitigated Negative Declaration Report (Sch# 2019079099) And the Mitigation Monitoring and Reporting Program for The Waterline Replacement Project, Dated June 2019
7. Authorization of Gridley Infiltration and Inflow Study

**Vice Mayor requested to pull item #2 from the consent agenda for discussion. He then motioned to accept the consent agenda items #1 and #3 - #7, seconded by Councilmember Borges**

#### **ROLL CALL VOTE**

**Ayes: Crye, Johnson, Borges, Williams**

**Motion passed, 4-0**

**Council then considered Consent item #2 Consideration and Approval of Temporary Residential Housing Incentive Program. Vice Mayor Williams stated he would like to see the park fees remain at an unreduced rate. Steve Stark of 1830 Ohio Street spoke in support of the reduced impact fees. Patrick Coghlan of 852 Idaho Street spoke against Council approving the reduced fees at this time. Mr. Coghlan provided a handout that will be placed in the hard copy agenda files.**

**After Council discussion, motion to approve item #2 with the amendment of Park Fees remaining unreduced made by Vice Mayor Williams. The motion died for lack of a second.**

**Motion to approve item #2 as recommended by staff by Councilmember Crye, seconded by Councilmember Borges.**

#### **ROLL CALL VOTE**

**Ayes: Crye, Borges, Johnson**

**Noes: Williams**

**Motion passed, 3-1**

**PUBLIC HEARING – None**

#### **ITEMS FOR COUNCIL CONSIDERATION**

8. Approval of a revision to the City's Master Fee Schedule by adding a new DG Rate for Electric Service with Distributed Generation

**Utilities Director Daryl Dye explained the current program and the recommended changes. Dye provided a basic review of how solar works by means of a PowerPoint.**

**Motion to approve staff recommendation by Vice Mayor Williams, seconded by Councilmember Borges.**

**ROLL CALL VOTE**

**Ayes: Johnson, Williams, Borges**

**Noes: Crye**

**Motion passed, 3-1**

9. Consideration and Approve the long-term Funding of the new City Council Quality Streets Initiative

**Administrator Eckert and Utilities Director Daryl Dye reviewed the paving work accomplished over the past three years. Also reviewed were funding recommendations and the need for the City to stay aggressive in its pursuit of potential additional funding sources.**

**Motion to approve staff recommendation by Councilmember Borges, seconded by Vice Mayor Williams.**

**ROLL CALL VOTE**

**Ayes: Johnson, Borges, Williams, Crye**

**Motion passed, 4-0**

**CITY STAFF AND COUNCIL COMMITTEE REPORTS**

**Vice Mayor Williams reported on the meeting he attended with Kamala Harris' Staff Representative.**

**Mayor Johnson discussed the Butte County Mosquito and Vector Control District meeting he attended.**

**POTENTIAL FUTURE CITY COUNCIL ITEMS - (Appearing on the Agenda within 30-90 days):**

Removal of Fluoridation from Water System	11/4/2019
Tentative Map - Eagle Meadows South	11/18/2019
Police Department Digital Radio System	11/18/2019
Award of Electric Department Building Addition	12/2/2019
IT Contract with Oroville	12/2/2019
Cancel January 7 <sup>th</sup> City Council Meeting (Due to Christmas Week)	12/16/2019
Administrator Appointment	1/21/2020
Garbage Services RFP Approval	1/21/2020
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Police Service Agreement	2/3/2020
Audit Approval	3/16/2020
Annual Budget FY 20-21 Introduction	4/6/2020

**CLOSED SESSION**

10. Public Employment (GC: 54957 (b)(1)) – Position: City Administrator

**Council went into closed session and came out at 8:05 pm with no reportable action.**

**ADJOURNMENT**

**With no items for further discussion, Council adjourned to the next regularly scheduled meeting on November 4.**

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**Paul Eckert, City Administrator**



**City Council Agenda Item #2**  
Staff Report

**Date:** November 4, 2019

**To:** Mayor and City Council

**From:** Tony Galyean, City Attorney

**Subject:** Appointment of Elisa Arteaga as Acting Finance Director effective November 4, 2019

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<b>X</b>	Regular
	Special
	Closed
	Emergency

**Recommendation**

City staff respectfully recommends that the Mayor and City Council formally approve the appointment of Assistant Finance Director Elisa Arteaga as the Acting City of Gridley Finance Director effective November 1, 2019.

**Background**

The purpose of this Staff Report is to formally appoint Assistant Finance Director Elisa Arteaga as the Acting City of Gridley Finance Director effective November 4, 2019. The change is recommended as a result of the departure of the City Administrator who also served as the Finance Director. The acting period is expected to last three to four months. The City Council will periodically evaluate the temporary structure and it's understood that the Council may apply additional changes in the near future.

**Fiscal Impact**

Savings are anticipated due to reduced salary costs for a period of three to six months.

**Compliance with City Council Strategic Plan or Budget Goals**

The City Council and City staff are committed to provide the best possible financial practices, the highest possible transparency regarding all financial transactions, and attracting and retaining the most effective, customer focused workforce possible.

**Attachment** – None



**City Council Agenda Item #3**  
Staff Report

**Date:** November 4, 2019  
**To:** Mayor and City Council  
**From:** City Attorney Tony Galyean

<b>X</b>	Regular
	Special
	Closed
	Emergency

**Subject:** Appointment of Allen Byers as Interim City Administrator effective November 4, 2019

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**Recommendation**

Staff respectfully recommends that the Mayor and City Council formally approve the appointment of the Interim Police Chief as the Interim Gridley City Administrator and Police Chief effective November 5, 2019.

**Background**

The purpose of this Staff Report is to formally appoint Interim Police Chief Allen Byers as the Interim City Administrator effective November 5, 2019. The change is recommended as a result of the departure of the City Administrator. The acting period is expected to last three months. The City Council will conduct a City Administrator during the Interim period. The Council will periodically evaluate the new temporary structure and it's understood that the Council may apply additional changes in the near future.

**Fiscal Impact**

Savings are anticipated due to reduced salary costs for a period of three months.

**Compliance with City Council Strategic Plan or Budget Goals**

The City Council and City staff are committed to provide the best possible financial practices, the highest possible transparency regarding all financial transactions, and attracting and retaining the most effective, customer focused workforce possible.

**Attachment** - None



**City Council Agenda Item #4**  
Staff Report

**Date:** November 4, 2019  
**To:** Mayor and City Council  
**From:** Allen Byers, Interim City Administrator/Police Chief

<b>X</b>	Regular
	Special
	Closed
	Emergency

**Subject:** Adoption of Resolution No. 2019-R-031: A Resolution of the City Council of the City of Gridley Authorizing and Designating City Representatives to Vote the City's Interests in Governance Agreements Associated with City's Participation in Programs, Projects and Services as a Member of the Northern California Power Agency

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**Recommendation**

Staff respectfully requests the City Council consider and approve the attached resolution temporarily designating Ray Borges as the City's Primary Representative to the NCPA Commission and appointing Finance staff member Martin Pineda to various NCPA committees. Both appointments are recommended for four months until a permanent Administrator is appointed. The new Administrator will assume the NCPA duties.

**Background**

The purpose of this recommendation is to ensure that the City of Gridley meet its long-term obligations as a member of the NCPA. This recommended action will not result in authority being granted to Councilmembers or the City staff to make decisions or take action binding the City to individual actions apart from the broader efforts of the NCPA, such as the individual purchase of new power at the Lodi Energy Center.

**Financial Impact**

There are no direct costs associated with this effort.

**Compliance with the City Council Strategic Plan or Budget Goals**

This recommendation is consistent with our ongoing efforts to provide cost effective electrical services that are fully transparent and compliant with all legal standards.

**Attachment:**

Resolution Appointing Representatives to the NCPA

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRIDLEY AUTHORIZING AND DESIGNATING CITY REPRESENTATIVES TO VOTE THE CITY'S INTERESTS IN GOVERNANCE AGREEMENTS ASSOCIATED WITH CITY'S PARTICIPATION IN PROGRAMS, PROJECTS AND SERVICES AS A MEMBER OF THE NORTHERN CALIFORNIA POWER AGENCY**

**WHEREAS**, (1) the City joined the Northern California Power Agency, hereinafter referred to as NCPA, in order to facilitate the City's acquisition of electrical power that is required to meet the electrical needs of residents and businesses within the City of Gridley; and

**WHEREAS**, (2) the City became a member of the NCPA by executing the NCPA Joint Powers Agreement on July 19, 1968, and has subsequently executed the Amended and Restated Northern California Power Agency Joint Powers Agreement, hereinafter referred to as the JPA, with an effective date of January 1, 2008, as supplemented from time-to-time; and

**WHEREAS**, (3) the JPA provides that each party to the JPA shall be a "Member" of NCPA and appoint its designated representative to the Commission; and

**WHEREAS**, (4) NCPA Bylaws, as authorized pursuant to JPA Article II, specify that:

- a) NCPA is governed by a Commission, composed of one (1) voting representative of each of the Members. Each Member of the Agency may also appoint one or more alternate Commissioners to act in the absence of that Member's Commissioner.
- b) The clerk or secretary of the board of each Member shall be responsible for advising the Secretary, in writing, of:
  - a. The identity of the Member's appointee to the Commission
  - b. The identity of any alternate Commissioner
  - c. The priority of such alternate Commissioner if more than one such alternate is appointed; and

**WHEREAS**, (5) the City has entered into a number of programs, project and service agreements through its Membership at NCPA to further facilitate the acquisition and delivery of electric power to support the provision municipal services to its residents and businesses, including:

- a) Lodi Energy Center Power Sales Agreement
- b) Lodi Energy Center Project Management and Operations Agreement
- c) Power Management and Administrative Services Agreement
- d) Amended and Restated Schedule Coordination Program Agreement
- e) Amended and Restated Facilities Agreement
- f) Second Amended and Restated Pooling Agreement
- g) Single Member Service Agreement
- h) Natural Gas Program Agreement
- i) Amended and Restated Market Purchase Program Agreement
- j) Legislative and Regulatory Affairs Program Agreement; and

**WHEREAS**, (6), each of the program and project agreements described above require the City to designate a representative that is authorized to direct NCPA to take actions on the City's behalf and obligate the City to pay for any actions taken by NCPA on the City's behalf; and

**WHEREAS**, (7) the Lodi Power Sales Agreement and Lodi Energy Center Project Management and Operations Agreement provide for the establishment of a Participants Committee, hereinafter referred to as the PPC, consisting of one member from each of the project participants, who are entitled to cast one vote on matters to which a majority of Participants is used to determine approval of matters relating to the Lodi Energy Center; and

**WHEREAS**, (8) Participants on the PPC are required to promptly give notice in writing to the other Participants and NCPA of any changes in the designation of its representative(s), including any change in its voting representative, on any committee or subcommittee; and

**WHEREAS**, (9) Signatories to the Power Management and Administrative Services agreement and Amended and Restated Schedule Coordination Agreement, hereinafter referred to as the PMASA and SCPA respectively, are entitled to cast one vote on matters pertaining to these Agreements, where such votes will be taken at meetings of the NCPA Commission through duly appointed Commissioners or Alternate Commissioners of each Member; and

**WHEREAS**, (10) the City has executed the Amended and Restated Facilities Agreement, herein after referred to as the FA, where the FA provides for the creation of a technical working group, known as the Facilities Committee that provides advisory recommendations to the NCPA Commission on matters associated with NCPA project operations, maintenance and budgets, including matters associated with the PMASA and SCPA; and

**WHEREAS**, (11) Each signatory to the FA is entitled to identify a Primary Representative and Alternate Representatives by written notice from a Participant's Commissioner, or their designee who will vote on matters pertaining to the FA at meetings held in accordance with the Ralph M. Brown Act; and

**WHEREAS**, (12) the City has executed the Second Amended and Restated Pooling Agreement, herein after referred to as the PA, where the PA provides the means and methods for joint resource planning, load forecasting, power pool purchases and centralized scheduling, dispatch and settlement activities; and

**WHEREAS**, (13) No formal designation is needed to participate on the Pooling Committee, but may be helpful to ensure notice is provided to the proper City representatives; and

**WHEREAS**, (14) the City has executed the Single Member Service Agreement, hereinafter referred to as the SMSA, which enables NCPA to enter into Power, Gas, and Financial transactions on behalf of the City, along with advisory, agency and pooled subscription services; and

**WHEREAS**, (15) the SMSA specifies that the Member by resolution or Member's manager with written delegated authority will delegate to NCPA all of the Member's governing

body's authority to enter into a Transaction with the delegation to NCPA confirming an Agency Service or Power Procurement Service for such Transaction; and

**WHEREAS**, (16) the City has executed the Amended and Restated Market Purchase Program Agreement, and the Natural Gas Program Agreement, hereinafter referred to as the MPP, and NGP respectively, which enables NCPA, on behalf of the Participants to engage in Contract Transactions to purchase and sell Energy, Resource Adequacy Capacity, Renewable Energy Credits, Greenhouse Gas Compliance Instruments, and Physical Option Products for the benefit of the Participant's customers; and

**WHEREAS**, (17) all transactions executed under the MPP and/or the NGP by NCPA on a Participant's behalf require a pre-authorization form executed by a duly authorized Participant Designated Representative, where the MPP and NGP provide that the Designated Representative of each Participant is the Participants Utility Director, and that an employee other than the Utility Director may be designated by resolution of the Participant's governing body; and

**WHEREAS**, (18) participate in activities of and entitled to cast one vote on matters related to a project, activity, budget, or initiative under the Legislative and Regulatory Affairs Program Agreement; and

**WHEREAS**, (19) the City desires to update its authorized and designated representatives to reflect updates to the City's staffing and organizational structure; and

**WHEREAS**, (20) the City wishes to appoint a representative(s) to act as the City's Commissioner on the NCPA Commission; to identify City representatives to participate on various NCPA committee's established to support the delivery of project and program services to members, and to authorize transactions that NCPA may enter into on the City's behalf that are necessary to deliver electric power to support the provision of municipal services to its residents and businesses; and

**NOW, THEREFORE BE IT RESOLVED** that the Gridley City Council hereby takes the following actions:

**RESOLVED**, (a) the City Council of the City of Gridley (CITY) confirms the following individuals as Commissioner and Alternate Commissioner on the NCPA Commission:

Commissioner – Ray Borges

First Alternate Commissioner – Zach Torres

**RESOLVED**, (b) the CITY confirms the following individuals as the voting representatives on the LEC Project Participant Committee:

Voting Representative – Martin Pineda

First Alternate – Zach Torres



**RESOLVED**, (c) the CITY confirms the following individuals as the voting representative on the Legislative and Regulatory Affairs Committee:

Voting Representative – Martin Pineda

Alternate Voting Representative – Zach Torres

**RESOLVED**, (d) the CITY confirms the following individuals as the voting representative on the NCPA Facilities Committee:

Voting Representative – Martin Pineda

**RESOLVED**, (e) the CITY confirms the following individuals to receive notice regarding City’s participation on the Pooling Committee:

Representative – Martin Pineda

**RESOLVED**, (f) the CITY delegates CITY Authority to enter into Transactions through delegations to NCPA confirming an Agency Service or Power Procurement service, pursuant to section 11.2 of the SMSA to:

Authorized Representative(s) – Martin Pineda

**RESOLVED**, (g) the City delegates Board Authority to execute Participant Authorizations directing NCPA to engage in Contract Transactions to purchase and sell Energy, Natural Gas, Resource Adequacy Capacity, Renewable Energy Credits, Greenhouse Gas Compliance Instruments, and Physical Option Products for the benefit of the Participant’s customers, in accordance with the provisions of the MPP and NGP and appoints the following individual(s) as its Designated Representative(s) pursuant to section 1.1.2.6 of the MPP and 1.1.15 of the NGP:

Designated Representative(s) – Martin Pineda

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Gridley at a regular meeting held on the 4<sup>th</sup> day of November, 2019, by the following vote:

AYES: COUNCILMEMBERS

NOES: COUNCILMEMBERS

ABSENT: COUNCILMEMBERS

ABSTAIN: COUNCILMEMBERS

ATTEST

APPROVE

\_\_\_\_\_  
Al Byers, Interim City Clerk

\_\_\_\_\_  
Bruce Johnson, Mayor