

Gridley City Council – Regular City Council Meeting Agenda

Monday, March 1, 2021; 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.”

Notice of Temporary City Council Meeting Procedures

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Act, Governor Gavin Newsom’s Emergency Declaration related to COVID-19, and Governor Newsom’s Executive Order N-29-20 issued March 17, 2020 that allows attendance by City Council, City staff and the public to participate and conduct the meeting by teleconference and to participate in the meeting to the same extent as if they were present. Comments from the public on agenda items will be accepted until 4 pm on March 1, 2021, via email to jmolinari@gridley.ca.us or via the payment/document drop box at Gridley City Hall and will be conveyed to the Council for consideration. The Mayor and Council appreciate the public’s adaptation and patience during this crisis.

You may attend via teleconference:

- Dial 1-888-204-5987
- Enter the Access Code 5767603#

CALL TO ORDER - Mayor Johnson

ROLL CALL - Recording Secretary

PLEDGE OF ALLEGIANCE Council member Torres

INVOCATION - None

PROCLAMATIONS - None

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

1. February 16, 2021 City Council Minutes

2. Adopt Resolution Number 2021-R-005: A Resolution Approving an Allocation of Funding and the Execution of a Grant Agreement and any Amendments Thereto from the CDBG-DR Program

ITEMS FOR COUNCIL CONSIDERATION

3. City of Gridley Employment Contract with Paul Eckert

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):

Approval of Mid-Year Budget Adjustments	4/19/2021
Bernard Rezone	4/19/2021
Edler Estates Pre-Application	5/17/2021
Sphere of Influence Update	6/21/2021
Introduction General Plan/Prezone/Annexation for north 400 ac.	7/19/2021

CLOSED SESSION

4. Closed Session discussion with City Attorney pursuant to Government Code 54956.95 to discuss money damage claims presented to the City by Claimants Scott McMillan, Michael McMillan, Allison Wollbert and Tyrell Ford”.

ADJOURNMENT – adjourning to a Regular meeting on March 15, 2021.

NOTE 1: POSTING OF AGENDA- This agenda was posted on the public bulletin board at City Hall at or before 6:00 p.m., February 26, 2021. This agenda along with all attachments is available for public viewing online at www.gridley.ca.us and at the Administration Counter/Police Department Lobby 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.

Gridley City Council – Regular City Council Meeting Minutes

Tuesday, February 16, 2021; 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

Council Members

Present:	Sanchez, Johnson, Calderon, Farr
Absent:	Torres
Arriving after roll call:	None

Staff present:

Rodney Harr, Police Chief/Acting City Administrator
Tony Galyean, City Attorney
Ross Pippitt, Public Works Director
Danny Howard, Electric Utility Director
Ruben Quihuiz, Lieutenant

PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance

INVOCATION - None

PROCLAMATIONS - None

INTRODUCTION OF NEW OR PROMOTED EMPLOYEES - None

COMMUNITY PARTICIPATION FORUM

Mr. William Bynum said he was happy we are having a Council meeting because other nearby Cities have canceled theirs due to COVID-19.

CONSENT AGENDA

1. February 1, 2021 City Council Minutes

Motion to approve the consent agenda by Vice Mayor Farr, seconded by Mayor Johnson

ROLL CALL VOTE

Ayes: Calderon, Johnson, Farr, Sanchez

Motion passed, 4-0

ITEMS FOR COUNCIL CONSIDERATION

2. Invitation to Join Butte County Behavioral Health Advisory Board (BCBHB) Zoom Meetings

Acting Administrator Harr briefly reviewed the staff report. After brief discussion, motion to approve item #2 and appoint Vice Mayor Farr with Council member Sanchez as an alternate by Council member Calderon, seconded by Council member Sanchez.

ROLL CALL VOTE

Ayes: Johnson, Calderon, Sanchez, Farr

Motion passed, 4-0

3. Request by Council Member Calderon to initiate a COVID-19 Local Intervention Program to address COVID-19 Concerns and Education to our Local Community

Council member Calderon went through a power point presentation expressing his desire to see the City initiate its own COVID-19 Local Intervention Program. Council was divided in their support of the proposal. Although some thought it was a good idea for the City to promote, others thought it should be done on an individual basis and not something the City should be attached to as Butte County Public Health is already providing all the necessary information.

Public comments were received from Kathy McKenzie, William Bynum and Steve Stark in support of the idea. Chris Williams said he doesn't want the City to overstep their bounds but does think they should help somehow.

Motion to approve item #3 by Council member Sanchez, seconded by Council member Calderon

ROLL CALL VOTE

Ayes: Sanchez, Calderon

Noes: Johnson, Farr

Item did not pass for lack of majority vote.

4. Community Housing Improvement Program (CHIP) Requesting Loan Forbearance and a Pause in Interest Accrual on the EDBG/CDBG Loan from the City of Gridley

Seana O'Shaughnessy, President and CEO of Community Housing Improvement Program (CHIP) addressed Council with the request. She gave a brief history of CHIP and what they do. There was discussion regarding the current commercial and residential rents and details were provided as to the amount of the requested forbearance.

Motion to approve item #4 by Council member Sanchez, seconded by Vice Mayor Farr

ROLL CALL VOTE

Ayes: Sanchez, Calderon, Johnson, Farr

Motion passed, 4-0

5. Request by Council (Johnson)(Farr)(Torres)(Sanchez) and (Calderon) regarding the Community interest in Livestreaming/Zoom style platforms for the City of Gridley Council meetings

Acting Administrator Harr reviewed the staff report. After brief discussion, Staff was directed to return with three different options as far as camera/audio setup and pricing for Council consideration.

Pat Coghlan and William Bynum made comments in favor of a new platform. Email comments from Grace Mahannah in support of item #5 were provided to all Council members prior to the meeting.

This was informational, no action was taken.

CITY STAFF AND COUNCIL COMMITTEE REPORTS

Mayor Johnson reported on the meetings he attended with Butte County Mosquito and Vector Control District and Sutter Butte Flood Control Agency. He also announced that Supervisor Todd Kimmelshue has an office in Gridley at the Veteran's Building and is available 2-3 days a week.

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

Approval of Mid-Year Budget Adjustments	4/19/2021
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Introduction General Plan/Prezone/Annexation for north 400 ac.	7/19/2021

CLOSED SESSION

Council went into closed session at approximately 8 pm.

6. Closed Session to confer with legal counsel on existing litigation: “Marco Anthony Garcia-Padilla vs. City of Gridley, Gridley Police Dept, et al., United States District Court for the Eastern District of California, Case No. 2:21-CV-00206-TLN-DMC”.
7. Conference with Labor Negotiators: Labor Negotiations – IBEW
Negotiator: Acting City Administrator, Rodney Harr
Positions: Electrical Supervisor, Senior Electric Line Worker, Electrical Line Worker, Apprentice Line Worker, Customer Service Technician

Council came out of closed session at 8:52 pm with no reportable action.

ADJOURNMENT

With no items for further discussion, Council adjourned to a Regular meeting on March 1, 2021.

Rodney Harr, Acting City Clerk

City Council Agenda Item #2

Staff Report

Date: March 1, 2021

To: Mayor and City Council

From: Donna Decker, Planning Department

Subject: Adopt Resolution Number 2021-R-005: A resolution approving an allocation of funding and the execution of a grant agreement and any amendments thereto from the CDBG-DR program.

X	Regular
	Special
	Closed
	Emergency

Recommendation

Staff respectfully requests the City Council:

1. Adopt resolution number 2021-R-005 authorizing the Acting City Administrator/City Administrator/Finance Director to execute a standard Master Agreement with the State of California Housing and Community Development, after due diligence has been met, to accept a CDBG -DR grant in the amount of \$2,394,037 for the purposes of the construction of affordable housing.

Discussion

The State of California Housing and Community Development Department, as the lead agency to administer Federal Disaster Relief Funds, has allocated \$2,394,037 as a grant to the City of Gridley towards a project to construct affordable housing in order to mitigate lost housing due to the fires experienced in 2018 within the State. There are several steps to receive the funding; the first is to adopt a resolution to approve the allocation of the funds and to conduct Due Diligence determining the City is capable of managing the grant. This instrument is required to be completed by March 15, 2021. After the State accepts the City is able to administer the grant, a Master Agreement will be executed and funding available.

In 2018, the State of California experienced significant losses due to firestorms that swept through populated cities and counties impacting residential neighborhoods and the loss of life. In total, it is estimated over 1.6 million acres burned. As a result, the Federal Emergency Management Agency (FEMA) made disaster assistance available for two presidentially declared disasters, one of which is DR-4407 covering Butte, Los Angeles, and Ventura counties.

In recognition of the unmet recovery needs, an allocation of \$1,017,399,000 in Community Development Block Grant-Disaster Recovery (CDBG-DR) funds was granted to the State of California on January 27, 2020 through 85 FR 4681 under Public Laws 115–254 and 116–20, which cover DR-4407. These funds are administered by the U.S. Department of Housing and Urban Development (HUD) and are intended primarily to assist housing recovery and to benefit low- and moderate-income households impacted by the fires.

The California Department of Housing and Community Development (HCD) is the lead and responsible agency for administering these CDBG-DR funds. Additionally, HCD has undertaken

an extensive needs assessment to determine the specific priorities of the affected counties. The Multifamily Housing Program will allow local governments to identify, select and submit potential projects to the state for eligibility and compliance review, approval, and funding. Local governments that receive funds will work with qualified developers and contractors to construct the developments.

The 2018 State of California Disaster Recovery Action Plan (The Plan), Attachment 3, identifies disaster impacts and unmet recovery needs, provides an overview of the rules and regulations associated with CDBG-DR funding, outlines the proposed uses of the funds and how funds will be distributed to impacted residents and communities, and affords citizens with an opportunity to comment on the state's recovery plan. The Plan outlines HCD's proposed activities to support recovery efforts across the State of California. The proposed recovery activities include the assistance for multifamily housing for local governments. The project type includes a variety of models that would greatly augment the housing availability in the City of Gridley.

Staff requests the City Council adopt the resolution to approve the allocation of funding to the City of Gridley to support additional affordable housing for the community.

Public Notice

A notice was advertised 72 hours 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.

Environmental Review

No CEQA review for this action is required in accordance with the General Rule exemption in that there is no environmental impact from this action.

Financial Impact

There are no direct or indirect costs to the City at this time excepting the preparation of the staff report.

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. Resolution No. 2021-R-005
2. Summary: 2018 State of California Disaster Recovery Action Plan
3. 2018 State of California Disaster Recovery Action Plan – Available for review at the Public Counter in City Hall/Police Department Lobby

RESOLUTION NO. 2021-R-005

A RESOLUTION APPROVING AN ALLOCATION OF FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE CDBG-DR PROGRAM

BE IT RESOLVED by the **City Council** of the **City of Gridley** as follows:

SECTION 1:

The City Council has reviewed the State of California's CDBG-DR Action Plan for 2018 disasters, which allocates funds to the City and hereby approves the execution of a Master Standard Agreement ("Agreement") in the aggregate amount, not to exceed, \$ 2,394,037 ("Grant").

The City Council agrees to perform the following activities, as further detailed in the Agreement, as a means to facilitate the development of multifamily housing (rehabilitation, reconstruction, or new construction), pursuant to the Disaster Recovery Multifamily Housing Program (DR-MHP) Policies and Procedures:

- Implement a project solicitation process to receive multifamily development project applications from Developers;
- Underwrite, select, and prioritize those projects in accordance with the DR-MHP Policies and Procedures;
- Submit those selected and prioritized project applications to the Department; and
- Oversee and monitor the construction and lease up of Department approved projects during the construction period through the affordability period.

SECTION 2:

The City hereby authorizes and directs the City Administrator, or Finance Director, or their designee, to enter into, execute and deliver the Agreement and any and all subsequent amendments thereto with the State of California for the purposes of the Grant.

SECTION 3:

The City Administrator, or Finance Director, or their designee, is authorized to execute and deliver all project applications or any and all related documentation, as needed for the purpose of effectuating the terms of the Agreement; and to act on the City's behalf in all matters pertaining to all such applications and documentation necessary to carry out the Agreement.

SECTION 4:

If an application is approved, the City Administrator, or Finance Director, or their designee, is authorized to enter into, execute and deliver the Notice(s) to Proceed, and any and all subsequent amendments thereto with the State of California for the purposes of the Grant.

SECTION 5:

If an application is approved, the City Administrator, or Finance Director, or designee, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the Agreement for purposes of the Grant.

PASSED AND ADOPTED at a regular meeting of the **City Council** of the **City of Gridley** held on March 1, 2021 by the following vote:

AYES: AGENCY MEMBERS _____

NOES: AGENCY MEMBERS _____

ABSTAIN: AGENCY MEMBERS _____

ABSENT: AGENCY MEMBERS _____

ATTEST:

APPROVE:

Rodney Harr, Acting City Clerk

Bruce Johnson, Mayor

APPROVED AS TO FORM:

Anthony Galyean, City Attorney



State of California 2018 Community Development Block Grant- Disaster Recovery (CDBG-DR) Action Plan Summary

California Department of Housing and Community Development

California Action Plan Summary

UNMET NEEDS ALLOCATION: \$162 Million

- On August 14, 2018, HUD allocated \$124 million in Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the State of California's unmet recovery needs related to the FEMA Major Disaster Declarations DR-4344 in October 2017 and DR-4353 in December 2017 (2017 Declarations).
- On February 3, 2020, HUD allocated an additional \$38 million in CDBG-DR to support the State of California's unmet infrastructure recovery needs related to the 2017 Declarations.
- 80 percent (approximately \$130 million) goes to HUD-defined Most Impacted and Distressed (MID) areas.

HUD DESIGNATED MOST IMPACTED AND DISTRESSED AREAS

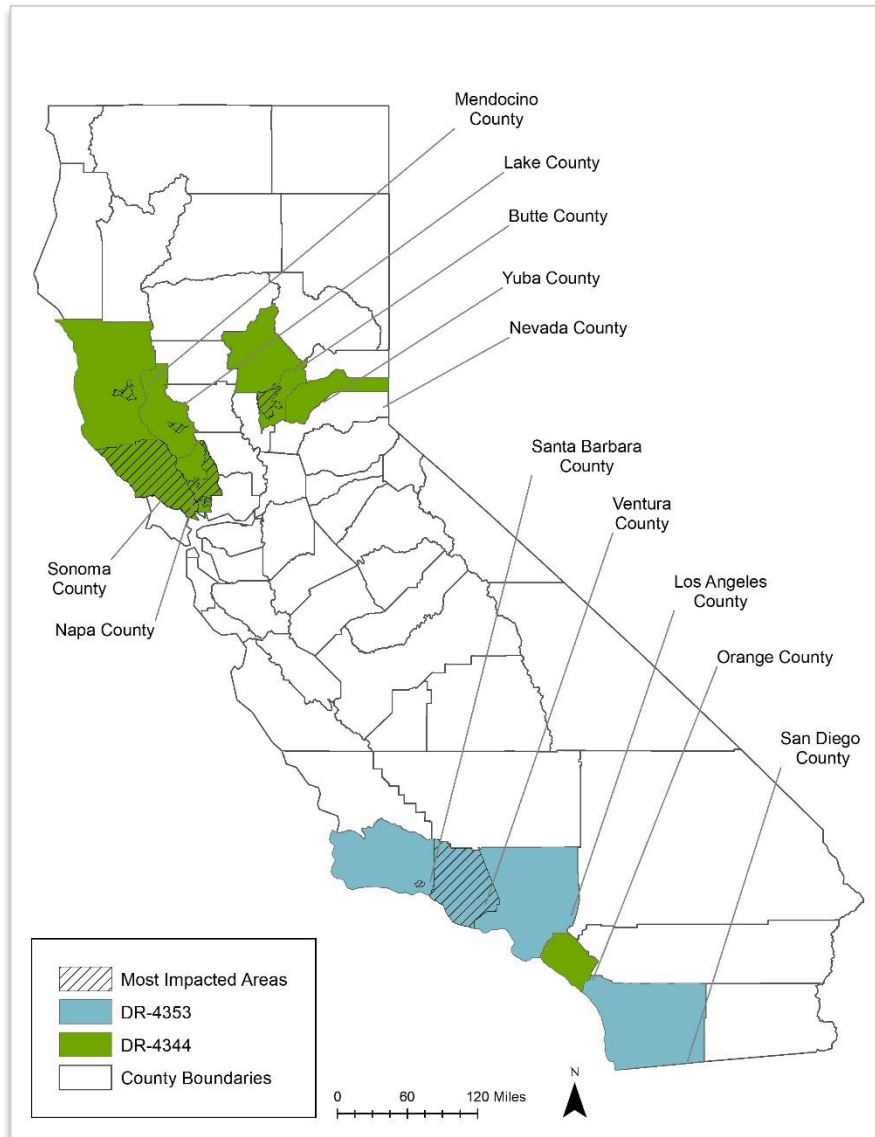
Most Impacted and Distressed Counties: Sonoma and Ventura

Eligible Counties: Butte, Lake, Los Angeles, Mendocino, Napa, Nevada, Orange, San Diego, Santa Barbara, Sonoma, Yuba and Ventura.

Most Impacted and Distressed Zip Codes:

- **95470** (Mendocino County),
- **95901** (Predominantly Yuba County),
- **94558** (Predominantly Napa County),
- **95422** (Predominantly the City of Clearlake in Lake County),
- **93108** (City of Montecito, located in Santa Barbara County)

Map of Most Impacted and Distressed Areas



TIMELINE FOR UNMET NEEDS ACTION PLAN

- September 8, 2017, President Donald J. Trump signed the Continuing Appropriations Act of 2018 and the Supplemental Appropriations for Disaster Relief Requirements, 2017 (Public Law 115-56), (Appropriations Act), which included \$7.4 billion to support response and recovery from disasters across the nation.
- August 14, 2018, HUD published the Federal Register allocating \$124 million to California.
- November 12, 2018, HCD published State Action Plan on HCD website for public comment through December 12, 2018.
- March 15, 2019, HUD approved the State of California's Unmet Needs Action Plan.
- August 21, 2019, HUD executed the grant agreement and established the line of credit for the \$124 million.

UNMET NEEDS ACTION PLAN HIGHLIGHTS (\$124 million)

HCD PROGRAMS

- **Owner Occupied Housing Rehabilitation and Reconstruction Program (\$47.63 million):** Provides funding for rehabilitation and reconstruction of owner-occupied single-family homes damaged or destroyed by the 2017 disasters.
- **Multifamily Housing Program (\$66.7 million):** Provides funding for constructing apartment complexes and mixed-use developments. Preference will be given to individual renter households who were displaced due to the disasters.
- **FEMA-Public Assistance Match Infrastructure Program (\$3.5 million):** Provides funding to impacted local governments to ensure that critical infrastructure recovery needs, including but not limited to utility and water control infrastructure, are met. CDBG-DR funds can be used to pay for critical infrastructure recovery project costs as well as the local cost share on approved FEMA Public Assistance projects.

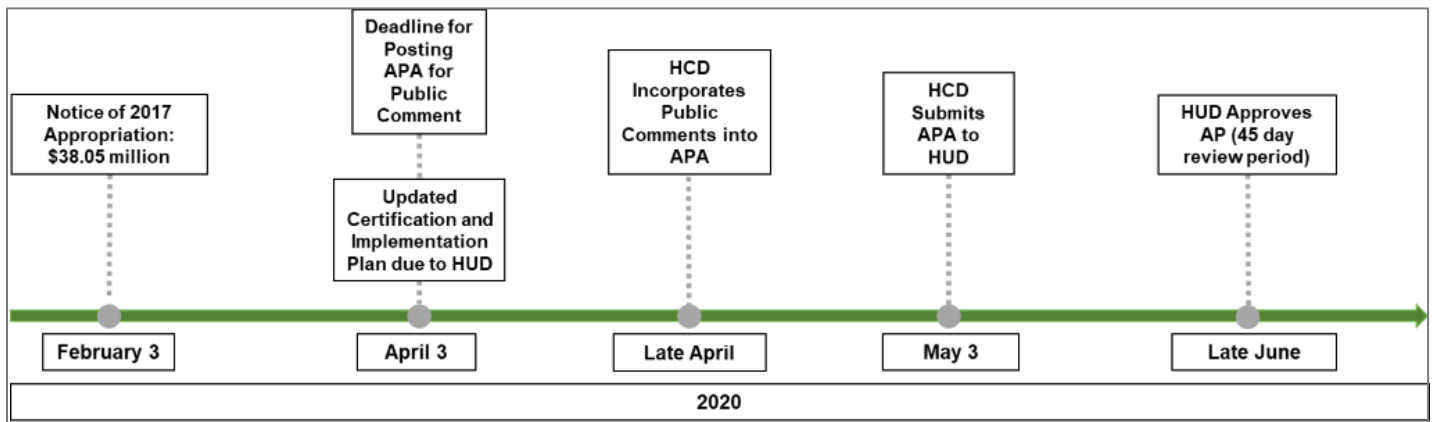
The following chart outlines the breakdown of CDBG-DR Unmet Needs funding by program area and funding amounts required to meet MID and LMI requirements for the initial \$124 million unmet recovery needs funding. When Action Plan Amendment number 1 is finalized, the below table will be updated by HCD to include the additional \$38 million.

Allocation Breakdown	Allocation Amount	% of Total Funds	Minimum to MID Area	Maximum Outside of MID Area	Minimum to LMI	% of Minimum to LMI
Owner Occupied Rehab and Reconstruction	\$47,627,648	38%	\$38,102,118	\$9,525,530	\$34,368,480	72%
Multifamily Housing	\$66,787,799	54%	\$53,430,239	\$13,357,560	\$48,194,595	72%
Infrastructure Program	\$3,531,803	3%	\$2,825,442	\$706,361	\$0	0%
State Administration	\$6,207,750	5.0%	N/A	N/A	N/A	N/A
Total CDBG-DR Funds	\$124,155,000	100%	\$99,324,000	\$24,831,000	\$86,908,500	70%

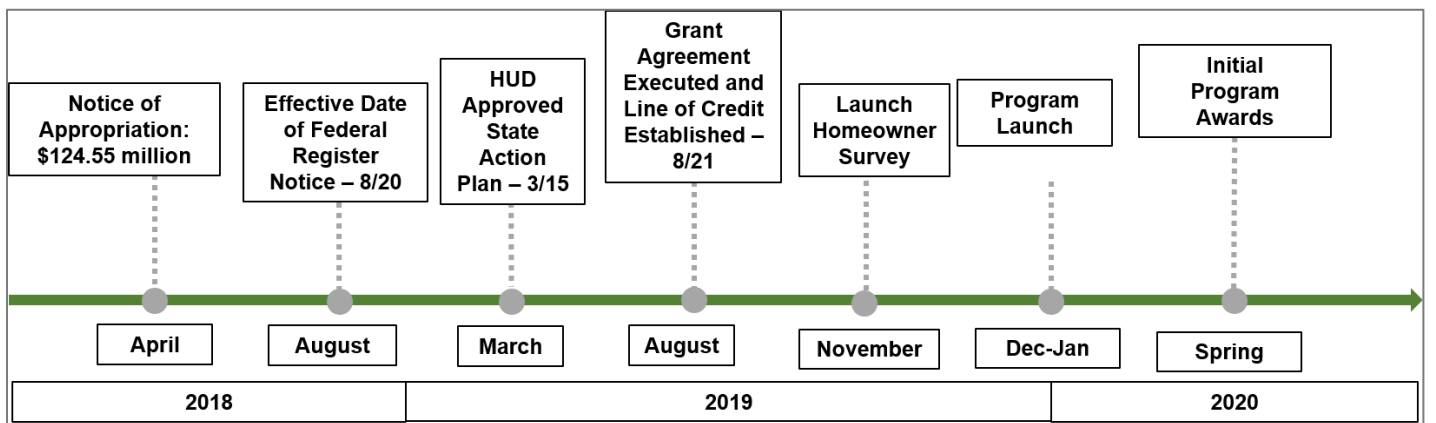
TIMELINE FOR ADDITIONAL \$38 MILLION ACTION PLAN AMENDMENT

- October 15, 2018, and June 6, 2019 respectively, Donald J. Trump signed Division 1 Supplemental Appropriations and Division D Disaster Recovery Act (Public Law 115–254) and Supplemental Appropriations Act (Public Law 116–20) which included \$4.11 billion to support response and recovery from disasters across the nation in 2017, 2018, and 2019.
- January 27, 2020, HUD published the Federal Register allocating \$38 million to California to address unmet infrastructure recovery needs.
- Late March/early April 2020, Action plan amendment, number one, will be available for public comment for 30 days prior to submission to HUD. HCD will prepare this action plan amendment to incorporate the \$38 million into the unmet needs allocation and address infrastructure unmet recovery needs.
- May 3, 2020, the action plan amendment is due to HUD.

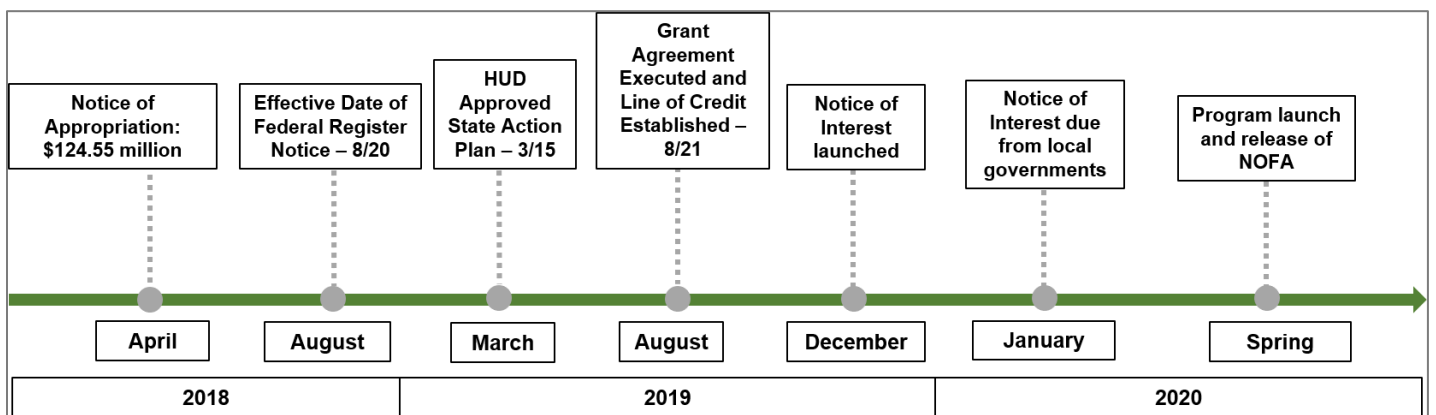
The timeline below reflects HCD's timeline for the \$38M supplemental infrastructure allocation (Note: APA = Action Plan Amendment):



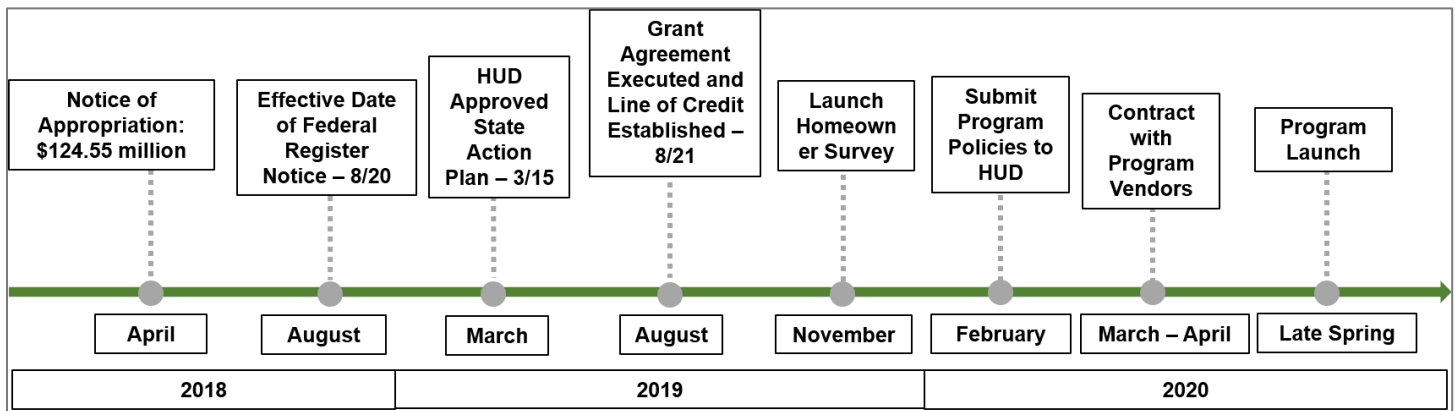
The timeline below reflects HCD's current program launch timeline for the \$124 million unmet recovery needs **estimate as of February 27, 2020**.



The timeline below reflects HCD's program launch timeline for the Multifamily Housing Program:



The timeline below reflects HCD's program launch timeline for the Owner Occupied Rehabilitation and Reconstruction Program:



NEXTS STEPS

HCD NEXT STEPS

- Finalize all disaster recovery program consultant/contractor procurements by Spring 2020.
- Launch owner occupied and multifamily housing programs by late Spring 2020.
- Continue to administer homeowner survey and begin accepting top tier applications in Spring 2020.
- Submit Action Plan Amendment No.1 for additional \$38 million for public review by late March/early April for final submission to HUD by May 3, 2020.

GENERAL REQUIREMENTS FROM FEDERAL REGISTER

- **Overall Benefit Requirement** – 70% of the total allocation must benefit low- and moderate-income households (individuals whose income is below 80% of area median income).
- **Documented Tie Back to the Disaster** – Each project must have a documented tie back to the appropriate disaster.
- **Duplication of Benefits** – CDBG-DR funds must address an identified unmet recovery need and cannot replace or duplicate other funding available to address the same need.
- **Environmental Review** – Upon submittal of an application, work on a property must stop until the required environmental review process is completed. Once review is completed, funds can be committed to a project and work can start.
- **One-for-One Replacement Waiver** – One-for-one housing replacement requirement is waived.

- **Infrastructure Match Funding** - Funds may be used for local match of FEMA or US Army Corps of Engineers (USACE) projects (\$250K cap for USACE); all projects must comply with CDBG-DR requirements.
- **Timing of Funding** - The State must expend 100 percent of its allocation of \$124 million CDBG-DR funds on eligible activities by August 20, 2025. The \$38 million will have a separate timeline, set by the terms of the forthcoming Grant Agreement with HUD.

For more information, visit the Community Development Block Grant Program - Disaster Recovery (CDBG-DR) page at <https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr.shtml> or, send an email to disasterrecovery@hcd.ca.gov

City Council Agenda Item #3
Staff Report

Date: March 1, 2021
To: Mayor and City Council
From: Rodney Harr, Chief of Police / Acting City Administrator
Subject: City of Gridley employment contract with Paul Eckert

X	Regular
	Special
	Closed
	Emergency

Recommendation

Staff (Catalina Sanchez) respectfully requests the City Council to discuss contractual obligations for services regarding Northern California Power Agency (NCPA) duties for Paul Eckert.

Background

Staff (Catalina Sanchez) requests for the City Council to discuss and receive public comment on the current contract with Paul Eckert and the City of Gridley regarding NCPA duties and obligations.

Financial Impact

None.

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.



Administration 530.846.3631
Finance / Utilities 530.846.5695
Public Works / Electric 530.846.3631
Fax 530.846.3229

November 7, 2020

Paul Eckert

Gridley, CA 95948

Greetings Paul:

Please accept this letter as an offer of part time employment as the City of Gridley's Representative to the Northern California Power Agency (NCPA) effective December 1, 2020. The following are your terms of employment. If you agree to the terms, please sign and return this letter.

- This agreement becomes effective December 1, 2020. There are no job rights associated with this position and it may be terminated at any time.
- The expected period of employment is four months or less.
- You will work 12 hours per week at the rate of \$70.62 per hour or \$3,389.76 monthly
- Hours are flexible and you will work remotely
- There are no other benefits assumed with this part-time position.
- It's understood that you may occasionally assist the City staff and Council with efforts associated with your past duties with the City.

We are pleased to retain you on a part-time basis. We look forward to continuing to utilize your talents.

Sincerely,

Bruce Johnson
Mayor

Copy: Finance Director
Police Chief
Utilities Director

I understand and accept the terms of this job offer.

Signed  _____

Date 11-7-2020