

Gridley City Council – City Council Meeting Agenda

Monday, May 1, 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."

1. **CALL TO ORDER** - Mayor Hall
2. **ROLL CALL** - Recording Secretary
3. **PLEDGE OF ALLEGIANCE** – Councilmember Davidson
4. **INVOCATION** – Pastor David Henry, First Baptist Church
5. **PROCLAMATIONS** – Mental Health Awareness Month, May 2017
6. **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.*
7. **CONSENT AGENDA** - *All items listed under 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".*
 - A. Council minutes dated February 16, and April 3, 2017
 - B. City Services Update
 - C. Revisions to Compensation for Mid-Management, Confidential and Unrepresented Employees
 - D. Authorize Mayor to sign Oroville Dam Coalition letter
8. **OTHER ITEMS FOR COUNCIL CONSIDERATION**
 - A. Planning Commission Interview
 - B. Introduction and First Reading of Ordinance No. 827-2017: An ordinance rezoning approximately 41 acres consisting of 14 parcels located on the west side of Highway 99 from Limited Industrial (M-1) and Heavy Industrial (M-2) to General Commercial Mixed Use (C-2/MUCZ). (021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, 021-270-044)
 - C. Adoption of Resolution 2017-R-008: A Resolution for a General Plan amendment to change the General Plan land use designation of approximately 41 acres consisting of

14 parcels located on the west side of Highway 99 from Industrial (I) to Commercial (C). (021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, 021-270-044) and adopt a Negative Declaration pursuant to CEQA finding there is no environmental impact from the land use re-designations for the General Plan and Zoning on approximately 41 acres consisting of 14 parcels located on the west side of Highway 99

D. Building Inspection Services

9. **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.*
10. **POTENTIAL FUTURE CITY COUNCIL ITEMS** - (Appearing on the Agenda within 30-90 days):

| | |
|--|-----------|
| a. Swearing in of Police Department personnel | 5/15/2017 |
| b. Introduction of GBPD Canine "Luna" | 5/15/2017 |
| c. Swimming Pool Update | 5/15/2017 |
| d. Study Session – Swimming Pool Update | 6/5/2017 |
| e. Study Session - Budget/CIP Hearing #2- Expenditures and Utility Updates | 6/5/2017 |
| f. Regular Session - Budget/CIP Hearing #3 - Adoption | 6/19/2017 |
| g. Biggs Electric Maintenance Service and Police Updates | 6/19/2017 |
| h. New LED Street Lighting Plan | 6/19/2017 |
| i. Waste Management CPI Adjustment | 6/19/2017 |
| j. Sewer Pond Improvements and Policies | 7/17/2017 |

11. **CLOSED SESSION**

- A. **Conference with Legal Counsel**
(Government Code 54956.9)
Anticipated litigation pursuant to "Nathan Sharrock vs. City of Gridley"
- B. **Anticipated Litigation**
(Government Code: 54956.9(c))
Based upon existing facts, the City Council is deliberating and deciding on whether to initiate litigation with a customer of city services.
- C. **Labor Negotiations – Gridley Police Officers Association**
(Government Code: 54957.6)
Positions: Police Sergeant, Police Officer, Public Safety Dispatcher, Animal Control Officer

12. **ADJOURNMENT** – adjourning to the next regularly scheduled meeting on May 15th, 2017

NOTE 1: POSTING OF AGENDA- This agenda was posted on the public bulletin board at City Hall at or before 4:00 p.m., April 28th, 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.

PROCLAMATION
MENTAL HEALTH AWARENESS MONTH
May 2017

WHEREAS, the mental health of every citizen is essential to the social and economic prosperity of families, communities, and businesses in the commonwealth; and

WHEREAS, mental health *is a key component of everyone's overall physical health* and emotional well-being; and

WHEREAS, mood disorders, including major depression and bipolar disorder, are the third most common cause of hospitalization in the U.S. for those aged 18 – 44; and

WHEREAS, one in four people has a diagnosable mental illness and one person dies by suicide every 13 minutes; and

WHEREAS, feelings of personal shame and fears of social discrimination prevent many living with mental illness from seeking help; and

WHEREAS, untreated mental illness leads to greater numbers of emergency department visits, hospitalizations, school drop-outs, and suicides; and

WHEREAS, stigma leads to fear, mistrust, and violence against people with mental illness, who are significantly more likely to be victims than perpetrators of violent crimes; and

WHEREAS, we strive to create communities that support mental wellness in the commonwealth by increasing access to treatment, educating ourselves and our communities about mental wellness, and supporting our fellow citizens as they seek to improve their mental health; and

WHEREAS, greater public awareness about mental wellness can positively transform attitudes towards people with mental illness, so making it easier for our fellow citizens to seek help.

THEREFORE, I, Frank Hall, Mayor of Gridley, do hereby proclaim May 2017 **MENTAL HEALTH AWARENESS MONTH**. I call on citizens, government agencies, public and private institutions, businesses, and schools to recommit to increasing awareness and understanding of mental health and to recognize the necessity of accessible, appropriate mental health services for all residents of Gridley.

Frank Hall, Mayor

Gridley City Council – DRAFT City Council Meeting Minutes

Thursday, February 16th, 2017; 9:00 am
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."

1. CALL TO ORDER

Mayor Hall called the meeting to order at 9:00 a.m.

2. ROLL CALL

Councilmembers

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

Staff present: Paul Eckert, City Administrator
Matt Michaelis, Finance Director

3. ITEMS FOR COUNCIL CONSIDERATION

A. Council ratification of Resolution Proclaiming Existence of a Local Emergency

Motion to approve the resolution by Councilmember Davidson, seconded by Vice Mayor Johnson

ROLL CALL VOTE

Ayes: Davidson, Hall, Borges, Johnson

Motion passed, 4-0

4. ADJOURNMENT

With no further items for discussion, Council adjourned to the next regular meeting of February 21, 2017.

Paul Eckert, City Clerk

Gridley City Council – DRAFT City Council Meeting Minutes

Monday, April 3, 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."

1. CALL TO ORDER

Mayor Hall called the meeting to order at 6:00 p.m.

2. ROLL CALL

Councilmembers

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

Staff present:

Paul Eckert, City Administrator
Tony Galyean, City Attorney
Matt Michaelis, Finance Director
Daryl Dye, Electric/PW Superintendent
Dean Price, Chief of Police
Donna Decker, Planning Consultant

3. PLEDGE OF ALLEGIANCE

Councilmember Williams led the Pledge of Allegiance

4. INVOCATION

Brad Roberts of the Calvary Chapel of Gridley provided the invocation

5. COMMUNITY PARTICIPATION FORUM

Michael Terry, 467 Macedo Road, spoke to Council and proposed a new City of Gridley flag design. Copies of the proposed design were handed out to Council.

6. CONSENT AGENDA

- A. Council minutes dated March 20, 2017
- B. Child Abuse Prevention, Sexual Assault Awareness Month and Denim Day California Proclamation, April 2017
- C. City Services Update
- D. Planning Commission Appointment

Mayor Hall pulled item #6B and it was presented to Reyes Arreola of Rape Crisis Intervention

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

ROLL CALL VOTE

Ayes: Hall, Williams, Borges, Johnson

Motion passed, 4-0

7. OTHER ITEMS FOR COUNCIL CONSIDERATION

A. Planning Commission Interview

The applicant was unavailable, there was no action taken.

B. Third Phase Agreement for Renewable Energy Power Purchase Agreement

Administrator Eckert reviewed the staff report and introduced James Takehara with Northern California Power Agency (NCPA). Mr. Takehara answered questions for Council and provided additional detailed information related to the agreement.

After some discussion, motion to approve the Third Phase Agreement for Renewable Energy Power Purchase Agreement by Vice Mayor Johnson, seconded by Councilmember Borges

ROLL CALL VOTE

Ayes: Hall, Williams, Johnson, Borges

Motion passed, 4-0

8. CITY STAFF AND COUNCIL COMMITTEE REPORTS

None

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

| | |
|---|------------------|
| <i>Regular Session - Budget/CIP Hearing #1 - Introduction</i> | <i>4/17/2017</i> |
| <i>Employee Introductions/Swear In & Canine (Luna) Introduction</i> | <i>4/17/2017</i> |
| <i>General Plan Updates</i> | <i>4/17/2017</i> |
| | |
| <i>Study Session - Budget/CIP Hearing #2 - Revenue Forecast</i> | <i>5/1/2017</i> |
| <i>Study Session - Cost Allocation / Fee Study Results</i> | <i>5/1/2017</i> |
| <i>Study Session - Swimming Pool Update</i> | <i>5/1/2017</i> |
| <i>CDBG PI Waiver</i> | <i>5/1/2017</i> |
| <i>Biggs Police Contract</i> | <i>5/1/2017</i> |

| | |
|--|------------------|
| <i>Study Session - Water Rate Study Update</i> | <i>6/5/2017</i> |
| <i>Study Session – Electric Utility Process and Rates</i> | <i>6/5/2017</i> |
| <i>Study Session - Budget/CIP Hearing #3- Expenditures</i> | <i>6/5/2017</i> |
| | |
| <i>Regular Session - Budget/CIP Hearing #4 - Adoption</i> | <i>6/19/2017</i> |
| <i>Biggs Electric Maintenance Service Agreement</i> | <i>6/19/2017</i> |
| <i>New LED Street Lighting Plan</i> | <i>6/19/2017</i> |
| <i>Waste Management CPI Adjustment</i> | <i>6/19/2017</i> |
| | |
| <i>Sewer Pond Improvements and Policies</i> | <i>7/17/2017</i> |
| | |

10. **CLOSED SESSION**

- A. **Labor Negotiations – Gridley Police Officers Association**
(Government Code: 54957.6)
Positions: Police Sergeant, Police Officer, Public Safety Dispatcher, Animal Control Officer
- B. **Labor Negotiations – Management, Mid-Management & Unrepresented**
(Government Code: 54957.6)
Positions: Police Lieutenant, Public Work Director, Utility Supervisor
- C. **Anticipated Litigation**
(Government Code: 54956.9(c))
Based upon existing facts, the City Council is deliberating and deciding on whether to initiate litigation with a customer of city services.
- D. **Conference With Legal Counsel--Existing Litigation**
(Government Code: Subdivision (a) of Section 54956.9)
Name of case: Elizondo v. Gridley

At 8:30 p.m., Council came out of closed session with no reportable action.

11. **ADJOURNMENT**

With no additional items for discussion, Council adjourned to the next regularly scheduled meeting on April 17, 2017

Paul Eckert, City Clerk

City Council Agenda Item #7B
Staff Report

Date: May 1, 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 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 will soon be 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: April 23, 2017

This Weekly Update is intended to provide useful and timely updates to the Mayor and City Council, Community Members, and City staff. This Update will soon be available online at <http://www.gridley.ca.us>. 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."

City Administrator/City Council/Information Technology

- Sacramento Area City Manager's Association – California Cities are expressing great concern regarding the projected doubling of expense over the next five years that cities are obligated to pay to the California Public Employee Retirement System (PERS). More information will be provided during upcoming budget sessions.
- DWR Meeting in Gridley - The California Department of Water Resources (DWR) is hosting seven public meetings in multiple locations to update communities in the region about the ongoing Oroville spillway recovery effort. The meetings will be opportunities for members of the public to hear from DWR leadership and experts about the status of the Oroville spillway and to ask questions and provide comments about the recovery process. The meeting will be this coming Thursday, April 27th at Butte Hall at the Fairgrounds.
- Engineering Update – With the passage of the new California Gas Tax, City Engineer Trin Campos continues to develop plans for street improvement projects. Bennett Engineering is also assisting staff with the development of our first Capital Improvement Plan (CIP) after many years without one.
- City staff are actively working with the Gridley Chamber of Commerce in support of the Annual Red Suspenders event to be held on May 20th.
- Daddow Park – The sod has been installed and shrubs are currently being planted. The Gazebo has been fully completed. Special thanks to our Public Works and Electric Crews for their hard work and technical skills!
- Building Inspections Customer Service – Our Interim Building Inspectors, with the assistance of Administrative Assistant Jodi Molinari, continue to work on the back-log of pending inspections. Customer service hours remain Monday through Friday 8 am to 5 pm. Inspectors are in the Office on Mondays, Wednesdays, Thursdays, and Friday. Customers appear pleased with the responsiveness. Jodi has organized the Building Office and files.
- Inter-Governmental Collaborations - Staff continues to meet County staff to discuss potential collaborations.

Finance and City Bus Service

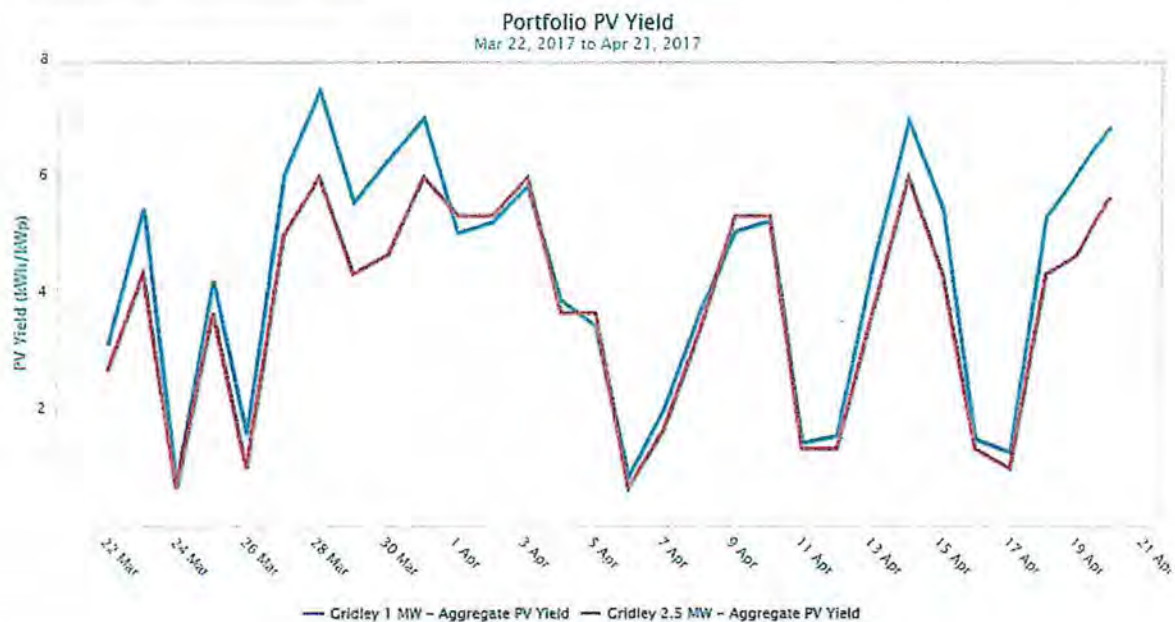
- The Finance Department is very busy with: completion of the Federal and State reports; completion of the budget reports, CDBG/HOME reports, energy reports, State Controller's Office Financial Transactions and Compensation Reports; and organization of all work areas and file systems.
- New Gridley Transit Vehicle – The Finance Director is working with various representatives to allow Gridley to utilize the State-wide Bidding Processes to replace the aged Feather Flyer Vehicle. The City Council approved the new vehicle last year. The vehicle is paid entirely with Federal Transit Funds exclusively designated for vehicles. Leveraging with the State Bids will reduce costs significantly.

Electric

- Electric Crew Members completed the installation of the street light footing for the Biggs Little League parking lot.
- Crews completed the first phase of LED Streetlight Replacement Program for the City of Biggs consisting of installing 40 LED lights.
- Crews conducted a Safety Training Session with Evergreen Job and Safety. Safety topics included: Accidents and Near Misses in the Industry; Substation Safety; Underground Switching; Cable Identification; and Ground Techniques.
- Crews completed 7 Distribution System Repair Tags.

| Electrical Department Activity | Gridley | Biggs |
|------------------------------------|---------|-------|
| Street Light Repairs | 1 | 0 |
| Nonpayment Shut-off/turn on | 1 | 0 |
| Underground Service Alerts - USA's | 3 | 2 |
| Sets & Outs | 9 | 0 |
| Service calls | 1 | 3 |
| Trim/Remove tree | 0 | 0 |
| Discrepancy Report Items | 0 | 0 |
| After Hours Call out's | 0 | 0 |
| Solar Read | 0 | 0 |

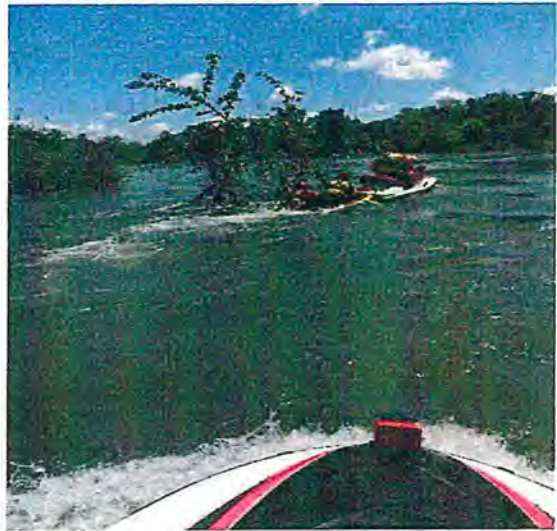
Gridley 1 & 2 Solar Production



Fire

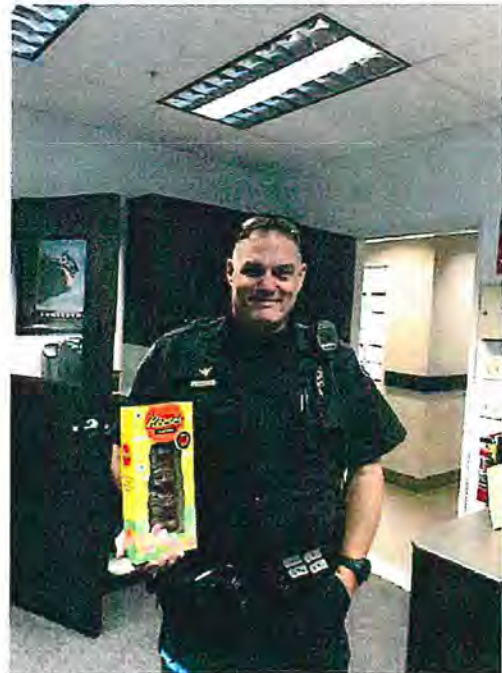
- The Fire Department participated in the Wilson School Easter Egg Drop Activity.
- One of our Fire Engineers attended the Field Observer Course which prepares him for advanced Mapping Skills.
- Several members of our Gridley Station 74 attended Rescue Boat Operator class that was taught along the Feather River between Gridley and Oroville.

| Weekly Emergency Responses | City | County |
|--|------|--------|
| Medical Aids | 5 | 1 |
| Traffic Collisions | 0 | 3 |
| Structure Fires | 0 | 0 |
| Vegetation Fires | 0 | 1 |
| Vehicle Fires | 0 | 0 |
| Public Assist | 1 | 3 |
| Cover Assignments | 0 | 2 |
| Other (smoke checks, hazardous conditions, control burns, etc) | 0 | 2 |
| Technical Rescues | 0 | 0 |



Police

- Police Patrol was active in both communities of Gridley and Biggs. The Department served several local arrest warrants during the week.
- On April 1st Alycia Yeoman was reported missing. An investigation ensued and a mutual aid Unified Command structure was utilized to organize the search and investigation. The Department continues to assist other agencies with the case.
- Our Detective attended Gang Expert Training vital to our Detective's efforts in Court Testimony for criminal prosecution of gang incident and gang members.
- Police Administration introduced the Biggs Police Services Agreement to Biggs City Council during their Special Meeting on April 20th.
- Police personnel attended the Gridley Rotary presentation by the California Department of Correction's Canine Unit.
- Our newest GBPD Public Safety Dispatcher is now on board. We are looking forward to adding her talents to the Gridley Team.
- Police Administration attended the monthly Butte Narcotics Interagency Task Force meeting and the Law Enforcement Administrators meeting in Chico.
- The Department continues in its goal to provide quality service in all aspects of Public Safety to the citizens we serve. Animal Control continues to provide proactive patrol and compassion for lost/stray animals. The March 2017 statistics are provided below.



| City of Gridley - Police Activity | March 2017 | Year Total |
|-----------------------------------|------------|------------|
| Adult Arrests | 72 | 184 |
| Juvenile Arrests | 5 | 5 |

| | | |
|--|--------------|--------------|
| Misdemeanor Arrests | 60 | 156 |
| Felony Arrests | 17 | 33 |
| Felony Crimes Reported | 15 | 35 |
| Misdemeanor Crimes | 61 | 178 |
| Total Police Incidents* | 1,065 | 3,270 |
| Battery | 11 | 27 |
| Burglary | 7 | 24 |
| Deceased Person | 0 | 4 |
| Vandalism | 4 | 19 |
| Stolen Vehicle | 1 | 4 |
| Robbery | 0 | 0 |
| | | |
| Public Intoxication | 7 | 9 |
| Patrol Request | 11 | 27 |
| Medical Aid | 28 | 107 |
| Area Checks | 93 | 364 |
| Pedestrian Checks | 75 | 167 |
| Disturbing the Peace | 21 | 53 |
| | | |
| Total 911 Calls | 226 | 823 |
| Total Accidents | 5 | 9 |
| Name Exchanges | 0 | 5 |
| Total Traffic Citations | 40 | 146 |
| DUI Arrests | 1 | 6 |
| Traffic Stops | 173 | 544 |
| Extra Help Hours | 371.50 | 957.50 |
| RSVP Hours | 20 | 50 |
| | | |
| <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

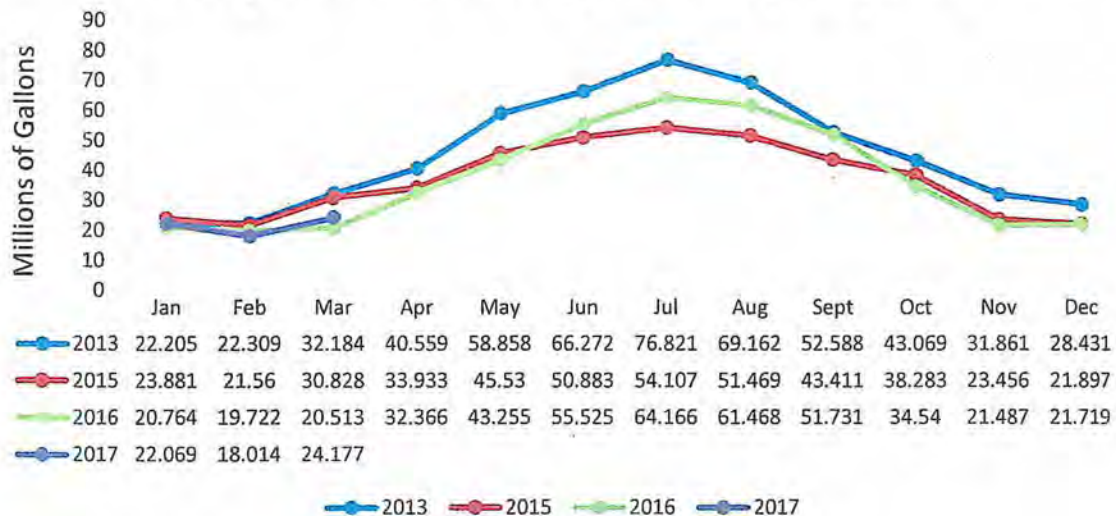
The Public Works Department Leadership and Crewmembers are responsible for a broad array of important duties including: Water Distribution; Water Production; Sanitary Sewer Collection; the Wastewater Treatment Plant; Street and Sidewalk Maintenance; our Maintenance Districts; Parks Maintenance; City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

- Public Works Crews continue to install employee safety enhancements to the City's Corporation Yard Sewer Lift Station.
- Public Works Crews continued pothole repairs at various locations throughout the city.
- Bi-weekly street sweeping was performed to keep the storm drain system at 100%.
- Public Works Crews are in the process of planting shrubs at Daddow Park.
- Crews began repair of damaged fence on the maintenance ditch at 1980 Nevada.
- Public Works Crews cleaned storm drains to prevent flooding during rains.
- Crews have the Splash Pad at Vierra Park operational and ready for the season opening.
- Public Works Crews continue spraying weeds in alleys at various locations throughout the City.

| Department of Public Works Activity | Reporting Period April 21, 2017 |
|---|---------------------------------|
| Water Leaks Repaired | 1 |
| Water Encoder Receiver Transmitter installed/Replaced (ERT's) | 0 |
| Sewer Plugs | 0 |
| Tree Removal/Trimmed | 0 |
| Water Related Service Calls | 2 |
| Sewer Related Service Calls | 1 |
| Under Ground Service Alerts (USA's) | 0 |
| Park Related Service Calls | 1 |
| Other Service Calls | 0 |

| Production Well | Volume Pumped | Calc. Fl | Calc. Chlor |
|---------------------------------------|---------------|----------|-------------|
| Eagle Meadows | 00.000 M.G. | .00 mg/l | .0000 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. | 13.411 M.G | .67 mg/l | .2839 mg/l |
| Liberty | 10.766 M.G. | .58 mg/l | .2625 mg/l |
| Parkside | 00.000 M.G. | .00 mg/l | .0000mg/l |
| Monthly Water Production | | | |
| Total water pumped to system: | | | 24.177 M.G. |
| Ave. chlorine residual in the system: | | | .19 mg/l |
| Ave. tested fluoride in the system: | | | .7 mg/l |
| Lab tested fluoride in the system: | | | .7 mg/l |

Comparative Water Usages for 2013,2015,2016



Past Month Waste Water Treatment Plant

Total flow to the Plant was 65,720,000 gallons.

Flow from Butte County Housing Authority was 734,600 gallons.

Recreation

- The Annual Pinewood Derby will be held at the Red Suspender's Day event on May 20th in Downtown Gridley. The event is open for kids up to age 14. Trophies are given for Best Design and Fastest Car in two age groups, 1-5 and 6-14.
- The Annual Kids Fishing Derby will be Saturday, May 13th at Gray Lodge. Donations letters have been sent and the Fish and Game Grant has been secured.
- The Division continues to serve a free breakfast on Tuesdays and free lunch on Thursdays to our Senior Community. We serve approximately 20 meals at each session. We also continue to be a secondary drop point for the North State Food Bank, making it easier on Seniors who cannot stand in line for extended periods of time.
- Soccer registration will start May 1st. Flyers are being sent to the schools. The Season should begin the first weekend of September.
- The Division offers our Community Center Meeting Rooms as rentals on evenings and weekends. The rental fee is \$100 per room, with an additional refundable \$50.00 cleaning deposit.
- The Division, in partnership with the Butte County Health Department, will be conducting a Car Seat Check Day in late Spring. The educational event provides an opportunity for community members to ensure their car seats are secured properly as well as providing background on car seats and why they are vital to the survival of children during vehicle accidents.

City Council Formal Calendar

- The City Council will hold its next Regular City Council meeting on Monday, May 1st at 6:00 pm at City Hall.
- The Butte County Board of Supervisors Agenda for the 9:00 am meeting on Tuesday, April 25th 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

City Council Agenda Item #7C
Staff Report

Date: May 1, 2017

To: Mayor and City Council

From: Paul Eckert, City Administrator

Subject: Revisions to Compensation Plan for Mid-Management, Confidential, and Unrepresented Employees

| | |
|-------------------------------------|-----------|
| <input checked="" type="checkbox"/> | Regular |
| <input type="checkbox"/> | Special |
| <input type="checkbox"/> | Closed |
| <input type="checkbox"/> | Emergency |

Recommendation

As follow-up to past City Council conversations, City staff respectfully recommends the City Council adopt the attached Resolution revising the City of Gridley Compensation Plan for Management, Mid-Management, Confidential, and Unrepresented Employees

Background

The City Council has taken steps to reduce personnel and overall labor costs including the elimination of the Public Works Director position and combining the positions of the Utility Superintendent and Public Works Director positions. If adopted, the attached Resolution will authorize the adoption of a revised Compensation Plan for Management, Mid-Management, Confidential and Unrepresented Employees.

Compliance with City Council Strategic Plan or Budget Goals

Ensuring outstanding delivery of City services through effective leadership is a primary objective of the City Council.

Financial Impact

The permanent elimination of the Public Works Director Position and combining the former position and combining it with the current position of Electric Superintendent to for the new position of Electric Utility/Public Works Director Position results in annual savings exceeding \$150,000.

Attachment Resolution 2017-R-009

**A RESOLUTION OF THE CITY COUNCIL REVISING THE CITY OF GRIDLEY
COMPENSATION PLAN FOR MANAGEMENT, MID-MANAGEMENT, CONFIDENTIAL
AND UNREPRESENTED EMPLOYEES**

WHEREAS, the City Council has taken steps to reduce personnel and overall labor costs including the elimination of the Public Works Director position and combining the positions of Utility Superintendent and Public Works Director; and

WHEREAS, the City Council has directed that the Administrative Assistant Position be removed from the Confidential Group and be added to the employee group represented by the International Brotherhood of Electric Workers (IBEW), and

WHEREAS, the positions of the Assistant Police Chief and Chief Building Official are no longer utilized;

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Gridley adopts the following Compensation Plan for Management, Mid-Management, Confidential, and Unrepresented Employees listed below as Attachment A; and further authorizes the salary change to the new position of Electric Utility/Public Works Director to be effective July 1, 2016.

I HEREBY CERTIFY that the foregoing resolution was introduced passed and adopted by the City Council of the City of Gridley at a regular meeting held on the 1st day of May, 2017 by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

ATTEST:

APPROVE:

Paul Eckert, City Clerk

Frank Hall, Mayor

EXHIBIT A**Compensation Plan for Management, Mid-Management, Confidential and Unrepresented Employees**

Revised May 1, 2017

| | *Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|--|-------------|--------|--------|--------|--------|
| Police Chief | 9,481 | 9,956 | 10,455 | 10,977 | 11,526 |
| Electric Utility/Public Works Director | 9,481 | 9,956 | 10,455 | 10,977 | 11,526 |
| Finance Director | 8,068 | 8,472 | 8,895 | 9,340 | 9,807 |
| Information Technology Manager | 4,800 | 5,040 | 5,292 | 5,557 | 5,834 |
| City Administrator | By Contract | | | | |
| Recreation Coordinator - hourly equivalent | \$23 | \$24 | \$25 | \$26 | \$27 |

**No Salary Step Increases available to those employees hired after June 6, 2016*

| | |
|---------------------------|-------|
| Relief Building Inspector | 23.11 |
| Janitor | 12.61 |
| Recreation Aid II | 13.35 |
| Recreation Aid I | 9.27 |

Mem # 7D

The Honorable Edmund G.
Brown Jr. Governor of California
State Capitol, First Floor
Sacramento, CA 95814

John Laird, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Dear Governor Brown & Secretary Laird:

We are a coalition of community groups, local governments and agencies, businesses, labor, and individuals who have been affected by the recent Oroville Dam crisis.

The State, in partnership with local agencies, has greatly improved public safety downstream of Oroville Dam through the investment of hundreds of millions of dollars in levee repairs and other flood management measures--this investment has proven to be effective and timely in light of recent high water events. Oroville Dam itself plays a critical role in metering flood flow on the Feather River. However, while we are cognizant and appreciative of the many flood control benefits of Oroville Dam, we are greatly concerned by the physical constraints and operational decisions that have negatively impacted our downstream communities.

Oroville was built with the anticipation of Marysville Dam providing an additional flood control buffer that was never realized. In the last fifty years, atmospheric rivers occurring when there is a large snowpack have fueled large inflows into the dam requiring large discharges from the spillway. Climate change has made this worse. Levee failures, flood fights, emergency evacuations and loss of life and property during high water events in 1986, 1997 and 2017 have all been borne by our residents who live and work immediately downstream of Oroville Dam. This latest ongoing incident dramatically highlights the fact that those who suffer the greatest consequences from dam malfunction or failure have little or no say in the construction, operation or maintenance of that structure.

Oroville spillway conditions negatively affect our communities downstream, communities that are composed of low-income, minority and economically depressed constituencies. In the City of Oroville for example, 24% of the population lives in poverty. Just downstream in Marysville, the poverty rate is nearly 29%. The benefits of the Oroville Dam project are significant throughout the state, providing water to 24 million people in California. But the extreme danger and burden of flood water is shouldered by our disadvantaged communities alone. We view this as a social, economic and environmental justice issue that must be addressed.

Accordingly we have the following requests and questions:

1. This emergency has demonstrated that the Oroville Dam lacks the operational flexibility and reliability to provide adequate flood protection to communities downstream. It is not clear how DWR is adapting both the dam itself and/or reservoir operations to accommodate these deficiencies. We believe options

need to be explored to provide for large releases well in advance of high water events and well below the service spillway crest elevation. Or, overall flood protection could be improved by providing additional flood buffer when there is a large snowpack and the potential for warm storms.

2. DWR's outreach to the downstream communities directly impacted has been inadequate at best. Our best sources of information have been informal and indirect sources rather than through official DWR channels. DWR must immediately shift its thinking in how, when, and to whom it shares information. There is already a strong community distrust of DWR due to this event. A lack of communication and transparency only makes it worse. DWR could do much more to improve trust and credibility with the community by providing greater transparency and providing formal, consistent communication with the downstream communities.
3. Design and construction of the necessary repairs to the dam and related infrastructure must be paramount and other considerations must be secondary. The number one priority must be to protect the lives of 200,000 people living immediately downstream. To be abundantly clear: fisheries protection, water supply issues, State Water Contractor priorities, FEMA reimbursement, politics and other issues must take a distant backseat to public safety. We urge DWR to publicly acknowledge this priority.
4. The overall infrastructure of the dam is old and, in the case of the spillways, river valves and turbines, failing. There must be a longer term plan for ensuring that Oroville Dam and all appurtenant features are repaired and brought up to 21st century standards. This plan should include not only the gated spillway and the emergency spillway, but also ensuring the plant facilities and low level release valves are adequate and fully operational. All construction plans should be reviewed by independent experts to ensure that this infrastructure is well planned, soundly built and supported. This modernization should be paid by the owners of the project, which we understand to be the State Water Contractors.
5. There must be a full and thorough review of how the Department of Water Resources designed, constructed, operated and maintained the dam. This review should include not only the existing, independent consulting board review and regulatory review, but also legislative oversight hearings and reviews by the State Auditor. Full disclosure and transparency of these proceedings and documents is essential.
6. There must be a public discussion as to how Oroville Dam should be operated in the future and who should operate it. Without prejudging the conversation, some of the questions are as follows:

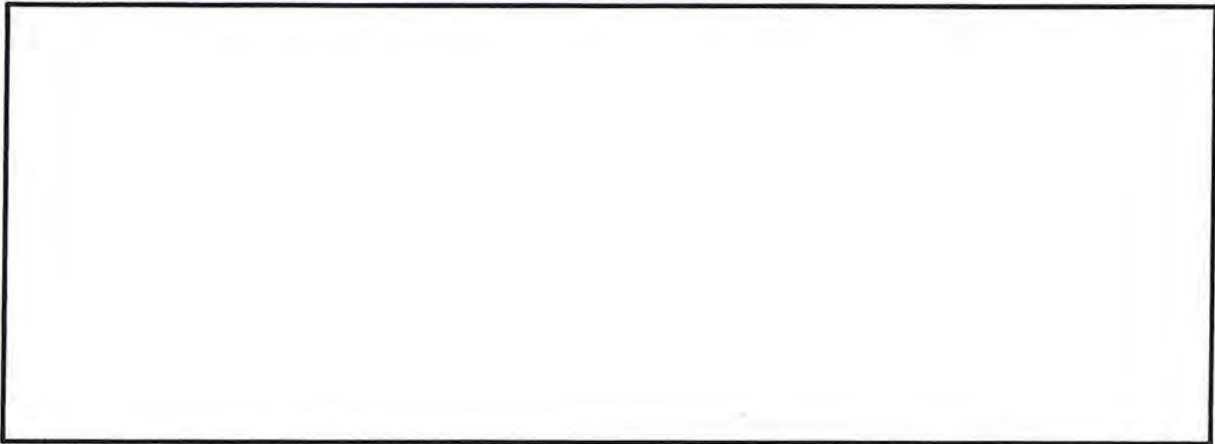
- a. Should DWR continue to be the operator of Oroville Dam? There are other alternatives and they should be analyzed and discussed.
- b. Should the Division of Dam Safety remain under the Department of Water Resources or should it become an independent body or moved to another agency to avoid perceived conflicts? Many of the most important technical regulators in the State serve under a publicly accountable board—DSOD should be no different.
- c. Are the current inspections, maintenance, repair, and replacement activities associated with the infrastructure at the dam sufficient to provide for public safety?
- d. How can we ensure more local input on Dam operations?
- e. Should there be a more robust public safety obligation on the part of DWR to provide for law enforcement and emergency response at the Oroville Dam and Reservoir? As of now this obligation is largely shouldered by Butte County which has limited resources. FERC and DWR need to treat Butte County fairly for all the services provided to Lake Oroville facilities.
- f. Should the operations at Oroville Dam be modified to provide for increased flood space during seasons in which there is a large snowpack?
- g. How has DWR's coordinated reservoir operations and predictive forecasted reservoir operations benefitted our communities? How could these tools be better utilized? Forecasting during this crisis has been significantly inaccurate.

7. Improving Flood Protection Downstream:

- a. There are several constrictions of the Feather River downstream that could be improved to better contain flood flows from the spillway. A cost-benefit study should be conducted to analyze projects that might alleviate these constrictions.
- b. There are also several critical repair sites along the Feather River levee system that should be improved in order to better contain future flood flows from the spillway, including but not limited to sites in District 10, south of Yuba City, and south of Nicolaus. These were the sites of significant seepage during the recent crisis.
- c. We have also seen large-scale erosion of the river banks as a result of quick draw downs of the spillway in the aftermath of the crisis. This erosion could ultimately threaten levees and, combined with the debris from the spillway collapse, has contributed to significant debris in the river channel. The debris impact to the carrying capacity of downstream levees must be analyzed/measured and removal/mitigation measures must be taken to protect property, lives, and the ecology and fish habitat of the Feather River.

Oroville Dam Coalition

Letter Signature Form



Please sign inside of the box above using blue ink

Name

Title

Organization

City Council Agenda Item #8B and #8C
Staff Report

Date: May 1, 2017
To: Mayor and City Council
From: Donna Decker, Planning Department

| | |
|----------|-----------|
| X | Regular |
| | Special |
| | Closed |
| | Emergency |

Subject: **Introduction and first reading of Ordinance 827-2017:** An ordinance rezoning approximately 41 acres consisting of 14 parcels located on the west side of Highway 99 from Limited Industrial (M-1) and Heavy Industrial (M-2) to General Commercial Mixed Use (C-2/MUCZ). (021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, 021-270-044)

Adopt Resolution Number 2017-R-008: A resolution for a General Plan amendment to change the General Plan land use designation of approximately 41 acres consisting of 14 parcels located on the west side of Highway 99 from Industrial (I) to Commercial (C). (021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, 021-270-044) and adopt a Negative Declaration pursuant to CEQA finding there is no environmental impact from the land use re-designations for the General Plan and Zoning on approximately 41 acres consisting of 14 parcels located on the west side of Highway 99.

Recommendation

Staff respectfully requests the City Council:

1. Introduce Ordinance 827-2017 by reading of title only;
2. Adopt resolution number 2017-R-008 to amend the General Plan land use designations and adopt a Negative Declaration for Ordinance 827-2017 and 2017-R-008.

Discussion

The City of Gridley recently amended the Gridley Municipal Code to bring the code into consistency with the 2030 General Plan. The second step in this process is to review existing land uses and determine if they are appropriately zoned for existing and future uses.

The area proposed for amendment of its land use designations was at one time considered a part of the Industrial Park that was formed with the City of Gridley Redevelopment agency. The lands were bisected by the UPRR right-of-way; however, the City found it could not connect the properties by crossing the tracks of the redevelopment Industrial Park to the property along Highway 99 that was zoned Industrial. Access to the Industrial Park could only be from West Liberty Street.

The proposed area is located south of Stuke Nursery and north of West Liberty Road and is a natural extension of the Highway 99 commercial corridor. The area is currently developed with single family residential, a mobile home park, commercial, vacant land and industrial lands at the very southerly portion.

The proposed General Plan land use designation would change from Industrial to Commercial and the zoning would be changed from Light and Heavy Industrial (M-1 & M-2) to General Commercial/Mixed Use (C-2/MUCZ). The change not only corresponds to existing uses, but will also support future infill mixed use development.

Subsequent to the land use changes, staff will return to the City Council to amend the Mixed Use zoning code to include commercial mixed use. The code, Chapter 17.52, Mixed Use Combining Zone, only describes mixed uses in the Downtown residential districts. This chapter will be amended to provide commercial mixed use as well.

Financial Impact

There are no direct costs associated with this effort.

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.) Ordinance 827-2017
- 2.) Resolution No. 2017-R-008
- 3.) Negative Declaration and Initial Study
- 4.) Planning Commission Staff Report dated March 21, 2017

ATTACHMENT 1
ORDINANCE NO. 827-2017

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRIDLEY TO REZONE
AN APPROXIMATELY 41 ACRES OF CONSISTING OF FOURTEEN (14) PARCELS
FROM LIGHT INDUSTRIAL (M-1) AND HEAVY INDUSTRIAL (M-2) TO GENERAL
COMMERCIAL/MIXED USE (C-2/MUCZ). (021-110-031, 021-110-046, 021-110-047, 021-
240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017,
021-270-019, 021-270-043, AND 021-270-044)**

WHEREAS, the Planning Commission held a publicly noticed hearing on March 21, 2017 regarding the proposal to rezone approximately 41 acres of total land area consisting of a fourteen (14) parcels having assessor parcel numbers 021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, and 021-270-044 from Light Industrial (M-1) and Heavy Industrial (M-2) zoning to General Commercial/Mixed Used (C-2/MUCZ); and,

WHEREAS, at the close of the March 21, 2017 public hearing the Planning Commission recommended the City Council approve rezoning the property; and,

WHEREAS, the City Council of the City of Gridley ordains as follows:

SECTION 1: Rezone Assessor's Parcel Numbers 021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, AND 021-270-044 from Light Industrial (M-1) and Heavy Industrial (M-2) zoning to General Commercial/Mixed Used (C-2/MUCZ).

I HEREBY CERTIFY that the foregoing property rezone amendments were approved, and an ordinance was duly introduced at a regular meeting of the City Council of the City of Gridley, California, held on the 1st day of May, 2017, by the following vote:

AYES: COUNCIL MEMBERS _____

NOES: COUNCIL MEMBERS _____

ABSENT: COUNCIL MEMBERS _____

ABSTAIN: COUNCIL MEMBERS _____

ATTEST: APPROVE: _____

Paul Eckert, City Clerk

Frank Hall, Mayor

APPROVED AS TO FORM:

Anthony Galyean, City Attorney

**A RESOLUTION OF THE GRIDLEY CITY COUNCIL TO AMEND THE
GENERAL PLAN LAND USE DESIGNATIONS OF APPROXIMATELY 41 ACRES
FROM INDUSTRIAL TO COMMERCIAL AND TO ADOPT A NEGATIVE
DECLARATION FOR THE PROPOSED GENERAL PLAN AMENDMENT (GPA 1-
17) AND REZONE (RZ 1-17) FOR FOURTEEN PARCELS HAVING ASSESSOR
PARCEL NUMBERS 021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-
003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019,
021-270-043, AND 021-270-044.**

WHEREAS, the Planning Commission held a publicly noticed hearing on March 21, 2017 regarding the proposal to amend the General Plan land use designation from Industrial to Commercial for fourteen parcels consisting of approximately 41 acres;

WHEREAS, at the close of the March 21, 2017 public hearing the Planning Commission recommended that the City Council approve the amendment of the General Plan land use designation; and,

WHEREAS, a Notice of Intent to Adopt a Negative Declaration was advertised and circulated from March 31, 2017 to April 20, 2017 and the Initial Study found the project could not have a significant effect on the environment and recommends the adoption of a negative declaration.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of the City of Gridley amends the General Plan land use designation of approximately 41 acres from Industrial to Commercial for the parcels having the following APN nos.: 021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, and 021-270-044; and,
2. The City Council of the City of Gridley adopts a Negative Declaration finding that the project could not have a significant effect on the environment.

I HEREBY CERTIFY that the foregoing resolution was introduced, passed, and adopted by the City Council of the City of Gridley at a regular meeting held on the 1st day of May, 2017 by the following vote:

| | | |
|----------|-----------------|-------|
| AYES: | COUNCIL MEMBERS | _____ |
| NOES: | COUNCIL MEMBERS | _____ |
| ABSTAIN: | COUNCIL MEMBERS | _____ |
| ABSENT: | COUNCIL MEMBERS | _____ |

RESOLUTION NO.2013-R-042

The undersigned City Clerk and Mayor, do hereby attest and certify that the forgoing is a true and full copy of a resolution of the City of Gridley adopted at a duly convened meeting on the date above-mentioned, which has not been altered, amended or repealed.

ATTEST:

APPROVE:

Paul Eckert, City Clerk

Frank Hall, Mayor

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION AND NOTICE OF PUBLIC HEARING FOR A PROPOSED GENERAL PLAN AMENDMENT AND REZONE OF FOURTEEN (14) PROPERTIES FROM THE GENERAL PLAN LAND USE DESIGNATION OF INDUSTRIAL TO COMMERCIAL AND REZONE FROM LIMITED INDUSTRIAL (M-1) TO GENERAL COMMERCIAL MIXED USE (C-2-MUCZ) CONSISTING OF APPROXIMATELY 41 ACRES LOCATED ON THE WEST SIDE OF HIGHWAY 99. (021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, 021-270-044)

NOTICE IS HEREBY GIVEN that the City Council of the City of Gridley will hold a public hearing to consider a General Plan Amendment and Rezone of approximately 41 acres on April 17, 2017 at 6:00 p.m. in the City of Gridley Council Chambers located at 685 Kentucky Street, Gridley, California as follows:

Project Information:

General Plan Amendment (GPA 1-17) and Rezone (RZ 1-17) of approximately 41 acres.

APN: 021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, and 021-270-044.

Project location:

Subject site is located on the west side of Highway 99, south of Stuke Nursery.

The California Environmental Quality Act (CEQA) requires this notice to disclose whether any environmental impacts may exist as a result of the proposed General Plan Amendment and rezone of the subject site.

The City of Gridley has prepared an Initial Study and is considering the adoption of a Negative Declaration pursuant to the requirements of CEQA. The Initial Study for the project is on file for review and comment at City Hall located at 685 Kentucky Street, Gridley, California 95948. All persons are invited to review the documents. Comments regarding the proposal may be submitted in writing to the Planning Department at City Hall at any time prior to the hearing or orally at the meeting date noted above.

If you challenge the above application in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the Planning Department or to the City Council on the date of the scheduled hearing. For information, please contact the Planning Department at (530) 846-3631 or planningdept@gridley.ca.us.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the hearing, please contact Jodi Molinari at (530) 846-5695. Notification at least 72 hours prior to the hearing will enable staff to make reasonable arrangements.

ENVIRONMENTAL CHECKLIST

I. BACKGROUND

- | | | |
|----|-------------------------------------|---|
| 1. | Project Title: | City of Gridley (GPA 1-17; RZ 1-17) |
| 2. | Lead Agency: | City of Gridley Planning Department 685 Kentucky St Gridley, CA 95948 |
| 3. | Contact Person: | Donna Decker Phone: (530) 846-3631 Fax: (530)846-3229 Planningdept@gridley.ca.us |
| 4. | Project Location: | See Project Description |
| 5. | Project Sponsor's Name and Address: | City of Gridley 685 Kentucky Street Gridley, CA 95948 |
| 6. | General Plan Designation: | See Project Description |
| 7. | Zoning: | See Project Description |
| 8. | Description of Project: | See Project Description |
| 9. | Surrounding Land Uses and Setting: | See Project Description |

II. PROJECT DESCRIPTION**Introduction**

This Initial Study and Negative Declaration (IS/ND) provides the California Environmental Quality Act (CEQA) environmental analysis for the proposed City of Gridley General Plan Amendment and Re-zone of approximately 41 acres.

In accordance with CEQA Section 15070, this initial study may identify potentially significant effects, but:

1. Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and,
2. There is no substantial evidence, in light of the whole record before the agency, that the project as proposed may have a significant effect on the environment prior to a negative declaration and initial study being released for public review.

Project Location

The subject property is comprised of fourteen (14) parcels located on the west side of Highway 99, across from Obermeyer Street, south of Stuke Nursery and north of West Liberty Street.

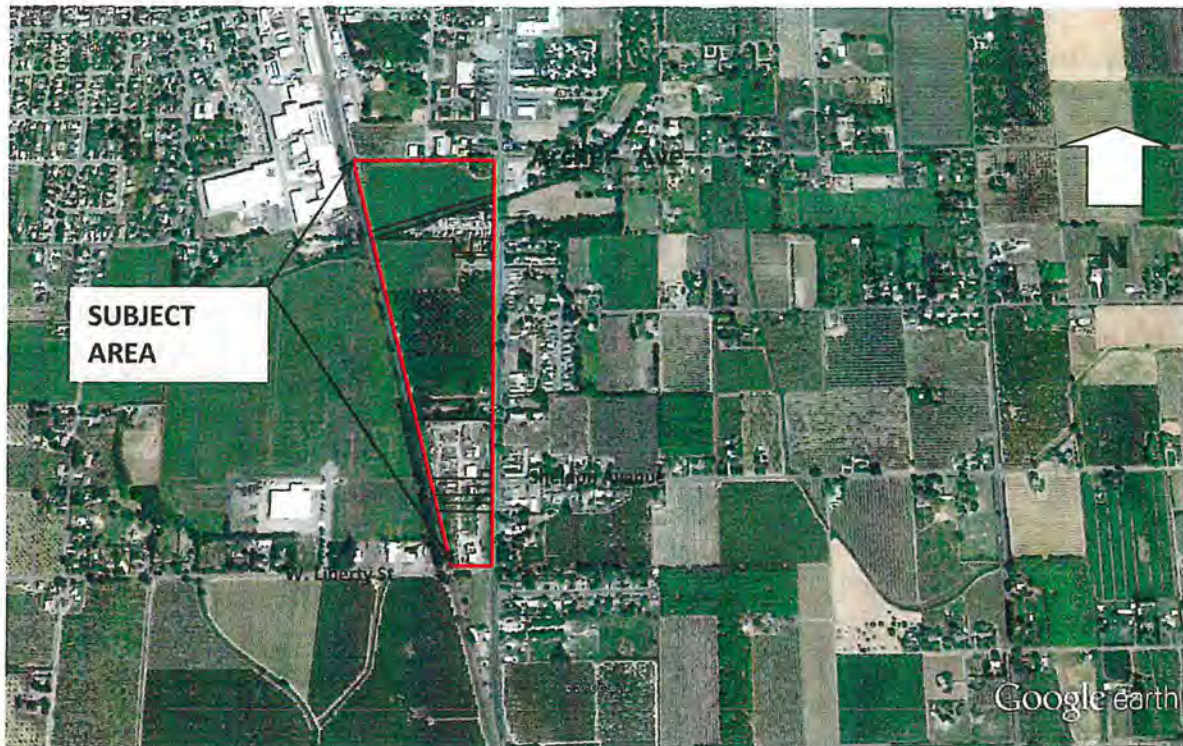


Figure 1: Location Map and Existing Conditions
(Parcel lines are only graphic and do not represent legal boundaries)

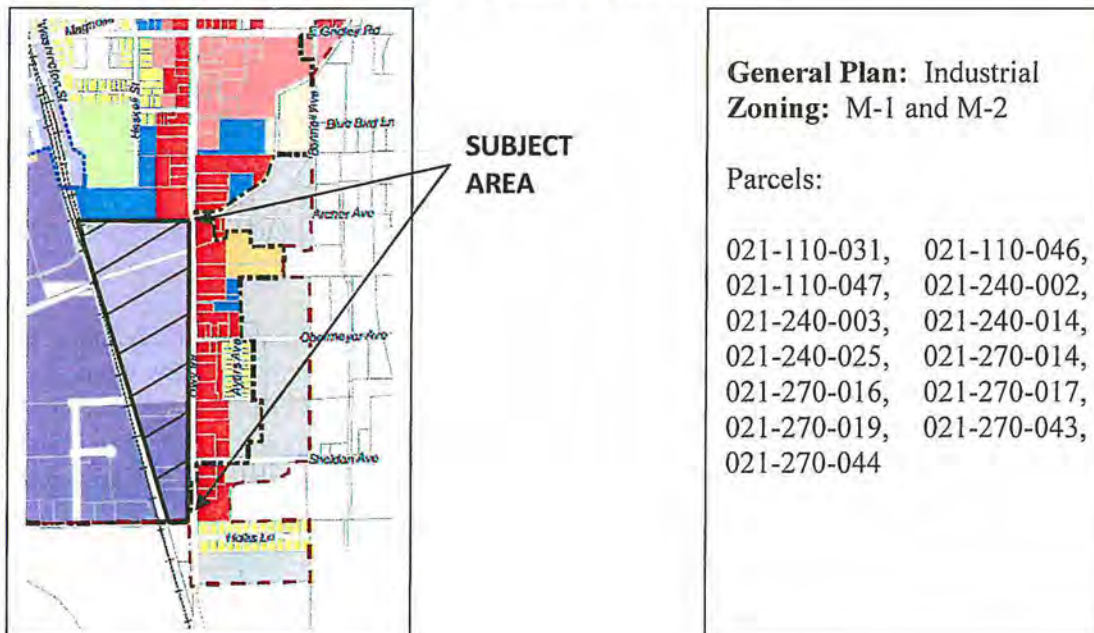


Figure 2: Existing zoning

General Plan and Zoning Land Use Designations

The parcels have a General Plan land use designation of Industrial. The zoning for the property is Light Industrial (M-1) and Heavy Industrial (M-2). The property would be re-designated as Commercial and the zoning amended to be General Commercial (C-2)/Mixed Use (MUCZ).

Project Description

The proposed project includes the following:

1. General Plan amendment to re-designate the parcels from Industrial to Commercial.
2. Rezone the parcels from Light Industrial (M-1) and Heavy Industrial (M-2) to General Commercial (C-2) / Mixed Use (MUCZ).

Surrounding Land Uses and Setting

The site is bounded on the north and east across Highway 99 with residential and commercial uses, south is the City boundary with open, fallow land or agriculture in Butte County, and to the west across the UPRR rail right-of-way is vacant land zoned and designated as Industrial.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

On the basis of this initial evaluation:

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



Signature

March 31, 2017

Date

Donna Decker

City Planner, City of Gridley

III. ENVIRONMENTAL CHECKLIST

The following checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the Proposed Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project specific mitigations which have been incorporated into the project design as a part of the Proposed Project.

For this project, the following designations are used:

Potentially Significant Impact:

An impact that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant With Mitigation Incorporated:

An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less Than Significant:

Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact:

Any impact that does not apply to the project.

1. AESTHETICS

Environmental Setting

The area is generally developed with mixed uses including single family residential, commercial, and industrial uses.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Substantially alter or degrade the existing visual character or quality of the project site;
- Have a substantial effect on a scenic resource; or,
- Substantially increase light or glare in the project site or vicinity which would adversely affect day or night time views.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Aesthetics

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-d) The change in the land use designations will not alter existing conditions. The project is a change in land use designations to more aptly describe the existing conditions. Therefore, there would be a *no-impact*.

2. AGRICULTURAL RESOURCES

Environmental Setting

The project site is within the urban Gridley city area with residential, commercial and industrial uses and vacant, undeveloped land.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses;
- Conflict with or result in the cancellation of a Williamson Act contract;
- Adversely affect agricultural production.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Agricultural Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-c) Agriculture resource impacts are not applicable to this project. The property is generally developed with some acreage vacant. The property has been zoned for industrial use for some time and any loss of agricultural resources have been addressed in the previous General Plan Update EIR and Industrial Park EIR. There is no loss to agricultural resources; therefore, this would be a *no-impact*.

AIR QUALITY

Environmental Setting

The entire air basin is currently designated as nonattainment for the State 24-hour and the annual PM10 standards. The Butte County and Sacramento Metro air districts are designated as nonattainment for the State PM2.5 annual standard, **Standards of Significance**.

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in pollution emission levels above those established by BCAQMD in either short term (construction related) or long term (traffic).

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Air Quality

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

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-e) The change in land use designations to more aptly describe the existing conditions will not impact air quality standards. This would be a *no-impact*.

4. BIOLOGICAL RESOURCES

Environmental Setting

The project site is within the urban Gridley city area with residential, commercial and industrial uses surrounding it.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Adversely affect, either directly or through habitat modification, any endangered, threatened or rare species, as listed in Title 14 of the California Code of Regulations (Sections 670.5) or in Title 50, Code of Regulations (Sections 17.11 or 17.12 or their habitats (including but not limited to plants, fish, insects, animals, and birds);
- Have a substantial adverse impact, either directly or through habitat modification, on any species identified as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations or by the CDFG or USFWS;
- Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS;
- Adversely affect federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites; or,
- Conflict with any local or regional policies or ordinances designed to protect or enhance biological resources, such as a tree preservation policy or ordinance.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
| | | | | |

Biological Resources

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances Protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-f) The subject site is level, developed and there are no endangered, threatened, or rare species of flora or fauna known to inhabit the project site; no impact to riparian habitat or sensitive species; no impact to federally protected wetlands; will not interfere with fish or other migratory species, will not conflict with any local policies or ordinances protecting species from impact; and, will not conflict with conservation or habitat plans. The project consists of a change in land use designations to more aptly describe the existing conditions and future mixed use development. Therefore, this would be a *no-impact*.

5. CULTURAL RESOURCES

Environmental Setting

The subject site is not located in an area identified as having site specific historical, archeological, paleontological or geologic features or resources.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Cause a substantial change in the significance of a historical or archeological resource as defined in the CEQA Guidelines Section 15064.5; or,

- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Cultural Resources

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique Paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-d) The amendment of the land use designations will not impact cultural resources. A majority of the land area has been developed for over 75 years with the remaining vacant land lying between the developed areas. The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

6. GEOLOGY AND SOILS

Environmental Setting

The City of Gridley does not lie within a designated Alquist-Priolo Fault Zone. Faults within the vicinity of Gridley are generally considered inactive. In 1975, the Oroville earthquake occurred on the Swain Ravine lineament of the Cleveland Hill Fault; Gridley is an approximate 10 miles distance from the largest epicenter.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a project being built that will either introduce geologic, soils, or seismic hazard by allowing the construction of the project on such a site without protection against those hazards.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Geology and Soils

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Discussion

- a-i- iii) The subject site is located outside the Alquist-Priolo Earthquake Fault Zone as delineated by the California Division of Mines and Geology¹. The project would not be subject to potential damage from earthquake ground shaking as a greater than the maximum MMI VII of the Modified Mercalli Scale.

The State of California provides minimum standards for building design through the California Building Standards Code (California Code of Regulations (CCR), Title 24). The California Uniform Building Code is based on the UBC and has been modified for California conditions with numerous more detailed and/or stringent regulations. The State earthquake protection law requires that buildings be designed to resist stresses produced by lateral forces caused by earthquakes. The City implements the requirements of the California Code through its building permit process. The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

- a-iv) The site is flat therefore it would not be subject to landslides. Therefore, this would be categorized as *no-impact*.
- b-d) Natural erosion is frequently accelerated by human activities such as site preparation for construction and alteration of topographic features. No construction is a part of the land use change. Therefore, this would be a *no-impact*.
- e) The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

7. HAZARDS AND HAZARDOUS MATERIALS

Environmental Setting

The project site is within the urban Gridley city area with residential, commercial and industrial uses surrounding it. The project is a only a change in land use designations to more aptly describe the existing conditions.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in exposing people to existing contaminated soil during construction activities;
- Result in exposing people to asbestos containing materials;
- Result in exposing people to contaminated groundwater if dewatering activities take place.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <u>Hazards And Hazardous Materials</u> | | | | |
| <i>Would the project:</i> | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the Environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use Plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-h) The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

8. HYDROLOGY AND WATER QUALITY

Environmental Setting

The National Pollutant Discharge Elimination System (NPDES) was established in the Clean Water Act to regulate municipal and industrial discharges to surface waters of the U.S. Non-point sourced diffuse and originate over a wide area rather than from a definable point. Two types of non-point source discharges are controlled by the NPDES program; discharges caused by general construction activities and general quality of storm water in municipal stormwater systems.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in substantially degrading water quality or violate any water quality objectives set by the State Water Resources Control Board due to increased sediments or other contaminants generated by consumption and/or operation activities;
- Result in exposing people or property to the risk of injury and damage in the event of a 100 year flood.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
| | | | | |

Hydrology and Water Quality

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-j) The project is a change in land use designations to more aptly describe the existing conditions and does not include use of water, construction of infrastructure or expose people to increased risk; therefore designated as *no-impact*.

9. LAND USE PLANNING

Environmental Setting

The project consists of two parcels that are being merged into a single parcel to construct an on-site paved parking area. The General Plan and zoning land use designations vary and the purpose of the project will re-designate the land uses appropriate for limited commercial/office use and parking area. The General Plan amendment and rezoning will not impact existing surrounding uses.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Substantially alter an approved land use plan that would result in physical change to the environment.

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------|--|------------------------------|-----------|
|--------|--------------------------------|--|------------------------------|-----------|

Land Use Planning

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-c) The change in General Plan designation and zoning will provide consistency of the properties existing and future land uses. The change will not conflict with other policies; it will ensure consistency to the 2030 General Plan Update. Therefore, there is ***no-impact***.

10. MINERAL RESOURCES

Environmental Setting

The subject site has not been identified to have mineral resource deposits.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the depletion of a mineral resource.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Mineral Resources

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-b) The proposed project site is not included or delineated as a Mineral Resource Zone. The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

NOISE

Environmental Setting

Increased external noise sources would not affect the site.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in exterior noise levels above the acceptable level of 60 dBA, (70 dBA daytime);
- Result in interior noise levels exceeding 45dBA.;
- Result in construction noise levels that do no meet the City of Gridley Noise Ordinance.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Noise

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-f) The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

11. POPULATION AND HOUSING

Environmental Setting

The project will construct a parking area for the use of the Butte Water District employees and patrons. This project will not induce growth and housing.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Induce substantial growth that is inconsistent with the approved land use plans in place;
- Displace affordable housing.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Population and Housing

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-c) The proposed project will not displace substantial numbers of people or requiring replacement housing be provided. The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

12. PUBLIC SERVICES

Environmental Setting

The City of Gridley has public services and infrastructure in place for the subject site and planned to meet the build out of the General Plan.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Create an increase in demand for police protection services which could substantially interfere with the ability of the Police Department to provide adequate response time to the project site;
- Create an increased demand for fire protection services that would substantially interfere with the ability of the Fire Department to provide adequate response time to the project site;
- Create an increased demand for schools that would exceed existing school capacity; or,
- Create an increased demand for parks and other public facilities that would exceed existing capacity.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Public Services

Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-e) The project is a change in land use designations to more aptly describe the existing conditions and does not include construction of infrastructure; therefore designated as ***no-impact***.

13. RECREATION

Environmental Setting

The project site will be providing on-site parking.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the failure to meet city standards for the provision of parkland.

City of Gridley Environmental Checklist

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Recreation

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-b) The project site will not increase the use of existing parks or require the expansion of additional facilities. The project is a change in land use designations to more aptly describe the existing conditions and does not include construction of infrastructure; therefore designated as *no-impact*.

14. TRANSPORTATION AND TRAFFIC

Environmental Setting

The project site will be providing on-site parking, and no additional trips are being generated from the development of the site improvements.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in reducing the traffic rating level of service.

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Transportation and Traffic

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turn-outs, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-g) The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as *no-impact*.

15. UTILITIES AND SERVICE SYSTEMS

Environmental Setting

The city has public services and infrastructure planned to meet the build out of the General Plan; this project does not impact the public service planning goals.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the construction of new water facilities or expansion of existing facilities;
- Result in exceeding the wastewater treatment requirements of the Regional Water Quality Control Board;
- Result in or require the construction or expansion of existing wastewater treatment facilities;
- Be served by a land fill that has inadequate permitted capacity.

City of Gridley Environmental Checklist

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Utilities and Service Systems

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-d) The project is a change in land use designations to more aptly describe the existing conditions; therefore designated as ***no-impact***.

MANDATORY FINDINGS OF SIGNIFICANCE

| Issues | Potentially Significant Impact | Less Than Significant With Mitiga- tion Incorporated | Less Than Significant Impact | No Impact |
|--------|--------------------------------------|--|------------------------------------|--------------|
|--------|--------------------------------------|--|------------------------------------|--------------|

Mandatory Findings of Significance

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

The proposed project is a change in land use designations to more aptly describe the existing conditions therefore designated as *no-impact*.

Endnotes

¹ California Division of Mines and Geology, Alquist-Priolo Hazard Mapping
www.conservation.ca.gov

² City of Gridley, 2030 General Plan, Final Environmental Impact Report, 2010.

Planning Commission Item #5B
Staff Report

Date: March 21, 2017

To: Chair and Planning Commissioners

From: Donna Decker, Planning Department

| | |
|-------------------------------------|-----------|
| <input checked="" type="checkbox"/> | Regular |
| <input type="checkbox"/> | Special |
| <input type="checkbox"/> | Closed |
| <input type="checkbox"/> | Emergency |

Subject: **General Plan Amendment GPA 1-17 and Rezone RZ 1-17;** Proposed General Plan Amendment and Rezone of fourteen (14) properties from the General Plan land use designation of Industrial to Commercial and rezone from Limited Industrial (M-1) to General Commercial Mixed Use (C-2-MUCZ) consisting of approximately 41 acres located on the west side of Highway 99. (021-110-031, 021-110-046, 021-110-047, 021-240-002, 021-240-003, 021-240-014, 021-240-025, 021-270-014, 021-270-016, 021-270-017, 021-270-019, 021-270-043, 021-270-044)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Recommend the City Council adopt a resolution to amend the General Plan land use designation from Industrial to Commercial/Mixed Use; and,
3. Recommend the City Council approves an ordinance to rezone the property from Light Industrial (L-1) and Heavy Industrial (L-2) to Commercial/Mixed Use (C-2/MUCZ).

Summary

The City Council recently adopted ordinances to amend the language in Title 17, Zoning, of the Gridley Municipal Code to bring the code into consistency with the 2030 General Plan adopted in 2010. The next step is to evaluate the City zoning designations and determine if any changes should be made.

Discussion

The property consists of fourteen (14) separately owned parcels zoned Light Industrial (L-1) and Heavy Industrial (L-2). The recent code amendments separated uses of Commercial from Industrial. Prior to this amendment, the uses that were allowed in the commercial zones could also be in the industrial zones. Although, this is a type of "mixed use", not all commercial uses are appropriate for the industrial zones and there should be use separations as defined in the General Plan. The purpose of the amendments was to bring Title 17 into compliance with the General Plan.

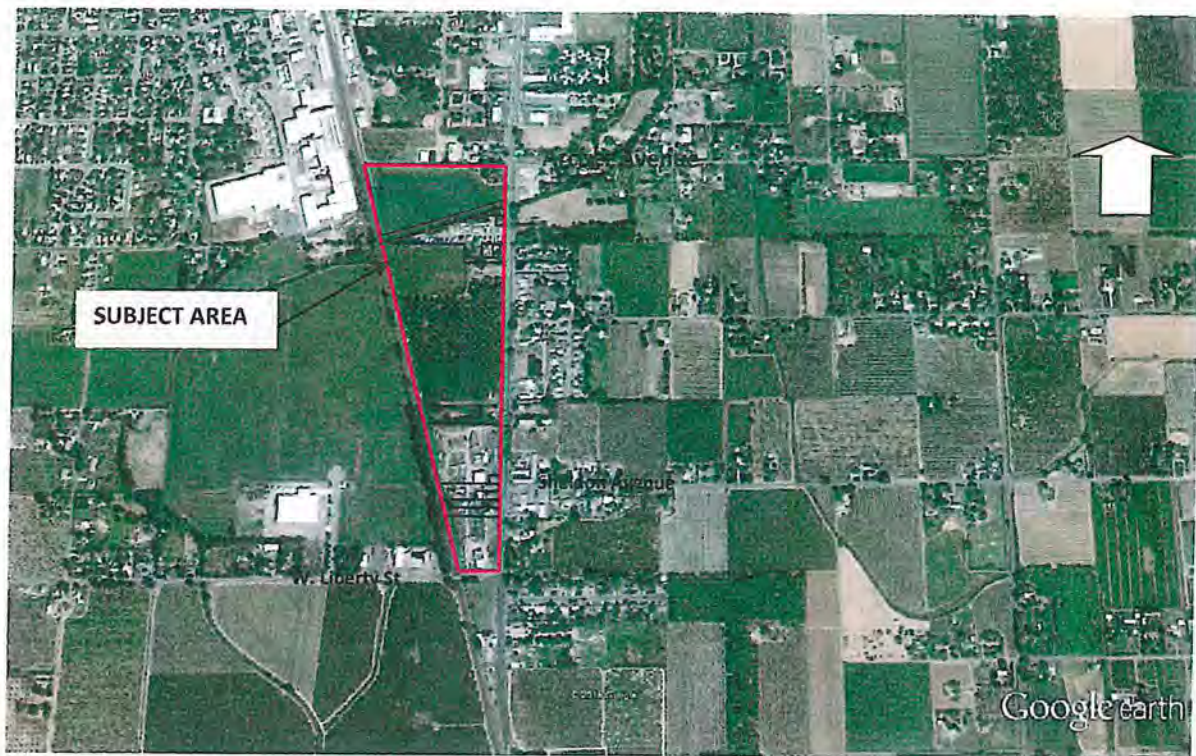


Figure 1: Location Map and Existing Conditions
(Parcel lines are only graphic and do not represent legal boundaries)

The second step after the code amendment is to take a look at current zoning and determine if it still meets the needs and makes sense in the community. The area depicted in Figure 1 is a natural extension of commercial along the Highway 99 corridor.

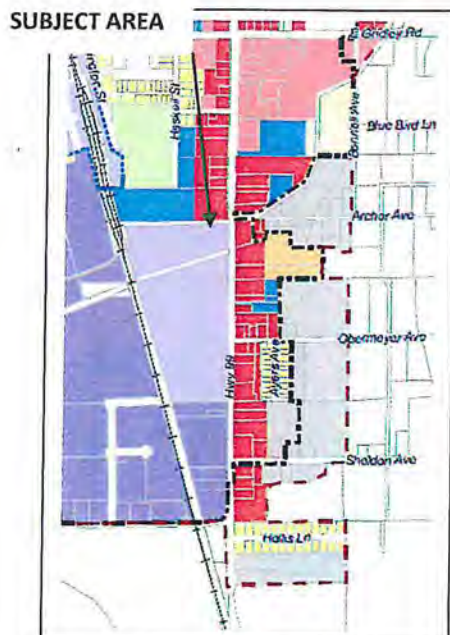


Figure 2: Existing zoning

As can be seen in Figure 2, commercial zoning exists contiguous to Highway 99 along the corridor. Extending commercial to West Liberty Street is a logical extension. The actual uses within this area are inconsistent with the current industrial zoning. There are residential uses in the form of the Butte Mobile Home Park, single family residential, small commercial, and industrial uses.

The goal of this land use designation change is to ensure that the existing uses are legal and that the future of the area is consistent with a direction for commercial along the corridor.

The next step after the proposed land use designation amendment will be to amend Title 17 to accommodate Commercial-Mixed Use (C-2/MUCZ) land uses. The existing MUCZ designation relies on an underlying residential zoning and no definition for infill mixed use or commercial mixed use is defined.

The City will coordinate meetings with the existing landowners in order to create a workable code that will meet property owners and the City's goals for the future development of the area.

The mixed use zone will be designed to allow commercial uses directly contiguous with Highway 99. Additional light industrial and residential uses could be located to the west of the parceled areas.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, posted at City Hall, made available at the Administration public counter, and placed on the City website for review. Notices were also mailed to all property owners of the subject area.

At the time this report was prepared staff had received comments and concerns related to the zone change to specific properties. These concerns have currently been mitigated; more discussion will ensue to ensure the use of the properties is maximized for the owners as well as extending the commercial corridor.

Environmental Review

The proposed project requires a Negative Declaration. At the time of this report, no significant impacts had been identified. The Initial Study and Negative Declaration will be provided to the City Council for approval when the resolution for the General Plan Amendment and the Ordinance for the rezone are presented.

City Council Agenda Item #8D
Staff Report

Date: May 1, 2017
To: Mayor and City Council
From: Paul Eckert, City Administrator
Subject: Building Inspection Services

| | |
|----------|-----------|
| X | Regular |
| | Special |
| | Closed |
| | Emergency |

Recommendation

As follow-up to past City Council conversations, the City Council is requested to determine the next steps for the delivery of Inspection Services in the City of Gridley. A Professional Services Contract between the City of Gridley and Butte County for Professional Building Services (Attachment 1) is provided for City Council consideration. If adopted, the Contract will result in an annual savings of \$102,934 to the City's General Fund.

Background

During the FY 2015-16 Annual Budget discussions, the City Council identified an interest in pursuing alternative delivery methods for Building Inspection Services. The City Council further discussed the topic at the February 6, 2017 Study Session (Attachment 2) with apparent overall interest in collaborating with the County to provide the service to our Gridley customers.

As described in the attached February 6, 2017 Council Agenda staff report, the City's primary alternatives include: 1.) Paid City staff including permanent staffing of one or more positions; 2.) Intergovernmental Collaborating with Butte County; 3.) Contracting with a private entity; and 4.) Collaborating with another Agency to share staffing. Engineering, Planning Services, Code Enforcement, and some Fire Inspection costs are not factored into this conversation as they are budgeted and accounted for separately. Our Administrative Assistant is currently assigned to assist with Building Inspection customer service at our Customer Service Counter. It is expected that those efforts will continue to some degree under each of the alternatives.

Following the general direction of the City Council, staff has conducted extensive research of each alternative, including informal surveying of customers. If the Council pursues an agreement with Butte County, a three-year agreement is recommended as that time frame will allow for time for our customers to get fully adjusted and will also provide an adequate period to fully evaluate the effectiveness of the services. The length of the contract is a Council decision. The County is flexible.

Current Practices - Providing Building Inspection services through the use of paid City staffing is the historical practice at the City of Gridley. The attached "Building Inspection Subsidy"

Spreadsheet (Attachment 3) illustrates that staffing and support costs have ranged in the past 6 years from \$181,894 to \$204,577. The overall average General Fund Subsidy is \$102,934.

The City lacks a logical method to evaluate customer service. Anecdotal information leads to a mixed overall response of good to very poor. Structurally, maintaining consistent high levels of customer service is challenging due to the very limited staffing levels inherent in a small town. Challenges include legitimate staff absences due to training, vacation, and sick time. Further, it's difficult to keep a small staff trained with ever changing State of California Building Code requirements. Time away creates backlogs and erratic response times. The impacts of employee retention is also magnified in small operations. The impact of employee turnover can create customer service challenges for months, and even years. Our current Building Inspections software is outdated and provides no "online" permit options. The cost to upgrade the software are significant and would likely be borne by the General Fund. Finally, our previous Inspector accepted a job with the City of Yuba City with a sizable pay increase. Attracting and retaining a qualified replacement will be difficult at our pay level and high responsibility level. The short term plan is to use a part-time retired employee temporarily.

Intergovernmental Collaboration with the County

City staff have been in discussions with the Butte County Administration, Inspection Services, Community Development, and Legal Counsel over the past five months to evaluate the options of the County providing the Building Inspection Services. We have received a proposal to provide Inspection Services that would eliminate the historic General Fund Subsidy, currently at the amount of \$102,934.

Customer Service – Our neighboring jurisdiction, the City of Biggs has contracted with Butte County since 2011. They recently renewed the contract in 2015 (Attachment 5). The City of Biggs is pleased with the Butte County services. Anecdotally, it appears customers are satisfied with the performance. The apparent satisfaction is verified by the recent renewal of the Contract with Butte County including several public discussions. Initial concerns here in Gridley regarding the Oroville Office requirement have been alleviated with additional information regarding the online permits, commitment to occasionally use of City Offices, and the reassurance of the continued use of our Administrative Assistant for initial Front Counter contacts. A Building Permit Process Flow Diagram is provided as Attachment 4.

The County provides the resources of a larger, more frequently trained, and cross trained staffing that is far less subject to the adverse impacts of turnover and absences. Impending costs such as replacement vehicles and new software are spread over a much larger base. The County would establish their own fee system and the fees would be consistent in the Butte County unincorporated areas, Biggs, and Gridley. The transition would be fairly straight forward and less difficult than the challenge of bringing on and training a new City employee. Many of our Inspection Services customers are already familiar with the County. The attached contracts would become effective July 1, 2017.

Compliance with City Council Strategic Plan or Budget Goals

Ensuring that our residents receive quality cost effective services is a primary objective of the City Council.

Financial Impact

The City projects average annual cost savings to the General Fund will exceed \$102,934 if the City Council approves the attached agreement. Actual long-term savings will significantly exceed these projections as the City anticipates steep increases to the employee retiree and health expenses. Partnering with the County will also allow us to avoid a planned software upgrade.

Attachments

- 1) Proposed 2017-2020 Building Services Contract with Butte County
- 2) Building Inspections Permit Process Diagram
- 3) February 6, 2017 Building Inspections Council Staff Report
- 4) Building Inspection Subsidies
- 5) City of Biggs and Butte County Agreements from 2011 and 2015

Attachment 1

This Contract, dated as of the last date executed by the Parties hereto is between the CITY Of Gridley, California, a municipal corporation identified below in the Variable Information Table hereinafter referred to as "CITY" and County of Butte, a political subdivision of the State of California, hereinafter referred to as "COUNTY."

| VARIABLE INFORMATION TABLE | | | | | | R |
|--|-------------------------|--|--------------|---|-------------|-----------------------|
| Term of This Contract (Complete Dates in Just One of the Following Two Rows) | | | | | | |
| <input checked="" type="checkbox"/> Below Term Begins | | | | Term Completion Date | | |
| On Following Date: July 01, 2017 | | | | Through Following Date: June 30, 2020 | | |
| Upon Last Date Executed by Agency | | | | Calendar Days Following Execution of Contract by Agency | | |
| Project Name | | Agreement For Professional Building Services Between - CITY Of Gridley | | Fiscal Year(s) | | 2017-2020 |
| Terms | | Basis of Price (Do Not <input checked="" type="checkbox"/> More Than One of the Following Four Blocks) | | | | |
| Price | OTHER see scope of work | Fixed Price | Annual Price | Monthly Price | Hourly Rate | |
| Not-to-Exceed Price | | <input checked="" type="checkbox"/> If Reasonable Expenses are authorized in addition to Hourly Rate | | | | |
| CITY Contact Information | | | | COUNTY Contact Information | | |
| Project Manager | | City Administrator | | Project Manager | | Nancy Springer, BDM |
| Agency | | City of Gridley | | Department | | Development Services |
| Address | | 685 Kentucky St | | Address | | 7 County Center Drive |
| CITY, State & ZIP | | Gridley, CA 95948 | | CITY, State & ZIP | | Oroville, CA 95965 |
| Telephone | | (530) 846-5695 | | Telephone | | (530) 538-6861 |

WHEREAS, CITY desires to retain services including but not limited to the performance of building plan checks and inspections; and

WHEREAS, the COUNTY possesses the skill, experience, ability, background, certification, knowledge and is specially trained to complete services including but not limited to building plan checks and inspections;

NOW THEREFORE BE IT AGREED between the parties to this Contract that this Contract is subject to the provisions contained in the following attachments which are made a part of this Contract. Should there be any conflicts between this Contract and the attachments that are incorporated herein, precedence shall first be given to the provisions of this Contract followed by the attachments, in descending order, as indicated below:

Attachment I – Terms and Conditions

Attachment II – Scope of Work

This Contract and the above listed Attachments represent the entire undertaking between the parties.

CITY

By _____
Frank Hall, Mayor
City of Gridley

COUNTY

By Tamara Ingersoll 4-11-17
Tamara Ingersoll
Contracts Manager, OOC - General Services

By _____
REVIEWED AS TO FORM
TONY GALYEAN
CITY OF GRIDLEY LEGAL COUNSEL

By _____
REVIEWED AS TO FORM
BRUCE S. ALPERT
BUTTE COUNTY COUNSEL

By Janet Woods 4/4/2017
REVIEWED FOR CONTRACT POLICY COMPLIANCE,
GENERAL SERVICES CONTRACT DIVISION, GSD

Approved for fiscal control, subject
to budget appropriation
Auditor's Office

By _____

**ATTACHMENT II
SCOPE OF WORK**

DUTIES OF THE COUNTY

1. **COUNTY shall perform:**
2. Building permit application, building permit fee collection, plan review and inspection for building permits which are required and signed-off by the CITY, based upon current adopted COUNTY building permit fees in accordance with the latest adopted Chapter 3, Article IV § 3-40 through 3-41 of the Butte County Ordinance . COUNTY may utilize outside contract consultant services at its discretion.
3. Building Code Enforcement provided shall be at the COUNTY'S hourly rate in accordance with the latest adopted building permit fees per Chapter 3, Article IV § 3-40 through 3-41 of the Butte County Ordinance. Building Code Enforcement for identification of sub-standard or uninhabitable buildings and structures, shall be at the written request of CITY. COUNTY shall report findings to CITY and, upon receipt of written direction from the CITY, COUNTY shall follow-up with any related actions relative to that determination.
4. Court testimony as requested in writing (and/or via subpoena). COUNTY shall notify CITY upon receipt of any subpoena.
5. Retention, reporting and maintenance of records.
6. Provide California Accessibility Specialist (CASP) in accordance with California State law. COUNTY may use outside contract consultant as needed.
7. County shall not issue a final Certificate of Occupancy (C of O) until such time as the City of Gridley signs off that all CITY requirements have been satisfied.
8. **Other Services.** At any time during the term of this Agreement, CITY may request that COUNTY perform Other Services.
 - a. As used herein, "Other Services" means any work which the parties did not reasonably anticipate would be necessary at the execution of this Agreement and therefore are not delineated in this agreement.
 - b. Other Services shall be charged to the CITY at an hourly rate in accordance with the latest adopted Chapter 3, Article IV § 3-40 through 3-41 of the Butte County Ordinance (see also compensation below).
 - c. COUNTY shall not perform, nor be compensated for, other Services without prior written authorization from CITY. No statement herein shall preclude the execution of a separate contract for Other Services.
9. **COUNTY's Books, Records and Reports.**
 - a. COUNTY shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, expenditures and disbursements charged to CITY permit applicants for a minimum period of two (2) years, or for any longer period required by law, from the date of final payment to COUNTY to this Agreement.
 - b. COUNTY shall maintain all documents and records which demonstrate performance under this Agreement for a minimum of two (2) years, or for any longer period as required by law, from the date of termination or completion of this Agreement.
 - c. Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during COUNTY's regular business hours, upon written request by CITY. Records shall be available at COUNTY's address indicated for receipt of notices

in this Agreement. If the documents requested by the CITY are available in an electronic format, the COUNTY shall provide such documents to the CITY via electronic delivery methods if requested.

- d. Where CITY has reason to believe that such records or documents may be lost or discarded due to dissolution, disbandment or termination of COUNTY's business, CITY may, by written request, require that custody of the records be given to the CITY and that the records and documents be maintained by CITY.
 - e. COUNTY shall, at COUNTY's expense, provide standard electronic permit system monthly activity reports which include permit information as to type, sub-type, number of permits issued, valuation and fees charged.
 - e. COUNTY shall provide copies of available plans, studies, documents, and other writings to CITY within ten (10) business days upon receipt of a written request by CITY.
10. **Standard of Review.** The COUNTY shall process all CITY building permit applications in a manner and timeframe substantially consistent with the manner and timeframes provided for COUNTY building permit applications. The COUNTY shall not systematically prioritize either COUNTY or CITY building permit applications to the detriment of the timely review of the other.
11. **Expedited Services.** The CITY or COUNTY may determine that a specific project represents a "high-priority" project providing the potential to result in revenue enhancement or measureable job creation whereby the assignment of a priority for expediting a project may be provided. In the event that it is determined by the CITY that a project of "high-priority" exists, the CITY shall notify the COUNTY in writing of such a determination and the COUNTY agrees to prioritize the review of the project application acknowledging the limitations of staff resources, expertise and/or existing contractual obligation. CITY acknowledges there is an Expedited Plan Check Fee as well as After Hours (Scheduled) Call-Out Fee that, if required, shall be charged the CITY for expedited plan check and any expedited inspections that cause COUNTY employees to work beyond their normally scheduled hours.

DUTIES OF THE CITY

1. CITY shall provide:

- a. **CITY Site Plan Approval and Sign-Off:** Prior to applying to the COUNTY for a building permit, applicants shall provide a complete site plan to the CITY to determine consistency with CITY codes. The site plan shall be reviewed by CITY planning and engineering staff and meet all requirements of Gridley Municipal Codes. CITY shall provide applicant a sign-off from the CITY that they have either completed the appropriate site plan review or design review procedures as would be required (Design review required) or the review is not required. Prior to application to the COUNTY for a building permit, applicants shall provide this sign-off to COUNTY.
- b. **CITY Notification on Completion and Sign-Off:** Prior to final inspection of new construction projects by the COUNTY, the applicant shall notify the CITY that project construction is complete and meet all requirements of Gridley municipal Code. CITY shall provide COUNTY documentation of CITY's sign-off that applicant has met this requirement in order for COUNTY to conduct final inspection.
- c. **CITY Written Request:** CITY shall provide written request to COUNTY for copies of plans, studies, documents and/or other written records.

COMPENSATION AND METHOD OF PAYMENT

1. For the performance of building application, plan review and inspection services, COUNTY shall charge and retain the permit applicant fees in accordance with Chapter 3, Article IV § 3-40 through 3-41 of the Butte

County Ordinance.

2. The CITY agrees in principal to allow the COUNTY to collect Countywide Impact Fees (CIF) upon the issuance of approved CITY Building Permit applications for uses or structures generating a new service impact, at such time as the cities of Chico, Oroville, Paradise and Biggs also agree to allow, and begin to collect, the COUNTY CIF on Building Permit applicants in those cities. A separate agreement will be brought forward at that time for approval by the CITY Council to implement this provision.
3. Other requested services provided by COUNTY to CITY shall be invoiced according to the most currently adopted county wide Development Services Department Processing Fees. Additional costs borne by the COUNTY for services provided at the request of CITY, for which the COUNTY would normally charge, which and are not covered by applicant fees shall be invoiced to the CITY (i.e, charges for copies of plans, documents, writings, etc.) Other inspection, documentation, report writing services shall be charged at the current Building Division hourly rate. CITY acknowledges that these fees are adjusted by the County Board of Supervisors periodically by resolution.
4. CITY shall compensate COUNTY monthly in arrears for requested services provided, that are not covered by permitting fees paid by building permit applicants. COUNTY shall bill CITY by submitting a monthly invoice which shall contain the following information: the service dates, service provided, time duration of services, multiplied by the hourly building division rate or fee schedule charge, additional charges for services (copies of plans, etc., called out specifically in the current fee schedule), and total charges.
5. Charges at the Building Division's hourly rate shall begin from the time the COUNTY staff delivering the service leaves the COUNTY offices in Oroville, California and begins to travel to a CITY job site, work while on-site at CITY job(s) as well as time needed for follow-up to document, report and/or consult with supervisor/management regarding CITY jobs. The CITY shall not be charged for travel time incurred by COUNTY staff resulting from travel originating at locations other than the COUNTY'S offices in Oroville or a closer location. Time spent by supervisory/management staff related to hourly rate work shall also be charged to the CITY.
6. It is not intended for COUNTY to subsidize the cost of any service to the CITY, but to remain fiscally whole in the delivery of services to CITY. Therefore, applicable charges for services shall be invoiced to CITY for all services, copies, etc., that would normally be charged to the public that are not covered by the fees paid by a permit applicant.

TABLE OF COMPENSATION

| SERVICES PROVIDED | FEES As adopted by ORDINANCE |
|---|---|
| Inspection Services and After Hours (Scheduled) Call-Outs | Building Division Fee Schedule Article IV 3- 41 <u>Ord. No. 4001, § 8, 3-24-09)</u> |
| Plan Check Services and Expedited Plan Check Services | Building Division Fee Schedule Article IV 3- 41 <u>Ord. No. 4001, § 8, 3-24-09)</u> |
| Permit Center/ Administrative Services | Building Division Fee Schedule Article IV 3- 41 <u>Ord. No. 4001, § 8, 3-24-09)</u> |
| Other Services: Code Enforcement | Hourly fee based upon current adopted fees per Butte County Code Article IV- 3-41 <u>Ord. No. 4001, § 8, 3-24-09)</u> |

ATTACHMENT I TERMS AND CONDITIONS

1. **Scope of Work.** The work to be undertaken is identified in the attached "Attachment II – Scope of Work" which is made a part of this Contract. All payments are due to the COUNTY within 30 days of receipt of invoice.

2. **Reimbursement.** The work shall be performed for the Fixed Price, Annual Price, Monthly Price or Hourly Rate as indicated in the variable information table, but shall not exceed the Not-to-Exceed Price if included in the variable information table. Reasonable expenses are authorized in addition to the Hourly Rate if both the Hourly Rate block and the block authorizing Reasonable Expenses are checked in the variable information table. Payment shall be made after the CITY reviews and approves the work and after submittal of an invoice by the COUNTY.
3. **COUNTY Project Manager.** The COUNTY project manager or designee for this undertaking who will receive payment invoices and answer questions related to the coordination of this undertaking is identified above in the variable information table.
4. **Independent Contractor.** COUNTY employees shall not be considered as employees of the CITY. COUNTY employees shall work under COUNTY supervision and direction and are not representatives or employees of the CITY.
5. **Confidentiality and Ownership of Documents.** All plans, studies, documents and other writings prepared by the COUNTY for CITY projects and located within the CITY, in the course of implementing this Agreement, except working notes and internal documents, shall become the joint property of the COUNTY and CITY, and the COUNTY shall have the right to use such materials at its discretion. The COUNTY shall maintain the confidentiality of all CITY records and information, including, but not limited to HIPAA, and all other applicable COUNTY, State, and Federal laws, ordinances, rules, regulations, manuals, guidelines, and directives, relating to privacy/security, whichever is most restrictive. COUNTY shall require all its officers, employees, and agents providing services hereunder to acknowledge, in writing, the understanding of, and agreement to fully comply with, all such confidentiality provisions. COUNTY shall indemnify and hold harmless CITY, its officers, employees, and agents, from and against any and all loss damage liability, and expenses arising from any disclosure of such records and information by COUNTY, its officers, employees, or agents.
6. **Termination.** This Contract may be terminated by either the CITY or the COUNTY by a thirty day written notice. Authorized costs incurred by the COUNTY will be reimbursed by the CITY up to the date of termination. Notwithstanding anything stated to the contrary herein, this Contract shall expire on the Completion Date indicated in the above Variable Information Table unless the Completion Date is modified by written amendment to this Contract. The CITY may terminate the Contract immediately upon service notice to the COUNTY if the COUNTY is found to not be in compliance with any section of this Contract.
7. **Mutual Hold Harmless.** It is agreed that the COUNTY shall defend, hold harmless and indemnify CITY, its officers and employees from any and all claims for injuries or damage to persons and/or property which arise out of the terms and conditions of this contract and which result from the negligent acts or omissions of the COUNTY, its officers and/or employees.

It is further agreed that the CITY shall defend, hold harmless and indemnify the COUNTY, its officers and employees from any and all claims for injuries or damage to persons and/or property which arise out of the terms and conditions of this contract and which result from the negligent acts or omissions of the CITY, its officers and/or employees.
8. **Insurance.** The County self insures civil liability claims up to \$100,000 per occurrence. Losses that exceed \$100,000 are covered by an excess insurance policy with limits up to \$25 million. The County also self insures workers compensation claims up to \$125,000 per injury. Losses exceeding \$125,000 per injury are covered by an excess insurance policy that provides statutory limits.
9. **Changes to the Contract.** The body of this contract and the attachments fully express all understandings of the parties concerned regarding all matters covered and shall constitute the total contract. No addition to, or alteration of, the terms of this contract, whether by written or verbal understanding of the parties, their officers, agents or employees, shall be valid unless made in the form of a written amendment to this contract which is formally approved and executed by both parties.
10. **Notices.** Any notice required to be given under this Agreement shall be in writing and will either be served personally or sent prepaid, first class mail. Any such notice shall be addressed to the other party at the address set forth below. Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this section.

If to CITY: City of Gridley
City Administrator
685 Kentucky St. Gridley, CA 95948

If to COUNTY: Manager, Building Division
Dept. of Development Services
7 County Center Drive
Oroville, CA 95965

11. **Assignment.** This contract is not to be assigned by CITY in whole or in part, without the express written consent of the COUNTY. This contract is not to be assigned by COUNTY in whole without the express written consent of the CITY. CITY acknowledges and agrees by execution hereof that COUNTY may sub contract portions of this agreement and/or hire a consultant entity to fulfill portions of this contract at the discretion of the COUNTY.
12. **Conflict of Interest.** COUNTY shall have no interest, and shall not acquire any interest, direct or indirect, which will conflict in any manner or degree with the performance of services required under this contract. This provision does not run exclusively to CITY; but rather it expressly also runs to those persons receiving services provided for herein. In the event a potential conflict arises, COUNTY will immediately advise CITY so that the potential conflict can be eliminated or avoided. CITY enters this contract upon the express representation that COUNTY may have other contracts in effect with CITY.
13. **COUNTY is not a designated employee** within the meaning of the Political Reform Act because:
 - a. COUNTY will conduct research and arrive at conclusions with respect to its rendition of information, advice, recommendation, or counsel independent of the control and direction of the CITY or any CITY official, other than normal agreement monitoring; and,
 - b. COUNTY possesses no authority with respect to any CITY decision beyond rendition of information, advice, recommendation or counsel.
14. **Standard of Care.** CITY has relied upon the professional training and ability of COUNTY to perform the services hereunder as a material inducement to enter into this Agreement. COUNTY shall not have any other persons perform professional services under this Agreement without first obtaining the written approval of CITY. All work performed by COUNTY under this Agreement shall be in accordance with applicable legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals in COUNTY's field of expertise.
15. **Compliance with Laws.** COUNTY and CITY shall comply with all applicable federal, state and local laws, regulations and any other form of codified requirements in the conduct of this scope of work and conduct in accordance with this contract.
16. **Licenses.** COUNTY represents and warrants to CITY that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which are legally required of COUNTY to practice its profession. COUNTY represents and warrants to CITY that COUNTY shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, certifications, insurance and approvals which are required by the CITY for its business.
17. **Waiver.** Waiver of a breach or default of any part of this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.
18. **Severability.** If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.
19. **Authority to Enter Agreement.** COUNTY has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.
20. **Applicable Law and Forum.** This Contract shall be construed and interpreted according to California law and any action to enforce the terms of this Contract for the breach thereof shall be brought and tried in the COUNTY of Butte.

21. **Entire Agreement.** This Agreement constitutes the complete and exclusive statement of Agreement between the CITY and COUNTY. All prior written and oral communications, including correspondence, drafts, memoranda, and representations are superseded in total by this Agreement.

Attachment 2

City Council Study Session Agenda Item #2B
Staff Report

Date: February 6, 2017
To: Mayor and City Council
From: Paul Eckert, City Administrator
Subject: Building Inspection Services Options

| | |
|---|-----------|
| | Regular |
| X | Special |
| | Closed |
| | Emergency |

Recommendation

In keeping with past City Council directives, staff respectfully requests the City Council begin the initial public discussions regarding the potential changes to the delivery of Building Inspection Services.

Background

During the FY 2015-16 Annual Budget discussions, the City Council identified an interest in discussing different delivery methods for Building Inspection Services. The purpose of this Study Session is to engage the Council and public regarding our options.

Our primary options include: 1.) Paid City staff including permanent staffing of one or more positions; 2.) Contracting out with the County; 3.) Contracting with a private entity; and 4.) Collaborating with another Agency to share staffing. Engineering, Planning Services, Code Enforcement, and some Fire Inspection costs are not factored into this conversation as they are budgeted and accounted for separately. Our Administrative Assistant is currently assigned to assist with Building Inspection customer service at our Customer Service Counter. It is expected that those efforts will continue under each of the following Options.

Option 1 – Paid City Staff

Providing Building Inspection services through the use of paid City staffing is the historical practice at the City of Gridley. The attached spreadsheet labeled "Building Inspection Subsidy" illustrates that staffing and support costs have ranged in the past 6 years from \$181,894 to \$204,577. The overall average General Fund Subsidy is \$86,626 with a high of \$125,548 and a low of \$45,262. The large swing from the low to the high is primarily due to the timing of the Eagle Meadows Subdivision permit revenues.

Customer Service – The City lacks a logical method to evaluate customer service. Anecdotal information leads to a mixed overall response of good to very poor. Structurally, maintaining consistent high levels of customer service is challenging due to the very limited staffing levels inherent in a small town. Challenges include legitimate staff absences due to training, vacation, and sick time. Further, it's difficult to keep a small staff trained with ever changing State of

California Building Code requirements. Time away creates backlogs and erratic response times. The impacts of employee retention is also magnified in small operations. The impact of employee turnover can create customer service challenges for months, and even years. Our current Building Inspections software is outdated and provides no "online" permit options. The cost to upgrade the software are significant and would likely be borne by the General Fund. Finally, our current Inspector has taken a job with the City of Yuba City with a sizable pay increase. Attracting and retaining a qualified replacement will be difficult at our pay level and high responsibility level. The short term plan is to use a part-time retired employee temporarily.

Option 2 - Contracting out with the County

City staff have been in discussions with the Butte County Administration, Inspection Services, Community Development, and Legal Counsel over the past three months to evaluate the options of the County providing the Building Inspection Services. We have received a proposal to provide Inspection Services that would eliminate the historic General Fund Subsidy previously described.

Customer Service – Our neighboring jurisdiction, the City of Biggs has contracted with Butte County since 2011. They recently renewed the contract in 2015. The City of Biggs is pleased with the Butte County services. Anecdotally, it appears customers are satisfied with the performance. The apparent satisfaction is verified by the recent renewal of the Contract with Butte County including several public discussions. Initial concerns here in Gridley regarding the Oroville Office requirement have been alleviated with additional information regarding the online permits, commitment to occasionally use of City Offices, and the reassurance of the continued use of our Administrative Assistant for initial Front Counter contacts.

The County provides the resources of a larger, more frequently trained, and cross trained staffing that is far less subject to the adverse impacts of turnover and absences. Impending costs such as replacement vehicles and new software are spread over a much larger base. The County would establish their own fee system and the fees would be consistent in the Butte County unincorporated areas, Biggs, and Gridley. The transition would be fairly straight forward and less difficult than the challenge of bringing on and training a new City employee. Many of our Inspection Services customers are already familiar with the County.

Option 3 - Contracting with a Private Entity

There are no reasonable resources to consider at this time.

Option 4 - Collaborating with another Agency to Share Staffing and other Costs

Our primary alternative would be another Butte County nearby community. The City of Biggs is our primary option and they do not appear interested at the current time due to their satisfaction with the County. The current Five Year Biggs and Butte County Contract expires in June 30, 2020. The City of Live Oak would be another option but they are made more challenging due being in Sutter County which has an array different code requirements and practices.

We look forward to receiving City Council and public perspective during the Study Session. We hope to keep this effort moving quickly due to receiving the resignation of our current Inspector just two weeks ago.

Compliance with City Council Strategic Plan or Budget Goals

Providing quality cost effective services is the primary Mission of the City.

Financial Impact

Described above.

Attachments – Additional documents are available and will be presented at the City Council Study Session

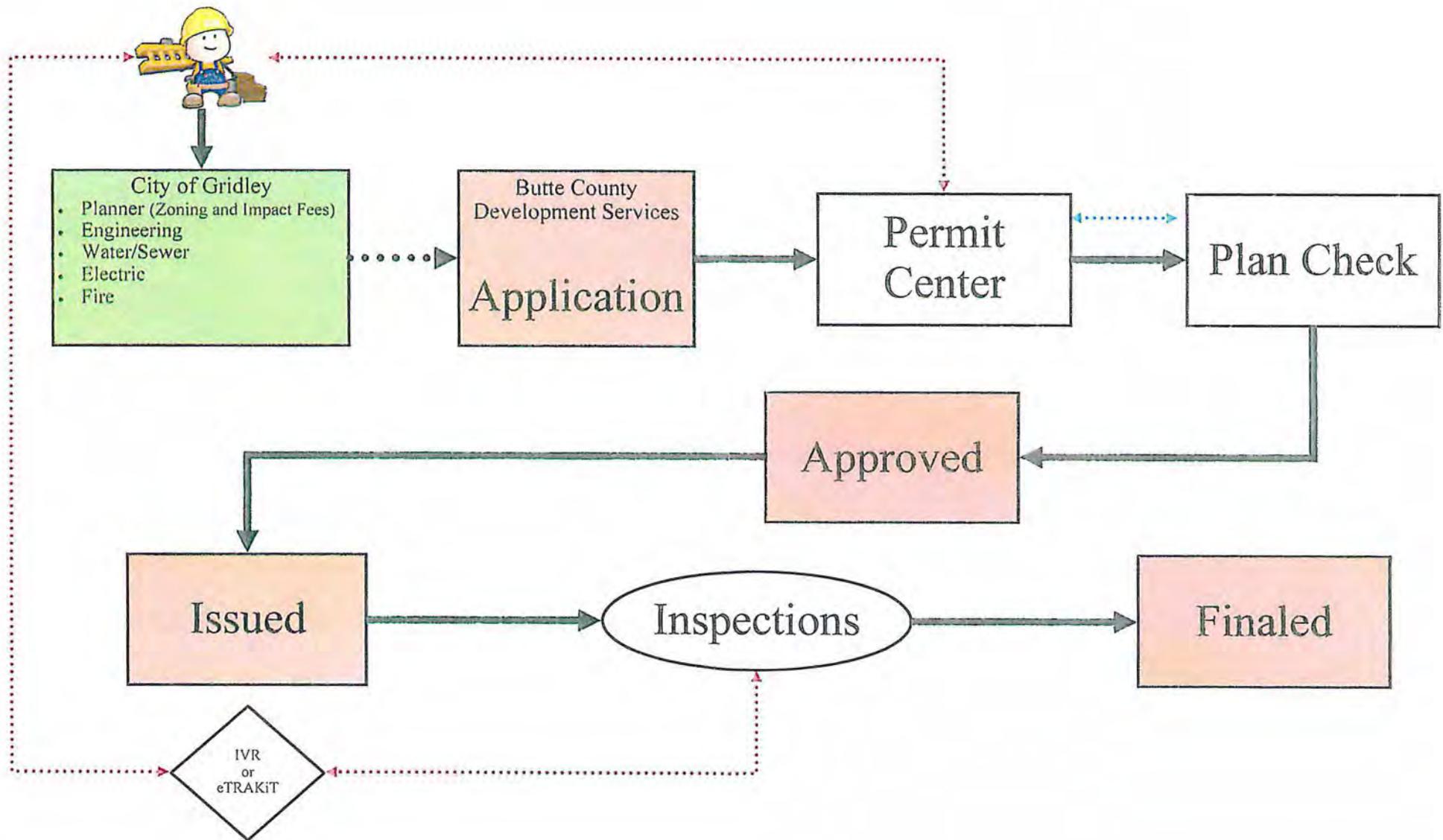
Attachment 3

GENERAL FUND SUBSIDIES - BUILDING INSPECTION SERVICES

| | AUDITED FY 10-11 | AUDITED FY 11-12 | AUDITED FY 12-13 | AUDITED FY 13-14 | AUDITED FY 14-15 | AUDITED FY 15-16 |
|-------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| REVENUE | | | | | | |
| 3592 Building Permit/Issuance Fee | \$ 36,306 | \$ 22,234 | \$ 25,537 | \$ 50,672 | \$ 26,915 | \$ 61,364 |
| 3593 Plan Review (Planner) | | | | | | |
| 3594 Plumbing Permit | \$ 8,764 | \$ 5,266 | \$ 3,452 | \$ 11,687 | \$ 4,702 | \$ 11,661 |
| 3596 Electrical Permit | \$ 8,749 | \$ 64,436 | \$ 5,629 | \$ 12,055 | \$ 6,452 | \$ 11,665 |
| 3597 Mechanical Permit | \$ 7,679 | \$ 3,852 | \$ 4,271 | \$ 9,719 | \$ 5,020 | \$ 9,353 |
| 3598 Grading Permit | \$ 1,203 | \$ 595 | \$ 1,926 | \$ 703 | \$ 360 | \$ 625 |
| 3620 Engineering Fees - Inspections | \$ 1,093 | \$ 9,975 | \$ 750 | \$ 11,515 | \$ 200 | \$ 1,125 |
| 3652 CSBSC Green Building Standards | \$ - | \$ - | \$ 20 | \$ - | \$ - | \$ - |
| 3680 Home Occupancy Permit | \$ 40 | \$ 20 | \$ - | \$ 20 | \$ - | \$ 20 |
| 3682 Fence Permit | \$ 565 | \$ 260 | \$ 540 | \$ 340 | \$ 340 | \$ 400 |
| 3684 Temp/Conditional Use Permit | \$ 550 | \$ 400 | \$ 1,960 | \$ 200 | \$ 1,500 | \$ 1,500 |
| 3686 Boundary Line Modifications | \$ 450 | \$ - | \$ - | \$ 550 | \$ 800 | \$ - |
| 3694 Sign Review | \$ 400 | \$ 300 | \$ 300 | \$ 350 | \$ 350 | \$ 350 |
| 3697 Site Development Plan | \$ - | \$ 450 | \$ 450 | \$ 825 | \$ 750 | \$ 3,580 |
| 3698 Variance Fee | \$ - | \$ - | \$ 300 | \$ 600 | \$ 600 | \$ - |
| TOTAL | \$ 65,799 | \$ 107,788 | \$ 45,135 | \$ 99,236 | \$ 47,989 | \$ 101,643 |
| EXPENDITURES | | | | | | |
| PERSONNEL COSTS | | | | | | |
| 1000 Salaries | \$ 88,290 | \$ 70,313 | \$ 72,352 | \$ 79,340 | \$ 92,118 | \$ 115,323 |
| 1001 Extra Help | \$ 12,280 | \$ 19,074 | \$ 21,282 | \$ 19,929 | \$ 22,887 | \$ 24,765 |
| 1002 Overtime | \$ - | \$ - | \$ 193 | \$ - | \$ 422 | \$ - |
| 1005 Compensated Absences Accrual | \$ (46) | \$ 536 | \$ - | \$ - | \$ - | \$ - |
| 1100 Worker's Compensation | \$ 993 | \$ 1,504 | \$ 3,069 | \$ 1,750 | \$ 494 | \$ 451 |
| 1200 Retirement | \$ 17,002 | \$ 15,794 | \$ 12,058 | \$ 12,182 | \$ 16,074 | \$ 33,658 |
| 1300 Health Insurance | \$ 1,477 | \$ 29 | \$ - | \$ - | \$ - | \$ - |
| 1310 Cafeteria plan | \$ 17,560 | \$ 15,190 | \$ 15,748 | \$ 15,672 | \$ 18,124 | \$ 15,453 |
| 1400 Dental Insurance | \$ 1,272 | \$ 1,122 | \$ 1,176 | \$ 964 | \$ 968 | \$ 956 |
| 1700 Physicals | \$ 2,322 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 1800 Disability Insurance | \$ 805 | \$ 711 | \$ 1,090 | \$ 1,047 | \$ 1,279 | \$ 1,210 |
| 1900 Medicare Taxes | \$ 1,284 | \$ 1,317 | \$ 1,362 | \$ 1,402 | \$ 1,678 | \$ 2,052 |

| | | | | | | | | | | | | |
|--|-----------|-----------------------|-----------|----------------------|-----------|-----------------------|-----------|----------------------|-----------|-----------------------|-----------|-----------------------|
| 1902 Social Security | \$ | 743 | \$ | 1,183 | \$ | 1,312 | \$ | 1,236 | \$ | 1,419 | \$ | 1,420 |
| 1903 Employee Assistance Program | \$ | 36 | \$ | 36 | \$ | 33 | \$ | 39 | \$ | 51 | \$ | 44 |
| 1904 Physical Fitness | \$ | 116 | \$ | - | \$ | - | \$ | - | \$ | 38 | \$ | - |
| 1999 Total Benefits and Insurance | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| TOTAL PERSONNEL COSTS | \$ | 144,134 | \$ | 126,809 | \$ | 129,675 | \$ | 133,561 | \$ | 155,552 | \$ | 195,332 |
| SERVICES & SUPPLIES | | | | | | | | | | | | |
| 2100 Communications | \$ | 1,717 | \$ | 1,312 | \$ | (73) | \$ | 998 | \$ | 985 | \$ | 894 |
| 2400 Insurance | \$ | 21,692 | \$ | 2,907 | \$ | 1,109 | \$ | 1,405 | \$ | 1,529 | \$ | 975 |
| 3000 Equipment Maintenance | \$ | - | \$ | - | \$ | - | \$ | - | \$ | 286 | \$ | 1,667 |
| 3300 Memberships | \$ | 100 | \$ | 175 | \$ | 125 | \$ | 190 | \$ | 133 | \$ | 370 |
| 3500 Office | \$ | 1,027 | \$ | 591 | \$ | 653 | \$ | 627 | \$ | 706 | \$ | 1,230 |
| 3600 Professional | \$ | 4,688 | \$ | 13,211 | \$ | 21,841 | \$ | 8,482 | \$ | 27,402 | \$ | 4,023 |
| 3700 Publications | \$ | 1,329 | \$ | 91 | \$ | 351 | \$ | 1,169 | \$ | - | \$ | - |
| 4000 Special Departmental Expense | \$ | 906 | \$ | 874 | \$ | 36 | \$ | 1,437 | \$ | 373 | \$ | - |
| 4300 Transportation and Travel | \$ | 97 | \$ | 356 | \$ | - | \$ | 12 | \$ | - | \$ | 86 |
| 5800 Late Charges - Interest | \$ | 597 | \$ | - | \$ | - | \$ | - | \$ | - | \$ | - |
| TOTAL SERVICES & SUPPLIES | \$ | 32,153 | \$ | 19,517 | \$ | 24,042 | \$ | 14,320 | \$ | 31,414 | \$ | 9,245 |
| CAPITAL | | | | | | | | | | | | |
| 6300 Equipment | \$ | - | \$ | 1,813 | \$ | - | \$ | 2,285 | \$ | - | \$ | - |
| TOTAL CAPITAL | \$ | - | \$ | 1,813 | \$ | - | \$ | 2,285 | \$ | - | \$ | - |
| RESERVES | | | | | | | | | | | | |
| 6500 Reserve | \$ | 2,500 | \$ | 2,500 | \$ | 2,500 | \$ | 2,500 | \$ | - | \$ | - |
| TOTAL RESERVES | \$ | 2,500 | \$ | 2,500 | \$ | 2,500 | \$ | 2,500 | \$ | - | \$ | - |
| INDIRECT COSTS | | | | | | | | | | | | |
| 7004 Finance Costs | \$ | 1,315 | \$ | - | \$ | 3,304 | \$ | - | \$ | - | \$ | - |
| 7012 Administration Costs | \$ | 1,792 | \$ | - | \$ | 2,753 | \$ | - | \$ | - | \$ | - |
| 7016 Council Costs | \$ | - | \$ | - | \$ | 1,950 | \$ | - | \$ | - | \$ | - |
| 7020 Engineering Costs | \$ | - | \$ | 30,000 | \$ | - | \$ | - | \$ | - | \$ | - |
| TOTAL INDIRECT COSTS | \$ | 3,107 | \$ | 30,000 | \$ | 8,007 | \$ | - | \$ | - | \$ | - |
| TOTAL | \$ | 181,894 | \$ | 180,639 | \$ | 164,224 | \$ | 152,666 | \$ | 186,966 | \$ | 204,577 |
| <u>TOTAL GENERAL FUND SUBSIDY</u> | \$ | <u>116,095</u> | \$ | <u>72,851</u> | \$ | <u>119,089</u> | \$ | <u>53,430</u> | \$ | <u>138,977</u> | \$ | <u>102,934</u> |

Attachment 4



Attachment 5

AMENDMENT TO REVENUE CONTRACT

This Amendment to the Revenue Contract identified below, between the CITY of Biggs, California, and County of Butte and the identified below, reflects the mutual agreement between the parties to amend this Contract in consideration for the mutual promises contained herein.

| | | | | |
|---|---------------|--------------------------------------|--|--|
| Amendment Number | 1 | Date of Amendment | 05/05/2015 | |
| Contract Number | R41327 | Date of Contract | 5/23/12 | |
| Contractor | City of Biggs | | | |
| Previous Contract Price | N/A | <input type="checkbox"/> Fixed Price | <input type="checkbox"/> Not-to-Exceed Price | |
| Net Change This Amendment | N/A | <input type="checkbox"/> Fixed Price | <input type="checkbox"/> Not-to-Exceed Price | |
| Revised Contract Price | N/A | <input type="checkbox"/> Fixed Price | <input type="checkbox"/> Not-to-Exceed Price | |
| Original Completion Date | June 30, 2015 | | | |
| Revised Completion Date | June 30, 2020 | | | |
| <p><u>Description of Additional Changes:</u> (If any provision of the Contract is being modified by this Amendment, include the amended form of the modified provision below.)</p> <p>Variable Information Table: Term Completion Date: June 30, 2020 Fiscal Year(s): 2016-2019</p> | | | | |
| <p>All other terms of this Contract shall remain in full force and effect and are hereby reaffirmed as originally stated or as previously amended by prior written amendment to this contract.</p> | | | | |

CITY

COUNTY

Roger L. Frith, Mayor
City of Biggs

Date

Scott McMillan
Contracts Procurement
Manager

Date

REVIEWED AS TO FORM
Greg Einhorn
CITY OF BIGGS LEGAL COUNSEL

Date

REVIEWED AS TO FORM
BRUCE S. ALPERT
BUTTE COUNTY COUNSEL

Date

REVIEWED AS TO FISCAL CONTROL,
Butte County Contracts Division, GSD

Date

Approved for fiscal control, subject
to budget appropriation
Auditor's Office

By _____

COUNTY OF BUTTE

R 41327

REVENUE CONTRACT

CONTRACT NO.

This Contract, dated as of the last date executed by the Parties hereto is between the CITY Of Biggs, California, a municipal corporation identified below in the Variable Information Table hereinafter referred to as "CITY" and County of Butte, a political subdivision of the State of California, hereinafter referred to as "COUNTY."

VARIABLE INFORMATION TABLE

R

Term of This Contract (Complete Dates in Just One of the Following Two Rows)

| | | | | | |
|---|--|--|--------------|---|-------------|
| <input checked="" type="checkbox"/> Below | | Term Begins | | Term Completion Date | |
| On Following Date | | June 18, 2012 | | Through Following Date June 30, 2015 | |
| Upon Last Date Executed by Agency | | | | Calendar Days Following Execution of Contract by Agency | |
| Project Name | Agreement For Professional Building Services Between - CITY Of Biggs | | | Fiscal Year(s) | 2011-2015 |
| Terms | Basis of Price (Do Not <input checked="" type="checkbox"/> More Than One of the Following Four Blocks) | | | | |
| Price | OTHER see scope of work | Fixed Price | Annual Price | Monthly Price | Hourly Rate |
| Not-to-Exceed Price | | <input checked="" type="checkbox"/> if Reasonable Expenses are authorized in addition to Hourly Rate | | | |

CITY Contact Information

COUNTY Contact Information

| | | | |
|-------------------|-----------------------------|-------------------|-----------------------|
| Project Manager | City Administrator | Project Manager | Nancy Springer, BDM |
| Agency | City of Biggs | Department | Development Services |
| Address | 465 C Street / P.O. Box 307 | Address | 7 County Center Drive |
| CITY, State & ZIP | Biggs, CA 95917 | CITY, State & ZIP | Oroville, CA 95965 |
| Telephone | (530) 868-0100 | Telephone | (530) 538-6861 |

WHEREAS, CITY desires to retain services including but not limited to the performance of building plan checks and inspections; and

WHEREAS, the COUNTY possesses the skill, experience, ability, background, certification, knowledge and is specially trained to complete services including but not limited to building plan checks and inspections;

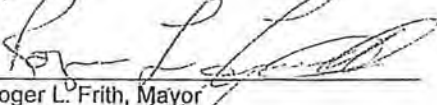
NOW THEREFORE BE IT AGREED between the parties to this Contract that this Contract is subject to the provisions contained in the following attachments which are made a part of this Contract. Should there be any conflicts between this Contract and the attachments that are incorporated herein, precedence shall first be given to the provisions of this Contract followed by the attachments, in descending order, as indicated below:

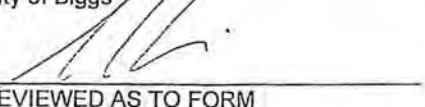
Attachment I – Terms and Conditions

Attachment II – Scope of Work

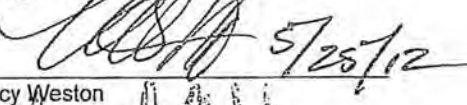
This Contract and the above listed Attachments represent the entire undertaking between the parties.


CITY

By 
 Roger L. Frith, Mayor
 City of Biggs

By 
 REVIEWED AS TO FORM
 GREGORY EINHORN
 CITY OF BIGGS LEGAL COUNSEL

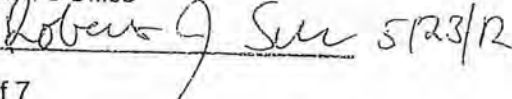
COUNTY

By  5/25/12
 Nancy Weston
 Contracts Manager

By 
 REVIEWED AS TO FORM
 BRUCE S. ALPERT
 BUTTE COUNTY COUNSEL

By _____
 REVIEWED FOR FISCAL CONTROL,
 Butte County Contracts Division, GSD

Approved for fiscal control, subject
 to budget appropriation
 Auditor's Office

By  5/23/12

**ATTACHMENT II
SCOPE OF WORK**

DUTIES OF THE COUNTY

1. COUNTY shall perform:

- a. Building permit application, building permit fee collection, plan review and inspection for building permits which are required and signed-off by the CITY, based upon current adopted COUNTY building permit fees in accordance with the latest adopted Chapter 3, Article IV § 3-40 through 3-41 of the Butte County Ordinance .
- b. Building Code Enforcement provided shall be at the COUNTY'S hourly rate in accordance with the latest adopted building permit fees per Chapter 3, Article IV § 3-40 through 3-41 of the Butte County Ordinance. Building Code Enforcement for identification of sub-standard or uninhabitable buildings and structures, shall be at the written request of CITY. COUNTY shall report findings to CITY and, upon receipt of written direction from the CITY, COUNTY shall follow-up with any related actions relative to that determination.
- c. Court testimony as requested in writing (and/or via subpoena). COUNTY shall notify CITY upon receipt of any subpoena.
- d. Retention, reporting and maintenance of records.
- e. Provide California Accessibility Specialist (CASP) in accordance with California State law. COUNTY may use outside contract consultant as needed.
- f. County shall not issue a final Certificate of Occupancy (CofO) until such time as the City of Biggs signs off that all CITY requirements have been satisfied.

2. Other Services. At any time during the term of this Agreement, CITY may request that COUNTY perform Other Services.

- a. As used herein, "Other Services" means any work which the parties did not reasonably anticipate would be necessary at the execution of this Agreement and therefore are not delineated in this agreement.
- b. Other Services shall be charged to the CITY at an hourly rate in accordance with the latest adopted Chapter 3, Article IV § 3-40 through 3-41 of the Butte County Ordinance (see also compensation below).
- c. COUNTY shall not perform, nor be compensated for, other Services without prior written authorization from CITY. No statement herein shall preclude the execution of a separate contract for Other Services.

3. COUNTY's Books, Records and Reports.

- a. COUNTY shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, expenditures and disbursements charged to CITY permit applicants for a minimum period of two (2) years, or for any longer period required by law, from the date of final payment to COUNTY to this Agreement.
- b. COUNTY shall maintain all documents and records which demonstrate performance under this Agreement for a minimum of two (2) years, or for any longer period as required by law, from the date of termination or completion of this Agreement.

- c. Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during COUNTY's regular business hours, upon written request by CITY. Records shall be available at COUNTY's address indicated for receipt of notices in this Agreement. If the documents requested by the CITY are available in an electronic format, the COUNTY shall provide such documents to the CITY via electronic delivery methods if requested.
 - d. Where CITY has reason to believe that such records or documents may be lost or discarded due to dissolution, disbandment or termination of COUNTY's business, CITY may, by written request, require that custody of the records be given to the CITY and that the records and documents be maintained by CITY.
 - e. COUNTY shall, at COUNTY's expense, provide standard electronic permit system monthly activity reports which include permit information as to type, sub-type, number of permits issued, valuation and fees charged.
 - e. COUNTY shall provide copies of available plans, studies, documents, and other writings to CITY within ten (10) business days upon receipt of a written request by CITY.
4. **Standard of Review.** The COUNTY shall process all CITY building permit applications in a manner and timeframe substantially consistent with the manner and timeframes provided for COUNTY building permit applications. The COUNTY shall not systematically prioritize either COUNTY or CITY building permit applications to the detriment of the timely review of the other.
5. **Expedited Services.** The CITY or COUNTY may determine that a specific project represents a "high-priority" project providing the potential to result in revenue enhancement or measureable job creation whereby the assignment of a priority for expediting a project may be provided. In the event that it is determined by the CITY that a project of "high-priority" exists, the CITY shall notify the COUNTY in writing of such a determination and the COUNTY agrees to prioritize the review of the project application acknowledging the limitations of staff resources, expertise and/or existing contractual obligation. CITY acknowledges there is an Expedited Plan Check Fee as well as After Hours (Scheduled) Call-Out Fee that, if required, shall be charged the CITY for expedited plan check and any expedited inspections that cause COUNTY employees to work beyond their normally scheduled hours.

DUTIES OF THE CITY

1. **CITY shall provide:**

- a. **CITY Site Plan Approval and Sign-Off:** Prior to applying to the COUNTY for a building permit, applicants shall provide a complete site plan to the CITY to determine consistency with CITY codes. The site plan shall be reviewed by CITY planning and engineering staff and meet all requirements of BMC 11.10.020 (Site plan review procedure). CITY shall provide applicant a sign-off from the CITY that they have either completed the appropriate site plan review or design review procedures as required per BMC 14.30.090 (Design review required) or the review is not required. Prior to application to the COUNTY for a building permit, applicants shall provide this sign-off to COUNTY
- b. **CITY Notification on Completion and Sign-Off:** Prior to final inspection of new construction projects by the COUNTY, the applicant shall notify the CITY that project construction is complete and meet all requirements of BMC 11.10.040 (Inspection of new construction). CITY shall provide COUNTY documentation of CITY's sign-off that applicant has met this requirement in order for COUNTY to conduct final inspection.
- c. **CITY Written Request:** CITY shall provide written request to COUNTY for copies of plans, studies, documents and/or other written records.

COMPENSATION AND METHOD OF PAYMENT

1. For the performance of building application, plan review and inspection services, COUNTY shall charge and retain the permit applicant fees in accordance with Chapter 3, Article IV § 3-40 through 3-41 of the Butte County Ordinance.
2. The CITY agrees in principal to allow the COUNTY to collect Countywide Impact Fees (CIF) upon the issuance of approved CITY Building Permit applications for uses or structures generating a new service impact, at such time as the cities of Oroville and Gridley also agree to allow, and begin to collect, the COUNTY CIF on Building Permit applicants in those cities. A separate agreement will be brought forward at that time for approval by the CITY Council to implement this provision.
3. Other requested services provided by COUNTY to CITY shall be invoiced according to the most currently adopted county wide Development Services Department Processing Fees. Additional costs borne by the COUNTY for services provided at the request of CITY, for which the COUNTY would normally charge, which and are not covered by applicant fees shall be invoiced to the CITY (i.e, charges for copies of plans, documents, writings, etc.) Other inspection, documentation, report writing services shall be charged at the current Building Division hourly rate. CITY acknowledges that these fees are adjusted by the County Board of Supervisors periodically by resolution.
4. CITY shall compensate COUNTY monthly in arrears for requested services provided, that are not covered by permitting fees paid by building permit applicants. COUNTY shall bill CITY by submitting a monthly invoice which shall contain the following information: the service dates, service provided, time duration of services, multiplied by the hourly building division rate or fee schedule charge, additional charges for services (copies of plans, etc., called out specifically in the current fee schedule), and total charges.
5. Charges at the Building Division's hourly rate shall begin from the time the COUNTY staff delivering the service leaves the COUNTY offices in Oroville, California and begins to travel to a CITY job site, work while on-site at CITY job(s) as well as time needed for follow-up to document, report and/or consult with supervisor/management regarding CITY jobs. The CITY shall not be charged for travel time incurred by COUNTY staff resulting from travel originating at locations other than the COUNTY'S offices in Oroville or a closer location. Time spent by supervisory/management staff related to hourly rate work shall also be charged to the CITY.
6. It is not intended for COUNTY to subsidize the cost of any service to the CITY, but to remain fiscally whole in the delivery of services to CITY. Therefore, applicable charges for services shall be invoiced to CITY for all services, copies, etc., that would normally be charged to the public that are not covered by the fees paid by a permit applicant.

TABLE OF COMPENSATION

| SERVICES PROVIDED | FEES As adopted by ORDINANCE |
|---|--|
| Inspection Services and After Hours (Scheduled) Call-Outs | Building Division Fee Schedule Article IV 3- 41 <u>Ord. No. 4001, § 8, 3-24-09</u> |
| Plan Check Services and Expedited Plan Check Services | Building Division Fee Schedule Article IV 3- 41 <u>Ord. No. 4001, § 8, 3-24-09</u> |
| Permit Center/ Administrative Services | Building Division Fee Schedule Article IV 3- 41 <u>Ord. No. 4001, § 8, 3-24-09</u> |
| Other Services: Code Enforcement | Hourly fee based upon current adopted fees per Butte County Code Article IV- 3-41 <u>Ord. No. 4001, § 8, 3-24-09</u> |

**ATTACHMENT I
TERMS AND CONDITIONS**

1. **Scope of Work.** The work to be undertaken is identified in the attached "Attachment II – Scope of Work" which is made a part of this Contract. All payments are due to the COUNTY within 30 days of receipt of invoice.
2. **Reimbursement.** The work shall be performed for the Fixed Price, Annual Price, Monthly Price or Hourly Rate as indicated in the variable information table, but shall not exceed the Not-to-Exceed Price if included in the variable information table. Reasonable expenses are authorized in addition to the Hourly Rate if both the Hourly Rate block and the block authorizing Reasonable Expenses are checked in the variable information table. Payment shall be made after the CITY reviews and approves the work and after submittal of an invoice by the COUNTY.
3. **COUNTY Project Manager.** The COUNTY project manager or designee for this undertaking who will receive payment invoices and answer questions related to the coordination of this undertaking is identified above in the variable information table.
4. **Independent Contractor.** COUNTY employees shall not be considered as employees of the CITY. COUNTY employees shall work under COUNTY supervision and direction and are not representatives or employees of the CITY.
5. **Confidentiality and Ownership of Documents.** All plans, studies, documents and other writings prepared by the COUNTY for CITY projects and located within the CITY, in the course of implementing this Agreement, except working notes and internal documents, shall become the joint property of the COUNTY and CITY, and the COUNTY shall have the right to use such materials at its discretion. The COUNTY shall maintain the confidentiality of all CITY records and information, including, but not limited to HIPAA, and all other applicable COUNTY, State, and Federal laws, ordinances, rules, regulations, manuals, guidelines, and directives, relating to privacy/security, whichever is most restrictive. COUNTY shall require all its officers, employees, and agents providing services hereunder to acknowledge, in writing, the understanding of, and agreement to fully comply with, all such confidentiality provisions. COUNTY shall indemnify and hold harmless CITY, its officers, employees, and agents, from and against any and all loss damage liability, and expenses arising from any disclosure of such records and information by COUNTY, its officers, employees, or agents.
6. **Termination.** This Contract may be terminated by either the CITY or the COUNTY by a thirty day written notice. Authorized costs incurred by the COUNTY will be reimbursed by the CITY up to the date of termination. Notwithstanding anything stated to the contrary herein, this Contract shall expire on the Completion Date indicated in the above Variable Information Table unless the Completion Date is modified by written amendment to this Contract. The CITY may terminate the Contract immediately upon service notice to the COUNTY if the COUNTY is found to not be in compliance with any section of this Contract.
7. **Mutual Hold Harmless.** It is agreed that the COUNTY shall defend, hold harmless and indemnify CITY, its officers and employees from any and all claims for injuries or damage to persons and/or property which arise out of the terms and conditions of this contract and which result from the negligent acts or omissions of the COUNTY, its officers and/or employees.

It is further agreed that the CITY shall defend, hold harmless and indemnify the COUNTY, its officers and employees from any and all claims for injuries or damage to persons and/or property which arise out of the terms and conditions of this contract and which result from the negligent acts or omissions of the CITY, its officers and/or employees.
8. **Insurance.** The County self insures civil liability claims up to \$100,000 per occurrence. Losses that exceed \$100,000 are covered by an excess insurance policy with limits up to \$25 million. The County also self insures workers compensation claims up to \$125,000 per injury. Losses exceeding \$125,000 per injury are covered by an excess insurance policy that provides statutory limits.
9. **Changes to the Contract.** The body of this contract and the attachments fully express all understandings of the parties concerned regarding all matters covered and shall constitute the total contract. No addition to, or alteration of, the terms of this contract, whether by written or verbal understanding of the parties, their officers, agents or employees, shall be valid unless made in the form of a written amendment to this contract which is formally approved and executed by both parties.

10. **Notices.** Any notice required to be given under this Agreement shall be in writing and will either be served personally or sent prepaid, first class mail. Any such notice shall be addressed to the other party at the address set forth below. Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this section.

If to CITY: City of Biggs
City Administrator
465 C Street / P.O. Box 307
Biggs, CA 95917

If to COUNTY: Manager, Building Division
Dept. of Development Services
7 County Center Drive
Oroville, CA 95965

11. **Assignment.** This contract is not to be assigned by CITY in whole or in part, without the express written consent of the COUNTY. This contract is not to be assigned by COUNTY in whole without the express written consent of the CITY. CITY acknowledges and agrees by execution hereof that COUNTY may sub contract portions of this agreement and/or hire a consultant entity to fulfill portions of this contract at the discretion of the COUNTY.
12. **Conflict of Interest.** COUNTY shall have no interest, and shall not acquire any interest, direct or indirect, which will conflict in any manner or degree with the performance of services required under this contract. This provision does not run exclusively to CITY; but rather it expressly also runs to those persons receiving services provided for herein. In the event a potential conflict arises, COUNTY will immediately advise CITY so that the potential conflict can be eliminated or avoided. CITY enters this contract upon the express representation that COUNTY may have other contracts in effect with CITY.
13. **COUNTY is not a designated employee** within the meaning of the Political Reform Act because:
- a. COUNTY will conduct research and arrive at conclusions with respect to its rendition of information, advice, recommendation, or counsel independent of the control and direction of the CITY or any CITY official, other than normal agreement monitoring; and,
 - b. COUNTY possesses no authority with respect to any CITY decision beyond rendition of information, advice, recommendation or counsel.
14. **Standard of Care.** CITY has relied upon the professional training and ability of COUNTY to perform the services hereunder as a material inducement to enter into this Agreement. COUNTY shall not have any other persons perform professional services under this Agreement without first obtaining the written approval of CITY. All work performed by COUNTY under this Agreement shall be in accordance with applicable legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals in COUNTY's field of expertise.
15. **Compliance with Laws.** COUNTY and CITY shall comply with all applicable federal, state and local laws, regulations and any other form of codified requirements in the conduct of this scope of work and conduct in accordance with this contract.
16. **Licenses.** COUNTY represents and warrants to CITY that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which are legally required of COUNTY to practice its profession. COUNTY represents and warrants to CITY that COUNTY shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, certifications, insurance and approvals which are required by the CITY for its business.
17. **Waiver.** Waiver of a breach or default of any part of this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.

18. **Severability.** If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.
19. **Authority to Enter Agreement.** COUNTY has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.
20. **Applicable Law and Forum.** This Contract shall be construed and interpreted according to California law and any action to enforce the terms of this Contract for the breach thereof shall be brought and tried in the COUNTY of Butte.
21. **Entire Agreement.** This Agreement constitutes the complete and exclusive statement of Agreement between the CITY and COUNTY. All prior written and oral communications, including correspondence, drafts, memoranda, and representations are superseded in total by this Agreement.

