



AMENDED CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA

**January 3, 2019
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 January 3, 2019 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

1. Presentation by Westside Preservation Services Network
2. Public Unveiling of PD Lipsync Video and Recognition of City Staff Involved

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. Approve MINUTES - December 6, 2018
2. Waive Second Reading and Adopt Ordinance No. 825 Amending the Planning and Zoning Code Related to Regulating Requests for Second Residential Driveways
3. Adopt Resolution No. 3883 Accepting and Approving the Election Results from the November 6, 2019 Consolidated Statewide General Election
4. Introduce and Waive First Reading of Ordinance No. 815 Providing for a One-Percent Transactions and Use Tax and Adoption of Resolution No. 3884 Authorizing the Examination of Transactions (Sales) and Use Tax Records for the Implementation of the New Tax
5. Review and Approve Regulatory Permit for Kikoa Inc.
6. Authorize Purchase of Bobcat Mini Excavator for Public Works
7. Consideration of Bid Award for WWTP Improvements Project
8. Adopt Resolution No. 3886 Approving USBR Water Supply Contract Two-Year Extension
9. Public Works & Utilities Monthly Report for December 2018

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Review, Approve and Waive First Reading of Ordinance 817 related to Commercial Vehicle Parking
Michael Salvador, Chief of Police
2. Discussion and Direction Regarding Credit Card Payments Accepted by the City of Coalinga for Utility Billing Payments
Jasmin Bains, Financial Services Director
3. Swearing In of Newly Elected Council Member Ray Singleton, Council Member Ron Ramsey and Council Member Adam Adkisson
Marissa Trejo, City Manager
4. Discussion, Direction and Potential Action regarding Reorganization of the City Council
Marissa Trejo, City Manager
5. Recognition of the Service of City Council Member/Mayor Nathan Vosburg and City Clerk Wanda Earls
Marissa Trejo, City Manager

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

1. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: 100 E. Walnut Avenue, Coalinga, CA. CITY NEGOTIATORS: City Manager, Marissa Trejo; and City Attorney, Mario Zamora. NEGOTIATING PARTIES: AMG & Associates and/or assign. UNDER NEGOTIATION: Price and Terms of Payment
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9 – 1 case

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: Public Unveiling of PD Lipsync Video and Recognition of City Staff Involved
Meeting Date: January 3, 2019
From: Marissa Trejo
Prepared by: Michael Salvador, Chief of Police

I. RECOMMENDATION:

Public unveiling of the Police Department Lip Sync video.

II. BACKGROUND:

This is a project that has been in the works since August. On November 8th the Police Department, shot its video with the help of a production crew from Los Angeles. This video has completed its post production work and is ready for its debut. We hope the community likes it. Production services and support were donated by Claremont Capital Partners, Code-3 IT, and Roc nation.

III. DISCUSSION:

The department would like to thank the community, city employees, and everyone that participated in the production of the department's lip sync video.

IV. ALTERNATIVES:

N/A

V. FISCAL IMPACT:

N/A

ATTACHMENTS:

File Name

Description

No Attachments Available

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

Subject: Approve MINUTES - December 6, 2018
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Wanda Earls, City Clerk

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

	File Name	Description
□	MINUTES_120618.pdf	Minutes Dec 6, 2018

Minutes

CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA December 6, 2018

1. CALL TO ORDER

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

Others Present: City Manager Marissa Trejo, City Attorney Mario Zamora, Community Development Director Sean Brewer, Assistant to the City Manager Shannon Jensen, Senior Administrative Analyst Mercedes Garcia, Financial Services Director Jasmin Bains, Public Works and Utilities Director Pete Paciado, Police Chief Michael Salvador, Fire Chief Dwayne Gabriel, City Treasurer James Vosburg, City Clerk Wanda Earls

Mayor Vosburg announced that the Special Agenda and Regular Agenda would be considered concurrently.

Also, the Closed Session Item on the Special Agenda will be considered following Item 3 Citizens Comments on the Regular Agenda.

Motion by Lander, Second by Ramsey to Approve Agenda. Motion Approved by a 5/0 Majority Voice Vote.

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. Mid Valley Disposal - 3rd Quarter Report, Ivette Rodriguez

Miss Ivette Rodriguez gave the 3rd Quarter Report for Mid Valley Disposal emphasizing highlights of the quarter including 137 Site Visits, Fall Community Clean-up and Construction and Demolition projects.

2. Employee of the Month for November 2018 - Maria Reyes, Work Experience

Mayor Vosburg presented Certification of Recognition to Maria Reyes for her Work Experience role as custodian. She was reliability and did a great job.

Ms. Reyes thanked the Council for the opportunity to be in the Work Experience Program at the City.

3. Presenting a Key to the City of Coalinga to Mayor Vosburg Honoring his Service to the Community

Council Member Adkisson acknowledged the leadership abilities of Mayor Vosburg and his dedication to serving the City of Coalinga as Council Member and Mayor. He gets right back up after being knocked down which is very important in his role as Council Member and Mayor.

There have been times I disagreed with him only to find out that I was wrong. When he first brought up Measure C, I questioned how he would want to impose an additional tax on the taxpayer. After visiting the PD and FD we see and understand why we needed a Measure C. It did not pass but we came back and made changes the public wanted and we passed Measure J.

When big things happened around Coalinga, you would see the Mayor active and involved. When the hospital shut down, the Mayor gathered a whole lot of people together to discuss possibilities.

The City is better-off today for having Nathan Vosburg serve as Council Member and Mayor for the past four years.

He has been a mentor to him and has become his friend.

The Key to the City was presented to Mayor Vosburg by Council Member Adkisson.

Mayor Vosburg indicated the past four years have been great and interesting. It has been his privilege to serve the people of Coalinga. He has not done it by himself, he shares all accomplishments with the Council and Staff and the people of Coalinga.

The Mayor requested all interested in taking a picture with the Mayor to gather with him for a picture opportunity.

The Mayor thanked everyone and Council Member Adkisson.

He announced the new Council will be seated at the next Council Meeting in January due to not having certified election results. He will save any speeches for that meeting.

3. CITIZEN COMMENTS

Mr. Bill Lewis reminded everyone that this Saturday the Baker Museum will be holding their Annual Open House and Tea from 1:00 – 4:00 PM. There will be baskets to be raffled.

Mr. Justin Milligan representing local Firefighters Local 305 said he wants to take this opportunity to thank the Council and Community who assisted in our Breast Cancer Fund Raiser. We made a donation to Susan B. Komen (with the help of the Cabayo Club and Miss Terri Yanez and the kids out there who had their own fund raiser) and we added their amount to ours and we donated \$750. Thank you for your support; you did a lot of advertising for us which we appreciate. We still have shirts if anyone is interested.

Mr. John Graves said Sean is going to be making a presentation next on the agenda. He is here to speak on behalf of the second driveway. He has pictures of his house with the 5th wheel and he knows there are a lot of citizens here in Coalinga with utility trailers, boats and 5th wheels and they want to park them in their back yards. What he needs is access to his back yard and an easement to get over the sidewalk. He approached the Council with photos of his situation. Sean will present

the Ordinance in Item 4 and this will allow citizens to get their boats, trailers, etc., off the street. It is only to allow you to get to your back yard.

Ms. Mary Jones on behalf of the newspaper said she wants to let everyone know about the hospital reopening and there is going to be a special election in March. All that information, by law, will be printed in the newspaper so make sure you know what is going on so you know how to vote.

Thank you to Mayor Vosburg, Council Members Lander and Adkisson for coming to some of the hospital board meetings and contributing your ideas.

At 6:25 PM Mayor Vosburg recessed the Council into Closed Session to Consider 10.1 Closed Session Item from the Special Agenda.

At 6:39 PM Mayor Vosburg reconvened the Council Meeting. The City Attorney indicated there is no report out from Closed Session.

4. PUBLIC HEARINGS

1. Introduce and Waive First Reading of Ordinance No. 825 Amending the Planning and Zoning Code Related to Regulating Requests for Second Residential Driveways
Sean Brewer, Community Development Director

Staff is recommending that the City Council approve a zoning text amendment by introducing and waiting the first reading of Ordinance No. 825, amending the Planning and Zoning Code related to regulating requests for second driveways in residential districts.

City staff has been reviewing the regulations related to second driveways in residential districts and found that the policy that was approved by the City Council in 2012 is no longer consistent with the zoning code since its comprehensive updated in 2014 (attached is a copy of the policy). Staff has received multiple requests for second driveways from residents and in accordance with Section 9-4.309 (attached) second driveways are prohibited unless they meet criteria for a "U" shaped driveway which does allow for access to side and rear yards. Staff has reviewed several jurisdictions policies and found that second driveway for the use of RV parking and additional parking needs is common with established standards and specifications.

On, November 13, 2018, the Planning Commission, conducted a noticed public hearing to review and further approved Resolution 018P-011 recommending to the City Council approval of an zoning text amendment in the form of an ordinance that establishes regulations for permitting second driveways in residential districts.

Staff has prepared an ordinance that would incorporate new regulations into section 9-4.309 in order to facilitate permitting second driveways in residential districts. A copy of Ordinance No. 825 has been attached incorporating the regulations below:

- a. Properties are limited to one driveway per parcel unless an encroachment permit has been obtained from the Public Works Department for a second driveway and all of the following standards have been met:

- b. No more than 50% of the entire front yard area may be paved regardless of purpose. (i.e. driveways, walkways, etc.)
- c. Space must be provided behind the building setback for parking. No parking in the front yard.
- d. No more than 50% of lot frontage of any parcel shall be devoted to driveways.
- e. A minimum 20' clear distance per lot frontage is required for on-street parking.
- f. Handicap ramps are not permitted driveway approaches.
- g. A secondary driveway for RV's may be allowed on corner lots with the approval of an encroachment permit from the Engineering Division.
- h. Second Driveways must be located at a minimum of 2' from any property line.
- i. Driveways must be a minimum width of 15', including flares, and a maximum width of 30'.
- j. Driveways shall conform to all City Standards.
- k. Cul-de-sac & knuckles are exempt from this requirement.

A public hearing notice was prepared and circulated in accordance with State and Local law as it relates to zoning text amendments. The Public hearing notice was posted at City Hall, the Police Department, Fire Department, Coalinga Library, Coalinga Area Chamber of Commerce, City's Website and it ran in the Coalinga Press.

Staff has determined that this action would be exempt from the California Environmental Quality act pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen that these actions will not have a significant effect on the environment.

Mayor Vosburg opened and closed the public hearing receiving no comments.

*Motion by Lander, Second by Ramsey to **Approve** First Reading of Ordinance No. 825 Regarding Residential Driveways. Motion Approved by a 5/0 Majority Roll-call Vote.*

5. CONSENT CALENDAR

1. Approve MINUTES - October 18, 2018 (Amended)
2. Approve MINUTES - November 1, 2018 (Amended)
3. Approve MINUTES - November 20, 2018 (Special)
4. Adopt Resolution No. 3843 Amending the Basic Pay Scale
5. Adopt Resolution No. 3844 Amending the Building Official Pay Scale
6. Adopt Resolution No. 3845 Amending the Department Head Pay Scale

7. Adopt Resolution No. 3846 Amending Secretary, Public Works and Utilities (Confidential) Job Description
8. Adopt Resolution No. 3847 Amending the Secretary to the Fire Chief (Confidential) Job Description
9. Adopt Resolution No. 3848 Amending the Secretary to the Police Chief (Confidential) Job Description
10. Adopt Resolution No. 3849 Amending the Human Resources Generalist (Confidential) Job Description
11. Adopt Resolution No. 3850 Amending the Human Resources Analyst Job Description
12. Adopt Resolution No. 3851 Amending the Senior Administrative Analyst Job Description
13. Adopt Resolution No. 3852 Amending the Financial Services Supervisor Job Description
14. Adopt Resolution No. 3853 Amending the Economic Development Coordinator Job Description
15. Adopt Resolution No. 3854 Amending the Accountant Job Description
16. Adopt Resolution No. 3855 Amending the Assistant Field Services Manager Job Description
17. Adopt Resolution No. 3856 Amending the Assistant to the City Manager/City Clerk Job Description
18. Adopt Resolution No. 3857 Amending the Utility Supervisor Job Description
19. Adopt Resolution No. 3858 Amending the Public Works Supervisor Job Description
20. Adopt Resolution No. 3859 Amending the Police Chief Job Description
21. Adopt Resolution No. 3860 Amending the Building Official Job Description
22. Adopt Resolution No. 3861 Amending the Police Commander Job Description
23. Adopt Resolution No. 3867 Amending the Bus Driver Job Description
24. Adopt Resolution No. 3868 Amending the Lead Bus Driver Job Description
25. Adopt Resolution No. 3869 Amending the Account Clerk I, II, III Job Descriptions
26. Adopt Resolution No. 3870 Amending the Maintenance Worker I, II, III Job Descriptions
27. Adopt Resolution No. 3871 Amending the Water Operator I Job Description
28. Adopt Resolution No. 3872 Amending the Water Operator II Job Description
29. Adopt Resolution No. 3873 Amending the Water Operator III Job Description

30. Adopt Resolution No. 3874 Amending the Water Operator IV Job Description
31. Adopt Resolution No. 3875 Amending the Water Operator Apprentice Job Description
32. Adopt Resolution No. 3876 Amending the Equipment Mechanic Job Description
33. Adopt Resolution No. 3877 Amending the Assistant Engineer Job Description
34. Adopt Resolution No. 3878 Amending the Public Utilities Coordinator Job Description
35. Adopt Resolution No. 3879 Amending the Maintenance Worker I (Street Sweeper) Job Description
36. Adopt Resolution No. 3880 Amending the Basic Pay Scale effective October 4, 2018
37. Adopt Resolution No. 3881 Approving additional modules needed including Purchase Orders, Tyler Content Manager, and Emerge Community Development with the implementation of the Tyler Technologies Incode-10 Financial Software and Appropriation of the Funding Needed
38. Approval of Memorandum of Understanding between the City of Coalinga and the International Association of Firefighters AFL-CIO, Local 2305 for July 1, 2018 through June 30, 2021
39. Waive Second Reading and Adopt Ordinance No. 824, approving a zoning text amendment (ZTA 18-01), removing the prohibition on the use of barbed wire and razor wire in various commercial and industrial zoning districts and continuing a prohibition on its use in and adjacent to all residential zoning districts
40. Approve the Renewal of the Exclusive Authorization and Right to Sell Agreement between the City of Coalinga and Mid State Realty
41. Award of Alum Sludge Removal Project
42. Authorize the Purchase of Three Utility Trucks from Keller Ford
43. Authorize Transfer of Surplus Equipment to 4B's Spraying INC. in Lieu of Payment for Services
44. Declare City Equipment as Surplus Property and Direct Staff to Auction Items
45. Authorize Increased Design Fee due to Change of Design for pH Control at Water Treatment Plant
46. Council Review and Approval of the Sunset Street Rehabilitation Phase 1 Project Budget and Funding Re-Appropriation
47. Authorize Two Water Operator Apprentice (Part-Time) Positions to be Combined into one Full Time Water Operator Apprentice Position

48. Fire Department Report – September 2018
49. Fire Department Report – October 2018
50. Police Department Monthly Report
51. Public Works & Utilities Monthly Report for November 2018

Consent Calendar from Special Meeting:

1. Authorize the City Manager to reclassify a full time Account Clerk II position currently budgeted to an Accounting Technician position.
2. Approve Amendment to the Contract between SEIU Local 521 and the City of Coalinga
3. Approve Resolution No. 3882 to Apply for the Homeless Emergency Aid Program (HEAP) through the California Homeless Coordinating and Financing Council (HCFC)
4. Rejection of Claim for Damages Presented by Edith Sanchez
5. Consideration of Bid Award for Close Sidewalk Gaps and Construct ADA Ramps Project. Project No. PW18-001

Motion by Ramsey, Second by Adkisson to Approve Consent Calendar Items 1-51 from Regular Agenda and 1-5 from Special Agenda. Motion Approved by a 5/0 Majority Voice.

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Appointment of a new Planning Commissioner to the Planning Commission
Sean Brewer, Community Development Director

Mayor Vosburg asked for any applicants wishing to present their reasons for seeking the position of Planning Commissioner to come forth.

Ms. Sara Pruitt indicated she is an educator and has taught school for nineteen years. She listed her many accomplishments and activities throughout the years and her reasons for desiring to serve the City as a Planning Commissioner.

Mr. Kevin Donaldson said he graduated from Coalinga High School, attended WHC and is a retired employee from the Department of Corrections as a CC2. He served on State Committees while employed by the State. He has real estate experience and is interested in learning the City point-of-view.

Mr. Richard Hill said he has 6 or 7 years experience on the Planning Commission and has studied lots of Planning Commission projects. He stepped down due to a long planned vacation of five months in Europe. He felt he could not ask for a leave from the Planning Commission to allow this long absence due to his vacation.

Motion by Stolz to Appoint Richard Hill as Planning Commissioner. Motion Died from Lack of a Second.

*Motion by Ramsey, Second by Adkisson to Appoint Sara Pruitt as Planning Commissioner to Serve a Four Year Term. Motion **Approved** by a 4/0 Roll-call Majority Vote. Stolz voted "No"*

2. Discussion and Direction regarding Amending Odor Regulations related to Commercial Cannabis Operations
Sean Brewer, Community Development Director

This is a future agenda item requested by Mayor Vosburg. Staff is seeking direction from the City Council as to how to proceed.

The City of Coalinga currently has regulations in place for commercial cannabis operations including specific requirements sight and smell. Below are the sight and smell requirements related to commercial cannabis operations:

(Section 9-5.128(d)(15) Odor control. Cannabis operations shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the premises, outside the building housing of the cannabis operations, or anywhere on adjacent property or public rights-of-way. As such, cannabis operations must install and maintain the following equipment or any other equipment which the City's Building Official and Police Chief determines has the same or better effectiveness, if a smell extends beyond a property line:

- a. An exhaust air filtration system with odor control that prevents internal odors and pollen from being emitted externally; or
- b. An air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.

Comments:

- How do you measure smell?
- Insure filters are in use
- People have toured Ocean Grown and no smells were apparent
- Are there many knowledgeable about smell?
- A person can smell Harris ranch and the garlic factory when the wind blows this way
- Need information from people in the industry

Mayor Vosburg said several months ago, someone was complaining on Facebook that they could smell Ocean Grown. That is amazing to him because Ocean Grown was not growing anything. The way the ordinance reads is if someone can smell anything past the property line, they can place a complaint. He would like to set standards on the ventilation and exhaust systems taking information from our public, industry and rewrite the ordinance to protect the interests of our public and our Cannabis industry.

The new building out there is going to be 35,000 square feet and his understanding is it will be the smallest of the buildings out there.

Mayor Vosburg opened the meeting up for Council and then comments from industry representatives present tonight.

Council Member Adkisson asked how you measure smell.

Mayor Vosburg said that is why standards are needed. Maybe there is a smell meter somewhere that people would use.

Council Member Lander said he toured Ocean Grown and no odor was detected. Even inside the facility you cannot smell Marijuana. It is impressive to tour the facility and he would encourage others to do so.

Council Member Ramsey said they do bring in Marijuana to process. They do not grow Marijuana out there. He cannot smell anything from the dispensary which we have at the end of the block.

The Mayor invited Michael to speak on behalf of the industry.

Michael Jennings with Green Waive congratulated Mayor Vosburg. They work closely with the Planning Department and the Police Department. They have equipment installed for odor control. Odor control has been important to us both from a design and implementation standpoint. He does think that the odor control portion of the ordinance does need to be addressed at this point. Their RDA is to use the current, active licensees working in conjunction with the Planning and Police Departments to create a two pronged strategy to address this issue. The first would be to create mitigation standards to include charcoal filtration and exhaust systems with compartmentalization and construction techniques controlling air flow, etc., using deodorizers and ozone generators. The list goes on and technology is constantly improving.

The second prong is based on a framework of strategies to create a responsible and controllable system for odor control. If we smell something, how much of what we smell is affecting us? We do smell the garlic and Harris Ranch but we don't shut them down. We need to have a reasonable mechanism where we analyze the Cannabis odor in the same kind of framework. If we have issues we can go back to the PD and Planning Department to cure and reanalyze so we don't have to stop operations and completely shut down.

We just had a job fair and employed 25 people and we plan, in the spring, to employ 20-40 additional applicants. Down the road Juniper Ridge should employ between 300-400 additional people.

We do need a balanced way and or method to deal with odor control and create a framework for compliance and then curing if there is an issue.

Mayor Vosburg asked what they are doing now for odor control.

Mr. Jennings said from a design concept the building is ventilated and sealed. We control air flows through our AC system and exhaust system and it all flows through charcoal filters and the charcoal filtration grabs the odor molecules' as it passes through the system. Any evacuated air that goes through the facility is scrubbed free.

If we have a failure in one of our ACH units, or one of our fans, or one of our filters, it is plausible that we could have an escape of odor. We have put the mitigation standards in the plan and have been approved by the Planning and Police Departments and this is where we would have that second prong where we would be dealing with and mitigating that.

Mayor Vosburg said issue may be on green house and outside cultivation.

Mr. Jennings said it depends on the type of greenhouse. It is a mix-type green house semi-building. There could be some air escape with that kind of a building. Considering that, you will have more of an odor control issue. Considering that, we need to build this type of a framework. Their plan is to build one of these mixed-type greenhouses at Juniper and as other Licensees come in they will look for that level of security. As long as they have a framework to comply and a cure if there is an issue, that will give them the sense of security to come in and develop. With those types of greenhouses, there will be a loss of control over what we have established at our green building.

Council Member Adkisson said there has been zero escape of odor.

Mr. Jennings said they expect a zero escape of order.

Failures of filters would only admit odors and engineers would fix. Equipment can fail but they work hand-in-hand with Police Department.

Mr. Brewer said that is understandable and reasonable. He is not concerned with indoor odor. The PD must be notified on any failure. He has been in attic and no smell was detected.

Mayor Vosburg said we need to work in tandem with each other. Ordinance doesn't read that way. We need ordinance we can stand behind and one that works.

Mr. Brewer said with greenhouses there may be a little more smell. Tolerance level is questionable. Can smell be detected?

Council Member Lander said ordinance not strong enough. Need to rework ordinance and work with industry. We need some teeth in ordinance.

Mayor Vosburg said it leaves it up to personal opinion. Need to work on compliance.

Council Member Lander said to work with professionals and put together new ordinance.

Mr. Brewer said some tolerance must be acceptable.

Mayor Vosburg said the State doesn't know. There is not delivery from the dispensary yet. Investors need to know what we are headed for in the future. No tolerance is too much.

Mr. Tom Dominguez said you are looking for hard tangible items and what you are looking for is parts per million. Once you establish that, then you know which direction to go.

Ms. Mary Jones said she would like to see something in your ordinance to nullify when people think they smell and are offended. It could be they think they smell and they don't smell. When she has been on a trip she thinks she smells oil, garlic and cattle when she comes back into town.

She knows people that claim they can smell things that don't exist and there is no way to prove one way or another unless you take a poll of 100 people. There is no scientific way to establish smell. Could you please put into the ordinance a caveat which says just because you think you smell it, you are not going to shut them down.

Mayor Vosburg said it is about creating a standard and enforcing the standard.

Council Member Ramsey said we want to keep the standards equal.

Consensus of Council is to ask Staff to work with industry and do research and bring back research amending Odor Regulations related to Commercial Cannabis Operations. Staff is asked to create standards, keeping them equal and insure follow through on all standards.

7. CITIZEN COMMENTS

Ms. Terri Yanez wished everyone a very Merry Christmas, Happy New Year, safe travels, enjoy family and friends, etc. She wants to remind everyone that the Coalinga Woman's Club is sponsoring a home decorating contest. The City has been divided into sections and judges have been picked. If you have a home you want to nominate, please call 935-1595.

Mr. Greg Cody said he wants to remind the Mayor that he has asked him three times to place an item on the agenda. He knows it is difficult because the parties are personal friends of yours but we want to run this City fair and square so those agenda items are still pending.

Ms. Robin Scott read that directly following the last Council Meeting she was accosted by Mayor Pro-tem Stolz, in the Council Chambers, in her capacity as Mayor Pro-tem. The following Monday, she submitted an official complaint against her regarding the incidence. Shortly after, I was told she would be apologizing for her actions. I never asked for her apology nor do I want it now. I was given the choice of a verbal or written apology. After a little thought, I considered that a written apology was what I preferred. I do not believe she is sorry about what she did or said and given the record of the incidence, I felt frightened. This Tuesday I was handed a small pink piece of paper (shown) approximately 2x3 inches in size. This is her apology, it does not address me by name nor did she sign it. She did not acknowledge that she did anything wrong or inappropriate, instead she was sorry of my perception of her actions. I am not affected by her inability to admit wrong doing; however, I do see it as a slap in the face to whomever gave her the option to apologize. I feel this paper is a true statement as to her character and this is not the type of character or behavior we should have representing our community. Therefore, she is calling on Council to sensor Mayor Pro-tem and to restructure the mayor pro-tem position. Thank you.

Mr. Greg Cody said it is kind of difficult when there are citizen's statements and Council Members are allowed to be attached with their hands tied. He was there when that happened, Miss Lander was there and a police officer was there and Nathan you were there. By no means whatsoever was she about to do anything knowing that she would do the exact accusation. She asked several people would you please witness this, she was very professional, very polite, very courteous, there was no crime committed.

Then you have Miss Scott who by far has the most toxic reputation in our City. All of a sudden, she is offended and demanding so the mayor, who is connected with her, calls an emergency meeting and you guys bring charges against her. You see he knows all about this because we have

a man right here who repeats all closed session stuff so that is the only place he could get this information. So you hold a trial, he would say this about you or you or anyone else, you hold a trial, where you exclude the party who is charged and you act as judge and jury, so you decided that she can write an apology for something she fully didn't do. In excluding her and that was recorded but you exclude the recording, you exclude the police officer who witnessed it, you excluded Miss Lander and you excluded me. You exclude all of her potential witnesses and you deem her guilty and you say this is what we do. She drops to her knees, then shames and apologies or we lead her to the gallows. He cannot do hand gestures but you know the one he would like to make. This is 100% bullshit and this City is looking for a f_____ lawsuit.

Mayor Vosburg asked that no profanity been used.

Mr. Cody said he would be just as pissed off if it had been you or just as upset if it has been done to you.

Mayor Vosburg reminded again no profanities.

Mr. Cody said it is pure "dodo". He has never seen anyone in his entire life who is so subject to being victimized as Robin Scott. And you know what Pal (evidently referring to Council Member Adkisson) you started all this s____.

Mayor Vosburg asked that Mr. Cody be removed from the Council Chambers.

Police Chief Salvador escorted Mr. Cody from the building.

Ms. Mary Jones said she is debating on whether to say anything or not or to go just a little bit. She was at that meeting as well and she believes that Mr. Cody was standing at that door and that Mayor Pro-tem and Robin were at least (pointing) that far away because she was watching. Based on her own personal experienced with both of these people, they stood right here and made false accusations against me and asked that I be asked to resign when confronted with the fact that all that they said was wrong. Miss Stolz stood outside the door and said she has nothing to apologize for because I didn't do anything wrong. She is talking about the character of what we are dealing with. On Tuesday, Mr. Cody stood up in a public place and accused me of something that just did not happen and all the people at that meeting before knew it did not happen. It just continues and it spirals and it become monstrous and time consuming and frankly boring. So whatever happens, she is kind of glad it happened now because she would like to come to a Council Meeting and not have to have her heart beating like this because of what someone might say. She should just chill but she gets on edge.

She is probably the queen of apologies because she admits even when she has not done wrong. She had a boss who called her into the office and accused her of doing this and she said you are right, I was wrong so whatever you need to do to make it right, do it and he didn't know what to say. She thinks that is what needs to be when people do something wrong whatever it is, just own up and move on. Then it is forgotten.

8. ANNOUNCEMENTS

City Manager Trejo said we have the Christmas gift program going. We invited parents who had children needing Christmas gifts to register. We have 116 children registered and we have some great monetary and toy donations from the communities. Each child registered will receive a new pair of shoes, a new jacket and a toy. She just wants to thank the community because without the support we could not make this happen. Children will be coming on December 20th to pick-up their gifts.

Council Member Lander added that City Manager Trejo has spearheaded this and he has been in her office several times and it looks like Santa's little helpers are pretty darned busy in there. He has been told that there are just as many packages at her house being readied. This lady is to be commended for her work; she has done a tremendous job for our community. (Applause)

Council Member Lander would like to wish everyone a very Merry Christmas and Happy New Year and be safe out there and enjoy your family and be thankful for what we have.

Mayor Vosburg said the Library is going to have a speaker on the 14th.

We have had several new businesses open up and he doesn't want to miss any. He tries to visit all of them. He visited the Los Reyes Mexican Restaurant and it is amazing. The chef went out of his way and cooked him some almond pancakes. It cost him \$9.00 but it was worth it.

The Coalinga Tire LLC opened up. He went and got an oil change over there and it was \$88.00. He is used to paying \$100 or more when he is in town. So that was a nice surprise. They plan to do tires and oil changes and not so much work on cars because they are hopeful of getting oil changes out in 20 minutes.

Ms. Mary Jones said the veteran representative will be here to answer questions next week on Friday from 10:00 AM until 1:00 PM. There are pictures with Santa on the 18th from 4:00 to 6:00 PM and also pictures with Santa on Sunday with cookies and hot chocolate.

Mayor Vosburg said they are free pictures and they will print them out or email them to you.

As the mayor he believes in free speech and it is difficult to sit on the Council and have people say bad things about you. The only reason he asked Mr. Cody to leave was because of the language. It was not shutting down his freedom of speech. He hopes that when exercising freedom of speech in the Chambers it has something to do with the City and not a personal vendetta.

Look at how many people we have here today; when he came on the Council we had four people attending Council Meetings. There are many here from the community, City staff, etc. He has a speech written for the next meeting prior to the seating of the new Council to tell you how grateful he is to have served this City and community. He does want to thank everyone who came out tonight for his receipt of the Key to the City. It is very special to him. He has listened to the public and has probably lost half of his hair and the other half has turned grey since coming on the Council.

As citizens, please let us know what you want. That is the only way things will get done.

9. FUTURE AGENDA ITEMS - None

10. CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS – Government Code 54957.6. CITY NEGOTIATORS: City Manager, Marissa Trejo; City Attorney, Mario Zamora. EMPLOYEE (ORGANIZATION): Non-Represented Employees and Coalinga's Police Officer's Association

Closed Session Item from Special Meeting Agenda:

2. CONFERENCE WITH LABOR NEGOTIATORS – Government Code 54957.6. CITY NEGOTIATORS: City Manager, Marissa Trejo; Financial Services Director, Jasmin Bains; and City Attorney, Mario Zamora. EMPLOYEE (ORGANIZATION): Coalinga's International Association of Firefighters

11. ADJOURNMENT 8:02 PM

City Attorney Zamora indicated there should be no report out of Closed Session.

Nathan Vosburg, Mayor

City Clerk/Deputy City Clerk

Date

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

Subject: Waive Second Reading and Adopt Ordinance No. 825 Amending the Planning and Zoning Code Related to Regulating Requests for Second Residential Driveways
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Staff is recommending that the City Council approve a zoning text amendment by waiving the second reading and adopt Ordinance No. 825, amending the Planning and Zoning Code related to regulating requests for second driveways in residential districts.

II. BACKGROUND:

City staff has been reviewing the regulations related to second driveways in residential districts and found that the policy that was approved by the City Council in 2012 is no longer consistent with the zoning code since its comprehensive updated in 2014 (attached is a copy of the policy). Staff has received multiple requests for second driveways from residents and in accordance with Section 9-4.309 (attached) second driveways are prohibited unless they meet criteria for a "U" shaped driveway which does allow for access to side and rear yards. Staff has reviewed several jurisdictions policies and found that second driveways for the use of RV parking and additional parking needs is common with established standards and specifications.

On, November 13, 2018, the Planning Commission, conducted a noticed public hearing to review and further approved Resolution 018P-011 recommending to the City Council approval of an zoning text amendment in the form of an ordinance that establishes regulations for permitting second driveways in residential districts.

On December 6, 2018, the City Council conducted a noticed public hearing and introduced and waived the first reading of Ordinance No. 825.

III. DISCUSSION:

Staff has prepared an ordinance that would incorporate new regulations into section 9-4.309 in order to facilitate permitting second driveways in residential districts. A copy of Ordinance No. 825 has been attached incorporating the regulations below:

a. Properties are limited to one driveway per parcel unless an encroachment permit has been obtained from the Public Works Department for a second driveway and all of the following standards have been met:

b. No more than 50% of the entire front yard area may be paved regardless of purpose. (i.e. driveways, walkways, etc.)

c. Space must be provided behind the building setback for parking. No parking in the front yard.

- d. No more than 50% of lot frontage of any parcel shall be devoted to driveways.**
- e. A minimum 20' clear distance per lot frontage is required for on-street parking.**
- f. Handicap ramps are not permitted driveway approaches.**
- g. A secondary driveway for RV's may be allowed on corner lots with the approval of an encroachment permit from the Engineering Division.**
- h. Second Driveways must be located at a minimum of 2' from any property line.**
- i. Driveways must be a minimum width of 15', including flares, and a maximum width of 30'.**
- j. Driveways shall conform to all City Standards.**
- k. Cul-de-sac & knuckles are exempt from this requirement.**

California Environmental Quality Act: Staff has determined that this action would be exempt from the California Environmental Quality act pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen that these actions will not have a significant effect on the environment.

IV. ALTERNATIVES:

- Do not waive the second reading and adopt Ordinance No. 825 - staff does not recommend.

V. FISCAL IMPACT:

When a zoning text amendment is brought before the City Council and City Council the following standard findings must be made for each Zoning Ordinance amendment. Specific findings may also be required by the decision-making body on a case-by-case basis.

- (1) The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- (2) The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- (3) If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- (4) The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

Staff has determined that this action would be exempt from the California Environmental Quality act pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen that these actions will not have a significant effect on the environment.

ATTACHMENTS:

File Name	Description
▣ ORD#825_Permitting_Second_Driveway_010319.pdf	Ordinance No. 825 - Second Driveways
▣ Resolution_No_018P-011_-_Second_Driveways.pdf	PLanning Commission Resolution No. 018P-011 - Second Driveways

ORDINANCE NO. 825
SECOND DRIVEWAY STANDARDS

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA AMENDING
TITLE 9, CHAPTER 4, ARTICLE 3, OF THE CITY'S DEVELOPMENT CODE RELATED
TO SECOND DRIVEWAYS IN RESIDENTIAL DISTRICTS**

THE CITY COUNCIL OF THE CITY OF COALINGA DOES ORDAIN AS FOLLOWS:

SECTION 1. AMEND SECTION 9-4.309 OF ARTICLE 3 OF CHAPTER 4 OF TITLE 9 TO READ AS FOLLOWS:

Sec. 9-4.309. - Driveways.

(a) The following standards apply to driveways in all development districts unless otherwise specified. Exceptions to the following standards and requirements may be requested and are subject to decision by the Planning Commission and the City Engineer.

(1) *Width.* All driveways are limited to a combined maximum width of thirty-five (35) feet or forty-five (45) percent of the width of the parcel's frontage, whichever is less unless authorized by the City Engineer.

(2) *Visibility.* Driveway view triangles shall be subject to the visibility standards provided in [Section 9-4.214](#) of this chapter.

(3) *Residential districts.* Driveways within Residential districts are subject to the following standards:

a. Properties are limited to one driveway per parcel unless an encroachment permit has been obtained from the Public Works Department for a second driveway and all of the following standards have been met:

b. No more than 50% of the entire front yard area may be paved regardless of purpose. (i.e. driveways, walkways, etc.)

c. Space must be provided behind the building setback for parking. No parking in the front yard

d. No more than 50% of lot frontage of any parcel shall be devoted to driveways.

e. A minimum 20' clear distance per lot frontage is required for on-street parking.

f. Handicap ramps are not permitted driveway approaches.

g. A secondary driveway for RV's may be allowed on corner lots with the approval of an encroachment permit from the Engineering Division.

h. Second Driveways must be located at a minimum of 2' from any property line.

i. Driveways must be a minimum width of 15', including flares, and a maximum width of 30'.

j. Driveways shall conform to all City Standards.

k. Cul-de-sac & knuckles are permitted subject to review and approval by the City Engineer and subject to all other standards related to second driveways.

~~b. New driveways within Residential districts shall be designed and constructed to maintain a ten (10) foot setback from side property lines, measured from outside of the driveway flare, or from the edge of the driveway if there is no flare.~~

(4) *U-shaped driveways.* U-shaped driveways, or driveways with more than one connector to a street, alley, roadway, or other public right-of-way, shall be subject to the following standards:

- a. U-shaped driveways are permitted only within Residential districts.
- b. U-shaped driveways are restricted to parcels with a width of at least 100 feet along the parcel's frontage.
- c. The combined width of all entrances/exits of U-Driveways shall not exceed thirty-five (35) linear feet.
- d. All U-shaped driveways must include a twenty-five (25) foot separation between each entrance/exit along the parcel's frontage, measured from the outside of the driveway flare.

(5) *Through-lots*. All standards and provisions of this section shall apply to driveways on through-lots, unless transitional standards within Chapter 2 of this title permit otherwise.

SECTION 2. EFFECTIVE DATE; EXPIRATION OF URGENCY ORDINANCE 791.

This Ordinance shall take effect 30 days after its adoption.

SECTION 3. PUBLICATION.

The City Clerk is directed to cause this ordinance or a summary of this ordinance to be published as required by state and local law.

The foregoing Ordinance was introduced by the City Council of the City of Coalinga, California, at a regular meeting held on December 6, 2018, and was passed and adopted by the City Council at a regular meeting held on **January 3, 2019**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor,

ATTEST:

City Clerk/Deputy City Clerk

RESOLUTION 018P-011

A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT TO AMEND THE PLANNING AND ZONING CODE ESTABLISHING REGUALTIONS FOR THE ISSUANCE OF SECOND DRIVEWAYS IN RESIDENTIAL DISTRICTS

WHEREAS, Section 9-4.309 provides regulations related to residential driveways and currently prohibits the installation of a second driveway; and

WHEREAS, it is the City's goal to provide for reasonable regulation within residential districts and limit the infringement on residents while preserving the public health, safety and welfare; and

WHEREAS, a Public Hearing has been advertised and conducted pursuant to Public Resources Code Section 21092 and 21092.3, and public comment has been solicited, and;

WHEREAS, a Notice of Public Hearing was provided to the Coalinga Press, posted at City Hall, Police Department bulletin board, Fire Department Bulletin Board, Coalinga District Library, and Chamber of Commerce on November 1, 2018, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on November 13, 2018 to take testimony with regard to the proposed Zoning Text Amendments and;

WHEREAS, the Planning Commission completed its review of the proposed Zoning Text Amendment and details in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the Planning Commission has made the following findings based on the Zoning Text Amendment proposal:

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission recommends approval to the City Council adoption of a draft ordinance (Exhibit "A") to amend the planning and zoning code to permit second driveways subject to development standards and issuance of an encroachment permit in all residential zoning districts.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regular meeting held on the 13th day of November 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

Planning Commission Chairman/Vice Chairman

ATTEST:

City Clerk/Deputy City Clerk

Exhibit "A"

Draft Second Driveway Ordinance

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

Subject: Adopt Resolution No. 3883 Accepting and Approving the Election Results from the November 6, 2019 Consolidated Statewide General Election

Meeting Date: January 3, 2019

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

The City Manager recommends the City Council adopt Resolution No. 3883 accepting and approving the election results from the November 6, 2018 Consolidated Statewide General Election.

II. BACKGROUND:

On December 4, 2018, Brandi L. Orth, County Clerk/Registrar of Voters for the Fresno County Elections Department, certified results of the November 6, 2018 Consolidated Statewide General Election. 59.96% of the registered voters cast their vote. Attached is the Statement of Votes Cast.

III. DISCUSSION:

The following Candidates, who shall each serve a four (4) year term, were elected by the voters as Members of the City Council:

District No. 1
Adam Adkisson

District No. 3
Ray Singleton

District No. 5
Ron Ramsey

Measure J, a 1% Transactions and Use (Sales) Tax, passed with the minimum required percentage needed (50% +1) as set forth in the attached Statement of Votes Cast.

IV. ALTERNATIVES:

None.

V. FISCAL IMPACT:

The FY 2018-19 Annual Operating Budget includes an allocation to cover costs associated with the election. Staff anticipates receiving an invoice from the County for the cost of the election within the next two months.

ATTACHMENTS:

File Name

Description

- ▣ RESO#3883_Accepting___Approving_the_Results_of_the_November_6__2018_Election_010319.pdf
- ▣ Reso#3883_ExA_CERTIFICATION_OF_ELECTION_RESULTS_110618.pdf

Resolution No. 3883

Certification of Election Results

RESOLUTION NO. 3883

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA ACCEPTING AND APPROVING THE RESULTS OF THE CONSOLIDATED STATEWIDE GENERAL ELECTION HELD IN THE CITY OF COALINGA ON NOVEMBER 6, 2018

WHEREAS, on Tuesday, November 6, 2018, a Statewide General Election was held in the City of Coalinga in accordance with the law, and the votes thereat were received and canvassed, and the results thereof were ascertained, determined and declared in all respects as required by law. (See **Exhibit A**).

NOW, THEREFOR, BE IT RESOLVED, by the City Council of the City of Coalinga as follows:

1. The total number of votes cast at said election were as follows: Registered Voters 5,048; Total Votes Cast 3,027; Turnout Percentage 59.96%.
2. Candidates running for Councilmember positions in District No. 1, District No. 3 and District No. 5 received the following votes:

District No. 1	District No. 3	District No. 5
Adam Adkisson 361 (56.41%)	Nathan Vosburg 271 (45.24%)	Ron Ramsey 341 (56.09%)
Dawn Kahikina 274 (42.81%)	Ray Singleton 320 (53.42%)	Luis Henry Gonzales 245 (40.30%)

3. The top candidates elected to each District by the voters as Members of the City Council were:

District No. 1: Adam Adkisson
District No. 2: Ray Singleton
District No. 3: Ron Ramsey

These candidates shall each serve a full four (4) year term.

4. Measure J: a 1% Transactions and Use (Sales) Tax – 50% +1 needed to pass:

Shall the City of Coalinga enact a general-purpose, one-percent sales tax, expected to generate \$850,000 annually, with annual independent audits with an expiration (sunset) in ten (10) years?

YES: 1,728 (58.22%)

NO: 1,240 (41.78%)

5. The City Clerk shall immediately make and deliver to each person so elected, a Certificate of Election signed by the City Clerk and authenticated. The City Clerk shall administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribed to it and file it in the Office of the City Clerk. Each and all persons so elected shall then be introduced into the respective office which they have been elected.

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Coalinga held on this 3rd day of January, 2019 by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Nathan Vosburg, Mayor

ATTEST:

City Clerk / Deputy City Clerk

EXHIBIT A

STATEMENT OF VOTES CAST
AT THE
CONSOLIDATED STATEWIDE GENERAL ELECTION
HELD ON
NOVEMBER 6, 2018
IN THE
CITY OF COALINGA
COUNTY OF FRESNO
STATE OF CALIFORNIA

CERTIFICATE OF COUNTY CLERK TO RESULTS OF THE CANVASS

STATE OF CALIFORNIA)
County of Fresno) ss.
)

I, BRANDI L. ORTH, County Clerk/Registrar of Voters of the County of Fresno, State of California, do hereby certify that pursuant to the provisions of Section 15301 et seq of the Elections Code of the State of California, I did canvass the returns of the votes cast in the City of Coalinga, County of Fresno, at the election held on November 6, 2018, for the Local Office and Measure, submitted to the vote of the voters, and that the Statement of the Votes Cast, to which this certificate is attached, shows the whole number of votes cast in the districts and in each of the respective precincts therein, and that the totals of the respective columns and the totals shown for the offices are full, true and correct.

WITNESS my hand and Official Seal this 4th day of December, 2018.



Brandi L. Orth
BRANDI L. ORTH
County Clerk/Registrar of Voters

Statement of Votes Cast
 Statewide General Election
 SOVC For 604 0 City Of Coalinga, All Counters, City of Coalinga

Date:12/06/18
 Time:14:04:05
 Page:1 of 5

	TURN OUT		
	Reg. Voters	Cards Cast	% Turnout
Jurisdiction Wide			
0000138			
Polling	971	265	27.29%
Vote By Mail	971	274	28.22%
Total	971	539	55.51%
0000139			
Polling	831	196	23.59%
Vote By Mail	831	248	29.84%
Total	831	444	53.43%
0000141			
Polling	1177	285	24.21%
Vote By Mail	1177	361	30.67%
Total	1177	646	54.89%
0000142			
Polling	1086	289	26.61%
Vote By Mail	1086	420	38.67%
Total	1086	709	65.29%
0000143			
Polling	634	176	27.76%
Vote By Mail	634	215	33.91%
Total	634	391	61.67%
0001067			
Polling	349	298	85.39%
Vote By Mail	349	0	0.00%
Total	349	298	85.39%
Total			
Polling	5048	1509	29.89%
Vote By Mail	5048	1518	30.07%
Total	5048	3027	59.96%

Statement of Votes Cast
 Statewide General Election
 SOVC For 604 0 City Of Coalinga, All Counters, City of Coalinga

Date:12/06/18
 Time:14:04:05
 Page:2 of 5

COALINGA CITY COUNCIL DISTRICT NO. 1									
	Reg. Voters	Times Counted	Total Votes	ADAM ADKISSON		DAWN KAHIKINA		Write-In Votes	
Jurisdiction Wide									
0000138									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000139									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000141									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000142									
Polling	1086	289	259	149	57.53%	108	41.70%	2	0.77%
Vote By Mail	1086	420	381	212	55.64%	166	43.57%	3	0.79%
Total	1086	709	640	361	56.41%	274	42.81%	5	0.78%
0000143									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0001067									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
Total									
Polling	1086	289	259	149	57.53%	108	41.70%	2	0.77%
Vote By Mail	1086	420	381	212	55.64%	166	43.57%	3	0.79%
Total	1086	709	640	361	56.41%	274	42.81%	5	0.78%

Statement of Votes Cast
 Statewide General Election
 SOVC For 604 0 City Of Coalinga, All Counters, City of Coalinga

Date:12/06/18
 Time:14:04:05
 Page:3 of 5

COALINGA CITY COUNCIL DISTRICT NO. 3									
	Reg. Voters	Times Counted	Total Votes	NATHAN VOSBURG		RAY SINGLETON		Write-In Votes	
Jurisdiction Wide									
0000138									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000139									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000141									
Polling	1177	285	259	111	42.86%	143	55.21%	5	1.93%
Vote By Mail	1177	361	340	160	47.06%	177	52.06%	3	0.88%
Total	1177	646	599	271	45.24%	320	53.42%	8	1.34%
0000142									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000143									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0001067									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
Total									
Polling	1177	285	259	111	42.86%	143	55.21%	5	1.93%
Vote By Mail	1177	361	340	160	47.06%	177	52.06%	3	0.88%
Total	1177	646	599	271	45.24%	320	53.42%	8	1.34%

Statement of Votes Cast
 Statewide General Election
 SOVC For 604 0 City Of Coalinga, All Counters, City of Coalinga

Date:12/06/18
 Time:14:04:05
 Page:4 of 5

COALINGA CITY COUNCIL DISTRICT NO. 5									
	Reg. Voters	Times Counted	Total Votes	RON RAMSEY		LUIS HENRY GONZALES		Write-In Votes	
Jurisdiction Wide									
0000138									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000139									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000141									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000142									
Polling	-	-	-	-	-	-	-	-	-
Vote By Mail	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-
0000143									
Polling	634	176	154	102	66.23%	52	33.77%	0	0.00%
Vote By Mail	634	215	201	115	57.21%	85	42.29%	1	0.50%
Total	634	391	355	217	61.13%	137	38.59%	1	0.28%
0001067									
Polling	349	298	253	124	49.01%	108	42.69%	21	8.30%
Vote By Mail	349	0	0	0	-	0	-	0	-
Total	349	298	253	124	49.01%	108	42.69%	21	8.30%
Total									
Polling	983	474	407	226	55.53%	160	39.31%	21	5.16%
Vote By Mail	983	215	201	115	57.21%	85	42.29%	1	0.50%
Total	983	689	608	341	56.09%	245	40.30%	22	3.62%

Statement of Votes Cast
 Statewide General Election
 SOVC For 604 0 City Of Coalinga, All Counters, City of Coalinga

Date: 12/06/18
 Time: 14:04:05
 Page: 5 of 5

J. CITY OF COALINGA, 50% +1 TO PASS							
	Reg. Voters	Times Counted	Total Votes	YES		NO	
Jurisdiction Wide							
0000138							
Polling	971	265	262	166	63.36%	96	36.64%
Vote By Mail	971	274	271	162	59.78%	109	40.22%
Total	971	539	533	328	61.54%	205	38.46%
0000139							
Polling	831	196	192	117	60.94%	75	39.06%
Vote By Mail	831	248	243	139	57.20%	104	42.80%
Total	831	444	435	256	58.85%	179	41.15%
0000141							
Polling	1177	285	274	174	63.50%	100	36.50%
Vote By Mail	1177	361	347	217	62.54%	130	37.46%
Total	1177	646	621	391	62.96%	230	37.04%
0000142							
Polling	1086	289	283	185	65.37%	98	34.63%
Vote By Mail	1086	420	418	273	65.31%	145	34.69%
Total	1086	709	701	458	65.34%	243	34.66%
0000143							
Polling	634	176	172	118	68.60%	54	31.40%
Vote By Mail	634	215	210	134	63.81%	76	36.19%
Total	634	391	382	252	65.97%	130	34.03%
0001067							
Polling	349	298	296	43	14.53%	253	85.47%
Vote By Mail	349	0	0	0	-	0	-
Total	349	298	296	43	14.53%	253	85.47%
Total							
Polling	5048	1509	1479	803	54.29%	676	45.71%
Vote By Mail	5048	1518	1489	925	62.12%	564	37.88%
Total	5048	3027	2968	1728	58.22%	1240	41.78%

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

Subject: Introduce and Waive First Reading of Ordinance No. 815 Providing for a One-Percent Transactions and Use Tax and Adoption of Resolution No. 3884 Authorizing the Examination of Transactions (Sales) and Use Tax Records for the Implementation of the New Tax

Meeting Date: January 3, 2019

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

The City Manager recommends the City Council waive the first reading of Ordinance No. 815 and adopt Resolution No. 3884 authorizing the examination of the Transaction (Sales) and Use Tax records for implementation of the new tax.

II. BACKGROUND:

On December 4, 2018, Brandi L. Orth, County Clerk/Registrar of Voters for the Fresno County Elections Department, certified results of the November 6, 2018 Consolidated Statewide General Election. Measure J, a 1% Transactions and Use (Sales) Tax, passed with the minimum required percentage needed (50% +1).

III. DISCUSSION:

The California Department of Tax and Fee Administration (the "Department") administers and collects the transactions and use taxes for all applicable jurisdictions with the state. The Department requires these and several other documents in order to implement the new tax for the City.

IV. ALTERNATIVES:

None.

V. FISCAL IMPACT:

ATTACHMENTS:

File Name	Description
☐ ORD#815_Adopting_1%_Sales_Tax_For_Approval_010319.pdf	Ordinance No. 815
☐ RESO#3884_Auth_Examination_of_Transactions___Use_Tax_Records_010319.pdf	Resolution No. 3884

ORDINANCE NO. 815

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA ADDING SECTION 101-112 TO TITLE 3 CHAPTER 6 TO THE COALINGA MUNICIPAL CODE TO PROVIDE FOR AN ADDITIONAL ONE-PERCENT TRANSACTIONS AND USE TAX FOR GENERAL PURPOSES

BE IT ORDAINED BY THE COUNCIL AND THE PEOPLE OF THE CITY OF COALINGA:

SECTION I. AMENDMENT OF CODE.

Coalinga Municipal Code Title 3, Chapter 6, is hereby amended by the addition of a new Chapter to read as follows:

CHAPTER 3.-6.100 TRANSACTIONS AND USE TAX FOR GENERAL PURPOSES

- 3-6.101 Purpose/Title.**
- 3-6.102 Operative Date.**
- 3-6.103 Contract with State.**
- 3-6.104 Transactions Tax Rate.**
- 3-6.105 Place of Sale.**
- 3-6.106 Use Tax Rate.**
- 3-6.107 Adoption of Certain Sections of California Revenue & Taxation Code by Reference.**
- 3-6.108 Limitations on Adoption of State Law and Collection of Use Taxes.**
- 3-6.109 Permit Not Required.**
- 3-6.110 Exemptions and Exclusions.**
- 3-6.111 Amendments.**
- 3-6.112 Enjoining Collection Prohibited.**

Sec. 3-6.101 Purpose/Title:

This Ordinance shall be known as the City of Coalinga Transactions and Use Tax for General Purposes ordinance. The City of Coalinga shall hereinafter be called "City." This ordinance shall be applicable in the incorporated territory of the City. This Ordinance of the Coalinga Municipal Code has been adopted for the following purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

(a) To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

(b) To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

(c) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practical to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes;

(d) To adopt a retail transactions and use tax ordinance that can be administered in a manner that will, to the greatest degree possible consistent with the provisions of Parts 1.6 and 1.7 of Division 2 of the said Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions thereof.

(e) To provide a source of revenue to be used by the City for general purposes. There shall be no legal obligation created by this Chapter for use of the funds for specific purposes.

Sec. 3-6.102 Operative Date and Sunset.

"Operative date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this Ordinance, April 1, 2019. This ordinance shall expire April 1, 2029.

Sec. 3-6.103 Contract with State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation hereof. If the City has not contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract. The Council may make any technical amendments to this Ordinance required by the California Department of Tax and Fee Administration, except for any changes affecting the tax rate, its manner of collection, or the purpose for which the revenue from the tax may be used.

Sec. 3-6.104 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1.00%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in the City of Coalinga on and after the operative date of this Ordinance. This tax is imposed in addition to the tax imposed pursuant to Chapter 3.12 of this Code.

Sec. 3-6.105 Place of Sale.

For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the State sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales

are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

Sec. 3-6.106 Use Tax Rate.

An excise tax is hereby imposed on the storage, use, or other consumption in the City of tangible personal property purchased from any retailer on or after the operative date of this Ordinance for storage, use or other consumption in said territory, at the rate of one percent (1.00%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to State sales or use tax regardless of the place to which delivery is made. The tax imposed is in addition to the tax imposed pursuant to Chapter 3.12 of this Code.

Sec. 3-6.107 Adoption of Certain Sections of California Revenue & Taxation Code by Reference.

Except as otherwise provided in this Ordinance, and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of said Code, as amended and in force and effect on the operative date of this Ordinance, applicable to use taxes are hereby adopted and made a part of this section as though fully set forth herein.

Sec. 3-6.108 Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

(a) Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

(1) The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, California Department of Tax and Fee Administration, State Treasury, or the Constitution of the State of California;

(2) The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.

(3) In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

(A) Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

(B) Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

(4) In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

(b) The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Sec. 3-6.109 Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

Sec. 3-6.110 Exemptions and Exclusions.

(a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions tax the gross receipts from:

(1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

(2) Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

(A) With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

(B) With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

(4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Ordinance.

(5) For the purposes of subsections (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(c) There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this City of tangible personal property:

(1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

(2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

(3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

(4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.

(5) For the purposes of subsections (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(6) Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

(7) "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9840) of the

Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

(d) Any person subject to use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Sec. 3-6.111 Amendments/Severability:

All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Sec. 3-6.112 Enjoining Collection Prohibited:

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against the State or this City, or against any officer of the State or this City, to prevent or enjoin the collection hereunder, or Parts 1.6 and 1.7 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

SECTION II: STATUTORY AUTHORITY FOR TAX.

This ordinance is adopted pursuant to Revenue and Taxation Code section 7285.9.

SECTION III: ELECTION REQUIRED.

This ordinance shall not become operative unless and until at least a majority of the electors voting on this measure vote to approve the imposition of the tax at the election to be held on November 6, 2018.

SECTION IV: ANNUAL AUDIT.

By no later than December 31st of each year, the City's independent auditors shall complete a financial audit report to include the revenue raised and expended by this tax.

SECTION V: EFFECTIVE DATE.

This ordinance shall take effect on April 1, 2019, if approval by a majority of voters at the general election to be held on November 6, 2018.

SECTION VI: CERTIFICATION; PUBLICATION.

Upon approval by the voters, the City Clerk shall verify to the passage and adoption of this ordinance and shall cause it to be published according to law and transmitted to the California Department of Tax and Fee Administration.

ATTEST:

CITY COUNCIL OF THE CITY OF COALINGA

, City Clerk

Nathan Vosburg, Mayor

APPROVED BY THE FOLLOWING VOTE OF THE PEOPLE ON _____:

CITY OF COALINGA)

STATE OF CALIFORNIA)

COUNTY OF FRESNO)

CITY CLERK CERTIFICATION

I, _____, City Clerk of the City of Coalinga, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 815 introduced at a regular meeting of the City Council of the City of Coalinga held on the **3rd day of January, 2019**, and adopted at a regular meeting on the **17th day of January, 2019** upon motion by _____, second of _____ by the following vote, as the same appears of record and on file in my office:

AYES:

NOES:

ABSTAIN:

ABSENT:

WITNESS my hand and Corporate City Seal of Coalinga this **17th day of January, 2019**.

OFFICE OF THE CITY CLERK OF COALINGA

City Clerk / Deputy City Clerk

RESOLUTION NO. 3884

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA ("THE CITY") AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS

WHEREAS, pursuant to Ordinance No. 815 of the City of Coalinga hereinafter called City and Section 7270 of the Revenue and Taxation Code, the City entered into a contract with the California Department of Tax and Fee Administration (CDTFA) to perform all functions incident to the administration and operation of the Transactions and Use Tax Ordinance; and

WHEREAS, the City deems it desirable and necessary for authorized representatives of the City to examine confidential transactions and use tax records of the California Department of Tax and Fee Administration pertaining to transactions and use taxes collected by the Board for the City pursuant to that contract; and

WHEREAS, Section 7056 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of California Department of Tax and Fee Administration records and establishes criminal penalties for the unlawful disclosure of information contained in or derived from, the transactions and use tax records of the Board;

NOW, THEREFORE IT IS RESOLVED AND ORDERED AS FOLLOWS:

Section 1. That the Financial Services Director or other officer or employee of the City designated in writing by the City Manager to the California Dept. of Tax and Fee Administration (hereafter referred to as the CDTFA) is hereby appointed to represent the City with authority to examine transactions and use tax records of the CDTFA pertaining to transactions and use taxes collected for the City by the CDTFA pursuant to the contract between the City and the CDTFA. The information obtained by examination of CDTFA records shall be used only for purposes related to the collection of the City's transactions and use taxes by the CDTFA pursuant to the contract.

Section 2. That the Financial Services Director or other officer or employee of the City designated in writing by the City Manager to the California Dept. of Tax and Fee Administration is hereby appointed to represent the City with authority to examine those transactions and use tax records of the Board for purposes related to the following governmental functions of the City:

- a) Budgeting;
- b) Auditing; and
- c) Providing Services to the City.

The information obtained by examination of Board records shall be used only for those governmental functions of the City listed above.

BE IT FURTHER RESOLVED that the information obtained by examination of Board records shall be used only for purposes related to the collection of City's transactions and use taxes by the Board pursuant to the contracts between the City and Board.

PASSED AND ADOPTED by the City Council of the City of Coalinga, State of California, this **3rd day of January 2019**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Mayor

ATTEST:

City Clerk/Deputy City Clerk

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

Subject: Review and Approve Regulatory Permit for Kikoa Inc.
Meeting Date: January 3rd, 2019
From: Marissa Trejo
Prepared by: Michael Salvador, Chief of Police

I. RECOMMENDATION:

Review and approve staff recommendation to issues a cannabis regulatory permit for Hikoa Inc.

II. BACKGROUND:

This is the final step in the regulatory process defined by the municipal code.

III. DISCUSSION:

Hikoa was originally part of the Canna Project in the industrial park. This company has separated for that project and acquired property on West Elm near Alcalde. This company has successfully completed the commercial cannabis background process and has been approved by the Planning Commission at its meeting in December. Staff recommends that the Council approves the issuance of a regulatory permit.

IV. ALTERNATIVES:

Do not issue a regulatory permit.

V. FISCAL IMPACT:

This project is subject to cannabis licensing and per square foot taxes. Once open this project will be a revenue generator to the General Fund.

ATTACHMENTS:

File Name

Description

No Attachments Available

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

Subject: Authorize Purchase of Bobcat Mini Excavator for Public Works
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Pete Preciado, Public Works & Utilities Director

I. RECOMMENDATION:

Staff recommends award of request for bids to Bobcat of Fresno for the purchase of a Bobcat E26 excavator in the amount of \$47,457.23.

II. BACKGROUND:

Public Works owns and operates two back hoe and one box scrapper heavy equipment. These pieces of equipment do much of the work on the roads and at both treatment plants. They are ideal for large excavation projects like water main line repairs. However, when it comes to work in alleys, residential roadways or any small lots they become difficult and cumbersome to maneuver and efficiently use in smaller spaces.

III. DISCUSSION:

A mini excavator is an ideal piece of equipment for working in small areas. Easy to move and operate in alleys while digging smaller trenches for gas lines or water services. The mini excavator also requires less of the roadway to be blocked off while doing repairs to the curb and gutter or sidewalks. This will reduce traffic delays at construction sites. The attachments are ideal for utility work as well. Included is a 12" compaction wheel that can be attached to the excavator to provide compaction of the smaller width trenches.

A request for bids was sent to local equipment sales. One bid was received from the nine suppliers contacted. Bobcat of Fresno provided a bid of \$47,457.23.

IV. ALTERNATIVES:

Reject the bid. Staff can request bids at a later date but lower bid prices are not anticipated as this is the expected price for this equipment and accessories.

V. FISCAL IMPACT:

The excavator is a budgeted item and will be purchased using only Enterprise funds. There will be no impact

to the General Fund.

ATTACHMENTS:

	File Name	Description
▣	Mini_Bobcat_Excavator.pdf	Mini Bobcat Excavator



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PURCHASER City of Coalinga		EMAIL		DATE 11/29/18	
MAILING OR STREET ADDRESS		WORK PHONE		CELL PHONE	
CITY and STATE				FAX NUMBER	
NEW / USED New	YEAR 2018	MAKE / MODEL Bobcat E26 (Final Tier 4)	STOCK NUMBER	SERIAL NUMBER	HOURS

E26 with Long Arm, Pin On X-Change, Hydraulic Clamp, Machine IQ GPS Telematics, Deluxe Instrument Panel, Keyless Start, 18" CL3 Bucket, Plus Standard Equipment	\$39,872	76
36" Grading Bucket	1,290	00
12" Compaction Wheel	2,790	00
<i>New!</i>		

Warranty: **24 Month or 2000 Hours Full Machine**

Trade-In: Model _____ Ser.# _____ Hrs. _____	Cash Price w/ Attachments	\$ 43,952	76
	Sales Tax	3,505	23
	Total Sales Price	47,457	23
Finance for: _____ Months _____ No. of Payments _____	Cash Deposit W/ Order		
Approx. Amt. of Mo. Payment _____ at _____ Interest Rate _____	Trade-In Allowance		
Approx. Amt. of Mo. Payment _____ at _____ Interest Rate _____	Filing Fees		
	Net Cash Balance Due on Delivery	47,457	23
	Amount To Be Financed	\$	

This Agreement is not binding on dealer until accepted by dealer in writing. Is is agreed that there are no warranties, either express or implied covering a new unit sold hereunder, except the warranty issued by the manufacturer which shall be tendered by the dealer making delivery of the new unit. In the event the unit sold hereunder is a used unit, it is agreed that the dealer assumes only such warranty obligations to Buyer as are set forth on the face of this order or in a separate written instrument, if any. Receipt of a copy of this agreement is hereby acknowledged.

Buyer's Signature _____ Accepted _____
Salesman's Name Ryan Wilson *Ryan Wilson* (Must Be Accepted by an Authorized Representative of the Dealer)

This Agreement Good For: Nov. 2018





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

Subject: Consideration of Bid Award for WWTP Improvements Project
Meeting Date: January 3, 2019
From: Marissa, Trejo, City Manager
Prepared by: Pete Preciado, Public Works & Utilities Director

I. RECOMMENDATION:

It is recommended that the Coalinga City Council reject all bids for the Wastewater Treatment Plant (WWTP) Improvements Project and redirect staff to reduce project scope, revise plans and specifications, and to re-advertise the project for bids.

II. BACKGROUND:

In July, 2018, the Coalinga City Council directed staff to prepare engineering plans and specifications and authorized a call for bids for the WWTP Improvements Project. The project included Rehabilitation/Replacement of 5 hydraulic control structures and piping, furnish and install 4 slide gates and Restoration of embankments at wastewater ponds No. 1 and No. 2.

All bids came in over budget; in order to keep the construction costs within the City's budgeted amount staff is recommending the Council reject all bids. Should the Council approve the recommendation to rebid; staff will reduce the scope of work and revise the plans and specifications in an effort to obtain bids in conformance with the budget parameters.

III. DISCUSSION:

City Staff received and opened two bids for this project on November 8, 2018, at 2:00 p.m. one bid received from Bush Engineering, Inc. in the amount of \$1,397,223.10 was 54% higher than the Engineer's Estimate of \$906,000.00. The second bid received from Granite Construction Company in the amount of \$1,734,700.00 was 92% higher than the Engineer's Estimate.

Staff recommends Council reject all bids and direct staff to reduce the scope of work and revise the plans and specifications in an effort to obtain bids in conformance with the budget parameters.

Schedule:

The following is the revised project schedule for WWTP Improvement Project:

First Day of Advertisement (Re-Bid)	
Bid Opening	02/12/2019
Contract Award	02/21/2019

Begin Construction 03/04/2019
End Construction 08/26/2019

IV. ALTERNATIVES:

The alternative to this council action is to accept the low bid and award the project over budget – staff does not recommend. Staff believes that by reducing the scope of work and re-advertising the project will result in lower bids.

V. FISCAL IMPACT:

This project will be funded from the Sewer Fund Account. The General Fund is not affected by this recommendation.

ATTACHMENTS:

	File Name	Description
□	WWTP_Improvements.pdf	WWTP Improvements

City of Coalinga
WWTP Improvements

ATTACHMENT "A" Bids 1-2

Base Bid Items				1 Bush Engineering, Inc.		2 Granite Construction Company		
Item	Description	Unit	Qty.	Engineer's Est.	Unit Price	Extension	Unit Price	Extension
1	MOBILIZATION / GENERAL REQUIREMENTS	LS	1	\$ 90,000.00	\$ 139,549.20	\$ 139,549.20	\$ 170,000.00	\$ 170,000.00
2	AERATION POND No. 1 IMPROVEMENTS	LS	1	\$ 280,000.00	\$ 430,514.30	\$ 430,514.30	\$ 320,000.00	\$ 320,000.00
3	AERATION POND No. 2 IMPROVEMENTS	LS	1	\$ 280,000.00	\$ 416,203.84	\$ 416,203.84	\$ 300,000.00	\$ 300,000.00
4	INFLUENT BOX IMPROVEMENTS	LS	1	\$ 60,000.00	\$ 33,361.60	\$ 33,361.60	\$ 200,000.00	\$ 200,000.00
5	YARD BOX A IMPROVEMENTS	LS	1	\$ 40,000.00	\$ 106,393.76	\$ 106,393.76	\$ 214,700.00	\$ 214,700.00
6	YARD BOX B IMPROVEMENTS	LS	1	\$ 25,000.00	\$ 89,409.60	\$ 89,409.60	\$ 150,000.00	\$ 150,000.00
7	YARD BOX C IMPROVEMENTS	LS	1	\$ 25,000.00	\$ 38,643.20	\$ 38,643.20	\$ 150,000.00	\$ 150,000.00
8	YARD BOX D IMPROVEMENTS	LS	1	\$ 25,000.00	\$ 52,726.40	\$ 52,726.40	\$ 150,000.00	\$ 150,000.00
9	SITE ROAD IMPROVEMENTS	LS	1	\$ 81,000.00	\$ 90,421.20	\$ 90,421.20	\$ 80,000.00	\$ 80,000.00
Base Bid Summary				\$ 906,000.00		\$ 1,397,223.10		\$ 1,734,700.00

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

Subject: Adopt Resolution No. 3886 Approving USBR Water Supply Contract Two-Year Extension
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Dan Bergmann, IGS

I. RECOMMENDATION:

City Council is recommended to approve another two-year extension to the Interim Renewal agreement with the USBR water supply.

II. BACKGROUND:

This is the sixth interim 2-year extension renewal agreement to the original 40-year agreement with USBR that ended in 2008. Over the past 10 years, execution of a subsequent long-term agreement with USBR has been prevented by environmental issues associated with the National Environmental Protection Act (NEPA).

III. DISCUSSION:

By invitation of the USBR, the City of Coalinga is at the beginning of a process to enter into a new long-term contract pursuant to Section 4011 of the Water Infrastructure of Improvement to the Nation (WIIN) Act. Negotiations will begin sometime in 2019. The stated negotiation team for City of Coalinga is Marissa Trejo, City Manager; Ray Carlson, City Attorney's Office; and Dan Bergmann, Consultant. Pursuant to the WIIN Act, the new contract must be complete in 2021.

IV. ALTERNATIVES:

None. The interim agreement must be signed to allow continued water supply to Coalinga.

V. FISCAL IMPACT:

None. Coalinga will continue to pay calculated, publicly posted, contract rates provided by USBR.

ATTACHMENTS:

File Name

Description

- ▣ RESO#3886_USBR_2019-2021_Contract_Extension_010319.pdf
- ▣ USBR_Agreement_Extension.pdf

Resolution No. 3886
USBR Extention

RESOLUTION NO. 3886

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA ENTERING INTO AN INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION AND THE CITY OF COALINGA PROVIDING WATER SERVICE TO THE CITY OF COALINGA

WHEREAS, the existing Interim Renewal Contract No. 14-06-200-4173A-IR5 between the United State Department of the Interior Bureau of Reclamation (USBR) and the City of Coalinga (City) to provide continued water service to the City is set to expire on February 28, 2019; and

WHEREAS, the USBR and the City are in the process of negotiating a long-term contract through Section 4011 of the Water Infrastructure for Improvement to the Nation (WIIN) Act, to be completed by 2021.

WHEREAS, the USBR has proposed a new Interim Renewal Contract No. 14-06-200-4173A-IR6, which shall be effective from March 1, 2019 through February 28, 2021.

WHEREAS, the City has fulfilled its obligations under the existing interim contract and is requested a subsequent renewal contract.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Coalinga as follows:

1. The Recitals above are found to be true and correct.
2. The City Council hereby approves Interim Renewal Contract No. 14-06-200-4173A-IR6 with USBR.
3. The Mayor is hereby authorized to execute and deliver the Interim Renewal Contract No. 14-06-200-4173A-IR6, as approved to form by the City Attorney.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Coalinga on the **3rd day of January 2019**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Nathan Vosburg, Mayor

ATTEST:

City Clerk / Deputy City Clerk

APPROVED AS TO FORM:

City Attorney

1 UNITED STATES
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF RECLAMATION
4 Central Valley Project, California

5 INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES
6 AND
7 THE CITY OF COALINGA
8 PROVIDING FOR PROJECT WATER SERVICE
9 FROM THE SAN LUIS UNIT AND DELTA DIVISION

10 THIS CONTRACT, made this _____ day of _____, 20____,
11 in pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or
12 supplementary thereto, including, but not limited to, the acts of August 26, 1937 (50 Stat. 844),
13 as amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented,
14 June 3, 1960 (74 Stat. 156), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263),
15 October 27, 1986 (100 Stat. 3050), as amended, and Title XXXIV of the Act of October 30, 1992
16 (106 Stat. 4706), all collectively hereinafter referred to as Federal Reclamation law, between the
17 UNITED STATES OF AMERICA, hereinafter referred to as the United States, and the CITY OF
18 COALINGA, hereinafter referred to as the Contractor, a public agency of the State of California,
19 duly organized, existing, and acting pursuant to the laws thereof;

20 WITNESSETH, That:

21 EXPLANATORY RECITALS

22 WHEREAS, the United States and the Contractor entered into an interim renewal
23 contract identified as Contract No. 14-06-200-4173A-IR1, hereinafter referred to as IR1, which
24 provided for the continued water service to the Contractor effective from January 1, 2009,
25 through February 28, 2011; and

26 WHEREAS, the United States and the Contractor have entered into successive
27 renewals of IR1, the most recent of which is Contract No. 14-06-200-4173A-IR5, hereinafter
28 referred to as IR5, effective from March 1, 2017, through February 28, 2019; and

29 WHEREAS, the United States and the Contractor have made significant progress
30 in their negotiations of a long-term renewal contract, believe that further negotiations on the
31 long-term renewal contract would be beneficial, and mutually commit to continue to negotiate to
32 seek to reach agreement, but anticipate that the environmental documentation necessary for
33 execution of any long-term renewal contract may be delayed for reasons beyond the control of
34 the parties; and

35 WHEREAS, the Contractor has requested a subsequent interim renewal contract
36 pursuant to Article 2 of IR1; and

37 WHEREAS, the United States has determined that the Contractor has to date
38 fulfilled all of its obligations under IR5; and

39 WHEREAS, the United States is willing to renew IR5 pursuant to the terms and
40 conditions set forth below;

41 NOW, THEREFORE, in consideration of the mutual and dependent covenants
42 herein contained, it is hereby mutually agreed by the parties hereto as follows:

43 RENEWAL AND REVISION OF
44 CONTRACT NO. 14-06-200-4173A-IR5

45 1. Except as specifically modified by this Contract, all provisions of IR5 are
46 renewed with the same force and effect as if they were included in full text with the exception of
47 Article 1 of IR5 thereof, which is revised as follows:

48 (a) The first sentence in subdivision (a) of Article 1 of IR5 is modified as
49 follows: "This Contract shall be effective from March 1, 2019, and shall remain in effect through

50 February 28, 2021, and thereafter will be renewed as described in Article 2 of IR1 if a long-term
51 renewal contract has not been executed with an effective commencement date of March 1,
52 2021.”

53 (b) Subdivision (b) of Article 1 of IR5 is amended by deleting the date
54 “February 28, 2019,” and replacing same with the date “February 28, 2021.”

55 IN WITNESS WHEREOF, the parties hereto have executed this Contract as of
56 the day and year first above written.

57 UNITED STATES OF AMERICA

58 By: _____
59 Regional Director, Mid-Pacific Region
60 Bureau of Reclamation

61 (SEAL)

62 CITY OF COALINGA

63 By: _____
64 Mayor

65 Approved as to form:

66 By: _____
67 City Attorney

68 Attest:

69 By: _____
70 City Clerk

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

Subject: Public Works & Utilities Monthly Report for December 2018
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Pete Preciado, Public Works & Utilities Director

I. RECOMMENDATION:

Approve Public Works & Utilities Monthly Report for the Month of December 2018.

II. BACKGROUND:

None.

III. DISCUSSION:

None.

IV. ALTERNATIVES:

None.

V. FISCAL IMPACT:

None.

ATTACHMENTS:

File Name	Description
☐ Monthly_Report_Dec_2018.pdf	Monthly Report for Dec 2018



**PUBLIC WORKS AND UTILITIES DEPARTMENT
MONTHLY REPORT FOR
DECEMBER 2018**

***Note: New items and updates from last month's report are in bold print.**

PUBLIC WORKS

Natural Gas Distribution:

- Gas leaks have been continued to be repaired from gas leak survey-98% complete
- New Gas meter for schools new Mechanic teaching building has arrived and will be installed in Early January
- 5 New service lines have been installed for DR Horton
- 1 New service line installed on Monterey
- Repaired gas leak Hachman and Coolidge
- 4 new service lines have been installed for DR Horton
- All manual gas meters out on Petite Sirah Lane are being changed to radio read

Water Distribution:

- Repaired water leaks 158, 158 ½, 188, and 188 ½ E Glenn
- Repaired water leak 141. S Third St.
- Installed new water service on Monterey
- **Water leak repaired 300 Blk Tyler**
- **2" water meter replaced with new 2" radio read meter at 1620 E. Elm**
- **Large water meters 3" and up will be tested for accuracy Mid -January**
Did flushing on the distribution system

Wastewater Collection:

- One New Pump for highway lift station has arrived and will be Installed Early December
- New Pump for highway lift station has been installed and new spare pump has arrived.
- Sewer blockage Baker/Truman x2
- Sewer blockage Elm/Van Ness x2
- **Sewer blockage 3rd and Elm**
- **Sewer blockage 6th to 7th between Elm and W. Durian**

Sidewalks:

- 129 College Sidewalk has been poured and completed
- 178 College Lifted Sidewalk has been repaired completed

- **New sidewalk repair locations have been identified and will begin repairs January.**

Parks:

- Sandalwood Park – Replacement slide ordered. Playground area made safe until replacement slide arrives. Cost is \$3,683 with shipping and is available in the current budget. Needs a new water fountain. Cost \$4,000. New backboards for basketball courts and restriping of court. Cost \$600. Replacement slide has been delivered and will be installed early October- Early November Slide at Sandalwood Park has been installed.



Miscellaneous:

- Tree trimming has continued -Removal of Dead Trees has started 10 trees have been removed already. Dead Tree removal has continued 7 more have been removed
- 15 new employee parking signs for Have A Heart have been installed at parking lot on 6th and Elm.
- Graffiti on Walls out on Merlot and Chardonnay have been painted over
- Cross walks along California and Baker have been painted more will be painted during school break in December.

- Flag pull tether rope above city hall has been repaired
- **Section of Awning behind City Hall had to be removed due to falling new support beams to be installed.**
- **Four tree stumps have been removed on Baker/Lincoln**
- **New street name sign installed at E. Valley and S. Hachman**
- **New street name sign on E. Sacramento / W. Forest that was missing has been installed and missing signs will be replaced as they are identified.**
- **Remodel of Public works restroom 90% complete**

Targeted efforts to enhance City image and business appeal/attraction:

- Pot holes on streets and alleys have continued to be identified and are being repaired

UTILITIES

- Oil King Booster Pump Station – Pump-18 motor and pump have been repaired & installed and running great. We have a control issues with the auto-switch so I will have Solomon Electric take a look at it. Auto switch has been repaired and P18 is running good. Complete
- Northwest Booster Station - When the motor and pump run it is leaking at the base plate. Waiting on new gasket. P19 motor and pump have to be pulled. Need new base plate. West Hills Machine will be doing the work. **Still in progress**
- Calaveras reservoir had speed controls installed on the new cla-val to help reduce water hammer on the water main coming into the tank. Complete. Also, we now have full control of the new cla – val working off the SCADA system. Complete
- Hwy 33 / 198 PRV Device was put in service for a day to see if it was working correctly. Had Water Treatment Plant Operators work 24 hr shifts to monitor Palmer Reservoir so it doesn't drain the tank. PRV Device is now in service and working correctly. Now we have to work on the SCADA system for Palmer Reservoir low level alarm. Complete and working correctly.
- Palmer Reservoir - Frisch Eng. worked on SCADA system for tank level and low-level alarm system. Complete and working correctly.
- Water Sample test site #5 & #7 were repaired. Complete
- Northwest Reservoir water main air vac just below the tank was repair and replace with new air vac. **Complete**
- Northwest & Oil King Booster Sta. looking into replacing old air compressors and surge tanks with new equipment. **On Going**
- **City wide fire hydrant flushing**

PUBLIC UTILITIES COORDINATOR

- 56 completed backflow inspections. Complete
- 6 Inspections received a deferred deadline due to “Return to Sender” (i.e. wrong address).
- 100% (19 units) of City owned backflow devices have been tested and repaired. Complete
- 11 New backflow devices have been slated to be installed. 5 of these have been deemed to be in sensitive locations and cages have been procured for them. These will all be going at various City Owned properties. All parts have been received as of 10/22/18. 2 out of 11 have been completed
- Auto-generate notifications based on various parameters set through a database. **Complete**

- All backflow information imported into appropriate Excel data sheet. This will be upgraded in the future. **Complete**
- Database has been normalized and SQL backend is 100% complete. **Complete**
- Database frontend will be MS Access. This must be coded through VBA and is time intensive. **80% completed**
- All backflow information imported into appropriate Excel data sheet. This will be upgraded in the future. On going
- Database frontend will be MS Access, and entry format is 25% complete. This must be coded through VBA and is time intensive. 35% completed
- Website information is presently 90% complete and will be finished by Thursday. Presently working with Sean, Eric, Kristi, and Anthony to organize documents. **Complete**
- Water Treatment Plant has order two backflow devices to replace older models. **One of the two new units have been replaced**
- Business Owned Backflow Installation has been (Delayed).
- **Round 2 of backflow inspection notices have been sent out. 13 passed, 5 failed, 41 have no response yet. - Ongoing**
- **Acquired Cross Connection Program Specialist Certification!**
- **Installed 4" backflow assembly at Water Treatment Plant, awaiting parts for replacement of 6" backflow assembly. - 50% Complete**
- **Supporting documents for "water use survey" have been completed. Surveys ready to begin first week of January. - Ongoing**

WATER TREATMENT PLANT (WTP)

Alum sludge piles testing report by BSK is back. Matt from Cal Water Services is looking into pricing to haul off alum sludge piles. Matt found us a company out of Chowchilla to haul off the Alum Sludge Piles (\$96. Ton, haul off 250 tons a day) we currently have about 4,000 tons of sludge to be removed. Going to council to get approve to remove 500 tons a year. **Contractor to start first of the year.**

Filter inspections have been started on the filter beds and are still in progress (One a Month). **December filter inspection has been done on filter bed 3 & 6.**

Preventive Maintenance – Working on quotes for electrical panels, motor controls, control cabinets and transformers. Project was approved by Council and contractor given notice to proceed. Solomon Electric was awarded the contract for the preventive maintenance project. Contractor started work on October 1. **Solomon Electric has completed 100% of the maintenance work**

Working on quotes for painting all outside exterior structure Doors, Trim and Iron Gates and the pump house interior walls, ceiling, motors, pumps and electrical panels. Still in progress and waiting on vendors to get back to us. No luck with vendors getting back to us. So, we will try again in the spring time. **Still in progress**

Working on quotes for card lock system for rolling gates, control room, shop, carbon room and rapid mix room. **Still in progress and waiting on vendors to get back to us.**

Solomon Electric installed new led lights on the Hypo Building and the electrical room.
Complete

Evans Heating & Air came out to look at getting the Ammonia Chiller unit working again. This unit has been down for a very long time. They also looked at the existing AC unit on top of the Hypo room for replacement quote. Waiting on controller to come in and quote for new AC Unit. Install new Ammonia Chiller controller. Chiller working great, now waiting on new AC Unit. New Ac Unit has been installed and working great. Complete

Bogie's Pump Company will be out to service the three pumps on the walking bridge on Basin 3. Bogie's Pump came out to service the three pumps on the travel bridge on basin 3. All three pumps are non-serviceable. All three pumps are 26 years old. We had to order three new pumps under emergency action. Just in case we loss another water treatment basin. Bogie's pump will be out Dec 3, 2018 to install all three new pumps and valves. **Project Completed**

Basin 3 was taken out of service for annual maintenance. Still down until we get the new pumps and valves installed. **Still down**

Basin 3 Sludge Pump was removed and taken to SCI Inc. for repair. Pump should be back on Dec 5, 2018 and installed. **Sludge Pump was installed and has been completed**

Champi Fence came out to give quote for new fence and repair fence at both Wastewater and Water Treatment plants. **Still waiting on quote**

Hypo tank leak fixed and repaired. Complete

Telstar will be out to work on the limited torque valves on filter beds 3 & 4 on Dec. 3, 2018.
Completed

All Reservoirs, Booster Sta. & WTP have been sprayed for weed control.

All WTP and WWTP Operators attended a Hach Webinar Training on T.O.C.

Telstar will be out to do their quarterly Acid Cleaning on the OSG Cells. **Quarterly cleaning Completed**

Air Scour Blower up and running again

Mike Wilson Construction will be out do some valve replacement and run 40' of C900 pipe for the new TTHM Facility starting after the first of the year

Fixed paddle on the Rapid Mixer

Installed new 4" Back Flow Device by Control Room

Water leak repaired at chlorine station by cemetery

Westland Canal will have plant shut down on January 14 -18, 2019 for annual maintenance. City Water Treatment Plant will be down as well. They are asking for the residents to help conserve water at that time. Notices will be mailed out, it will be in the local paper, on the pride sign and on face book.

WASTEWATER TREATMENT PLANT (WWTP)

Drying beds:

The wet well that collects the liquid from the drying beds should have two submersible pumps but one is missing. This back up pump has been missing for as long as any of the operators can recall. Replacing the missing pump will be added to next year's budget. The one pump that has been running for years has finally failed. We replace it with a new Flygt pump and we have a second one on order for back up. Second pump is three weeks out. Still waiting on pump to come in. Pumps has arrived and has been installed. Waiting on HR Electric to come and wire the unit.
Completed

Other items at Wastewater Plant:

- Primary effluent pump installed and operating normally. Second effluent pump has been removed and sent to the shop for repair. Council approved repair work quote and contractor has been given notice to proceed with work. Pump is being repaired at this time. SCI is waiting for the Bowls to come in, so they can put the pump back together.
Still waiting
- City crew working on getting pond 3 & 4 cleaned by spraying and burning the weeds, cattails and small trees. Ponds 3 & 4 starting to look good, but still have spraying and burning to do. **On going**
- Clarifier Basin has been drained and cleaned. Completed. Basin is on hold right now.
- Scum pile is being removed to the landfill. Complete
- Al is working on getting quotes for new surge tanks and equipment for Northwest & Oil King Booster Station. **On going**
- Old Rifle Range – City crews have started removing the old tire and cleaning out the dirt inside the tires so that they can be hauled off to the landfill. **Still in progress**
- WWTP Concrete Yard Boxes and Ponds Rehabilitation Project. On Hold **Going out to rebid**
- **Old dog pound building is getting painted inside and out**
- **Working on getting new laptop for daily Dissolved Oxygen Probes for all five ponds**

CITY ENGINEER

Project Status Update as of December 20, 2018:

1. Cambridge Signalization
 - a. **Plans resubmitted to Caltrans on 12/14/18 based on their recommendations. Anticipate approval of plans or minimal comments within 30 days.**
 - b. A meeting was held with Caltrans on November 6th to determine options regarding lane widths and traffic striping. Traffic counts were submitted to Caltrans and we are awaiting a decision from Caltrans traffic operations regarding final lane determinations. Will continue pushing Caltrans to get information regarding final decisions so that the plans can be updated and resubmitted.
 - c. Construction pushed to 2019 due to additional requests by Caltrans.
2. Rule 20A Undergrounding
 - a. City Engineer working with PG&E to underground overhead utilities on Elm Avenue from Cambridge Avenue to just south of Cherry Lane.
 - b. Project moving along slowly and is still years away from construction.

3. Phelps Ave Improvements
 - a. Project construction pushed to spring 2019 by request of WHCC District to prevent construction conflicts with on-site construction of administration building.
4. ATP Cycle 2 – Sidewalk Gap Closure Construction
 - a. **Project was awarded to RJ Berry Jr., Inc. at 12/6/18 council meeting.**
 - b. **Construction will begin on January 7, 2019 and completion of project is anticipated at the end of March 2019.**
5. ATP 2017 Cycle 3
 - a. City was awarded additional funds for the project for a total grant amount of \$1,284,000 and a local match of \$175,000.
 - b. Design anticipated in the fall of 2018 based on grant scheduling.
 - c. Request for engineering design funding was approved by the CTC.
 - d. Topographic survey is scheduled to begin soon for the project.
 - e. Meetings will be scheduled with the School District to discuss proposed improvements on California and Baker.
6. RSTP - Forest/Truman from 1st to Elm
 - a. City was awarded additional funds for the project for a total grant amount of \$1,400,000 and a local match of \$125,000.
 - b. Design nearly complete and anticipate submitting plans to Caltrans by the middle of December.
 - c. Anticipate construction in Spring 2019.
7. CMAQ - Paving of Various Alleys Ph. 3
 - a. Topographic survey has been completed and design is underway.
 - b. Construction is anticipated in 2019.
8. Water Treatment Plant Permanent TTHM Reduction Project
 - a. With Regional Water Resources Control Board review and approval permanent acid storage and feeding facilities changed to liquid CO2 for plant operator safety.
 - b. Design of permanent facilities in progress.
 - c. Anticipate construction in **Spring 2019.**
9. WWTP Concrete Yard Boxes and Ponds Rehabilitation Project
 - a. Bids opened on November 8, 2018 and they came in over budget.
 - b. **Recommend rejecting all bids, revising plans and specifications to reduce project scope to within budget and release for bidding with updated documents.**
10. City Standard Updates
 - a. City Engineer has been directed to begin updated the City Standards to comply with recent standards. The city standards were last updated in 2006.
 - b. Water Standard Plan update to backflow preventer started.

Respectfully Submitted

Pete Preciado, PE
Public Works and Utilities Director

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

Subject: Review, Approve and Waive First Reading of Ordinance 817 related to Commercial Vehicle Parking
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Michael Salvador, Chief of Police

I. RECOMMENDATION:

Review, Approve and Waive First Reading of Ordinance 817 related to Commercial Vehicle Parking in the City of Coalinga.

II. BACKGROUND:

This is in response to a future agenda item to clarify the status of commercial parking in the City of Coalinga. This item was tabled September 6th, 2018.

III. DISCUSSION:

The Coalinga Municipal code has several sections that deal with commercial parking in a variety of ways. First there can be no commercial vehicle parking in residential areas. Outside of the residential area restriction, a commercial vehicle over 6000 pounds can not park on the street between 9:00 pm and 6:00 am with a couple of minor exclusions. Then there is another section that prohibits parking of a commercial truck 9000 pounds or greater on a city street for longer than four hours. This ordinance is effective only if there are signs placed notifying the public of the restriction.

These ordinances are confusing and are difficult to enforce. In 2009, there was an unsuccessful attempt to pass a clarification ordinance designating areas where commercial trucks could park. Staff has done extensive research into neighboring city ordinances and is proposing a new ordinance.

Staff is recommending that the two commercial truck ordinances in Title 4 be replaced by this proposed ordinance. This ordinance consolidates the gross vehicle weight at 10,000 pounds for a commercial vehicle. It contains examples of restricted vehicles. It gives the Council the ability to designate truck parking areas. Finally it has a maximum time limit a commercial vehicle can be legally parked in a designated area.

Staff believes that this will simplify the process for commercial truck parking and give the Council the necessary flexibility needed to address needs as they come up.

IV. ALTERNATIVES:

Do not pass the ordinance

V. FISCAL IMPACT:

Minor cost to the city to acquire the proper signage to notify the public.

ATTACHMENTS:

File Name	Description
☐ ORD_817_Parking_Commerical_Vehicles_090618.pdf	Ordinance 817

ORDINANCE NO. 817

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA AMENDING SECTION 4-4.721 OF TITLE 4 OF THE COALINGA MUNICIPAL CODE RELATED TO COMMERCIAL VEHICLE PARKING

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

Section 1. Section 4-4.721 of the Coalinga Municipal Code, is hereby amended to read as follows:

4-4.721 Commercial Vehicles: Parking Restrictions

(a) For purposes of this section, "commercial vehicle" is any commercial vehicle, commercial truck and/or commercial trailer having a manufacturers gross vehicle weights rating as defined in the Vehicle Code greater than ten (10) thousand pounds but shall not include recreational vehicles. By way of example, but not limitation, a tractor and trailer(s) or single trailer exceeding the weight criteria specified are a truck.

(b) No person shall park any commercial vehicle on the streets of the city except:

1. While loading and unloading property and it is necessary to do so during the restricted hours, in such case the parking of such trucks shall not continue for ore than (60) minutes;
2. When a vehicle is parked in connection with and in aid of the performance of a service to or on a property in the block in which such vehicle is parked and additional time in excess of sixty minutes is reasonably necessary to complete such service;
3. By Council Action. By resolution the city council may designate and describe any street or portion thereof as a street the use of which is permitted for the parking, stopping, standing, or storing of any truck. In making such designation, the city council may, but is not required to, consult with the planning commission, the traffic safety committee, or such other bodies or consultants as it may deem advisable.
4. When a commercial vehicle is parked in a designated parking location for no longer than seventy-two (72) hours.

(c) Signage. The restrictions imposed by this section shall not be effective until the director of the department of public works shall have caused the placement of signs or markings as required by the California Vehicle Code at all entrances to the City to give notice to the public thereof. In addition, these restrictions shall not be effective as to state highways unless the city shall have received written authorization for such restrictions or prohibitions from the California Department of Transportation.

Section 2. This Ordinance shall take effect thirty days after its adoption.

Section 3. The City Clerk is authorized and directed to cause this ordinance or a summary of this ordinance to be published in a newspaper of general circulation published and circulated in the City of Coalinga, within 15 days after its adoption. If a summary of this ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least three days prior to the September 6, 2018 meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall become effective 30 days after its adoption.

* * * * *

The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Coalinga held on the 6th day of September 2018, and was passed and adopted at a regular meeting of the City Council held on the 20th day of September, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor Nathan Vosburg

ATTEST:

City Clerk/ Deputy City Clerk

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

Subject: Discussion and Direction Regarding Credit Card Payments Accepted by the City of Coalinga for Utility Billing Payments
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Jasmin Bains, Financial Services Director

I. RECOMMENDATION:

Staff has no recommendation. This item was requested as a Future Agenda Item by Mayor Vosburg.

II. BACKGROUND:

The City of Coalinga adopted Resolution No. 3647 on July 10, 2014 establishing a convenience fee to enable Paymentus Corporation to provide the service of credit card payments for utility billing customers.

III. DISCUSSION:

Paymentus currently provides electronic bill payment service for a fee of \$2.95 per transaction in increments of \$200.00. The convenience fee of \$2.95 is charged to the credit cardholder and collected directly by Paymentus.

The service by Paymentus allows City utility customers the convenience of making utility payments 24/7 via interactive Telephone Voice Response System and Web payments through a link from the City's website.

Since the conversion of the new accounting software it has become necessary for the City to enter into an agreement with Open Edge as they are the preferred third-party merchant for Tyler Technologies. In order for the City to take an advantage of the lower utility Visa rates the City needs to start paying for the credit card fees as part of doing business.

IV. ALTERNATIVES:

The City Council has the option of absorbing the fees associated with the acceptance of credit cards payment to be paid out of the Enterprise Funds as a cost of providing this service to the utility billing customers. Such fees will be collected as part of the user fees charged to the utility customers.

V. FISCAL IMPACT:

None.

ATTACHMENTS:

File Name

Description

No Attachments Available

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

Subject: Swearing In of Newly Elected Council Member Ray Singleton, Council Member
Ron Ramsey and Council Member Adam Adkisson
Meeting Date: January 3, 2019
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

File Name	Description
No Attachments Available	

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

Subject: Discussion, Direction and Potential Action regarding Reorganization of the City Council
Meeting Date: Thursday, January 3, 2018
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation.

II. BACKGROUND:

This item is generally placed on the agenda of the City Council meeting swearing in any new City Council Members.

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

File Name

Description

No Attachments Available

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

Subject: Recognition of the Service of City Council Member/Mayor Nathan Vosburg and City Clerk Wanda Earls
Meeting Date: Thursday, January 3, 2018
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation.

II. BACKGROUND:

This item on the agenda allows the City to recognize City Council Member/Mayor Nathan Vosburg and City Clerk Wanda Earls for the service to the City.

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

File Name

Description

No Attachments Available