

Gridley City Council – Regular Meeting Agenda

Monday, May 15, 2023; 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.”

The Public is encouraged to attend and participate in person. Comments from the public on agenda items will be accepted until 4 pm on May 15th, 2023, via email to csantana@gridley.ca.us or via the payment/document drop box at Gridley City Hall and will be conveyed to the Council for consideration.

You may view using the following link, ID, and passcode:

<https://us06web.zoom.us/j/85853373940?pwd=WVVmM3FYTU4raVlMUm94OUFRT1NJQT09>

Webinar ID: 858 5337 3940

Passcode: 738921

CALL TO ORDER - Mayor Farr

ROLL CALL

PLEDGE OF ALLEGIANCE – Vice Mayor Johnson

INVOCATION – None

PROCLAMATION – Mental Health Awareness Month, May 2023

INTRODUCTION OF NEW OR PROMOTED EMPLOYEES - None

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

CONSENT AGENDA

1. City Council Minutes Dated May 1st, 2023
2. Ordinance No. 846-2023: Second Reading and Adoption by Title Only: An Ordinance of the City of Gridley, Amending Gridley Municipal Code, Title 14 Development Impact Fees, By the Addition of a New Chapter 14.05, Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee

ITEMS FOR CONSIDERATION

3. City Staff Informational Report – Engineering and Planning Review Process

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.*

CITY ADMINISTRATOR REPORTS - *Brief updates and reports on conferences, seminars, and meetings attended by the City Administrator, if any.*

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

Industrial Park Final Map	6/5/2023
Water Shortage Contingency Plan Draft	6/5/2023
Request for Proposal for Audit Services	6/19/2023
Finance Policies	6/19/2023
Cost of Services Study Findings and Recommendations	6/19/2023

CLOSED SESSION

4. Closed Session Conference with Legal Counsel Pursuant to California Government Code 54956.9 to Discuss Potential Anticipated Litigation: One (1) Potential Case

ADJOURNMENT – adjourning to a Regular meeting on June 5th, 2023.

NOTE 1: POSTING OF AGENDA- This agenda was posted on the public bulletin board at City Hall at or before 6:00 p.m., May 12th, 2023. 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.

Mental Health Awareness Month May 2023

“Look Around, Look Within”

WHEREAS, the community that someone lives in plays a significant role in their overall health and well-being, as individuals are influenced by their physical and social environments; recognizing that access to quality housing, safe neighborhoods, and community support systems positively contribute to mental health outcomes; and

WHEREAS, having safe, stable, and healthy home conditions set the foundation for achieving and maintaining good mental health; acknowledging that the availability of affordable, safe, and supportive housing can improve mental well-being, reduce stress, and enhance overall quality of life; and

WHEREAS, with early and effective interventions, those individuals with mental health conditions can recover and lead full, productive lives; recognizing that early identification, timely access to evidence-based treatments, and comprehensive support services are critical in promoting recovery and empowering individuals with mental health conditions; and

WHEREAS, each business, school, government agency, health care provider, organization, and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts; acknowledging the collective role and responsibility of the entire community in creating a supportive environment that fosters mental well-being, resilience, and understanding; and

NOW, THEREFORE, I, Michael Farr, Mayor of the City of Gridley, on behalf of the City Council and the citizens of Gridley, California, by virtue of the authority vested in me, do hereby proclaim May 2023 as Mental Health Month within the City of Gridley. I also call upon the citizens, public and private institutions, businesses, and schools in Gridley, California to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Michael W Farr, Mayor

Gridley City Council – Regular Meeting Agenda

Monday, May 1, 2023; 6:00 pm

Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

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CALL TO ORDER

Mayor Farr called the meeting to order at 6:00 pm.

ROLL CALL

Councilmembers

Present: Farr, Johnson, Calderon, Roberts

Absent: Sanchez

Arriving after roll call: None

Staff Present:

Cliff Wagner, City Administrator

Rodney Harr, Police Chief

Tony Galyean, City Attorney

Elisa Arteaga, Finance Director

Donna Decker, Planning Director

Ross Pippitt, Public Works Director

Jake Carter, Utility Director

Ashley Ayala, Recreation Coordinator

PLEDGE OF ALLEGIANCE

Councilmember Roberts led the Pledge of Allegiance.

INVOCATION – None

PROCLAMATION – None

INTRODUCTION OF NEW OR PROMOTED EMPLOYEES

Finance Director, Elisa Arteaga, introduced the two new employees recently hired to the finance department: Ruth Moreno, Administrative Service Clerk I and Jacob Tanabe, Accountant I.

COMMUNITY PARTICIPATION FORUM - None

CONSENT AGENDA

1. City Council Minutes Dated April 17th, 2023

2. GPOA MOU Addendum – Holiday Pay
3. Grant Opportunity from Everybody Healthy Body

Motion to approve consent agenda was made by Vice Mayor Johnson, seconded by Councilmember Roberts.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

ITEMS FOR CONSIDERATION

4. Public Hearing: Nexus Study

- Resolution 2023-R-011: Approval of the Sutter Butte Basin Regional Levee Improvement Program Levee Development Impact Fee (Nexus Study) and Related Collection Agreement

Michael Bessette of SBFCA and Seth Wurzel of Larsen Wurzel & Assoc. presented a PowerPoint that highlighted the Nexus Study as well as the proposed developmental impact fee on agenda item #5.

Pat Coghlan stated that he believed the City was not at high risk and that the fee was not necessary.

After brief Council discussion, motion to approve Resolution 2023-R-011 was made by Vice Mayor Johnson, seconded by Councilmember Roberts.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

5. Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee

- Resolution 2023-R-012: A Resolution of the City of Gridley Establishing the Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee
- Ordinance No. 846-2023 First Reading by Title Only: An Ordinance of the City of Gridley, Amending Gridley Municipal Code, Title 14 Development Impact Fees, By the Addition of a New Chapter 14.05, Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee

With the information presented to Council during item #4's PowerPoint, motion to approve Resolution 2023-R-012 and accept the first reading by title only of Ordinance No. 846-2023 was made by Councilmember Roberts, seconded by Vice Mayor Johnson.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson

Abstain: Calderon

Motion passed, 3-1

6. Gridley Industrial Park Complex Subdivision Map 2-22

- Resolution No. 2023-R-013: a resolution of the City Council authorizing the City Administrator to accept dedications of public lands, rights-of-way, and easements on behalf of the City Council; and,
- Determination of road name in order to complete and file the Final Map of the Industrial Park Complex; and,
- Consideration of the proposals for the development of Parcel 8 and Parcel 10 of the Industrial Park Complex. (APN 021-240-027, 021-270-042)

City Planner, Donna Decker , presented the items that are required to complete the Industrial Park Subdivision map and proceed with recording. She also introduced two proposed site plans from parties who are interested in purchasing and developing at the Industrial Park.

Chad Hansen spoke to Council to reiterate his interest in developing lot 10 for his company CAT Transportation.

Aaron Pamma introduced himself and explained to Council that he is working on bringing an ag equipment manufacturer into Lot 8.

Motion to name the unnamed street 'Dewnsup Circle' was made by Vice Mayor Johnson, seconded by Councilmember Roberts.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

Motion to approve Resolution 2023-R-013 was made by Vice Mayor Johnson, seconded by Councilmember Calderon.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

Motion to approve the conceptual site plan for lot 8 was made by Vice Mayor Johnson, seconded by Councilmember Roberts.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

Motion to approve the conceptual site plan for lot 10 was made by Vice Mayor Johnson, seconded by Councilmember Roberts.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

7. Orchard View Subdivision Map 1-23

- Resolution No. 2023-R-014: A resolution of the City Council of the City of Gridley authorizing the City Administrator to accept offers of dedications, public right of way, and easements on behalf of the City Council.
- Resolution No. 2023-R-015: A resolution of the City Council approving the instrument entitled Subdivision Improvement Agreement and authorizing the City Administrator to execute any documents and agreements on behalf of the City Council to enable the recordation of the Final Subdivision Map 1-23.
Owner: Jagtar Madare (APN: 021-110-033)

Decker requested that Council approve the resolutions that would allow the City Administrator to continue working with all involved parties to agree upon a final map and enter into a Subdivision Improvement Agreement for Orchard View I.

Mayor Farr expressed concerns that the map attached to the staff report did not show a 20 ft setback for the Butte Water District canal. Decker explained that this was not the final map, she added that although BWD does have the required access from the property, City staff is still in active discussion with BWD and the developer to come to an agreement regarding setbacks from the canal.

After Council discussion motion to approve Resolution 2023-R-014 was made by Vice Mayor Johnson, seconded by Councilmember Calderon.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

Motion to approve Resolution 2023-R-015 was made by Councilmember Roberts, seconded by Councilmember Calderon.

ROLL CALL VOTE

Ayes: Farr, Roberts, Johnson, Calderon

Motion passed, 4-0

CITY STAFF AND COUNCIL COMMITTEE REPORTS

Councilmember Calderon reported on his attendance at the Behavioral Health Advisory Board meeting, Butte County Library Ad-Hoc Committee meeting, Butte Regional Transit meeting, and Butte County Air Quality Management meeting. He expressed gratitude for Ashley Ayala, Recreation Coordinator and Danny Birkholz, Electric Department Forman for their help at the Day of the Children event that was held at Vierra Park on April 30th.

Mayor Farr informed Council he attended the NPCA Commission meeting.

Electric Director Jake Carter and Electric Supervisor briefed Council on their attendance at the NWPPA Conference.

CITY ADMINISTRATOR REPORTS

City Administrator Wagner informed Council that he has made positive progress with the Grand Jury to address their recommendations made at the end of 2022.

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

Industrial Park Final Map	5/15/2023
Request for Proposal for Audit Services	6/19/2023
Finance Policies	6/19/2023
Cost of Services Study Findings and Recommendations	6/19/2023

CLOSED SESSION

8. Closed Session Conference with Legal Counsel Pursuant to California Government Code 54956.9 to Discuss Potential Anticipated Litigation: One (1) Potential Case

Council went into closed session at approximately 7:55 pm and came out at 8:25 with no reportable action.

ADJOURNMENT

With no further items left to discuss, Mayor Farr adjourned to the next regular meeting on May 15th, 2023.

Cliff Wagner, City Administrator

ORDINACE NO. 846-2023

AN ORDINACE OF THE CITY OF GRIDLEY, AMENDING GRIDLEY MUNICIPAL CODE, TITLE 14 DEVELOPMENT IMPACT FEES, BY THE ADDITION OF A NEW CHAPTER 14.05, SUTTER BUTTE BASIN REGIONAL LEVEE IMPROVEMENT PROGRAM DEVELOPMENT IMPACT FEE

WHEREAS, on May 1st, 2023, the Gridley City Council (“Council”) approved and adopted the Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee Nexus Study (“Nexus Study”) prepared by the Sutter Butte Flood Control Agency (“SBFCA”) and dated December 14, 2022; and

WHEREAS, the Nexus Study dated December 14, 2022 has been reviewed and considered by the Council and by reference is hereby entered into the public record; and

WHEREAS, a notice of the public hearing on this Ordinance was published in the Gridley City Bulletin on February 24th, 2023; and

WHEREAS, the findings required by the State of California Mitigation Fee Act (also known as “AB 1600,” Government Code sections 66000, et seq.) are made by Council with this action as contained in the administrative record and hereby incorporated by reference herein; and

WHEREAS, the Council did use its independent judgment and considered all of said reports including but not limited to the Nexus Study, recommendations and other evidence in the administrative record, all of which is hereby incorporated by reference herein; and

WHEREAS, the council has considered all information related to this matter, as presented at the public hearing of the Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

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

SECTION 1: APPROVAL OF NEXUS STUDY AND FINDINGS. The City Council of the City of Gridley does hereby approve the Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee Nexus Study report dated December 14, 2022 and attached as Exhibit “B” and incorporated herein by this reference, and Council hereby adopts this new fee based on findings required by the State of California Mitigation Act (also known as “AB 1600,” Government Code Sections 66000, et seq.), specifically Council hereby makes all of the following finds:

1. The purposes of the Regional LDIF imposed by this Ordinance are necessary to fund design and construction of Levee System Improvements for the Sutter Butte Basin; collected fees may be used for no other purpose.

2. The geographic area in which the fees will be imposed is the urban (Northern) portion of the Sutter Butte Basin and the rural (Southern) Portion of the Basin, as illustrated by the Regional LDIF Boundary Map within Exhibit "B".
3. The estimated reasonable costs for providing the Levee System improvements, are contained in the Nexus Study report.
4. There is a reasonable relationship between the type of development projects on which the fee is imposed and the uses of the fees for off-site Levee system improvements.
5. There is a reasonable relationship between the amount of the fees and the cost of the specified public improvement attributable to the development projects on which the fee is imposed.

SECTION 2: APPROVAL OF FEE. The City Council of the City of Gridley, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, hereby establishes the Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee.

The Council may take future action to make other revisions to these fees. These fees shall be in addition to any fees previously imposed by the City. These fees shall be paid at the time of building permit issuance and collected and administered consistent with Title 14 Development Impact Fees of the Municipal Code. These fees shall be effective sixty (60) days after the adoption of this Ordinance.

SECTION 3: ADDITION TO THE MUNICIPAL CODE. Chapter 14.05 is added to Title 14 of the Gridley Municipal Code to read as set forth in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 4: PUBLICATION. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be published in full accordance with Section 36933 of the Government Code.

SECTION 5: SEVERABILITY. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 6: EFFECTIVE DATE. This Ordinance shall become effective sixty (60) days following adoption.

I HEREBY CERTIFY that the foregoing **ORDINANCE** had its first reading and was introduced

during the public meeting of the City Council on the 1st day of May, 2023, and had its second reading and was adopted and passed during the public meeting of the City Council on the 15th day of May, 2023, by the following vote:

AYES: COUNCILMEMBER _____

NOES: COUNCILMEMBER _____

ABSENT: COUNCILMEMBER _____

ABSTAIN: COUNCILMEMBER _____

ATTEST:

APPROVED:

Cliff Wagner, City Administrator

Michael W Farr, Mayor

APPROVED AS TO FORM:

Anthony Galyean, City Attorney

EXHIBIT "A"

AMENDING THE GRIDLEY MUNICIPAL CODE, TITLE 14 BUILDINGS AND CONSTRUCTION, BY THE ADDITION OF A NEW CHAPTER 14.05 TO READ AS FOLLOWS:

Chapter 14.05: SUTTER BUTTE BASIN REGIONAL LEVEE IMPROVEMENT PROGRAM DEVELOPMENT IMPACT FEE.

Section 14.05.10. TITLE. This Chapter shall be known as the "Sutter Butte Basin Regional Levee Improvement Program Development Impact Fee" (Regional LDIF) regulation of the City of Gridley. The City of Gridley hereinafter shall be called "City." This chapter shall be applicable in the incorporated territory of the City.

Section 14.05.20. OPERATIVE DATE. "Operative Date" of this chapter begins on the 60th day following the adoption of the ordinance codified in this chapter and continuing for 30 years thereafter at which time, unless operative date is amended prior to that date, the collection of the Impact Fee pursuant to chapter shall cease.

Section 14.05.30. PURPOSE. This chapter is adopted to impose a levee improvement development impact fee (Levee Fee) to ensure that new development within the Sutter Butte Basin portion of the City of Gridley pays its proportionate share of the levee improvement costs needed to provide 200-year level of protection to the urban (Northern) portion of the Sutter Butte Basin and 100-year level of protection to the rural (Southern) portion of the Basin. This Levee Fee, in combination with other sources of funding described within the Regional LDIF Nexus Study dated December 14, 2022 (Nexus Study), will fund the Project to provide flood protection to the Sutter Butte Basin as detailed in the Nexus Study.

Section 14.05.40. FEE RATE. The Regional LDIF for the Sutter Butte Basin Levee System, based on the acreage of a project, is detailed within the Nexus Study.

Section 14.05.50. NUMBER OF UNITS

- i. For New Development of Vacant Land. In the case where a New Development is being constructed on vacant land or land that has not previously been developed:

Residential Land Uses

- For all residential land uses, a unit is a single dwelling unit (i.e., a single-family residence is one unit; a duplex is two units; a six-apartment complex is six units).

Nonresidential Land Uses

- For nonresidential land uses, a unit is 1,000 square feet of building space and is calculated by dividing the square footage by 1,000.

- ii. For Development of Land with Existing or Pre-Existing Structures or Replacement Structures.

Residential Land Uses

- For a residential expansion project of 500 square feet or more, the incremental new square footage will be charged the fee on a proportionate basis.
- For residential replacement projects, if the project involves development of a new residential structure after the demolition of a pre-existing structure (regardless of the use of the pre-existing structure), and the new structure is larger than the demolished structure by 500 square feet or more, only the incremental new square footage will be charged the fee on a proportionate basis.
- For residential expansion or replacement projects of less than 500 new square feet, no fee will be due.
- For purposes of fee calculation on a proportional basis, a residential unit will be considered 2,000 square feet. Therefore, to calculate the fee for a residential expansion or replacement of 500 square feet or more, the units will be calculated by dividing the new square footage by 2,000. For example, an expansion of 500 square feet would be charged the rate for one-quarter of a unit.

Nonresidential Land Uses

- For nonresidential expansion projects more than 500 new building square feet, the additional square footage will be converted to units the same as for new construction by dividing the additional square footage by 1,000.
- For nonresidential replacement projects, if the project involves development of a new nonresidential structure after the demolition of a pre-existing structure (regardless of the use of the pre-existing structure) and the new structure is larger than the demolished structure by 500 square feet or more, the additional square footage will be converted to units the same as for new construction by dividing the additional square footage by 1,000.
- For nonresidential expansion or replacement projects of less than 500 new building square feet, no fee will be due.

Section 14.05.60. EXEMPTIONS AND EXCLUSIONS.

The following land uses and/or development projects are exempt from the Regional Levee Fee:

1. Agricultural: Development projects on agricultural land including development of Rural Residential parcels greater than 5 Acres in size.
2. Additions to Pre-Existing Structures: Development projects that require a building permit and are not increasing the amount of new structure square footage are exempt from the fee if the project involves adding less than 500 new square feet. If the project increases the structure by 500 square feet or more, only the incremental new square footage will be charged the fee on a proportionate basis.
3. Replacement due to Damage (with or without Addition): If the proposed project is an in-kind replacement to a previously existing structure because of fire damage or other natural disaster, the project will be exempt from the fee so long as the replacement does not increase the amount of new structure by more than 300 square feet. If the project increases the structure by more than 300 square feet, the incremental new square footage will be charged the fee on a proportionate basis.
4. Structures Raised Above the 200-Year Floodplain Elevation: Development projects with structures raised above the elevation of the 200-year flood as determined by the Land use agencies or structures removed from the 200-year floodplain by flood control improvements that meet the design standards applicable to the Federal-State flood control system as determined by the Land use agencies, shall be exempt from the fee. The "200-year flood" and "200-year floodplain" are determined without incorporating SBFCA's completed Feather River West Levee improvements.
5. Open Space: Any development project that takes place on open space land.
6. Public Agency Owned Land (including federal, state, and local agencies): Any development project located on land owned by a government agency and is to be used solely for public use.

Section 14.05.70. SEVERABILITY. If any provision of this chapter or the application thereof to any entity or circumstance is held invalid, the remainder of the chapter and the application of such provision to other entities or circumstances shall not be affected thereby.

Section 14.05.80. FEE REVENUE ACCOUNTING. All proceeds of the Levee Fee imposed under this chapter shall be placed in a separate fund established by the City (the Flood Protection Improvement Fund). Separate and special accounts may be established in the Flood Protection Improvement Fund and used to account for collected revenues, along with any interest earnings.

Except for temporary borrowing from one City fund to another, the revenue (and interest) shall be used only for the purposes for which the Flood Protection Improvement Fund was collected.

Item #3

City Staff Informational Report Engineering and Planning Review Process