

**MINUTES  
AMENDED  
CITY COUNCIL/SUCCESSOR  
AGENCY/PUBLIC FINANCE AUTHORITY  
MEETING AGENDA  
March 19, 2020**

1. **CALL TO ORDER 6:00PM** *Meeting conducted via teleconference.*

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

Others Present: City Manager Marissa Trejo, City Attorney Mario Zamora, Chief of Police Darren Blevins, Assistant City Manager Sean Brewer, Financial Services Director Jasmin Bains, City Treasurer James Vosburg, Senior Administrative Analyst Mercedes Garcia, and Fire Chief Dwayne Gabriel

Council Members Absent: None

Others Absent: None

*Motion by Adkisson, Second by Lander to Add an Urgency Item as Item No. 6.2 for the Approval of Resolution No. 3959, Move Citizen Comments After Section 6 and to Approve the Agenda for the Meeting of March 19, 2020. Motion **Approved** by a 4/0 Majority Voice Vote. (Ramsey voted "No")*

2. **AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS**

1. Mid Valley Disposal - Quarterly Report, Ivette Rodriguez, Recycling Director

Mayor Lander announced no presentation will be made, however a paper copy of the presentation has been added to the agenda.

3. **CITIZEN COMMENTS**

*Citizen Comments was moved to Section 7 of the Agenda.*

Guest 679 asked if the Council has heard anything about the school district extending the closures?

Mayor Lander stated the Council had not been notified of a date the schools would reopen.

City Manager Marissa Trejo stated we have not heard of any date other than the initial date stated which I believe to be April 14th. Mrs. Trejo suggested the community refer to the school's website and perhaps inquire at the school district's board meeting.

Mr. Vosburg spoke to the potential public censure of Councilman Adkisson. I recall at the beginning of the year when Councilwoman Stolz was being looked at for public censure. There was a lot of information on her on Facebook, things going on between her and staff and volunteers, there were complaints, and all that. If you do move to censure a Councilmember then I believe it will end up triggering a lot more than that because the grand jury will probably have to look into all of this information, including information dating all the way back to the beginning of the year when the first censure on Councilwoman Stolz was attempted. If you did not censure one, then I cannot believe you would censure another. It would not be fair.

City Attorney Mario Zamora read a comment by Mrs. Mary Jones, she did not get to hear about the censure at all. She would love to say this is so totally inappropriate considering the trash we the town have been drug through by other sitting members of Council.

Councilman Adkisson asked if the meeting was being recorded?

Mayor Lander answered yes, all of this is being recorded.

Councilman Adkisson asked if the public would go to the same website for the webinar to listen to it or will it be on the City website?

Mr. Zamora said the meeting is being recorded on the webinar side and as soon as we finish, I can distribute it or provide a link to Marissa. I am sure it will be a link like the webinar. We will make it available.

#### 4. PUBLIC HEARINGS

1. City Council Introduction and Waiving of the First Reading of Ordinance No. 836, Approving a City Initiated Zoning Text Amendment (No. ZTA 20-01) Amending the Planning and Zoning Code as it Relates to Conditional Use Permit Regulations for Commercial Cannabis Facilities  
**Sean Brewer, Assistant City Manager**

Assistant City Manager Sean Brewer gave a brief overview of the item.

Mayor Lander opened the Public Hearing for comments. Seeing none, Mayor Lander closed the Public Hearing.

*Motion by Stolz, Second by Adkisson to Waive First Reading of Ordinance No. 836, Approving a City Initiated Zoning Text Amendment (No. ZTA 20-01) Amending the Planning and Zoning Code as it Relates to Conditional Use Permit Regulations for Commercial Cannabis Facilities. Motion **Approved** by a Roll-Call 5/0 Majority Vote.*

#### 5. CONSENT CALENDAR

1. Approve MINUTES - April 25, 2019 (Special)
2. Approve MINUTES - May 2, 2019
3. Check Register: 01/01/2020 - 01/31/2020

4. Direct Staff to Research Grant Funding for Replacing the Two City Admin Vehicles with Hybrid Vehicles
5. Direct Staff to Proceed with Preparing a Zoning Text Amendment to Update Its Cannabis Zoning Regulations to Allow a Cannabis Consumption Lounge in the Downtown District
6. Declare Police Vehicle C17 as Surplus Property and Authorize Police Department to Conduct a Silent Auction for the Vehicle with the Proceeds being Directed to the Purchase of a Fresno Police Department Surplus Vehicle

*Councilman Adkisson pulled Item No. 5.6 for discussion.*

Councilman Adkisson asked about the \$1,200 purchase price.

Chief of Police Darren Blevins explained the \$1,200 is the Fresno Police Department's asking price.

Councilman Adkisson asked if the Fresno Police Department is holding the vehicle specifically for us?

Chief Blevins said yes, they are.

Councilman Adkisson asked how long they would hold the vehicle for us?

Chief Blevins stated he was not aware, but he could inquire with them.

Councilman Adkisson expressed concern over spending money right now.

7. Authorize the City Manager to Enter into Agreement with Turk Station Pistachio, LLC for Out-of-City Water Services
8. Consideration of a Bid Award for the Hydraulic Control Structure Improvements at the Wastewater Treatment Plant (WWTP) Re-Bid Project No. 2786
9. Consideration and Certification of an Environmental Determination for the Van Ness Avenue Storm Drain Project Phase 2 and Further Direct Staff to File a Notice of Exemption with the County Clerk's Office in Compliance with the California Environmental Quality Act
10. Adopt Resolution No. 3958 Approving the 2019 General Plan Progress Report
11. Update on City Command Center (informational only)

*Motion by Ramsey, Second by Stolz to Approve Consent Calendar Item Nos. 5.1 through 5.11. Motion **Approved** by a Roll-Call 5/0 Majority Vote.*

## **6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS**

1. Discussion, Direction and Potential Action regarding City of Coalinga Council Rules of Procedure (Commonly referred to as Code of Conduct or Standards of Conduct)

## **Marissa Trejo, City Manager**

City Manager Marissa Trejo announced this item was requested as a Future Agenda Item by Councilwoman Stolz.

Councilwoman Stolz explained she originally requested the item be brought for discussion at the request of a couple of staff members. Staff would like the standards to be amended to loosen up the water limitation and open it up to other beverages to be allowed if they are in a secure container with a lid. I have also received, just in the last few days, complaints from citizens about Facebook chatter.

Nathan Vosburg stated he does not believe the standards have been followed from the beginning, specifically those on page 16. Referencing No. 8 on page 13, Mr. Vosburg said the procedure on Public Comment during meetings has been changed, but the Code of Conduct was not amended. The Council is therefore in violation of the standards. The Council is also no longer allowing Public Comment at the beginning and the end of meetings. Again, the Code of Conduct was not amended to reflect the change. He does not believe Robert's Rules of Order is being followed. The violations of the Code of Conduct are all potential Brown Act violations and he is considering turning it into the Grand Jury and the Fresno Public Integrity Unit.

Councilwoman Stolz, referencing Section 1 on page 1, expressed concern that some members of the Council are not following b. and o. and treating each other, staff and the public with respect at all times, including but not limited to, Council Meetings, on social media and public events. Ms. Stolz stated Councilmembers have been at after-hour establishments at City paid conferences where they started arguments, cursing, and using foul language and challenging other members to fight. Council received two email complaints today that also fall under this section.

Mayor Pro-Tem Ramsey commented on how the Council used to have cake and coffee for various events such as a retirement. Mr. Ramsey said he was not planning to bring it up, but he does believe certain Councilmembers should be checked and censored. He saw some comments on Facebook and agrees with those who have made complaints.

Councilwoman Stolz stated she has requested this as a Future Agenda Item about a month ago and it was solely at the request of staff to change the water restricts at Council Meetings. I was not a "no show" at the last Council Meeting, I was absent and had let the City Manager know in advance that I would like the item moved to the next available meeting. I am bringing up the decorum now because of the most recent complaints we received.

Mayor Lander stated he received the email complaints and complaints from multiple people at his place of business regarding comments seen on Facebook. If the comments are true, they are inappropriate for a Councilmember to be saying those kinds of things on social media. It is an issue and creates a lot of problems.

Mayor Pro-Tem Ramsey requested a Future Agenda Item to censure Councilman Adkisson.

Mayor Lander said that will be done during Future Agenda Items later in the meeting.

Mayor Pro-Tem Ramsey stated while we are talking about this, I would like to get the Council's opinion on having cookies and such during meetings like we used to.

Councilman Adkisson asked if the other Councilmembers are aware there is a pandemic going on? Mr. Adkisson stated 462 people have got the flu and six more people have died just since we started this meeting and you are talking about cookies.

Mayor Pro-Tem Ramsey stated we still need to discuss City business.

Councilman Adkisson stated we should not be talking about cookies and drinks when we have this big problem going on.

Mayor Lander asked everyone to speak one at a time.

Mayor Pro-Tem Ramsey agreed there is a pandemic going on, but we also need to continue discussing City business. This is part of it. I will drop it for now but would like to bring it back at a later date.

Councilman Adkisson reiterated there are 465 new cases and now 8 new deaths just since we started the meeting. California has 6 new cases, Tulare County has 7, Fresno has 3, Madera has 2 more today and we are talking about cookies and drinks.

Councilwoman Stolz asked how many cases are in Coalinga?

Councilman Adkisson stated he did not know. It is coming, I guarantee you that.

Mayor Lander said at this point, none.

Councilwoman Stolz asked for a motion to allow beverages other than water in the Council Chambers during meetings?

*Motion by Lander, Second by Singleton to Amend the City of Coalinga Council Rules of Procedure (commonly referred to as Code of Conduct or Standards of Conduct) to allow beverages, other than water, in the Council Chambers during meetings. Motion **Approved** by a 4/0 Majority Voice Vote. (Adkisson was silent).*

2. Consideration of Resolution No. 3959 Approving the Declaration of an Existence of a Local Emergency (COVID-19)  
**Marissa Trejo, City Manager**

*Item Added as an Urgency Item under Changes to the Agenda.*

City Manager Marissa Trejo explained the item was added as an Urgency Item for consideration and was not meant to micromanage what private businesses are doing or to cause any heartache for anyone in the community. There will be mandates that come down from the State or the County that we will be required to adhere to. We may be required to provide services and to pay for those services from our General Fund. By proclaiming a state of local emergency, the City will be allowed to attempt to recoup some of those costs from State and Federal dollars. The proclamation the City Attorney will read is, in my opinion both

personally and professionally, needed just to allow us to be able to tap into the resources that will become available to us.

City Attorney Mario Zamora read a question from Guest 251, is the City of Coalinga considering following the same guidelines as Fresno to stay at home for the COVID-19 pandemic?

Mr. Zamora went on to read Resolution No. 3959 into record.

Mayor Pro-Tem Ramsey mentioned he called our County Supervisor Buddy Mendes who said the City is automatically covered under this because the State and the President have declared a state of emergency. I was told we did not have to make a separate declaration, is that true?

Mr. Zamora explained the biggest difference is that the City will be eligible for funding and reimbursement on certain items only if the City makes their own declaration.

Mayor Pro-Tem Ramsey said Buddy Mendes said we would be reimbursed automatically because the two emergencies have already been called. I am not against calling for it, I am just telling you what I was told.

Ms. Trejo stated that is not true. Staff and I recently spent a week in San Diego training with Cal OES, the Governor's Office of Emergency Services, which was specific to this type of situation. Each City is required to proclaim if the City is planning to seek any State or Federal reimbursement. We can seek County assistance and the County may help us with specific things because they proclaimed, but if we are going to expense City resources the only way we can be reimbursed is if we proclaim ourselves.

Councilman Singleton stated he is not against it, but I believed, like Mayor Pro-Tem Ramsey, that the City was automatically covered since the State and County proclaimed. Mr. Singleton expressed concern over causing panic if the City proclaims a state of emergency.

Mrs. Trejo explained some of the benefits we can potentially submit for reimbursement, hopefully it would never come to that, but say one of our Police Officers or Fire Fighters were exposed to the virus it would be considered a worker's comp injury and we could potentially submit for reimbursement of that claim. Also, if our ambulances got slammed with transports because of the virus and we were paying out a significant amount of overtime, we could attempt to submit for reimbursement. There are a number of things that we will incur costs on anyway, whether we proclaim or not, but if we do not proclaim, we will not be eligible for reimbursement of those costs.

Councilwoman Stolz requested that whatever information the City may received from the State or County that it be disseminate to the public by the City Manager and/or the Mayor, not individual Councilmembers.

Mayor Lander agreed. I have had people telling me all day that we are going to shut down the City and doing all these negative things because they had read about it in the local newspaper. This resolution is not saying we are confining people to their homes. It is simply for reimbursement purposes, is that correct?

Mrs. Trejo stated that is correct, it makes us eligible for potential reimbursement and opens the door for resources that we may not be available otherwise.

Mayor Pro-Tem Ramsey requested that the City Manager put out a list like Fresno?

Councilman Adkisson stated Fresno issued a Shelter In Place order.

Mayor Pro-Tem Ramsey said there was a whole list of other things they did too.

Councilman Adkisson stated they declared a state of emergency first then a couple of days later they told everyone to Shelter In Place and listed rules of who could and could not leave to go to work.

Mayor Pro-Tem Ramsey said that is what I am asking for, can the City Manager put out a list of what can and cannot be done because of the pandemic.

Councilman Adkisson stated that we have not passed anything saying people can or cannot do things.

Mayor Pro-Tem Ramsey said no, I mean if we pass this.

Councilman Adkisson stated we are not being asked to consider a Shelter In Place, only a state of emergency. We are not being asked to pass laws or regulations that would prevent people from doing anything.

Mayor Lander stated that is correct, but I do understand what you are saying Ron. You are asking for some guidelines, right?

Mayor Pro-Tem Ramsey said yes, exactly.

Mrs. Trejo stated, for the record, the purpose of the proclamation of the emergency is to make resources available to us and to be eligible for State and Federal reimbursement. I can post information about it on the City's website and Facebook page so the public has that information.

Mr. Zamora read a question from Guest 251, is the City of Coalinga considering following the same guidelines as Fresno to stay at home for the pandemic?

Mr. Zamora read a similar, but related question, is the City of Coalinga currently doing a Shelter In Place?

Mayor Lander asked, we are not doing a Shelter In Place, correct Council?

Consensus of the Council is to not do a Shelter In Place.

Mrs. Trejo clarified that the City is not doing a Shelter In Place. However, if Fresno County, the Governor, or the President issues a Shelter In Place then it would automatically apply to us. At this time the City is not ordering that.

Mr. Nathan Vosburg thanked the Council for consideration of Resolution No. 3959. Mr. Vosburg went on to comment that, with a pandemic situation like this the public should have a right to call the Council to have an emergency meeting immediately to address concerns of the community. The Councilmembers have a duty to their citizens to respond to them in a time of an emergency and I urge you to take immediate action in the future.

*Motion by Adkisson, Second by Singleton to Approve Resolution No. 3959 Approving the Declaration of an Existence of a Local Emergency (COVID-19). Motion Approved by a Roll-Call 5/0 Majority Vote.*

## **7. ANNOUNCEMENTS**

### City Manager's Announcements:

City Manager Mrs. Trejo announced the City's Facebook page and the City's website will be updated with COVID-19 related information and encouraged the community to like our page and to sign up for alerts on the City's website in order to keep updated on the latest information.

### Council Member's Announcements:

None

### Mayor's Announcements:

Mayor Lander announced the Fresno Local Agency Formation Commission ("LAFCo") and the Fresno Council of Government ("COG") meetings have been cancelled due to COVID-19. The meetings will be rescheduled at a later date.

## **8. FUTURE AGENDA ITEMS**

Mayor Pro-Tem Ramsey requested a Future Agenda Item to consider the censure of Councilman Adkisson.

Councilman Adkisson requested the following Future Agenda Items:

Future Agenda Item to halt all evictions for renters, homeowners, and small businesses until at least April 30th, but possibly longer if need be.

Future Agenda Item to close all parks.

Future Agenda Item to put aside \$150,000 for small business loans with a max of \$10,000 per business. We will need to come up with some way to define what a small business is. The loans will be repaid with zero interest and payments will not start until 3 months after the emergency declaration has been rescinded and they will have one year to repay.

Future Agenda Item to close City Hall.

Future Agenda Item to defer tax payments for small businesses.

City Manager Marissa Trejo asked if that would include the cannabis taxes or just general business license taxes?

Councilman Adkisson said yes, it would include cannabis as well.



Future Agenda Item to defer business license fees for small businesses and refund business license fees for any small business who has already paid this year.

Future Agenda Item to cease all out-of-area training for the remainder of the Fiscal Year unless it is mandated by the State of California.

Future Agenda Item to take whatever is currently in the Council's travel budget and place those funds into the fund for the small business loans.

Future Agenda Item to cease fuel reimbursements to Councilmembers and employees who drive within a 100-mile radius of the City.

Future Agenda Item for all take home vehicles to remain on City property including department heads.

Future Agenda Item to cease all health insurance for all elected officials beginning May 1, 2020.

Councilmember Adkisson asked Chief Blevins if the carpeting had been replaced in dispatch yet?

Chief Blevins stated no, it has not.

Future Agenda Item to put a hold on replacing the carpet in the Police Dispatch until next Fiscal Year when we can reevaluate.

Chief Blevins asked for clarification on the request regarding take home vehicles. Are my officers who live in the City allowed to take home their vehicles so they can respond to emergency calls for service?

Councilman Adkisson said sure that is find Darren. Let us exclude the Police Department from that, including the Chief.

Mrs. Trejo stated these items will be on the Agenda for the April 2nd meeting.

Councilman Adkisson requested the Mayor call an emergency meeting for these items.

Councilwoman Stolz stated she had a question on one of Councilman Adkisson's items.

Councilman Adkisson stated the items are not on the Agenda so you can not ask a question.

Councilwoman Stolz stated so we are going to limit Public Works... *The rest of Ms. Stolz' comments cannot be heard as multiple people were talking at once.*

Mayor Lander called for order.

City Attorney Mario Zamora announced the Governor has issued a Stay In Place order for the entire State. Mr. Zamora went on to say that a few people are asking for the Future Agenda Items to be read back for the public's benefit.

Mrs. Trejo read the list of Future Agenda Items for the public's benefit.

## 9. CLOSED SESSION

1. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: Vacant Land (APNs: 072-131-06; 072-131-07; and 072-131-08) located in the City of Coalinga near the NW corner of Elm Avenue and Fourth Street. CITY NEGOTIATORS: City Manager, Marissa Trejo; and City Attorney, Mario Zamora. NEGOTIATING PARTIES: Rajinder Singh. UNDER NEGOTIATION: Price and Terms of Payment

*Mayor Lander announced he will be recusing himself from Closed Session Item No. 9.1 for a perceived conflict of interest as his place of business is directly across the street from the property in question.*

## 10. CLOSED SESSION REPORT

None

## 11. ADJOURNMENT 7:07PM

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Ron Lander, Mayor

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Shannon Jensen, City Clerk

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Date