

Minutes

CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA October 10, 2019

1. CALL TO ORDER 6:00PM

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

Council Members Absent: None

Others Present: City Manager Marissa Trejo, City Attorney Mario Zamora, Senior Administrative Analyst/Deputy City Clerk Mercedes Garcia, Fire Chief Dwayne Gabriel, Interim Chief of Police Darren Blevins, Community Development Director/Interim Public Works and Utilities Director Sean Brewer, Financial Services Director Jasmin Bains, City Treasurer James Vosburg, Assistant to the City Manager / City Clerk Shannon Jensen(Absent)

Changes to the agenda Items 2.1, 2.5, 2.6 and 6.1 were pulled for presentation at a future meeting.

*Motion to approve by Ramsey, Second by Stolz to Approve the Agenda for the Meeting of October 10, 2019. Motion **Approved** by a 5/0 Majority Voice Vote.*

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

2. West Hills College 23rd Annual Athletic Hall of Fame Inductees

Mayor Ron Lander introduced the following Hall of Fame Inductees for the 2019 23rd Annual Athletic Hall of Fame. The game and induction will take place on October 26, 2019. The football game will take place at 1:00pm and celebration dinner and ceremony will take place at 7:00pm at the West Hills College gymnasium. Mayor Lander congratulated all the inductees.

Ms. Gina Jason accepted the certificates and spoke about the inductees. Ms. Jason invited the public to contact the Athletic Department and she would get them on the list to attend the induction ceremony.

Robeert Virden (football 1963-1965)

W.C. Halliman (basketball, 1972-1974)

Jackie Ponciano-Babb (volleyball 1984-1986)

Woodrow Harrison (football & track, 1985-1987)

Parnell Halliman (baseball 2005-2007)

3. Swearing of Police Officer Benjamin Mann

Interim Police Chief Darren Blevins gave a brief speech and swore-in Benjamin Mann. Mayor Lander congratulated Officer Mann and welcomed him to the City of Coalinga.

4. Swearing in of Public Safety Dispatcher Jennifer Cervantes

Interim Police Chief Darren Blevins gave a brief speech and swore-in Jennifer Cervantes. Mayor Lander congratulated Ms. Cervantes and welcomed her to the City of Coalinga.

3. CITIZEN COMMENTS

Ms. Raquel White, Central Regional Compliance Manager, of Construction Industry Force Account Council (CIFAC). Ms. White provided a brief description about CIFAC, a nonprofit organization dedicated to creating more job opportunities in the construction industry. CIFAC provides these services by monitoring public agencies to make sure they are in compliance with the California Public Contract Code by bidding public works projects over a certain bidding threshold. CIFAC, although represents the construction industry, may also be a resource for an agency like yours when questions about bid splitting, change orders, contracts and use of force accounts. Ms. White discussed how CIFAC encourages agencies to become signatory to the California Uniform Cost Accounting Act. Ms. White gave a brief about CUCA and explained why it may be useful for the City of Coalinga. Advantages to joining CUCA include speed up project completions, elimination of some of the red tape related to bidding smaller projects, along with benefiting contractors since more public projects over the informal amount will go out to bid. Ms. White was Re-introducing herself to Coalinga and thanked Mr. Brewer for taking the time to meet with her today. Hopeful the City of Coalinga will become signatory to CUCA.

Mayor Lander thanked Ms. White and requested a business card from Ms. White.

4. PUBLIC HEARINGS

1. City Council Approval of a City Initiated Zoning Text Amendment (No. ZTA 19-03) By Introducing and Waiving the First Reading of Ordinance No. 834 Amending the Commercial Cannabis Regulations Related to 24-hour Onsite Security
Sean Brewer, Community Development Director

Community Development Director Sean Brewer gave a brief description about the Ordinance.

Mayor Ron Lander opened the Public Hearing for questions and comments.

Mrs. Mary Jones, resident of District 1, stated she didn't recall any notice to post about a Public Hearing. Ms. Jones stated she could be wrong but didn't recall getting one.

Mr. Brewer stated when the agenda is sent out the Public Hearing notice is also sent out.

Mrs. Jones stated it may have been sent out with the one that was postponed

Mr. Brewer stated it would have been a separate notice.

Mrs. Jones stated she didn't remember it and would check her email for the notice. It seems to her more than the 24-hour security guard has been changed. Initially it was required or somehow inferred they were required to have an actual security person there and now they don't. So that is where it is much more of a change in the view of the public. Mrs. Jones is speaking for a lot of her readers who ask her questions and want her to explain. She is unable to explain because she does not know. Having a person there presumably armed or ready to take down a bad guy for lack of a better term. It is different from what we were told. She does not recall that going through any type of hearing for a change like that to happen. Mrs. Jones called and does not

recall who she spoke to because its been a while but noticed her buddies were not standing out there to wave at her when she was going home late at night. She wanted to know what was going on. Maybe more was being required than needed to be. She does not know and would like clarification.

Mr. Brewer explained this text amendment is related to all aspects of cannabis operations except for the retail. A separate ordinance for retail and includes the Council resolution adoption for the security. Staff notice in the resolution there was no requirement for 24-hour security in the resolution adopted by the Council. The way the dispensary had been operating prior to was in excess of what the regulation actually dictated. They did talk about doing 24-hour security. However, they were not required to by regulation. They are for all other operations. So, for business hours only for cultivation or manufacturing.

Mrs. Jones inquired about the 24-hours going for all of production or just the retail.

Mr. Brewer commented for tonight aspects of cannabis related to manufacturing, cultivation, testing and distribution not retail. Retail has its own regulation and it is by resolution for security.

Mrs. Jones commented so then all other areas as well are being cut down.

Mr. Brewer confirmed yes. If they operate 24-7 then they are required to have security on site while they are operating. Operations from 8-5 they are required to have on-site security during that time. Then they lock their doors and then they go. They are not required to have someone standing by the front door all though the night. In terms of retail there will be a separate resolution coming back adding the requirement for security. There is no requirement for security for retail; but it will not be requiring 24-7 so it is consistent with all the other operations.

Mrs. Jones stated she doesn't know where it was all discussed. She hasn't been able to find it. Mrs. Jones doesn't remember if it was from verbal agreement, but the community believed there would be security. She went back and read it is not there. Mrs. Jones thought a slick one was pulled but went back and read and it does not say that anywhere in there.

Councilwoman Stolz confirmed she had the same thought as Mrs. Jones.

Mayor Lander asked if there were any other comments from the citizens. Seeing no other comments, the Public Hearing section was closed. Mayor Lander asked the Council for comments on Ordinance No. 834.

Mayor Pro-Tem Ramsey had a comment and asked if cameras were on all the buildings now.

Interim Police Chief Darren Blevins replied yes and explained he has the links and passwords to get into each system.

Mayor Pro-Tem Ramsey stated if we do this, he didn't want to do it without all the cameras being operable.

Interim Police Chief Blevins discussed his goal for the backwall in dispatch. The goal is to have extra monitors mounted in dispatch where they will live feed all the time. This allows dispatchers to look at the facilities. If any calls for service come in, they may link into their system and see what is going all while PD is responding. This allows the PD to have up to date information.

Mayor Pro-Tem Ramsey asked if the other item on the agenda is passed tonight for that the use that could wait to put this in place until all that is in place?

Interim Police Chief Blevins responded absolutely.

Mayor Pro-Tem Ramsey commented he would rather have all that stuff in place so it would just be real clean.

Mr. Brewer responded this wouldn't probably go into effect until after the first of the year. The next meeting in November 7th to bring back the second reading. So, it would be the beginning of December. So, it would be thirty days after the approval of the Ordinance on November 7th. So, it probably wouldn't go into effect until early December. It depends when the Chief has his center set up to.

Interim Police Chief Blevins replied he would have the center set up in the next thirty days.

Mayor Pro-Tem Ramsey would not want it to start and we not be ready.

Interim Police Chief Blevins responded it would be set up by December 1st.

Mr. Brewer added we are still getting our monthly monitoring reports back from all of the facilities. We are also getting a lot of good reports back.

Mayor Pro-Tem Ramsey questioned if we were still going to keep that aren't, we?

Mr. Brewer responded yes. We are still going through all the monthly inspections at these facilities.

Interim Police Chief Blevins stated we have access to the cameras to monitor during the week.

Mr. Brewer stated they are being monitored 20 hours a month.

Mayor Pro-Tem Ramsey thanked staff.

Councilwoman Stolz stated she thought like Mary. That we did sell the public, convinced the public, make the public comfortable that there was 24 hour something. Now understands what is being said but had a question about the microbusinesses or the business within a business? Since some of the larger businesses rent out space to the microbusinesses within. What if one of them internally does not keep up the same hours of the facility?

Mr. Brewer stated it would be up to whoever is working there the longest. If set up campus style it would be the owners has historically been required to have the security. So, if you got folks that are working longer, they will have to work with the owner. It would be based on licensee. If you have a licensee working later in the evening, they are going to be responsible even if they are working two to three hours later than the other entities are in that area. They are going to be responsible for making sure there is security at their location for the additional few hours. If say the landlord is providing security for the entire facility. For the most part when the facility is designed it is encouraged to have a one way point and it makes easier its more cost effective for them when it comes to security. Come to find out when talking with these folk's security is extremely expensive. For them to run a business as we know there are a lot of other cost associated with trying to be in the legal market. We want to make sure they are staying competitive and no leaving because it is to cost prohibited here. In terms of security, they are still going to be required and it depends on who is there longer they are going to have to make sure they provide adequate security while they are open.

Mayor Pro-Tem Ramsey added he would like to revisit in a year and if it looks like it's okay, we could still make it go. Look at it in a year to see if it's working and if it's not working, we could change it the law, back right?

Mr. Brewer responded yes it could. It is a law yes. A report could be provided by the Chief in a year and let you know statistics or let you know if we are having major issues with it we could go back or even with a health and safety issue we could probably do an urgency ordinance if it is something becoming an issue. We just don't anticipate that, but we could report back to the Council.

Mayor Pro-Tem Ramsey stated that's fine.

Councilwoman Stolz had a question of the Chief. In the past year and a half, or two years, or even in your tenure time have there been any after hour calls or concerns from any of the facilities?

Interim Police Chief Blevins responded nothing major just burglar alarm which turned out to be false. One other incident after hours where someone challenged the security guard at Have a Heart. The PD received the call and came in to resolve the situation. Other than that, no other major issues.

Motion by Ramsey, Second by Singleton to Approve the Waiving of the First Reading of a City Initiated Zoning Text Amendment (No. ZTA 19-03) of Ordinance No. 834 Amending the Commercial Cannabis Regulations Related to 24-hour Onsite Security. Motion **Approved** by a Roll-call 5/0 Majority Vote.

5. **CONSENT CALENDAR**

1. Approve MINUTES - March 7, 2019
2. Check Register: 08/01/2019 - 08/31/2019
3. Declare Old Animal Control Truck as Surplus Property, Direct Staff to Dispose of the Truck via Silent Auction and Designate Proceeds to Police Department's Canine Unit

Councilwoman Stolz pulled item no. 5.3.

Councilwoman Stolz questioned what the opening bid would be.

Interim Police Chief Blevins stated it would be up to the person making the bid; there is no opening bid on it, and it would go to the highest bidder.

Mayor Pro-Tem Ramsey questioned if the truck was running.

Interim Police Chief Blevins responded it is running and the electrical problem has to do with the emergency equipment in it. He stated all that equipment would be stripped out and all that would be left would be the vehicle. The vehicle runs perfectly fine.

City Manager stated for the public benefit if this item is approved the silent auction would be open for two weeks and would begin on Wednesday, October 16, 2019 at 8:00am and would end on Wednesday, October 30, 2019 at 5:00pm. Bids would only be accepted in a sealed envelope and only accepted at the Police Department located at 270 N. 6th Street. The accepted bid would be announced at the Council meeting on November 7th.

4. City Council Approval of Resolution No. 3918 Electing to become Subject To The Uniform Public Construction Cost Accounting Procedures Set Forth In the Act

5. City Council Consideration and Approval of Resolution No. 3916 Approving the Submission of Application(s) for Per Capita Grant Funds Through The CA State Department of Parks and Recreation.
6. Approve a Three-Year Service Agreement with Hach Company to Provide Service and Calibration of Lab Equipment at the Water Treatment Plant
7. Adoption of Resolution No. 3919 – Acceptance of Public Street Easement related to the Forest/Truman and Baker Reconstruction Project
8. Authorize Police Department to Redirect The Remaining Capital Project Funds to Replace The Department's Access Control System and Dispatch Flooring

Councilman Adkisson pulled item 5.8.

Councilman Adkisson brought this up since it is \$30,000 and sure it is needed but would like to see if we could hold off a bit, until the mid-year review of the budget. The last report showed the PD through the first quarter 58% of the OT budget was used. Keeping up at this rate we are going to be at 240% of what we budgeted. In his opinion we should hold off on this for a little bit.

Councilwoman Stolz asked for an explanation of where the funds are coming from?

Interim Police Chief Blevins explained the funds were coming from capital project funds, earmarked one-time money. He also gave a brief about the overtime for the department. Having a few officers injured and out on medical and a few officers out on administrative leave, which left vacancies in shifts that need to be covered by overtime. Investigations requiring additional overtime to complete an investigation. This is accounting for the majority of the overtime money.

Councilwoman Stolz wanted to clarify if one fund has anything to do with the other. One doesn't have anything to do with the other when spending.

Interim Police Chief Blevins was uncertain if the funds could be used for salary from the capital project fund and deferred to Jasmin Bains for explanation.

Financial Services Director Jasmin Bains explain if it is capital purchases in the General Fund yes you can to cover overages in other line items because it is still part of the General Fund. If projected to go over their overtime using the funds from the capital projects could cover overtime if it is all in one Department and one fund.

Councilwoman Stolz commented her agreement for the need of the access control system changed or upgraded but would like to wait on the carpet issue.

Mayor Lander commented being in dispatch recently and the first thing you notice is how bad the floor is.

Interim Police Chief Blevins explained with all the electronics in dispatch it must be static free flooring.

Mayor Pro-Tem Ramsey asked the cost for the access control system and not doing the floor.

Interim Police Chief Blevins reported it would save about \$14,000.

Mayor Pro-Tem Ramsey voiced his concern for ensuring the Police Department is secure.

Councilman Singleton asked if the personnel who were out from the department are back.

Interim Police Chief Blevins responded one person is out on medical and one candidate is currently in background. One officer in the Police Academy due to graduate December 5 and will have one vacant slot after that.

Councilman Adkisson asked if there were any key cards that are outstanding.

Interim Police Chief Blevins replied no; for any new employees he is unable to get then a key card. For now, they have to be buzzed in and out of the doors.

Councilman Adkisson voiced his concern not having the projections of revenue and the additional overtime may lead to going over budget; and acknowledged the access control system and flooring are needed.

Interim Police Chief Blevins stated he has earmarked money in the COPS grant to cover additional overtime if needed. About \$10,000 has been set aside for overtime if needed.

9. City Council Acceptance of Staff's Recommendation to Select Blais and Associates to Provide Grant Consulting Services and Further Authorizing the City Manager to Enter Into a Professional Services Agreement with Blais and Associates for Said On-Call Grant Consulting Research and Development Services.

Councilman Adkisson pulled item 5.9.

Councilman Adkisson stated he would like to pull this until the next meeting so he may talk to staff about it.

Mayor Lander confirmed Councilman Adkisson would like to table item 5.9. Mayor Lander asked if all were in agreement with that and they acknowledged they were. Item 5.9 was tabled for the next meeting.

10. Approve Agreement with Hinderliter, de Llamas and Associates (HdL) for Transactions and Use Tax (Measure "J") Audit and Information Services And Approve Resolution No. 3917 Grant Authority To Examine State Board of Equalization Confidential City of Coalinga Transaction and Use Tax Records
11. Adopt Resolution 3921 Revising the Police Pay Scale
12. Adopt Resolution 3922 Revising the Police Pay Scale
13. Approve Amendment to Employment Agreement for John Self
14. Adoption of Resolution No. 3920 Establishing Fair Market Rate for Hangar Lease at the New Coalinga Municipal Airport

Mayor Pro-Tem Ramsey had a quick question on the current rate of the hangars.

Senior Administrative Analyst Mercedes Garcia stated the current rate is \$115 per month and it is billed quarterly at the rate \$345.

15. Public Works & Utilities Monthly Report for September 2019

16. Bid Award and Approval of a Final Construction Budget for the Forest Street Phase 4 Street Improvement Project (1st Street to Elm including Baker Street)

*Motion by Adkisson, Second by Singleton to Approve Consent Calendar Items 1-14 Except for Item 5.8 and Item 5.9 which was Tabled for the next meeting. Motion **Approved** by a 5/0 Majority Voice Vote.*

Motion by Ramsey, no second to Approve Consent Calendar Item 5.8.

Amended Motion by Ramsey to pay for the Access Control System only and not the flooring.

*Motion by Stolz, Second by Ramsey to pay for the Access Control System only and not the flooring. Motion **Approved** by Roll-Call 4/0 Majority Vote. (Adkisson Voted "No")*

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Discussion, Direction and Potential Action regarding Superior Court of California, Fresno County
Marissa Trejo, City Manager

Item 6.1 was pulled for presentation at a future meeting.

2. Council Direction Regarding a Voting Delegate and Up to Two (2) Alternate Voting Delegates for the Annual Business Meeting at the League of California Cities 2019 Annual Conference in Long Beach, California
Marissa Trejo, City Manager

City Manager Marissa Trejo gave a brief overview of the item.

Mayor Lander inquired whom they would like to have as their voting delegate?

Councilwoman Stolz stated the voting delegate should be the Mayor and the alternates should be the Mayor Pro-Tem and the City Manager.

Councilman Adkisson agreed with that.

*Motion by Adkisson, Second by Stolz to Approve the Mayor as the Voting Delegate and Mayor Pro-Tem and City Manager as Alternate Voting Delegates for the Annual Business Meeting at the League of California Cities 2019 Annual Conference in Long Beach, California. Motion **Approved** by a 5/0 Majority Voice Vote.*

3. Council's Consideration of the League of California Cities 2019 Annual Conference Resolutions
Marissa Trejo, City Manager

City Manager Marissa Trejo gave a brief overview of the item.

City Attorney Mario Zamora gave the background for Resolution No. 1 and the push to have more flexibility in undergrounding utilities in forest areas due to wildfires, so they are not so prone to catch on fire or start new fires. The League would like to support this policy, and this is one thing that will be voted on at the League meeting.

Councilwoman Stolz stated the City should vote with the League.

Mayor asked if everyone is in agreement with that or if anyone disagreed. No one disagreed so move on to the next item.

City Manager Marissa Trejo gave a brief overview of Resolution No. 2.

Councilman Adkisson shared at a recent conference and the Councilman from Coronado was there. He talked about how bad the issue was there. Wastewater from Mexico was flowing into the beaches. Councilman Adkisson agrees with it.

Mayor Lander asked if everyone is in agreement with it. He indicated that's the way we shall go.

4. Adopt Resolution No. 3454 - Intention to Vacate a Public Easement (Between Monroe and Monroe Alley Adjacent to Faith Christian High School) and Setting a Date for a Public Hearing
Sean Brewer, (I) Public Works & Utilities Director

Community Development Director Sean Brewer gave a brief description about the Resolution and setting the date for a Public Hearing for November 7, 2019 at 6:00pm.

Mayor Lander made a comment about several people coming into his place of business and complaining in regard to the way it is currently. He explained it is being worked on with this and they are elated. People in the area would be very very happy to see this happen.

Mrs. Mary Jones had a question about the item. Mary asked if it meant residents could no longer use the area to walk on?

City Manager Marissa Trejo responded it would be up to Faith Christian since it would be their property.

Mrs. Jones as a resident who lives on College and can walk to Keck Park if using a stroller. If she has to walk equivalent to two blocks extra, she would no longer be able to do that. Not sure if there are other people like her but she would have to drive. She can't do it. Mrs. Jones does not know the solution for having a problem is to just say the public can't use it anymore. Mary feels it is like the sand dunes over at Pismo. Is that really what people wanted? Is that what the people complaining want Ron?

Mayor Lander responded yes. They want it closed off.

Mary inquired if it is residents that live there or people that want to use the walkway?

Mayor Lander stated it is residents that live there, because the element that is causing all disruption.

Mary stated they don't leave diapers or bottles.

Mayor Lander remarked it is just not diapers.

Mary stated she knows and has seen it, but it is still a walkway.

Mayor Lander commented there is drug activity and all kinds of craziness going on.

Mayor Pro-Tem Ramsey confirmed tonight was voting to have the Public Hearing on it. It would not be decided tonight.

Sean confirmed and stated there would be a public hearing.

Motion by Ramsey, Second by Stolz to Adopt Resolution No. 3454 - Intention to Vacate a Public Easement (Between Monroe and Monroe Alley Adjacent to Faith Christian High School) and Setting a Public Hearing for November 7, 2019 at 6:00pm. Motion Approved by Roll-Call 5/0 vote.

5. Council Direction and Potential Action Establishing Regulations Creating Distance Requirements for Smoke Shops from Schools
Sean Brewer, Community Development Director

Community Development Director Sean Brewer gave a brief description about the future agenda item requested by Councilman Adkisson.

Councilman Adkisson stated he didn't have a whole lot to say on it.

Mayor Pro-Tem Ramsey commented he liked the matrix provided by Councilman Adkisson.

Mayor Lander questioned if there was a reason why all the sudden, we were going to do this; why it was being brought to us?

Councilman Adkisson responded it was asked.

Mayor Lander inquired whom it was that asked.

Councilman Adkisson stated part of it was Faith Christian and somebody else asked about it.

Mayor Lander asked what we currently have? We have one right here (referring to the corner of Durian and Fifth Street). The little smoke place right there.

Mr. Brewer indicated a place by Rite Aid unless it is closed.

Mayor Pro-Tem inquired if it included Fastrip and gas stations and stuff like that that sell cigarettes?

Mr. Brewer responded no it is all considered retail based on our regulation. Now there are some cities you may see from the matrix provide by Councilman Adkisson if they are primarily engaged in selling tobacco, they are considered a smoke shop. What we have on the books is basically in terms of consumption of tobacco products like hookah lounge or a tobacco bar. So, anything else if you sold just cigarettes then you are considered retail based on our code.

Mayor Lander commented we have on right there on the corner.

Mr. Brewer responded correct and I could not tell you what percentage they sell since he does not go in there; but does imagine it is primarily what they sell. Not sure of the percentage is.

Mayor Pro-Tem stated we have on by Rite Aid.

Council Member Adkisson stated next to Faith Christian.

Mayor Lander asked if they smoke in there?

Mr. Brewer responded no, just the sell.

Council Member Adkisson indicated no just for sell.

Councilwoman Stolz stated the place over by Rite Aid has not been opened since the former owner owned it. It is used as supply for this business over here (indicating the corner of Durian and Fifth Street). Do you not want it to be there at all?

Mayor Pro-Tem and Mr. Brewer both responded it is open.

Mayor Lander asked are they wanting to change this up?

Councilwoman Stolz inquired are you wanting it not to be there at all?

Council Member Adkisson responded I do not want him to be kicked out. I would want it to be after.

Councilwoman Stolz confirmed just not tobacco.

Council Member Adkisson right. Does that make sense?

City Manager Trejo clarified so basically; he is grandfathered in with his business. If he ever vacates the area another one cannot locate there.

Mr. Brewer stated it would operate as a legal non-conforming unless we institute part of the regulation that there is an amortization where they basically have to be out by a year or two years. We usually do not kick out non-conforming uses out as long as they continue their existence. That is when it would go away if they closed or it would not be permitted within that certain distance.

Mayor Lander stated you know what I would like is to see a little bit more information on this the legality of this. It is always nice when we want to do good things. It is well intention I am not saying it is not. Would like to know the legality of this before we make a decision on this. Could we do that? Could we bring that back?

City Attorney Zamora replied as long as it is clear of what we are trying to do. Things will change. If we say we are trying to ban from the city tomorrow that is a different analysis, then we are okay the existing facilities. They stay legal non-conforming. As they close down, they would be grandfathered out that is a different analysis.

Mayor Lander posed could you do an analysis for us on that. I would like to have you bring that back. Is that agreeable with everyone?

Mayor Pro-Tem Ramsey questioned do we have anything on the books from when the smoke shop came? How far they could be from anything at all?

Mr. Brewer replied no, they are basically retail by land use classification. They are retail so it is no specific as to what they sell.

Mrs. Jones commented when we get request like this, you get request like this and people just say things is it okay to ask them what their logic is and what their reason is. I am not for kids smoking at all. I smoked when I was twelve and I knew where to go and get it. It did not matter if hitchhiked. I was going to get it. Back then they were machines and they were only 25 cents, so you get the point. I don't think it is going to change a whole lot. So, if it is just to make people feel better that they are being tough on juvenile delinquency or whatever. I don't know what the motivation is. So, I would like if you could ask. You have to understand I'm

fielding questions from a lot of other people; and again, I just tell the what I know. I tell them to go talk to you. If you could come with some sort of basis or understanding so it makes sense and were not just asking for crazy things. Not that it's crazy, but you get my point.

Mayor Lander replied I understand.

Councilwoman Stolz commented I have a question. Forget all this. What you're wanting on behalf of who ever is nobody could sell tobacco for 300 feet from schools. In this case we are talking about once they vacate the city will not allow.

Council Member Adkisson replied strictly a tobacco place not necessarily. If Rite Aid left and they were in the 300-foot zone whatever if another company moved in and sold cigarettes that would be fine. I'm talking about strictly tobacco. Like same thing with the cannabis shop. They have to be a certain distance from the schools, similar to that.

Councilwoman Stolz asked then what is going to be the difference if we restrict a strictly tobacco shop from selling or coming in or it we say to Rite Aid or Walgreens or whoever that they can sell it. If somebody is going to get it, they are going to get it.

Council Member Adkisson stated I think a lot of it has to do with the advertising outside of it. You can pull it for right now.

Mayor Lander replied it's not to be pulled. I'm asking it to be continued until we get more information about the legal aspects of it and just a little more clarification. I appreciate all the work you put into this. I really do, but I think we need to look at the legality of it from both angles of that. I think it would help us make a little clearer decision on what would happen. Is that agreeable?

Council's consensus agreed with Mayor Lander.

6. Discussion, Direction and Potential Action regarding City Code Enforcement Operations
Marissa Trejo, City Manager

City Manager Trejo provided a brief overview of the staff report.

Council Member Adkisson commented I know this is my item but I'm going to go right back to what I said to Chief Blevins when he was up there. Well I think or at least for me the number one complaints we get especially as a Council person is; all has to do with code enforcement. So sometimes I go back and forth yes, let's get one no let's not get one; but we could possibly be expending \$154,000 just today alone. I would like to hold off on this today as well until we get our mid-year budget report.

Mayor Lander asked if the Council had any other questions or comments.

Councilwoman Stolz stated well I'm not about spending money we don't have so I would like to see if we could direct the City Manager to at least get us some quotes because the quote listed her is official. When I discussed this with her I was looking at more like 1 day per week or X number of hours not the 19, that would run up to the \$59,200 as an estimate. I don't have a problem bringing it back or waiting for the mid- year budgets but, I would like at least to know sooner than later what kind of money we are looking at. In case we want to include it in a budget or ask for the money, or shift or change or not to do anything at all.

Mayor Lander asked if any other input?

Mayor Pro Tem stated he agrees with both of them. I think we ought to bring it back. I think she should get some numbers. We all want code enforcement. That's a no brainer right there, but we want to be able to pay for it too.

Mrs. Jones asked so are we requesting this because it is not being done enough or well enough or not? What is the problem?

Council Member Adkisson requested Mrs. Jones say that one more time.

Mrs. Jones inquired are we looking for alternatives because the job is not being done well enough? Do they not have enough hours to invest in it or?

Council Member Adkisson replied well I think it needs more hours, more follow-up, someone who is specifically dedicated to that. That's my opinion.

Mrs. Jones stated the paperwork accompanying it and I don't know what proportionally it is but I know that if you had more if you asked for more volunteers to help with that. I know at least two people who would just be happier than clams.

City Manager Trejo responded it has remained on the City website for over a year. If they are interested, I would suggest they apply.

Mr. Jones expressed she felt it needs to be talked about. Like when people complain, and people are going to complain. They complained when we had a code enforcer too. They'd say he catered to his friends, it wasn't fair only certain, you know. I'm sure you've heard it all, and that's going to continue no matter who is doing it. I know that when I've been frustrated, and I asked questions because it is public record a lot of things. I went around one day and every single person that I clicked a picture of had already been notified with no response. I think if you want to make some changes that would be the first and I don't know legally what you could do but I think that would be the first line of defense or offense. Whatever you want to call it because you have no teeth right now, you really don't. Especially if it is a rental you got nothing. I'm a landlord and I've had tenants who don't care. It's my fault but they're the ones not doing what there supposed to. It works both ways but there is no option so somehow there has to be some sort of balance to make people care and follow through on the threat. How many people do you actually collect money from?

City Manager Trejo replied so we do issue citations. Usually once we issue citations is when they contact us and comply.

Mrs. Jones wanted to know how many warnings do they get before they get a citation?

City Manager Trejo responded they get fifteen days.

Mrs. Jones verified just fifteen days, okay.

City Manager Trejo explained they get 15 days to correct the violation unless they call in to request an extension. We usually grant them an extension if they request one as long as it's a reasonable time period. Then they start receiving daily citations with daily fines.

Mrs. Jones questioned if there is a clause in there that once you have been cited and you have paid for it then you have a year or something before you can be cited for the same thing?

City Manager Trejo replied it states your fine goes up. So, if you have another violation within the same year instead of being fined \$50 you are fined \$100.

Mrs. Jones asked where do those funds go?

City Manager Trejo replied they go into the city's general fund.

Mrs. Jones responded okay.

Mayor Pro-Tem Ramsey inquired what happens if they don't pay that?

City Manager Trejo responded it depends. Most of the time people comply once they realize they are being fined. For those that don't then they're going to be coming back to the Council to take action; and they are going to be attached to their property.

Mrs. Jones asked what does that mean?

Mayor Pro-Tem replied if they ever sell their house.

City Manager Trejo clarified it is recorded as a lien on their property.

Mrs. Jones replied okay.

Financial Services Director Jasmin Bains provided input I wanted to share something from my perspective with regard to this. I know that when you really hear the numbers you get sticker shock right? So, something to consider in this is more code enforcement means more citations are written. So, your cost is off set by the revenues collected through citations. So although you say contract is \$59,200 per year with 19 hours per week if you have someone putting in those hours they are also writing that many more citations. Being in a community that is non-compliant to notices and action is taken when they are cited that means the cost of the code enforcement office is going to be set off or off set by the revenue you collect through the citations that are paid. So, something to consider for the Council.

Councilwoman Stolz commented when we were discussing budget cuts in 2017 I believe it was. When this position came up I believe I asked how much revenue did this bring in for the past calendar year and it was only \$300. So, in my opinion the revenue brought in from the ticket writing did not pay for the position.

Ms. Bains replied that is correct. I don't want to get into the politics of all this. I do want to say you have an Ambassador and City Manager sending notices and there is no action and action is taken when their cited then that's revenue the city is collecting to offset the cost. Now it is not fully funded. It is not a position that is fully funded and it is a cost if you are contracting out will not be fully funded it will be subsidized by the General Fund; but is something to consider so when you look at \$59,200 that sounds like a lot of money. I haven't looked at what we have collected in citations and a lot of times it takes time to collect those citations. We just collected a citation today that was issued for a citation lien that was placed when Joey was here. That was a lien placed on the property. When it got sold we collected what we paid. So, not necessarily some citation will receive within the month some that are placed as lien we won't collect for 10 years, 15 years, 20 years not until the home is sold. It was \$350. So considering cost or fees we assess that is quite a hefty fine to pay. Something to consider for the Council, I'm not against this option I'm not for this option. I'm just giving you the information you need to make an educated decision. Then also two part as part of our software migration continuing since 2017 as you guys approved the EnerGov model which is Community Development and Business License that has a Code Enforcement process and citation process so it may be tracked more

accurately. It's really cool because it gets me excited. It came up because Code Enforcement is something that is manually done right now. Marissa types up the letters; Marissa hand writes the notices and though that's hard work. Through this software migration once we go live on this piece the citation and notice will be generated automatically and it will be attached to their property address which is linked to their utility billing account, to their building permits any renovation that they've done and any code enforcement citations. So at any given time the Council can come and say pull me everything you have on this address and you will get a report with everything. So, these are things to consider when we make these decisions. We are taking steps behind the scenes to make this process more efficient. Business Licenses are going live November 12, 2019. The Community Development portion of the EnerGov module will go live it's going to be a while. We just started.

Mayor Lander stated he had a question in regard to how many citations do you issue out per month? I know I've seen quite a few sometimes, stacks of them letter going out. Do you have a general idea about how many you send out per month around about figure?

City Manager Trejo answered every month is different. I estimate on average about 100 letters per month go out a month with notices of violation and maybe 20 citations.

Mayor Lander asked time wise you are typing all these letters up?

City Manager Trejo replied I am not except when the City Ambassador is out then I am. They are saved; they are general letters so we are changing the name, address, and date. The letters themselves don't take to long. It is just then they have to be sent out certified mail so that takes a little bit of time.

Mayor Pro-Tem Ramsey inquired are they all registered mail too?

City Manager Trejo clarified certified mail.

Mayor Lander stated so there is more expense.

Mayor Pro-Tem Ramsey asked how much is that a letter do you know?

Mayor Lander replied \$7 a letter. The only reason I'm asking these questions is real simple. The City Manager has her hands full believe me. Everyone has their hands full trying to keep things afloat and keep the city running smoothly. So, this is an additional extra thing that could be sent out to someone else to employee someone. I drive this town just like most everyone else constantly and the code violations have increase substantially over the past several years. It is only because people know we don't have a code enforcement officer and we only generate citations by complaint. A lot of people will not complain they just keep looking at it. They will come to my place of business or who ever they see and say something and we obviously have to do something. A lot of the time they will stay mute on the issue. A code enforcement person is needed in this community. Whether it cost this much or this much, because if you drive the community a lot and you look in your Districts which we do. Parts of my district look terrible right now because of code enforcement violations. So, we are reactive rather than proactive. I think the key is to become proactive in that area. That's just my opinion. We need a code enforcement person we just simply do.

Ms. Bains expressed I think it is more cost efficient for the city to contract this serve out on an hourly basis. I know on an hourly basis it looks like it's more because the hourly pay but if you attach benefits and retirement benefits to that hourly rate of your employee it comes a little more difficult to ramp down. So, if you hire a fulltime employee to make them part time that's a difficult process however you have ongoing cost even past their employment and that is known as CalPERS. So, that cost stays with you. When you contract services

like this out you do it at an hourly basis for the cost no to exceed a certain dollar amount in a fiscal year, which is budgetary control. It also allows you to ramp up or ramp down, as you need. Keeps your cost within line with what you truly need. If you have an employed person, it is difficult to lay a fulltime person off or make them part time. It's difficult because that has more impact on the livelihood and the moral of the employee, so, just another thing to consider.

Mayor Lander inquired for any other comments. What's your pleasure Council?

Mayor Pro-Tem Ramsey expressed he agreed with Mary you could have anybody doing code enforcement, but if you don't have any bit in the code they are not going to do it. We've got people I've complained about a lot of times, and people get mad at me because they don't think I've complained on these certain people. I complain just about every day. I see Marissa about it. Her hands are tied. Is there any way we could make these a misdemeanor? They could go after them. I mean we are going to have to do that cause we don't have any authority to do anything else and we need the bite.

Community Development Director Brewer clarified we've gone in all the years I've managed code enforcement for probably 10 years. We have amended our penalties; we've amended our time frames for compliance. The teeth is there but as we've had in the sentiment in this discussion is we don't have enough resources to be able to fully impose all of the regulations, the penalties. That's one of the biggest challenges and a lot of the work that went into when we did have a fulltime code enforcement officer was sending letters. We got like a 95% compliance rate because we sent final notices. We followed up with them. When phone call come in. Marissa has more than just code enforcement calls coming in on a daily basis. So, it is not just going seeing the violation and sending the initial letter it is all the follow up and follow through with either compliance, abatement, or the citation, filing with collections, filing a court citation if we have to. Primarily they are administrative citations that we are issuing not court citations. You could write a misdemeanor you could do that as well. Our penalties allow for anting for any violations in the code. Correct me if I'm wrong, in the Municipal Code can be written as a misdemeanor. Specifically, code enforcement can be written up as an administrative fine as well.

City Attorney Mario Zamora offered the following I think it has always been the philosophy here and many places that we write the Ordinance with a lot of teeth but Councils are real hesitant to get to that extreme because most Council's want is compliance. So, if there definitely is a follow up in cases of health and safety go to that next step and have an abandoned building boarded up or torn down if there is drug use or a safety of people living there where they are not supposed to be. For the most part with these fines we are looking for compliance, right? Fix whatever the issue is we will back off of the fine. At the end of the day we want the neighborhoods to look nice. We really don't care about your \$150. It's nice when they don't comply and that's the teeth. If we are going through the process what we are really looking for is compliance. It would be nice if the complied with the first letter. Some people it takes more than that and some people don't do it at all. A change in philosophy staff needs to know that and we have to have the bite if we are going to start issuing misdemeanor citations. What does that mean for you guys and the city? It is just gaining compliance getting the cost along and things like that.

Ms. Bains made clear the citations are administrative cost and that is what we are collecting. The cost of generating the letters, the time and labor, the postage that's all we are collecting. We are not making money off of the citations. It's cost recovery and we are not recovering maybe even 50% of the cost it takes to generate the notices, send out the notices, follow up with collections and do all that. That's something to also consider.

Mayor Lander asked so would you like additional information to be brought back to us on this issue? What would you like?

Council Member Adkisson stated how about we bring it back. We have options 1-4, but number 4 we get official quotes.

Mayor Lander voiced ok we bring it back. A lot of good discussion here, it is a big issue in our community. One last thing I would like to say before I go on is. The sense of community pride has gone out the window in the City of Coalinga and that's sad. It is a reflection on our community we drive around, and people come to visit, and they see the disarray all over town. Not just certain areas but all over town. I drive around a lot because I like to see what's going on in the community and I see it everywhere. It's diminishing rapidly. Code enforcement really helps bring it back it really does. We look forward to see what we come up with.

7. ANNOUNCEMENTS

City Manager's Announcements:

City Manager Marissa Trejo announced last week our emergency management response team attended training in San Diego. The training prepared us to run an Emergency Command Center and there was not cost for attending the training. So, we basically got 320 hours of free training. She described the training scenario and how realistic it was and how it really prepares you for an actual event.

Council Member's Announcements:

Mayor Pro-Tem Ramsey announced he and Mary Jones attended the school modernization from Measure B funding. The improvements awed them both. Classrooms are modernized and even the kindergarten class had iPads. New building in Huron is the library has been remodeled. The auto tech in Coalinga is number 1. Never have I seen automotive shop that well. Kids here will be good with that kind of stuff. Other measures are coming which are all high tech.

Mayor Pro-Tem Ramsey also announced he has received complaints about people parking their vehicles in the park on the weekend. When they have soccer and stuff. Signs will be posted for people to keep their cars off the grass. If you see a car on the grass call the Police Department. They will go out and give a ticket. The parks are being fixed up and don't want them messed up.

Mr. Brewer gave an update on the Affordable Housing Grant and park amenities being installed and Centennial Park and Sandalwood Park which include shelter structures, benches, tables, fountains, trash cans and barbecues along with some park equipment. Tonight, State Parks per Capita program was approved.

Councilwoman Stolz inquired if in the parks do, they include K9 disposal.

Mr. Brewer responded no but may consider.

Councilwoman Stolz indicated having one at each park entrance helps people dispose of their waste.

Mayor's Announcements:

Mayor Lander announced he meet with the hospital, Mr. Singh. They are moving right along. Looks like things are a green light all the way through. Really good thing for our community.

Mayor Lander also meet with Chancellor of West Hills College to request for him to come and give a presentation about what West Hills College is doing. Not only in Coalinga but at their satellite facilities. We want to be partners and the partnership solidified.

Mayor Lander requested Mr. Moses Stites from COG give a presentation about Fresno County Rural Transit Agency as what they are doing for Fresno County and our communities. Really important for everyone to understand what happens at the COG. These will be coming up and are useful for our pushes for our community good things.

8. FUTURE AGENDA ITEMS

Council Member Singleton stated he has received comments about speeding. Look into speed bumps. People would like a cop on every corner, but we don't have the manpower for that.

Mr. Brewer responded we have some safety measure or alternative we could look into with our Safety Enhancement Plan that was adopted.

Mayor Lander did have one additional item; Polk Street has several areas that are really need some attention that are torn up. By Coalinga Street by the Mormon church that road needs to be repaired big time. Thank you for Forest Street people will now be happy but also the area by the Old Coalinga Market by Perfect 10 right in there. I get a lot of questions about what is happening there.

Mr. Brewer stated he could resolve all questions in 30 seconds. Polk Street by South Coalinga Street it is on the schedule hopefully in the next few weeks we should be able to get out there. Next two weeks. Once finished with the parks that is where all our focus is now to finalize the grant out. Polk Street by Coalinga Market will be under the Surface Transportation Block Grant (STBG) for that and will be requesting authorization for design. A little bit out on that. Apply for the next phase of 5th to Elm all the way to the city limits as well.

Councilwoman Stolz asked what about additional lighting. Going out of town, Polk/Jayne dark there. Is it PG&E?

Mr. Brewer indicated it is PG&E. We are currently undergoing a lighting study for the acquisition of the lights. Study is underway as soon as it's done a presentation will be made to the Council on the acquisition and process to enhance lighting if we acquire the lights.

9. CLOSED SESSION

1. 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
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Government Code Section 54956.9(d)(1): 1 Case. Fresno County Superior Court Case No. 17CECG04294 Nathan Vosburg, et al. v. County of Fresno, et al.

10. CLOSED SESSION REPORT

No reporting out.

11. ADJOURNMENT 7:40PM

Ron Lander, Mayor

Mercedes Garcia, Deputy City Clerk

Date