

Minutes

CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA September 5, 2019

1. CALL TO ORDER 6:00PM

Council Members Present: Lander, Ramsey, Stolz, Adkisson, Singleton

Others Present: City Manager Marissa Trejo, City Attorney Mario Zamora, Interim Police Chief Darren Blevins, Financial Services Director Jasmin Bains, City Treasurer James Vosburg, and Fire Chief Dwayne Gabriel

Council Members Absent: None

Others Absent: Sean Brewer, Mercedes Garcia

*Motion by Adkisson, Second by Ramsey to Table Ordinance Presentation, Discussion and Potential Action Item No. 6.2 and **Approve** the Agenda for the Meeting of September 5, 2019. Motion **Approved** by a 5/0 Majority Voice Vote.*

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS (NONE)

3. CITIZEN COMMENTS

Juan Lomeli of American Tint & Tire expressed concern with the lack of assistance from the City with regard to the required Conditional Use Permit and associated fees. Mr. Lomeli's attorney, Arturo Hernandez, said he can't see why Mr. Lomeli would need to pay a significant amount of money to move his business such a short distance.

Mayor Lander explained the information will be referred to staff for follow up and report. The City Manager or the City Attorney will be in contact with you.

Mr. Hernandez requested a meeting with the City Manager and each of the City Council Members to discuss the matter.

4. PUBLIC HEARINGS (NONE)

5. CONSENT CALENDAR

1. Check Register: 07/01/2019 - 07/31/2019
2. Adopt Resolution No. 3913 Amending the Basic Pay Scale

3. Adopt Resolution No. 3914 Establishing the General Pay Scale
4. Adopt Resolution No. 3915 Authorizing City Manager to Amend General Job Descriptions
5. Approve Memorandum of Understanding between Service Employees International Union Local 521 and City of Coalinga
6. Authorize the City Manager to Approve Lease Amendment between City of Coalinga and Thrive Ministries Located at 148 W. Elm Street
7. Rejection of Claim for Damages Presented by Martin Galvan
8. Approval of Resolution No. SA-331 Approving a Purchase and Sale Agreement by which the Successor Agency will Sell Certain Property Located at the South-West Corner of Elm and Cherry Avenues (APNs: 071-084-01; 071-084-02; 071-084-03; 071-084-21 and 071-084-06) to Salyer American Inc. in Accordance with the Department of Finance Approved Long Range Property Management Plan and the Dissolution Law
9. City Council Adoption of Resolution No. 3912 – Acceptance of Public Street Easement related to the Forest/Truman and Baker Reconstruction Project
10. Consideration of Bid Award for Phelps Avenue Improvements Project

Councilman Adkisson pulled Item No. 5.10 for discussion.

Councilman Adkisson expressed concern with the 10% contingency associated with the recommended bid. Do you think we'd use the full 10% which would add an additional \$96,000 to the bid amount? Do you think they put a low bid in intentionally, knowing they had the contingency?

City Manager Marissa Trejo explained it would be hard to know what their thought process was when putting their bid together. Mr. Trejo suggested the Council table the item until Mr. Brewer was present to help answer their questions.

Mayor Pro-Tem Ramsey asked Councilman Adkisson if he thought the 10% contingency was too much?

Councilman Adkisson explained if you add the 10% contingency to the bid amount it would jump their bid up past the other five bids, ranking this bid at number six.

Mayor Pro-Tem Ramsey asked if the other bids also had contingencies?

Councilman Adkisson answered yes, but he wants to know how much of the 10% contingency would need to be used, if any? What happens if they use it all and still need more to complete the work?

Mrs. Trejo said the 10% contingency would be included with the approval of the bids. If they happen to go over then it would have to come back to Council for approval. Staff has dealt with all scenarios while working with contractors, we wouldn't be able to predict with any certainty.

11. Authorize Police Department to Redirect the Remaining Capital Project Funds to Replace the Department's Access Control System
12. Declare Old Animal Control Truck as Surplus Property

Councilman Adkisson pulled Item No. 5.12 for discussion.

Councilman Adkisson explained he doesn't necessarily have an issue with it, he is just concerned that the City has given several vehicles away for \$1.00 since he has been on the Council, stating Parlier got one heck of a good deal with the dispatch contract. He wonders if we can get more for the vehicle.

Interim Police Chief Darren Blevins stated he could discuss it with Chief Garza and see if he would be willing to pay more.

Councilman Adkisson asked what would we do with the vehicle if we didn't sell it to Parlier?

Chief Blevins said we could hang on to it and see what we can get for it at the next auction.

Councilwoman Stolz is opposed to selling the vehicle for \$1.00.

Mayor Pro-Tem Ramsey asked if the Animal Shelter might be interested in it.

Chief Blevins stated we did sell them one of our vans, but they would probably ask for the same deal.

Mayor Lander is opposed to selling the vehicle for \$1.00 and suggests Chief Blevins go back and negotiate with Chief Garza.

Councilwoman Stolz asked about the Kelley Blue Book value.

Chief Blevins wasn't sure of the Kelley Blue Book value but would estimate the value to be between \$6,000 and \$7,000.

Councilwoman Stolz suggested selling the vehicle for half the lowest Kelley Blue Book value.

Mayor Lander said, even \$1,200 would be better than \$1.00.

Consensus of the Council is to Table the item until the selling price could be further negotiated.

13. Police Department's Monthly Report
14. Public Works & Utilities Monthly Report for August 2019

*Motion by Ramsey, Second by Stolz to Approve Consent Calendar Item Nos. 5.1 through 5.11, 5.13 and 5.14. (Item No. 5.12 – Tabled). Motion **Approved** by a Roll-Call 5/0 Majority Vote.*

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Introduce and Waive First Reading of Ordinance No. 832 Adding Chapter 16 to Title 5 of the Coalinga Municipal Code to Regulate Smoking and Tobacco Product Use

Mercedes Garcia, Senior Administrative Analyst

City Manager Marissa Trejo gave a brief overview of the item, stating on June 20, 2019 City Council approved updating the City's definition of tobacco products and smoking to align with the State of California's definition. The Department of Public Health provided the proposed ordinance.

Fresno County Department of Public Health Gifty Kwofie explained the Department is interested in any assistance that helps promote, preserve, or protect the well-being of Coalinga community members residing in Fresno County. By supporting the policy of smoke free parks and public events the City can help with the exposure of second-hand smoke which is well known to be detrimental to our health. While we've been drumming up support from cities, we've found what councils are most concerned with is enforcement, however we have found it to be self-enforcing. The Health Department can offer assistance, should the Council decide to move forward, by providing signage for the City to post at public parks. Ms. Kwofie provided handouts showing examples of the signage.

Mayor Pro-Tem Ramsey asked if these were signs the Health Department would provide.

Ms. Kwofie said yes, and we can work with you on the language for them. We also provide education for the community on the new policy.

Mayor Pro-Tem Ramsey asked if you the Department has had a lot of success with other cities in Fresno County?

Ms. Kwofie said yes, several cities have already adopted the policy. A lot of the cities already had smoke free parks, but they have updated their definitions to include language on electronic smoking devices. Ms. Kwofie mentioned she has also been in communication with Lisa Gonzalez from the Coalinga-Huron Recreation and Parks District to update the definitions of their existing policy. I will be presenting to their board in October.

Mayor Lander explained we only have three parks, Centennial Park, Sandalwood and Frame Park, and was going to suggest the Department reach out to the Parks District since they own and maintain all the others. Mayor Lander suggested the item be tabled until we've received input from the Parks District. Mayor Lander mentioned issues with making Olson Park a smoke free zone, it could cause a lot of problems during the Horned Toad Derby. It could curtail their business.

Mayor Pro-Tem Ramsey suggested approving the first reading now and make changes, if needed, when the ordinance is brought back for the second reading.

Mrs. Trejo explained the Council could do what Mayor Pro-Tem Ramsey suggested, however, changes made during the second reading could only be less restrictive, not more restrictive.

Mrs. Mary Jones is opposed to the policy as it is written.

Councilwoman Stolz asked the City Manager to clarify what areas the policy would affect.

Mrs. Trejo stated it would be any area owned by the City which would be any park, playground, sports field, walking path and bike trail, as well as any public event, such as a parade, framers' market or festival.

Councilman Adkisson asked for clarification regarding the ability for people to smoke outside of bars, would you still be able to do that?

Mrs. Trejo stated yes, the proposed changes don't affect the distance requirements, only the public areas.

Sheila Todd asked about the chewing and spitting of chewing tobacco.

Ms. Kwofie explained the sample language for the ordinance is comprehensive and urged the Council to make any necessary changes they saw fit.

Councilwoman Stolz commented that the Derby had been a concern, but Olson Park is owned by the Recreation and Parks District and the Derby is put on by the Chamber, so if we pass this people could still smoke there, is that correct?

Mrs. Trejo answered yes, unless the Recreation and Parks District adopt the smoke free policy.

Roger Tiffin is opposed to the ordinance as it is written.

Consensus of the Council it to Table the item until we receive a report from the Recreation and Parks District.

2. Discussion, Direction and Potential Action Regarding the City Council Transitioning to an At-Large Election System for the Office of Mayor
Mario Zamora, City Attorney

Ordinance Presentation, Discussion and Potential Action Item No. 6.2 was Tabled.

7. FUTURE AGENDA ITEMS

City Manager's Announcements:

None

Council Member's Announcements:

Councilwoman Stolz announced the Women's Club is putting on a blood drive in October. It will be the first Friday in October and will be from 3:30pm to 8:00pm. Ms. Stolz believes the new president will be present to speak.

Mayor Pro-Tem Ramsey asked Chief Blevins to report on the City waiving the enforcement of the truck ordinance.

Chief Blevins stated he had given a 30-day notice to find an alternative place to park and enforcement of the ordinance will resume on September 16, 2019.

Mayor's Announcements:

Mayor Lander attended the last Hospital Board Meeting. They said they are expecting the hospital to reopen in December or January.

Mrs. Mary Jones announced the School District is working to get volunteer crosswalk attendees.

Mayor Lander mentioned he recently met with the Chancellor of West Hills College. The Chancellor would like to make a presentation to the Council about what is going on at the College, locally, and at the District.

Mayor Lander announced he met with the new owner of the Cambridge Hotel.

Mr. Arturo Hernandez formally requested an item be added to the next agenda regarding Mr. Juan Lomeli's issue.

Mayor Lander asked Mr. Hernandez to meet with the City Attorney beforehand.

8. FUTURE AGENDA ITEMS

Councilman Adkisson requested an item be brought back to address shade concerns over playground and park equipment at City-owned parks.

Councilman Adkisson requested a modification to the policy on waiving the business license fee for new businesses. He would like to amend it so only businesses with a Coalinga address can benefit from it.

9. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – Potential Litigation. Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) - 1 case
2. CONFERENCE WITH LABOR NEGOTIATORS – Government Code 54957.6. CITY NEGOTIATORS: City, Marissa Trejo and City Attorney, Mario Zamora. EMPLOYEE (ORGANIZATION): Nonrepresented Employees and the Coalinga Police Officer's Association
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Government Code Section 54956.9(d)(1): 1 Case. Superior Court Case No.: 19 CE CG 01242 Edith Sanchez v. City of Coalinga

10. CLOSED SESSION REPORT

None

11. ADJOURNMENT 6:41PM

Ron Lander, Mayor

Shannon Jensen, City Clerk

Date