

CITY COUNCIL AGENDA
CLOSED SESSION FOLLOWING

May 7, 2024

REGULAR SESSION - 6:00 P.M.

ANDERSON CITY HALL
1887 Howard Street
PARTICIPATION BY PUBLIC IN MEETING

Please review the Agenda to determine if the subject you wish to discuss is scheduled for Council consideration. If it is on the Agenda, you will have an opportunity when that matter comes up for discussion to briefly address the Council.

If the subject is not on tonight's Agenda, please complete an Agenda Request Form (on Clerk's table) and present it to the City Council Clerk. You will have the opportunity to speak on the subject under Item 5.2. However, if the item is not on the Agenda, each speaker will be limited to one three (3) minute opportunity to speak, unless the City Council makes an exception due to special circumstances.

The Brown Act prohibits the Council from taking action on any item not placed on the printed Agenda in most cases.

The Brown Act requires any non-confidential documents or writings distributed to a majority of the City Council less than 72 hours before a regular meeting will be made available to members of the public at the same time they are distributed.

City Council meetings are televised and can be seen live on Cable Public Access Channel **181** (previously Channel 11) and on tape delay the following morning at 10:00 a.m. City Council meetings may also be viewed on the City's website at www.ci.anderson.ca.us by clicking on the TV icon on the Home Page.

In compliance with the Americans with Disabilities Act, the City of Anderson will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office (378-6646) to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250.

REGULAR SESSION - 6:00 P.M.

1.0 **ROLL CALL - COUNCIL:**

Councilmember Baugh
Councilmember Gallagher
Councilmember Gallier
Vice-Mayor Hunt
Mayor Neutze

2.0 **INVOCATION** – Pastor Esteban Narvaez, Anderson Seventh Day Adventist Church will give the invocation.

3.0 **PLEDGE OF ALLEGIANCE** – Councilmember Dan Gallier.

4.2 **PROCLAMATION** – A Proclamation proclaiming May 19-25, 2024 as Public Works Week will be presented to Public Works Director Adam Whelen.

4.3 **PRESENTATION** – Bonnie Simmons will give a report on the Commission on Aging.

5.2 **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** - This is the time to address public comments by any member of the public to the Council regarding an item not on the agenda. Each comment must be limited to 3 minutes or less and on an item within the City's subject matter jurisdiction. The Brown Act does not permit any action or discussion on items not listed on the agenda. Are there any public comments?

CONSENT AGENDA

6.0 **CONSENT AGENDA** - *Consent Agenda items are expected to be routine and non-controversial. They will be acted upon by the Council at one time without discussion. Any member of the public, staff or City Council may request that an item be removed from the Consent Agenda for separate discussion. Are there any requests to remove any items from the Consent Agenda?*

6.1 **MINUTES** - Approve the minutes of the regular meeting of April 16, 2024.

6.2 **WARRANTS** – Receive and file warrant 31656 to 31737 in the amount of \$205,136.90; Receive and file warrant 31738 to 31791 in the amount of \$87,488.79. Receive and file warrant 31792 to 31826 in the amount of \$159,332.54.

6.3 **CITY ATTORNEY** – Enact Ordinance No. 859 (second reading) amending Chapter 3.20 of the Anderson Municipal Code Regarding the Purchase Policies and Procedures for the City as introduced on April 16, 2024 (first reading).

6.5 **CITY MANAGER** – Approval of Letter of Support for Simpson University Aviation and Aviation Management Program.

6.6 **FINANCE DIRECTOR**

- a. Adopt a Revision to the Resolution establishing the Gann appropriations limit for the fiscal year 2022-2023 and find that the adopted appropriations are within the limit, adopt a Revision Resolution establishing the Gann appropriations limit for the fiscal year 2023-2024 and find that the adopted appropriations are within the limit.
- b. 2024-2025 Capital Improvement Planning

6.10 **PUBLIC WORKS** - adopt a Resolution identifying roadway maintenance and rehabilitation projects in the City of Anderson that will be eligible for Senate Bill 1 funding for fiscal year 2024-2025

END OF CONSENT CALENDAR

6.11 **ITEMS (IF ANY) REMOVED FROM THE CONSENT CALENDAR** – *Items removed from the Consent Agenda for discussion will be treated as Regular Agenda items and any member of the public may request to address the Council on any such item as it comes up for discussion. Please provide your name and limit your remarks to 3 minutes or less.*

REGULAR AGENDA

8.0 **REGULAR AGENDA** – *Regular Agenda Items will be discussed individually and in order. Any member of the public may request to address the Council on an item as it comes up for discussion. Please provide your name and limit your remarks to 3 minutes or less.*

CITY MANAGER

8.3a **BOMB TEAM FUNDING SUPPORT**

RECOMMENDED ACTION:

Commit \$10,000 towards the joint purchase of a new bomb robot for the Shasta County Sheriffs Office.

8.3b **INTERIM APPOINTMENT OF GREG BAARTS TO THE POSITION OF CHIEF OF POLICE**

RECOMMENDED ACTION:

Adopt resolution approving Greg Baarts interim appointment as the Chief of Police for the City of Anderson pursuant to Government Code section 21221(h), and granting the City Manager authority to execute the necessary hiring documentation.

11.0 **COUNCIL REPORTS/COMMENTS** – *City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234.)*

12.0 **Public Comment on Closed Session Item(s):** *Anyone in the audience who wants to address the City Council on a subject which is listed under the Closed Session agenda is now invited to come to the podium. Please provide your name and the subject you wish to discuss. Please limit your remarks to 3 minutes or less.*

The City Council will convene to Closed Session.

CLOSED SESSION

C.S.1 **PUBLIC EMPLOYMENT (§ 54957)**

- Title: Franchise Waste Hauler

C.S.2 **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS (§ 54956.8)**

- Property: APN 201-920-019
- Agency Negotiation: City Manager and City Attorney
- Negotiating Parties: Listing Agent Ken Miller
- Under Negotiation: Discussion of purchase terms

C.S.3 **PUBLIC EMPLOYEE PERFORMANCE EVALUTION**

(Gov't. Code Section 54957)

Title: City Manager

The City Council will reconvene to Open Session.

13.0 **CLOSED SESSION ANNOUNCEMENT:** The Mayor will announce the results of the Closed Session.

14.0 **ADJOURN - The City Council will adjourn to May 21, 2024.**

PROCLAMATION

NATIONAL PUBLIC WORKS WEEK

May 19-25, 2024

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of the City of Anderson; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government, who are responsible for rebuilding, improving, and protecting our transportation, water supply, water treatment, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skills of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in the City of Anderson to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2024 marks the 64th annual National Public Works Week, "Advancing Quality of Life For All", sponsored by the American Public Works Association; and,

NOW, THEREFORE, as the Mayor of the City of Anderson, State of California, and on behalf of the Anderson City Council, I do hereby designate the week of May 19-25, 2024, as National Public Works Week. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our health, safety, and advancing quality of life for all.

AND BE IT FURTHER KNOWN, that the City Council of the City of Anderson does hereby recognize our own public works employees and commend their devotion, contribution, and service to the health and safety of our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Corporate Seal of the City of Anderson to be affixed this 7th day of May 2024.

Stan Neutze, Mayor

DRAFT

ANDERSON CITY COUNCIL MINUTES

Regular Meeting
April 16, 2024

REGULAR SESSION

The regular session was called to order at 6:00 p.m.

ROLL CALL

Councilmembers present: Councilmember Baugh
Councilmember Gallagher
Councilmember Gallier
Vice-Mayor Hunt
Mayor Neutze

Also present: City Manager Joey Forseth-Deshais, City Attorney Collin Bogener, Police Chief Jon Poletski, Public Works Director Adam Whelen, Acting Finance Director Cindy Wheeler and City Clerk Christy White.

INVOCATION

Pastor Perry Peterson, Crossroads Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Mike Gallagher led the Pledge of Allegiance.

STUDENT REPORTS

Josh from the Teen Center gave an update on current activities and answered questions from Council.

PRESENTATION

Doug Anderson, Urban Futures Inc, gave a bond financing presentation and answered questions from Council.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA -None.

CONSENT AGENDA

By motion made, second (Baugh\Hunt) and carried by a 5-0 vote, Council took the following action.

Approved the minutes of the regular meeting of April 2, 2024.

Received and filed warrant 31567 to 31605 in the amount of \$349,560.08; Received and filed warrant 31606 to 31655 in the amount of \$199,482.46.

Adopted Resolution No 24-13 amending the Classification and Compensation Plan by amending and updating the job description for the Assistant City Manager position.

Adopted Resolution No 24-14 directing David Taussig & Associates, Inc. to file the Annual Report for Landscape and Lighting Assessment District No. 2006-1 for the Vineyards at Anderson, with an authorized cost of living increase.

Adopted Resolution No 24-15 directing EFS Engineering, Inc. to file the Annual Report for South Ridge Terrace – Unit 1 Landscaping Maintenance District, with an authorized cost of living increase.

Adopted Resolution No 24-16 directing Pace Engineering, Inc. to file the Annual Report for Sanitary Sewer Maintenance District 01-09, Silvergate Subdivision, with an authorized cost of living increase.

Adopted Resolution No 24-17 directing PACE Engineering, Inc. to file the Annual Report for Assessment District No. 1993-2, with no rate increase or change in assessment methodology. This assessment district does not allow for rate increases.

Received and filed the quarterly treasurer's report for the fiscal quarter ended December 31, 2023.

Adopted Resolution No 24-18 amending the Classification and Compensation Plan by amending and adding a job description for the Cross Connection Control Specialist.

Vote: AYES: Councilmembers Baugh, Hunt, Gallagher, Gallier and Mayor Neutze.
NOES: None.
ABSTAIN: None.
ABSENT: None.

REGULAR AGENDA

CITY ATTORNEY

INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING CHAPTER 3.20 OF THE ANDERSON MUNICIPAL CODE REGARDING THE PURCHASING POLICIES AND PROCEDURES FOR THE CITY.

City Attorney Collin Bogener gave a staff report and answered questions from Council.

By motion made, seconded (Hunt/Gallier) and carried by a 5-0 vote Council voted to approve First Reading of an Ordinance Amending Chapter 3.20 of the Anderson Municipal

Code Regarding the Purchasing Policies and Procedures for the City, and schedule Second Reading for May 7, 2024.

City Clerk read the Ordinance by title only.

Vote: AYES: Councilmembers Hunt, Gallier, Baugh, Gallagher and Mayor Neutze.
NOES: None.
ABSTAIN: None.
ABSENT: None.

CITY MANAGER

DISCUSSION AND ACTION TO APPROVE LETTER OF OPPOSITION TOWARDS THE FOUNTAIN WIND PROJECT

City Manager Joey Forseth-Deshais gave a staff report and answered questions from Council.

By motion made, seconded (Hunt/Baugh) and carried by a 5-0 vote Council voted to approve the letter of opposition to the Fountian Wind Project in support of Shasta County.

Supervisor Chris Kelstrom spoke thanking Council for their support.

Vote: AYES: Councilmembers Baugh, Hunt, Gallagher, Gallier and Mayor Neutze.
NOES: None.
ABSTAIN: None.
ABSENT: None.

ESTABLISH A FEE FOR A RIVER SPLASH PAD – GAZEBO RENTAL

City Manager Joey Forseth-Deshais gave a staff report and answered questions from Council.

By motion made, seconded (Gallagher/Gallier) and carried by a 5-0 vote Council voted to adopted Resolution No 24-19 establishing a fee to rent a Gazebo at the River Splash Pad.

Vote: AYES: Councilmembers Gallagher, Gallier, Baugh, Hunt and Mayor Neutze.
NOES: None.
ABSTAIN: None.
ABSENT: None.

PUBLIC WORKS

CONSIDER AUTHORIZATION TO AWARD A CONTRACT FOR TRAFFIC CONTROL FOR ANDERSON EXPLODES, 3RD OF JULY FIREWORKS

City Council Meeting

May 7, 2024

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Public Works Director Adam Whelen gave a staff report and answered questions from Council.

By motion made, seconded (Baugh/Gallier) and carried by a 5-0 vote Council voted to award the contract for traffic control for the Anderson Explodes to Rader Excavating Inc from Palo Cedro, CA, in the amount of Forty-Two Thousand, Five Hundred and Three dollars. (\$42,503.00); authorize the City Manager to execute the contract upon receipt of the required insurance certificates and authorize the City Manager to approve additional project change orders not to exceed 15% of the contract bid amount.

Vote: AYES: Councilmembers Gallagher, Gallier, Baugh, Hunt and Mayor Neutze.
NOES: None.
ABSTAIN: None.
ABSENT: None.

STAFF REPORTS

Adam Whelen, Public Works Director, gave an update on the City of Anderson & Clean California Waste Tire Collection Event.

COUNCIL REPORTS/COMMENTS

Councilmembers used this time to report on meetings and activities they participated in and to announce upcoming events.

Public Comment on Closed Session Items – None.

6:53 p.m.: The City Council convened to Closed Session.

CLOSED SESSION

C.S.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

- Initiation of litigation pursuant to § 54956.9(c): (One case)

C.S.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (§ 54956.9)

- Name of Case: (City of Anderson v. Anderson Hospitality, LLC, Case No. 23CV-0201890)

7:13 p.m.: The City Council reconvened to Open Session.

CLOSED SESSION ANNOUNCEMENT

Mayor Neutze announced that the Council sat in Closed Session with no reportable action.

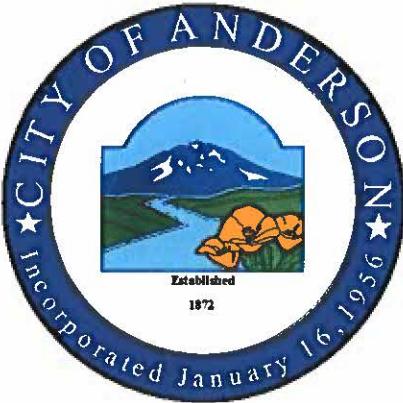
ADJOURNMENT

7:13 p.m.: The City Council adjourned to May 7, 2024.

Stan Neutze, Mayor

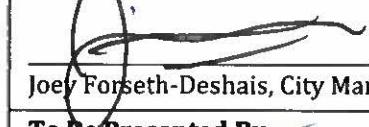
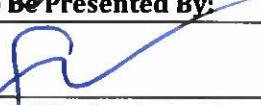
ATTEST:

Christy White, City Clerk



AGENDA ITEM

May 7th, 2024, City Council Meeting

Approved for Submittal By:
 Joey Forseth-Deshais, City Manager
To Be Presented By:
 Cindy Wheeler, Acting Finance Director/ Treasurer

To: Honorable Mayor and Members of the Anderson City Council
Through: Joey Forseth-Deshais, City Manager
From: Cindy Wheeler, Acting Finance Director/Treasurer
Date: May 7, 2024

SUBJECT

Receive and File Weekly Warrant Registers.

RECOMMENDATION

Receive and file warrant 31656 to 31737 in the amount of \$205,136.90; Receive and file warrant 31738 to 31791 in the amount of \$87,488.79. Receive and file warrant 31792 to 31826 in the amount of \$159,332.54.

ATTACHMENT

Warrant Registers.

CHECK REGISTER

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
1	ARMENTA, NICOLE US REFUND	4/12/2024	31656	\$5.30
1	BAUMANN, CODY US REFUND	4/12/2024	31657	\$5.30
1	BONTADELLI, JOHN & V US REFUND	4/12/2024	31658	\$10.15
1	LANE, KATIE & CURTIS US REFUND	4/12/2024	31659	\$5.30
1	SCHROEDER, MONICA US REFUND	4/12/2024	31660	\$5.30
1	BASS, VANESSA US REFUND	4/12/2024	31661	\$5.38
1	HARRIS, CASSANDRA US REFUND	4/12/2024	31662	\$20.15
1	OOMS, DEBRA US REFUND	4/12/2024	31663	\$5.19
000018	4IMPRINT, INC. PROFESSIONAL SERVICES	4/12/2024	31664	\$432.87
000083	ACE HARDWARE SUPPLIES	4/12/2024	31665	\$1,745.19
000113	ACUITY SPECIALTY PRODUCTS, INC SUPPLIES	4/12/2024	31666	\$696.19
000243	ALL CAR & TRUCK TOWING, LLC PROFESSIONAL SERVICES	4/12/2024	31667	\$1,215.00
000349	AMERICAN TOWER CORPORATION MONTHLY TOWER RENT	4/12/2024	31668	\$975.00

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
000406	ANDERSON FIRE PROTECTION DIST. QTRLY PASS THRU- DESCHUTES	4/12/2024	31669	\$755.47
000493	ANTHEM BLUE CROSS LIFE AND HEALTH HEALTH INS. PREMIUM-HUNT	4/12/2024	31670	\$1,625.00
000615	AT&T CALNET PHONE CHARGES	4/12/2024	31671	\$2,676.54
000700	BADGER METER , INC. EQUIPMENT	4/12/2024	31672	\$6,361.89
001105	BETHEL FACILITY RENTAL REFUND	4/12/2024	31673	\$1,790.00
001228	BMI ANNUAL FEE	4/12/2024	31674	\$435.00
001750	CALIFORNIA SAFETY CO. PROFESSIONAL SERVICES	4/12/2024	31675	\$28.00
001757	CALL CENTER SALES PRO PROFESSIONAL SERVICES	4/12/2024	31676	\$28.10
001881	CARREL'S OFFICE MACHINES MONTHLY LEASE	4/12/2024	31677	\$232.53
002047	CHARTER COMMUNICATIONS INTERNET SERVICES	4/12/2024	31678	\$2,309.96
002142	CINTAS FIRST AID & SAFETY SUPPLIES	4/12/2024	31679	\$85.26
002167	CITY OF REDDING UTILITIES	4/12/2024	31680	\$193.11
002634	CROWN MOTORS PARTS	4/12/2024	31681	\$590.35
003375	ELLIS ART & ENGINEERING SUPPLIES SUPPLIES	4/12/2024	31682	\$49.31

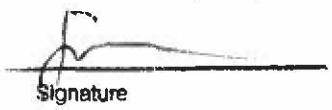
VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
003451	ENTERPRISE AUTO PARTS PARTS	4/12/2024	31683	\$2,550.34
003452	ENTERPRISE FM TRUST VEHICLE LEASES	4/12/2024	31684	\$23,062.68
003475	MASON EPPLEY PER DIEM- TRAINING	4/12/2024	31685	\$184.00
003534	EWING SUPPLIES	4/12/2024	31686	\$47.36
003590	FASTENERS INC. SUPPLIES	4/12/2024	31687	\$24.52
003618	FERGUSON ENTERPRISES, INC. SUPPLIES	4/12/2024	31688	\$636.78
004028	GAYNOR TELESYSTEMS, INC. PROFESSIONAL SERVICES	4/12/2024	31689	\$75.00
004248	GRAINGER SUPPLIES	4/12/2024	31690	\$307.13
004351	GUITONS POOL CENTER SUPPLIES	4/12/2024	31691	\$180.18
004436	MICHAEL HALLAGAN PER DIEM- TRAVEL	4/12/2024	31692	\$293.00
004592	HAVEN HUMANE SOCIETY ANIMAL CONTROL SERVICES	4/12/2024	31693	\$1,622.36
004634	HDL SOFTWARE LLC PROFESSIONAL SERVICES Q3/2023	4/12/2024	31694	\$521.72
005169	J & T CONSULTING, INC. PROFESSIONAL SERVICES	4/12/2024	31695	\$765.00
005262	JMB OIL COMPANY SUPPLIES	4/12/2024	31696	\$806.51

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
012076	JOHN ROSSIE PROFESSIONAL SERVICES	4/12/2024	31697	\$2,239.17
005445	K & S STAFFING SOLUTIONS, INC. PROFESSIONAL SERVICES	4/12/2024	31698	\$341.00
005839	LANGUAGE LINE SERVICES PROFESSIONAL SERVICES	4/12/2024	31699	\$20.68
006153	LOUCKS LANDSCAPE SUPPLY MATERIALS	4/12/2024	31700	\$193.05
012092	LUCIA MCCORMICK CLEANING DEPOSIT REFUND	4/12/2024	31701	\$350.00
012090	CASSI MILLS CLEANING DEPOSIT REFUND	4/12/2024	31702	\$500.00
007058	MT. SHASTA SPRING WATER DRINKING WATER	4/12/2024	31703	\$235.68
007075	MUNICIPAL MTNC. EQUIPMENT SUPPLIES	4/12/2024	31704	\$809.27
007342	NORCAL RENTALS & SALES EQUIPMENT	4/12/2024	31705	\$24,961.19
007394	NORTHERN CALIF. GLOVES SUPPLIES	4/12/2024	31706	\$314.13
007477	OBSIDIAN IT PROFESSIONAL SERVICES	4/12/2024	31707	\$115.00
007493	ODP BUSINESS SOLUTIONS, LLC OFFICE SUPPLIES	4/12/2024	31708	\$872.09
007616	PACE ANALYTICAL SVCS., LLC PROFESSIONAL SERVICES	4/12/2024	31709	\$198.32
007618	PACE SUPPLY CORP. SUPPLIES	4/12/2024	31710	\$22.16

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
007630	PACIFIC GAS & ELECTRIC UTILITIES	4/12/2024	31711	\$1,349.11
007750	PAYLESS BUILDING SUPPLY MATERIALS	4/12/2024	31712	\$871.69
012017	PRESYNCED PRODUCTIONS PROFESSIONAL SERVICES	4/12/2024	31713	\$1,055.00
011940	QUICK QUACK CAR WASH CAR WASHES	4/12/2024	31714	\$721.62
008826	ROTO-ROOTER PLUMBERS PROFESSIONAL SERVICES	4/12/2024	31715	\$195.00
012091	MIKE SAWYER CLEANING DEPOSIT REFUND	4/12/2024	31716	\$350.00
011807	SCL NORTH EQUIPMENT	4/12/2024	31717	\$6,076.72
009256	SCP DISTRIBUTORS, LLC SUPPLIES	4/12/2024	31718	\$2,656.76
009385	SHASTA CO. ARTS COUNCIL PROFESSIONAL SERVICES	4/12/2024	31719	\$38.00
009393	SHASTA CO. DEPT RESOURCE MGMT ANNUAL HMBP FEE-CITY HALL GEN	4/12/2024	31720	\$2,979.73
009392	SHASTA CO. DEPT RESOURCE MGT. PERMIT FEES	4/12/2024	31721	\$60.00
009423	SHASTA COUNTY AUDITOR CONT. QTRLY PASS THRU-OX YOKE/HWY273	4/12/2024	31722	\$2,591.00
009423	SHASTA COUNTY AUDITOR CONT. QTRLY PASS THRU-DESCHUTES	4/12/2024	31723	\$74,229.40
009618	SIGNARAMA PROFESSIONAL SVCS & SUPPLIES	4/12/2024	31724	\$999.25

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
011813	BRANDON SMITH PER DIEM-TRAVEL	4/12/2024	31725	\$350.00
009845	SONSRAY MACHINERY, LLC SUPPLIES	4/12/2024	31726	\$188.21
010255	T AND S DVBE, INC. SUPPLIES	4/12/2024	31727	\$514.94
011972	THE PUN GROUP, LLP PROFESSIONAL SERVICES	4/12/2024	31728	\$12,500.00
010505	TK ELEVATOR CORPORATION PROFESSIONAL SERVICES	4/12/2024	31729	\$905.12
010579	TRANSUNION RISK AND ALTERNATIV PROFESSIONAL SERVICES	4/12/2024	31730	\$75.00
010732	UPS SHIPPING FEES	4/12/2024	31731	\$32.90
010754	US POSTAL SERVICE-CMRS-POC METER POSTAGE ACCT # 7552063	4/12/2024	31732	\$5,000.00
010756	USA BLUEBOOK SUPPLIES	4/12/2024	31733	\$323.65
011064	WM CORPORATE SERVICES, INC DUMP FEES	4/12/2024	31734	\$547.04
011141	WECO INDUSTRIES, LLC SUPPLIES	4/12/2024	31735	\$3,969.15
011674	WELLS FARGO VENDOR FINANCIAL S MONTHLY LEASE	4/12/2024	31736	\$357.45
011305	PETER WICKENHEISER REIMBURSEMENT-TUITION	4/12/2024	31737	\$1,665.00

\$205,136.90


4/12/24
Signature Date

CHECK REGISTER

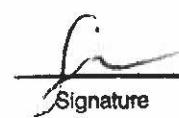
VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
011929	ACME ANALYTICAL SOLUTIONS, INC SUPPLIES	4/19/2024	31738	\$484.90
012094	ADVISOR CONSTRUCTION BUILDING PERMIT REFUND	4/19/2024	31739	\$255.02
000243	ALL CAR & TRUCK TOWING, LLC PROFESSIONAL SERVICES	4/19/2024	31740	\$95.00
000609	AT & T PHONE CHARGES	4/19/2024	31741	\$95.67
001133	BIG VALLEY SANITATION EQUIPMENT RENTAL	4/19/2024	31742	\$575.00
012068	BRITTANY BOONE RECREATION FEE REFUND	4/19/2024	31743	\$150.00
001536	BULLERT INDUSTRIAL ELEC, INC. PROFESSIONAL SVCS & SUPPLIES	4/19/2024	31744	\$7,324.23
001957	CBSC CBSC FEES	4/19/2024	31745	\$128.70
002142	CINTAS FIRST AID & SAFETY SUPPLIES	4/19/2024	31746	\$15.40
002158	CITY OF ANDERSON UTLITIES	4/19/2024	31747	\$1,607.25
002434	COPY CATS PROFESSIONAL SERVICES	4/19/2024	31748	\$177.79
002967	DEPT OF CONSERVATION STRONG MOTION FEES	4/19/2024	31749	\$276.46
002973	DEPT OF JUSTICE FINGERPRINT APPLICATION	4/19/2024	31750	\$32.00

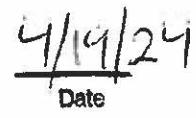
VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
005061	ELEANOR HYSELL FACILITY RENTAL REFUND	4/19/2024	31751	\$25.00
003375	ELLIS ART & ENGINEERING SUPPLI SUPPLIES	4/19/2024	31752	\$49.31
003534	EWING SUPPLIES	4/19/2024	31753	\$809.11
003590	FASTENERS INC. SUPPLIES	4/19/2024	31754	\$443.43
003618	FERGUSON ENTERPRISES, INC. SUPPLIES	4/19/2024	31755	\$2,663.30
011883	ADAM FROEBER PER DIEM- TRAINING	4/19/2024	31756	\$177.00
003927	MIKE GALLAGHER HEALTH INS. REIMBURSEMENT	4/19/2024	31757	\$534.00
011814	DAN GALLIER HEALTH INS. REIMBURSEMENT	4/19/2024	31758	\$2,871.00
004040	GENERAL TEAMSTERS #137 DUES FOR MONTH OF APR-24	4/19/2024	31759	\$2,617.00
004096	GILES LOCK & SECURITY SYSTEMS, SUPPLIES	4/19/2024	31760	\$64.99
011857	JOSEPH GRADY PER DIEM- TRAINING	4/19/2024	31761	\$700.00
005167	J & J PUMPS, INC. PROFESSIONAL SERVICES	4/19/2024	31762	\$1,479.68
005257	JENNIFER JIMERSON PER DIEM- MEETING	4/19/2024	31763	\$15.00
005667	ERIC KNIGHT PER DIEM- TRAINING	4/19/2024	31764	\$177.00

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
005970	LEE'S HONDA-KAWASAKI PARTS	4/19/2024	31765	\$268.10
011991	LOYAL 9 MFG EQUIPMENT	4/19/2024	31766	\$2,480.00
006781	MGT OF AMERICA CONSULTING, LLC PROFESSIONAL SERVICES	4/19/2024	31767	\$1,507.50
011792	MISSIONSQUARE-302204 PLAN #302204 PE 4/12/24	4/19/2024	31768	\$5,000.00
006958	MOORE & BOGENER PROFESSIONAL SERVICES	4/19/2024	31769	\$9,602.00
007493	ODP BUSINESS SOLUTIONS, LLC OFFICE SUPPLIES	4/19/2024	31770	\$202.89
007595	OWEN EQUIPMENT SALES PARTS	4/19/2024	31771	\$163.42
012064	PACC THERAPY SERVICES PROFESSIONAL SERVICES	4/19/2024	31772	\$480.00
007617	PACE ENGINEERING, INC. PROFESSIONAL SERVICES	4/19/2024	31773	\$5,510.25
007630	PACIFIC GAS & ELECTRIC UTILITIES	4/19/2024	31774	\$1,306.37
007669	PAPE MACHINERY PARTS	4/19/2024	31775	\$521.83
008093	PRI MANAGEMENT GROUP TRAINING-VALDEZ	4/19/2024	31776	\$83.70
008399	REDDING PRINTING COMPANY, INC PROFESSIONAL SVCS & SUPPLIES	4/19/2024	31777	\$123.91
011823	RYAN PROCESS, INC. EQUIPMENT	4/19/2024	31778	\$940.88

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
009256	SCP DISTRIBUTORS, LLC SUPPLIES	4/19/2024	31779	\$1,715.83
012016	SISKIYOU OPPORTUNITY CENTER JANITORIAL SERVICES	4/19/2024	31780	\$1,871.44
011813	BRANDON SMITH PER DIEM- TRAINING	4/19/2024	31781	\$350.00
009988	STATE OF CALIFORNIA ASSIGN OF WAGES PE 4/12/24	4/19/2024	31782	\$30.00
010030	STEPHENS ELECTRICAL INC. PROFESSIONAL SERVICES	4/19/2024	31783	\$8,545.66
010075	STIMPEL WIEBELHAUS ASSOCIATES, MATERIALS	4/19/2024	31784	\$1,509.67
010237	SWRCB/DWOC D2 WATER EXAM- BALBINI	4/19/2024	31785	\$60.00
010732	UPS SHIPPING FEES	4/19/2024	31786	\$50.24
010747	US BANK CORP PYMT SYSTEMS SUPPLIES, EQUIPMENT & TRAVEL	4/19/2024	31787	\$19,720.86
	VOID CHECK	4/19/2024	31788	
010881	VESTRA RESOURCES INC. PROFESSIONAL SERVICES	4/19/2024	31789	\$1,247.00
010981	DAVID WAKLEY PER DIEM-TRAINING	4/19/2024	31790	\$177.00
011305	PETER WICKENHEISER PER DIEM- TRAINING	4/19/2024	31791	\$177.00

\$87,488.79


Signature


4/19/24
Date

CHECK REGISTER

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
000017	49ER WATER SERVICES PROFESSIONAL SERVICES	4/26/2024	31792	\$1,398.00
000323	AMERICAN FIDELITY ASSURANCE CO CAFETERIA 125 PE 4/12/24	4/26/2024	31793	\$399.98
000615	AT&T CALNET PHONE CHARGES	4/26/2024	31794	\$64.26
000700	BADGER METER , INC. EQUIPMENT	4/26/2024	31795	\$20,378.15
001086	BEST BEST & KRIEGER PROFESSIONAL SERVICES	4/26/2024	31796	\$5,186.00
011927	CALIFORNIA STATE LANDS COMMISS WASTEWATER OUTFALL LEASE	4/26/2024	31797	\$100.32
001754	CALIFORNIA VISION SERVICE INSURANCE PREMIUM	4/26/2024	31798	\$119.50
002716	CWEA CERTIFICATE RENEWAL-KAVERT	4/26/2024	31799	\$103.00
002972	DEPT OF INDUSTRIAL RELATIONS CONVEYANCE- 1887 HOWARD ST	4/26/2024	31800	\$450.00
002983	DEPT. OF TRANSPORTATION TRAFFIC SIGNAL MTNC #02-0041	4/26/2024	31801	\$2,704.21
003475	MASON EPPLER PER DIEM-TRAINING	4/26/2024	31802	\$92.00
008407	GANNETT CALIFORNIA LOCALIQ ADVERTISING	4/26/2024	31803	\$71.30

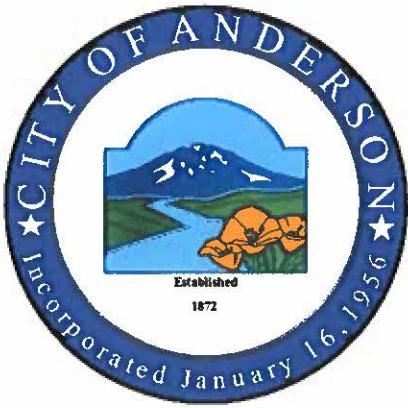
VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
004248	GRAINGER SUPPLIES	4/26/2024	31804	\$16.17
005445	K & S STAFFING SOLUTIONS, INC. PROFESSIONAL SERVICES	4/26/2024	31805	\$1,559.30
005889	LAUNDRY WORLD PROFESSIONAL SERVICES	4/26/2024	31806	\$3,304.77
012095	RENEE LEDBETTER FACILITY RENTAL FEE	4/26/2024	31807	\$70.00
006153	LOUCKS LANDSCAPE SUPPLY MATERIALS	4/26/2024	31808	\$1,914.42
006229	LYRO PRINTING PROFESSIONAL SERVICES	4/26/2024	31809	\$985.78
012054	BRANDII MACHUCA RECREATION FEE REFUND	4/26/2024	31810	\$45.00
006908	MIWALL CORPORATION EQUIPMENT	4/26/2024	31811	\$10,373.32
007342	NORCAL RENTALS & SALES EQUIPMENT	4/26/2024	31812	\$75.06
007421	DANIEL NORTON PER DIEM- TRAINING	4/26/2024	31813	\$409.00
007617	PACE ENGINEERING, INC. PROFESSIONAL SERVICES	4/26/2024	31814	\$3,000.00
007630	PACIFIC GAS & ELECTRIC UTILITIES	4/26/2024	31815	\$72,219.84
008399	REDDING PRINTING COMPANY, INC PROFESSIONAL SVCS & SUPPLIES	4/26/2024	31816	\$255.37

VENDOR	NAME DESCRIPTION	CHECK DATE	CHECK NUMBER	CHECK AMOUNT
009256	SCP DISTRIBUTORS, LLC SUPPLIES	4/26/2024	31817	\$69.68
009564	SHN CONSULTING ENGINEERS AND G PROFESSIONAL SERVICES	4/26/2024	31818	\$12,753.75
009845	SONSRAY MACHINERY, LLC SUPPLIES	4/26/2024	31819	\$210.18
010367	THATCHER COMPANY, INC. SUPPLIES	4/26/2024	31820	\$14,370.99
010756	USA BLUEBOOK SUPPLIES	4/26/2024	31821	\$95.95
010874	VERIZON WIRELESS PHONE CHARGES	4/26/2024	31822	\$3,652.80
010881	VESTRA RESOURCES INC. PROFESSIONAL SERVICES	4/26/2024	31823	\$2,331.45
011064	WM CORPORATE SERVICES, INC RECYCLE FEES	4/26/2024	31824	\$5.00
011141	WECO INDUSTRIES, LLC SUPPLIES	4/26/2024	31825	\$329.57
011260	CHRISTY WHITE MILEAGE REIMBURSEMENT- MEETING	4/26/2024	31826	\$218.42

\$159,332.54

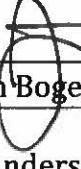

Signature

4/26/24
Date



AGENDA ITEM

May 7, 2024, City Council Meeting

Approved for Submittal By:
 (Handwritten signature of Joey Forseth-Deshais)
Joey Forseth-Deshais, City Manager
To Be Presented By:
 (Handwritten signature of Collin Bogener)
Collin Bogener, City Attorney

To: Honorable Mayor and Members of the Anderson City Council

From: City Attorney Collin Bogener and City Manager Joey Forseth-Deshais

Date: May 7, 2024

SUBJECT

Chapter 3.20 of the Anderson Municipal Code Regarding the Purchasing Policies and Procedures for the City.

RECOMMENDATION

Enact Ordinance No. 859 (second reading) amending Chapter 3.20 of the Anderson Municipal Code Regarding the Purchase Policies and Procedures for the City as introduced on April 16, 2024 (first reading).

FISCAL IMPACT

There is no fiscal impact of this action.

DISCUSSION and BACKGROUND

On February 6, 2024, City staff discussed the City's purchasing policies and procedures with the City Council, which is set forth in Chapter 3.20 of the Anderson Municipal Code. Chapter 3.20 contains the purchasing policies and procedures for the City of Anderson. This includes purchase order requirements, exceptions for bidding, and the adoption of the California Uniform Public Construction Cost Accounting Act ("CUPCCAA"). While CUPCCAA was adopted by the Council in 2020, the remainder of the ordinance is dated and in need of amendment. A significant concern was the City Manager purchasing authority, which was somewhat unclear in the ordinance, and in need of revision. During that February City Council meeting, the Council was informed that staff was working on an amendment to Chapter 3.20, which would be brought back for City Council review in 2-3 months.

In the last few months, staff has spoken with other cities, reviewed the codes in other jurisdictions, and met with City department heads to discuss potential improvements in the Anderson City Code. As a result, City staff is proposing repealing the current Chapter 3.20 and replacing it with the new version, included as an Exhibit to this staff report.

Some of the components of the new ordinance include:

- Purchases of \$5,000 or less may occur with informal procedures.
- Authority for purchases of \$10,000 or less may be delegated to department heads by the City Manager, following an informal price checking.
- Purchases between \$10,000 and \$25,000 may be accomplished by the City Manager following informal price checking.
- Purchases between \$25,000 and \$60,000 (or as amended under the California Uniform Public Construction Cost Act ("CUPCCA")) may be purchased by the City Manager by force account, negotiated contract, or by purchase order.
- All purchases over \$60,000 will continue to be made by the City Council pursuant to the requirements of CUPCCA, which the City previously adopted.
- Consultant agreements will be accomplished without the requirement of the informal or competitive bid.

Some items are excluded from the ordinance (set forth in section 3.20.420), which includes public projects governed by the Public Contract Code, purchase of insurance, the leasing, purchase or sale of land, employee agreements, and private construction contracts. These items will continue to require direct City Council approval.

ATTACHMENT

1. Ordinance

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANDERSON AMENDING CHAPTER 3.20
OF THE ANDERSON MUNICIPAL CODE REGARDING THE PURCHASING PROCESS
IMPLEMENTED BY THE CITY**

WHEREAS, Chapter 3.20 of the City of Anderson's ("City") municipal code outlines purchasing procedures designed to make the City more effective, efficient and fiscally responsible in the procurement of goods and services; and

WHEREAS, purchasing authority thresholds are an integral part of the City's purchasing procedures; and

WHEREAS, competitive procurement levels are an integral part of the City's purchasing procedures; and

WHEREAS, purchasing authority thresholds and competitive procurement levels are set to benefit the City through cost savings; and

WHEREAS, the City has reviewed Chapter 3.20 and made proposed changes intended to create an up to date, effective, and fiscally responsible set of codes for the City to operate under, with the goal of making the City staff more efficient in its purchasing processes.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ANDERSON DOES ORDAIN AS
FOLLOWS:**

Section 1. Chapter 3.20 "PURCHASING SYSTEM" of Title 3 "Revenue and Finance" of the Anderson Municipal Code be repealed in its entirety and replaced to read as follows:

Chapter 3.20 – PURCHASING

3.20.010 - Purpose.

The purpose of this chapter is to maximize the purchasing value of public funds in procurement and to provide safeguards for maintaining a procurement system of quality and integrity.

3.20.020 - Application.

Except as otherwise provided in this chapter, this chapter applies to contracts for the procurement of supplies and services entered into by the city. When the procurement involves the expenditure of federal assistance or contract funds, the procurement shall be conducted in accordance with mandatory applicable federal law and regulations. Nothing in this chapter shall prevent city from complying with the terms and conditions of any grant, gift or bequest that is otherwise consistent with law.

3.20.030 - Definitions.

As used in this chapter:

A. "Business" means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.

B. "City" means the city of Anderson.

C. "Emergency" means a situation where immediate action is required to preserve the public peace, health and safety and/or to avoid severe degradation of a city facility.

D. "Local business" means a business that has its headquarters, distribution point or locally-owned franchise located in or having a street address within the city limit for at least six months immediately prior to the request for quotations and holds all required business licenses and other approvals by the city of Anderson.

E. "Person" means any business, individual, union, committee, club, other organization or group of individuals.

F. "Procurement" means the buying, purchasing, renting, leasing or other acquisition of any supplies or services. Procurement also includes all functions that pertain to the obtaining of any supplies or services, including specifications, description of requirements, selection and solicitation of sources, preparation and awards of contracts and contractual administration.

G. "Public project" means a project governed by Section 20161 of the California Public Contract Code.

H. "Services" means the performance of work by an independent contractor of the city; provided, however, services specifically exclude employee services and exclude the performance of work for "public projects." Services specifically includes all professional services, such as attorneys, physicians, consultants, teachers, trainers, architects, engineers, landscape architects, construction managers, environmental, land surveyors, appraisers, accountants and financial advisers, as well as other professional services such as insurance brokers and bankers; nonprofessional services such as cleaning and maintenance; and any "public works" not within the definition of "public projects."

I. "Specification" means any description of the physical or functional characteristics or of the nature of a supply, service or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply or service for delivery.

J. "Supplies" means all personal property (including, but not limited to, equipment and materials) except as otherwise provided in this chapter.

K. "Surplus supplies" means supplies that are worn out, obsolete or unsuitable for city use.

L. "Total amount" means total price charged for a supply, including tax, shipping and handling and any other associated charges.

M. "Total taxable amount" means total price for a supply on which sales taxes are charged.

3.20.040 - Purchasing officer—Office established.

The city manager, or his/her designee, shall serve as the purchasing officer of the city.

3.20.050 - Purchasing officer—Duties.

There is created the position of purchasing officer, who shall be appointed by the city manager. The purchasing officer shall be responsible to the city manager for the efficient operation of the purchasing system as outlined in Section 2.16.010.

3.20.060 - Operational procedures.

Consistent with this chapter, the purchasing officer may adopt operational procedures relating to the execution of duties. At a minimum, the purchasing officer shall adopt procedures relating to the preparation of purchase orders, competitive pricing requirements for purchases of less than five thousand dollars, the determination that sufficient funds are available for the purchase, verification that the order received is correct and meets the city's quality standards and establish policies relating to environmental procurement and purchases relating to brand name products.

3.20.070 - Delegation.

The purchasing officer may delegate authority to purchase supplies or services and to dispose of surplus supplies to other city officials, if such delegation is deemed necessary for the effective procurement or disposal of those items and approved by the city manager.

3.20.080 - Consideration of bids and basis of awards.

Purchases shall be awarded on the basis of the bid or bids most advantageous to the city. In determining whether a bid is most advantageous to the city, in addition to price, the purchasing officer, city manager or city council may consider the following:

1. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
2. Whether the bidder can perform the contract or provide the service promptly or within the time specified, without delay or interference;
3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
4. The quality of performance of previous contracts or services;
5. The previous and existing compliance by the bidder with applicable laws and ordinances;
6. The sufficiency of the financial resources and the ability of the bidder to perform the contract or provide the service;
7. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
8. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract; and
9. The number and scope of conditions attached to the bid.

3.20.090 - Justification for acceptance of a high bid.

In cases where the purchasing officer makes the purchase and, in the opinion of the purchasing officer, the most advantageous bid is not the lowest bid, the purchasing officer shall prepare and place on file with the department making the purchase, a written statement of his/her opinion and the reason therefor. Such statement shall be open to public inspection at all times during regular business hours.

3.20.100 - Local business price preference.

A local business shall be given a one percent preference (calculated on the total taxable amount of the purchase), over a bidder that is not a local business. In cases where considering this one percent preference, two or more bids are judged to be equal on the basis of price, quality and service, the local business bidder shall be preferred.

3.20.101 - Local business quotation preference.

If the lowest price submitted for a purchase is not from a local business, local businesses shall be given a preference in the procurement process if they are otherwise responsive and responsible and within five percent of the lowest price originally submitted by a non-local business. The local business's price will be tabulated as if it were up to five percent lower than the total figure actually set forth in the submitted bid, sufficient to establish the re-tabulated bid as the low bid. The local business would then be awarded the contract at the newly calculated price (deducting the five percent). Local businesses shall have the choice when submitting a bid whether or not they would be willing to reduce their price up to five percent in order to make them the low bidder. The city, when seeking bids or proposals, will notify bidders or proposers that the bids or proposals will be evaluated on the basis of a local preference of five percent of the bid or proposal price. The local business must affirmatively mark on the bid submittal that it would like to apply the local preference. The preference described in this section will be applied in addition to the one percent preference required by Section 3.20.100.

3.20.110 - Purchases in the amount of five thousand dollars or more must be in writing.

No award for supplies or services where the total amount or value is five thousand dollars or more shall be deemed to be an acceptance of any offer or bid unless and until the same is reduced to writing and signed by the purchasing officer and dispatched to the vendor or purchaser. For purchases under five thousand dollars, informal bidding procedures should be utilized whenever beneficial to the city; provided, however, that written documentation of the amount owed by city shall be obtained prior to any payment by city.

3.20.120 - Informal purchases in an amount of up to ten thousand dollars.

Where the total amount or value of a purchase is ten thousand dollars, or less, the city manager may delegate the authority to purchase to the department head for the department making the purchase, provided that the department head conducts and completes an informal price checking process through telephone or mail inquiry, comparison of prices on the Internet, or similar process and shall document the information received in writing. Notwithstanding the foregoing, the department head may elect to make any purchase in a total amount or value of up to ten thousand dollars (except as the laws of the state otherwise require) in the following cases:

1. By department head approval that said purchase may be made cooperatively, as provided in Section 3.20.180 of this chapter, upon a determination that informal price checking would not be likely to result in a lower price to the city from a responsible bidder or would cause unnecessary expense or delay under the circumstances; or
2. By department head approval upon a determination that there is only one source for the required supply or service based on a review of available sources by the purchasing officer and written recommendation therefor.

3.20.130 - Informal purchases in an amount over ten thousand dollars and up to twenty-five thousand dollars.

Where the total amount or value of a purchase is twenty-five thousand dollars, or less, the purchase may be made by the purchasing officer, provided that the purchasing officer shall conduct and complete an informal price checking process through telephone or mail inquiry, comparison of prices on the Internet, or similar process and shall document the information received in writing. Notwithstanding the foregoing, the purchasing officer may elect to make any purchase in a total amount or value of up to twenty-five thousand dollars (except as the laws of the state otherwise require) in the following cases:

1. By purchasing officer approval that said purchase may be made cooperatively, as provided in [Section 3.20.180](#) of this chapter, upon a determination that informal price checking would not be likely to result in a lower price to the city from a responsible bidder or would cause unnecessary expense or delay under the circumstances; or
2. By purchasing officer approval upon a determination that there is only one source for the required supply or service based on a review of available sources by the purchasing officer and written recommendation therefor.

3.20.140 - Informal purchases over twenty-five thousand dollars and up to the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act.

Where the total amount or value of a purchase is twenty-five thousand dollars or more, but not over the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act, the purchase shall be made by the city manager per section 22032(a). The city manager may elect to make any purchase in any amount (except as the laws of the state otherwise require) in the following cases:

1. By city manager approval upon a determination that competitive bids upon notice would not be likely to result in a lower price to the city from a responsible bidder or would cause unnecessary expense or delay under the circumstances;
2. By city manager approval that said purchase may be made cooperatively, as provided in [Section 3.20.180](#) of this chapter, upon a determination that competitive bids upon notice would not be likely to result in a lower price to the city from a responsible bidder or would cause unnecessary expense or delay under the circumstances;
3. By city manager approval upon a determination that the immediate preservation of the public peace, health or safety requires said purchase to be made without competitive bids upon notice; or
4. By city manager approval upon a determination that there is only one source for the required supply or service based on a review of available sources by the purchasing officer and written recommendation therefor.

3.20.150 - Competitive bid purchases over the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act.

Where the total amount or value involved is over the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act, the purchase shall be made by the city council through competitive bid, upon notice as required by [Section 3.20.190](#) of this chapter, provided however, the city council may elect to make any purchase in any amount (except as the laws of the state otherwise require) in the following cases:

1. By affirmative vote of three city council members upon a determination that competitive bids upon notice would not be likely to result in a lower price to the city from a responsible bidder or would cause unnecessary expense or delay under the circumstances;
2. By majority vote of city council members present at a city council meeting that said purchase may be made cooperatively, as provided in Section 3.20.180 of this chapter, upon a determination that competitive bids upon notice would not be likely to result in a lower price to the city from a responsible bidder or would cause unnecessary expense or delay under the circumstances;
3. By majority vote of those present at a city council meeting upon a determination that the immediate preservation of the public peace, health or safety requires said purchase to be made without competitive bids upon notice; or
4. By majority vote of those present at a city council meeting upon a determination that there is only one source for the required supply or service based on a review of available sources by the purchasing officer and written recommendation therefor.

3.20.160 - Emergency authority of purchasing officer.

A. In an emergency as defined in [Section 3.20.030](#) where timely action by the city council is not possible, the purchasing officer may purchase supplies or services, even though the total amount thereof may exceed the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act, without competitive bids or notice.

B. At the next succeeding city council meeting, the purchasing officer shall submit to the city council a written report setting forth a statement of the circumstances of such emergency, a description of the supplies or services purchased and the prices thereof.

3.20.170 - Waiver of informalities—Rejection of bids.

Where the purchasing officer, city manager or city council are required to make purchases upon competitive bids, said officer, manager or city council may waive any informalities or minor irregularities, or may reject any and all bids (anything contained in this chapter to the contrary notwithstanding) if said officer, manager or city council, respectively, deems said rejection to be in the best interests of the city. Said rejection shall be at the sole discretion of the officer, manager or city council, as the case may be. Upon rejection of bids, the officer, manager or city council may:

1. Give subsequent notice for new competitive bids;
2. Postpone said purchase or disposal definitely or indefinitely; or

3. Elect to make the purchase without competitive bids, upon notice (and as if competitive bids, upon notice, had not been required in the first instance) in accordance with the authority granted by the various subsections of this section.

3.20.180 - Cooperative purchasing.

The purchasing officer has the authority to join with other public jurisdictions in cooperative purchasing plans or programs, including, but not limited to California Communities Purchasing Program (CCPP), the California Department of General Services (CADGS), the California Multiple Award Schedule (CMAS), the National Association of Counties (NACo), or similar arrangements or plans, as determined by the purchasing officer to be in the city's best interests.

The purchasing officer may either: (1) buy directly from a vendor at a price established by a competitive bid by another jurisdiction even if the city had not joined with the public agency in a cooperative purchase; or (2) compare bids among cooperative purchasing plans or programs and choose the bid that best matches the needs of the city. The purchasing officer shall not, however, shop the cooperative purchasing process bid to private vendors.

3.20.190 - Competitive bids—Notice.

Where notice is required, notice shall be given as follows:

A. The notice shall give such information as to the proposed purchase or disposal as the purchasing officer deems sufficient but shall include the following:

1. A distinct description of the supplies or services to be purchased or personal property to be disposed;
2. The location where bid forms, specifications, performance requirements, requests for proposals, or specific disposal requirements can be obtained for bidding;
3. Date, time and place of bid opening;
4. Whether bid deposits or bonds and faithful performance bonds will be required; and
5. A statement that the city has the authority to reject any and all bids and may waive any minor technicality or variance found in the bid document.

B. For purchases under Sections 3.20.150:

1. By publishing notice in a newspaper of general circulation within the city on at least one occasion at least ten days prior to the date set for the final receipt of bids, provided that publication may be made in any newspaper of general circulation in the county which the purchasing officer shall select if the publication schedule of all newspapers of general circulation in the city are such that notice by publication cannot be given in time; and

2. Posting on the city's website.

3.20.200 - Competitive bids.

Competitive bids shall be submitted in writing in a sealed envelope to the office of the city clerk no later than the final time and date for receipt of bids as set forth in the notice of publication and opened publicly. If authorized in the notice, bids also may be submitted by electronic mail or

facsimile, provided however, that the entire document is received no later than the final time set for receipt of written bids. Any bid may be withdrawn by a written request signed by the bidder and received by the city clerk prior to the final time and date for the receipt of bids.

1. **Opening.** Bids shall be opened in public at the time and place stated in the public notices.

2. **Tabulation.** A tabulation of all bids received shall be posted for public inspection.

3.20.210 - Bid deposits.

When deemed necessary by the purchasing officer, city manager or city council, any bidder may be required to submit a bid security or bond in an amount determined by the purchasing officer, city manager or city council that represents the damage costs to the city should the bidder not be able to engage in a contract with the city as a result of the bidder's actions. A successful bidder (and surety, if a bond is furnished) shall be liable for all damages upon said bidder's failure to enter into a contract with the city.

3.20.220 - Faithful performance deposits.

When deemed necessary by the purchasing officer, city manager or city council, any person entering into a contract with the city may be required to furnish a faithful performance and/or a time and materials deposit or bond in an amount determined by the purchasing officer, city manager or city council. Said person (and surety, if a bond is furnished) shall be liable for any damages upon said person's failure to faithfully perform the terms of his/her contract.

3.20.240 - Consultant contracts.

A. The city council finds and declares that the competitive bid process is ill-suited for the selection of consultants. The request for proposal procedure set forth in [Section 3.20.250](#) may be used if a determination is made by the officer or official responsible for the purchase — the purchasing officer, city manager or city council, respectively — that to do so would be in the best interest of the city in selecting the best qualified consultant. Consultants are required for professional or technical expertise and for matters requiring specialized abilities or a high degree of skill. Their numbers in relation to a particular skill or expertise required are comparatively limited. Where consultants are involved, the bidding process is not likely to result in a lower price to the city or eliminate unnecessary expense or delay.

B. The officer or official responsible for the purchase — the purchasing officer, city manager or city council, respectively — shall be empowered to engage a consultant (including, but not limited to, material testing service, construction inspection services, architectural, engineering, testing, land surveying, appraising, environmental, planning, financial, legal, development processing, governmental operations, special studies, construction project management, information technology and services graphic design and other services related thereto) without the necessity of an informal bid or competitive bid or notice thereof in the following circumstances and subject to the following criteria and conditions:

1. Subject to the delegation of the city manager, with department head approval if the consultant's total fee for services and supplies under the contract by which the consultant is engaged on a per project basis, including any amendments to the contract, does not exceed ten thousand dollars, so long as there exists a sufficient unencumbered appropriation in the fund against which the

contract expense may be appropriately charged and provided further that any bifurcation of a purchase or contract into subunits or phases for the purpose of avoiding the maximum dollar amounts set forth in this section is prohibited; or

2. With city manager approval if the consultant's total fee for services and supplies under the contract by which the consultant is engaged on a per project basis, including any amendments to the contract, does not exceed the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act, so long as there exists a sufficient unencumbered appropriation in the fund against which the contract expense may be appropriately charged and provided further that any bifurcation of a purchase or contract into subunits or phases for the purpose of avoiding the maximum dollar amounts set forth in this section is prohibited; or

3. With city council approval if the consultant's total fee for services and supplies under the contract by which the consultant is engaged on a per project basis exceeds the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act. City council approval is not required for services in excess of the amount authorized to be performed by the employees of a public agency for public projects per State of California's Uniform Public Construction Cost Accounting Act if the consultant's total fee for services and supplies is to provide environmental services for a project that will be paid for by a development processing project applicant.

3.20.245 - Non-consultant services contracts.

A. A services contract is a contract, with or without the furnishing of supplies or equipment, for work, labor or services including, but not limited to:

1. Maintenance of public buildings, streets, parks and playgrounds and other public improvements not governed by the provisions of the California Public Contract Code;

2. Repair, modification and maintenance of equipment;

3. Installation and maintenance of computer software;

4. Janitorial services, uniform cleaning, tree trimming, street sweeping, power washing and landscape maintenance; and

5. Leasing of personal property for use by the city.

B. Services contracts shall comply with the necessary informal bid, competitive bid process or request for proposal as set forth in Sections [3.20.080](#); [3.20.120](#); [320.130](#); [3.20.140](#); [3.20.150](#), and [3.20.250](#), as applicable.

3.20.250 - Request for proposals.

A. In lieu of competitive bidding, the officer or official responsible for the purchase — the purchasing officer, city manager or city council, respectively — may utilize the request for proposal method of purchasing supplies or services upon a determination that competitive bidding is not practical or advantageous to the city because of one or more of the following reasons:

1. Quality, capability, performance or qualification is overriding in relation to price;

2. Delivery, installation, service, maintenance, reliability or replacement is overriding in relation to price;
3. In the opinion of the purchasing officer, city manager or city council, respectively, the marketplace will respond better to a solicitation permitting a range of alternative proposals or evaluation and discussion of proposals before entering the contract; or
4. Any of the considerations set forth in [Section 3.20.080](#) are overriding.

B. The identity of persons responding to the request for proposals and the content of proposals submitted to the city may be kept confidential during the process of negotiation and until a contract is awarded, if deemed necessary by the purchasing officer, city manager or city council to receive the best proposal.

C. The formats and procedures for requests for proposals shall be established by the purchasing officer.

D. The contract award shall be based upon the proposal determined by the purchasing officer, city manager or city council, respectively, to be most advantageous to the city, taking into consideration price and the evaluation factors set forth in the request for proposals.

E. The purchasing officer, city manager or city council, respectively, may reject any and all proposals if such rejection is deemed to be in the best interests of the city and may thereupon direct that proposals be solicited or utilize any other purchasing method set forth in this section.

F. As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offers. In conducting discussions, there shall be no disclosure of the identity of competing offerors, or of any information derived from proposals submitted by competing offerors.

3.20.420 - Exclusions from chapter.

The provisions of this chapter shall not apply:

1. To public projects (governed by the provisions of the California Public Contract Code);
2. To franchises governed by the provisions of the California Public Utilities Code or other statutes of the state;
3. Where state or federal law requires a different procedure;
5. To the purchase of insurance;
6. To the leasing, purchase or sale of land or any interest therein;
7. To the hiring of, or contracting for, personnel (whether as temporary, seasonal or permanent employees);
8. To private construction contracts reviewed pursuant to Title 16; and

9. To the purchase of utilities, including, but not limited to, telephone service, gas, electricity or water.

Section 2. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any person or circumstance. The City Council of the City of Anderson hereby declares that it would have adopted each section, subsection subdivision paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections subdivisions paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

I HEREBY CERTIFY that the foregoing ordinance was introduced and read by the City Council of the City of Anderson at a regular meeting on the 16th day of April, 2024, and was duly read and adopted at a regular meeting on the 7th day of May, 2024, by the following vote:

AYES:

NOES:

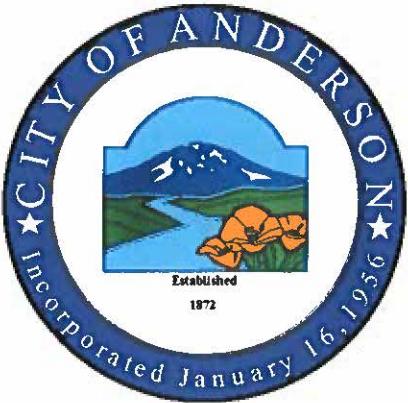
ABSENT:

ABSTAIN:

STAN NEUTZE, Mayor

ATTEST:

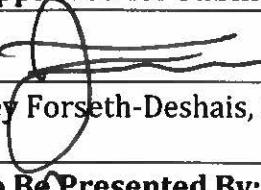
CHRISTY WHITE, City Clerk



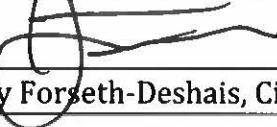
AGENDA ITEM

May 7, 2024, City Council Meeting

Approved for Submittal By:


Joey Forseth-Deshais, City Manager

To Be Presented By:


Joey Forseth-Deshais, City Manager

To: Honorable Mayor and Members of the Anderson City Council

From: Joey Forseth-Deshais, City Manager

Date: May 7, 2024

SUBJECT

Letter of Support for Simpson University Aviation and Aviation Management Program

RECOMMENDATION

The City Manager recommends the approval of the letter of support for the funding of an Aviation Management program for Simpson University.

FISCAL IMPACT

None.

DISCUSSION and BACKGROUND

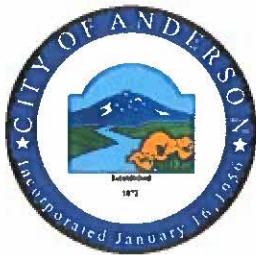
The aviation industry is experiencing a global shortage of pilots and airlines are scrambling to fill this void. Unfortunately, there has also been a series of recent adverse media reports on aviation management professionals and the need for increased safety awareness within the industry.

Simpson University is rising to the challenge and pursuing approval and funding for a new aviation program to train both new pilots and those interested in management and leadership within the aviation industry. As such, Simpson University is putting a funding request before Congress for systems and equipment for these proposed programs.

Simpson University will partner with local flight training providers, where students will be able to work towards receiving their pilot's license. The university will also offer the opportunity to attain a bachelor's degree in aviation management. This will boost our local offerings for advanced education and increase the number of qualified individuals in the north state.

ATTACHMENT

Letter of support



The Honorable Doug LaMalfa
United States Congressman
408 Cannon House Office Building
Washington, D.C., 20515

May 7, 2024

Dear Congressman LaMalfa,

I am writing to express my support for Simpson University's Community Project Funding request to purchase the necessary equipment for the new Aviation and Aviation Management program. As a member of the community, I recognize the significance of this initiative and the potential positive impact it can have on our region.

The need for such a program is evident given the growing demand for skilled professionals in the aviation industry. With projections indicating a substantial shortage of pilots in the coming years, it is imperative that we take proactive steps to address this gap. Simpson University's proposed program not only aligns with this need but also leverages the unique advantages of our region, particularly its ideal climate for flight training.

This critical equipment will boost the new program to not only meet the demands of the commercial airline sector but also create opportunities for individuals seeking careers in fields such as firefighting, rescue operations, and agriculture. By offering both a professional flight track and an aviation management track, Simpson University ensures that graduates are well-equipped to pursue diverse career paths within the aviation industry.

Moreover, Simpson University's commitment to combining a Christian liberal arts foundation with advanced aviation coursework speaks to its dedication to holistic education and the development of students as critically competent professionals of deep character. This integrated approach, along with state-of-the-art facilities and personalized training, will undoubtedly prepare graduates to excel in their chosen fields and make meaningful contributions to our community and beyond.

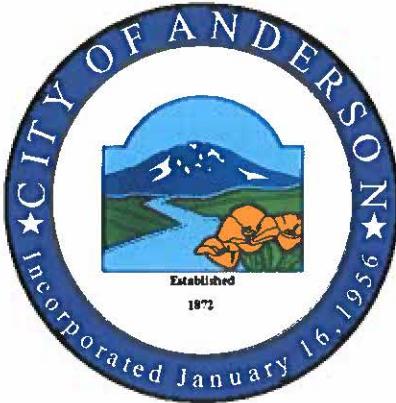
I believe that investing in Simpson University's Aviation program is not only an investment in the future of our region but also in the future of aviation as a whole. The Anderson City

Council and I wholeheartedly endorse this funding request and encourage you to consider it favorably.

Thank you for your attention to this matter, and please do not hesitate to reach out if you require any further information or assistance.

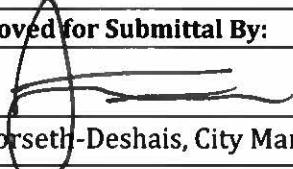
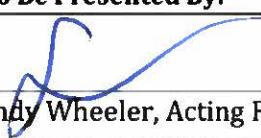
Sincerely,

Stan Neutze, Mayor City of Anderson



AGENDA ITEM

May 7, 2024, City Council Meeting

Approved for Submittal By:
 Joey Forseth-Deshais, City Manager
To Be Presented By:
 Cindy Wheeler, Acting Finance Director/Treasurer

To: Honorable Mayor and Members of the Anderson City Council

Through: Joey Forseth-Deshais, City Manager

From Cindy Wheeler, Acting Finance Director/Treasurer

Date: May 7, 2024

SUBJECT

Revision of 2022/2023 & 2023/2024 Appropriation Limits

RECOMMENDATION

The Acting Finance Director recommends that the Council:

1. Adopt a Revision to the Resolution establishing the Gann appropriations limit for the fiscal year 2022-2023 and find that the adopted appropriations are within the limit.
2. Adopt a Revision Resolution establishing the Gann appropriations limit for the fiscal year 2023-2024 and find that the adopted appropriations are within the limit.

FISCAL IMPACT

There is no Fiscal Impact for the revision of the Gann appropriation limits. Adoption of the Gann appropriations limit ensures that the city complies with Propositions 4 and 111, which were passed by the voters in 1979 and 1990, respectively, and which place limits on the amount of tax revenue that can be spent by local governments.

DISCUSSION and BACKGROUND

During our 2022/2023 Annual Financial Audit, it was brought to our attention by our new audit firm, The Pun Group, that the Gann appropriation limits adopted by resolutions 22-29 & 23-29, respectively, had typographical errors in the formula resulting in a considerable difference to the limit for 2022/2023 and carrying over into the figures for 2023/2024. As a result, we are being asked to make these corrections to comply with the Department of Finance when establishing appropriation limits. It is important to point out that this revision has zero fiscal impact.

ATTACHMENTS

1. Gann Limit Amendment Resolution 2022/2023
2. Gann Limit Amendment Resolution 2023/2024

RESOLUTION NO. 24-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANDERSON
AMENDING THE APPROPRIATION LIMIT FOR THE 2022-2023 FISCAL YEAR**

WHEREAS, Article XIIIIB of the California Constitution was enacted into law, and later amended, by the passage of Propositions 4 and 111; and

WHEREAS, the City Manager/Finance Director-Treasurer has calculated the Appropriation Limit in accordance with the uniform guidelines for implementation of Article XIIIIB of the California Constitution; and

WHEREAS, the calculations used to compute the limitation is attached to this Resolution as Exhibit A and made a part hereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Anderson hereby establishes the Appropriation Limit for the 2022-2023 fiscal year to be \$20,186,305.

PASSED AND ADOPTED by the City Council of the City of Anderson on this 7th day of May, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stan Neutze, Mayor of the City of Anderson

ATTEST:

Christy White, City Clerk

Calculation of Appropriations Limit

2021/2022 Appropriations Limit		\$18,915,034
Adjustment Factor:		
Population factor: Change in County Population	0.9918	
times Inflation factor: Change in CPI	1.0755	1.06668
2022/23 Appropriations Limit		\$20,176,305
Adjustments for Transfer of Financial Responsibility:		
Booking Fee Expenses		\$10,000
Adjusted 2022/23 Appropriations Limit		\$20,186,305

Calculation of Appropriations Subject to Limit

(Projected for the 2021/22 Fiscal Year)

Proceeds of Taxes	\$10,223,178
Exclusions:	
Qualified Debt Service:	
Police Building and Animal Control Building	\$0
Total Exclusions	\$0
Appropriation Subject to Limitation	\$10,223,178

Calculation of Compliance with Appropriations Limit

(Projected for the 2022/23 Fiscal Year)

2022/2023 Appropriations Limit	\$20,186,305
2022/2023 Appropriations Subject to Limit	\$10,223,178
Amount over/(under) Limit	(\$9,963,128)

Calculation of Appropriations Limit

2021/2022 Appropriations Limit		\$18,915,034
Adjustment Factor:		
Population factor: Change in County Population	0.82	
times Inflation factor: Change in CPI	1.0755	0.88191
2022/23 Appropriations Limit		\$16,681,358
Adjustments for Transfer of Financial Responsibility:		
Booking Fee Expenses		\$10,000
Adjusted 2022/23 Appropriations Limit		\$16,691,358

Calculation of Appropriations Subject to Limit

(Projected for the 2021/22 Fiscal Year)

Proceeds of Taxes		\$10,223,178
Exclusions:		
Qualified Debt Service:		
Police Building and Animal Control Building		\$0
Total Exclusions		\$0
Appropriation Subject to Limitation		\$10,223,178

Calculation of Compliance with Appropriations Limit

(Projected for the 2022/23 Fiscal Year)

2022/2023 Appropriations Limit		\$16,691,358
2022/2023 Appropriations Subject to Limit		\$10,223,178
Amount over/ under Limit		(\$6,468,180)

Original Adopted

RESOLUTION NO. 24-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANDERSON
AMENDING THE APPROPRIATION LIMIT FOR THE 2023-2024 FISCAL YEAR**

WHEREAS, Article XIIIIB of the California Constitution was enacted into law, and later amended, by the passage of Propositions 4 and 111; and

WHEREAS, the City Manager/Finance Director-Treasurer has calculated the Appropriation Limit in accordance with the uniform guidelines for implementation of Article XIIIIB of the California Constitution; and

WHEREAS, the calculations used to compute the limitation is attached to this Resolution as Exhibit A and made a part hereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Anderson hereby establishes the Appropriation Limit for the 2023-2024 fiscal year to be \$20,892,292.

PASSED AND ADOPTED by the City Council of the City of Anderson on this 7th day of May, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stan Neutze, Mayor of the City of Anderson

ATTEST:

Christy White, City Clerk

Calculation of Appropriations Limit

2022/2023		\$20,186,305
Adjustment Factor:		
Population factor: Change in County Population	0.9905	
times Inflation factor: Change in CPI	1.0444	1.03448
2023-2024		\$20,882,292
Adjustments for Transfer of Financial Responsibility:		
Booking Fee Expenses		\$10,000
Adjusted 2023/24 Appropriations Limit		\$20,892,292

Calculation of Appropriations Subject to Limit

(Projected for the 2023/24 Fiscal Year)

Proceeds of Taxes	\$11,355,564
Exclusions:	
Qualified Debt Service:	
Police Building and Animal Control Building	\$0
Total Exclusions	\$0
Appropriation Subject to Limitation	\$11,355,564

Calculation of Compliance with Appropriations Limit

(Projected for the 2022/23 Fiscal Year)

2023/2024 Appropriations Limit	\$20,892,292
2023/2024 Appropriations Subject to Limit	\$11,355,564
Amount over/(under) Limit	(\$9,536,728)

Calculation of Appropriations Limit

2022/2023		\$16,691,358
Adjustment Factor:		
Population factor: Change in County Population	-0.95	
times Inflation factor: Change in CPI	-1.0345	0.98278
2023-2024		\$16,403,849
Adjustments for Transfer of Financial Responsibility:		
Booking Fee Expenses		\$10,000
Adjusted 2023/24 Appropriations Limit		\$16,413,849

Calculation of Appropriations Subject to Limit

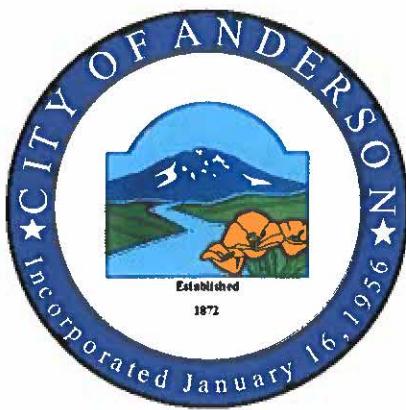
(Projected for the 2023/24 Fiscal Year)

Proceeds of Taxes	\$11,355,564
Exclusions:	
Qualified Debt Service:	
Police Building and Animal Control Building	\$0
Total Exclusions	
Appropriation Subject to Limitation	\$0

Calculation of Compliance with Appropriations Limit

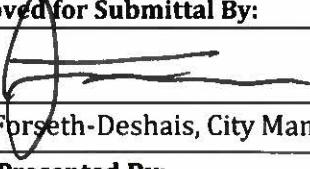
(Projected for the 2022/23 Fiscal Year)

2023/2024 Appropriations Limit	\$16,413,849
2023/2024 Appropriations Subject to Limit	\$11,355,564
Amount over (under) Limit	(\$5,058,285)



AGENDA ITEM

May 7, 2024 City Council Meeting

Approved for Submittal By:
 Joey Forseth-Deshais, City Manager
To Be Presented By:
 Cindy Wheeler, Acting Finance Director

To: Honorable Mayor and Members of the Anderson City Council

From: Joey Forseth-Deshais, City Manager

Through: Cindy Wheeler, Acting Finance Director

Date: May 7, 2024

SUBJECT

2024-2025 Capital Improvement Planning

DISCUSSION and BACKGROUND

Background

Tonight, the City Council will review staff's recommended Capital Improvement Plan for the coming five-year period. This five-year plan is updated each year and includes our projections for development fee revenues and plans for construction needed infrastructure.

Capital Improvement Planning

Each spring, the City Manager develops a proposed annual update of the City Council's adopted Five Year Capital Improvement Plan. As part of the CIP development process, staff has updated our development projections for the next five years and completed estimates of anticipated development fee revenues and current fund balances. In developing CIP recommendations, management considers growth and development projections, areas of greatest need, and, most importantly, the City Council's adopted priority projects for the 2024-2025 fiscal year.

The CIP only includes new projects to begin in future years; the budget for projects that are currently underway will roll forward until they are complete.

In addition, as it is difficult to project revenues and project needs four or five years from now, the proposed projects and schedules should be considered tentative in the later years.

The Planning Commission has adopted a resolution advising the City Council of the conformity of the proposed Capital Improvement Plan with the General Plan.

The City Council will be asked to adopt the final CIP, along with the rest of the 2024-2025 budget, at the conclusion of a public hearing in June 2024.

Corporation Yard and Police Facility Expansion Fund (108)

Revenues in the fund are set aside for improvements and expansion of two city facilities: the Corp Yard on Barney Street and the Police Department on North Street. FY 2023/24 includes \$150,000 for preconstruction activities (Police Building). Revenues in the fiscal year 2023-2024 are projected at \$64,000. The current reserve for this fund is approximately \$602,676.

Drainage Capital Improvement Fund (109)

The Drainage Capital Improvement fund is used for capital improvements to citywide drainage, including Tormey Drain. Although we show funding for miscellaneous minor projects in the CIP, our primary area of focus will continue to be Tormey Drain. Tormey Drain needs clearing and maintenance in several sections; however, this work cannot be completed until permitting is complete. FY 2024/25 includes \$75,000 for Tormey Drain Maintenance. Additionally, the current drainage master plan is twelve years old, and the CIP includes \$50,000 for this work in FY 2024/25. Upon completing the master plan update, the City will budget for appropriate drainage projects. Additionally, \$50,000 is budgeted for miscellaneous minor drainage improvements in FY 2024/2025. Revenues are projected at \$124,500 in 2023-2024. The current reserve in this fund is approximately \$952,278.

Parks Capital Improvement Fund (110)

The Parks Capital Improvement Fund will never have sufficient revenues to finance significant improvements to our park system, and, as such, the fund is typically used for local matches for grants. The Anderson River Park Conceptual Master Plan update was completed in 2017. Potential projects outlined in the master plan include parking/lighting improvements, trail improvements, and new or improved sports fields at Anderson River Park. Playground refurbishment and amphitheater upgrades are dependent on grants. Resurfacing the tennis court area, repaving the River Splash parking lot and entrance gates to Anderson River Park, replacing the playground near River Splash, and a small shop and restroom for park maintenance staff are all dependent on receiving ARPA funds. For FY 2023/2024, the following ARPA funds have been allocated: \$500,000 for Playground refurbishment, \$150,000 for Amphitheater upgrades, \$25,000 for Entrance gates to Anderson River Park, and \$750,000 to replace the playground near River Splash. The Amphitheater River Splash parking lot, Anderson River Park Tennis Courts, and the City of

Anderson Parks shop building have been completed. The River Splash playground is being designed, and construction is slated for FY 2024/2025. Currently, there is no reserve in this fund.

Wastewater Capital Improvement Fund (111)

Out of this fund, the City continues to pay for the 2007 Wastewater Improvement bonds, which allowed for projects, such as the inflow and infiltration project on Cobblestone Loop # 2. Anticipating that we will be seeking either grant or loan funds to extend sewer to the Ox Yoke area, staff believes that environmental clearance and right-of-way acquisition for this important project will not occur until the 2025-2026 fiscal year. The South Barney Lift Station Project, funded in the 2021/2022 FY, has been completed. It should be noted that these South Barney Sewer Projects are part of the City's master plan and are designed to serve a large geographical area. Additional trunk line capacity improvements will be needed in the future. Staff are working in two parallel directions to avoid capacity constraints: Phase 2 is in progress and additional allocations are proposed for future fiscal years. Revenues are projected at \$112,000 in 2023-2024. Current reserves are approximately \$736,488.

Water Capital Improvement Fund (112)

A short history recap: during the 2008/2009 and 2009/2010 fiscal years, approximately \$700,000 was spent on two projects: the extension of a water main under Interstate 5 and the construction of a booster pump to serve the Vineyards and Pleasant Hills project area. The Water Capital Improvement Fund did not have sufficient cash for these projects at the time and as allowed by state law the Council approved a loan from the Drainage Capital Fund to help finance these projects. At the time of the original loan, the City anticipated that the Vineyards at Anderson Community Facilities District (CFD) would issue bonds to reimburse the City for the booster pump project. However, the City Council has determined that the CFD will not be formed and so no reimbursements will be made to the City from that source. Cash balances in this fund are expected to remain in a deficit position and, as such, no projects are planned for any time during this planning period. Although the Water Capital Improvement Fund currently lacks the capital to fund new projects, staff is proceeding to seek grant funding for improvement projects where possible, and recently sought grant funds from the State to replace the aging Anderson Heights Water Storage Reservoir. For FY 2023/2024, \$20,000 has been allocated to update the Water Master Plan. Revenues are projected at \$77,000 in the 2023-2024 fiscal year. As mentioned above there is no reserve in this fund.

Traffic Capital Improvement Fund (113)

The Traffic Capital Improvement Fund includes funding for traffic improvements at specific locations. For example, these are the funds that would be used to improve an intersection with signals or widen a road that has seen an increase in the volume of traffic. The fund includes \$50,000 for an update to the City's Traffic Impact Fee Program, which is scheduled to take place in FY 2023/24. The fund also includes \$510,000 for the Gateway Drive Extension-PSE to extend Gateway Drive across Anderson Creek to Deschutes Road for the FY 2025/2026. Also included for FY 2025/2026 is \$1,000,000 for the McMurray Drive

Reconstruction project. Revenues are projected at \$60,000 in the fiscal year 2023-2024. The current reserve in this fund is approximately \$2,200,760.

Deschutes Interchange Project (115)

This fund was established to collect development fees for improving the Deschutes Interchange: Construction of the eastside roundabout and new northbound off-ramp is complete. The west side improvements (Phase 2) will be constructed based on traffic needs. It is currently forecasted to be more than ten years out. Revenues in 2023-2024 are projected at \$40,000. Current reserves in this fund are approximately \$239,334.

Shastec Project Area (331)

The Anderson Redevelopment Agency partnered with the City of Redding and Shasta County to form the Shastec Redevelopment Project Area in 1996. All Redevelopment Agencies were dissolved as of February 1, 2012. These are again, remaining funds that are required to be used on an identified project. Curb, Gutter, Sidewalk north side of Riverside Drive to I-5. The sidewalk will be constructed on the north side of the road. This project is projected to begin and be completed in the 2025-2026 fiscal year. Again, once this project is complete this fund will be closed. The reserve balance in this fund is \$541,206.

ATTACHMENTS

1. Capital Improvement Planning 5 year projections
2. Planning Commission Resolution

**City of Anderson
Corporation Yard and Police Facility Expansion Fund 108
Five Year Capital Improvement Projection**

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
AVAILABLE RESOURCES, BEGINNING OF YEAR	544,849	602,677	519,378	582,453	645,399
REVENUES					
Capital Improvement Fees	60,521	68,000	68,000	68,000	68,000
Investment Earnings	6,661	5,000	1,500	1,500	1,700
Total Revenues	67,182	73,000	69,500	69,500	69,700
Total Available	612,031	675,677	588,878	651,953	715,099
PROJECTS					
Pre-Construction Activities - Police Building	-	150,000	-	-	-
OTHER EXPENSES					
Administration costs	9,354	6,299	6,425	6,554	6,685
Total Expenditures	9,354	156,299	6,425	6,554	6,685
AVAILABLE RESOURCES, END OF YEAR	602,677	519,378	582,453	645,399	708,414

**City of Anderson
Drainage Capital Improvement Fund 109
Five Year Capital Improvement Projection**

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
AVAILABLE RESOURCES, BEGINNING OF YEAR	902,363	952,277	1,025,717	958,016	928,243
REVENUES					
Capital Improvement Fees	54,560	117,000	105,000	105,000	105,000
Tormey Drain Fees	2,643	7,500	7,500	7,500	7,500
Other Revenues					
Investment Earnings	10,749	4,000	2,000	2,000	2,000
Total Revenues	67,952	128,500	114,500	114,500	114,500
Total Available	970,315	1,080,777	1,140,217	1,072,516	1,042,743
PROJECTS					
Tormey Drain Maintenance	8,800		75,000	85,000	85,000
Drainage Master Plan			50,000		
<i>At the conclusion of the Tormey Drain permitting and master plan update, drainage projects will be budgeted as appropriate.</i>					
Miscellaneous Minor Drainage Improvements	2,063	48,000	50,000	52,000	52,000
Ventura Drainage Project					
OTHER EXPENSES					
Administration Costs	7,175	7,060	7,201	7,273	7,346
Total Expenditures	18,038	55,060	182,201	144,273	144,346
AVAILABLE RESOURCES, END OF YEAR	952,277	1,025,717	958,016	928,243	898,397

**City of Anderson
Parks Capital Improvement Fund 110
Five Year Capital Improvement Projection**

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
AVAILABLE RESOURCES, BEGINNING OF YEAR	1,198,750	109,388	30,572	6,638	(27,309)
REVENUES					
Capital Improvement Fees - Park Development	41,734	53,000	35,000	25,000	25,000
Investment Earnings	-	-	500	500	500
Grants	-	177,952			
Transfer ARPA Funds	-	1,075,000	-	-	-
Total Revenue	41,734	1,305,952	35,500	25,500	25,500
Total Available	1,240,484	1,415,340	66,072	32,138	(1,809)
PROJECTS					
Update Parks Master Plan					
<i>Note: Projects will be funded as grants and other funds are available.</i>					
Splash Park	16,285	-	-	-	-
Playground Refurbishment i.e. Kiddieland		488,683	-	-	-
Amphitheater Upgrades	675,674	-			ARPA Funds
Resurface Tennis Court area	46,975				ARPA Funds
Repave River Splash Parking lot		-			ARPA Funds
Entrance Gates to Anderson River park		-			ARPA Funds
River Splash Shade Structures		103,642			ARPA Funds
Replace Playground near River Splash		733,024			ARPA Funds
Small shop and restroom for Parks Maint. Staff	350,402				ARPA Funds
OTHER EXPENSES					
Debt Service on iBank Loan for Teen Center (final pymnt Aug 2036)	51,946	52,832	52,715	52,594	52,470
Administration Costs	6,099	6,587	6,719	6,853	6,990
Total Expenditures	1,131,096	1,384,768	59,434	59,447	59,460
FUND BALANCE, END OF YEAR	109,388	30,572	6,638	(27,309)	(61,269)

**City of Anderson
Sewer Capital Improvement Fund 111
Five Year Capital Improvement Projection**

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
AVAILABLE RESOURCES, BEGINNING OF YEAR	612,551	736,488	854,677	885,057	585,625
REVENUES:					
Capital Improvement Fees	125,923	123,000	60,000	60,000	60,000
Investment Earnings	7,198	2,000	2,000	2,000	2,000
Other Revenues	102,545	105,245	102,545	104,732	104,732
Total Revenues	235,666	230,245	164,545	166,732	166,732
Total Available	848,217	966,733	1,019,222	1,051,789	752,357
PROJECTS					
Engineering/Environmental clearance for extension of sewer to Ox Yoke/or possible south interceptor line construction/Sewer Master Plan	78.72	-	20,000	105,000	105,000
South Barney Lift Station Project	-	-	-	-	-
Barney Project (North)	-	-	-	250,000	-
South Anderson Interceptor - Trunk Line	-	-	-	-	-
OTHER EXPENSES					
Administration Costs	9,105	7,324	7,470	7,619	7,771
Debt Service Payments - 2007 CSCDA Loan (final bond payment is April 2034)	102,545	104,732	106,695	103,545	103,545
Total Expenditures	111,729	112,056	134,165	466,164	216,316
AVAILABLE RESOURCES, END OF YEAR	736,488	854,677	885,057	585,625	536,041

**City of Anderson
Water Capital Improvement Fund 112
Five Year Capital Improvement Projection**

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
AVAILABLE RESOURCES, BEGINNING OF YEAR	54,794	138,383	208,403	248,284	288,094
REVENUES					
Capital Improvement Fees	88,880	77,000	47,000	47,000	47,000
Less transfers to other Funds	-	-	-	-	-
Investment Earnings	1,453	-	-	-	-
Total Revenue	90,333	77,000	47,000	47,000	47,000
Total Available	145,127	215,383	255,403	295,284	335,094
PROJECTS					
Update Water Master Plan	-	-	-	-	-
Water Projects	3858 39				
OTHER EXPENSES					
Administration costs	6,744	6,980	7,119	7,190	7,262
Anderson High School Tank Recoating	-	-	-	-	-
Total Expenditures	6,744	6,980	7,119	7,190	7,262
AVAILABLE RESOURCES, END OF YEAR	138,383	208,403	248,284	288,094	327,832

**City of Anderson
Traffic Impact Fee Fund 113
Five Year Capital Improvement Projection**

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
AVAILABLE RESOURCES, BEGINNING OF YEAR	2,042,394	2,200,760	2,237,663	2,274,424	797,540
REVENUES					
Capital Improvement Fees	145,690	84,000	39,000	39,000	39,000
Other Revenues	-	-	-	-	-
Investment Earnings	23,638	10,000	5,000	1,500	1,500
Total Revenues	169,328	94,000	44,000	40,500	40,500
Total Available	2,211,722	2,294,760	2,281,663	2,314,924	838,040
PROJECTS					
Update Traffic Impact Fee Program		50,000	-	-	-
Gateway Drive Extension-PSE (approved project)	-	-	-	510,000	510,000
McMurry Drive Reconstruction				1,000,000	1,000,000
Administration costs	10,962	7,097	7,239	7,384	7,532
Total Expenditures	10,962	57,097	7,239	1,517,384	1,517,532
AVAILABLE RESOURCES, END OF YEAR	2,200,760	2,237,663	2,274,424	797,540	(679,492)

**City of Anderson
I5/Deschutes Interchange Fund 115
Five Year Capital Improvement Projection**

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
AVAILABLE RESOURCES, BEGINNING OF YEAR	218,953	240,320	276,319	288,199	298,006
REVENUES					
Traffic Impact Fees	24,670	42,000	18,000	18,000	18,000
State/Federal Funds					
From Traffic Impact Fee Fund					
Investment Earnings	2,619	-			
Total Revenues	27,289	42,000	18,000	18,000	18,000
Total Available	246,242	282,320	294,319	306,199	316,006
PROJECTS					
Project Development				2,000	2,000
OTHER EXPENSES					
Administration costs	5,922	6,001	6,120	6,193	6,267
Total Expenditures	5,922	6,001	6,120	6,193	8,267
AVAILABLE RESOURCES, END OF YEAR	240,320	276,319	288,199	298,006	307,739

City of Anderson
Biannual Budget Fiscal Years 2023-2025

Department Budget Request
(For all materials, services, and supplies)

Department Police Facilities/Corp Yard 108-4250

Object Number		2023-2024 Proposed	2024-2025 Proposed
5400	PROFESSIONAL AND SPECIAL SERVICES	-	-
5420	INSURANCE AND BONDS	50	51
5530	ENGINEERING	-	-
5540	ADMIN FEES	6,175	6,299
5721.xxx	PROJECTS Pre-Construction Activities for Police Building	150,000	-
TOTAL		156,225	6,350

City of Anderson
Biannual Budget Fiscal Years 2023-2025

Department Budget Request
(For all materials, services, and supplies)

Department Drainage Cap 109-4251

Object Number		2023-2024 Proposed	2024-2025 Proposed
5400	PROFESSIONAL AND SPECIAL SERVICES	-	-
5420	INSURANCE AND BONDS	851	868
5530	ENGINEERING	-	-
5540	ADMIN FEES	6,209	6,333
5724-xxx	STORM DRAIN PROJECTS Tormey Drain Drainage Master Plan Miscellaneous Drainage Products	48,000	175,000
TOTAL		55,060	182,201

City of Anderson
Biannual Budget Fiscal Years 2023-2025

Department Budget Request
(For all materials, services, and supplies)

Department _____ Parks Cap _____ 110-6152

Object Number		2023-2024 Proposed	2024-2025 Proposed
5400	PROFESSIONAL AND SPECIAL SERVICES	-	-
5420	INSURANCE AND BONDS	359	366
5530	ENGINEERING	-	-
5540	ADMIN FEES	6,099	6,221
5620	DEBT SERVICE	52,832	52,946
5725	PARKS PROJECTS Amphitheater Renovation Playground Refurbishment - Kiddieland Entrance Gates to Anderson River Park Replace Playground near Splash Pad	1,425,000	-
TOTAL		1,484,290	59,533

City of Anderson
Biannual Budget Fiscal Years 2023-2025

Department Budget Request
(For all materials, services, and supplies)

Department Sewer Cap 111-4253

Object Number		2023-2024 Proposed	2024-2025 Proposed
5400	PROFESSIONAL AND SPECIAL SERVICES	-	-
5420	INSURANCE AND BONDS	1,365	1,392
5530-3	ENGINEERING	-	-
5540	ADMIN FEES	5,959	6,078
5721	GENERAL SEWER MAINTENANCE	-	-
5726-xxx	SEWER PROJECTS 2021-2022 Environmental/Engineering - Ox Yoke 2022-2023 Barney Project (North)	-	-
5900	TRANSFER OUT	104,732	106,695
TOTAL		112,056	114,165

City of Anderson
Biannual Budget Fiscal Years 2023-2025

Department Budget Request
(For all materials, services, and supplies)

Department _____ Water Cap _____ 112-4254

Object Number		2023-2024 Proposed	2024-2025 Proposed
5400	PROFESSIONAL AND SPECIAL SERVICES	20,000	-
5420	INSURANCE AND BONDS	357	364
5530-3	ENGINEERING	-	-
5540	ADMIN FEES	6,623	6,755
5620	DEBT SERVICE	-	-
5727	PROJECTS Update Water Master Plan	-	-
TOTAL		26,980	7,120

City of Anderson**Biannual Budget Fiscal Years 2023-2025****Department Budget Request**
(For all materials, services, and supplies)

Department _____ Traffic Impact Fee _____ 113-4259

Object Number		2023-2024 Proposed	2024-2025 Proposed
5400	PROFESSIONAL SERVICES	50,000	-
5420	INSURANCE AND BONDS	132	135
5530-3	ENGINEERING	-	-
5540	ADMIN FEES	6,965	7,104
5721	STREET IMPROVEMENT PROJECTS Update Traffic Impact Fee Program 2021-2022 Gateway Drive extension PSE (approved Project)	-	-
TOTAL		57,097	7,239

City of Anderson

Biannual Budget Fiscal Years 2023-2025

Department Budget Request

(For all materials, services, and supplies)

Department 15/Deschutes Offramp 115-4260

Object Number		2023-2024 Proposed	2024-2025 Proposed
5xxx	SALARY AND BENEFITS	-	-
5420	INSURANCE AND BONDS	90	92
5530-3	ENGINEERING	-	-
5540	ADMIN FEES	5,911	6,029
5721	PROJECTS Project Development	-	-
TOTAL		6,001	6,121

City of Anderson **Biannual Budget Fiscal Years 2023-2025**

Department Budget Request (For all materials, services, and supplies)

Department Shastec _____ 331-5495

Object Number		2023-2024 Proposed	2024-2025 Proposed
5721.xxx	<p>Project Study/Project Report for improvements to I5 / Riverside Avenue interchange</p> <p>**** This project is likely to be budgeted in the 2025-2026 fiscal year.</p>	-	-
TOTAL			

P.C. RESOLUTION NO. 24-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF ANDERSON FINDING THE 2022-2027 FIVE-YEAR CAPITAL IMPROVEMENT PLAN IN
SUBSTANTIAL CONFORMANCE WITH THE GENERAL PLAN**

WHEREAS, the planning staff has reviewed the fiscal year projections of the 2024/25 and 2025/26 Five-Year Capital Improvement Plan (CIP) and recommends that the plan be found in substantial compliance with the City of Anderson General Plan; and

WHEREAS, a public hearing notice of the subject project was published in the Record-Searchlight in accordance with noticing requirements provided by Government Code 65090 on April 12, 2024; and

WHEREAS, the Planning Commission of the City of Anderson held a meeting to consider the 2022-2027, Capital Improvement Plan on April 22, 2024; and

WHEREAS, the potential environmental impacts associated with the projects in the fiscal years 2024/25 and 2025/26 of the Five-Year Capital Improvement Plan will be assessed and mitigated where required in specific environmental documents prepared for each individual project at the time of implementation. Pursuant to the Planning Commission's determination and the guidelines established by the California Environmental Quality Act (CEQA) Guidelines sections 15060(c)(3) and 15378 and Public Resources Code Section 21065, this activity is not subject to CEQA because it is not a "project".

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Anderson as follows:

1. The Five-Year Capital Improvement Plan 2022-2027 for fiscal years 2024/25 and 2025/26 is consistent with the intent and provisions of the City's General Plan; and
2. The CIP is Categorically Exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, sections 15060(c)(3) and 15378 and Public Resources Code Section 21065, as this activity is not considered a "project."

PASSED AND ADOPTED this 22nd day of April 2024, by the following vote:

AYES: Commissioners Barnett, Simmons and Chair Grant

NOES:

ABSENT: Commissioners Hale and Hawkins

ABSTAIN:

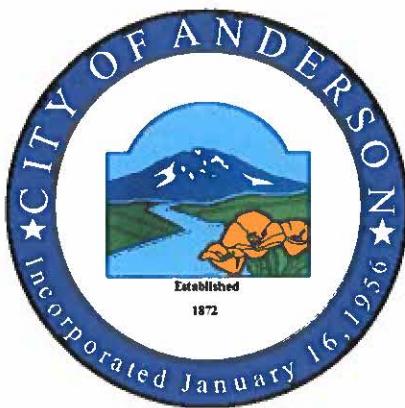


PENNY GRANT, CHAIR

ATTEST:

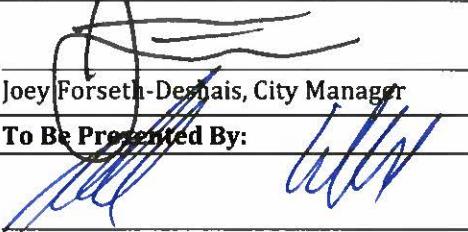


Tracy Day, Permit Technician
Planning Commission Secretary



AGENDA ITEM

May 7, 2024, City Council Meeting

Approved for Submittal By:
 A handwritten signature in black ink, appearing to read "Joey Forseth-Deshais".
Joey Forseth-Deshais, City Manager
To Be Presented By:
 A handwritten signature in blue ink, appearing to read "Adam Whelen".
Adam Whelen, Public Works Director

To: Honorable Mayor and Members of the Anderson City Council
Through: Joey Forseth-Deshais, City Manager
From: Adam Whelen, Public Works Director
Date: May 7, 2024

SUBJECT

Senate Bill 1 Eligible Projects

RECOMMENDATION

The Public Works Director recommends that the City Council:

Adopt a Resolution identifying roadway maintenance and rehabilitation projects in the City of Anderson that will be eligible for Senate Bill 1 funding for fiscal year 2024-2025.

FISCAL IMPACT

Current estimates indicate that the City of Anderson will be eligible to receive approximately \$267,285 in Senate Bill 1 funding. This money is earmarked for roadway maintenance and rehabilitation.

DISCUSSION and BACKGROUND

On April 28, 2017, the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. To address basic road maintenance, rehabilitation, and critical safety needs on both the state highway and local streets and road system, SB 1 increases per gallon fuel excise taxes, increases diesel

fuel sales taxes and vehicle registration fees and provides for inflationary adjustments to tax rates in future years.

A percentage of this new Road Maintenance and Rehabilitation Account funding is being apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system.

As a condition of receiving these funds for roadway maintenance and rehabilitation the City must identify project(s) that these monies will be used for. The City has an ongoing pavement maintenance program to maintain the integrity of the streets and to prevent costly catastrophic pavement failures, so identifying projects falls in line with current practices of the City.

The project identified for SB 1 funding is: Citywide grinder dig-out project.

1. City-Wide Grinder Dig-out project may include but is not limited to; Bruce St., Stingy Lane, Silver St., Diamond St., Briggs St., First St., McMurray Dr., East St., and Oak St. The dig-outs will be between 3" and 6" deep. Total cost of the City-Wide Grinder Dig-out project is estimated to be \$400,000. This project has an estimated timeline for completion in Fall 2024.

Given the unknown funding amount, the above-identified projects may be combined or scaled back to fit the funds that the City of Anderson receives. The City is estimated to receive \$318,270 in Highway Users Tax funds and \$267,285 in RMRA Funds, for a total of \$585,555 in fiscal year 2024-2025.

ATTACHMENTS

1. Resolution

RESOLUTION NO. 24-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANDERSON ADOPTING A LIST
OF PROJECTS FOR FISCAL YEAR 2024-2025 FUNDED BY
SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$275,977 in RMRA funding in Fiscal Year 2023-2024 from SB 1; and

WHEREAS, this is the sixth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate numerous streets/roads, throughout the City this year and similar projects annually into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in an "at-risk" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "good" condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets

infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Anderson, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The following list of proposed projects will be funded in-part or solely with fiscal year 2024-2025 Road Maintenance and Rehabilitation Account revenues:
 - A. City-Wide Grinder Dig-out project may include but is not limited to; Bruce Dr., Stingy Lane, Balls Ferry Rd., Silver St., Diamond St., Briggs St., First St., Marmac Rd., McMurray Dr., East St., and Oak St. The dig-outs will be between 3" and 6" deep. Total cost of the City-Wide Grinder Dig-out project is estimated to be \$400,000. Project is estimated to be complete in Fall of 2024. The estimated useful life of the project is 20 years.

PASSED AND ADOPTED by the City Council of the City of Anderson this 7th day of May 2024, by the following vote:

AYES:

NOES:

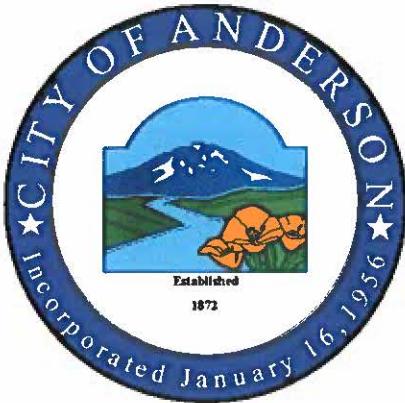
ABSTAIN:

ABSENT:

Stan Neutze, Mayor

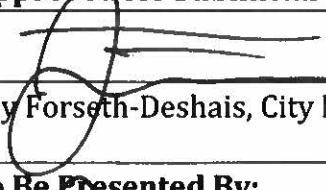
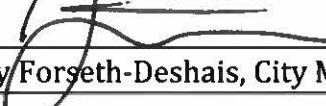
ATTEST:

Christy White, City Clerk



AGENDA ITEM

May 7, 2024, City Council Meeting

Approved for Submittal By:
 Joey Forseth-Deshais, City Manager
To Be Presented By:
 Joey Forseth-Deshais, City Manager

To: Honorable Mayor and Members of the Anderson City Council

From: Joey Forseth-Deshais, City Manager

Date: May 7, 2024

SUBJECT

Bomb Team Funding Support

RECOMMENDATION

The City Manager recommends committing \$10,000 towards the joint purchase of a new bomb robot for the Shasta County Sheriffs Office.

FISCAL IMPACT

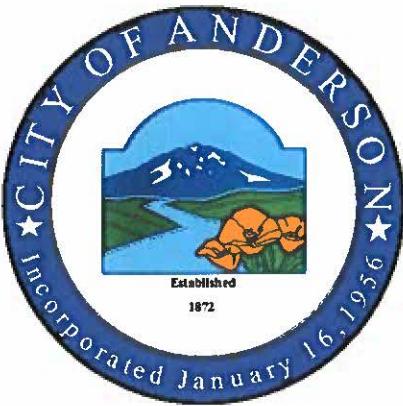
The fiscal impact will be a one-time contribution of \$10,000 from the General Fund.

DISCUSSION and BACKGROUND

The Shasta County Sheriff's Office purchased the current bomb robot in 2008. The robot is no longer under warranty, and the total cost for a new robot is \$287,515.80. The County has applied for grant funding through the Department of Homeland Security for \$148,000 and is partnering with allied agencies and surrounding counties for the remainder. This equipment is best managed by the County due to it being highly specialized. The amount requested from the City of Anderson is \$10,000.

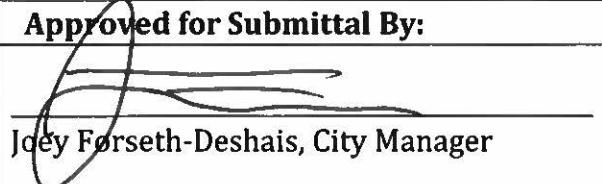
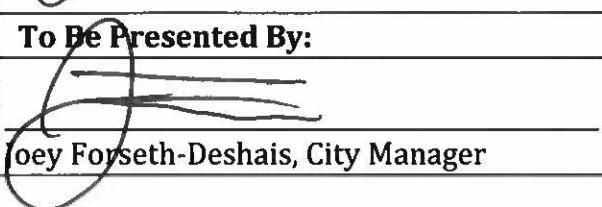
ATTACHMENT

None.



AGENDA ITEM

May 7, 2024, City Council Meeting

Approved for Submittal By:
 Joey Forseth-Deshais, City Manager
To Be Presented By:
 Joey Forseth-Deshais, City Manager

To: Honorable Mayor and Members of the Anderson City Council

From: Joey Forseth-Deshais, City Manager

Date: May 7, 2024

SUBJECT

Approve the interim appointment of Greg Baarts to the position of Chief of Police.

RECOMMENDATION

Adopt resolution approving Greg Baarts interim appointment as the Chief of Police for the City of Anderson pursuant to Government Code section 21221(h) and grant the City Manager authority to execute the necessary hiring documentation and contract employment agreement.

FISCAL IMPACT

The total estimated cost for appointing retired annuitant Gregory Baarts on an interim basis would be \$118,539.

DISCUSSION and BACKGROUND

As the Council is aware, Chief Jon Poletski is set to retire on June 13, 2024. There are currently multiple vacancies throughout the department, and it is crucial to get an interim Chief to provide leadership and structure for staff.

The recruitment process for the next Chief of Police is in the beginning phases with Peckham and McKenney Executive Search Firm. It is expected that this process will take three and a half months to complete before offering employment to the next Chief of Police.

Gregory Baarts recently retired from the California Highway Patrol as Chief this past December. He has over three decades of dedicated service in law enforcement. His expertise and leadership

will be helpful to the success of the department during this transition. Mr. Baarts hourly pay will be \$117.44 per an hour which is the equivalent to the current Anderson Police Chief position.

California Public Employees' Retirement System (CalPERS) rules limit a contracting agency's ability to employ a retired annuitant in a permanent or regular staff position without reinstatement from retirement. However, Government Code Section 21221(h) provides a limited exception to allow a governing body of a contracting agency to approve the appointment of a retiree to fill a vacant position during the recruitment process. A retiree can be appointed only once to the position, with a specified end date. The end date cannot be amended to extend the appointment term. A retiree appointed more than once would be subject to mandatory reinstatement.

ATTACHMENT

Resolution No. 2024 -
Contract Employment Agreement – Limited Term Retired Annuitant

INTERIM POLICE CHIEF
EMPLOYMENT AGREEMENT-LIMITED TERM RETIRED ANNUITANT

This INTERIM POLICE CHIEF EMPLOYMENT AGREEMENT-LIMITED TERM RETIRED ANNUITANT ("Agreement") is effective on the ___th day of May 2024, and is made by and between the CITY OF ANDERSON ("City"), a municipal corporation and Gregory Baarts ("Employee"), an individual. The City and Employee may be referred to individually as a "Party" or collectively as "the Parties."

R E C I T A L S

WHEREAS, City of Anderson ("City") desires to hire Employee as a temporary, at-will employee for a definite period of time to serve in the position of Interim Police Chief for the City of Anderson, California, which is a position that requires specialized skills, and Employee desires to perform and assume responsibility as the Interim Police Chief on a temporary basis subject to the terms and conditions set forth in this Agreement; and

WHEREAS, the parties wish to have Employee perform the services of Interim Police Chief, while the City conducts its recruitment for a permanent Police Chief, and will terminate such services upon the City's selection and hiring of a permanent Police Chief; and

WHEREAS, the City is actively conducting a recruitment for a permanent Police Chief; and

WHEREAS, Government Code Sections 7522.56 and 21221(h) permit retired annuitants under the California Public Employees' Retirement System ("CalPERS") to be employed without reinstatement from retirement upon appointment by a public agency to fill a vacant position on an interim basis during the recruitment to permanently fill the vacant position, if approved by the City Council; and

WHEREAS, Employee has served in various law enforcement management positions, and those specialized skills are necessary to support the continuing operations of the City during the recruitment; and

WHEREAS, the City wishes to establish the terms and conditions of Employee's services to the City through this Agreement, in compliance with Government Code section 7522.56 and 21221(h).

NOW, THEREFORE, in consideration of the mutual covenants contained herein, City and Employee hereby agree as follows:

A G R E E M E N T

1.0 EMPLOYMENT & DUTIES

1.1 Duties. City hereby employs Employee as Interim Police Chief for the City to perform the functions and duties of the Police Chief contained in Section 2.40.030 of the City of Anderson Municipal Code, as otherwise provided by law, ordinance, or regulation, and such further

lawful duties as directed by the City Council. Employee shall devote his best efforts and full-time attention to performance of these duties.

1.2 Work Schedule. Employee's work hours under this Agreement generally will be limited to normal business hours of the City (Monday through Friday, from 8:00 a.m. to 5:00 p.m.). Employee will be required to keep accurate time records of his hours worked and be enrolled in the myCalPERS system as a retired annuitant to ensure that he does not exceed 960 hours worked within the fiscal years that occur during the term of this Agreement. In the position of Interim Police Chief, work before or after normal business hours may be required. Employee shall attempt to flex his hours (starting late or ending early or scheduling time off during the week), so that he does not work over 40 hours in a workweek. If Employee determines that work over 40 hours per work week is required, Employee is required to notify the City Manager, so that the matter may be reviewed as deemed necessary.

1.3 Employment Status. Employee shall serve at the will and pleasure of the City Manager and understands he is an "at-will" employee subject to summary dismissal without any right of notice or hearing, including any "Skelly" hearing. City may terminate the employment of Employee at any time, as set forth in Section 2.2 below. Employee shall not be subject to the City's Personnel System Rules and Regulations. Employee will not acquire a property interest in the position of Interim Police Chief. Employee is a temporary employee employed to perform specialized services in accordance with Government Code sections 7522.56 and 21221(h).

2.0 TERM

2.1 Term. This Agreement shall become effective upon the date executed both by Employee and the City Manager. Employee shall commence the performance of his duties under this Agreement on December 31, 2024 ("Commencement Date"). This Agreement shall expire as of the first of the following to occur: (i) upon the employment commencement date of a permanent Police Chief; (ii) upon Employee working 960 hours combined for any CalPERS Agencies during fiscal year 2023-2024 or 960 hours in any subsequent fiscal year; or (iii) upon termination of the Agreement by either Employee or the City as provided below.

2.2 Termination by City or Employee. The City may terminate this Agreement at any time with or without cause and with or without notice. At the time of termination, Employee shall not be entitled to any pay or benefits, except that which is owed for those hours already worked. Additionally, Employee may terminate this Agreement at any time with or without cause, provided, however he shall reasonably provide the City with at least two (2) weeks' advance written notice prior to the effective date of termination, if practicable, unless a shorter period is acceptable to the City.

2.3 Transfer of Responsibilities. After Notice of Resignation or Termination, Employee shall cooperate with the City, as requested by the City, to affect a transition of Employee's responsibilities and duties and to ensure that the City is aware of all matters being handled by Employee.

2.4 No Reappointment or Extension of Term. In accordance with state law and the requirements of the PERL, Employee may only be appointed to this position one time (single appointment).

2.5 No Severance Pay. Upon termination, Employee shall not be entitled to severance pay, payment of any benefits, or any other form of compensation, and Employee expressly waives any and all rights with respect to severance pay.

3.0 COMPENSATION AND REIMBURSEMENT

3.1 Compensation and Compensation Cap. For the services rendered pursuant to this Agreement, City agrees to pay Employee as employee's sole compensation, the amount of \$ 117.44 per hour, which amount is in conformance with the requirements of Government Code Section 7522.56(d). Because Employee is paid on an hourly basis, and in accordance with the FLSA, if Employee works over 40 hours per workweek, Employee will be paid for additional hours at the legally required overtime rate.

3.2 Social Security and Medicare. Employee shall pay his own required Social Security and Medicare contributions.

3.3 Deferred Compensation. If allowed by law, Employee will be authorized to voluntarily participate in Employer's 457(b) supplemental retirement savings plan, provided, however, that Employer shall not make any contributions thereto.

3.4 No Other Benefits. Employee shall not receive any benefits, incentives, compensation in lieu of benefits, or any other forms of compensation.

3.5 Reimbursable Expenses. Employee shall not be entitled to reimbursement for costs or expenses incurred in the performance of Employee's duties under this Agreement, unless said costs and expenses have received prior approval by the City Manager and are supported by written documentation in accordance with the established polices and customary practices of the City.

3.6 Automobile Allowance. City shall provide Employee with a vehicle for Employee's business use, commuting to and from home, and for *de minimis* personal use on the way to or from performance of his regular employment duties. City shall pay for fuel (for business use and *de minimis* personal use only), maintenance, and insurance costs of said vehicle. Employee shall be responsible for compliance with all tax laws applicable to his *de minimis* personal use of said vehicle.

4.0 CONDITIONS OF EMPLOYEE'S SERVICES AND ACKNOWLEDGMENT OF NO BENEFITS

4.1 Conflicts Prohibited. During the term of this Agreement, Employee shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of Employee's duties under this Agreement. Employee shall comply with all requirements of law, including but not limited

to, Sections 87100 et seq., Section 1090 and Section 1125 of the Government Code, and all other similar statutory and administrative rules.

4.2 Provision of Benefits Prohibited. Employee is a CalPERS retiree and will thus not be enrolled in CalPERS, other than as a retired annuitant solely for administrative recording keeping purposes (Employee will remain in retired status) and will report both the hours worked by Employee and pay pursuant to this Agreement. Employee understands and acknowledges that Government Code Section 21221(h) provides that a retired annuitant appointed to a vacant position pursuant to this subdivision shall not receive any benefits, incentives, compensation in lieu of benefits, or any other forms of compensation in addition to the hourly rate of compensation. Therefore, Employee will receive only the hourly wages described above, unless otherwise required by applicable law.

5.0 ANNUITANT'S REPRESENTATIONS AND WARRANTIES

5.1 Employee warrants that he has been retired for service from state service, as defined in the Public Employees' Retirement Law, for not more 180 days and that he therefore is eligible to be employed as a retired annuitant by the City only if the City Council passes a resolution, and this employment is contingent on that resolution being approved.

5.2 Employee represents that he is currently not employed by any other CalPERS employer.

6.0 BONDS AND INDEMNIFICATION

6.1 Indemnification. For the purposes of indemnification and defense of legal actions, Employee shall be considered an employee of the City and entitled to the same rights and subject to the same obligations as are provided for all other employees of the City, as required by the Government Code. Accordingly, to the extent mandated by the Government Code, the City shall defend, hold harmless, and indemnify Employee against any tort, professional liability, claim or demand, or other legal action arising out of an alleged act or omission occurring within the course and scope of Employee's services under this Agreement, subject to the exceptions and exclusions provided by law.

6.2 Bonds. City shall bear the full cost of any fidelity or other bonds, which may be required in the performance of Employee's services under this Agreement.

7.0 NOTICES

Any notice required or permitted by this Agreement shall be in writing and shall be personally served or shall be sufficiently given when served upon the other party as sent by United States Postal Service, postage prepaid and addressed as follows:

To City:

City Manager

City of Anderson

To Employee:

1887 Howard Street

Anderson, CA 96007

Notices shall be deemed given as of the date of personal service or upon the date of deposit in the course of transmission with the United States Postal Service.

8.0 GENERAL PROVISIONS

8.1 Entire Agreement. This Agreement represents the entire agreement between the parties and supersedes any and all other agreements, either oral or in writing, between the parties with respect to Employee's employment by City and contains all of the covenants and agreements between the parties with respect to such employment. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by either party, or anyone acting on behalf of either party, which are not embodied herein, and that no other agreement, statement or promises not contained in this Agreement shall be valid or binding upon either party.

8.2 Assignment. This Agreement is not assignable by either the City or Employee.

8.3 Severability. In the event any provision of this Agreement is finally held or determined to be illegal or void by a court having jurisdiction over the Parties, the remainder of this Agreement shall remain in full force and effect unless the parts found to be illegal or void are wholly inseparable from the remaining portions of this Agreement.

8.4 Effect of Waiver. The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

8.5 Governing Law and Jurisdiction. This Agreement shall be governed by and construed in accordance with the laws of the State of California, which are in full force and effect as of the date of execution. Any action to interpret or enforce the terms of this Agreement shall be held exclusively in a state court in Shasta County, California. Employee expressly waives any right to remove any such action from Shasta County.

8.6 Effective Date. This Agreement shall become effective _____, provided that by such date it has been approved by the City Council and signed by Employee and the City Manager.

8.7 Effect of Agreement on Employee's CalPERS Retirement Benefits. City and Employee make this Agreement in compliance with applicable law for the hiring of a retired annuitant without reinstatement from retirement. However, the ultimate determination of this matters rests with CalPERS, and as such the City makes no representation on the impact, if any, this Agreement shall or may have upon his CalPERS retirement benefits, status, duties, and/or obligations. Employee acknowledges that in entering into this Agreement, he has not relied upon any such representations (none of which being in existence) in assessing the CalPERS-

related impact of his employment. Therefore, Employee releases the City from any and all related claims or liabilities that may arise in connection with his employment pursuant to this Agreement.

8.8 Interpretation. This Agreement shall not be construed against the party or its representatives who drafted it or who drafted any portion thereof.

8.9 Authority. The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

8.10 Independent Legal Advice. City and Employee represent and warrant to each other that each has received legal advice from independent and separate legal counsel with respect to the legal effect of this Agreement, or have voluntarily chosen not to consult legal counsel, and, City and Employee further represent and warrant that each has carefully reviewed this entire Agreement and that each and every term thereof is understood and that the terms of this Agreement are contractual and not a mere recital.

IN WITNESS WHEREOF, the City of Anderson has caused this Agreement to be signed and executed on its behalf by its City Manager, and duly attested by its officers thereunto duly authorized, and Employee has signed and executed this Agreement, all in triplicate.

CITY OF ANDERSON

Dated: _____

Joey Forseth-Deshais

City Manager

ATTEST: _____

Christy White, City Clerk

APPROVED AS TO FORM:

Collin Bogener, City Attorney

EMPLOYEE

Dated: _____ Signed: _____

Gregory Baarts