



# **CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA**

**July 19, 2018  
6:00 PM**

***The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.***

**Notice is hereby given that the City Council will hold a Regular Meeting, on July 19, 2018 in the City Council Chambers, 155 West Durian Avenue, Coalinga, CA. Persons with disabilities who may need assistance should contact the Deputy City Clerk at least 24 hours prior to the meeting at 935-1533 x113. Anyone interested in translation services should contact the Deputy City Clerk at least 24 hours prior to the meeting at 935-1533 x113. The Meeting will begin at 6:00 p.m. and the Agenda will be as follows:**

## **1. CALL TO ORDER**

1. Pledge of Allegiance
2. Changes to the Agenda
3. Council's Approval of Agenda

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

## **3. CITIZEN COMMENTS**

*This section of the agenda allows members of the public to address the City Council on any item not otherwise on the agenda. Members of the public, when recognized by the Mayor, should come forward to the lectern, identify themselves and use the microphone. Comments are normally limited to three (3) minutes. In accordance with State Open Meeting Laws, no action will be taken by the City Council this evening and all items will be referred to staff for follow up and a report.*

## **4. PUBLIC HEARINGS (NONE)**

## **5. CONSENT CALENDAR**

1. Waive Second Reading and Adopt Ordinance No. 813 Amending Sections 1-3.13, 2-4.701, 2-4.703 and 2-4.704 Relating to the Office of the City Clerk

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

1. Discussion, Direction and Potential Action Regarding the Animal Control Ordinance and Mandatory Spay and Neuter Language and the Development of Breeder Licensing Policies and Procedures

**Michael Salvador, Chief of Police**

## **7. CITIZEN COMMENTS**

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## **8. ANNOUNCEMENTS**

1. City Manager's Announcements
2. Councilmembers' Announcements/Reports
3. Mayor's Announcements

## **9. FUTURE AGENDA ITEMS**

## **10. CLOSED SESSION (NONE)**

## **11. ADJOURNMENT**

**Closed Session:** A "Closed" or "Executive" Session of the City Council, Successor Agency, or Public Finance Authority may be held as required for items as follows: personnel matters; labor negotiations; security matters; providing instructions to real property negotiators; legal counsel regarding pending litigation; and protection of records exempt from public disclosure. Closed session will be held in the Administration Building at 155 W. Durian Avenue and any announcements or discussion will be held at the same location following Closed Session.

# STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

**Subject:** Waive Second Reading and Adopt Ordinance No. 813 Amending Sections 1-3.13, 2-4.701, 2-4.703 and 2-4.704 Relating to the Office of the City Clerk  
**Meeting Date:** July 5, 2018  
**From:** Marissa Trejo, City Manager  
**Prepared by:** Marissa Trejo, City Manager

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## I. RECOMMENDATION:

Introduce and waive first reading of Ordinance No. 813 amending sections 1-3.13, 2-4.701, 2-4.703 and 2-4.704 relating to the office of the City Clerk.

## II. BACKGROUND:

## III. DISCUSSION:

The proposed amendments to the sections of the Coalinga Municipal Code relating to the office of the City Clerk are as follows:

### Section 1-3.13(bb) of the Coalinga Municipal Code:

“(bb) “City Clerk:” shall mean the ~~elected or~~ appointed City Clerk of the City as to those functions and duties specified in Section 2-4.701, and as to functions, duties and powers specified for the City Clerk in any other provision of this Code, the City Manager or other officer or employee designated to perform those functions, duties and powers in Section 2-4.702.

### Section 2-4.701. - Office; functions and duties.

The Office of the City Clerk, as provided in Sections 36501 and 36502 of the California Government Code, is confirmed. Except as provided in Section 2-4.702, the term “City Clerk” as used in this Article 7 shall mean the ~~elected or~~ appointed City Clerk of the City. ***The City Clerk shall be appointed by the City Manager.*** The City Clerk shall attend all meetings of the Council and shall perform only those functions and duties specified in Sections 40801, 40806 and 40811 of the Government Code of the State, including, specifically, the taking, transcribing and producing the official minutes of the Council, and other duties as may be expressly prescribed for him or her from time to time by ordinance, resolution or action of the Council. The City Clerk shall not perform any function, duty or power delegated to the City Manager or other City officer or employee pursuant to Section 2-4.702.

### Sec. 2-4.703. - Vacancies.

In the event of a vacancy in the Office of the City Clerk, the City Manager or his designee shall assume and carry out the functions and duties of the City Clerk, described in Section 2-4.701, until the office is filled by

election or appointment *of the City Manager*.

#### **Sec. 2-4.704. - Compensation.**

The City Clerk shall receive such compensation and expense allowance as ~~the Council may determine from time to time by resolution or ordinance~~. Such compensation and expense allowance shall be a proper charge against the funds of the City designated by the Council *set by the City Manager and approved in the City's budget by the City Council*.

#### **IV. ALTERNATIVES:**

Do not amend the ordinance.

#### **V. FISCAL IMPACT:**

The proposed amendments to the ordinance shall be a cost savings of approximately \$19,000 to the General Fund.

#### **ATTACHMENTS:**

File Name	Description
□ ORDINANCE_City_Clerk_071918.pdf	Ordinance No. 813

## ORDINANCE NO. 813

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA AMENDING SECTIONS 1-3.13, 2-4.701, 2-4.703 AND 2-4.704 OF THE COALINGA MUNICIPAL CODE RELATING TO THE OFFICE OF CITY CLERK

The City Council of the City of Coalinga does ordain as follows:

The following sections of the Coalinga Municipal Code are amended to read:

#### Section 1-3.13(bb) of the Coalinga Municipal Code:

"(bb) "City Clerk:" shall mean the ~~elected or~~ appointed City Clerk of the City as to those functions and duties specified in Section 2-4.701, and as to functions, duties and powers specified for the City Clerk in any other provision of this Code, the City Manager or other officer or employee designated to perform those functions, duties and powers in Section 2-4.702.

#### Section 2-4.701. - Office; functions and duties.

The Office of the City Clerk, as provided in Sections 36501 and 36502 of the California Government Code, is confirmed. Except as provided in Section 2-4.702, the term "City Clerk" as used in this Article 7 shall mean the ~~elected or~~ appointed City Clerk of the City. ***The City Clerk shall be appointed by the City Manager.*** The City Clerk shall attend all meetings of the Council and shall perform only those functions and duties specified in Sections 40801, 40806 and 40811 of the Government Code of the State, including, specifically, the taking, transcribing and producing the official minutes of the Council, and other duties as may be expressly prescribed for him or her from time to time by ordinance, resolution or action of the Council. The City Clerk shall not perform any function, duty or power delegated to the City Manager or other City officer or employee pursuant to Section 2-4.702.

#### Sec. 2-4.703. - Vacancies.

In the event of a vacancy in the Office of the City Clerk, the City Manager or his designee shall assume and carry out the functions and duties of the City Clerk, described in Section 2-4.701, until the office is filled by ~~election or~~ appointment ***of the City Manager.***

#### Sec. 2-4.704. - Compensation.

The City Clerk shall receive such compensation and expense allowance as ~~the Council may determine from time to time by resolution or ordinance. Such compensation and expense allowance shall be a proper charge against the funds of the City designated by the Council~~ ***set by the City Manager and approved in the City's budget by the City Council.***

The foregoing ordinance was introduced by the City Council of the City of Coalinga, California, at a regular meeting held on July 5, 2018, and was passed and adopted by the City Council on **July 19, 2018**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

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Nathan Vosburg, Mayor

ATTEST:

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City Clerk / Deputy City Clerk

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE  
AUTHORITY**

**Subject:** Discussion, Direction and Potential Action Regarding the Animal Control Ordinance and Mandatory Spay and Neuter Language and the Development of Breeder Licensing Policies and Procedures

**Meeting Date:** July 19, 2018

**From:** Marissa Trejo, City Manager

**Prepared by:** Michael Salvador, Chief of Police

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**I. RECOMMENDATION:**

Discussion, direction and potential action regarding the Animal Control ordinance and mandatory spay and neuter language and the development of breeder licensing policies and procedures.

**II. BACKGROUND:**

This is in response to the ongoing modification of ordinances related to animal control in the City of Coalinga.

**III. DISCUSSION:**

Attached to this item is ordinance examples from the City of Fresno and Kings County. They both have very different approaches to pet over population but attempt to provide a legal mechanism to combat the problem. Staff is seeking for Council direction.

**IV. ALTERNATIVES:**

Informational only

**V. FISCAL IMPACT:**

None

**ATTACHMENTS:**

	File Name	Description
□	City_of_Fresno_Ordinances.docx	City of Fresno Ordinances
□	Kings_County_ordinances.docx	Kings County Ordinances

SEC. 10-328. - BREEDING, TRANSFER AND SALE OF DOGS AND CATS.

The Council of the City of Fresno finds and declares that there exists a serious pet overpopulation problem within the City of Fresno that has resulted in a threat to public safety and health, inhumane treatment of animals, mass killing of animals at the local animal shelter and escalating costs for animal care and control. The Council finds that uncontrolled breeding is a cause and, without further action aimed at the source, this problem and its serious consequences will remain unabated and will increase in severity.

The Council finds that part of the solution is for all dogs over the age of five months to be spayed or neutered, unless their owners purchase the appropriate license for the privilege of maintaining the animal intact and allowing it to breed. Further, the Council finds that regulation of the transfer of dogs and cats will help alleviate the City's pet overpopulation crisis by allowing increased City control over enforcement of the dog licensing provisions and limiting the means of obtaining a dog or cat.

(a) The Unaltered Dog License shall contain the following terms and conditions:

- (1) The Owner of an unaltered female dog shall not allow the whelping of more than one litter within the permit year.
- (2) No offspring may be sold, adopted, bartered or otherwise transferred, whether for compensation or otherwise, until such offspring has reached the age of at least eight (8) weeks.
- (3) The Owner must prominently display their Unaltered Dog License number in any advertisement to the public for the sale, adoption or transfer (whether for compensation or otherwise) of the offspring. The Owner must provide the Unaltered Dog License number to any person who purchases, adopts or receives the offspring and include the Unaltered Dog License number on any receipt of sale or transfer document.
- (4) The Owner shall provide to all persons who receive any offspring, whether for compensation or otherwise, an application for a City of Fresno dog license, as well as written information regarding the City of Fresno's dog license requirements. The Owner shall obtain these documents from the poundmaster or the controller.

(b) Sale and Other Transfer of Dogs and Cats.

- (1) No person shall give away any dog or cat as a prize or as an inducement to enter into any contest, lottery, drawing, game or competition.
- (2) No person shall give away any dog or cat as an inducement to enter a place of business.
- (3) No person shall sell or give away any dog or cat in any public place or in front of any business not owned by him/her or at any swap meet.
- (4) No person shall sell, barter, exchange or offer for adoption, whether for compensation or otherwise, any dog or cat to any minor under the age of eighteen years, without the written permission of one of the minor's parents or legal guardians.

(c) Enforcement of Dog License Provisions. Any violation of this section shall be an infraction.

(Added Ord. 2006-34, § 7, eff. 5-18-06).

SEC. 10-329. - PET RESPONSIBILITY ACT.

The Council of the City of Fresno finds and declares that a contributing cause of the serious dog overpopulation problem within the City of Fresno is the number of unaltered dogs found at large. The Council wishes to promote responsible pet ownership as a means for promoting the public health, safety, and welfare of humans and pets in the City of Fresno. The Council finds and declares that mandatory spaying or neutering of dogs is appropriate when dog owners fail to act responsibly to prevent their animals from being at large.

- (a) **Title.** This Section shall be known as the "Pet Responsibility Act."
- (b) **Applicability.** This Section shall apply to all persons whose dogs are found to be at large in violation of Section 10-308(a) of this Code and any requirements imposed by this Section shall be cumulative to any requirements or penalties otherwise imposed by this Code.
- (c) **Definitions.** The following terms used in this section shall be defined as follows:
  - (1) "At large" shall mean an animal in or upon any public street, public alley or other public place or in or upon an unenclosed lot or premises, unless the animal is securely confined to the lot or premises by a suitably strong leash or is securely and continuously held by the owner or custodian of such animal by a strong leash suitable for maintaining control of the animal, or the animal is confined within an automobile.
  - (2) "Owner" shall mean the owner or custodian of any animal.
- (d) **Enforcement.** This Section shall be enforced as follows:
  - (1) Upon a first violation of Section 10-308(a), the owner shall be issued a written warning prior to the issuance of a citation or initiation of further enforcement action.
  - (2) Upon a second violation of Section 10-308(a) an owner shall be issued an administrative citation with a penalty in the amount of \$100.00;
  - (3) Upon a third or subsequent violation of Section 10-308(a) an owner shall be issued an administrative citation in the amount of \$200.00.
  - (4) Upon a third or subsequent violation of Section 10-308(a) an owner shall be issued an order to comply with one or both of the following requirements:
    - (A) Spay or neuter all dogs possessed by that person and provide proof of compliance to the poundmaster within sixty (60) days;
    - (B) Implant a microchip identification device in all dogs possessed by that person.
- (e) **Responsibility for Enforcement.** The poundmaster shall be responsible for enforcement and administration of this section.
- (f) **Cost Recovery.** The City may collect abatement, actual, administrative and enforcement costs, as well as penalties and administrative expenses pursuant to the provisions of Chapter 1, Article 5 of this Code.
- (g) **Appeals.** Any person receiving an administrative citation, order to spay/neuter an animal, or order to microchip an animal may appeal the issuance of the administrative citation or order pursuant to Chapter 1, Article 4 of this Code.

(Added Ord. 2010-15, § 1, eff. 6-24-10).

Sec. 4-20. - Mandatory spaying or neutering of dogs and cats.

The board of supervisors hereby finds and declares that a program for the mandatory spaying or neutering of dogs and cats in the County of Kings, along with a licensing and certification structure designed to manage the unaltered dogs and cats owned in the county is a reasonable and effective means of reducing the population of homeless dogs and cats in the County of Kings.

No person may own or harbor a dog or cat over the age of four months in violation of this section. All unaltered dogs or cats must be spayed or neutered or, in the case of an unaltered dog, be licensed in accordance with section 4-38.

Any person who owns or harbors a dog or cat which is unable to be spayed or neutered without a high likelihood of suffering serious bodily harm or death due to age, infirmity, or a medical condition, must obtain written verification of the inability from a licensed veterinarian. The writing must state whether the inability is permanent or temporary and, if temporary, when the dog or cat may be spayed or neutered in the future.

(Ord. No. 672, § 2, 6-30-15)

Sec. 4-38. - Annual unaltered dog license—Requirements.

An owner of an unaltered dog over the age of four months must obtain an annual unaltered dog license for the dog. The license shall be issued if the animal control officer has determined that all of the following conditions are met:

- (1) The dog is one of the following: a competition dog; a public service/military dog, a service dog as defined in section 4-3, or a dog which is unable to be spayed or neutered as set forth in section 4-20, subdivision (c);
- (2) The owner has submitted the required application and has paid the fee as set by the board of supervisors; and
- (3) The unaltered dog shall be confined upon the owner's property in a suitable housing facility or enclosure that prevents the dog from running at large.

(Ord. No. 672, § 2, 6-30-15)

Sec. 4-41. - Kennel permit required for unaltered dogs or cats.

Every person who owns, manages, or operates a kennel housing ten or more unaltered dogs or cats shall obtain a kennel permit.

(Ord. No. 672, § 2, 6-30-15)