

REGULAR MEETING STARTS AT 6:00 PM

Mayor Stacy Rhoades

Vice Mayor Dominic Atlan

Council Member Dan Epperson

Council Member Rodney Plamondon

Council Member Diane Wratten

**DUE TO THE GOVERNOR'S EXECUTIVE ORDER N-25-20, THE CITY OF IONE
WILL BE CONDUCTING ITS MEETING VIA TELECONFERENCE, WHILE THIS
MEETING WILL STILL BE CONDUCTED IN-PERSON AT 1 E. MAIN STREET,
WE STRONGLY ENCOURAGE THE PUBLIC TO PARTICIPATE FROM HOME
BY CALLING IN USING THE FOLLOWING:**

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

Topic: City Council Meeting 3-16-2021

Time: Mar 16, 2021 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/2351961316?pwd=d3lWTW0zbVJlblpONXBDOWtpZkRyUT09>

Meeting ID: 235 196 1316

Passcode: 95640

One tap mobile

+16699006833,,2351961316#,,, *95640# US (San Jose)

+12532158782,,2351961316#,,, *95640# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 235 196 1316

Passcode: 95640

Find your local number: <https://zoom.us/u/aex3ZLbqgp>

Tuesday, March 16, 2021

Ione City Hall

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, Lone, 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. CLOSED SESSION: 6:00 PM

- Public Employee Discipline/Dismissal/Release pursuant to Government Code Section 54957(b)(1)

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA

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. PRESENTATIONS/ANNOUNCEMENTS: None

G. CONSENT CALENDAR: None

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).

H. PUBLIC HEARING:

1. Introduction and Waive the First Reading by Substitution of Title Only Ordinance No. 525 – Amending Chapter 2.04—City Council Meetings – Section 2.04.020
Time: Regular meetings of the City Council shall be on the first and third Tuesdays of each calendar month at 5:30 p.m. for Closed Session with Open Session commencing directly upon the completion of Closed Session.

I. REGULAR AGENDA:

2. Adoption of Resolution No. 2021-08 Approving a Subdivision Improvement Agreement and Final Map for Castle Oaks Village 8B

3. Discussion of Draft Ordinance amending the Zoning Text regarding Short-Term Rentals and Bed and Breakfast Inns
 4. Approval of Public Works Maintenance Building Repair
 5. Protocol Manual Updates
 6. Proposal for City Council Governance Workshop
 7. Governance Training – Sophia Meyer, City Attorney
- J. REPORTS AND COMMUNICATIONS FROM CITY MANAGER
- K. COUNCIL COMMENTS/COMMITTEE REPORTS/FUTURE AGENDA ITEMS
- 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 16, 2021 meeting of the Lone City Council was posted on March 12, 2021.



Janice Traverso, City Clerk, City of Lone

Agenda Item

|

DATE: March 16, 2021

TO: Ione City Council

FROM: Sophia R. Meyer, City Attorney

SUBJECT: Public Hearing on Amendment of Title 2, Chapter 2.04 of the Ione Municipal Code

RECOMMENDED ACTION:

Waive reading and approve ordinance amending Title 2, chapter 2.04 and set second reading for April 6, 2021.

Motion: _____ / _____

FISCAL IMPACT:

None.

BACKGROUND:

This is a first reading and public hearing regarding changing the time of the Regularly Scheduled Ione City Council meeting from 6:00 p.m. to 5:30 p.m.

ORDINANCE No. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IONE CALIFORNIA,
AMENDING CHAPTER 2.04 OF THE CITY OF IONE MUNICIPAL CODE**

The City Council of the City of Ione, State of California, does hereby approve an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IONE CALIFORNIA, AMENDING TITLE 2, CHAPTER 2.04 by amending Section 2.04.020 OF THE CITY OF IONE MUNICIPAL CODE to state as follows:

Chapter 2.04– CITY COUNCIL MEETINGS

2.04.020 Time

It is the intention of the City of Ione to amend section 2.04.020 to allow for closed sessions to be commenced at 5:30 p.m. with the regular meeting to commence directly after closed session.

Section 2.40.020 is hereby amended to read as follows:

Regular meetings of the city council shall be on the first and third Tuesdays of each calendar month at 5:30 p.m. for closed session with open session commencing directly upon the completion of closed session.

Introduced at a regular meeting of the City Council held on the ____ day of _____, _____, and passed and enacted this ____ day of _____, _____ by the City Council of the City of Ione by motion, second (/), and the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Stacy Rhoades, MAYOR
City Council
City of Ione
State of California

ATTEST:
Janice Traverso
City Clerk

By: _____

APPROVED AS TO FORM AND LEGAL EFFECT:

David Prentice, City Attorney

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Ione will conduct a public hearing to give the public an opportunity to comment on the following item:

Adoption of Ordinance No. 525 – Amending chapter 2.04 of the City of Ione Municipal Code – This ordinance will for Closed Sessions to commence at 5:30 p.m. with the regular meeting to commence directly after closed session.

The City Council will review this item on Tuesday, March 16, 2021 at 6:00 P.M. at Ione City Hall, 1 E. Main Street, Ione, California. Additional information on this item is available for public review during regular business hours, Monday through Friday, 8:00 a.m. to 4:30 p.m. at City Hall.

Interested persons should attend the City Council Meeting on March 16, 2021 in order to make your comments known. If you are unable to attend the public hearing, you may direct written comments to the City Clerk, City of Ione, 1 E. Main Street, Ione, CA 95640 or you may call (209)274-2412, ext. 102 between the hours of 8:00 a.m. and 4:30 p.m. weekdays.

Dated: March 5, 2021

Janice Traverso
City Clerk

Agenda Item

2

DATE: March 16, 2021

TO: Mayor Atlan and City Council

FROM: John Wanger, City Engineer

SUBJECT: Castle Oaks Village 8B – Approval of a Subdivision Improvement Agreement and Final Map.

RECOMMENDED ACTION:

That the City Council adopt the attached resolution that:

- a. Authorizes the Mayor to sign the Subdivision Improvement Agreement associated with Castle Oaks Village 8B.
- b. Approves the Final Map for Castle Oaks Village 8B accepting the offers of dedication subject to improvement for:
 - Baywood Greens Drive
 - Lahonton Way
 - Willow Drive
 - Public Utility Easements and Public Facility Easements
 - Lots A (landscape parcel fronting Castle Oaks Drive) and Lot B (access to Mule Creek Open space)
- c. Approves the vacation and abandonment of the 30-foot wide reservation for future roadway purposes pursuant to Section 66499.20.2 of the Subdivision Map Act.
- d. Rejects the offer of dedication for Lot C (open space adjacent to Mule Creek) but reserves to right to accept this offer of dedication at a later time.

FISCAL IMPACT:

All improvements are developer financed. Impact fees are due and payable in accordance with the timelines as outlined in the overall Development Agreement and adopted amendments thereto for the Castle Oaks development.

BACKGROUND:

The final map for Castle Oaks Village 8B (hereinafter referred to as "Village 8B"), comprised of 51 single family residential lots, 1 parcel (Lot A) for landscaping along Castle Oaks Drive and 2 parcels (Lot B and Lot C) for access to and the open space and a parcel for open space along Mule Creek, public utility easements, public facility easements, and road right-of-way easements, was submitted to the City for review

and consideration of approval and recordation. The map review process has recently been completed and the map has been found to be in conformance with the conditions of approval for the Castle Oaks development, City Ordinances and the Subdivision Map Act.

On the Final Map there are offers of dedications for Lots A, B and C. Lot A and B are proposed to be accepted at this time (subject to improvement.) There is also dedication for Lot C – an open space parcel adjacent to Mule Creek. The way the dedication and acceptance statements are shown on the map, Lot C is not being accepted at this time; however, the Council has the right to accept this lot at some time in the future when the commercial parcel to the north develops. The final map also shows road right-of-way easements, public utility easements and public facility easements. The attached resolution recommends approving the Final Map and accepting the roadway easements (subject to the streets being improved per the improvement plans to the City's satisfaction), Lots A and B, the public facility and public utility easements as shown on the map. At the time the City accepts the public improvements within the road right-of-way, the road right-of-way easements will become the City's responsibility.

Also shown in the acceptance statements on the map is the vacation of a 30-foot wide easement that was dedicated on the Castle Oaks Unit 1 final map (recorded in 1991.) A copy of the portion of the Unit 1 map showing this easement is attached to this staff report for informational purposes. This easement was shown on the map recorded at that time as "30 Foot Reserved for Roadway Purposes" on the Unit 1 final map. This 30-foot easement is no longer needed (originally created for access into the area between Castle Oaks Drive and Mule Creek) and conflicts with Lahonton Way and other streets that are proposed on the map. Due to the fact that this easement is no longer needed, it is being vacated with the recording of this map.

The improvement plans associated with Village 8B were approved in April 2020. Construction of the improvements shown on the improvement plans for Village 8A are nearing completion. Improvements on Village 8B are just commencing. Because the developer is asking that the map be recorded prior to the completion of installation of the improvements, a Subdivision Improvement Agreement is needed. Per the City's Municipal Code and portions of the Government Code known as the Subdivision Map Act, surety guaranteeing the improvement will be constructed must be included with the Subdivision Improvement Agreement. It should be noted that surety for the water system is being separately bonded for with Amador Water Agency. The Subdivision Improvement Agreement has been signed by the developer and surety has been submitted in conformance with the City Municipal Code and the Subdivision Map Act.

Both the map and the Subdivision Improvement Agreement are ready for approval by the City Council.

OTHER AGENCY INVOLVEMENT:

The developer has entered into agreements with Amador Water Agency (AWA) for installation of all water improvements.

Attachments:

- Resolution approving the final map and authorizing the Mayor to sign the Subdivision Improvement Agreement.
- Final Map – Castle Oaks Village 8B
- Excerpt from Castle Oaks Unit 1 final map showing the 30-foot easement to be abandoned.
- Subdivision Improvement Agreement

RESOLUTION NO. 2021-08

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IONE, STATE OF CALIFORNIA APPROVING THE FINAL MAP FOR CASTLE OAKS VILLAGE 8B, ACCEPTING THE DEDICATION OF LOT A, LOT B, THE PUBLIC UTILITY EASEMENTS, PUBLIC FACILITY EASEMENTS; ACCEPTING THE OFFER OF DEDICATION FOR BAYWOOD GREENS DRIVE, LAHONTON WAY, AND WILLOW DRIVE, SUBJECT TO IMPROVEMENT; APPROVING THE VACATION OF THE 30-FOOT WIDE EASEMENT RESERVED FOR ROADWAY PURPOSES AS DEDICATED ON CASTLE OAKS UNIT 1 FINAL MAP; REJECTING THE OFFER OF DEDICATION FOR LOT C; AND AUTHORIZING THE MAYOR TO SIGN THE SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, Riverland Homes, landowner, has submitted a request for approval of a Final Map which proposes to subdivide the land known as Castle Oaks Village 8B into 51 lots for single family homes and Lots A, B and C; and

WHEREAS, the Final Map for Castle Oaks Village 8B has been submitted for review to the City and has been found to be in conformance with the City's rules and regulations and those of the Subdivision Map Act, as well as those conditions of approval required to be completed prior to, or in conjunction with the Final Map recordation; and

WHEREAS, the Final Map includes the vacation of a 30-foot wide easement reserved for roadway purposes per the Castle Oaks Unit 1 final map that is no longer needed; and

WHEREAS, the developer has signed the City's standard Subdivision Agreement (see Exhibit A) and has posted sufficient surety guaranteeing the completion of the public improvements.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Ione does hereby resolve as follows:

1. That the City Council approves the Castle Oaks Village 8B Final Map and accepts the offer of dedication for Lots A and B, the public utility and public facility easements as shown on the final map.
2. That the City Council hereby approves, subject to improvements of the roadways to the City's satisfaction, the offer of dedication for Baywood Greens Drive, Lahonton Way and Willow Drive as shown on the final map.
3. That the City Council hereby rejects the offer of dedication for the Parcel C; however, the Council has the right to accept this lot at some time in the future.
4. That the City Council approves the vacation of the 30 Foot Reserved for Roadway Purposes easement pursuant to Government Code 66499.20.2 as originally dedicated on Castle Oaks Unit 1 final map.
5. That the City Council authorizes the Mayor to sign the Subdivision Agreement as submitted by the Riverland Homes.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 16th day of March 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Stacy Rhoades, Mayor

Janice Traverso, City Clerk

FINAL SUBDIVISION MAP NO. 169
CASTLE OAKS VILLAGE 8B

BEING THE DESIGNATED REMAINDER PARCEL OF CASTLE OAKS VILLAGE 8A, FILED FOR RECORD ON SEPTEMBER 22, 2020, IN BOOK 10, PAGE 20 OF OFFICIAL
RECORDS OF AMADOR COUNTY, CALIFORNIA.

CITY OF IONE COUNTY OF AMADOR CALIFORNIA
MARCH, 2021

OWNERS STATEMENT:

(I/WE) HEREBY STATE THAT (I/WE) ARE THE OWNERS OF AND HAVE THE RIGHT, TITLE, AND INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION BOUNDARY SHOWN UPON THIS MAP, AND (AM/ARE) THE ONLY PERSON(S) WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND (I/WE) CONSENT TO THE MAKING AND FILING OF SAID MAP OF THE SUBDIVISION SHOWN WITHIN THE BORDER LINES, AND HEREBY IRREVOCABLY DEDICATE TO THE CITY OF IONE FREE OF ENCUMBRANCE THE FOLLOWING:

- BAYWOOD GREENS DRIVE, LAHONTON WAY, WILLOW DRIVE AS EASEMENTS FOR ROAD, PUBLIC FACILITY AND PUBLIC UTILITY PURPOSES
- LOTS A, B AND C IN FEE FOR OPEN SPACE.
- PUBLIC UTILITY EASEMENTS FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE, REPAIRS, OPERATION AND REPLACEMENT OF, INCLUDING BUT NOT LIMITED TO, WATER, ELECTRICAL, GAS, TELEPHONE AND CABLE TELEVISION FACILITIES TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO ON, OVER, UPON, ACROSS, THROUGH AND BENEATH THOSE STRIPS OF LAND DESIGNATED AS "P.U.E."
- PUBLIC FACILITY EASEMENTS FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE, REPAIRS, OPERATION AND REPLACEMENT OF, INCLUDING BUT NOT LIMITED TO, STREET TREES, SIDEWALKS, STORM DRAIN, SEWER, STREET LIGHT, AND TRAFFIC SIGNAL FACILITIES TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO ON, OVER, UPON, ACROSS, THROUGH AND BENEATH THOSE STRIPS OF LAND DESIGNATED AS "P.F.E."

ALL AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

RIVERLAND AT ESSEX LP
A CALIFORNIA LIMITED PARTNERSHIP
BY: RIVERLAND HOMES, INC.
ITS GENERAL PARTNER

BY: _____ DATE: _____

ITS: CEO, GREG D. JUDKINS

NOTARY PUBLIC CERTIFICATE:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE
VERIFIES ONLY IDENTITY OF THE INDIVIDUAL WHO SIGNED THE
DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE
TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA

COUNTY OF _____

ON _____, BEFORE ME, _____ A NOTARY PUBLIC,

PERSONALLY APPEARED _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/ THEY EXECUTED THE SAME IN
HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING
IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY'S SIGNATURE _____ PRINT NOTARY'S NAME _____

TRUSTEE'S STATEMENT:

PLACER TITLE COMPANY, A California Corporation Trustee under a Deed of Trust recorded as Document No.
2020-0004040-00, Official Records of Amador County, against the land herein shown, consents to the making and
filing of this map.

In witness whereof, said corporation has caused its name to be affixed this _____ day of _____, 20____.

BY: _____

PRINT: _____

TITLE: _____

NOTARY PUBLIC CERTIFICATE:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE
VERIFIES ONLY IDENTITY OF THE INDIVIDUAL WHO SIGNED THE
DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE
TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA

COUNTY OF _____

ON _____, BEFORE ME, _____ A NOTARY PUBLIC,

PERSONALLY APPEARED _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/ THEY EXECUTED THE SAME IN
HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING
IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY'S SIGNATURE _____ PRINT NOTARY'S NAME _____

CITY CLERK'S STATEMENT:

I HEREBY STATE THAT I AM THE CITY CLERK OF THE CITY COUNCIL OF THE CITY OF IONE, STATE OF CALIFORNIA AND
THAT THE COUNCIL BEING THE PROPER BODY, HAS APPROVED THIS MAP ENTITLED, FINAL SUBDIVISION MAP NO. 169
CASTLE OAKS VILLAGE 8B BY RESOLUTION NUMBER _____ ON _____, 20____ AND DID ACCEPT, SUBJECT TO
IMPROVEMENT ALL OFFERS OF DEDICATION FOR BAYWOOD GREENS DRIVE, LAHONTON WAY, WILLOW DRIVE, AS
EASEMENTS FOR ROAD, PUBLIC UTILITY "P.U.E." AND PUBLIC FACILITY EASEMENTS "P.F.E." SHOWN HEREON, LOTS A & B
IN FEE FOR OPEN SPACE AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

PURSUANT TO SECTION 66499.20.2 OF THE SUBDIVISION MAP ACT, THE VACATION AND ABANDONMENT OF THE 30 FOOT
WIDE RESERVATION FOR FUTURE ROADWAY PURPOSES.

ALL OTHER OFFERS OF DEDICATION (LOT C IN FEE FOR OPEN SPACE) ARE HEREBY REJECTED BUT CITY COUNCIL RETAINS
ITS RIGHT TO ACCEPT THAT OFFER AT A LATER TIME.

DATE: _____

JANICE TRAVERSO, CITY CLERK OF THE CITY OF IONE, CALIFORNIA

NIVIS

100 STREETVIEW AVE, SUITE 100, IONE, CA 95626
TEL: 530-835-1100 FAX: 530-835-1101

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH
THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RUEVE VERDE
PROPERTIES ON APRIL, 2019. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR
CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY, AND MONUMENTS SHOWN HEREON WILL BE SET WITHIN ONE YEAR
FROM THE DATE OF FILING ON THIS MAP AND THAT SAID MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE
SURVEY TO BE RETRACED.

DATE: _____

PETER C. GOLDING, L.S. 4768
LICENSE EXPIRES: 03-31-2022



CITY ENGINEER'S STATEMENT:

I DO HEREBY STATE THAT THIS SUBDIVISION MAP, CONSISTING OF 5 SHEETS, THIS STATEMENT BEING ON SHEET ONE
THEREOF, HAS BEEN EXAMINED BY ME AND THAT THE SUBDIVISION, AS SHOWN UPON SAID MAP, IS SUBSTANTIALLY THE
SAME AS SAID SUBDIVISION APPEARED ON THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP AND ANY
APPROVED AMENDMENTS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLETES WITH THE PROVISIONS OF THE
SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND THE MUNICIPAL CODE OF THE CITY OF IONE AND ANY
AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

DATE: _____

JOHN L. WANGER, R.C.E. 043148
CITY ENGINEER, CITY OF IONE
LICENSE EXPIRES: MARCH 31, 2022



I HEREBY STATE THAT I HAVE EXAMINED THIS SUBDIVISION MAP ON BEHALF OF THE CITY OF IONE AND I AM SATISFIED
THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: _____

RICHARD A. MOSHER, R.C.E. 30696



ABANDONMENT NOTE:

PURSUANT TO SECTION 66499.20.2 OF THE SUBDIVISION MAP ACT, PUBLIC STREETS AND PUBLIC EASEMENTS NOT
SHOWN ON THIS MAP CONSTITUTE ABANDONMENT OF SAID EASEMENTS NOTED HEREON.

30.00 FOOT WIDE RESERVATION FOR FUTURE HIGHWAY PURPOSES PER CASTLE OAKS UNIT NO. 1, RECORDED JUNE
5, 1992 IN BOOK 6, PAGES 81-93 OF SUBDIVISIONS.

TAX COLLECTOR'S STATEMENT:

ACCORDING TO THE RECORDS IN THE OFFICE OF THE UNDERSIGNED, THERE ARE NO LIENS AGAINST THIS SUBDIVISION,
OR ANY PART THEREOF, FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED
AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE. MY ESTIMATE OF TAXES
AND SPECIAL ASSESSMENTS COLLECTED AS TAXES AND NOT YET PAYABLE IS \$ _____. THE LAND IN SAID
SUBDIVISION IS NOT SUBJECT TO A SPECIAL ASSESSMENT OR BOND WHICH MAY BE PAID IN FULL, EXCEPT SPECIAL
ASSESSMENTS FOR BONDS PAYABLE IN FULL FOR WHICH I ESTIMATE THAT THE AMOUNT REQUIRED FOR FULL PAYMENT IS
\$ _____. SECURITY REQUIRED PURSUANT TO GOVERNMENT CODE SECTIONS 66473(A) AND 66493(C) ARE HEREBY
ACCEPTED AND APPROVED.

DATE: _____

MICHAEL E. RYAN
TAX COLLECTOR
COUNTY OF AMADOR, STATE OF CALIFORNIA

RECORDER'S STATEMENT:

FILED THIS _____ DAY OF _____, 2020 AT _____ M. IN BOOK _____ OF SUBDIVISION MAPS AT
PAGE _____ AT THE REQUEST OF THE CITY OF IONE.

FEES: \$ _____ SERIAL NO. _____

HIMBERLY L. GRADY
COUNTY RECORDER
COUNTY OF AMADOR, STATE OF CALIFORNIA

BY: _____
DEPUTY RECORDER

PUBLIC UTILITY EASEMENT STATEMENT:

A PUBLIC UTILITY EASEMENT IS AN EASEMENT TO CONSTRUCT, INSTALL, INSPECT, MAINTAIN, REPLACE, REMOVE
AND USE FACILITIES OF THE TYPE HEREINAFTER SPECIFIED, INCLUDING BUT NOT NECESSARILY BE LIMITED TO THE
FOLLOWING:

CURB, GUTTER AND SIDEWALK, INSTALLATION OF TRANSMISSION AND DISTRIBUTION FACILITIES SUCH AS
ELECTRICAL, TELEPHONE, CABLE TELEVISION, GAS, WATER, SEWER, RECYCLED WATER, STREET LIGHTING,
DRAINAGE, ROADWAY, LANDSCAPING; ALSO USES FOR PEDESTRIAN, EQUESTRIAN, AND NON-POWERED VEHICLE
PURPOSES. SAID EASEMENT SHALL ALSO INCLUDE THE RIGHT TO EXCAVATE OR FILL THE EASEMENT FOR THE FULL
WIDTH AND TO A REASONABLE DEPTH THEREOF.

PUBLIC FACILITY EASEMENT STATEMENT:

A PUBLIC UTILITY EASEMENT IS AN EASEMENT TO CONSTRUCT, INSTALL, INSPECT, MAINTAIN, REPLACE, REMOVE
AND USE FACILITIES OF THE TYPE HEREINAFTER SPECIFIED, INCLUDING BUT NOT NECESSARILY BE LIMITED TO THE
FOLLOWING:

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DRAINAGE, ROADWAY, LANDSCAPING; ALSO USES FOR PEDESTRIAN, EQUESTRIAN, AND NON-POWERED VEHICLE
PURPOSES. SAID EASEMENT SHALL ALSO INCLUDE THE RIGHT TO EXCAVATE OR FILL THE EASEMENT FOR THE FULL
WIDTH AND TO A REASONABLE DEPTH THEREOF.

APN: 005-320-033 & 47

JOB NO.: SAB014612

SHEET 1 OF 5

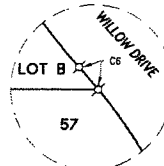
APN: 005-320-033 & 47

NAPOTS
PARCEL 8
CASTLE OAKS VILLAGE 8 LLA NO. 2017-0002730
REC. 04/10/2017

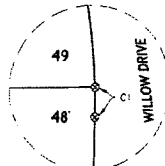
LEGEND:

- SET PK NAIL AND WASHER STAMPED L.S. 4768
- ⊙ SET 2" BRASS DISK STAMPED L.S. 4768 IN CONCRETE MONUMENT WELL
- ⌒ SET 1" X 18" IRON PIPE, WITH BRASS TAG STAMPED L.S. 4768, ON A LEAD AND TAG STAMPED L.S. 4768 ON A 4.00' OFFSET. ALL POINTS OF CURVATURE AND ANGLE POINTS ALONG THE STREET RIGHT-OF-WAY ARE MEASURED RADIIALLY OR RIGHT ANGLES, UNLESS OTHERWISE NOTED.
- PROPERTY LINE
1.00'
- RIGHT OF WAY LINE
- 1" IRON PIPE, L.S. 4768 TO BE INSTALLED PER CASTLE OAKS VILLAGE BA, 10-1-20 UNLESS OTHERWISE NOTED.
- S.F. SQUARE FOOT
- P.U.E. PUBLIC UTILITY EASEMENT
- P.F.E. PUBLIC FACILITIES EASEMENT
- (R) RADIAL LINE
- (T) TOTAL
- R&M RECORD AND MEASURED
- N.A.P.O.T.S. NOT A PART OF THIS SUBDIVISION

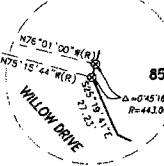
- SUBDIVISION BOUNDARY
- CENTERLINE
- RIGHT OF WAY
- LOT LINE
- EASEMENT



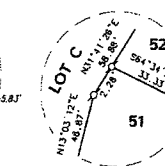
DETAIL A
NOT TO SCALE



DETAIL B
NOT TO SCALE



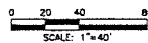
DETAIL C
NOT TO SCALE



DETAIL D
NOT TO SCALE

| ARC TABLE | | | |
|-----------|-------------|--------|--------|
| NO. | DELTA | RADIUS | LENGTH |
| C1 | Δ=00°11'46" | 387.00 | 1.36 |
| C2 | Δ=04°00'38" | 387.00 | 27.78 |
| C3 | Δ=01°29'35" | 403.00 | 10.50 |
| C4 | Δ=02°17'36" | 277.00 | 11.00 |
| C5 | Δ=41°17'51" | 55.00 | 39.64 |
| C6 | Δ=03°07'04" | 55.00 | 2.99 |
| C7 | Δ=24°08'47" | 50.00 | 21.07 |
| C8 | Δ=05°18'38" | 55.00 | 6.06 |
| C9 | Δ=38°06'17" | 55.00 | 36.98 |
| C10 | Δ=05°09'53" | 273.00 | 24.61 |
| C11 | Δ=03°28'19" | 227.00 | 13.76 |
| C12 | Δ=00°45'16" | 443.00 | 5.83 |
| C13 | Δ=11°26'57" | 420.00 | 83.89 |
| C14 | Δ=23°19'04" | 420.00 | 36.98 |
| C15 | Δ=08°07'53" | 420.00 | 44.90 |
| C16 | Δ=11°06'11" | 300.00 | 58.14 |
| C17 | Δ=06°11'23" | 290.00 | 31.33 |
| C18 | Δ=05°07'10" | 300.00 | 26.81 |

| LINE TABLE | | |
|------------|-------------|--------|
| NO. | BEARING | LENGTH |
| L1 | N40°04'29"E | 24.55' |
| L2 | N25°18'41"W | 27.23' |
| L3 | N60°53'27"W | 7.83' |



REFERENCES:

- (1) CASTLE OAKS UNIT NO. 1, 6-5-81
- (2) GRANT DEED, 2017-0002730 O.R.
- (3) CASTLE OAKS VILLAGE BA, 10-1-20

NOTES:

1. TOTAL AREA OF THIS SUBDIVISION IS 13.74 ± ACRES, CONSISTING OF 51 RESIDENTIAL LOTS AND 3 OPEN SPACE LOTS.
2. ALL CURVES ARE DIMENSIONED WITH RADIUS, DELTA, AND ARC LENGTH. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
3. LOTS A, B & C SHOWN HEREON ARE HEREBY DEDICATED IN FEE FOR OPEN SPACE PURPOSES.

**FINAL SUBDIVISION MAP NO. 169
CASTLE OAKS VILLAGE 8B**

BEING THE DESIGNATED REMAINDER PARCEL OF CASTLE OAKS VILLAGE 8A, FILED FOR RECORD ON SEPTEMBER 22, 2020, IN BOOK 10, PAGE 20 OF OFFICIAL RECORDS OF AMADOR COUNTY, CALIFORNIA.

CITY OF IONE COUNTY OF AMADOR CALIFORNIA

MARCH, 2021

NIV5
REGISTERED PROFESSIONAL

NOT WITHSTANDING THIS MAP, ANY AND ALL RECORDS OR RECORDS OF RECORDS SHALL PREVAILE.

JOB NO.: SAB014812

SHEET 3 OF 5

APN: 005-320-033 & 47

NOTES:

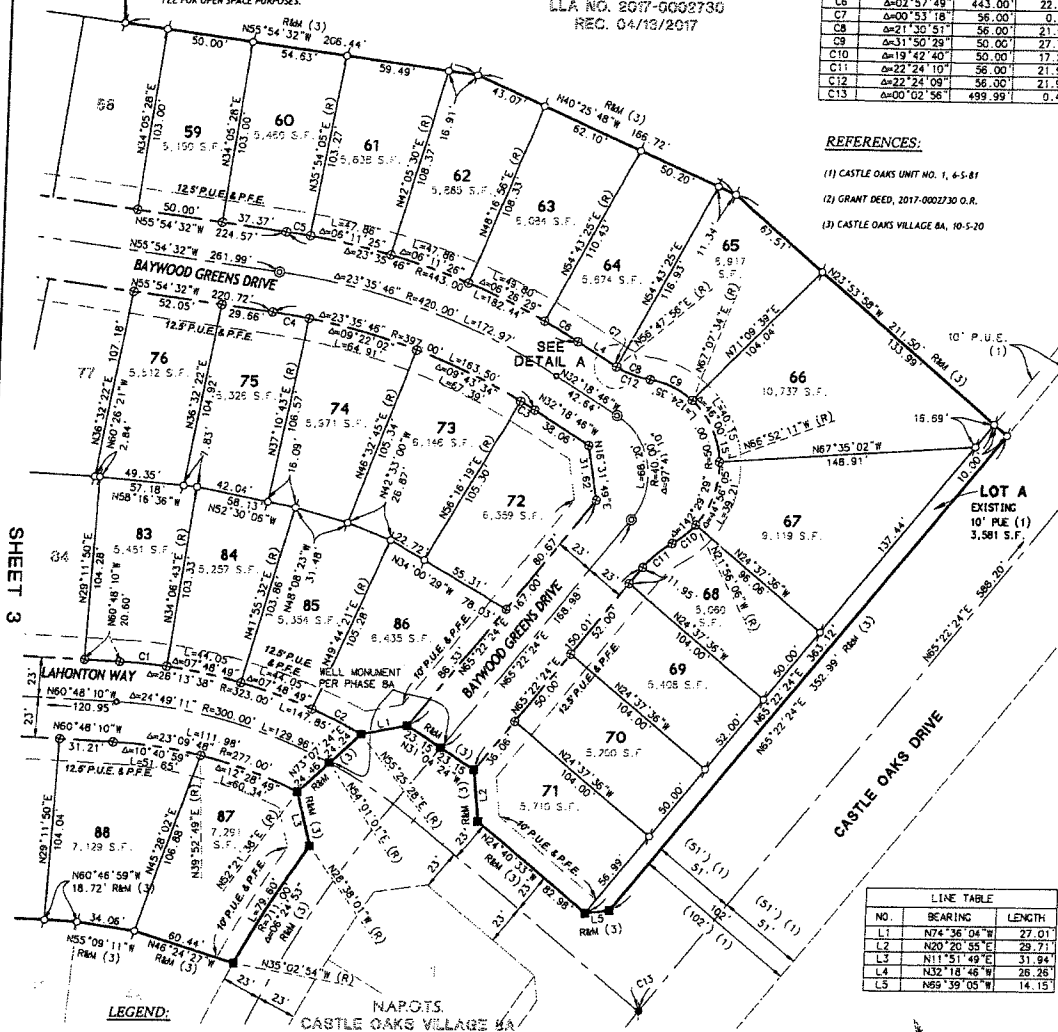
1. TOTAL AREA OF THIS SUBDIVISION IS 13.74 ± ACRES, CONSISTING OF 51 RESIDENTIAL LOTS AND 3 OPEN SPACE LOTS.
2. ALL CURVES ARE DIMENSIONED WITH RADIUS, DELTA, AND ARC LENGTH. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
3. LOTS A, B & C SHOWN HEREON ARE HEREBY DEDICATED IN FEE FOR OPEN SPACE PURPOSES.

NAPOTS.
PARCEL B
CASTLE OAKS VILLAGE 8
LLA NO. 2017-0002730
REC. 04/13/2017

| NO. | DELTA | RADIUS | LENGTH |
|-----|-------------|---------|--------|
| C1 | Δ=64°54'53" | 323.00' | 27.71' |
| C2 | Δ=05°41'07" | 323.00' | 32.05' |
| C3 | Δ=01°24'55" | 397.00' | 9.81' |
| C4 | Δ=03°05'15" | 397.00' | 21.39' |
| C5 | Δ=01°48'37" | 443.00' | 14.00' |
| C6 | Δ=02°57'49" | 443.00' | 22.91' |
| C7 | Δ=00°53'18" | 56.00' | 0.87' |
| C8 | Δ=21°36'51" | 56.00' | 21.03' |
| C9 | Δ=31°59'29" | 50.00' | 27.79' |
| C10 | Δ=19°42'40" | 50.00' | 17.20' |
| C11 | Δ=22°24'10" | 56.00' | 21.90' |
| C12 | Δ=22°24'09" | 56.00' | 21.90' |
| C13 | Δ=00°02'56" | 499.99' | 0.43' |

REFERENCES:

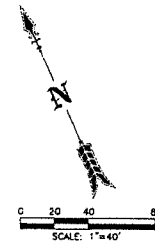
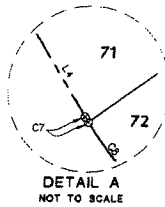
- (1) CASTLE OAKS UNIT NO. 1, 4-5-81
- (2) GRANT DEED, 2017-0002730 O.R.
- (3) CASTLE OAKS VILLAGE 8A, 10-5-20



| NO. | BEARING | LENGTH |
|-----|-------------|--------|
| L1 | N74°36'04"W | 27.01' |
| L2 | N20°20'55"E | 29.71' |
| L3 | N11°51'49"E | 31.94' |
| L4 | N32°18'45"W | 28.26' |
| L5 | N69°39'05"W | 14.15' |

LEGEND:

- SET PK NAIL AND WASHER STAMPED L.S. 4768
- SET 2" BRASS DISK STAMPED L.S. 4768 IN CONCRETE MONUMENT WELL
- ⊙ SET 1" X 18" IRON PIPE, WITH BRASS TAG STAMPED L.S. 4768, OR A LEAD AND TAG STAMPED L.S. 4768 ON A 4.00' OFFSET. ALL POINTS OF CURVATURE AND ANGLE POINTS ALONG THE STREET RIGHT-OF-WAY ARE MEASURED RADIAL OR RIGHT ANGLES, UNLESS OTHERWISE NOTED.
- ⊙ SET WITNESS CORNER, 1" X 18" IRON PIPE WITH BRASS TAG STAMPED, L.S. 4768 ON A 1.00' OFFSET FROM PROPERTY CORNER, UNLESS OTHERWISE NOTED.
- ⊙ FOUND MONUMENT AS NOTED
- 1" IRON PIPE, L.S. 4768 TO BE INSTALLED PER CASTLE OAKS VILLAGE 8A, 10-5-20 UNLESS OTHERWISE NOTED
- S.F. SQUARE FOOT
- P.U.E. PUBLIC UTILITY EASEMENT
- P.F.E. PUBLIC FACILITIES EASEMENT
- (R) RADIAL LINE
- R&M RECORD AND MEASURED
- N.A.P.O.T.S. NOT A PART OF THIS SUBDIVISION
- SUBDIVISION BOUNDARY
- CENTERLINE
- RIGHT OF WAY
- LOT LINE
- EASEMENT



FINAL SUBDIVISION MAP NO. 169 CASTLE OAKS VILLAGE 8B

BEING THE DESIGNATED REMAINDER PARCEL OF CASTLE OAKS VILLAGE 8A, FILED FOR RECORD ON SEPTEMBER 22, 2020, IN BOOK 10, PAGE 20 OF OFFICIAL RECORDS OF AMADOR COUNTY, CALIFORNIA.

CITY OF IONE COUNTY OF AMADOR CALIFORNIA
MARCH, 2021

NIV5

NOT RECORDED AND NOT VALID FOR RECORDING PURPOSES

JOB NO.: SAB014812

SHEET 4 OF 6

APN: 005-320-033 & 47

FINAL SUBDIVISION MAP NO. 169 CASTLE OAKS VILLAGE 8B

BEING THE DESIGNATED REMAINDER PARCEL OF CASTLE OAKS VILLAGE 8A, FILED FOR RECORD ON SEPTEMBER 22, 2020, IN BOOK 10, PAGE 20 OF OFFICIAL RECORDS OF AMADOR COUNTY, CALIFORNIA.

CITY OF IONE COUNTY OF AMADOR CALIFORNIA

MARCH, 2021

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- 1" IRON PIPE, L.S. 4768 TO BE INSTALLED PER CASTLE OAKS VILLAGE 8A, 10-5-20 UNLESS OTHERWISE NOTED

S.F. SQUARE FOOT

(R) RADIAL LINE

R&M RECORD AND MEASURED

N.A.P.O.T.S. NOT A PART OF THIS SUBDIVISION

A.R.S.A. AMADOR REGIONAL SANITATION AUTHORITY

ACCESS RIGHTS RELINQUISHED HEREON

SUBDIVISION BOUNDARY

CENTERLINE

RIGHT OF WAY

LOT LINE

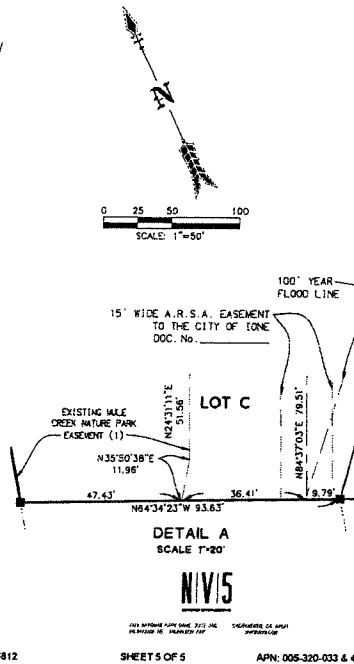
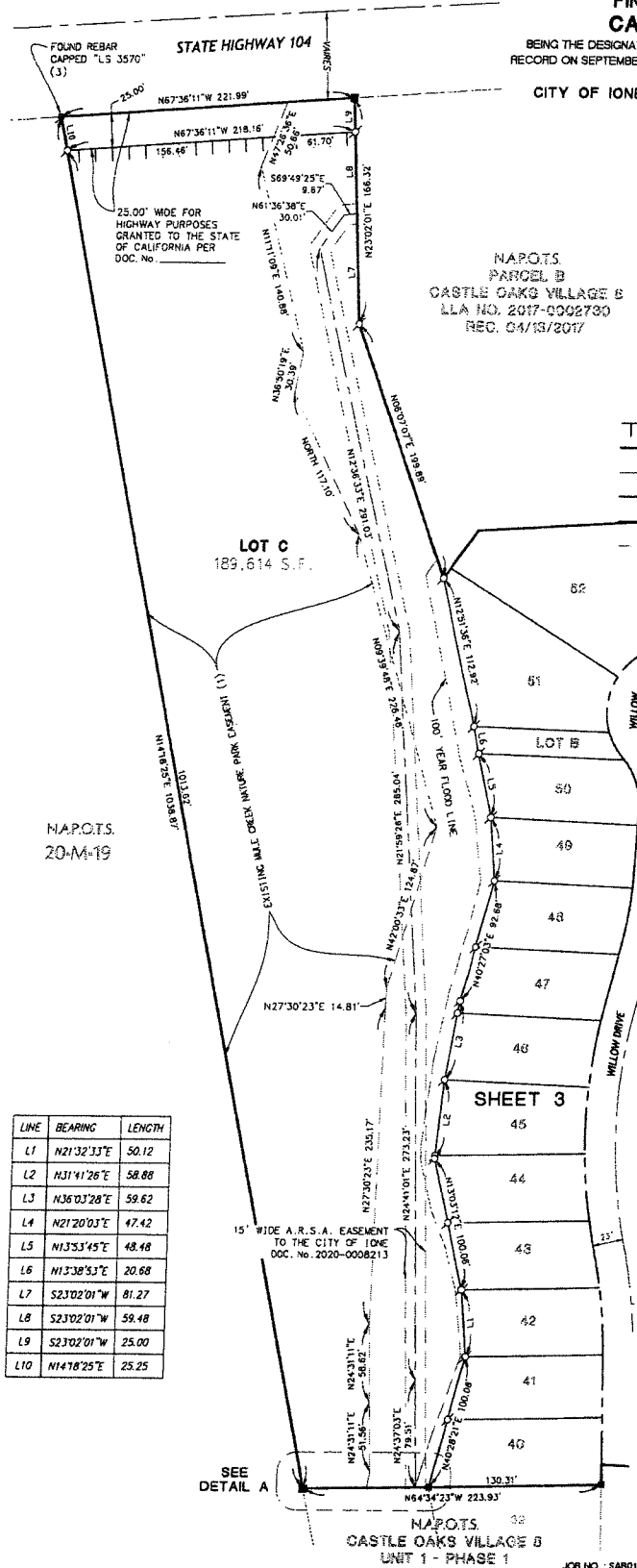
EASEMENT

NOTES:

1. TOTAL AREA OF THIS SUBDIVISION IS 13.74 ± ACRES, CONSISTING OF 51 RESIDENTIAL LOTS AND 3 OPEN SPACE LOTS.
2. ALL CURVES ARE DIMENSIONED WITH RADIUS, DELTA, AND ARC LENGTH. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
3. LOTS C SHOWN HEREON ARE HEREBY DEDICATED IN FEE FOR OPEN SPACE PURPOSES.

REFERENCES:

- (1) CASTLE OAKS UNIT NO. 1, 6-5-81
- (2) GRANT DEED, 2017-0002730 D.R.
- (3) CASTLE OAKS VILLAGE 8A, 10-5-20





**SUBDIVISION IMPROVEMENT AGREEMENT
CASTLE OAKS VILLAGE 8B**

THIS SUBDIVISION IMPROVEMENT AGREEMENT ("Agreement"), made and executed this 16th day of March, 2021, by and between Riverland Homes, Inc., hereinafter referred to as "Subdivider" and The City of Ione, a municipal corporation, acting by and through its City Council, hereinafter referred to as "CITY."

W I T N E S S E T H

A. SUBDIVIDER is the owner of that certain tract of land situated in the City of Ione, County of Amador, State of California, generally known as Castle Oaks Village 8B; and

B. SUBDIVIDER proposes to do and perform certain work of improvement thereon and adjacent thereto as hereinafter set forth; and

C. CITY requires said proposed improvements be done in a good and workmanlike manner and in accordance with the laws now in force and effect in the CITY; and

D. WHEREAS, a final map of said Castle Oaks Village 8B has been prepared in accordance with the provisions of City Code has been filed by SUBDIVIDER with CITY:

E. NOW, THEREFORE, in consideration of the approval and acceptance by the City Council of the CITY of said final map and the covenants therein contained, the parties hereto mutually agree as follows:

1. GENERAL REQUIREMENTS

SUBDIVIDER shall, at his own expense, complete all improvements as set forth below to the satisfaction of the CITY within twenty-four (24) months of the date of this agreement at an estimated cost of \$750,926.00 as set forth on Exhibit A attached hereto and made a part hereof. Improvements as proposed herein consist of streets, storm drains, sewer and utility improvements as set forth on the approved Improvement Plans for Castle Oaks Village 8 with the approval date of April 30, 2020 sheets 1 through 17 (the "Improvement Plans") and joint trench utility work Composite Utility Plans for Castle Oaks Village 8 dated March 30, 2020 sheets 1 through 2 (the "Joint Trench Plans"), as may be amended by mutual agreement of the parties.

All improvements shall be completed in accordance with the following:

- A. Planning Commission Conditions of Approval as set forth in the Subdivision Map Approval
- B. Chapter 16 of the City Code and City Improvement Standards
- C. Improvement Plans and Joint Trench Plans.
- D. Agreements between developer and PG&E/AT&T to be entered into by SUBDIVIDER at a date following execution of this Agreement

2. DEFINITION AND OWNERSHIP OF IMPROVEMENTS

SUBDIVIDER will pay for all plan checking and inspection costs. It is further understood that the sewer and designated road improvements will be dedicated to the CITY and designated improvements will be maintained by the CITY. Said sewer and designated road improvements will become the sole and exclusive property of the CITY upon acceptance of said improvements by the CITY.

3. TIME OF COMPLETION

a. All of said improvements shall be completed within twenty-four (24) months from the date of this agreement. In the event SUBDIVIDER fails to complete the improvements within said twenty-four (24) months, the CITY may require the SUBDIVIDER or his Surety to pay for the completion of said improvements.

b. If the construction of the onsite and offsite public improvements required of Subdivider by this Agreement is delayed (such as acts of God, or acts of the public enemy, fire, floods, epidemics, quarantine restrictions, strikes or labor disputes, shortage of materials, sabotage, freight embargoes, inclement weather (defined herein only as weather conditions sufficient to prevent construction activities), permit or connection moratoriums instituted by public agencies or utility companies, subsurface or latent physical condition, discovery of historical or archaeological items not previously known, acts of other utility companies related to the removal, relocation or installation of utilities.), upon written request to the City Administrator, the time for the completion thereof may be extended by the City for such period as caused by the delay, which extension may not be unreasonably withheld or delayed. The securities required of Subdivider by this Agreement shall be required by Subdivider to remain in effect throughout any extension.

4. SECURITY

SUBDIVIDER shall file with CITY, improvement security in accordance with Section 16.44, Improvement Security, of the City Code and City Improvement Standards in the form of a Performance Bond and Labor and Material Bond, each for an amount not less than 100% of the total improvement cost as set forth in Exhibit "A". Upon completion of improvements as set forth herein, SUBDIVIDER shall provide a maintenance bond in the amount of 10% of the improvements to be maintained by the City.

5. [Intentionally left blank.]

6. RELEASE OF SECURITY

When substantial portions of improvements have been completed or other security provided therefore, the City Administrator may authorize release of security commensurate therewith. All requests for security release shall be by SUBDIVIDER in writing.

7. INSPECTION COSTS

SUBDIVIDER agrees to pay to CITY, prior to recording subdivision map, all inspection costs in accordance with the City Code., City Improvement Standards and the most recently adopted fee schedule.

8. EFFECTIVE DATE OF CONTRACT

It is understood that the final map will be approved by the City Council and will be recorded by the County Recorder of the County of Amador. The date of recording will be the effective date of this agreement.

9. LIABILITY FOR NON-PERFORMANCE AND PERSONAL INJURIES

Neither the CITY nor any of its officers shall be liable to the SUBDIVIDER or its contractors for any error or omission arising out of or in connection with any work performed under this agreement. The CITY shall not be liable to the SUBDIVIDER or any other person whatsoever for any injury or damage that may result to any person or property in the performance of this agreement.

10. RELEASE AND INDEMNIFICATION

The SUBDIVIDER hereby releases and agrees to indemnify the CITY and any of its representatives, harmless from and against any injuries, deaths, damage, and liability whatsoever resulting from the performance or non-performance of any work to be done in and upon the street right-of-ways in said Subdivision and upon the premises adjacent thereto pursuant to this agreement, and also from any injuries and deaths of persons and injuries to property or other interests and all claims howsoever same may be caused and whensoever the same may appear, either directly or indirectly, made or suffered by SUBDIVIDER or his agents while engaged in the performance of said work. SUBDIVIDER'S contractors shall furnish to CITY evidence of an insurance policies which meet with the approval of the CITY.

The minimum scope and limits of such policies shall be as follows:

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

Minimum Limits of Insurance

Contractor shall maintain limits no less than:

1. Commercial General Liability (CGL): Insurance Services Office (ISO) Form CG 00 01 12 07 covering CGL on an "occurrence" basis, including products-completed operations, personal & advertising injury, with limits no less than \$2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

2. Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$2,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation: as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

Said policies shall be in favor of SUBDIVIDER or its contractors and of CITY. Said policies shall state by their terms and by an endorsement that said policies shall not be cancelled until CITY shall have a least thirty (30) days notice in writing of such cancellation.

11. LIABILITY OF SUBDIVIDER

SUBDIVIDER agrees that the use for any purpose and by any person of any and all improvements hereinbefore specified shall be at the sole risk of the SUBDIVIDER until improvements are dedicated and accepted by City, or Amador Water Agency as may be appropriate, or the filing of Notice of Completion in accordance with Section 22 of this Agreement.

12. SUBDIVIDER'S EXPENSES

Installation and connection of private utilities by SUBDIVIDER or builders shall be done at SUBDIVIDER'S expense in accordance with City Code.

13. CHARGES AND FEES

All parcels served by these improvements, upon application for sewer service or building permit, shall be subject to all CITY charges and fees in effect at the time application for service or permit is made.

14. CONSTRUCTION

SUBDIVIDER shall cause the improvements to be constructed by a properly licensed contractor or licensed contractors, without expense to CITY, and CITY shall not be responsible for any of the cost of said sewer, storm drain or road improvements or for the performance or nonperformance of the work of construction of said improvements, and the SUBDIVIDER shall hold CITY free and harmless from any claim or liability resulting from or arising out of the construction work. The SUBDIVIDER is not acting as a contractor, agent, official or representative of CITY in constructing or providing such improvements or associated facilities or in causing such improvements and facilities to be installed. This Agreement simply provides for the transfer and assumption of responsibility for such improvements and facilities upon performance of all terms of this Agreement. The approval of the plans and specifications as presented by SUBDIVIDER shall not be deemed as a warranty or guarantee by CITY of proper design or proper specifications of materials or construction. CITY specifically relies upon the design and specifications, as prepared, as being in accordance with the conditions of the geography and as having specific materials and equipment of the highest practicable quality and character.

15. NOTIFICATION OF DEVIATIONS OR FAILURES

a. CITY agrees to notify SUBDIVIDER in writing as to any deviations or failure in construction of the improvements pursuant to said plans and specifications and requirements of said CITY as soon as any deviation is brought to CITY's attention, and SUBDIVIDER shall immediately cause such deviation or failure to be corrected at the sole cost of SUBDIVIDER for a period of twelve (12) months following acceptance by City or filing of Notice of Completion, as appropriate.

b. CITY is not, by inspection of the construction or installation of the subject facilities, representing SUBDIVIDER or providing a substitute for inspection and control of the work by SUBDIVIDER. Any inspections and observations of the work by CITY are for the sole purposes of providing notice of the stage and character of the work. The failure of the CITY to note variances from the plans and specifications

for the project does not excuse or exempt SUBDIVIDER from complying with all terms of the approved plans and specifications.

16. CONVEYANCE

Upon completion of the improvements in a manner meeting CITY's approval, SUBDIVIDER shall immediately convey said improvements and title thereto, free and clear of any liens, encumbrances, and expense to CITY by such conveyances and documents approved by CITY together with:

- A. As-built plans as set forth in Paragraph 25 of this agreement.
- B. All easements and rights-of-ways reasonably required by CITY.

17. APPLICATION FOR SEWER OR WATER SERVICE

No water shall be delivered to or conveyed by or through any water system improvements and no sewerage will be discharged into sewerage improvements, other than for testing purposes, until said sewer and water system improvements are conveyed to Amador Water Agency and CITY, formally accepted by CITY, and proper applications for sewer or water service are made and accepted. Sewer connection fees shall be for the amount in effect when building permits are issued.

18. OBLIGATIONS FOR PIPELINE AND FACILITIES

Subject to the provisions of the Resolution and Ordinance described in subparagraphs 1A. through 1B., CITY shall be under no obligation to provide additional pipelines and facilities in order to serve SUBDIVIDER's project. Upon acceptance of the improvements by CITY, they shall become the sole property of CITY and shall be used and operated at CITY's sole discretion. The existing sewer facilities that cross property may be operational during the course of contractor's work and shall be protected from damage. No connections will be made to existing improvements until approved by City and a City representative is present to inspect the work. No water,

debris, construction materials, or discharges of any type will be allowed to enter the existing pipeline without prior written approval of City, which approval shall not be unreasonably withheld or delayed.

19. RULES AND REGULATIONS

Subject to the provisions of the Resolution and Ordinance described in subparagraphs 1A. and 1B., upon improvements being accepted by CITY, SUBDIVIDER together with his heirs, successors, and assigns, shall be subject to and shall comply with all rules and regulations of CITY and shall pay the fees, rates, tolls, and charges established by the City Council from time to time. Attention is directed to paragraphs 13 and 17.

20. APPROVAL BY CITY ENGINEER

It is mutually agreed by the parties hereto that the City Engineer shall have the right to reject any or all of the work performed under this contract when such work does not conform with the approved plans and specifications and amendments thereto, City as set forth herein in Section 1. However, City Engineer must inform SUBDIVIDER in writing of the specific work that did not conform with the approved plans and specifications prior to rejection.

21. OBLIGATIONS OF SUBDIVIDER

It is the obligation of the SUBDIVIDER to perform work strictly in accordance with the approved plans and specifications. SUBDIVIDER warrants that the plans and specifications as set forth herein in Section 1, and that they are adequate to accomplish the work, and SUBDIVIDER also warrants it will complete all improvements in a good and workmanlike manner in accordance with standard construction practices.

22. NOTICE OF COMPLETION

For improvements to be dedicated to the City, SUBDIVIDER shall, upon completion and acceptance of improvements by CITY, or Amador Water Agency, as may be appropriate, file a Notice of Completion of the improvements. The Notice of Completion on all other improvements may be filed by Subdivider as appropriate.

23. CERTIFICATIONS OF SATISFACTORY COMPLETION

Upon receipt of notice of satisfactory completion from the City Engineer, the City Council shall approve said improvements as being completed.

24. ASSIGNMENT

This contract shall not be assignable by SUBDIVIDER without the written consent of the CITY, which consent shall not be unreasonably withheld or delayed.

25. FILING OF "AS-BUILT" PLANS

Upon completion of the improvements and prior to acceptance of the storm drain, sewer, and road improvements by CITY, SUBDIVIDER shall supply CITY with one (1) mylar set of "as-built" drawings. Said drawings shall be certified by the SUBDIVIDER's engineer as being "as-built" and shall reflect the job as actually constructed, with all changes incorporated therein.

26. BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

a. Building permits will be issued for any lot within this subdivision and combustible materials will be stored on site when the temporary water supply is approved by the lone Fire Chief.

b. No Certificate of Occupancy will be issued for any improvement on any lot within this subdivision until all improvements required under this Agreement have been completed and accepted by CITY.

c. CITY reserves the right to suspend work on any building permit when CITY determines such work conflicts with the obligations set forth herein including but not limited to conflicts between building contractors and subdivision improvement contractor.

27. HEIRS, SUCCESSORS, OR ASSIGNEES

This contract shall be binding on the heirs, successors, or assignees of each party.

EXECUTED this 16th day of March, 2021, in the City of Ione, County of Amador, State of California.

CITY:

SUBDIVIDER:

Stacy Rhoades, Mayor

By _____

Riverland Homes, Inc.

ATTEST:

City Clerk

APPROVED:

City Attorney
As to Form

John Wanger, City Engineer
As to Improvement Cost Estimate

11

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Placer)

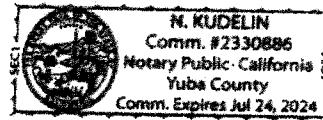
On March 2, 2021 before me, N. Kudelin, Notary Public,

personally appeared, Tanner B. Jenkins

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



N. Kudelin
Notary Public Signature

Seal

OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT

Title or Type of Document _____

Date of Document _____ Number of Pages _____

Signers(s) Other Than Named Above _____

To order supplies contact the Academy of Notaries Public at www.notary-courses.com or call (916) 722-1633

EXHIBIT A
CASTLE OAKS VILLAGE 8B
IMPROVEMENT COST ESTIMATE

ENGINEER'S ESTIMATE OF PROBABLE COST
CASTLE OAKS VILLAGE 8B

Based on 43 lots, plus Lots A, B and C

CONSTRUCTION COST ESIMATE SUMMARY

| | Overall Cost |
|---|--------------|
| Streetwork | \$ 304,236 |
| Sanitary Sewer | \$ 128,350 |
| Storm Drain System | \$ 66,024 |
| Streetlights | \$ 15,000 |
| Joint Trench (backfill and compaction only) | \$ 169,050 |
| Subtotal Construction | \$ 682,660 |
| Contingency | \$ 68,266 |
| Total Amount for Bonding | \$ 750,926 |

Agenda Item

#3

DATE: March 16, 2021

TO: Ione City Council

FROM: April Wooden, City Planner

SUBJECT: Discussion of Draft Ordinance amending the Zoning Text regarding Short-Term Rentals and Bed and Breakfast Inns.

RECOMMENDED ACTION: Staff recommends that the City Council discuss the Revised Draft Ordinance and direct staff to set a public hearing for the item on April 6, 2021.

Motion: _____ / _____.

FISCAL IMPACT: Uses such as short-term rentals and bed and breakfast inns are subject to the transient occupancy tax, as set forth in the Ione Municipal Code, Chapter 5.06, potentially generating revenue for the City. It is not anticipated that enforcement of the provisions of this ordinance would require any additional staffing.

BACKGROUND: At its meeting on March 2, 2021, the City Council discussed moving forward with a zoning text amendment to permit short-term rentals in the City of Ione. Staff has made revisions to the draft ordinance consistent with direction from the City Council to allow the review and approval of administrative conditional use permits for those proposed short-term rentals that meet the criteria established in the ordinance.

In 2019, an ordinance regulating short-term rentals (STRs) in the City was prepared for consideration by the Planning Commission. Additionally, Staff prepared a memo for Planning Commission and presented the issue as a discussion item at the Commission's October 8, 2019 meeting. Public hearings on the item were held by the Planning Commission on December 10, 2019, and March 10, 2020. A public hearing for first reading of the ordinance by the City Council was held on April 21, 2020. Due to concerns regarding the adoption of the ordinance permitting short-term rentals in the City during the pandemic, the Council decided to table the ordinance and have staff bring it back for consideration at a future date.

DISCUSSION: The draft ordinance updates Tables 17.22.030-1 and 17.24.030-1 to allow for the operation of STRs in:

- The agricultural zoning district;
 - All residential zoning districts except the mobile-home park district;
 - The PD zoning district; and
 - Commercial districts C-T and C-2.
-
- Every short-term rental would require a business license.

- STRs within agricultural and residential districts would require an approved Administrative Conditional Use Permit to operate. STRs that met the development standards would be approved administratively, without a planning commission public hearing being required.
- STRs within the C-T commercial district would require an approved Conditional Use Permit reviewed and approved by the planning commission.
- STRs within the C-2 commercial district located within a legal residential unit would require only a business license.
- All STRs would require a valid business license.
- All permits would need to be renewed annually.

The site design and parking available at a STR location should not negatively affect the aesthetics or functionality of the surrounding neighborhood. The design, architecture, and any improvements would be compatible and harmonious with the character of the neighborhood. On-site parking requirements for hosted STRs would be one space for each two guest rooms and would not include the parking space already required by Chapter 17.40; at nonhosted STRs, one on-site parking space would be required for each guest room and if the garage is used to meet the parking requirement then the garage would be required to be accessible to guests. Finally, bed and breakfast inns shall provide on-site parking for each two guest rooms in addition to the on-site parking required under Chapter 17.40. Off-site parking located on the street would be permitted in lieu of only one on-site parking space as previously detailed.

Quiet hours between 10:00 p.m. and 7:30 a.m. would be required, and owners would be required to include details about quiet hours in their rental agreements and in online advertisements and listings. Visitors of guests would not be permitted on the premises during quiet hours. Outdoor amplified sound would be prohibited as would nuisance noise by unattended animals.

Rental agreements and guest stays would be limited to 30 days and would require a seven-day period between stays.

All advertisements and listings for STRs or bed and breakfast inns would be required to include the following: maximum occupancy, maximum number of vehicles, notification of quiet hours, notification that amplified sound is not allowed outdoors, the transient occupancy tax for the property, and the complaint/ enforcement process.

The complaint process would include the following: the initial complaint would be directed to the owner or agent who shall document the complaint and the resolution or attempted resolution to the City Planner within 72 hours of the occurrence. Nonresponse to complaints or a failure to report them to the City Planner would be cause for revocation of the permit. If the issue reoccurred, the complaint would be addressed to the City Planner or code enforcement, they may conduct an investigation. If a permit is revoked, a conditional use permit for STR or bed and breakfast inns on that property would not be issued for at least two years.

Attachments:

- Exhibit A – Revised Draft Ordinance amending Title 17 Zoning Text, including Section 17.22.020, Table 17.22.030-1, Section 17.24.030, Table 17.24.030-1, Chapter 17.64, Section 17.80.020, and Section 17.82.020 regarding Short-Term Rentals and Bed and Breakfast Inns.

ATTACHMENT A

CITY OF IONE

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IONE AMENDING THE IONE MUNICIPAL CODE, TITLE 17 ZONING, ADDING CHAPTER 17.64; AND REVISING SECTION 17.22.030 (Table 1), SECTION 17.24.030 (Table 1) AND SECTION 17.800.020 REGARDING SHORT-TERM RENTALS AND BED AND BREAKFAST INNS.

1. Table 17.22.030-1 is revised as shown below to allow short-term rentals, subject to an administrative conditional use permit or a conditional use permit and requirements identified in Chapter 17.64, in all residential zones and to apply the requirements identified in Chapter 17.64 to bed and breakfast inns.

17.22.030 - Allowed land uses and permit requirements.

Table 17.22.030-1 Allowed uses and permit requirements for agricultural and residential zoning districts below identifies allowed uses and corresponding permit requirements for the agricultural and residential zoning districts subject to compliance with provisions of this title. Descriptions/definitions of the land uses can be found in Article 5 (Glossary).

Use regulations in the table are shown with representative symbol by use classification listing: "P" symbolizes uses allowed by right, "C" symbolizes uses that require approval of an administrative conditional use permit or conditional use permit, and "N" symbolizes uses that are not permitted.

Table 17.22.030-1: Allowed Uses and Permit Requirements for Agricultural and Residential Zoning Districts

| Land Use/Zoning District | A | R-1a | R-1b | R-1c | R-2 | R-3 | R-4 | MP |
|--------------------------|---|------|------|------|-----|-----|-----|----|
| Residential Uses | | | | | | | | |
| Adult Day Care Home | N | P | P | P | P | P | P | N |

| Land Use/Zoning District | A | R-1a | R-1b | R-1c | R-2 | R-3 | R-4 | MP |
|--|---|------|------|------|-----|-----|-----|----|
| Caretaker Housing | P | P | P | P | P | P | P | P |
| Dwelling, Multifamily | N | N | N | N | P | P | P | N |
| Dwelling, Second Unit | P | P | P | P | P | P | P | P |
| Dwelling, Single Family | P | P | P | P | P 1 | P 1 | N | N |
| Dwelling, Two-Family | N | N | N | N | P | P | P | N |
| Dwelling, Three- and Four-Family | N | N | N | N | P | P | P | N |
| Emergency Shelter | N | N | N | N | N | N | C | N |
| Employee Housing | P | N | N | N | N | N | N | N |
| Family Day Care Home, Large | C | C | C | C | C | C | C | C |
| Family Day Care Home, Small | P | P | P | P | P | P | P | P |
| Group Residential | N | N | N | N | C | C | P | N |
| Guest House | P | P | P | P | P | N | N | N |
| Home Occupations | P | P | P | P | P | P | P | P |
| Live-Work Facility | N | N | N | N | C | C | C | N |
| Manufactured Home | P | P | P | P | P | P | P | P |
| Mobile Home | N | N | N | N | N | N | N | P |
| Mobile Home Park | N | N | N | N | N | N | N | P |
| Residential Care Home | P | P | P | P | P | P | P | P |
| Single Room Occupancy (SRO) Facilities | N | N | N | N | N | C | C | N |
| Supportive Housing | P | P | P | P | P | P | P | P |
| Transitional Housing | P | P | P | P | P | P | P | P |

| Land Use/Zoning District | A | R-1a | R-1b | R-1c | R-2 | R-3 | R-4 | MP |
|--|------------------|------------------|------------------|------------------|-----|-----|-----|----|
| Agriculture, Resource, and Open Space Uses | | | | | | | | |
| Agricultural Tourism | P | N | N | N | N | N | N | N |
| Animal Husbandry | P | N | N | C | N | N | N | N |
| Animal Keeping—Domestic Pets | P | P | P | P | P | P | P | P |
| Animal Keeping—Exotic Animals | P | P | P | P | P | P | P | P |
| Animal Keeping—Livestock Animals | P ^{2,3} | P ^{2,3} | P ^{2,3} | P ^{2,3} | N | N | N | N |
| Animal Keeping—Poultry/Rabbits. < 6 animals | P | P ⁴ | P ⁴ | P ⁴ | N | N | N | N |
| Animal Keeping—Poultry/Rabbits, 6—12 animals | P | C ⁴ | C ⁴ | C ⁴ | N | N | N | N |
| Animal Keeping—Poultry/Rabbits, > 12 animals | P | N | N | N | N | N | N | N |
| Crop Production | P | N | N | N | N | N | N | N |
| Equestrian Facility, Commercial | P | N | N | N | N | N | N | N |
| Equestrian Facility, Hobby | P | N | N | N | N | N | N | N |
| Hog Farm, Commercial | P ⁵ | N | N | N | N | N | N | N |
| Kennels, Hobby | P | N | N | C | N | N | N | N |
| Recreation, Education, and Public Assembly Uses | | | | | | | | |
| Cemeteries, Mausoleums | C | C | C | C | C | C | C | C |
| Clubs, Lodges, and Private Meeting Halls | C | C | C | C | C | C | C | C |
| Community Centers/Civic Uses | C | C | C | C | C | C | C | C |
| Community Garden | P | P | P | P | P | P | P | P |
| Indoor Fitness and Sports Facility | N | N | N | N | N | P | P | P |

| Land Use/Zoning District | A | R-1a | R-1b | R-1c | R-2 | R-3 | R-4 | MP |
|--|---|------|------|------|-----|-----|-----|----|
| Libraries and Museums | C | C | C | C | C | C | C | C |
| Outdoor Commercial Recreation | C | C | C | C | C | C | C | C |
| Parks and Public Plazas | C | P | P | P | P | P | P | P |
| Public Safety Facility | C | C | C | C | C | C | C | C |
| Recreational Vehicle Parks | N | N | N | N | N | N | N | C |
| Religious Institutions | C | C | C | C | C | P | P | C |
| Resource Protection and Restoration | C | C | C | C | C | C | C | C |
| Resource-Related Recreation | C | N | N | N | N | N | N | N |
| Schools, Charter | C | C | C | C | C | P | P | C |
| Schools, Private and Special/Studios | C | C | C | C | C | P | P | C |
| Schools, Public | P | P | P | P | P | P | P | P |
| Utility, Transportation, and Communication Use Listings | | | | | | | | |
| Airport | C | N | N | N | N | N | N | N |
| Bus and Transit Shelters | P | P | P | P | P | P | P | P |
| Heliports | C | C | C | C | C | C | C | C |
| Park and Ride Facility | C | N | N | N | N | C | C | N |
| Public Safety Facility | C | C | C | C | C | C | C | C |
| Wireless Communication Facility | C | C | C | C | C | C | C | C |
| Utility Facility and Infrastructure | P | P | P | P | P | P | P | P |
| Retail, Service, and Office Uses | | | | | | | | |
| Adult Day Care Facility | N | N | N | N | C | P | P | N |

| Land Use/Zoning District | A | R-1a | R-1b | R-1c | R-2 | R-3 | R-4 | MP |
|---------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------|
| Bed and Breakfast Inns | P ⁶ | N | N | C ⁶ | C ⁶ | P ⁶ | P ⁶ | N |
| Child Day Care Facility | C | C | C | C | C | P | P | C |
| Kennels, Commercial | P | N | N | N | N | N | N | N |
| Medical Services, Extended Care | N | N | N | N | N | C | P | N |
| Medical Services, Hospitals | N | N | N | N | C | C | C | C |
| Residential Care Facility | N | N | N | N | C | C | P | N |
| <u>Short-Term Rentals</u> | <u>C⁶</u> | <u>C⁶</u> | <u>C⁶</u> | <u>C⁶</u> | <u>C⁶</u> | <u>C⁶</u> | <u>C⁶</u> | <u>N</u> |

Notes:

1. Single family dwellings are permitted provided the lot size does not exceed 4,000 square feet.
2. Maximum of four animals and their offspring per acre; hogs limited to a total of five and their offspring.
3. Consistent with Chapter 6.06 (Equine and bovine animals), such animals may be maintained provided the exterior boundaries of the pen or stable are at least 100 feet from any school, church, public building, hotel, restaurant, hospital, or other building specially designed or used for the care of the sick or injured or of a residence of any person other than the residence occupied by the owner of the animal or animals. If the distance from the pen or stable is less than 100 feet, then a conditional use permit shall be required.
4. All poultry and rabbits shall be kept consistent with the standards and limitation provided in Chapter 6.08 (Poultry and Rabbits).
5. Limit of 12 of any combination of such animals total. Pen must be setback a minimum of 50 feet of any dwelling or other building used for human habitation, 100 feet from the front lot line, and 100 feet from any public park, school, hospital, or similar institution.
6. Subject to the criteria identified at Chapter 17.64.

(Ord. No. 456, § 3, 2-7-2012; Ord. No. 430, § 2, 10-20-2009; Ord. No. 423, § 2, 4-21-2009)

2. Table 17.24.030-1 is revised as shown below to allow short-term rentals, subject to a conditional use permit and requirements identified in Chapter 17.64, in all residential zones and to apply the requirements identified in Chapter 17.64 to bed and breakfast inns.

17.24.030 - Allowed land uses and permit requirements.

Table 17.24.030-1 (Development standards for commercial and industrial zoning districts) below identifies allowed uses and corresponding permit requirements for the commercial and industrial zoning districts subject to compliance with provisions of this title. Descriptions/definitions of the land uses can be found in Article 5 (Glossary).

Use regulations in the table are shown with representative symbol by use classification listing: "P" symbolizes uses allowed by right, "C" symbolizes uses that require approval of a conditional use permit, and "N" symbolizes uses that are not permitted.

Table 17.24.030-1: Allowed Uses and Permit Requirements for Commercial and Industrial Zoning Districts

| Land Use/Zoning District | C-T | C-1 | C-2 | C-3 | B-P | M-1 | M-2 |
|-----------------------------------|-----|-----|----------------|-----|-----|-----|-----|
| Residential Uses | | | | | | | |
| Adult Day Care Home | P | P | N | N | N | N | N |
| Caretaker Housing | P | P | P | N | N | P | P |
| Dwelling, Multifamily | P | N | P ¹ | N | N | N | N |
| Dwelling, Second Unit | P | N | N | N | N | N | N |
| Dwelling, Single Family | P | N | N | N | N | N | N |
| Dwelling, Two-Family | P | N | P ¹ | N | N | N | N |
| Dwelling, Three- and Four- Family | P | N | P ¹ | N | N | N | N |
| Emergency Shelter | N | N | N | N | N | P | P |

| Land Use/Zoning District | C-T | C-1 | C-2 | C-3 | B-P | M-1 | M-2 |
|--|----------------|-----|----------------|-----|-----|-----|-----|
| Family Day Care Home, Large | C | N | N | N | N | N | N |
| Family Day Care Home, Small | P | P | P | N | N | N | N |
| Group Residential | P | N | N | N | N | N | N |
| Home Occupations | P | N | P | N | N | N | N |
| Live-Work Facility | P | C | P ¹ | N | N | N | N |
| Manufactured Home | N | N | N | N | N | N | N |
| Residential Care Home | P | N | P | N | N | N | N |
| Single Room Occupancy (SRO) Facilities | C | N | P | N | N | N | N |
| Supportive Housing | P | N | P | N | N | N | N |
| Transitional Housing | P | N | P | N | N | N | N |
| Agriculture, Resource, and Open Space Uses | | | | | | | |
| Animal Keeping—Domestic Pets | P | P | P | P | P | P | P |
| Animal Keeping—Exotic Animals | P | P | P | P | P | P | N |
| Animal Keeping—Livestock Animals | N | N | N | N | N | N | N |
| Animal Keeping —Poultry/Rabbits | N | N | N | N | N | N | N |
| Recreation, Education, and Public Assembly Uses | | | | | | | |
| Cemeteries, Mausoleums | N | N | N | N | N | N | N |
| Clubs, Lodges, and Private Meeting Halls | C | P | P | C | N | C | N |
| Community Centers/Civic Uses | C | C | C | N | N | N | N |
| Indoor Amusement/Entertainment Facility | P ² | P | P | P | N | N | N |

| Land Use/Zoning District | C-T | C-1 | C-2 | C-3 | B-P | M-1 | M-2 |
|--|----------------|----------------|----------------|-----|-----|----------------|----------------|
| Indoor Fitness and Sports Facility | P ² | P | P | P | P | P ³ | P ³ |
| Libraries and Museums | C | P | C | N | N | N | N |
| Outdoor Commercial Recreation | C | C | N | P | N | P ³ | P ³ |
| Parks and Public Plazas | P | P | P | P | P | N | N |
| Public Safety Facility | C | C | P | C | C | C | C |
| Recreational Vehicle Parks | N | N | N | C | N | C | N |
| Religious Institutions | P | P | C | C | C | C | N |
| Resource Protection and Restoration | C | C | C | C | C | C | C |
| Resource-Related Recreation | N | N | N | N | N | N | N |
| Schools, Charter | P | C | C | N | C | N | N |
| Schools, Private and Special/Studios | P | P ⁴ | P ⁴ | P | P | C | N |
| Schools, Public | P | P | P | P | P | P | P |
| Theaters and Auditoriums | C | P | P | P | C | C | N |
| Utility, Transportation, and Communication Use Listings | | | | | | | |
| Airport | N | N | N | N | N | C | C |
| Broadcasting and Recording Studios | C | P | P | P | P | P | N |
| Bus and Transit Shelters | P | P | P | P | P | P | P |
| Freight Yard/Truck Terminal | N | N | N | N | N | C ⁵ | P |
| Fuel Storage and Distribution | N | N | N | N | N | C ⁵ | P |
| Heliports | N | N | N | N | N | C | P |
| Park and Ride Facility | N | P | N | P | P | P | P |

| Land Use/Zoning District | C-T | C-1 | C-2 | C-3 | B-P | M-1 | M-2 |
|--|-------------------|-----|-------------------|-----|-----|----------------|-----|
| Parking Facility | N | P | P | P | P | P | P |
| Public Safety Facility | C | C | C | C | C | C | C |
| Transit Facilities | N | N | N | N | N | C ⁵ | P |
| Transit Stations and Terminals | N | P | C | P | P | N | N |
| Utility Facility and Infrastructure | P | P | P | P | P | P | P |
| Wireless Communication Facility | C | C | C | C | C | C | C |
| Retail, Service, and Office Uses | | | | | | | |
| Adult Day Care Facility | P | P | N | P | P | N | N |
| Adult Oriented Businesses | N | N | N | N | N | N | C |
| Alcoholic Beverage Sales | P | P | P | P | P | P | P |
| Ambulance Service | N | C | N | C | N | N | N |
| Animal Sales and Grooming | P | P | P | P | N | N | N |
| Banks and Financial Services | P | P | P | P | P | N | N |
| Bars and Nightclubs | N | P | P | P | N | N | N |
| Bed and Breakfast Inns | P ⁸ | N | P ⁸ | N | N | N | N |
| Building Materials Stores and Yards | N | N | N | P | N | P | N |
| Business Support Services | P ^{2, 6} | P | P ^{2, 6} | P | P | P | N |
| Child Day Care Facility | P | P | P | P | P | C | N |
| Convenience Stores | P | P | P | P | P | N | N |
| Drive-in and Drive-through Sales and Service | N | N | N | P | N | N | N |
| Equipment Sales and Rental | N | P | N | P | N | P | N |

| Land Use/Zoning District | C-T | C-1 | C-2 | C-3 | B-P | M-1 | M-2 |
|--|------------|----------|------------|----------|----------|----------|----------|
| Grocery Stores/Supermarket | N | P | P | P | N | N | N |
| Home Improvement/ Hardware Store | N | P | P 7 | P | N | P | N |
| Hotels and Motels | N | P | P | P | P | N | N |
| Kennels, Commercial | N | C | N | P | N | C | N |
| Maintenance and Repair, Small Equipment | P 2, 6 | P 2 | P 2 | P 2 | P | P | N |
| Medical Services, Extended Care | C | N | N | N | N | N | N |
| Medical Services, General | P 6 | P 6 | P 6 | P | P | N | N |
| Medical Services, Hospitals | N | C | C | P | P | N | N |
| Mortuaries and Funeral Homes | C | P | P | P | N | N | N |
| Offices, Accessory | P | P | P | P | P | P | P |
| Offices, Business and Professional | P 2 | P 6 | P | P | P | N | N |
| Personal Services | P | P | P | P | P | N | N |
| Residential Care Facility | P | C | N | N | N | N | N |
| Restaurants | P 2 | P | P | P | P 2 | P | P |
| Retail, Accessory | P | P | P | P | P | P | P |
| Retail, General | P 6 | P | P | P | N | N | N |
| <u>Short-Term Rentals</u> | <u>C 8</u> | <u>N</u> | <u>P 8</u> | <u>N</u> | <u>N</u> | <u>N</u> | <u>N</u> |
| Smoke Shops | N | C | C 2 | C | N | N | N |
| Tattoo Parlors | N | C | C | C | N | N | N |
| Thrift and Consignment Stores and Pawn Shops | N | C 6 | C 6 | P | N | N | N |
| Veterinary Facility | P | P | P | P | P | N | N |

| Land Use/Zoning District | C-T | C-1 | C-2 | C-3 | B-P | M-1 | M-2 |
|---|-----|-----|-----|-----|-----|----------------|-----|
| Automobile and Vehicle Uses | | | | | | | |
| Auto Vehicle Dismantling | N | N | N | N | N | C | P |
| Auto and Vehicle Sales and Rental | N | N | N | P | N | C | N |
| Auto and Vehicle Sales, Wholesale | N | N | N | N | N | C | P |
| Auto and Vehicle Storage | N | N | N | N | N | C ⁵ | P |
| Auto Parts Sales | N | P | P | P | N | N | N |
| Car Washing and Detailing | N | C | C | P | N | P | N |
| Service Stations | N | C | C | P | N | P | N |
| Vehicle Services, Major | N | C | N | P | N | P | N |
| Vehicle Services, Minor | C | C | C | P | N | P | N |
| Industrial, Manufacturing, and Processing Uses | | | | | | | |
| Agricultural Products Processing | N | N | N | N | N | C | P |
| Manufacturing, Major | N | N | N | N | N | N | P |
| Manufacturing, Minor | C | N | N | N | N | C ⁵ | P |
| Manufacturing, Small Scale | P | N | N | N | P | P | P |
| Printing and Publishing | N | N | N | P | P | P | P |
| Recycling Facility, Collection | N | P | P | P | N | P | P |
| Recycling Facility, Processing | N | N | N | N | N | C ⁵ | P |
| Recycling Facility, Scrap and Dismantling | N | N | N | N | N | C ⁵ | P |
| Research and Development | N | N | N | N | N | P | P |
| Storage, Personal Storage Facility | N | N | N | C | C | P ⁵ | P |

| Land Use/Zoning District | C-T | C-1 | C-2 | C-3 | B-P | M-1 | M-2 |
|------------------------------|-----|-----|-----|-----|-----|----------------|-----|
| Storage, Warehouse | N | N | N | N | N | P ⁵ | P |
| Storage, Yards | N | N | N | N | N | P | P |
| Wholesaling and Distribution | N | N | N | N | N | C ⁵ | P |

Notes:

1. Only allowed as mixed use development as residential in conjunction with and above ground-floor retail, service, or office uses.
2. Not to exceed 5,000 square feet.
3. Allowed only as an ancillary use, not to exceed ten percent of the main building footprint.
4. Only specialty studios and schools (e.g., ballet, yoga, art studios) not exceeding 5,000 square feet are allowed. All other public and private educational institutions, including elementary schools, business schools, secretarial and vocational schools, colleges, and conference centers, are prohibited.
5. Allowed provided the designated Approving Authority can find that adequate screening and landscaping is provided to sufficiently mitigate any possible adverse impacts, including, but not limited to, noise, odor, dust, or other objectionable influences.
6. Maximum tenant space 10,000 square feet.
7. Maximum tenant space 15,000 square feet.
8. Subject to the criteria identified at Chapter 17.64.

(Ord. No. 475 , § 4, 12-15-2015; Ord. No. 435, § 4, 7-20-2010; Ord. No. 430, § 2, 10-20-2009; Ord. No. 423, § 2, 4-21-2009)

3. Chapter 17.64 is added to the Zoning Code to establish standards for short-term rentals and bed and breakfast inns

17.64 Short-Term Rentals and Bed and Breakfast Inns.

A. Permit Requirements.

1. Short-term rentals in residential zones require an administrative conditional use permit approved by the City Planner and are allowed only in the zoning districts identified in Tables 17.22.030-1 and 17.24.030-1. Short term rentals in commercial zones require a conditional use permit reviewed and approved by the planning commission.

2. Bed and breakfast inns are allowed as identified in Tables 17.22.030-1 and 17.24.030-

1.

3. Each conditional use permit issued pursuant to this chapter shall be subject to an annual permit review and extension. No later than one year after the effective date of the permit, the owner or authorized agent shall submit to the City the annual review fee, established by City Council resolution, along with all the permit review forms established by the City. The owner shall document compliance with all requirements of this chapter and shall also document each date on which the bed and breakfast inn or short-term rental rental was rented during the previous term of the permit. The City Planner shall be the designated review authority for annual permit review and extension.

4. A business license or a conditional use permit for a short-term rental or a bed and breakfast inn may be revoked for failure to comply with adopted standards, subject to adopted administrative and revocation procedures.

B. Criteria. The following criteria shall apply to all bed and breakfast inns and short-term rentals. In the event that the following criteria cannot be met, a non-administrative conditional use permit approved upon application and review by the planning commission shall be required.

1. Site Design and Parking.

a. The site design, architecture, and any improvements shall be compatible with the neighborhood in terms of landscaping, scale, and architectural character. The operation of the use, and any physical improvements related to it, shall be harmonious and compatible with the existing uses within the neighborhood.

b. Parking.

i. Hosted Short-Term Rental: One parking space shall be provided on-site for each two guest rooms in a hosted short-term rental in addition to the on-site parking required under Chapter 17.40.

ii. Nonhosted Short-Term Rental: One on-site parking space shall be provided for each guest room in the short-term rental. If a garage is used to meet the parking requirement for the sleeping rooms or guest bedrooms, the garage shall be accessible to guests of the short-term rental.

iii. Bed and Breakfast Inn: One parking space shall be provided on-site for each two guest rooms in a bed and breakfast inn in addition to the on-site parking required under Chapter 17.40.

iv. Off-site parking located on the street frontage adjacent the use may be allowed in lieu of a maximum of one on-site parking space required by the above paragraphs.

c. Pools, hot tubs, and outside gathering areas shall be adequately screened from adjacent properties to minimize noise and lighting impacts and shall have the hours of operation clearly posted adjacent to the facility.

2. Occupancy. The maximum occupancy by guests, including any visitors of guests, shall be up to a maximum of two persons per guest room, plus an additional two persons per subject property. Daytime visitors shall not be on the property during quiet hours.

3. Noise Limits.

a. Outdoor amplified sound is prohibited.

b. All activities associated with the use shall meet the noise standards identified at Chapter 9.16. Quiet hours shall be from 10:00 p.m. to 7:30 a.m. The property owner shall ensure that the quiet hours are included in rental agreements and in all online advertisements and listings.

c. Nuisance noise by unattended pets is prohibited.

4. Guest stays shall be limited to a maximum of 30 days, with a seven-day period between stays.

5. Owner and Authorized Agent Availability and Responsiveness.

a. The owner or the authorized agent shall be available by telephone at all times, 24 hours per day, when a guest room is rented.

b. The owner or the authorized agent must be on the premises of the short-term rental unit or bed and breakfast inn within one hour of being notified by a renter, by the City Planner, City Manager, or other City staff, or a law enforcement officer that there is a need for the owner or the authorized agent to address an issue of permit compliance or the health, safety, or welfare of the public or the renter.

6. A business license is required, as set forth in Chapter 5.06.
7. The use shall be subject to the transient occupancy tax, as set forth in Chapter 5.06.
8. The use shall be in permitted dwellings and shall not be allowed in non-habitable structures or in tents, vehicles, or other structure, features, or provisions intended for temporary occupancy.
9. Posting and Neighbor Notification of Permit and Standards. Once a short-term rental permit or bed and breakfast inn conditional use permit or administrative conditional use permit has been approved, a copy of the permit listing all applicable standards and limits and identifying contact information for the owner or authorized agent, including a phone number at which the owner or authorized agent can be reached 24 hours per day, shall be posted within the subject property. These standards shall be posted in a prominent place within 6 feet of the front door of the short-term rental or bed and breakfast inn, and shall be included as part of all rental agreements. At the permit holder's expense, the City shall provide mailed notice of permit issuance to property owners and immediate neighbors of the subject property using a 300-foot property radius owner mailing list.
10. Requirements for All Advertisements and Listings. All advertisements and/or listings for the short-term rental or bed and breakfast inn shall include the following:
 - a. Maximum occupancy;
 - b. Maximum number of vehicles;
 - c. Notification that quiet hours must be observed between 10:00 p.m. and 7:30 a.m.;
 - d. Notification that no outdoor amplified sound is allowed; and,
 - e. The transient occupancy tax certificate number for that particular property.

C. Complaint and Enforcement Process.

1. Initial complaints on short-term rentals or bed and breakfast inns shall be directed to the owner or authorized agent. The owner or authorized agent shall be available by phone 24 hours during all times when the property is rented. Should a problem arise and be reported to the owner or authorized agent, the owner or authorized agent shall be responsible for contacting the tenant to correct the problem within 60 minutes, including visiting the site if necessary to ensure that the issue has been corrected.

The owner or authorized agent shall document the complaint, and their resolution or attempted resolution(s), to the City Planner within 72 hours of the occurrence.

Failure to respond to complaints or report them to the City Planner shall be considered a violation of this section, and shall be cause for revocation of the permit.

If the issue reoccurs, the complaint will be addressed by the City Planner or code enforcement officer who may conduct an investigation to determine whether there was a violation of a zoning standard or conditional use permit condition. Police reports, online searches, citations, or neighbor documentation consisting of photos, sound recordings and video may constitute proof of a violation. If the City Planner verifies that a zoning or conditional use permit condition violation has occurred, a notice of violation may be issued and a penalty may be imposed in accordance with Chapter 17.14. At the discretion of the City Planner, a conditional use permit may be scheduled for a revocation hearing with the Planning Commission. If the permit is revoked, a conditional use permit for a short-term rental or bed and breakfast inn on that particular property may not be reapplied for or issued for a period of at least two years.

2. Upon receipt of any combination of three administrative citations or City Planner determinations of violation of any of the permit requirements or performance standards issued to the owner or occupants at the property within a two-year period, any short-term rental or bed and breakfast inn permit is summarily revoked, subject to prior notice and to appeal, if appeal is requested pursuant to the appeals section of the Zoning Code. Should such a revocation occur, an application to reestablish a short-term rental or bed and breakfast inn at the subject property shall not be accepted for a minimum period of two years.

3. A short-term rental or bed and breakfast inn that is determined to be operating without the necessary permit required under this section shall be subject to a penalty of four times the normal application fee.

C. Findings. The decision-making body may approve a permit for a short-term rental or bed and breakfast inn, with or without conditions, if all of the following findings are made:

1. The proposed use is consistent with the standards established by this chapter and will not detrimentally affect the health, safety, or welfare of the surrounding neighborhood or area.

2. Approval of the use will not result in an over concentration of such uses in a neighborhood.

3. There is adequate parking for all guests and operators to park on the subject property in accordance with Chapter 17.40.

4. Approval of the use will result in the preservation of the residential design and scale of the structures on the subject property and will maintain the residential character of the neighborhood.

6. The approval of the permit would not result in an adverse effect to the City's affordable housing stock.

4. Section 17.800.020, general definitions, is revised to include the definition of authorized agent.

Authorized Agent. means the person specifically authorized by an owner to represent and act on behalf of the owner and to act as an operator, manager, and contact person of a non-hosted short-term rental, and to provide and receive any notices identified in this section on behalf of the owner, applicant, permittee, or authorized agent.

5. Section 17.800.020, allowed use definitions, is revised to amend the definition of bed and breakfast inns and to include the definition of authorized agent.

Bed and Breakfast Inns. ~~A r~~Residential structures with one family in permanent residence with up to five ~~guest rooms~~bedrooms rented for overnight lodging, where at least one daily meals is may be provided to guests subject to applicable health department regulations. The owner or authorized agent shall stay overnight at the bed and breakfast inn while any guest rooms are occupied. A bed and breakfast inn with more than five guest rooms is considered a hotel or motel, and is included under the definition of "hotels and motels."

Short-term rental. Any transient occupancy use of 30 days or less of a dwelling unit or accessory dwelling unit for which the City has issued a short-term rental permit pursuant to this section. The term "short-term rental" shall be used to include all hosted short-term rentals and all nonhosted short-term rentals.

1. Hosted short-term rental means a short-term rental business for which the owner or authorized agent resides at the short-term rental unit and stays overnight at the short-term rental unit while it is being rented.
2. Nonhosted short-term rental means a short-term rental business for which the owner or authorized agent is not required to reside at the short-term rental unit which is rented for transient occupancy pursuant to this section.

Agenda Item

#4

DATE: March 8, 2021

TO: Honorable Mayor Rhoades and Members of the Lone City Council

FROM: Lori McGraw, Interim City Manager/Finance Director

SUBJECT: Approval of Public Works Maintenance Building Repair

RECOMMENDED ACTION:

Council is being asked to authorize staff to enter into an agreement with Gideon Fence Inc. in the amount of \$8,160.00 to repair damage to the City Corp Yard Maintenance Building and Fence. A portion of this cost may be covered by the City's Insurance policy.

Motion: _____/_____.

FISCAL IMPACT:

Expenditure will be charged to existing budgeted line items by eliminating projects that are not currently in progress. It is currently estimated the City will be responsible for \$3,160 of these costs.

BACKGROUND:

A vehicle lost control on 5-Mile Drive and ran through the fence at the Corp Yard before hitting the corner of the maintenance building. The driver did not have insurance and therefore the City will be required to cover at least a portion of the cost of repairs. The City insurance policy has a \$5,000. deductible. Information regarding this claim has been provided to the insurance company.

Two bids were obtained to complete these repairs, the attached estimate along with a second bid totaling \$12,500. Both estimates were submitted by local businesses.

Attachments:

Gideon Fence Inc. Estimate
Photos of accident scene

Gideon Fence Inc. file

Estimate

pobox 1464
lone CA, 95640

Name/Address

City of lone
#1 East Main Street
Pobox 398
lone, CA 95640

| Date | Estimate No. | Project |
|----------|--------------|---------|
| 02/09/21 | 1429 | |

| Item | Description | Quantity | Cost | Total |
|-----------------|---|----------|----------|----------|
| Building Repair | <p>Emergency Building Repair.</p> <p>Supply labor and materials to repair external walls at corner of metal building based on site visit. Estimate based on visual external inspection.</p> <p>Remove and Replace 4 Damaged Metal Sheets, end wall girt, one Outside trim corner, section of wall vapor barrier. Panel profile, corner, and color will not be exact match due to availability of material from manufacturer. Repair corner column, base angle, re-attach existing downspout.</p> <p>Re-attach and replace one 4' x 8' x 5/8" Plywood to match existing damaged sheet.</p> <p>disposal of damaged materials by others. Any Structural damage discovered during repair process will be an additional charge.</p> <p>Total Job Labor and Materials, 6,000</p> | | 6,000.00 | 6,000.00 |
| Fencing | <p>Emergency Fence Repair.</p> <p>Remove Damaged Corner Post and Replace with New.</p> <p>Replace One section of Top Rail and Eight Feet of Chain Link Wire with Green Slats.</p> <p>Remove and Dispose of Damaged Fence.</p> <p>Total Job Labor and Materials, \$2,160</p> | | 2,160.00 | 2,160.00 |

Total **\$8,160.00**



IONE POLICE DEPARTMENT

1 EAST MAIN STREET IONE, CA 95640 274-2456
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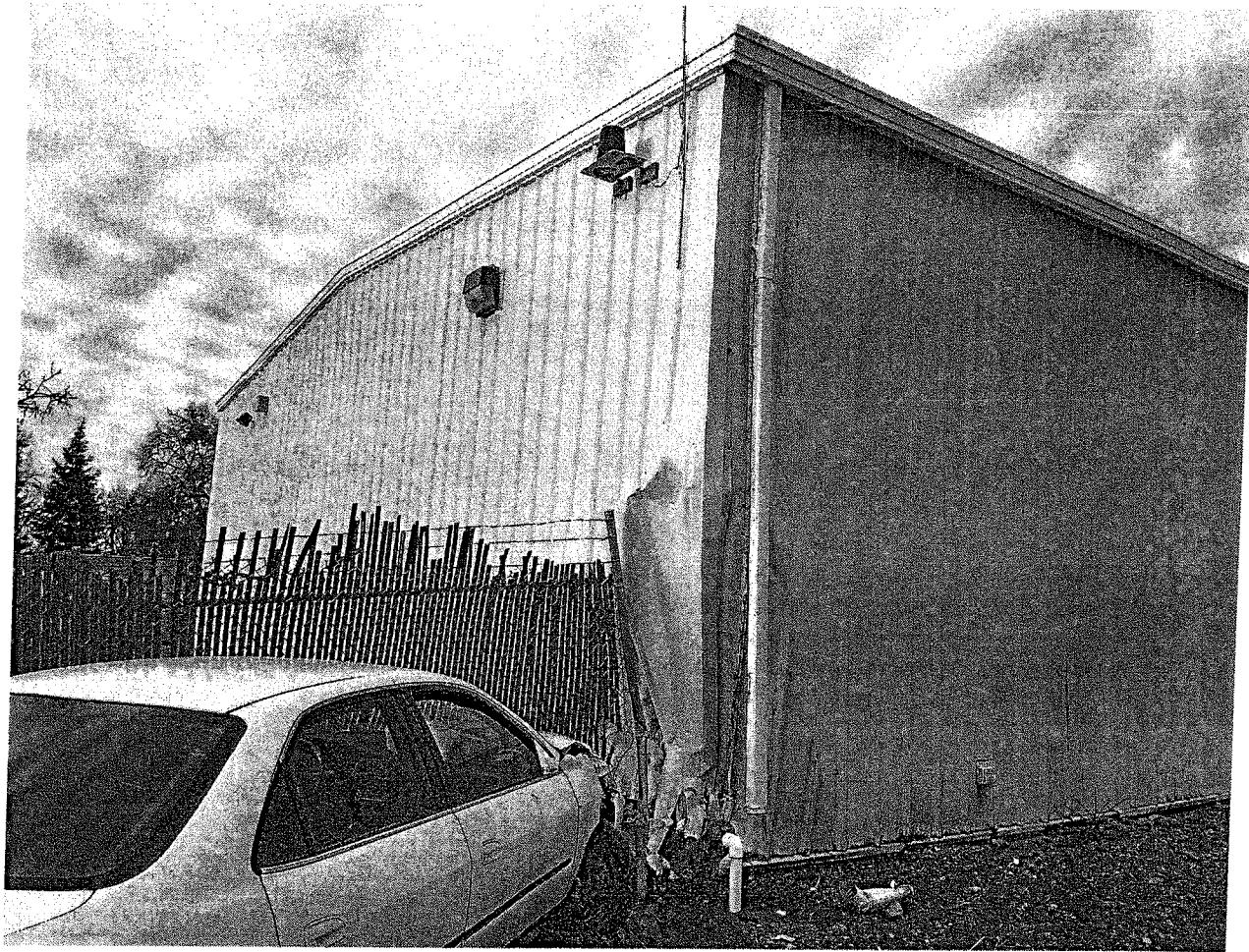


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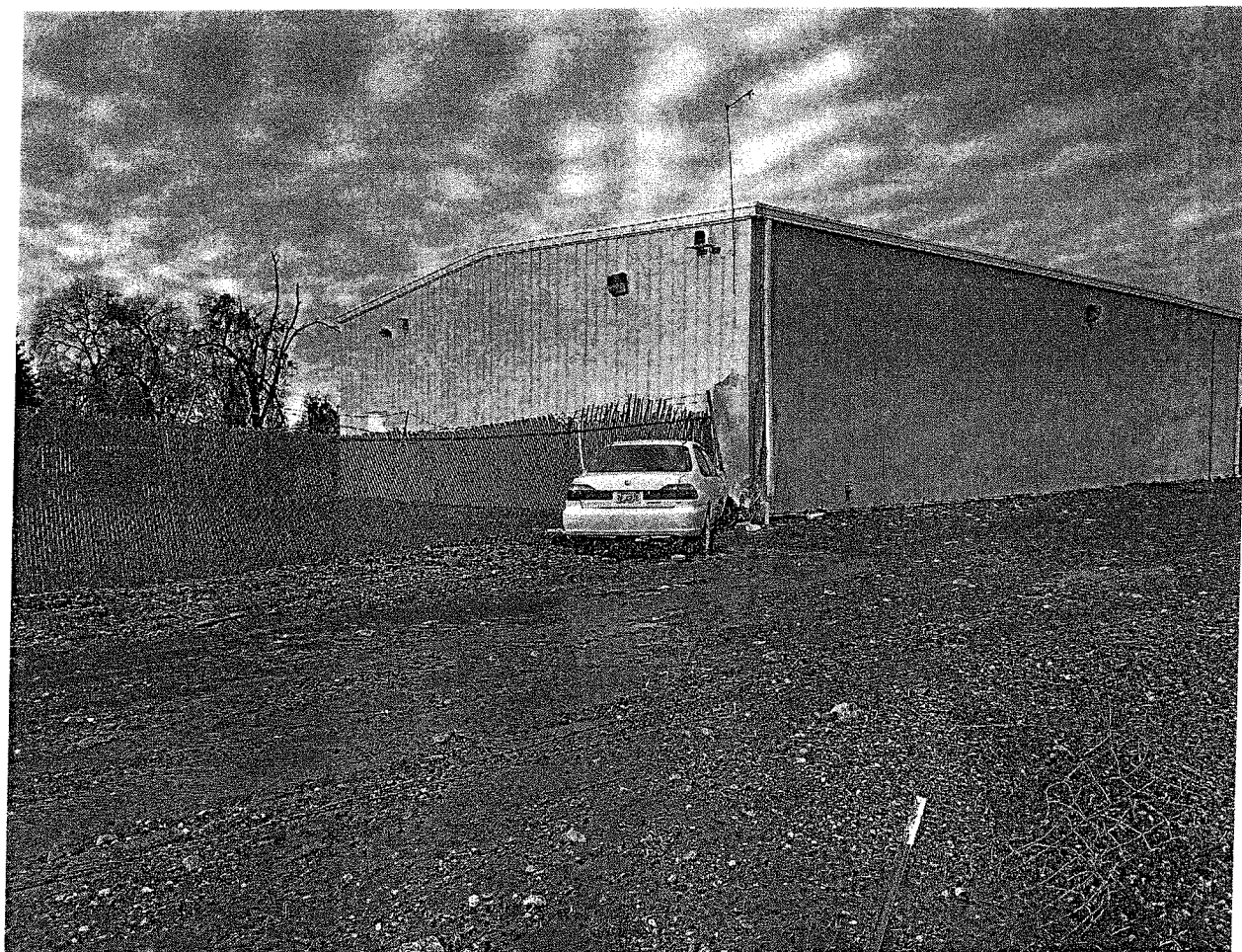


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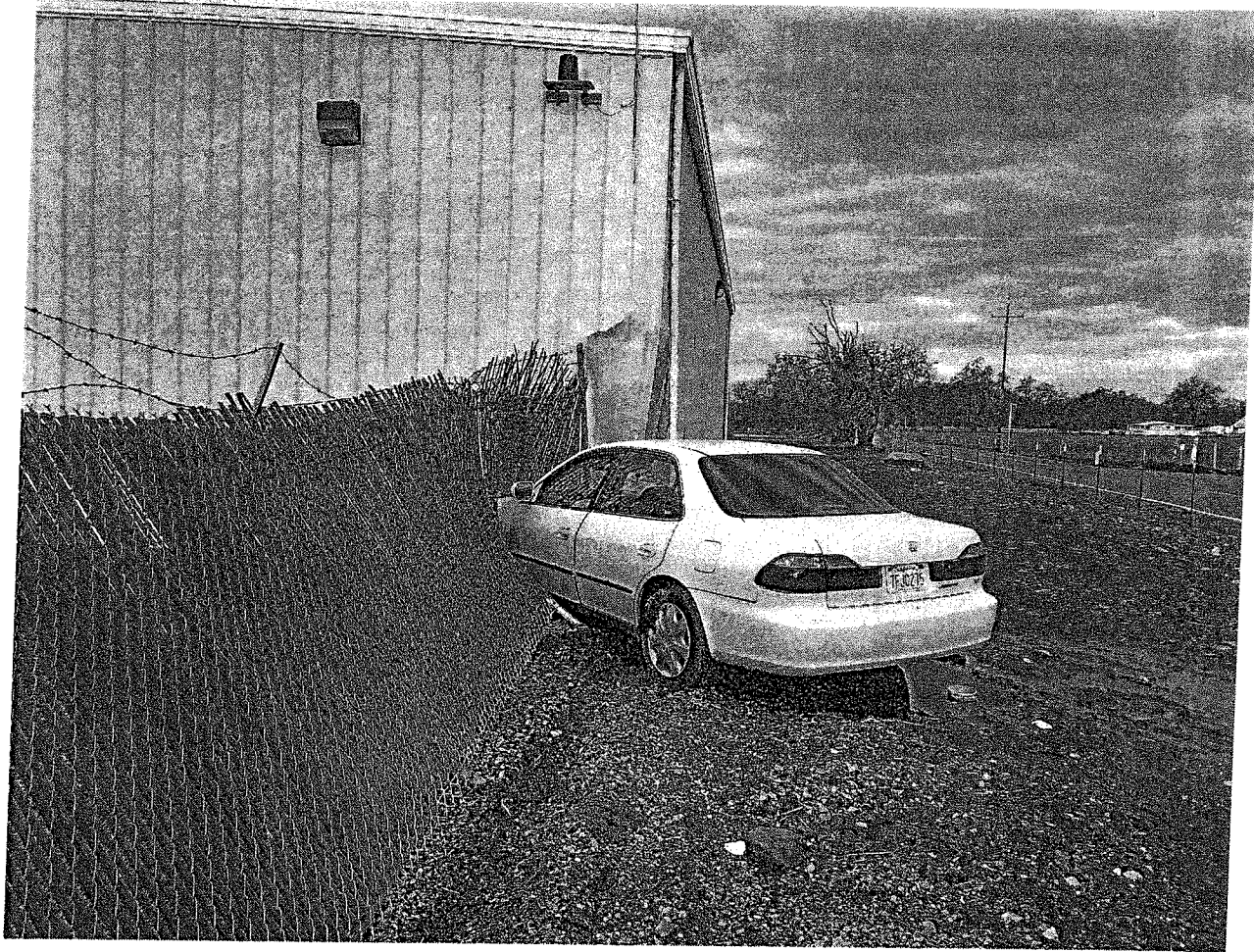


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Agenda Item

5

DATE: March 16, 2021
TO: Ione City Council
FROM: Sophia R. Meyer, City Attorney
SUBJECT: Protocol Manual Updates

RECOMMENDED ACTION:

Information and direction to staff only.

FISCAL IMPACT:

None.

BACKGROUND:

City Attorney presents for consideration the current City Protocol Manual with proposed updates.

The revisions suggested by City Attorney include incorporating the newly passed Employee Handbook wherever necessary and updating basic information.

City Attorney is seeking direction from the Council regarding whether or not they want to continue to use the Protocol Manual, want to update it, or want to incorporate relevant sections into the Municipal Code.

CITY COUNCIL PROTOCOL MANUAL



Adopted August 5, 2008
Revised April ____, 2021

CITY OF IONE CITY COUNCIL PROTOCOL MANUAL

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Chapter 1 Introduction and Overview

As a City Councilmember, you not only establish important and often critical policies for the community of Ione, you are also a board member of a public corporation having an annual budget of several million dollars. The scope of services and issues addressed by the city organization go well beyond those frequently reported in the newspaper or discussed at City Council meetings.

1.01 Council-Manager Form of Government

The City of Ione has a Council-Manager form of government. As described in the Municipal Code and the Government Code of California, certain responsibilities are vested in the City Council and the City Manager. Basically, this form of government prescribes that a City Council's role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines public policy and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner. (Ione Municipal Code Title II and Government Code §34100 et seq.)

The City of Ione was incorporated in 1953. At that time, the separately elected City Clerk was the administrative officer for municipal affairs. There was also a separately elected City Treasurer. The City Council established Ione as a Council-Administrator form of government in and hired its first City Administrator that year. In 2007, the City Council changed the form of government to Council-Manager and hired a City Manager.

1.02 Purpose of City Council Protocol Manual

The City of Ione has prepared its own Protocol Manual to assist the City Council by documenting accepted practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council and staff to be bound by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Councilmembers in their actions.

1.03 Overview of Basic City Documents

This Protocol Manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction. A complete list of City plans and implementation programs is provided in the Appendix.

A. Ione Municipal Code

The Municipal Code contains local laws and regulations adopted by resolutions and ordinances. Title II of the Code address the role of the City Council, describe the

organization of City Council meetings and responsibilities, and appointment of certain City staff positions, advisory boards, and commissions. In addition to these administrative matters, the Municipal Code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

B. Employee Handbook

The Employee Handbook contains information and policies that help employees get acquainted with City Personnel policies and procedures. It explains in general terms some of the philosophies and beliefs of the City Council and describes employment guidelines. This document incorporates by reference portions of the Ione Municipal Code.

C. Goals

The City Council sets both long-term and short-term goals for the City each spring. The goal-setting process includes a review of the previous year's goals including progress toward completion and updating. The budget is then written with the objective of working toward completion of those goals.

D. Codes of the State of California

The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. Ione is a "general law city" which means it operates under applicable general laws of the state. As a general law city of the state of California, Ione is vested with all the powers of incorporated cities as set forth in the California Constitution and the applicable California state laws. Conversely, there are a number of cities within California that are "charter cities" and have adopted local provisions that establish basic governing procedures for local government. (Government Code §§ 34100-34102) Ione is not a charter city.

E. Annual Budget

The annual budget is set for the fiscal year beginning July 1st and ending June 30th. It is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the annual budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations. Study sessions on the budget are held in May and public hearings in June with adoption at the second City Council meeting in June.

F. Annual Financial Audit

The annual financial audit includes the financial statements of the City for a fiscal

year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial audit includes statements for the various groups of funds and a consolidated group of statements for the City as a whole. The City Council has the responsibility of hiring an independent auditor, and of reviewing and accepting the audit.

FG. General Plan

A state-mandated General Plan addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements. The City's General Plan is reviewed on an ongoing basis, but mandatory elements may only be revised four times a year; however, certain amendments necessary for affordable housing development are not subject to this limitation. (Government Code § 65350 et seq.)

GH. Five-year Capital Improvement Program

The Five-year Capital Improvement Program serves as a guide for determining priorities, planning, financing, and construction of capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of City services.

HI. Disaster Preparedness Plan

The City maintains a disaster preparedness plan that outlines actions to be taken during times of extreme emergency. The City Council may be called upon during an emergency to establish policies related to a specific incident. The chain of command is as follows:

1. The City Manager is the Director of Emergency Services.
2. The City Manager may appoint an Assistant Director of Emergency Services (Ione Municipal Code Title II, Chapter 2.48, §§ 2.48.010 to 2.48.120).

1.04 Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the following will be provided in a timely manner.

- The City Manager will host an orientation program to distribute materials outlining City policy, protocol, and updates on labor negotiations.
- The City Manager will facilitate a meeting with the City Attorney for Brown Act/Ethics/Sexual Harassment/conflict-of-interest training, review of current

legal matters, and review of ~~parliamentary procedure~~ Rosenbergs Rules of Order.

- The City Manager will arrange a meeting with the Finance Director prior to the first pay period to cover information reviewed with all City employees, (e.g., benefits elections, I-9, retirement options, etc.)
- The City Manager will arrange meetings with key Department Heads to be briefed on current projects within his/her Department and to tour City facilities.
- The City Manager will arrange an opportunity for "ride-alongs" with the Ione Police Department.
- The City Manager's assistant will arrange a meeting for a briefing on various aspects of City Hall, including, but not limited to, travel procedures, phone service, etc.
- The City Manager will provide information for attendance at the League of California Cities' New Mayors and Council Members Academy.

Chapter 2 Ione City Council: General Powers and Responsibilities

2.01 City Council, Generally

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety, and general welfare of the citizenry. The City Council is the policy-making and law-making body of the City. State law and local ordinances define the powers and responsibilities of the Council.

It is important to note that the Council acts as a body. **No single member has any extraordinary powers beyond those of other members.** While the Mayor has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Councilmembers should respect adopted Council policy. In turn, it is City staffs' responsibility to ensure the policy of the majority of the Council is upheld. Actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Councilmembers who held a minority opinion on an issue.

A. Council Non-Participation in Administration

In order to uphold the integrity of the council-manager form of government and to provide proper checks and balances, members of the City Council shall refrain from becoming directly involved in the administrative affairs of the City, unless directed by a majority of the Council to participate in a policy or project.

2.02 Role of Councilmembers

Members of the Ione City Council are collectively responsible for establishing policy, adopting an annual budget, and providing vision and goals to the City Manager. The following outline is a brief description of the various duties of Councilmembers. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the Council.

A. Summary of Council Duties and Responsibilities as Provided in State Law:

1. Councilmembers serve as the City Council
2. Establish Policy
 - Adopt goals and objectives
 - Establish priorities for public services
 - Approve/amend the operating and capital budgets
 - Approve contracts over \$5,000
 - Adopt resolutions
3. Enact Local Laws
 - Adopt ordinances
4. Supervise Appointed Officials
 - Appoint City Manager and City Attorney
 - Evaluate performance of City Manager and City Attorney
 - Establish boards, commissions, committees and task forces
 - Make appointments to such bodies
 - Provide direction to advisory bodies
5. Make Decisions
 - Study problems
 - Review alternatives
 - Determine best course of public policy
 - Call special elections as necessary

2.03 Role of Mayor

A. Presiding Officer

The Council selects the Mayor on the third Tuesday of December. The Vice Mayor can be selected to be the Mayor or the City Council can select from the remaining members of the City Council at their discretion. It is recommended that the Mayor should have served at least one full year on the City Council prior to being selected as the Mayor.

The Mayor serves as the presiding officer, unless otherwise delegated, and acts as chair at all meetings of the City Council. The Mayor sets the Agenda for regular and special Council

meetings. The Mayor may participate in all deliberations of the Council in the same manner as any other member and is expected to vote in all proceedings, unless a conflict of interest exists. During Council proceedings, the Mayor facilitates discussion, gauges direction, and listens for majority support prior to calling for a vote on a motion. The Mayor does not possess any power of veto. State law allows the Mayor to move or second an action. As a matter of Ione tradition, the Mayor does not make a motion and will only second a motion in rare and unusual circumstances. (Government Code §§ 36801-36815)

B. Ceremonial Representative and Other Duties of the Mayor

Responsibility to act as the City Council's ceremonial representative at public events and functions has been assigned to the Mayor. In the Mayor's absence, the Mayor shall appoint a Councilmember to perform the ceremonial role. However, all Councilmembers are encouraged to participate. The Mayor may initiate and execute certificates of appreciation and recognition, and Council-approved proclamations. The Mayor has the responsibility of making liaison, board and committee assignments for Councilmembers with those assignments to be ratified by the Council.

2.04 Vice-Mayor, Absence of Mayor and Councilmembers

In the absence of the Mayor, the Vice-Mayor shall perform the duties of the Mayor. The Council selects the Vice-Mayor by a majority vote each year on the third Tuesday of December. When both the Mayor and Vice-Mayor are absent, the Mayor will designate from amongst the Councilmembers a person to serve as Acting Mayor, who shall, for the term of such absence, have the powers of the Mayor.

If the Mayor or other Councilmembers intend to be absent from the City, they shall notify the City Manager of such absence. If a Councilmember fails, for any reason except sickness, to attend three consecutive regular meetings of the Council, his or her office may be declared vacant by the mayor and the council shall proceed to decide whether to hold a special election or appoint a successor for the unexpired portion of the term of office of the absent member. [Ione Municipal Code Section 2.04.030)

2.05 Resignation of Mayor or Vice-Mayor

If the Mayor or Vice-Mayor resigns, the City Council will select a new Mayor or Vice-Mayor.

2.06 Emergency Response

The City Council may proclaim, and the Mayor shall sign, a declaration of emergency. If the City Council is not in session, the City Manager (Emergency Services Director) may proclaim the existence of an emergency. The Emergency Services Director directs all disaster response activities. (Ione Municipal Code § 2.48.060)

2.07 Appointment of Officer

The City Council is responsible for appointing two positions within the City organization - the City Manager and the City Attorney. The City Manager and the City Attorney serve at the pleasure of the Council. The City Manager is responsible for all personnel within the City organization.

2.08 Boards, Commissions, Committees, and Task Forces

A. Appointments Made by the City Council

Boards, commissions, committees, and task forces provide a great deal of assistance to the Ione City Council when formulating public policy and transforming policy decisions into action. The City has several standing commissions and committees. In addition, special purpose task forces are often appointed by the City Council to address specific issues of interest on a limited duration basis. These ad hoc committees will be dissolved upon completion of the intended task. Committees and task forces are purely advisory to the Council, and, in some situations, staff. Commissions pursuant to the powers and duties specified by the City Council may have final decision-making authority, subject to appeal to the Council, but may also serve in an advisory capacity in certain situations.

The procedures established in this Manual reflect the policy of the City Council regarding the appointment of volunteer citizens to the various bodies of the City. The establishment of these procedures ensures that well-qualified, responsible, and willing citizens are given the opportunity to serve the City and participate in the governance of their community.

The City Council is specifically empowered to create all boards, commissions, committees, and task forces, pursuant to the provisions of the Ione Municipal Code, as the Council deems necessary or advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly and equitably evaluate those citizens of the community who demonstrate a desire to serve on such boards, commissions, committees, or task forces. (Ione Municipal Code Title 2, Chapters 2.17, 2.36, and 2.62)

For full-term vacancies, the filing period is as determined by Ordinance. The City Clerk shall:

- Publicly announce the position vacancy and filing period by publication of same in the official newspaper of the City of Ione and set forth the qualifications required, if any.
- Notify the incumbent(s) of whose terms are expiring, of such term expiration and invite the incumbent(s) to consider being reappointed.

- Advertise the position and accept applications when an incumbent's term expires on the Planning Commission, Park and Recreation Commission, and any other Commission.

B. Selection

1. Mayor Interview Period: The Mayor may personally interview each applicant individually, at a time and place to be designated by the Mayor.

However, after reviewing applications, the Mayor reserves the right to make appointments without conducting interviews.

2. The Mayor may appoint a sub-committee to review applications or conduct interviews of applicants and appoint the member, with approval of the City Council.
3. Decision & Announcement: Each applicant will be notified of the decision of the Mayor and City Council approval. The City Clerk will also notify the Chair of the affected board or commission of its decision.

C. Resignations

Vacancies occurring during the middle of a term shall be filled by appointment for the unexpired portion of the term, in the same manner provided herein for initial appointment.

D. Councilmembers' Role and Relationship with City Bodies

1. Because the City Council has the ability to review decisions made by the commissions and recommendations made by committees and task forces, Councilmembers shall not be appointed to City Boards or Commissions concurrent with their term of office.
2. Unless specifically authorized by a majority vote of a quorum of the City Council, no Councilmember shall be authorized to testify before or direct the work of any board, commission, committee or task force of the City.
3. If the Councilmember is testifying in such a capacity pursuant to the above provision, testimony should be undertaken in such a manner as to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following protocol should be observed:
 - a. Councilmembers shall not testify in matters pending before any commission, committee, or task force that will receive, or could potentially receive, future appeal or review before the City Council. Violation of this protocol shall require the Councilmember to

disqualify his or herself from participating in any appeal or review proceedings before the City Council.

- b. Except in matters directly involving personal interests, Councilmembers, in their capacity as private citizens, should abstain from providing testimony or influencing decisions in matters pending before any City board, commission, committee, or task force that will receive, or could potentially receive, future review or other action before the City Council. Where a Councilmember elects to provide such testimony, the following rules shall apply:
- The Councilmember shall declare at the outset and upon the record that the Councilmember is present in his or her private capacity as an interested citizen, and not on behalf or at the request of the City Council.
 - The Councilmember shall refrain from stating or implying that the Councilmember's position or opinion is that of the City Council.
 - The Councilmember shall refrain from directing City staff or the advisory body to take any action on behalf of the Councilmember.
 - The Councilmember shall observe any rules of procedure or protocol that apply to any other private citizen testifying before the advisory board.
 - The Councilmember shall disqualify him or herself from participating in the matter should it come before the City Council for review and/or decision.

2.09 Service on Outside Boards

Councilmembers are often requested to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Councilmembers participating in policy discussions at regional meetings will represent the consensus of the City Council, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the City.

Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

2.10 Incompatibility of Offices

In general, California law prohibits public officials from simultaneously holding more than one public office when the functions or responsibilities of the two offices have the potential for overlapping. This prohibition arises from a concern over the potential clash of two public offices held by a single official with potentially overlapping public duties. The Legislature may, however, expressly authorize through legislation the holding of two offices notwithstanding the fact that the dual holding would otherwise be prohibited. For example, the Legislature has exempted Local Agency Formation Commissions, the Coastal Commission, joint powers agencies, and transportation corridor agencies.

Chapter 3 Support Provided to City Council

3.01 Staff/Clerical Support

Staff and administrative support to members of the City Council is provided through the City Manager's Office. Secretarial services provided include distributing mail and email, scheduling appointments, and receiving messages. All other City Council requests for staff services are made by request to the City Manager who will assign the appropriate staff member. Sensitivity to workload of support staff is appreciated, and turnaround time will vary depending on workload.

3.02 Office Equipment

To enhance Councilmembers' service to the community and their ability to communicate with staff and the public, the City provides meeting facilities and office equipment for City business. It is important to note that all letters, memoranda, and interactive computer communication (email) involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions stated by the Public Records Act, are public records.

A. Business and Personal Use of City Equipment

The City's electronic equipment and information systems are intended for professional business use in performing the duties of a Councilmember. Personal use of City equipment is prohibited.

B. Photocopy Machines and Other Equipment

- 1. Photocopy Machines.** Councilmembers may use the photocopier for City business.

2. Other equipment. Except as provided herein, in no event shall a Councilmember take City property to his or her home.

C. Monitoring, Enforcement and Penalties

1. City information systems or storage media are the property of the City of Ione. The City retains the right to access, copy and change, alter, modify, destroy, delete, or erase this property without prior notice to Councilmembers.
2. The City retains the right to monitor and audit the use of email and Internet use. The right to use these technologies does not include the right to privacy.
3. Deleted documents, messages, and data may be retrieved from a variety of points in the network. Councilmembers should assume that electronic evidence discovery might recover deleted or unsaved data.
4. Councilmembers' use of a personal Internet account on City equipment, and Councilmembers' use of a City Internet account on personal equipment are to be arranged through the City Manager and are subject to the provisions of this policy. Said Councilmembers should be aware that their personal email and electronic files could be monitored by the City and could be reviewed as part of a Public Records request.

3.03 Meeting Rooms

Councilmembers may utilize the office space provided in the City Hall. Use of other meeting rooms, including the conference room located at City Hall, may be scheduled through the City Manager's Office.

3.04 Mail, Deliveries

Members of the City Council receive a large volume of mail and other materials that are delivered primarily through the use of mailboxes located in the City Council office. City Manager's staff disseminates mail to individual Councilmember mailboxes. Staff does not open mail addressed to individual Councilmembers. General correspondence addressed to Councilmembers as a whole will be opened and delivered to the Council General Box. Councilmembers are encouraged to check mailboxes often. In addition, City staff will email, telefax, or personally deliver materials that are time sensitive to a member's home or office, if appropriate.

3.05 Council Library

Located in the City Council's office is a library of current City plans and implementation programs. These documents are for reference and are not to be removed from the office. Copies can be made available for individual Councilmembers upon request to the department of origination. Each City Councilmember is issued a complete copy of the Ione Municipal Code for their reference.

Chapter 4 Financial Matters

4.01 Council Compensation

The Municipal Code provides for payment of a modest honorarium to members of the City Council. State law sets the level of compensation. (Government Code §36516 and IMC §2.20)

4.02 Budget

The annual City budget includes appropriations for expenses necessary for members to undertake official City business. Funding provided includes membership in professional organizations, attendance at conferences or educational seminars, purchase of publications and office supplies. Reference is made to the attached City Manager's budget instructions.

4.03 Financial Disclosure

Candidates for the office of Councilmember shall file a financial disclosure statement with the City Clerk who will retain a copy and forward the original to the Fair Political Practices Commission (FPPC). (Government Code §§ 87200 et. seq.) Financial disclosure shall be filed with nomination papers, not earlier than 113 days before the election with the deadline being no later than 88 days before the election. (Calif. Elections Code) When Councilmembers assume office or leave office, whether by election, appointment, end of term or resignation, Statements of Economic Interests (FPPC Form 700) covering the previous 12-month period must be filed within 30 days. (Government Code § 87204) In addition, Councilmembers are required to file financial disclosure statements (FPPC Form 700) on an annual basis after January 1 and before April 1 of each year covering the previous calendar year. (Government Code § 87203) Statements filed in any of the above cases will be available for public inspection.

4.04 Travel Policy

Councilmembers will be reimbursed for reasonable expenses incurred in connection with approved travel on behalf of the City.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid the appearance of impropriety. If a circumstance arises that is not specifically covered in the travel policies, the most conservative course of action should be adopted.

Travel for Councilmembers must be authorized in advance by the Mayor. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the traveler must submit a Travel Request/Expense Report and supporting documentation to obtain reimbursement of expenses.

Examples of non-reimbursable expenses include, but are not limited to: personal portion of any trip; political or charitable contributions; family expenses including partner's expenses when accompanying employees as well as children or pet-related expenses; alcoholic beverages; gratuity, entertainment expenses including movies, sporting events, or other cultural events; non-mileage auto expenses including repairs, traffic/parking citations, insurance or gasoline; and personal losses incurred while on City business.

A. Transportation

1. Airfare. Coach class priced on round-trip purchase; or one-way (both directions) whichever is most cost effective. Every attempt should be made to secure advance pricing.
2. Automobile. Mileage will be reimbursed based on current IRS mileage rates. These rates are intended to compensate the driver for gasoline, insurance, maintenance and other expenses. This amount does not include bridge and road tolls, which are also reimbursable when necessarily incurred. Every attempt to travel in a City vehicle should be made prior to using a personal vehicle. Please also see the Vehicle & Motorized Equipment Policy.
3. Car Rental. Economy, compact or mid-sized rentals only. If several officials and/or employees are sharing a car rental, a larger size may be appropriate. Attempts should be made to acquire the lowest rate through competitive shopping and advance reservations. Applicable loss damage waiver insurance is encouraged. Car rentals may be considered an alternative to airfare or mileage reimbursement where the cost of airfare or mileage equals or exceeds the cost of car rental.
4. Taxis/Shuttles. Taxis or shuttle fares may be reimbursed, including a gratuity not to exceed 15 percent per fare, when the cost of such fares are equal to or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

B. Lodging

1. Conference/Meetings. If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, see below.
2. Other Lodging. Travelers must request government rates, when available. A listing of hotels offering rates in different areas is available through the State of California's "Lodging Guide Program." Lodging rates that are equal to or less than government rates are presumed to be reasonable and reimbursable for purposes of this policy.

C. Meals

1. While Traveling. Employees authorized to travel for City business may claim reimbursement for meals in accordance with the following schedule: Breakfast - \$10.00; Lunch - \$15.00, Dinner - \$25.00.

2. Eligibility. Eligibility for meal reimbursement shall be in accordance with the travel times indicated below:

| <u>IF TRAVEL DEPARTURE TIME IS:</u> | <u>OR TRAVEL RETURN TIME IS:</u> | <u>MEAL ELIGIBILITY</u> |
|---|--------------------------------------|-------------------------|
| <u>Before 6:30 a.m.</u> | <u>After 8:30 a.m.</u> | <u>Breakfast</u> |
| <u>6:30 a.m. or after and before 11:00 a.m.</u> | <u>After 1:30 p.m.</u> | <u>Lunch</u> |
| <u>11:00 a.m. or after and before 6:30 p.m.</u> | <u>After 6:30 p.m.</u> | <u>Dinner</u> |

3. Non-Travel. Purchase of meals for a group that are paid by the City are, in general, limited to those that serve a valid business purpose. A detailed receipt must be submitted for reimbursement, which includes the names of attendees, along with the purpose. Councilmembers are expected to exercise good judgment.

4. For overnight travel the costs of meals shall be the maximum reimbursement amount as provided in a single calendar day in accordance with the schedule in Section C(1).

5. When claiming per diem meal reimbursement no receipts shall be required for reimbursement. However, at the sole discretion of the Mayor, or his/her designated representative, a Councilmember may be required to submit substantiating evidence, including, but not limited to, a personal affidavit stating that the claim meets the requirements of this policy. Per Diem meal reimbursements may also be provided in advance of travel.

6. No reimbursement shall be made for meals within a twenty (20) mile radius of the City or the Councilmembers' residence without the prior approval of the Mayor, or his/her designated representative.

| | |
|-----------|--------------|
| <u>D.</u> | <u>Other</u> |
|-----------|--------------|

The City will reimburse the cost of the first checked luggage only. Internet, phone and fax expenses incurred on business will be reimbursed upon submission of a photocopy of the bill and reasonable justification that the expense was necessary for business.

If traveling with a City issued credit card, employee must adhere to the credit card policy. It

should be recognized that some expenditures may be subject to reporting under the Political Reform Act and/or other laws or may be prohibited altogether.

All City expenditures are public records subject to disclosure under the Public Records Act. Violation of this policy, improper use of public resources or falsifying expense reports may result in any or all of the following: loss of reimbursement privileges; a demand for restitution to the City; Civil penalties up to the maximum per day and three times the value of the resources used; prosecution for misuse of public resources; disciplinary action, up to and including termination, dependent upon the severity and frequency.

The City Council has adopted by resolution a travel policy. The City Council, staff, and appointed officials will be reimbursed for all approved travel as defined in the City Travel Policy up to the amount of an individual Councilmember's funds allocated for travel/training. In addition, a Councilmember may request in writing to the City Manager a reallocation of his/her unused travel budget to another Councilmember. "Approved Travel" means travel to attend training or conferences, or other City Council directed travel activities.

A. — Pre authorization of Travel/Training

Councilmembers and appointed officials traveling on City business that involves an overnight stay shall submit a Travel/Training Authorization Form to the City Manager for approval. The Travel Authorization Form will include a complete estimate of the costs of the trip, including conference registration, transportation, and per diem. The Travel Authorization Form will also include the purpose of the trip, the dates of travel, and other pertinent details.

In advance of any travel on City business, a Travel/Training Authorization Form must be submitted to and signed by the City Manager. The City Manager must authorize:

- — Overnight travel by elected or appointed officials
- — Use of a rental vehicle by elected or appointed officials
- — Out of state travel by elected or appointed officials

B. — Authorization/or Reimbursement a/Travel Expenses

Within ten days of the close of the authorized travel period, a final itemized Travel/Training Authorization Form, including all receipts and expense reimbursement requests, must be submitted to the City Manager for final approval and signature. The City Manager's Office will process and submit authorized travel reimbursement requests to the Finance Department.

4.05 City Credit Card Policy

The City maintains a credit card account. This credit card account is not intended for regular, day to day use, but rather for special circumstances in which other forms of payment are not easily available.

Credit cards shall be available for checkout at City Hall. The checkout form will be completed by employees or councilmembers who are requesting use of the card.

Councilmembers are allowed to use a City credit card for such purposes as:

1. Reservations for City business travel or seminars.
2. Traveling expenses when traveling on City business.
3. Urgent orders when unable to order on open account.
4. One time purchases through a non-regular City vendor.
5. Purchase of training/information manuals.
6. Approved luncheon charges (i.e. interview panels, league).
7. Seminars, conferences in the course of City business.

Personal use of the City credit card is strictly prohibited. When an Councilmember intends to use the City credit card for travel related expenses, they must submit an approved travel request form in order to gain access to the card.

The sign out sheet information consists of the date checked out, reason for use, the approximate expense amount, budgetary account number, and the signature of the employee, and finance staff initials. The Councilmember is required to turn the card in as soon as possible after the use. When the Councilmember turns the card in, they are required to initial the original sign out line and enter the date returned.

When an Councilmember returns the City credit card to the City they must complete a credit card report for all itemized charges made on the card and attach detailed receipts with expense line items included. If the card is used for reservations or meals, the receipt should also detail the names of the people in the party and the relation to City business.

City Councilmembers should recognize that the use of the credit card is a privilege and if policies and procedures are not followed privileges will be revoked. Unauthorized charges or failure to follow procedures may result in revocation of use of the credit card or delays in reimbursements. Councilmembers shall be required to pay back any unauthorized charges, including interest accrued.

Should the City credit card be lost or stolen, the Finance Department needs to be immediately notified, within 10 minutes of discovering the card is missing, so that proper action can be taken to prevent fraudulent charges.

Finance Department staff will maintain the credit card records in a manner which provides a clear audit trail.

Issuing Cards: The City credit card is available for use by the City Council and can be obtained from the City Manager's Assistant. Use of City credit cards is set forth in the City Credit Card Policy.

Cards Lost or Stolen: Lost or stolen cards must be reported to the Finance Director within one working day of discovery.

~~Leaving Office: Each card holder must surrender the City credit card immediately upon leaving office, or upon request of the City Manager or Finance Director. Use of the card after privileges are withdrawn is prohibited.~~

Chapter 5 Communications

5.01 Overview

Perhaps the most fundamental role of a Councilmember is communication. Communication with the public to assess community opinions and needs, and to share the vision and goals of the City with constituents; and communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives. Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the City Council. Equally important, when members are expressing personal views and not those of the City Council, the public should be so advised.

5.02 Correspondence from Councilmembers

Members of the City Council will often be called upon to write letters to citizens, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of the City Council will often prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

On occasion, members may wish to correspond on an issue on which the City Council has yet to take a position, or about an issue for which the City Council has no position. In these circumstances, members should clearly indicate that they are not speaking for the City Council as a whole, but for themselves as one member of the City Council. City letterhead and office support may be utilized in these circumstances.

Councilmembers may occasionally be asked to prepare letters of recommendation for community members seeking employment or appointment. It is inappropriate for Councilmembers to make a recommendation or utilize City letterhead or their City Council titles for such letters without approval of the majority of the City Council.

City letterhead and staff support cannot be utilized for personal or political purposes.

5.03 Local Ballot Measures

At times, initiatives may be placed on the ballots that affect City Council policy. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the City from using its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. What the City can do is distribute informational reports or pamphlets for the purpose of informing the public of the facts of an issue.

5.04 Proclamations

Proclamations are issued by the City Council as a ceremonial commemoration of an event or issue (e.g., National Night Out). Proclamations are not statements of policy. Proclamations are a manner in which the City can make special recognition of an individual, event, or issue.

Proclamations can be directly made if they have been listed on a previously approved list. The City Council-approved proclamations list is a separate document so that it can be added to after the City Council has approved a new proclamation without having to pass a new resolution each time. All proposed proclamations not on the annually approved list must first be approved by the City Council during a regular City Council meeting as an item on the Consent Calendar. When a proclamation is approved as a consent item, and if the proclamation is expected to be an annual event, description of the item shall include the phrase "and add proclamation to the City Council-approved list." The decision to add or not to add a proclamation to the approved list shall be made following consultation between the City Manager and the Mayor at the time the City Council meeting agenda is being prepared.

The list will be reviewed by the City Council every February following a City Council election. Proclamations not requested for two years will automatically be deleted from the list of pre-approved proclamations.

5.05 ~~State-California~~ Public Records ~~Disclosure Act~~ ("CPRA")

To ensure that business communications submitted to and by elected and appointed officials comply with the California Public Records Act and the ~~State Open Meetings Act~~ (~~Brown Act~~), the following is set forth:

A. Communications, Generally

All letters, memoranda, and interactive computer email communications involving City Councilmembers and members of boards, commissions, committees and task forces, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions as stated by the Public Records Act, are public records. Copies of such letters, memoranda, and email communications may not be provided to the public or news media without the filing of a ~~public information disclosure~~CPRA request with the City Clerk. The City Clerk has adopted a protocol for processing such requests.

B. Written Communications

Written letters and memoranda received by the City on a specific agendum, addressed to a Councilmember or the City Council as a body, will be photocopied and provided to all City Councilmembers, and a copy kept according to the City's Records Retention Schedule.

C. Electronic Communications

1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, do not constitute a public record. Users should delete these messages once their administrative purpose is served.
2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying; users may either print a copy of the record and file it with the City Clerk for retention, according to the City's Records Retention Schedule, ~~or forward such email messages to "ctyelk@ione.ca.com" from which the City Clerk will print and file it according to the City's Records Retention Schedule.~~
3. Email communications that are intended to be shared among three or more Councilmembers, whether concurrently or serially, must be considered in light of the ~~Open Public Meetings Act (Brown Act)~~. If the intended purpose of the email is to have a discussion that should be held at an open meeting, the electronic discussion should not occur.
4. Email should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other "confidential" City business. In general, email is discoverable in litigation, and even deleted email is not necessarily removed from the system. Confidential email communications should not be shared with individuals other than the intended recipients or the attorney-client privilege protecting the document from disclosure may be waived.
5. Email will not be used for personal use, since Councilmembers' conventional email addresses include the City's "return address."

Chapter 6 Conflicts of Interest

6.01 Ethics, AB 1234 Ethics Training

The City maintains a commitment to conducting business according to the highest achievable ethical standards. Recognizing that ethical dilemmas may arise and that public officials must make difficult choices after careful consideration of competing public, personal and/or private interests at stake, the City Council has adopted a code of ethical conduct, which is contained in the Appendix.

The City Manager is subject to a professional code of ethics as a member of the International City/County Management Association (ICMA). These principles appear in the Appendix of this manual. It should be noted that this code binds the City Manager to certain

practices that are designed to ensure actions are in support of the City's best interests. Violations of such principles can result in censure by the ICMA.

State law (Government Code § 53234, et seq.) requires public officials to complete two hours of training in ethics principles and laws every two years. In addition to Councilmembers, Ione requires the training of all of its Commissioners (Planning and Park and Recreation), its City Manager, its Department Directors, its mid-managers when they staff a City Commission, and the Chairperson and Vice Chairperson of each committee or board. Additionally, the City Council encourages all committee and board members to complete the training. At present, the League of California Cities offers AB 1234 training, often in conjunction with League conferences or other training workshops, and on-line training is offered for a nominal fee through the Institute for Local Government and the Fair Political Practices Commission. Certificates of course completion are kept on file by the City Clerk. (Ione Resolution #1385.)

6.02 Conflicts of Interest

There are numerous sources of conflicts of interest that may require a Councilmember to disqualify himself or herself from participating in decision-making. The Political Reform Act (PRA) controls financial conflicts of interest of public officials. The PRA is one of the most complicated laws affecting local government. This law is implemented and enforced by the Fair Political Practices Commission (FPPC) which has issued comprehensive implementing regulations. To understand the PRA's impact on a Councilmember's actions, it is suggested that members discuss the law and potential conflicts with the City Attorney or a private attorney.

In general, under the PRA, public officials are prohibited from making, participating in or in any way attempting to use their official position to influence a government decision in which they know or have reason to know they have a financial interest. (Government Code § 87100, 2 California Code of Regulations §§ 18700, 18702-18702.4.) A "public official" is defined as including every member, officer, employee or consultant of the state or local government agency. (Government Code § 82048; 2 California Code of Regulations § 18700).

A. Applicability

Under the PRA, an official has a financial interest if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any of the following:

1. Any business entity in which the public official has a direct or indirect investment worth \$2,000 or more. (Government Code §§ 82034, 82035; 2 California Code of Regulations § 18703.1)
2. Any real property in which the public official has a direct or indirect interest worth \$2,000 or more. (Government Code § 82033)
3. Any source of income other than gifts or certain loans aggregating \$500 or more provided to the public official within 12 months prior to the time of

the decision. (Government Code § 82030; 2 California Code of Regulations § 18703.3)

4. Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management. (2 California Code of Regulations §§ 18703.1, 18704.3)
5. Any gift totaling ~~\$360~~\$520.00 (adjusted biannually by the FPPC) or more provided to, received by or promised within 12 months prior to the decision. (2 California Code of Regulations §§ 18703.4, 18794-18961)

B. Analysis

In general, the FPPC suggests that an eight-part analysis be followed in determining whether a conflict of interest exists:

- Is the person involved a public official? The PRA applies to "public officials at any level of state or local government." (Government Code § 87100)
- Is the public official making, participating in making, using, or attempting to use his/her official position to influence governmental decision? (2 California Code of Regulations §§ 18700, 18702-18702.4)
- What are the actual economic interests of the official potentially impacted by the decision? (Government Code § 87103, 2 California Code of Regulations §§ 18704-18704.5)
- Is the economic interest directly or indirectly involved in the governmental decision? (2 California Code of Regulations §§ 18704-18704.5)
- Is the financial effect on the economic interest material? (2 California Code of Regulations §§ 18702-18702.6)
- Is it "reasonably foreseeable" that the governmental decision will have a material financial effect on the economic interest? (2 California Code of Regulations §§ 18700-18706)
- Will the decision's effect on the official's economic interest differ from that of the public generally? (2 California Code of Regulations §§ 18707-18707.2)
- Is participation by the public official legally required in order to create a quorum to vote on the matter?

C. Disqualification and Disclosure

When the agenda item is called, a City Councilmember who has a conflict of interest is required to publicly state that a conflict of interest exists, describe the nature of the economic interest giving rise to the conflict, disqualify himself or herself, and leave the room. Ideally, Councilmembers will become familiar enough with the sources of conflicts to determine in advance whether disqualification is necessary. However, if a Councilmember becomes aware of a potential conflict only during the meeting, it is perfectly appropriate for the Councilmember to ask for a break in order to discuss the matter with the City Attorney, if necessary. If any Councilmember questions a potential conflict of interest related to another Councilmember, a recess may be called at the request of the Councilmember who may have a conflict to allow discussion of the issue with the City Attorney to determine if there is a conflict. If the Councilmember decides a conflict exists, that Councilmember may not participate in any aspect of the decision-making, including discussing the matter with City staff. When a conflict of interest arises involving a matter on the consent portion of the agenda, the Councilmember is not required to leave the room, unless that item is pulled from the consent agenda for separate discussion.

D. Legally Required Participation

In the event that a decision cannot be made because a majority of the City Council is disqualified due to conflicts of interest, the PRA allows the minimum number of Councilmembers necessary to constitute a quorum to return and participate in the decision to the minimum extent required. The Councilmembers permitted to participate must be chosen through a random process. (Government Code § 87101)

E. Conflict of Interest Code

The City is required to adopt and maintain a Conflict of Interest Code. This Code is found in the Ione Municipal Code at Title 2, Chapter 8. Under state law, the Code must be reviewed every two years and amended as circumstances change. The City's Code must be consistent with minimum requirements of the PRA. (Government Code §§ 87300-87313)

F. Advice on Conflict of Interest

The City Attorney may provide advice to a Councilmember about the existence of a conflict of interest, but historically will refrain from doing so. However, advice given by the City Attorney does not protect the Councilmember from an enforcement action by the FPPC. A Councilmember may seek a formal written opinion from the FPPC on a particular set of facts. Such an opinion letter would provide protection from an enforcement action arising under the same set of facts.

G. Other Sources of Conflict

In addition to the PRA, State law prohibits Councilmembers from entering into contracts with the City. (Government Code § 1090 et. seq.) In general, this type of conflict is not subject to

remedy through the disqualification of the interested Councilmember, but must instead be entirely avoided by the City Council. There are, however, numerous exceptions to this provision that will allow the City Council to enter into certain contracts after disqualification of the interested Councilmember and those should be reviewed with the City Attorney on a case-by-case basis. (Government Code § 1090 et. seq.)

H. Revolving Door Policies

For a period of one year after leaving office, state law prohibits Councilmembers and chief administrators from accepting employment with the City, or from acting as agent or attorney for any other person by appearing formally or informally, orally or in writing before the City Council or any of its commissions, or committees if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance of, amendment to, award of, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. (Government Code § 87406.3)

Chapter 7 Interaction with City Staff/Officials

7.01 Overview

City Council policy is implemented through dedicated and professional staff. Therefore, it is critical that the relationship between City Council and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

7.02 Council-Manager Form of Government

Ione has a Council-Manager form of government. Basically, with this structure, the City Council's role is to establish City policies and priorities. The City Council appoints a City Manager to implement those policies and undertake the administration of the organization.

The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of City government, to prepare and monitor the principal budget, and to implement the policies and programs initiated by the City Council. The City Manager is responsible to the City Council, rather than to individual Councilmembers, and directs and coordinates the various departments. The City Manager is responsible for appointing all department directors and authorizing all other personnel positions except the City Clerk, City Attorney, and City Treasurer (Ione Municipal Code §2.10.100). The City Council authorizes positions through the budget process; based upon that authorization, the City Manager makes the appointments.

The Council-Manager form of government is outlined in the Government Code. The powers and duties of the City Manager include:

- Generally supervise over the administrative affairs of the City

- Appoint and remove at any time any department directors and employees
- Attend all meetings of the City Council at which the Manager's attendance may be required by that body [IMC §2.10.130]
- See that all laws and ordinances are faithfully executed, subject to the authority which the City Council may grant the Mayor to maintain law and order in times of emergency
- Recommend for adoption by the City Council such measures as the Manager may deem necessary or expedient
- Prepare and submit to the City Council such reports as may be required by that body, or as deemed advisable to be submitted
- Keep the City Council fully advised of the financial condition of the City and its future needs
- Prepare and submit to the City Council a proposed budget for the fiscal year, and be responsible for its administration upon adoption
- Perform such other duties as the City Council may determine by ordinance or resolution
- Implement and administer City Council policy

7.03 City Council Non-interference

The City Council is to work through the City Manager when dealing with administrative services of the City.

In no manner, either directly or indirectly, shall a Councilmember become involved in, or attempt to influence, personnel matters that are under the direction of the City Manager. No member of the City Council shall, by suggestion or otherwise, attempt to influence or coerce the City Manager concerning appointments to City offices or employment. Nor shall the City Council be involved in, or influence, the purchase of any supplies beyond the requirements of the City procurement code/procedures.

Except for the purpose of inquiry, the City Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the City Council nor any commission, committee or member of a board shall give an order to, try to influence, coerce or direct, either formally or informally, any subordinate of the City Manager.

Violations of the provisions of this section by any of the above persons, if reported by any staff to the City Manager, will be brought forth to the entire City Council for review. The

Council, on a case-by-case basis, will establish what, if any, corrections and/or sanctions are appropriate. See Chapter 9 § 9.03.

7.04 City Council/City Manager Relationship

The employment relationship between the City Council and City Manager honors the fact that the City Manager is the chief executive of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the City Manager.

The City Manager respects and is sensitive to the policy responsibilities of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

A. Performance Evaluation

The preparation and use of employee performance evaluations are for the mutual benefit of the City and the effective development of the employee to achieve desired job or career goals. Evaluations are intended and will identify specific strengths and weaknesses in the employee's job-related performance, to acknowledge the merit of above-standard performance, and to prescribe the means and methods of upgrading deficiencies to a required or desired level of performance.

It is the policy of the City that regular reports be made as to the efficiency, competence, conduct, and merit of its employees in their job-related performance. To this end, it is the responsibility of the City Council to observe the work performance of the City Manager and supervise the results of that work performance. It is the responsibility of the City Attorney to prescribe and provide the forms and procedures to be used in such reports of performance and to assist in the training of City Council so that the program of performance reporting will be carried on in a sound, effective and consistent manner.

All new City Managers will be reviewed and performance evaluations prepared after their first six months of employment, and again within the thirty (30) calendar days prior to the expiration of their twelve-month probationary period of employment. City Mayor will ensure that the twelve-month evaluation is completed prior to the end of the new employee's probationary period.

The City Council will make a reasonable and good faith effort to prepare a performance review within thirty (30) calendar days before or following the annual employment anniversary date, not including new anniversary dates caused by promotion or transfer. In addition, an evaluation review may be prepared at any time upon the reasonable request of the City Manager or at the discretion of the City Council, when it is deemed to be necessary or appropriate.

Performance Evaluations shall be prepared in writing, with a copy kept in the employee's personnel file and a copy provided to the employee.

~~The City Council is to evaluate the City Manager on an annual basis to ensure that both the City Council and City Manager are in agreement about performance and goals based upon mutual trust and common objectives. The City Manager's performance is evaluated in the following areas: leadership, teamwork, job knowledge, attitude, accountability, empowerment, communication, problem solving skills, quality of service, safety/risk taking, implementation and administration of adopted City Council policy.~~

7.05 City Council/City Staff Relationship

City Councilmember contact with City staff members, inclusive of the City Manager, will be during regular business hours, except in the case of an emergency.

7.06 City Council/City Attorney Relationship

Pursuant to recommendation of the City Manager, the City Council shall make provision for obtaining legal counsel for the City, either by appointment of a City Attorney on a full-time or part-time basis, or by any reasonable contractual arrangement for such professional services. The City Attorney is a contract employee appointed by the City Council. The City Attorney is the legal advisor for the City Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

1. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
2. Represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
3. Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
4. Keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the City.

It is important to note that the City Attorney does not represent individual members of the City Council, but rather the City Council as a whole. Accordingly, with the exception of conflict of interest inquiries, in questions involving pending or upcoming matters, or protocol and procedure, the City Attorney's services are engaged and directed through the City Manager. Individual Councilmembers may seek advice or assistance from the City Attorney on other matters exercising best judgment on the most efficient and appropriate use of her resources. The City Attorney's performance is reviewed as provided by the services retention contract.

7.07 Roles and Information Flow

A. City Council Roles

The full City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

Members of the City Council must avoid intrusion into those areas that are the responsibility of staff. Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the City Council as a whole without fear of reprisal. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of staff, that member must prevail upon the City Council to do so as a matter of City Council policy.

B. Access to Information

The City Manager is the information liaison between the City Council and City staff. Requests from Councilmembers for information are to be directed to the City Manager and will be responded to promptly. The information requested will be copied to all members of the City Council so that each member may be equally informed. The sharing of information with the City Council is one of the City Manager's highest priorities.

There are limited restrictions controlling when information cannot be provided. The City is legally bound not to release certain confidential personnel information. Likewise, certain aspects of police department affairs (e.g., access to restricted or confidential information related to crimes) may not be available to members of the City Council.

C. Staff Roles

The City Council recognizes the primary functions of staff as executing City Council policy and actions taken by the City Council, and in keeping the City Council informed. Staff is obligated to take guidance and direction only from the City Manager or Department Director. This direction follows the policy guidance of the City Council as a whole. Staff is directed to reject any attempts by individual Councilmembers to unduly direct or otherwise pressure them into making, changing, or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Councilmembers provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

7.08 Dissemination of Information

In addition to regular, comprehensive memoranda written by the City Manager directly to City Council concerning all aspects of City operations (exclusive of confidential personnel issues), all Councilmembers receive copies of all correspondence received by the City Manager that will assist them in their policy-making role. The City Manager also provides other documents to City Council on a regular basis, such as status reports, executive summaries, and agendas of all weekly senior staff meetings.

A variety of methods are used to share information with City Council. Workshops and study sessions are held to provide detailed presentations of matters. The City Manager's open-door policy allows individual Councilmembers to meet with the Manager on an impromptu or one-on-one basis.

7.09 Magnitude of Information Request

Any information, service-related needs, or policy positions perceived as necessary by individual Councilmembers that cannot be fulfilled based upon the above guidelines should be considered as an item for the agenda of a City Council meeting. If so directed by action of the City Council, staff will proceed to complete the work within a City Council-established timeline.

7.10 Staff Relationship to Advisory Bodies

Staff support and assistance may be provided to the City's boards, commissions, committees and task forces. These bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager. The members of the commissions, boards, or committees are responsible for the functions of the advisory body. The chairperson is responsible for committee compliance with the municipal code and/or committee bylaws. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

Staff support includes: (1) preparation of a summary agenda and appropriate notice after approval by the chairperson; (2) preparation of reports providing a brief background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary; and (3) preparation of minutes of advisory body meetings. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues.

Advisory bodies wishing to communicate recommendations to the City Council shall do so through the City Manager's Office. In addition, when an advisory body wishes to correspond with an outside agency, correspondence shall be reviewed and approved by the City Council.

7.11 Restrictions on Political Involvement by Staff

Ione is a nonpartisan local government. Professional staff formulates recommendations in compliance with City Council policy for the good of the community, not influenced by political

factors. For this reason, it is very important to understand the restrictions of political involvement of staff.

By working for the City, staff members do not surrender rights to be involved in political activities. Employees may privately express their personal opinions. They may register to vote, sign nominating or recall petitions, and they may vote in any election.

7.12 Council Attendance Policy

A. Vacancy for Nonattendance

A City Council position shall become vacant if the Councilmember fails to attend three consecutive regular meetings of the City Council without being excused by the City Council. (IMC Section 2.04.030)

At the start of each City Council meeting, the City Clerk will call the roll. Any absent Councilmember who has called the Mayor or City Manager's Office before 4:30 p.m. on the day of the meeting to advise of such absence may request to be excused.

Chapter 8 City Council Meetings

The City Council's collective policy and law-making powers are put into action at the council meetings. It is here that the City Council conducts its business. The opportunity for citizens to be heard, the availability of local officials to the citizenry, and the openness of council meetings all lend themselves to the essential democratic nature of local government.

8.01 Meeting Schedule

Regular meetings are held the first and third Tuesdays of each month at 6:00 p.m., in the City Council Chambers, 1 E. Main Street, Ione. By a majority vote of the City Council, meetings not completed by 10:30 p.m. will be continued to the following Wednesday at 6:00 p.m. in the City Council Chambers.

8.02 Public Notice of Meetings and Hearings

Pursuant to the Government Code, cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of Ione is as follows:

A. Notices

Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the City Council or the City's Boards and Commissions shall be given by one publication of a notice containing the time, place, date, subject, and body before whom the hearing is to be held, in the City's official newspaper consistent with State law.

B. Preliminary Agenda of Council Meeting

The public shall be notified of the preliminary agenda for the forthcoming regular City Council meeting by posting a copy of the agenda in the following public places in the City at least 72 hours in advance of the meeting:

- Ione City Hall Outside Bulletin Board 1 E. Main Street, Ione, CA 95640
- United States Post Office Bulletin Board, Ione, CA
- Electronic Posting City of Ione Web Page

C. Duties of City Clerk

The City Clerk is directed to publish notices and post agendas as required by § 8.02 of the Ione City Council Protocol Manual.

The Government Code addresses the subject of special meetings. For special meetings, only those items specifically listed on the agenda may be discussed, considered, or decided.

The City Clerk is responsible for posting the notice of public meeting at least 72 hours in advance of the meeting. Posting locations include the City Clerk's Office at City Hall.

8.03 Emergency Meetings

State Law permits the City Council to hold an emergency meeting without providing advance 24-hour notice when prompt action is necessary due to the disruption or threatened disruption of public facilities during an emergency situation. Emergency situations are those matters immediately affecting the public health, safety and welfare of the community. (Government Code § 54956.5)

8.04 Special Meetings

Special meetings may be called by either the Mayor or Vice-Mayor or Acting Mayor in the absence of the Mayor. Additionally, as long as substantive consideration of agenda items does not occur, a majority of the City Council may meet without providing notice to the public, in order to call a special meeting and prepare an agenda. When a special meeting is called by a majority of the City Council, a representative of this majority shall notify the City Clerk of such special meeting call, who shall prepare a notice of special meeting, to be signed by all members of the majority calling the special meeting. Notice of a special meeting will be made by the City Clerk by delivering personally, by mail, or by facsimile, written notice to each member of the City Council and to each local newspaper of general circulation, and to each local radio or television station which has on file with the City a written request to be notified of such special meeting or of all special meetings at least 24 hours before the time of such meeting as specified

in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical, and increase the likelihood of such injury or damage.

At all regular and special meetings, public comments are invited during a public hearing before or during consideration of any item on the agenda. Public comment is appropriate on any matter within the jurisdiction of the City Council. All regular meeting agendas must provide a time for the public to address the body on items not on the agenda.

8.05 Study Sessions (Workshops)

The City Council may meet informally in a study session. The study session is the forum used by City Council to review forthcoming programs of the City, to receive progress reports on current issues, or to receive similar information from the City Manager and others. All discussions and conclusions held during a workshop are of an informal nature. Although no final action is taken while in a study session, a majority of the City Council may give City staff preliminary direction on what to bring back to the City Council for later consideration. Such direction given at a study session does not in any way obligate a Councilmember to vote in a particular way if the item is later brought back to the City Council for further review.

8.06 Placing Items on the Agenda

A. City Council Agenda Planning

Any Councilmember may request that an item be placed on a City Council agenda by submitting a written request to the City Manager/City Clerk. The written request must, at a minimum, contain all of the following:

1. A substantive outline or summary of the information that will be presented to the City Council;
2. A concise statement of the specific action the City Council will be asked to take on the item; and,
3. A statement of the reasons why the requesting party believes it is appropriate and within the jurisdiction of the City Council to consider this subject matter and to take the requested action.

All matters to be presented to the City Council at its regular meetings are reviewed by the Mayor and City Manager. The item shall be placed on the agenda as soon as possible with consideration for scheduling issues.

B. Advisory Bodies and Civic Organizations

Advisory bodies of the City Council and other civic agencies (e.g., Chamber of Commerce, Ione Main Street) may submit items for City Council consideration by submitting a written request, as outlined in paragraph A. City Council Agenda Planning-I, 2, and 3 above, to the City Manager/City Clerk at least 15 working days prior to the meeting, to be considered by the Mayor and City Manager for placement on an agenda.

C. Members of the Public

A member of the public may request an item be placed on a future agenda while addressing the City Council during a regular meeting and/or by submitting a written request to the City Manager/City Clerk as outlined in paragraph A. City Council Agenda Planning-1, 2, and 3 above. In order to allow sufficient time for the City Council to review, and staff to research the matter, the request should be submitted at least 15 working days prior to the meeting for which the item is requested to be placed on the agenda. If the issue is placed on the agenda, the City Clerk will notify the requester so that he or she may plan to attend the meeting.

D. Emergency or Other Items Added to the Agenda

Emergency items may be added to an agenda in accordance with state law. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting. Placing emergency items on the agenda requires a majority vote of the City Council and the items are taken up as the last item on the agenda. Additionally, the City Council may add items to the agenda upon a 4/5ths vote determining that there is need to take immediate action and that the need for action came to the City's attention after posting the agenda. (Government Code §54954.2(b))

8.07 Development of the Agenda

Staff is required to submit a Staff Report for each topic of discussion on the City Council agenda to the City Manager. The deadline for submitting these reports is 9:00 a.m. on Tuesday of the week prior to the date of the meeting for which the item is scheduled.

The Agenda Packet will be available for the Councilmembers, staff, public and media by 3:00 p.m. on the Friday prior to the City Council Meeting.

8.08 Order of Business

The City Council, by adoption of an ordinance or resolution, establishes the general order of meetings. This section summarizes each meeting component. The City Council may, at any time, by simple majority of those present, vote to consider items in a different order.

I. Roll Call

The City Clerk takes roll and announces the presence or absence of individual Councilmembers.

II. Closed Session

The City Council will move to Closed Session on any matter on the agenda, such as litigation, personnel or real estate matters.

III. Call to Order & Pledge of Allegiance

The Mayor, or in the Mayor's absence the Vice-Mayor, presides over all meetings of the City Council, and after determining that a quorum is present, calls the meeting to order. In the absence of the Mayor and Vice-Mayor, the City Clerk shall call the City Council to order, whereupon a Written correspondence and/or documents received by the City shall be shared with the City Council if pertaining to City business and are public documents as defined by the California Public Records Act, Government Code Section 6250. Such documents are disclosable unless falling within the exceptions provided by Government Code section 6250-6270.5 and 6275-6276.48. Amended 1-19-16.

IV. Approval of the Agenda

The City Council makes any adjustments to the agenda, then approves it.

V. Public Comment

This time is provided for members of the public to address the City Council or submit written communications on matters not on the agenda. At the conclusion of all oral communications, City Council may respond to statements. Any request that requires City Council action will be set by the City Council for a future agenda or referred to staff. Speakers addressing City Council may be limited to five minutes and a time limit on the length of Oral Communications may be imposed. Speakers unable to be heard during this portion of Oral Communications, due to the City Council setting a time limit, will be heard at 10:30 p.m. or directly following the completion of all other City business.

VI. Presentations or Announcements

This time is proclamations, presentations or announcements as scheduled with the Mayor or City Manager.

VII. Approval of minutes and consent calendar items

All matters on the Consent Calendar are considered to be routine by the City Council and are enacted on one motion. If discussion is required, that item is removed from the Consent

Calendar and considered separately. At the end of the reading of the Consent Calendar, Councilmembers or members of the public may remove an item.

VIII. Regular agenda action items, ordinances, resolutions, and council orders

All matters will be presented by staff and discussed with the City Council and public comment received prior to action being taken by the City Council.

~~*IX. Written communication*~~

~~These are items received by the City the Tuesday prior to the City Council meeting that is shared with the City Council and direction given to staff if necessary.~~

X. City Manager's Report

All reports shall be specifically limited to items relating to City business and shall not request or lead to action by the Council at this meeting.

XI. Council comments/future agenda items

XII. Dates of Future Meetings

XIII. Adjournment

By majority vote of the City Council, meetings not completed by 10:30 p.m. will be continued to the following Wednesday at 6:00 p.m. in the City Council Chambers. Should City Council vote to continue the meeting past 10:30 p.m., discussion on an item on the agenda that either requires or allows for public input may not begin without a unanimous vote of the Councilmembers present. (Closed session items may begin later.)

8.09 Council Action

The City Council exercises legislative authority through a simple motion, an amendment to a motion, adoption of a resolution, or adoption of an ordinance. Depending on the item, staff reports will generally attempt to present appropriate motions, with options, for the Council to make. The City Council is encouraged to review the staff recommendations and use presented options as a template when making a motion. In most situations, a majority of the members present is adequate to adopt a motion, however this is not always the case, and staff will advise the City Council when either a super majority or majority of the entire body is required. In addition, in most situations a voice vote is all that is required for City Council action; however, staff will advise the City Council when a roll call vote is required. Motions should be concise and give clear direction to staff.

Although finality in action is an important principal in government, there may be occasions when the City Council wishes to reconsider a motion it has previously passed. In such circumstances, a motion to reconsider may be made either at the meeting where the item was

first voted upon, or at the very next meeting of the City Council. A motion to reconsider brought forward at the following meeting of the City Council will require proper notice on the agenda. A motion to reconsider an item previously voted on can be made only by a Councilmember who voted in the majority.

8.10 Legislative and Quasi-Judicial Actions of the City Council

The City Council can take both legislative and quasi-judicial action. In general, the City Council acts in a legislative capacity when it takes action to adopt policies, plans, and ordinances of general application. In these situations, a Councilmember may rely on any information he or she lawfully obtains when participating in a decision-making process. In contrast, the City Council will also act in a quasi-judicial capacity when it acts on matters that implicate constitutionally protected property and liberty interests. These types of actions generally involve land use entitlements and other types of permits, licenses, etc.

The distinction between legislative and quasi-judicial activity is especially important because of the rights that are given to the applicant. Specifically, an applicant in a quasi-judicial matter is entitled to due process of the law. This includes a right to have a decision made on the record by a fair and impartial City Council. In order to ensure these rights are satisfied, the City Council must disclose all ex parte communication it receives; that is, information or evidence a Councilmember obtains from outside the Council hearing on the matter. Additionally, Councilmembers may be called upon to answer questions about potential bias.

8.11 General Parliamentary Procedure

Parliamentary procedures set the agreed-upon standard for conducting business. For general guidance, the Council will follow Rosenberg's Rules of Order, as attached. Certain processes are subject to state code and must be complied with. The Council will accept direction from the City Manager/City Clerk and the City Attorney on the code. For other matters, the lone City Council has a tradition that adheres to the common parliamentary practices used by similar institutions to facilitate the orderly processing of the business of its meetings. When necessary to resolve issues that may arise over the process, the Mayor will refer to the City Attorney who will act as the Parliamentarian. Upon such advice, the Council will vote and follow the decision of the majority.

8.12 City Councilmembers Conduct and Participation at Meetings

- In the process of debate and decision-making, each member of the City Council will:
- Fully participate in City Council meetings and other public forums while demonstrating respect, trust, kindness, consideration, and courtesy of others;
- Prepare in advance of City Council meetings and be familiar with the issues on the agenda;

- Be respectful of other people's time. Stay focused and act efficiently during public meetings;
- Serve as a role model of leadership and civility to the community;
- Inspire public confidence in the City of Ione government;
- Demonstrate honesty and integrity in every action and statement; and
- Be responsible and accountable for your words and actions.

Chapter 9 Protocol Administration

9.01 Biennial Review

The City Council will review and revise the City Council Protocol Manual as needed. The City Council will specifically review, and if necessary, revise the Protocol Manual every February following a City Council election.

9.02 City Attorney as Protocol Advisor

The City Attorney shall assist the Mayor and serve as an advisor for interpreting the City Council's adopted Protocol Manual.

9.03 Adherence to Non-interference Policy

The City Council delegates to the City Manager the responsibility to discuss with any Councilmember, on behalf of the full City Council, any perceived or inappropriate interference or encroachment of administrative services. The City Manager will discuss with the Councilmember the action and suggest a more appropriate process or procedure to follow. If inappropriate action continues after this discussion, the City Manager will report the concern to the full City Council.

9.04 Applicability of Protocol Manual

The City Council Protocol Manual shall apply when the City Council is sitting as another entity or agency. The role of Mayor and Vice-Mayor shall be interchangeable with the Chair and Vice-Chair, or President and Vice-President, when sitting as another entity.

Agenda Item

6

DATE: March 8, 2021
TO: Honorable Mayor Rhoades and Members of the Lone City Council
FROM: Lori McGraw, Interim City Manager/Finance Director
SUBJECT: Proposal for City Council Governance Workshop

RECOMMENDED ACTION:

Council is being asked to consider authorizing staff to enter into an agreement with BHI Management Consulting to facilitate a City Council Governance/Roles workshop for a cost of \$8,000.

Motion: _____/_____.

FISCAL IMPACT: . \$6,000 was budgeted for the FY 20-21 for City Council's line items Training and Travel and the remaining balance will be expended from the Administration Training budget line item.

BACKGROUND:

Staff is exploring opportunities to provide an in person, comprehensive training for elected officials in order to improve dynamics, optimize a clear vision and cooperation required to work together for the benefit of our community.

BHI Management Consulting is the organization that our Legal counsel mentioned he had previously work with during the last City Council meeting.

BHI's proposal includes interviews with each Council member, City Manager and the City Attorney in order to discuss ways to facilitate a clear vision and strategies to obtain results.

With COVID eliminating in person training which is normally provided by California League of Cities annual conference, this workshop may provide council with an alternative source of training.

Attachments:

BHI Management Consulting Proposal and Qualifications
Over view of BHI Management Consulting

Welcome to BHI Management Consulting

We optimize the way your agency or business organization operates. We have a strong and guiding belief that clarity and vision in management are paramount. Agencies and companies too often allow themselves to stagnate, moving forward without a plan or clear vision. Success is a result of good

BHI specializes in delivering results with no-nonsense training and consulting. We are seasoned, experienced managers with years of real-life, in-grade organizational and personnel management expertise.

BHI Founder & President Brent Ives has trained hundreds of managers from all walks of the public sector and business. Always committed to a no-nonsense style, he guides clients to techniques and strategies that get results.

Ms. Lori McGraw, City Manager
City of Lone
Lone, CA 95640

Subject: City Council Governance Workshop

Per your request, I am providing this proposal to work with your city to facilitate focus the City Council in a Governance/Roles workshop. The deliverable is to improve Council dynamics.

Approach and Methodology– In overview of the approach proposed herein is to:

- A. Review all relevant documents and/or recordings demonstrating Council commitments and Council dynamics.
- B. Conduct 1 hr. Zoom type interviews with city manager and each Council member and Mayor.
- C. Conduct a 2-3 hour in-person workshop with the Council, City Manager and City Attorney, to discuss the principles and concepts of proper governance roles. Discuss any findings that need to be aired for improved dynamics within the Council and CM. This workshop will be in-person and shall follow all prescribed COVID-19 related protocols as defined by the City in agreement with Brent Ives (BHI).
At his discretion, Brent Ives, he may use a number of communication techniques while facilitating the workshop such as, group opening discussion techniques, printed thoughts or questions, powerpoint presentation, or other platforms or media necessary to gain the desired deliverables.
- D. Provide brief overview summary report to the organization (1-2 weeks post-focus groups)

2. Cost – BHI proposes to provide the services above for a total fixed price of \$8000.00, including fee and expenses. Two invoices will be submitted, one at the end of March and one at the end of April 2021

3. Schedule – it is anticipated that the Preparation and interviews will take place in march of 2021 and the workshop in April of 2021.

4. Qualifications – **Mr. Brent Ives** has worked with numerous public agencies across California dealing with organizational issues, primarily in optimizing

City of Ione – Council Governance Roles

operational approach for each agency as needed. Brent and his firm, BHI Management Consulting, has completed over 100 public agency strategic plans across California and is currently engaged with five similar projects with California Special Districts on strategic planning, public interface and internal teambuilding. Brent is a former elected City official (Council Member and Mayor, Tracy, CA - 23 years) and serves as a faculty member on the California Special Districts Governance Academy. He is educated in Organizational Behavior at the University of San Francisco, has 25 years experience as a technical manager for the Lawrence Livermore National Laboratory. The 14 years as a City Council Member, having recently completed an 8 years as directly elected Mayor, along with being an 18 year member/Chair of the San Joaquin Regional Rail (commute rail service) Commission, LAFCO Member, and a member/Chair of the Board of the San Joaquin Council of Governments, coupled with his weekly practice with public agencies on the west coast, provides Brent and his clients with undeniable experience with planning in the public sector.

Feel free to contact me with any questions or needed explanation. Should you find this proposal agreeable, please sign and return this to me (scanned email signature acceptable) indicating notice to proceed with the project.

Sincerely,

Signature indicating agreement:

Brent H. Ives

Brent H. Ives, Principal
BHI Management Consulting
brent@bhiconsulting.com
(209)740-6779

Lori McGraw, City Manager
City of Ione
Ione, CA 95640
lmcgraw@ione-ca.com

Agenda Item

7

DATE: March 16, 2021
TO: Ione City Council
FROM: Sophia R. Meyer, City Attorney
SUBJECT: Governance Training

RECOMMENDED ACTION:

Information and direction to staff only.

FISCAL IMPACT:

None.

BACKGROUND:

The City Attorney has been asked to provide a brief review of the City Governance as a refresher to all council and as a benefit to the newest councilmember and public.