

REGULAR MEETING STARTS AT 6:00 PM

Mayor Dan Epperson
Vice Mayor Rodney Plamondon
Council Member Dominic Atlan
Council Member Stacy Rhoades
Council Member Diane Wratten

**DUE TO THE GOVERNOR'S EXECUTIVE ORDER N-25-20, THE CITY OF IONE
WILL BE CONDUCTING ITS MEETING IN PERSON
AT 1 E. MAIN STREET, IONE, CA 95640
AND VIA ZOOM**

City of Ione is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://zoom.us/j/2351961316?pwd=d3lWTW0zbVJlbQpQNXBDQWtpZkRvUT09>

Meeting ID: 235 196 1316

Passcode: 95640

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Meeting ID: 235 196 1316

Passcode: 95640

Find your local number: <https://zoom.us/u/aex3ZLbgqp>

Tuesday, March 1, 2022

1 E. Main Street

Ione, CA 95640

**THE CITY OF IONE IS A GENERAL LAW CITY DEDICATED TO
PROVIDING LEADERSHIP, ACCOUNTABILITY, AND FISCAL INTEGRITY
WHILE PROMOTING ECONOMIC OPPORTUNITIES AND MAINTAINING
A HIGH QUALITY OF LIFE FOR OUR CITIZENS**

PLEASE LIMIT PUBLIC COMMENT/TESTIMONY TO FOUR MINUTES

Gov't. Code §54954.3

The Ione City Council welcomes, appreciates, and encourages participation in the City Council Meeting. The City Council reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary. Full staff reports and associated documents are available for public review at the Office of the City Clerk, City Hall, 1 E. Main Street, Ione, CA. Hard copies may be obtained for \$3.60 for pages 1-5 and \$.45 for each additional page. Documents that are not available when the agenda is posted will be made available for public review at the meeting.

AGENDA

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

D. PRESENTATIONS/ANNOUNCEMENTS: None

E. PUBLIC COMMENT: **EACH SPEAKER IS LIMITED TO 4 MINUTES**

NOTE: This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. Persons may address the City Council at this time on any subject within the jurisdiction of the Lone City Council.

*Please be mindful of the **4 minute time limit per person**. Pursuant to the Brown Act, the City Council may not take action or engage in a detailed discussion on an item that does not appear on the Agenda. However, matters that **require Council action will be referred to staff for a report and/or recommendation for possible action at a future Council meeting. Is there anyone in the audience who wishes to address the Council at this time?***

F. CONSENT CALENDAR:

Notice to the Public: *All matters listed under this category are considered to be routine and will be enacted by one motion. Any item may be removed for discussion and possible action and made a part of the regular agenda at the request of a Council Member(s).*

1. Approval of Minutes – February 1, 2022
2. Adoption of Resolution No. 2022-04 Surplus Property
3. Proclamation – American Red Cross Month, 2022

G. PUBLIC HEARING: None

H. REGULAR AGENDA:

4. Adoption of Resolution No. 2022-02 Accepting the Fiscal Year 2018/2019 Independent Auditor's Report
5. Introduction and Waive the First Reading by Substitution of Title Only Ordinance No. 529 – Organic Waste Disposal Reduction and Schedule Public Hearing for the March 15, 2022 Meeting
6. Appointment of City Councilmember to the Amador County Groundwater Management Authority

7. Discussion on Ribbon Cutting Ceremony for Foothill Blvd.

8. Set Date for Strategic Planning Meeting

I. REPORTS AND COMMUNICATIONS FROM CITY MANAGER

J. COUNCIL COMMENTS/COMMITTEE REPORTS/FUTURE AGENDA ITEMS

K. CLOSED SESSION:

- Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to litigation Pursuant to Paragraph (2) of Section 54956.9 of the Government Code – Four (4) Cases
- Pursuant to Government Code Section 54956.8 with Real Property Negotiator: Property: APN 004-151-012
Agency Negotiator: Michael Rock, Interim City Manager
Negotiation Parties: Loreta Tillery and Helen Ninnis
- Amador Superior Court Case No: 21-CV-12146 Conference with Legal Counsel – Existing Litigation Paragraph 1 of Subdivision d of Section 54956.9 – Bittick v. City of Lone
- Pursuant to Government Code 54957 – Public Employee Appointment: City Manager
- Pursuant to Government Code 54957 – Public Employment: Finance Manager

L. ADJOURNMENT

NOTICE REGARDING CHALLENGES TO DECISIONS

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing.

ADA COMPLIANCE STATEMENT

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk Janice Traverso at (209) 274-2412, ext. 102. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

I, Janice Traverso, the City Clerk of the City of Lone declare under penalty of perjury that the foregoing agenda for the Tuesday, March 1, 2022 meeting of the Lone City Council was posted on February 26, 2022


Janice Traverso, City Clerk

CITY OF IONE COUNCIL MEETING MINUTES
Meeting of February 1, 2022

Mayor Epperson called meeting to order at 6:00 PM

A. ROLL CALL:

Present: Dan Epperson, Mayor
 Rodney Plamondon, Vice Mayor (Teleconference)
 Dominic Atlan, Councilmember
 Stacy Rhoades, Councilmember
 Diane Wratten, Councilmember
 Staff: Michael Rock, Interim City Manager
 Sophia Meyer, City Attorney
 Janice Traverso, City Clerk

B. PLEDGE OF ALLEGIANCE:

Mayor Epperson led the Pledge of Allegiance.

C. APPROVAL OF AGENDA:

It was moved by Councilmember Wratten, seconded by Councilmember Rhoades and carried to approve the agenda.

AYES: Epperson, Plamondon (Teleconference), Atlan, Rhoades, Wratten

NOES: None

ABSENT: None

ABSTAIN: None

D. PRESENTATIONS/ANNOUNCEMENTS: None

E. PUBLIC COMMENT:

Larry Rhoades asked why the COVID money (ARPA) not being used to fix following:

- West Marlette Road and the Sewer Line
- Cleaning of Sewer Pond #1—Councilmember Wratten commented that the City is keeping track of the sludge in Ponds and asked for the current levels.

David Anderson read a statement regarding:

- City of Ione violations of Public Contract Code
- City of Ione will become the spray field of choice by CDCR
- Violations of Water Code 13223 of the Environmental Quality Act

Oral Custer commented:

- After the blistering report in the Ledger Dispatch last week, clearly this Council needs help with Public Relations:
 - Council had a chance to help property owners at the utility easement where sewer and water lines cross the creek. Instead of helping, this Council took the bad decision of the Amador Water Agency Board of Directors to do nothing
 - At the Town Hall Meeting last month, the Council paid little attention to priorities, the Council could have saved, I believe, the best Automotive Service in Amador County, Dave's Custom Automotive.

- The long standing issue of taking abuse from the Department of Corrections--they tell the City to ignore industrial water pollution.

F. CONSENT CALENDAR:

It was moved by Councilmember Atlan, seconded by Councilmember Rhoades and carried to approve the following Consent Calendar:

1. Approval of Warrants
2. City Council Calendar for 2022
3. Groundwater Monitoring Reports – Fourth Quarter, 2021

G. PUBLIC HEARING:

4. Introduce and Waive the First Reading of Ordinance No. 528 – Amending the lone Municipal Code, Title 17 Zoning – Focused Zoning Code Update – Beth Thompson, City Planner explained that the Focused General Plan and Zoning Code Updates is funded through the SB 2 Grant administered by the State Housing and Community Development Department (HCD). The Focused General Plan and Zoning Updates Project includes:
 1. An update to the Land Use, Circulation, Housing and Health and Safety Elements of the General Plan to address requirements of State Law and to meet the commitments of the City's grant funding for the project.
 2. An update to the Zoning Code to streamline housing approvals.
 3. An Accessory Dwelling Unit (ADU) Handbook to streamline and expedite ADU approvals.

Mayor Epperson opened the Public Hearing at 6:28 p.m.

Sierra Shelton asked if the Zoning Code Update would affect her property at 326 Preston Avenue—it will not.

Larry Rhoades asked if Annex B will be in the General Plan. Beth Thompson commented that it will, but tonight we are discussing the Zoning Code Update.

Oral Custer asked for clarification on SB 9 – size of Accessory Dwelling Units and minimum lot size for Ra-1 and Rb-1

Mayor Epperson closed the Public Hearing at 6:32 p.m.

There was discussion by Council on limiting the size of the ADU's to 800 square feet.

After discussion, the City Council directed that the Focused Zoning Code Update be revised to limit the second unit on lots developed with two units or a duplex pursuant to Senate Bill 9 provisions to 800 square feet. Chapter 17.118.020 of the proposed amendment to Title 17 is revised to include the following requirement:

- B. Unit Size. One of the two units developed pursuant to this Section shall not exceed 800 square feet in size.

The City Council also directed that the title and language of the ordinance be revised to reflect the update to the Title 17, Zoning, text and to exclude the Zoning Map, as discussed in the staff report. This item will be on the February 15th agenda for adoption.

DISCUSSION ITEMS:

For the record: Action minutes provide the necessary documentation of City Council action. Audio recordings are retained for those desiring more detail on particular agenda item discussions. These audio recordings provide an accurate and comprehensive backup of City Council deliberations and citizen discussions.

H. REGULAR AGENDA:

5. Discussion of Solar Power on City Property:

- Council asked City to identify which City facilities that we can put solar on: Howard Park, City Hall, Fire Departments, street lights, etc.
- Conduct an energy audit of all our facilities and get recommendations on how we should proceed
- Report from current vendor on how much we have saved at the Wastewater Plant

J. REPORTS AND COMMUNICATIONS FROM CITY MANAGER

- The pedestrian walkway between Wildflower and Howard Park will proceed next week with design work and proceed with construction as soon as they can.
- Finance Manager and Management Analysis positions are currently open.
- Foothill Blvd. has been paved and working on punch list for Caltrans

K. COUNCIL COMMENTS/COMMITTEE REPORTS/FUTURE AGENDA ITEMS:

- Stacy Rhoades asked that landscaping maintenance for the golf course and possible purchase of the entrance property by Portlock be on the next agenda. Michael Rock said that both of these items are in the works.
- Dan Epperson asked Council to look at the zoning for the Preston property

L. CLOSED SESSION: Council convened to Closed Session to discuss the following:

- Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Paragraph (2) of Section 54956.9 of the Government Code – Three (3) Cases
- Conference with Legal Counsel – Existing Litigation Paragraph 1 of Subdivision d of Section 54956.9 – Bittick v. City of Lone et. al. Amador Superior Court Case No: 21-CV-12146
- Pursuant to Government Code Section 54956.8 with Real Property
Negotiator:
Property: APN 004-151-012
Agency Negotiator: Michael Rock, Interim City Manager
Negotiation Parties: Loreta Tillery and Helen Ninnis

M. DISPOSITION OF CLOSED SESSION ITEMS:

- Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Paragraph (2) of Section 54956.9 of the Government Code – Three (3) Cases –
Case #1 - Information received and direction given to staff.
Case #2 – Information received, direction given to staff and action taken.

Case #3 – Information received.

- Conference with Legal Counsel – Existing Litigation Paragraph 1 of Subdivision d of Section 54956.9 – Bittick v. City of Lone et. al. Amador Superior Court Case No: 21-CV-12146 – **Information received, direction given to staff. Councilmember Rhoades recused himself.**
- Pursuant to Government Code Section 54956.8 with Real Property Negotiator:
Property: APN 004-151-012
Agency Negotiator: Michael Rock, Interim City Manager
Negotiation Parties: Loreta Tillery and Helen Ninnis
Information received and direction was given to staff. Councilmember Atlan and Rhoades recused themselves.

N. ADJOURNMENT:

It was moved by Vice Member Plamondon, seconded by Councilmember Wratten and carried to adjourn at 9:02 p.m.

Respectfully submitted,
Janice Traverso. City Clerk

#2

RESOLUTION NO. 2022-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IONE
SURPLUSING CERTAIN PROPERTY BELONGING TO THE
CITY OF IONE**

WHEREAS, the City of Ione has certain property they wish to surplus, and

WHEREAS, following is a list of property they wish to surplus as of the date of this resolution:

- 2013 Ford Interceptor Sedan – Police Department –
Vin#1FAHP2M80DG196261
- 2008 Ford Crown Victoria Sedan – Police Department –
Vin#2FAHP71V98X112137
- 2003 Ford Expedition 4x4 SUV – Fire Department –
Vin#1FMPU16L03LC02989

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ione will surplus the property listed above.

The foregoing resolution was duly introduced and adopted by the City Council of the City of Ione at their regular meeting held on March 1, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Epperson, Mayor

Attest:

Janice Traverso, City Clerk

PROCLAMATION

A PROCLAMATION OF THE CITY OF IONE PROCLAIMING MARCH AS AMERICAN RED CROSS MONTH

In times of crisis, people in the City of Ione come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors.

In 1881, Clara Barton founded the American Red Cross, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering. Today, more than 140 years later, we honor the kindness and generosity of Red Cross volunteers here in Amador County, who continue to carry out Clara's lifesaving legacy. They join the millions of people across the United States who volunteer, give blood, donate financially or learn vital life-preserving skills through the Red Cross.

In Amador County, the contributions of local Red Cross volunteers give hope to the most vulnerable in their darkest hours — whether it's providing emergency shelter, food and comfort for families devastated by local disasters like wildland fires, home fires, snow events, trees into homes, and donating essential blood for accident and burn victims, heart surgery and organ transplant patients, and those receiving treatment for leukemia, cancer or sickle cell disease; supporting service members and veterans, along with their families and caregivers, through the unique challenges of military life; helping to save the lives of others with first aid, CPR and other skills; or delivering international humanitarian aid.

Their work to prevent and alleviate human suffering is vital to strengthening our community's resilience. We dedicate this month of March to all those who continue to advance the noble legacy of American Red Cross founder Clara Barton, who lived by her words, "You must never think of anything except the need, and how to meet it." We ask others to join in this commitment to give back in our community.

NOW, THEREFORE, BE IT RESOLVED Dan Epperson, Mayor of the City of Ione, by virtue of the authority vested in me by the laws of Amador County and the State of California does hereby proclaim March 2022 as Red Cross Month. I encourage all citizens of the City of Ione to reach out and support its humanitarian mission.

The foregoing Proclamation was duly introduced and adopted by the City Council of the City of Ione at their regular meeting held on March 1, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Epperson, Mayor

Attest:

Janice Traverso, City Clerk

RESOLUTION NO. 2022-02**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IONE
ACCEPTING THE FISCAL YEAR 2018-2019 INDEPENDENT
AUDITOR'S REPORT**

WHEREAS, Richardson & Company LLP, Certified Public Accountants, submitted the Fiscal Year 2018-2019 Independent Auditor's Report to the Mayor and City Council on February 15, 2022;
and

WHEREAS, the Council has reviewed the Fiscal Year 2018-2019 Audit Report and is satisfied that it can be accepted.

NOW, THEREFORE BE IT RESOLVED, the City Council of Ione, California does resolve as follows:

1. Receive and accept the Independent Auditor's Report for Fiscal Year 2018-2019.
2. Authorize staff to send the accepted audit as required by law to the County Auditor Controller and California State Controller's Office.
3. Designate that this Resolution shall take effect immediately.

The foregoing resolution was duly introduced and adopted by the City Council of the City of Ione at their meeting held on March 1, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dan Epperson, Mayor

Attest:

Janice Traverso, City Clerk



550 Howe Avenue, Suite 210
Sacramento, California 95825

Telephone: (916) 564-8727
FAX: (916) 564-8728

MANAGEMENT LETTER

City Council and Management
City of Ione
Ione, California

In planning and performing our audit of the financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Ione (the City) for the year ended June 30, 2019, in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and, therefore, there can be no assurance that all such deficiencies have been identified. We did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Risk Assessment Process

Considering the staff turnover, we recommend the City develop a risk assessment process where the City's activities are analyzed to determine where fraud risks exist and implement controls to address these risks. Some risks may require a consultant to address, such as risks of theft of customer data from the information system. A risk assessment is often completed by a Finance or Audit Committee so Council members assigned to this task can devote full attention to financial matters.

Development Deposits

The City needs to ensure that as part of the year-end closing process, impact fees for permits issued prior to June 30 are recognized as impact fee revenue on developments that do not prepay impact fees.

Capital Assets

The City should document the depreciable lives that should be used to depreciate each type of capital asset owned and a description of capital versus noncapital expenditures/expenses in its Financial Policies and Procedures Handbook.

The capital asset detail list should be re-sorted to have assets in order of the capital asset footnote with subtotals to match the footnote to make it easier to reconcile the capital assets detail list to the financial

statements. Separate accumulated depreciation accounts should be added for each depreciable asset type to support the footnote.

Vacation and Sick Leave Payment at Separation

The City should more clearly document in the Employee Handbook whether sick leave and vacation is fully or partially payable at separation.

Other Recommendations

A number of interfund advance payments were deferred in the past. It would be inappropriate not to repay interfund advances of restricted development fees and other restricted funds timely and with interest. The City should review the advance agreements to make sure the repayment terms are feasible and then should make the required payments as scheduled.

Pension and OPEB contribution expenditures should be recorded in separate expense accounts so they are available to reconcile to the deferred outflows for payments after the measurement date reported in the financial statements. The payable for the last payroll of the year should be separately recorded in these accounts so they represent accrual basis expenditures.

We noted a capital fee was discussed in the Sewer Fund rate study that was not approved in the resolution approving the current Sewer Fund charges for service rates. If a capital fee is necessary, it should be approved separately when Sewer Rates are approved. This is typically accomplished by creating a rate schedule and attaching the rate schedule to the Council Resolution approving the rates. We also noted the current rates were approved in 2004 and the Sewer Fund does not have a minimum of two years of operating expenditures in unrestricted net position as recommended by the Government Finance Officers Association. Most utility districts we audit have a minimum of three to six months of operating expenses in unrestricted net position to protect against unexpected revenue shortfalls or unexpected expenses that may occur. We recommend the City employ a rate setting expert to review Sewer Fund rates.

We noted the fiscal year 2022 budget discussed a number of improvements that are intended to be made to the budget document in the future. We also recommend a table be added showing each fund name, fund number and a description of the purpose of the fund, including the fund type and purpose of any revenue recorded in the fund and whether the revenue is restricted by an external source or committed or assigned internally.

The City should establish a fund to account for government-wide adjustments for governmental activities as shown in the trial balance provided to City management to support the government-wide financial statements.

We recommend the City add a direct link to the approved Council meeting minutes on the City's website on the date of the meeting to make it easier to find approved minutes. Currently minutes are attached to the agenda of subsequent Council meetings, which takes time to find.

* * * * *

This communication is intended solely for the information and use of the City Council, management, and others within the organization, and is not intended to be, and should not be, used by any other than these specified parties.

Richardson & Company, LLP

February 15, 2019



550 Howe Avenue, Suite 210
Sacramento, California 95825

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FAX: (916) 564-8728

GOVERNANCE LETTER

To the City Council
City of Ione
Ione, California

We have audited the financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Ione, California (the City), for the year ended June 30, 2019, and have issued our report thereon dated February 15, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards (and, if applicable, *Government Auditing Standards*), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter to you dated February 8, 2019. Professional standards also require that we communicate to you the following information related to our audit.

Our Responsibility under U.S. Generally Accepted Auditing Standards and *Government Auditing Standards*

As stated in our engagement letter dated February 8, 2019, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

As part of our audit, we will consider the internal control of the City. Such considerations are solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will also perform tests of the City's compliance with certain provisions of laws, regulations, contracts, and grants. However, providing an opinion on compliance with those provisions is not an objective of our audit.

Generally accepted accounting principles provide for certain required supplementary information (RSI) to supplement the basic financial statements. Our responsibility with respect to management's discussion and analysis, which supplements the basic financial statements, is to apply certain limited procedures in accordance with generally accepted auditing standards. However, the RSI will not be audited and, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance, we will not express an opinion or provide any assurance on the RSI.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit involves judgment about the number of transactions to be examined and the areas to be tested.

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the

nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We noted no material weaknesses in internal controls as a result of our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note A to the financial statements. No new accounting policies were adopted and the application of existing policies were not changed during the year. We noted no transaction entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statement prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City's financial statements were determining the depreciable lives and methods used for capital assets, the determination of the need for an allowance for uncollectible accounts, the determination of qualifying expenses under grant agreements and the determination of net pension and OPEB liabilities. We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole. The net pension liability was determined by an actuarial valuation performed by CalPERS and net OPEB liability was determined by a private actuary.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures in the financial statements were the disclosures about advances between funds in Note C, long-term liabilities in Note E, the pension plan in Note H, the OPEB plan in Note I, commitments and contingencies in Note K and the correction of errors in Note M to the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. We made 56 adjustments and closing entries during the audit. The adjustments were mainly cut-off of revenues and expenses, entries to classify amounts for reporting purposes, government-wide entries for governmental activities that were not reported in the City's general ledger, a true-up of the net investments in capital assets and the restatements discussed in Note M to the financial statements.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or

the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated February 15, 2022.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Issues Discussed Prior to Retention of Independent Auditors

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the required supplementary information (RSI) listed in the table of contents, which are RSI that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the Combining and Individual Statements, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with the accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the use of the City Council and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

Richardson & Company, LLP

February 15, 2022

ORDINANCE NO. 529

Organic Waste Disposal Reduction Ordinance

An ordinance creating Chapter 8.32 of the Lone Municipal Code, relating to the requirements for the reduction of organic waste disposal.

The CITY COUNCIL of the City of Lone ordains as follows:

Chapter 8.32 is hereby added as follows: **Organic Waste Disposal Reduction.**

8.32.010	Title
8.32.020	Purpose and Findings
8.32.030	Definitions
8.32.040	Requirements for Recordkeeping and Reporting Authority
8.32.050	Requirements for Education and Outreach
8.32.060	Requirements for Commercial Businesses
8.32.070	Requirements for Commercial Edible Food Generators
8.32.080	Requirements for Food Recovery Organizations and Services
8.32.090	Compliance with CalGreen Recycling Requirements
8.32.100	Model Water Efficient Landscaping Ordinance Requirements
8.32.110	Procurement Requirements
8.32.120	Solid Waste Facility Requirements
8.32.130	Inspections and Investigations
8.32.140	Enforcement
8.32.150	Effective Date

8.32.010 TITLE.

This Chapter may be cited as the Organic Waste Disposal Reduction Ordinance.

8.32.020 PURPOSE AND FINDINGS

The City of Lone finds and declares:

A. State recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including composting) Solid Waste generated in their Jurisdictions to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment.

B. State recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011, which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling services and requires Jurisdictions to implement a Mandatory Commercial Recycling program.

C. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including Jurisdictions, residential households, Commercial Businesses and business owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of Statewide Organic Waste disposal reduction targets.

D. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires Jurisdictions to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations applicable to their jurisdiction. This ordinance will also help reduce food insecurity by requiring Commercial Edible Food Generators to arrange to have the maximum amount of their Edible Food, that would otherwise be disposed, be recovered for human consumption.

E. Amador County meets the definition of Rural Jurisdiction as defined in Section 42649.8 of the Public Resources Code and has therefore applied for the Rural Exemption in compliance with Section 18984.12 (c) of Chapter 12 (Short-lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations ("SB 1383 Regulations" or "Regulations"). The City submitted and received approval of its Rural Exemption Application and therefore is not subject to Article 3 Organic Waste Collection Services, Section 18992.1 of Article 11 Organic Waste Capacity Planning, and Sections 18993.1 and .2 of Article 12 Procurement of Recovered Organic Waste Products through December 31, 2026. Collection of recyclables and organics may occur in exempt rural areas and that collection is not subject to SB 1383 regulations or this ordinance unless otherwise required.

F. City of Lone is subject to providing education and outreach information to organic waste generators, enforcing certain provisions of the CALGreen Building Standards and Model Water Efficient Landscape Ordinance, implementing an edible food recovery program and edible food recovery capacity planning, procurement of paper products, facility sampling for contamination of materials, inspections and enforcement, and recordkeeping and reporting to CalRecycle in compliance with the SB 1383 Regulations.

8.32.030 DEFINITIONS

For purposes of this Chapter, the following words or phrases are defined as follows:

- A. "CalRecycle" means California's Department of Resources Recycling and Recovery, which is the Department designated with responsibility for developing, implementing, and enforcing SB 1383 Regulations on Jurisdictions (and others).
- B. "California Code of Regulations" or "CCR" means the State of California Code of Regulations. CCR references in this ordinance are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).
- C. "City" means City of XXXXX.
- D. "Commercial Business" or "Commercial" means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this ordinance.
- E. "Commercial Edible Food Generator" includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to 14 CCR Section 18982(a)(7).
- F. "Compliance Review" means a review of records by a Jurisdiction to determine compliance with this ordinance.
- G. "C&D" means construction and demolition debris.
- H. "Designee" means an entity that a Jurisdiction contracts with or otherwise arranges to carry out any of the Jurisdiction's responsibilities of this ordinance as authorized in 14 CCR Section 18981.2. A Designee may be a government entity, a hauler, a private entity, or a combination of those entities.
- I. "Edible Food" means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), "Edible Food" is not Solid Waste if it is recovered and not discarded. Nothing in this ordinance or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.
- J. "Enforcement Action" means an action of the Jurisdiction to address non-compliance with this ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.
- K. "Food" has the same meaning as in Section 113781 of the Health and Safety Code. "Food" means a raw, cooked, or processed edible substance, ice, beverage, an ingredient used or intended for use or for sale in whole or in part for human consumption, and chewing gum.
- L. "Food Distributor" means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).
- M. "Food Facility" has the same meaning as in Section 113789 of the Health and Safety Code.
- N. "Food Recovery" means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).
- O. "Food Recovery Organization" means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the

public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

1. A food bank as defined in Section 113783 of the Health and Safety Code;
2. A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,
3. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

If the definition in 14 CCR Section 18982(a)(25) for Food Recovery Organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this ordinance.

P. "Food Recovery Service" means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

Q. "Food Service Provider" means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

R. "Grocery Store" means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

S. "Implementation Record" means the records and documentation required to be kept under Section 18995.2 of the SB 1383 Regulations.

T. "Inspection" means a site visit where a Jurisdiction reviews records, containers, and an entity's collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).

U. "Jurisdiction" means the City of Lone.

V. "Jurisdiction Enforcement Official" means the City of Lone or their authorized Designee(s) who is/are partially or wholly responsible for enforcing the ordinance.

W. "Large Event" means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section

18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this ordinance.

X. "Large Venue" means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue. If the definition in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this ordinance.

Y. "Local Education Agency" means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

Z. "Multi-Family" or "Multi-Family Residential Dwelling" means of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial businesses.

AA. "MWELo" refers to the Model Water Efficient Landscape Ordinance (MWELo), 23 CCR, Division 2, Chapter 2.7.

BB. "Non-Local Entity" means the following entities that are not subject to the Jurisdiction's enforcement authority, or as otherwise defined in 14 CCR Section 18982(a)(42):

1. Special District(s) located within the boundaries of the jurisdiction.
2. Federal facilities, including federal parks, located within the boundaries of the Jurisdiction.
3. Prison(s) located within the boundaries of the Jurisdiction.
4. Facilities operated by the State Park system located within the boundaries of the Jurisdiction.
5. Public universities (including community colleges) located within the boundaries of the Jurisdiction.
6. County fairgrounds located within the boundaries of the Jurisdiction.
7. State agencies located within the boundaries of the Jurisdiction.

CC. "Notice of Violation (NOV)" means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.

DD. "Paper Products" include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).

EE. "Person(s)" means any corporation, company, partnership, firm, or association as well as a natural person.

FF. "Printing and Writing Papers" include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).

GG. "Recycled-Content Paper" means Paper Products and Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR Section 18982(a)(61).

HH. "Reporting Authority" means the Amador Waste Management Department.

II. "Restaurant" means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64).

JJ. "SB 1383" means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.

KK. "SB 1383 Regulations" or "Regulations" means or refers to, for the purposes of this ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

LL. "State" means the State of California.

MM. "Supermarket" means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR Section 18982(a)(71).

NN. "Tier One Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following:

1. Supermarket.
2. Grocery Store with a total facility size equal to or greater than 10,000 square feet.
3. Food Service Provider.
4. Food Distributor.
5. Wholesale Food Vendor.

If the definition in 14 CCR Section 18982(a)(73) of Tier One Commercial Edible Food Generator is amended in the future and differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall automatically apply to this Chapter.

OO. "Tier Two Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following:

1. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
2. Hotel with an on-site Food Facility and 200 or more rooms.
3. Health facility with an on-site Food Facility and 100 or more beds.
4. Large Venue.
5. Large Event.
6. A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
7. A Local Education Agency facility with an on-site Food Facility.

If the definition in 14 CCR Section 18982(a)(74) of Tier Two Commercial Edible Food Generator is amended in the future and differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall automatically apply to this Chapter.

PP. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 189852(a)(76).

8.32.040 REQUIRMENTS FOR THE RECORDKEEPING AND REPORTING AUTHORITY

A. In conformance with Section 18995.2 of the SB 1383 Regulations, the City will store and maintain the Implementation Record in a manner as required in the Regulations and shall provide that information to the Reporting Authority upon request.

B. Upon request by a CalRecycle representative, the City will provide access to the Implementation Record within 10 business days in conformance with the California Public Records Act (Government Code §6250 *et seq.*). The City or Responsible Department shall each notify the other and the Reporting Authority if a request for all or part of the Implementation Record is received and shall coordinate a response to such request.

8.32.050 REQUIREMENTS FOR EDUCATION AND OUTREACH

A. A list of food recovery organizations as identified in the SB 1383 Regulations at Section 18982(a)(25)(A)–(B) and food recovery services operating within the jurisdiction shall be maintained on the jurisdiction’s website. The list shall be updated annually and include, at a minimum, the following information about each food recovery organization and each food recovery service:

1. Name and physical address.
2. Contact information.
3. Collection service area.
4. An indication of types of food the food recovery service or organization can accept for food recovery.

B. At least annually the City or the County Waste Management Department by agreement shall:

1. Provide Tier 1 and 2 Commercial Edible Food Generators with the following information:
 - a.) Information about the jurisdiction's edible food recovery program established pursuant to Section 18991.1 of the Regulations.
 - b.) Information about the commercial edible food generator requirements specified in Article 10 of the Regulations.
 - c.) Information about food recovery organizations and food recovery services operating within the jurisdiction, and where a list of those food recovery organizations and food recovery services can be found.
 - d.) Information about actions that commercial edible food generators can take to prevent the creation of food waste.
2. The jurisdiction may provide this information by including it with regularly scheduled notices to those commercial businesses, including the notices provided pursuant to Section 18985.1 of the Regulations.

8.32.060 REQUIREMENTS FOR COMMERCIAL BUSINESSES

A. A business that generates more than four cubic yards of commercial solid waste per week or is a multifamily residential dwelling of five units or more shall arrange for recycling services, consistent with state laws and the Mandatory Commercial Recycling requirements of the City.

B. The commercial solid waste recycling program shall include education, outreach to, and monitoring and enforcement of businesses and multifamily residential dwelling of five units or more.

8.32.070 REQUIREMENTS FOR COMMERCIAL EDIBLE FOOD GENERATORS

A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section 8.32.070 commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, in accordance with Section 18991.3 of the SB 1383 Regulations.

B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024.

- C. Commercial Edible Food Generators shall comply with the following requirements:
1. Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.
 2. Contract with or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for:
 - a.) The collection of Edible Food for Food Recovery; or,

- b.) Acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
- 3. Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
- 4. Allow the City or the City's designated enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4 of the Regulations.
- 5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:(A) of the Regulations.
 - a.) A list of each Food Recovery Service or organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b) of the Regulations.
 - b.) A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b) of the Regulations.
 - c.) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - (1) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - (2) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
 - (3) The established frequency that food will be collected or self-hauled.
 - (4) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
- (6) No later than March 1st of each year commencing no later than March 1, 2023 for Tier One Commercial Edible Food Generators and March 1, 2025 for Tier Two Commercial Edible Food Generators, provide an annual Food Recovery report to the Reporting Authority that includes all information listed above in 8.32.070(c)(5) of the Regulations.

D. Nothing in this ordinance shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.32.080 REQUIREMENTS FOR FOOD RECOVERY ORGANIZATIONS AND SERVICES

A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b) of the SB 1383 Regulations, shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1) of the Regulations:

1. The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
 2. The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month.
 3. The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
 4. The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.
- B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b) of the Regulations, shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2) of the Regulations:
1. The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
 2. The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month.
 3. The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.
- C. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the Jurisdiction and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR Section 18991.3(b) of the Regulations shall report to the Jurisdiction the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) of the Regulations no later than March 1.
- D. Food Recovery Capacity Planning
1. In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the City or its designated entity, Food Recovery Services and Food Recovery Organizations operating in the Jurisdiction shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the Jurisdiction and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the City shall respond to such request for information within 60 days, unless a shorter timeframe is otherwise specified by the Jurisdiction.
 2. The County shall conduct Edible Food Recovery capacity planning, in coordination with the Cities. If the County identifies that new or expanded capacity to recover Edible Food is needed, then the City will work with the County to expand Edible Food recovery

8.32.090 COMPLIANCE WITH CALGREEN RECYCLING REQUIREMENTS

A. The City is responsible for CALGreen Building Code compliance, and shall annually report to the Reporting Authority the number of projects subject to the following:

1. The adequate space requirements for recycling containers for new construction of Multi-Family dwelling units of five or more units on a building site and new commercial construction and additions.
2. Requirements and applicable laws related to management of Construction and Demolition (C&D) from disposal, including tracking of C&D debris.

B. Persons applying for a permit from the Jurisdiction for new construction and building additions and alterations shall comply with all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of CALGreen.

Project applicants shall refer to the Jurisdiction's Building Department for complete CALGreen requirements.

8.32.100 COMPLIANCE WITH MODEL WATER EFFICIENT LANDSCAPING ORDINANCE REQUIREMENTS

A. The City is responsible for Model Water Efficient Landscaping Ordinance (MWELo) compliance, including the tracking and reporting of compost and mulch use requirements and upon request annually reporting to the Reporting Authority in compliance with the SB 1383 regulations.

B. Persons applying for a permit from the Jurisdiction for new construction requiring a permit with a landscape area greater than 500 square feet or rehabilitating an existing landscape with a total landscape area greater than 2,500 square feet shall comply with all required components of the MWELo.

Project applicants shall refer to the City for complete MWELo requirements.

C. If, after the adoption of this ordinance, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELo September 15, 2015 requirements in a manner that requires Jurisdictions to incorporate the requirements of an updated MWELo in a local ordinance, and the amended requirements include provisions more stringent than those required in this Section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.

8.32.110 PROCUREMENT REQUIREMENTS FOR JURISDICTION DEPARTMENTS, DIRECT SERVICE PROVIDERS, AND VENDORS

The Jurisdiction is responsible for paper procurement in compliance with their procurement policy, including the tracking and reporting of procurement by each department and annually reporting to the Reporting Authority in compliance with the SB 1383 regulations.

8.32.120 SOLID WASTE FACILITY REQUIREMENTS

The applicable sampling and monitoring requirements found in Article 6.0, Transfer/Processing Operations and Facilities Regulatory Requirements of Title 14, Division 7, Chapter 3 in the California Code of Regulations shall apply.

8.32.130 INSPECTIONS AND INVESTIGATIONS BY JURISDICTION

A. City employees and any entity acting on behalf of the City, are authorized to conduct Inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or Source Separated materials to confirm compliance with this ordinance by Solid Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow Jurisdiction to enter the interior of a private residential property for Inspection.

B. Regulated entities shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the Jurisdiction's employee or its designated entity/Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in containers, Edible Food Recovery activities, records, or any other requirement of this ordinance described herein. Failure to provide or arrange for: (1) access to an entity's premises; or (2) access to records for any Inspection or investigation is a violation of this ordinance and may result in penalties described.

C. Any records obtained by the City and/or its designated entities during its Inspections, inspections, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

D. The City and/or its designated entities shall receive written complaints from persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints.

8.32.140 ENFORCEMENT

A. Violation of any provision of this ordinance shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by a Jurisdiction Enforcement Official or representative. Enforcement Actions under this ordinance are issuance of an administrative citation and assessment of a fine. The Jurisdiction's procedures on imposition of administrative fines are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this ordinance and any rule or regulation adopted pursuant to this ordinance, except as otherwise indicated in this ordinance.

B. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. Jurisdiction may pursue civil actions in the California courts to seek

recovery of unpaid administrative citations. Jurisdiction may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of Jurisdiction staff and resources.

C. Enforcement pursuant to this Chapter may be undertaken by the City Enforcement Official, or their designated entity, legal counsel, or combination thereof.

D. Process for Enforcement

1. Enforcement Officials and/or their Designee will monitor compliance with the ordinance randomly and through Compliance Reviews, investigation of complaints, and an Inspection program. Section 8.32.130 establishes City's right to conduct Inspections and investigations.
2. The City may issue an official notification to notify regulated entities of its obligations under the ordinance.
3. The City shall issue a Notice of Violation requiring compliance within 60 days of issuance of the notice.
4. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, City shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the Jurisdiction's requirements contained in Section 8.32.140(j).
Notices shall be sent to "owner" at the official address of the owner maintained by the tax collector for the Jurisdiction or if no such address is available, to the owner at the address of the dwelling or Commercial property or to the party responsible for paying for the collection services, depending upon available information.

E. Penalty Amounts for Types of Violations

The penalty levels are as follows:

1. For a first violation, the amount of the base penalty shall be \$50 to \$100 per violation.
2. For a second violation, the amount of the base penalty shall be \$100 to \$200 per violation.
3. For a third or subsequent violation, the amount of the base penalty shall be \$250 to \$500 per violation.

F. Factors Considered in Determining Penalty Amount

The following factors shall be used to determine the amount of the penalty for each violation within the appropriate penalty amount range:

1. The nature, circumstances, and severity of the violation(s).
2. The violator's ability to pay.
3. The willfulness of the violator's misconduct.
4. Whether the violator took measures to avoid or mitigate violations of this chapter.

5. Evidence of any economic benefit resulting from the violation(s).
6. The deterrent effect of the penalty on the violator.
7. Whether the violation(s) were due to conditions outside the control of the violator.

G. Compliance Deadline Extension Considerations

The Jurisdiction may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with Section 8.32.130 if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters,
2. Delays in obtaining discretionary permits or other government agency approvals; or,
3. Deficiencies in Organic Waste recycling infrastructure or Edible Food Recovery capacity and the Jurisdiction is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

H. Appeals Process

Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed and consistent with Jurisdiction's procedures in the Jurisdiction's codes for appeals of administrative citations. Evidence may be presented at the hearing. The Jurisdiction will appoint a hearing officer who shall conduct the hearing and issue a final written order.

I. Education Period for Non-Compliance

Beginning January 1, 2022 and through December 31, 2023, the City, or other designated entity by agreement, will conduct Inspections, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance, and if the City determines that Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this ordinance and a notice that compliance is required by January 1, 2022, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

J. Enforcement Table

The following is a list of potential violations for entities subject to this ordinance:

Table 1. List of Violations

Requirement	Description of Violation
Commercial Business and Commercial Business Owner Responsibility Requirement	Commercial Business fails to provide or arrange for Organic Waste collection services consistent with Jurisdiction requirements for employees, contractors, tenants, and customers, including supplying and allowing access to adequate numbers, size, and location of containers and sufficient signage.
Facility Sampling and Monitoring	Solid Waste Facilities fail to conduct required sampling and monitoring.
Commercial Edible Food Generator Requirement	Tier One Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2022.
Commercial Edible Food Generator Requirement	Tier Two Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2024.
Commercial Edible Food Generator Requirement	Tier One or Tier Two Commercial Edible Food Generator intentionally spoils Edible Food that is capable of being recovered by a Food Recovery Organization or Food Recovery Service.
Commercial Edible Food Generator, Food Recovery Organization or Food Recovery Service	Failure to provide or arrange for access to an entity's premises for any Inspection or investigation.
Recordkeeping Requirements for Commercial Edible Food Generator	Tier One or Tier Two Commercial Edible Food Generator fails to keep records, as prescribed by Section 8.32.070.

Recordkeeping Requirements
for Food Recovery Services and
Food Recovery Organizations

A Food Recovery Organization or Food Recovery Service that has established a contract or written agreement to collect or receive Edible Food directly from a Commercial Edible Food Generator pursuant to 14 CCR Section 18991.3(b) fails to keep records, as prescribed by Section 8.32.080.

8.32.150 EFFECTIVE DATE

This ordinance shall be effective thirty (30) days after its adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ione March 1, 2022 and adopted at a regular meeting on March 15, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Epperson Mayor

Attest:

Janice Traverso, City Clerk

#6

AMADOR COUNTY GROUNDWATER MANAGEMENT AUTHORITY
(ACGMA)

9/14/2021

City of Ione
PO box 398
Ione, CA 95640

Dear City of Ione:

You are receiving this letter as part of targeted effort to improve our data on the use of groundwater in far-western Amador County, which overlays a portion of the Cosumnes Groundwater Sub-basin. This sub-basin is part of a larger San Joaquin aquifer system. The 2014 Sustainable Groundwater Management Act requires that a groundwater sustainability plan (GSA) be developed to protect the long-term benefits of groundwater in the sub-basin for domestic use, agriculture, and the environment. Amador County has joined with Galt Irrigation District, Omochumne-Hartnell Water District, Sloughhouse Resource Conservation District, Clay Water District, the City of Galt, and Sacramento County to develop this plan.

As required by the act passed in 2014, the Amador County Groundwater Management Authority (ACGMA) was created to manage the groundwater resources within the basin underlying Amador County and to protect our local interests. The ACGMA consists of Amador Water Agency, the County of Amador, and Jackson Valley Irrigation District.

The development and implementation of a groundwater sustainability plan comes with costs. Amador County's cost share is a reflection of our calculated proportion of groundwater extraction from the sub-basin. We must provide current evidence to support the assertion that Amador County groundwater use is very small compared to what is occurring in other parts of the sub-basin. Recipients of this letter own land in an area of the county identified as relying heavily on groundwater resources.

Your participation by completing and returning the attached survey BY OCTOBER 15, 2021 will help to **keep our share of costs associated with funding groundwater management activities in the Cosumnes Sub-basin fair and reasonable.**

UPCOMING PUBLIC WORKSHOPS!

COSUMNES SUB-BASIN WEBINAR: Q&A ON THE DRAFT GROUNDWATER SUSTAINABILITY PLAN

October 6, 2021, 6:30-8:00 pm

Register for the webinar: <https://bit.ly/Cosumnes-Oct6-Webinar>

AMADOR COUNTY INFORMATIONAL WORKSHOP

October 7, 2021, 7:00 pm

Amador County Board of Supervisors' Chambers
or via Zoom: Access will be posted on <https://www.jvid.org/>

For more information call Steve Fredrick, General Manager of Jackson Valley Irrigation District at (209) 274-2037.

Respectfully, ACGMA

HELP US KEEP OUR COSTS AS LOW AS POSSIBLE!

**Please Answer the Following
(ALL RESPONSES SHALL BE KEPT CONFIDENTIAL)**

Date: _____

Property Owner Name: _____

Physical Address of Property: _____

Assessor's Parcel #005-320-044

Size of Parcel (Acres): _____

Source(s) of Water for this Property:
(Check all that apply)

- ☐ Groundwater*
- ☐ Surface Water
- ☐ Other (e.g. AWA/JVID): _____

*** Important!!** If you use groundwater, please estimate your annual use:

_____ gallons/acre-feet/other (circle unit)

Type of Water Use(s) for the Property:
(Check all that apply)

- ☐ Domestic (household)
- ☐ Agricultural/Irrigation
- ☐ Other: _____

Signature and Title: _____
(for Verification Only)

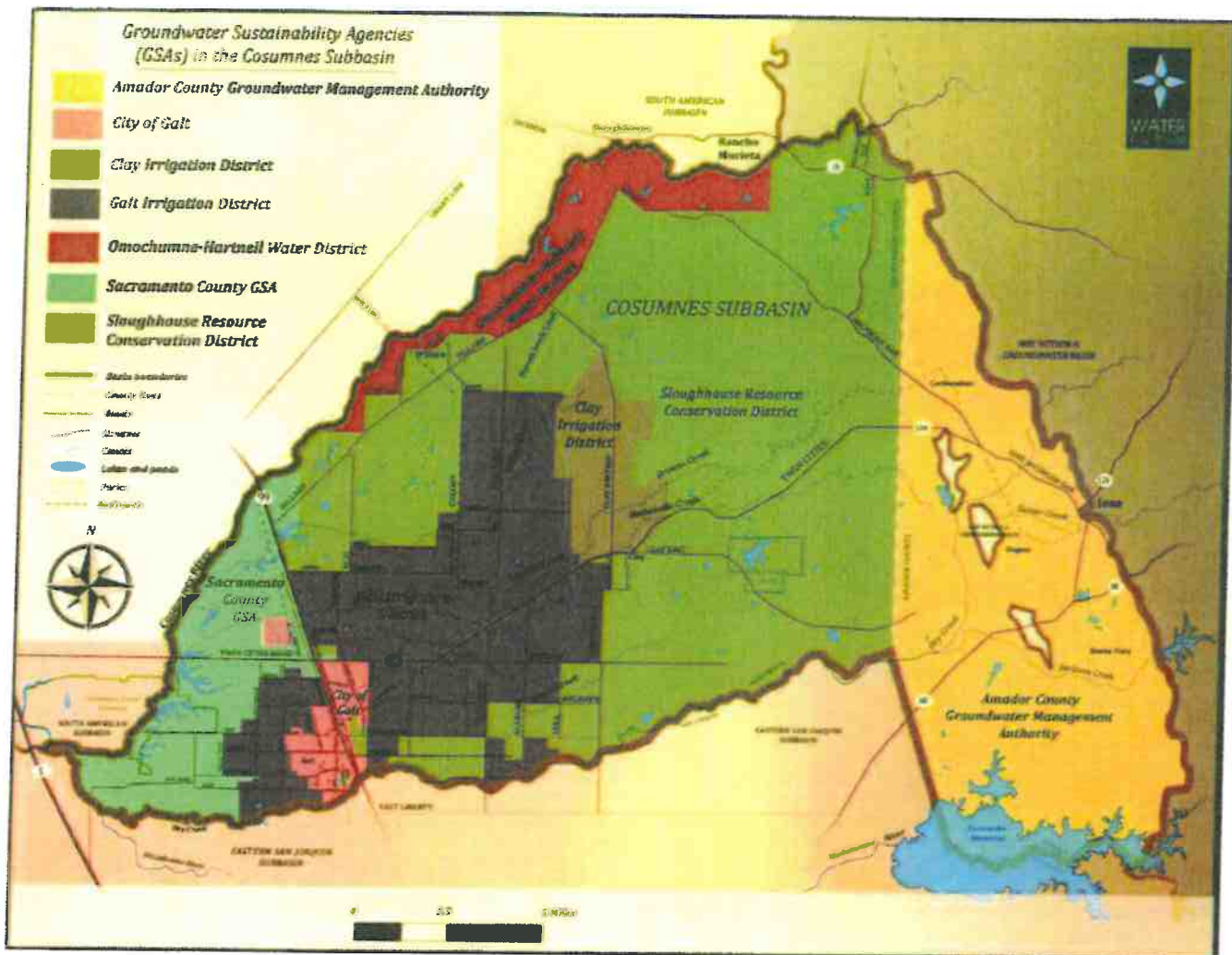
Thank you for your assistance. Please return your answers by OCTOBER 15, 2021 to:

Amador County Groundwater Management Authority

C/O Rick Ferriera, Amador Water Agency
12800 Ridge Road Sutter Creek, CA 95685
or via email to: RFerriera@amadorwater.org

For more information visit <http://cosumnes.waterforum.org/sustainable-groundwater-management-act-sgma>

Sustainable Groundwater Management Act (SGMA) in the Cosumnes Subbasin



Under California law, the Sustainable Groundwater Management Act (SGMA) requires the Cosumnes Subbasin to form a groundwater sustainability agency or agencies (GSAs) by June 30, 2017, and to have a groundwater sustainability plan (GSP) in place by 2022. There are seven (7) GSAs in the Cosumnes Subbasin.

Who is my GSA? Use this interactive map: bit.ly/cosumnesmap

To learn more about how you can be involved, contact your local GSA representative:

- Amador County Groundwater Authority: Rick Ferriera | rferriera@amadorwater.org | 209-257-5284
- City of Galt: Mark Clarkson | mclarkson@cityofgalt.org | 209-366-7260
- Clay Water District: Gary Silva Jr. | soilstoppers@yahoo.com | 209-481-4407
- Galt Irrigation District: Leo VanWarmerdam | Galtirrigationdistrict@gmail.com | 209-914-1140
- Omochumne-Hartnell Water District: Mike Wackman | info@ohwd.org | 916-682-5958
- Sacramento County: Linda Dorn | dornl@saccounty.net | 916-874-1085
- Sloughhouse RCD: Austin Miller | info@SloughhouseRCD.org | 916-526-5447

...or contact the Watershed Coordinator: Stephen Julian | CosumnesGSP@gmail.com | 254-640-0155



Managing Groundwater in the Cosumnes Subbasin

Public Comment Period Open Upcoming Public Meetings

Draft Plan Public Comment Period Aug 18 – Oct 20

Visit Cosumnes.WaterForum.org to view the Draft GSP and learn how to submit comments.

Comments due:
10.20.2021

Public Meetings Aug 26 | Sept 16 | Oct 6

Draft GSP Overview Meetings
(two methods for participating):
Webinar | August 26, 6:30-8:00
In-Person Workshop, two time slots (location TBD)

September 16, 3:30-5:00p; or
September 16, 6:30-8:00p

Follow-Up GSP Webinar (for follow-up questions / comments)
October 6, 6:30-8:00p

Go to Cosumnes.WaterForum.org to register for events.

Groundwater Sustainability Plan (GSP)

In response to a state law enacted in 2014, a roadmap for how groundwater will be managed over the next two decades will be finalized this year. The goal is to balance the amount of groundwater pumped with the amount that is replenished each year by nature or humans. The Draft Groundwater Sustainability Plan is available for public review and comment through October 20, 2021.

Why do we need a plan?

Extended drought and historic overpumping threaten the long-term future of groundwater resources necessary to support our needs, including urban, domestic, agricultural, industrial, and environmental. The State requires local agencies to develop and adopt a GSP by January 2022. If the Cosumnes Subbasin fails to meet state-mandated requirements, the State may intervene at a much higher cost than if we retain local control.

What is in the plan?

With a target of increasing groundwater recharge by 20,000 acre-feet per year, the Cosumnes Subbasin plan includes projects that put more winter flood water into the aquifer (recharging) and options that reduce usage.

What is the impact on you?

The good news is that an effective plan will mean that people will be able to count on their wells even in dry years. But there are costs to implement and monitor whatever plan is adopted.

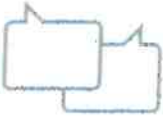
Who is developing the GSP?

Since 2017, seven local agencies have been working together to develop the GSP with support and input from subject-matter experts, stakeholders, and the community. View this handout to learn who is your local agency representative and how you can contact them: bit.ly/CosumnesContactsGlossary-2021

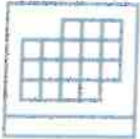
Questions about an upcoming event? Contact Stephen Julian at CosumnesGSP@gmail.com or 254.640.0155
Si necesita solicitar alojamiento para asistir a un próximo evento, incluidos los servicios de traducción, comuníquese con Stephen Julian a CosumnesGSP@gmail.com o al 254.640.0155




We look forward to seeing and connecting with you!
Learn more at Cosumnes.WaterForum.org



Share your thoughts
and connect



Upcoming
public meetings



Draft Plan available
for comment

Cosumnes Subbasin Groundwater Sustainability Plan (GSP)

Submit comments by
Oct 20, 2021

Attend webinars or workshops
Learn how to share input
and stay involved.

Cosumnes Subbasin, Watershed Coordinator
 Obo: Cosumnes SGMA Working Group
 8970 Elk Grove Blvd.
 Elk Grove, CA 95624

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Sustainable Groundwater Planning
Do you live in the Cosumnes Subbasin?
Now is a key milestone to share your input!

Draft Groundwater Sustainability Plan available for
 public comment

Public webinars and workshops August-October

