

Gridley City Council – City Council Meeting Agenda

Monday, November 6, 2017; 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 Hall

ROLL CALL - Recording Secretary

PLEDGE OF ALLEGIANCE - Councilmember Gary Davidson

INVOCATION – Pastor Bill Hammond, Lighthouse Tabernacle

PROCLAMATIONS - 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 1 and 2 of the Consent Agenda and 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 Services Update
2. City Council minutes dated October 16, 2017

PUBLIC HEARING

3. Introduction and First Reading of Ordinance 831-2017: An Ordinance of the City of Gridley to amend Chapter 14, Development Impact Fees, to the Gridley Municipal Code establishing reduced development impact fees for second residential units.
 - a. Receive Staff Report
 - b. Open Public Hearing
 - c. Receive Public Comment
 - d. Close Public Hearing
 - e. Council discussion
 - f. Adopt Ordinance 831-2017 by reading of title only, and determine the project is Categorical Exempt per the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule.

OTHER ITEMS FOR COUNCIL CONSIDERATION

4. FEMA funded purchase of replacement Boat Dock

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):

Electric Rate Discussion	11/20/2017
CDBG First Time Homebuyers Grant Application	11/20/2017
Sewer Pond Improvements and Policies	12/4/2017
General Fund fee study work session	1/15/2018

CLOSED SESSION - None

ADJOURNMENT – adjourning to the next regularly scheduled meeting on November 20, 2017

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 3, 2017, 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 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.

City Council Agenda Item #1
Staff Report

Date: November 6, 2017
To: Mayor and City Council
From: Paul Eckert, City Administrator
Subject: City Services Update

X	Regular
	Special
	Closed
	Emergency

Recommendation

Staff respectfully requests the Mayor and City Council review and accept the attached City Services Update.

Background and Compliance with City Council Strategic Plan or Budget Goals

The attached Update is provided to the Mayor and City Council in keeping with the Council's commitment to ensure that all members of our community are fully informed of all City activities and initiatives. The Update is shared online at <http://www.gridley.ca.us/>. The Update is also shared timely with all City of Gridley coworkers.

Financial Impact

There are no financial impacts associated with this Agenda item. Council review and acceptance of the City Services Update is consistent with our ongoing efforts to transparently share all City financial and budgetary information.

Attachments:

City Services Update

City of Gridley

To: Mayor Hall and City Councilmembers
From: Paul Eckert, City Administrator
Subject: City Services Weekly Update
Date: October 24, 2017

Thank you for your leadership and dedication to the Gridley community!

This Weekly Update is intended to provide useful and timely updates to the Gridley Community, Visitors, our Elected Officials, and our City Coworkers. We regret if we have inadvertently omitted useful items from this report. As always, your input and guidance are appreciated. Please send any response to me directly and do not "copy all."

Finance

- The City Administrator, Finance Department, Information Technology, and Electric and Public Works Leadership are currently working to improve our Utility Billing Processes.
- The Finance Department is very active with financial year end closing; preparation for the annual audit and onsite work; development of a wide array of grant responsibilities; payroll and benefits issues; worker's compensation cases; and organization of all work areas and file systems.
- The Fiscal Year 2017/18 Operating Budget and Capital Improvements Plans can be found online at http://gridley.ca.us/public/uploads/pdfs/17-18_ADOPTED_BUDGET_DOCUMENT.pdf
- The City's transit vehicle use is described below. This service is in addition to the Butte County Transit System that serves Gridley and the region.

Month	Passengers	Days of Service	Riders Per Day	Total Miles	Average of Daily Miles
January	721	21	34	1152	55
February	519	20	26	906	45
March	764	23	33	703	31
April	595	20	30	1472	73
May	590	20	30	1322	66
June	790	22	36	1409	64
July	606	20	30	1154	58
August	584	23	25	1221	53
September	892	21	42	1149	46

Electric Utility

- Safety Training - Crews took part in safety training provided by Evergreen Job and Safety. Topics covered included accidents and near misses here in Gridley and in the industry; safety concerns on the job; and project reviews. Our Crews also completed the annual "Heart Man Rescue" drill which included pole top Rescue and Bucket Truck Rescue (see adjacent photo. The training is required annually.
- Tree Trimming – Electrical Crews completed tree trimming around the 12,000-volt distribution lines in the City of Biggs. This completes the annual tree trimming for the Cities of Gridley and Biggs
- Substation - Weekly checks of the Substation and Line Re-Closers were completed for Gridley and Biggs.
- Service Calls - Customer requested to have their service disconnected to allow a tree removal on Spruce Street. The service was reconnected at the completion of the project. 1010 Sage Street requested to have their service disconnected and reconnected after upgrading their electrical panel.
- Shop and Truck Maintenance - Crews cleaned and re-stocked the tower truck at the completion of tree trimming in Biggs.
- Recreation Facilities - Electrical/Public Works staff assisted the Recreation Department with the re-organization of the storage area located at Vierra Park. Efforts included the removal of old storage racks; cleaning the area; painting the floor; and installing new storage racks. This is an on-going project which will include the installation of more storage racks and re-organization of the Kitchen and Pre-School areas.



Electrical Department Activity	Gridley	Biggs
Street Light Repairs	3	0
Nonpayment Shut-off/turn on	0	0
Underground Service Alerts	7	2
Sets & Outs	10	0
Service calls	0	0
Trim/Remove tree	0	0
Discrepancy Report Items	0	0
After Hours Call out's	1	0
Solar Read	0	0

Fire

- Gridley Fire emergency responses for the past week are provided in the adjacent table.
- Gridley Fire taught fire prevention to sixty 2nd and 3rd graders at Manzanita School.
- Gridley Fire responded to a double-wide mobile home fire on Watt. There were no injuries.
- E74 extinguished a one-acre vegetation fire off of Independence.
- Gridley Fire responded to a non-injury vehicle accident involving a school bus.
- Employees continue safety and physical training and new employees are currently training to become Truck Operators.
- Fire Volunteers Wanted – If you know of anyone who may want to get involved and make a difference by helping neighbors and friends, please encourage them to become a Gridley Volunteer Firefighter! The City of Gridley is a combination Fire Department with full-time CAL FIRE Firefighters and Gridley area resident Volunteer Firefighters. Our Volunteers meet regularly for training. Training is conducted cooperatively with Butte County Fire and includes all basic firefighting skills: first aid, ladders, breathing apparatus use, hose streams, vehicle extrication,

Weekly Emergency Responses	City	County
Medical Aids	19	5
Traffic Collisions	2	1
Structure Fires	0	4
Vegetation Fires	1	1
Vehicle Fires	0	0
Public Assist	0	1
Cover Assignments	0	1
Other (smoke checks, hazardous conditions, control burns, etc)	0	2
Technical Rescues	0	0

etc. This ongoing training is in addition to the initial basic operations training course. For more information about becoming a Gridley Volunteer Firefighter, go to www.joinbcfd.org and submit a Volunteer Firefighter Interest Form.

Police

- Animal Control personnel are encouraging our community canine owners to license their dogs. This provides a great record for any pet owner if they should lose their dog and enables Animal Control staff to find and return their pet.
- Animal Control continues to provide proactive patrol and compassion for lost/stray animals.
- Police patrol was active in both communities of Gridley and Biggs. The Department served several local arrest warrants during the week.
- Police patrol personnel continue to provide foot patrol in Daddow Park and Vierra Park. The Police Department continues to encourage safe and responsible experiences while visiting our community parks.
- The Department has been focused on long-term inoperable and abandoned vehicles in both the City of Gridley and the City of Biggs. Some vehicles have been lawfully removed to ensure clean, safe streets for our communities.
- Police personnel attended Driving Under the Influence of Marijuana training in Sacramento. Officers are instructed in assessing marijuana impaired drivers and the legal issues pertaining to these arrests.
- Police personnel attended the monthly North Valley Gang Information Network meeting in Oroville. The attendees discuss gang trends and enforcement efforts in Butte County.
- Police Administration attended the monthly Butte Narcotics Interagency Task Force meeting and the Law Enforcement Administrators meeting in Oroville.
- The Police Department held panel interviews for the vacant position of Police Officer. Four candidates were interviewed with all four receiving passing scores. The Department will begin the background process on the top candidate in the weeks to come.
- The Department continues in its goal to provide quality service in all aspects of public safety to the citizens we serve. The September 2017 statistics are provided below:

City of Gridley - Police Activity	September 2017	Year Total
Adult Arrests	56	536
Juvenile Arrests	4	17
Misdemeanor Arrests	52	471
Felony Arrests	7	74
Felony Crimes Reported	23	120
Misdemeanor Crimes	42	507
Total Police Incidents*	1,360	10,535
Battery	6	85
Burglary	6	57
Deceased Person	2	12
Vandalism	3	56
Stolen Vehicle	4	17
Robbery	0	2
Public Intoxication	3	43
Patrol Request	100	336
Medical Aid	4	264
Area Checks	182	1,221
Pedestrian Checks	57	498
Disturbing the Peace	31	251

Total 911 Calls	265	2,539
Total Accidents	7	65
Name Exchanges	2	10
Total Traffic Citations	62	497
DUI Arrests	0	16
Traffic Stops	210	1,536
Extra Help Hours	371.50	2,787.25
RSVP Hours	16	160
<i>"Police Incidents" are those Police responses originating from telephone calls to the Dispatch Center, walk-ins at the Police lobby, Police Officer self-initiated activity and email or social media communications.</i>		

Public Works

The Public Works Department Leadership and Crewmembers are responsible for a broad array of important duties including: Water Distribution; Water Production; Sanitary Sewer Collection; the Wastewater Treatment Plant; Street and Sidewalk Maintenance; our Maintenance Districts; Parks Maintenance; City Building maintenance. Maintenance; City Building and Facility Maintenance.

- Public Works Crews have completed monthly water meter re-reads.
- Crews continue work on building an access road at Ponds 1 and 2.
- Crews continue paving damaged areas throughout the City.
- Public Works Crews continue work on building a safety/maintenance platform around the Auger at the Sewer Plant Headworks.
- Crews have started pruning trees around the walking path at Eagle Meadows. Public Works Crews have completed pruning at the Sewer plant. Crews have completed pruning at the Sewer Plant, Heron Landing Parkway, and around all the Well-houses in Town. Crews continue pruning trees around sidewalks and street signs in various locations throughout the city.
- Crews repaired damaged split rail fence at Heron Landing Parkway.
- Street sweeping was performed this week.



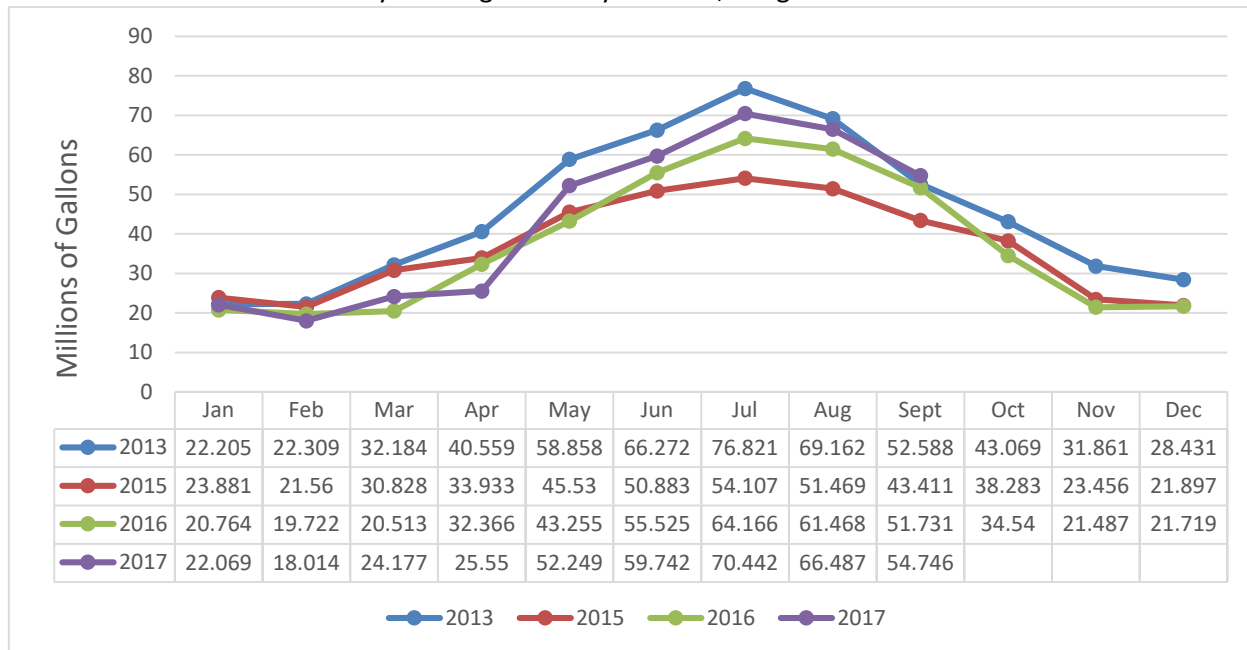
Production Well	Volume Pumped	Calc. Fl	Calc. Chlor
Eagle Meadows	25.041 M.G.	.72 mg/l	.2036 mg/l
Spruce	00.000 M.G.	.00 mg/l	.0000 mg/l
Wilson	00.000 M.G.	.00 mg/l	.0000 mg/l
Little Ave.	11.557 M.G	.65 mg/l	.2169 mg/l
Liberty	18.277 M.G	.68 mg/l	.2436 mg/l
Parkside	11.612 M.G.	.64 mg/l	.2635 mg/l

Monthly Water Production	
Total water pumped to system:	66.487 M.G.
Ave. chlorine residual in the system:	.18 mg/l
Ave. tested fluoride in the system:	.75 mg/l
Lab tested fluoride in the system:	.8 mg/l

Past Month's Flow's at the Waste Water Treatment Plant

Total flow to the Plant was 40,020,000 gals.

Flow from Butte County Housing Authority was 877,800 gals.



Recreation

- Basketball registration will be open through November 3rd. The fee will be \$65. The Division has also begun working with parents in order to form a governing board with hopes that they will be able to take over the league by next season.
- The Division will be providing clean up support to the Chamber of Commerce Holiday Light Parade. The Division has also begun its Breakfast with Santa Programs. Flyers have been completed and emailed to area schools and will be post on our City website as well as on our Gridley Recreation Facebook site and the Gridley Chamber of Commerce web/FB sites.
- Checkout Recreation's Facebook page at <https://www.facebook.com/groups/120025737091/>
- The Recreation Community Center meeting rooms are available for rent on evenings and weekends. The rental fee is \$100 per room, with an additional refundable \$50 cleaning deposit.

City Council Formal Calendar

- The City Council will hold its next Regular City Council meeting on Monday, November 6th at 6:00 pm at City Hall.
- The Butte County Board of Supervisors Agenda for the 9:00 am meeting on Tuesday, October 24th in Oroville can be accessed at the following link:
<http://www.buttecounty.net/boardofsupervisors/BoardMeetings.aspx>

Thank you for your ongoing support and guidance.

Respectfully,

Paul

Gridley City Council – DRAFT City Council Meeting Minutes

Monday, October 16, 2017; 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 Hall called the meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers

Present: Williams, Borges, Hall, Davidson
Absent: Johnson
Arriving post roll call: None

Staff present:

Paul Eckert, City Administrator
Landon Little, Deputy City Attorney
Daryl Dye, Electric/Public Works Superintendent
Dean Price, Police Chief

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Williams

INVOCATION

The invocation was provided by Bishop Ben Counihan of the Liberty 1st Ward, Church of Jesus Christ, Latter Day Saints

PROCLAMATIONS - None

COMMUNITY PARTICIPATION FORUM

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

CONSENT AGENDA

1. City Services Update
2. City Council minutes dated October 2, 2017

Motion to approve the consent agenda by Councilmember Davidson, seconded by Councilmember Borges

Motion passed, all in favor

PUBLIC HEARING

3. Public Hearing to Allow Comment on 2017 Potential Community Development Block Grant Application

Beckie Flores of Regional Housing Authority spoke briefly stating the purpose of the public hearing. The State requires a public hearing to receive input on the activities to be included in the grant.

The Mayor opened the public hearing and seeing no one present wishing to speak, the hearing was closed.

OTHER ITEMS FOR COUNCIL CONSIDERATION - None

CITY STAFF AND COUNCIL COMMITTEE REPORTS

Mayor Hall reported that he attended the Sutter Buttes Flood Control Agency meeting

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

Electric Rate Discussion	11/6/2017
CDBG First Time Homebuyers Grant Application	11/20/2017
Sewer Pond Improvements and Policies	12/4/2017
General Fund fee study work session	1/15/2018

CLOSED SESSION - None

ADJOURNMENT

With no items for further discussion, Council adjourned at 6:15 p.m. to the next regularly scheduled meeting of November 6, 2017.

Paul Eckert, City Clerk

City Council Agenda Item #3
Staff Report

Date: November 6, 2017

To: Mayor and City Council

From: Donna Decker, Planning Department

Subject: Introduction and First Reading of Ordinance 831-2017: An Ordinance of the City of Gridley to amend Chapter 14, Development Impact Fees, to the Gridley Municipal Code establishing reduced development impact fees for second residential units.

X	Regular
	Special
	Closed
	Emergency

Recommendation

Staff respectfully requests the City Council:

1. Receive staff report
2. Open public hearing
3. Hear public testimony
4. Close public hearing
5. Council discussion
6. Adopt Ordinance 831-2017 by reading of title only, and determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule.

Background

The City recently adopted the Infill Design Guidelines supporting infill and second residential units. Recently, Planning has received inquiry related to the development impact fees required to modify an existing accessory structure to a second residential unit. These fees are substantial considering the size of the unit; therefore, staff believes it would be appropriate to consider a reduction of the fee in support of the policies established by the City.

The City of Gridley General Plan Housing Element and the Infill Design Guidelines support second residential units as infill housing supporting the community goals; second units are generally smaller and the use of public facilities is likely to be less.

Planning Commission

On October 9, 2017, the City staff and the Planning Commission discussed reducing the development impact fees and recommends the City Council adopt an ordinance to do so. Staff presented the existing fees as shown below in Table 1. Single Family residential development impact fees that have been adopted by the City Council are as follows:

Table 1: Existing Development Impact Fees

Description	Development Impact Fee	Collection/Distribution	Connection
Sewer	\$10,970	\$1,750	\$1,850
Water	\$2,325	\$746.01	\$1,955.54
Electric	\$998 (Up to 200A)	\$900.00	\$900.00
Fire	\$1,601.00		
Police	\$119.00		
Parks & Recreation	\$3,659.00		
Streets & Roads	\$1,461.00		

The fees highlighted in Table 1 reflect the recommended fee reductions to provide relief to the builder who would be converting an existing garage or accessory structure into habitable space. These units are generally 200 to 700 square feet.

The purpose of second residential units is to provide affordable housing for family or as a rental. These units have often been constructed on the site already in the form of detached garage or accessory structure and then converted. The sizes of the units are generally much smaller than the existing home on the site. The Gridley Municipal Code allows second residential units to be up to 1,200 square feet in size. This is typical of a standard single family unit.

The proposed reduction is based upon what the greatest impact to the City might be. The largest impact for a second unit is related to life safety, recreation, and roads.

Fire	100% of the existing fee (1,601.00)
Police	100% of the existing fee (\$119.00)
Parks	15% of the existing fee (\$548.85)
Streets	50% of the existing fee (\$730.50)

The fee for Fire and Police would remain at 100%, Park's fee is reduced to 15% and Streets would be reduced to 50% because the impact to streets is minor. Reductions to the Collection/Distribution or Connection fees are not recommended as these reflect the costs the City bears at the time of connection of services.

Second units are generally connected to sewer, water, and electric with the primary residence. If an owner wishes to separate these services, then impact fees would need to be paid along with separate addressing established.

Table 2 reflects the recommendations for fee reductions related to the conversion of existing garages or accessory structures into second residential units:

Table 2: Proposed reduced Development Impact Fee for Second Units

Description	Development Impact Fee	Reduced Fee*	Collection/Distribution (No reduction)	Connection (No reduction)
Sewer	\$10,970	\$1,645 (15%)	\$1,750	\$1,850
Water	\$2,325	\$348.75(15%)	\$746.01	\$1,955.54
Electric	\$998 (Up to 200A)	\$499.00(50%)	\$900.00	\$900.00
Fire	\$1,601.00	\$1,601.00(100%)		
Police	\$119.00	\$119.00(100%)		
Parks & Recreation	\$3,659.00	\$548.85(15%)		
Streets & Roads	\$1,461.00	\$730.50(50%)		
Subtotal	\$21,133.00	\$5,492.10 (75% reduction)	\$3,396.01	\$4,705.54
Total (existing)	\$29,234.55			
Total (proposed)		\$13,593.65(64% reduction)		

Typically, a conversion of a structure for use as a second unit would only be required to pay impact fees for Fire, Police, Parks, and Streets. This results in the following fees as shown on Table 3 below when utilities are not separated which could be done at a later date:

Table 3: Development Impact Fee for Second Units without Separation of utilities

Description	Development Impact Fee	Reduced Fee
Fire	\$1,601.00	\$1,601.00(100%)
Police	\$119.00	\$119.00(100%)
Parks & Recreation	\$3,659.00	\$548.85(15%)
Streets & Roads	\$1,461.00	\$730.50(50%)
Total (existing)	\$6,840.00	
Total (proposed)		\$2,999.35 (57% reduction)

The reduced fee of \$2,999.35 would be paid as the development impact fee for the conversion of an existing garage or accessory structure to habitable space as a second residential unit at the time of building permit issuance.

Second units may be as large as 1,200 square feet. No reduction would be allowed for the construction of a new second unit this large, described as being the same size or larger than many existing homes and that the full development impact fee should be paid. No distinction as to the size of new construction for a reduction was made, although new construction up to the size of a two-car garage (up to 700 square feet) was considered and has been added into the ordinance for consideration.

Conclusion

The proposed fee reductions are reasonable; the City is attempting to provide relief in the fee structure for the conversion of existing accessory structures to second units. The proposed fee reduction reflects the goals and policies in the General Plan Housing Element and the Infill Design Guidelines.

Public Notice

A notice was advertised 10 days in advance of the hearing date, posted at City Hall, made available at the Administration public counter and placed on the City website for review. At the time this report was prepared, no comments had been received.

Environmental Review

The project is categorically exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule.

Financial Impact

Development impact fees are designed to be a method cities use to collect funds at the time of building permit issuance to offset future maintenance and upgrades to aging facilities. The impact of the conversion of existing accessory structures to second residential units is minor in contrast to new development.

Compliance with City Council Strategic Plan or Budget Goals

This recommendation is consistent with the ongoing effort to be responsive and transparent regarding all financial matters.

Attachments:

1. Draft Ordinance 831-2017

ORDINANCE AMENDING TITLE 14, DEVELOPMENT IMPACT FEES OF THE GRIDLEY MUNICIPAL CODE REDUCING DEVELOPMENT IMPACT FEES FOR SECOND RESIDENTIAL UNITS (Citywide)

WHEREAS, the City of Gridley adopted goals and policies in support of infill housing and second residential units memorialized in the adopted 2030 General Plan, the 2014-2022 Housing Element Update, and the Infill Design Guidelines adopted in December, 2016; and,

WHEREAS, the General Plan Housing Element emphasizes the continued need to support second residential units providing affordable housing inventory that can be used by family members or rented; and,

WHEREAS, on October 9, 2017, at its public hearing duly advertised ten days in advance of the meeting, the Planning Commission considered the reduction of development impact fees for the conversion of existing accessory structures to habitable space as second residential units and new construction of second residential units determining the fee reduction to be appropriate, recommending the City Council amend Chapter 14, Development Impact Fees, to reduce fees for Second Residential Units; and,

WHEREAS, the Planning Commission found the proposed ordinance categorically exempt from CEQA, Section 15061(b)(3), Review for Exemption, General Rule; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRIDLEY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Add Section 14.04.050, Reduced Impact Fees for Second Residential Units, to Title 14, Development Impact Fees, Chapter 14.04; Impact Fees for Public Facilities and Services, and delete and amend portions of Section 14.04.030, Establishing development impact fees:

Chapter 14.04 Impact Fees for Public Facilities and Services

14.04.010 Purpose and Authority.

14.04.020 No Mandatory Duty of Care.

14.04.030 Establishing Development Impact Fees.

14.04.040 Collection of Development Impact Fees.

[14.04.050 Reduced Impact Fees for Second Residential Units.](#)

14.04.010 Purpose and authority.

The purpose of this chapter is relating to development impact fees for public facilities and services within the City to make them applicable in all parts of the City. The City Council enacts this chapter pursuant to the authority granted cities by Article XI, Section 7 of the California Constitution.

(Ord. 744 (part), 2005)

14.04.020 No mandatory duty of care.

This chapter is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

(Ord. 744 (part), 2005)

14.04.030 Establishing development impact fees.

A. That new development in the City shall be required to pay their fair share of capital improvements needed as a result of the projected growth. Further, that the capital improvement cost for new growth is determined in the City Development Impact Fee Study.

B. That the City finds that it is necessary that its development impact fee for capital improvements go into effect immediately in order that all properties in the City pay their fair share of the cost associated with the improvements. Immediate implementation of these fees is necessary due to the current and immediate threat to public safety which will result should there be a shortfall in the amount of money necessary to pay for the various improvements therefore resulting in failure to the existing infrastructure. The City finds that the prospect of a revenue shortfall and failure of infrastructure continues a current, immediate threat to the public health, welfare and safety, which justifies the immediate imposition of these fees.

C. ~~That the 20-City Construction Cost Index published by the Engineering News Record shall adjust the~~ Development impact fees, collection, distribution, and collection fees shall be increased by 0.05 (one-half percent) annually, on or before ~~April~~ July 1, utilizing Table 1, below, by resolution of the City Council.

D. That the amount of the Development Impact Fees shall be collected at issuance of the building permit and shall apply to all new construction within the City.

E. The City shall calculate the equivalent fee amount for non- residential uses, based on the single family residential rate prior to issuance of a building permit.

~~F. The development impact fees shall be as indicated in Exhibit A of Ordinance 747-2005 as adopted by reference and may be amended as appropriate by resolution.~~

~~G. This chapter shall be of no further force and effect 30 days after its adoption unless extended by the City.~~

~~H. This chapter does not supersede the interim emergency Ordinance 745-2005, enacted by the City on March 25, 2005, placing a moratorium on issuance of building permits, however any person who effectively waives any objection to the City's authority to impose the fees established by this chapter (the form of waiver to be satisfactory to the City Attorney) and who also pays such fees, may obtain issuance of building permits at the time the fees are paid. The~~

~~agreement waiving objections to the fees may provide that occupancy permits may be withheld until such time as sufficient capacity improvements exist to avoid endangering the public health, welfare and safety of the community.~~

(Ord. 749, 2005; Ord. 747, 2005)

14.04.040 Collection of development impact fees.

A change in use of a parcel of property shall constitute new development for purposes of requiring the payment of development impact fees. Such fees shall be calculated based upon the new use of the property and shall be paid prior to the issuance of a building permit (to include a building permit for any existing structures on the property).

(Ord. 777, 2008)

14.04.050 Reduced Impact Fees for Second Residential Units.

A. Conversion of existing accessory structures to second residential units.

Development impact fees are reduced as shown in the following Table 1:

Table 1: Reduced Development Impact Fee for the Conversion of Existing Accessory Structures to Habitable Space to Create Second Residential Units

Description	Development Impact Fee (2017)	Reduced Fee	Collection/Distribution (No reduction)	Connection (No reduction)
Sewer	\$10,970	\$1,645 (15%)	\$1,750	\$1,850
Water	\$2,325	\$348.75(15%)	\$746.01	\$1,955.54
Electric	\$998 (Up to 200A)	\$499.00(50%)	\$900.00	\$900.00
Fire	\$1,601.00	\$1,601.00(100%)		
Police	\$119.00	\$119.00(100%)		
Parks & Recreation	\$3,659.00	\$548.85(15%)		
Streets & Roads	\$1,461.00	\$730.50 (50%)		

The reduced fees will be adjusted each year in accordance with Section 14.04.030(C), Establishing Development Impact Fees, above. The reduction percentages shall stay the same whereas the fee will increase when the 20-City Construction Cost Index on April 1 of each year is published by the Engineering News Record. Amendment of the fees shall be by resolution of the City Council.

B. Construction of new second residential units.

(1) Development impact fees for the construction of new second residential units up to and including 750 square feet shall be reduced in accordance with Table 1 above.

(2) Development impact fees shall not be allowed to be reduced for the construction of new second residential units over 750 square feet to the allowed maximum of 1,200 square feet.

I HEREBY CERTIFY that the introduction of Ordinance 831-2017 by reading of title only, and the finds the amendment of the ordinance categorically exempt from CEQA, Section 15061(b)(3), Review for Exemption, General Rule was effected at the regular meeting of the City Council of the City of Gridley, California, held on the 6th day of November, 2017, by the following vote:

AYES: COUNCILMEMBERS

NOES: COUNCILMEMBERS

ABSENT: COUNCILMEMBERS

ABSTAIN: COUNCILMEMBERS

ATTEST:

APPROVE:

Paul Eckert, City Clerk

Frank Hall, Mayor

APPROVED AS TO FORM:

Anthony Galyean, City Attorney

City Council Agenda Item #4
Staff Report

Date: November 6, 2017
To: Mayor and City Council
From: Daryl Dye Public Works /Electrical Department Director
Subject: Contract to replace the Boat Launch Floating Dock

X	Regular
	Special
	Closed
	Emergency

Recommendation

Staff respectfully requests the Mayor and City Council award the contract to replace the Floating Boat Dock located at the City of Gridley Boat Launch Facility to Mid-Cal Construction, Inc., of Stockton, California in the amount of \$145,800.00

Background

Staff seeks to replace the Floating Boat Dock at the City of Gridley Launch Facilities located at 1098 East Gridley Road that was damaged during the “Oroville Spillway Incident” in February 2017. During the event the Department of Water Resources (DWR) released higher than normal flows from the Oroville Dam Spillway causing substantial damage to City of Gridley Boat Launching facilities.

Staff recommends awarding the contract to Mid-Cal Construction, Inc., a Stockton, California based contractor specializing in custom dock building and in business since 1971, in the amount of \$145,800.00. At the request of the Federal Emergency Management Agency’s (FEMA), staff contacted three contractors specializing in custom dock building and installation to obtain estimates for replacement of the dock. Staff attempted to contact Davis Machine, the original contractor who installed the facility. After repeated phone calls and email to obtain a replacement project cost estimate, staff received no reply. Staff received the following estimates:

- California Custom Docks, for \$148,000 plus soil sampling. This cost includes wet stamped engineering plans and does not include any permit fees.
- Mid-Cal Construction LLC, for \$145,800. This cost includes wet stamped engineering plans and does not include demo, permit acquisition, permit fees, surveyor fees, environmental mitigation, or special inspection fees if applicable.

Financial Impact

The Boat Launch Facility replacement project is eligible for 100% funding from the Federal Emergency Management Agency (FEMA) under the Butte Incident Reference # BUGRGO2LOP 2, 4.

Compliance with City Council Strategic Plan or Budget Goals

This recommendation is consistent with our ongoing effort to be responsive and transparent regarding all business transactions and financial matters.

Attachment

- Mid-Cal Construction contract/project description

Proposal and Contract

MID-CAL CONSTRUCTION, INC.

2716 E. Miner Ave., Ste S
Stockton, CALIFORNIA 95205
(209) 832-4400 · (209) 832-1044
License No. 280277

Proposal Submitted to Owner on: 10/27/2017

NAME
Daryl Dye, City of Gridley

PHONE
530-403-7222

JOB NAME
171007

STREET
444 Fairview Dr.

E-MAIL
ddye@gridley.ca.us

CITY, STATE AND ZIP CODE
Gridley, CA

JOB LOCATION
Gridley Launch Dock

This Contract (hereinafter referred to as the "Agreement") is made and entered into on this 27th day of October, 2017, by and between **The City of Gridley** (hereinafter referred to as "Owner"), and Mid-Cal Construction, Inc. having a business address of 2716 E. Miner Ave., Ste S, Stockton, CA, 95205, License No. 280277 (hereinafter referred to as "Contractor"). In consideration of the mutual promises contained herein, Owner and Contractor hereby agree as follows:

Article 1. Scope of Work

Substantial commencement of work shall mean:

- 4 Floating Dock sections at 8'x20', encapsulated floats, aluminum box frame, concrete surface, composite walers, standard rub-rail.
- 2 HD pile squares for 14" piles.
- 2 steel 14" piles, supplied and driven.
- 4 piano hinges at 8'.
- Installed on existing abutment.
- Plans/Engineering Stamp.
- Prevailing Wages.
- Does not include demo, permit acquisition, permit fees, surveyor fees, environmental mitigation, or special inspection fees if applicable.

Owner acknowledges that no other work is included within this Agreement outside of the stated "Scope of Work", (OWNER'S INITIALS): _____
--

Article 2. Commencement and Completion of Work

Work under this Agreement shall start within 90-120 days once permits are received barring any delays caused by Owner, condition of permits, delay of payments, inclement weather, authorized change orders, authorized work windows by regulatory agencies or any other circumstance that is beyond the control of the Contractor.

FAILURE OF THE CONTRACTOR WITHOUT LAWFUL EXCUSE TO SUBSTANTIALLY COMMENCE WORK WITHIN 20 DAYS FROM THE APPROXIMATE DATE SPECIFIED IN THE CONTRACT WHEN WORK WILL BEGIN IS A VIOLATION OF THE CONTRACTORS LICENSE LAW.

Article 3. Contract Price

Owner shall pay Contractor an amount equal to One hundred forty-five thousand eight hundred Dollars (\$145,800.00) for the work performed pursuant to the provisions of this Agreement, subject to any increases or decreases resulting from written authorized change orders. Contract Price is based on design, time, and materials. Contract Price is not based on an intended affect.

Permit fees, associated costs, engineering fees, mitigation fees, biologists fees, historical records search fees, and special inspections to be paid by Owner, if required.

Owner acknowledges that Contract Price is based on the design, time, and materials known to Contractor at the time of the signing of this contract. Owner acknowledges that permit fees, associated costs, engineering fees, mitigation fees, biologists fees, historical records search fees, and special inspections are NOT included within the Contract Price. (OWNER'S INITIALS): _____

Article 4. Schedule of Payments

Contract Price progress invoices shall be issued by Contractor and corresponding Contract Price progress payments shall be made by the Owner as follows:

- \$36,450.00 Deposit Due at signing of Agreement.
- \$36,450.00 Due when dock sections is framed at Mid-Cal's Facility.
- \$36,450.00 Due when pile driver is onsite.
- \$36,450.00 Due when work scope is complete.

If payment is not made when due, Contractor may suspend work on the job until such time as all due payments have been made. Failure to make a scheduled payment within a reasonable time following the receipt of Contractor's progress invoice shall be considered a material breach of this Agreement.

Interest on unpaid accounts shall be collectible at a rate of 1.5 percent per month. In the event that said interest rate is determined to be in violation of usury regulations, interest shall be collectible at the then maximum legal rate. Should any collection effort be necessitated, Contractor shall be entitled to recover all incurred attorney fees and costs associated with said collection effort, whether by suit or otherwise.

All docks, gangways, covers, or any other construction performed and installed by Mid-Cal Construction, INC. will remain the property of Mid-Cal Construction, INC. until final payment is made to Mid-Cal Construction, INC. Upon final payment, all construction becomes property of Owner.

Article 5. Contract Change Orders

Any alteration or deviation from the scope of work specified in this Agreement, including, but not limited to, any such alteration or deviation involving additional materials, and/or labor costs, or any alteration or deviation required by governmental or regulatory authority, shall require the execution of a Contract

Change Order by the Owner and Contractor prior to the performance of the additional work by Contractor. All such Change Orders shall be in writing, shall set forth the scope of the altered or additional work to be performed, shall set forth the additional price to be charged, and shall be signed by both Owner and Contractor. Any such Change Order shall be incorporated into, and shall become a part of this Agreement.

Article 6. Payment of Change Orders

Change Order invoices shall be issued by Contractor, and corresponding Change Order payments shall be made by the Owner upon completion of the work covered by the Change Order. If payment is not made when due, Contractor may suspend work on the job until such time as all due payments have been made. Failure to make a Change Order payment, within a reasonable time following the receipt of Contractor's invoice, shall be considered a material breach of this Agreement.

Article 7. Concealed Conditions

This Agreement is based solely upon the observations that Contractor was able to make regarding the visible condition of the job site at the time that the job underlying this Agreement was bid. If concealed conditions are discovered once work has commenced which were not visible at the time the job was bid, Contractor shall stop work and point out the unforeseen concealed conditions to Owner, so that Owner and Contractor can execute a Change Order covering any additional required work.

Article 8. Standard Exclusions

Unless specifically included in Article 1. Scope of Work, this Agreement does not include labor or materials for the following work: plans, engineering fees, or governmental permits or fees of any kind; testing, removal, or disposal of any materials containing asbestos (or any other hazardous material as defined by the EPA); moving Owner's property around the job site; labor or materials required to repair or replace any Owner-supplied materials; repair of concealed underground utilities not located on prints or staked out by Owner which are damaged during construction; surveying that may be required to establish accurate property boundaries for setback purposes (fences and old stakes may not be located on actual property lines); final construction cleaning (Contractor will leave site in "broom swept" condition); landscaping and irrigation work of any kind; temporary sanitation, power, or fencing; removal of soils under house in order to obtain 18 inches (or code required height) of clear space between bottom of joists and soil; removal of filled ground or rock or any other materials not removable by ordinary hand tools (unless heavy equipment is specified in Article 1. Scope of Work); correction of existing out-of-plumb or out-of-level conditions in existing structure; correction of concealed substandard framing; rerouting/removal of vents, pipes, ducts, structural members, wiring or conduits, or steel mesh which may be discovered in the removal of walls or the cutting of openings in walls; removal and replacement of existing rot or insect infestation; failure of surrounding part of existing structure, despite Contractor's good faith efforts to minimize damage, such as plaster or drywall cracking and popped nails in adjacent rooms; exact matching of existing finishes; public or private utility connection fees; repair of damage to roadways, driveways, or sidewalks that could occur when construction equipment and vehicles are being used in the normal course of construction.

Article 9.

1. All work shall be completed in a workmanlike manner and in compliance with all building codes and other applicable laws.
2. Contractor may at its discretion engage subcontractors to perform work hereunder, provided Contractor shall in all instances remain responsible for the proper completion of this Agreement.
3. Contractor shall remove all of Contractor's construction debris from job site and leave job site in "broom clean" condition.

Article 10. Warranty

Contractor warrants all work to be free of defects in installation and workmanship, under normal use and service, and with proper maintenance, for a period of one year following completion. The remedy under this warranty shall be limited to the repair of the defective work. This warranty shall be void if the dock or deck system is misused, abused, altered, or damaged in any way after installation. Failure, damage, or malfunction of the dock or deck system resulting from misuse, abuse, negligence, alteration, accident, lack of proper maintenance, impact of foreign objects, violent storm, flood, fire, pollutants, chemicals, or acts of God shall not be considered as defects under this warranty and are not covered in any way by this warranty. Owner shall provide prompt notice of any defect to obtain warranty service. Contractor shall not be liable for inconvenience, labor, loss of time, or other incidental, special, or consequential damages or losses arising in relation to this warranty. No warranty is provided by Contractor on any materials furnished by Owner for installation. No warranty is provided by Contractor on any existing materials that are moved or re-installed by the Contractor.

Repair of the following items is specifically excluded from this warranty: damage due to ordinary wear and tear; loosening of bolts in dock or deck structures; warping and deflection of wood.

THE EXPRESS WARRANTIES CONTAINED HEREIN ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTIES OF MERCHANTABILITY, HABITABILITY, OR FITNESS FOR A PARTICULAR USE OR PURPOSE. THIS LIMITED WARRANTY EXCLUDES CONSEQUENTIAL AND INCIDENTAL DAMAGES AND LIMITS THE DURATION OF IMPLIED WARRANTIES TO THE FULLEST EXTENT PERMISSIBLE UNDER STATE AND FEDERAL LAW.

Article 11. Time of the Essence

Time is of the essence. This proposal and Agreement may be withdrawn by Contractor if not accepted by Owner within 30 days from the date that the proposal was submitted to Owner for review and acceptance.

Article 12. Entire Agreement

This Agreement represents and contains the entire agreement between Owner and Contractor.

Article 13. Complaints

Contractors are required by law to be licensed and regulated by the Contractors State License Board, which has the jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within 10 years of the date of the alleged violation. Any questions concerning the contractor may be referred to the Registrar, Contractors State License Board, Post Office Box 26000, Sacramento, California 95826.

Article 14. Right to Cancel

You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached Notice of Cancellation form for an explanation of this right.

AGREED this ____ day _____ of 2017:

By: _____
Contractor

By: _____
Owner

By: _____
Owner