

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

March 5, 2020 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 March 5, 2020 in the City Council Chambers, 155 West Durian Avenue, Coalinga, CA. Persons with disabilities who may need assistance should contact the City Clerk at least 24 hours prior to the meeting at 935-1533 x113. Anyone interested in translation services should contact the 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. Hospital Update by Hospital Board Member Bill Lewis

#### 3. CITIZEN COMMENTS

This section of the agenda allows members of the public to address the City Council on any item within the jurisdiction of the Council. 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

1. Public Hearing and Adoption of Resolution No. 3955 Approving the Submittal of a 2019/2020 Community Development Block Grant Application

#### Sean Brewer, Assistant City Manager

#### 5. CONSENT CALENDAR

- 1. Approve MINUTES March 21, 2019 (Amended)
- 2. Approve MINUTES April 4, 2019
- 3. Information on the Disposition of Former Redevelopment Agency Properties
- 4. Adopt Resolution No. 3953 of the City Council of the city of Coalinga Adopting the Annual City Investment Policy
- Authorize City Manager to Execute City Engineering Task Orders for Construction Engineering and Design Engineering for Segments 10-12 of the Coalinga Multi-Use Trail System Funded by the Congestion Mitigation Air Quality Grant Program
- 6. Authorize City Manager to Execute City Engineering Task Orders for Construction Engineering and Design Engineering for the Polk Street Rehabilitation Project (5th to Elm Ave SR198) Funded by the Surface Transportation Block Grant Program
- Adopt Resolution No. 3954 Approving a List of Projects to be Funded by SB 1: The Road Repair and Accountability Act and Further Authorizing a Budget Expense in the Amount of \$341,606.00 to Execute the List of Projects Funded by SB 1 in the 2020-2021 Fiscal Year
- 8. Review and Approval of an Expanded Scope and Updated Budget to the Sunset Street Rehabilitation Phase 1 Project and Further Authorizing the City Manager to Execute Amended City Engineering Task Orders for Design Services and Construction Engineering
- 9. Receive and File the Housing Sucessor Agency SB 341 Annual Reports for Fiscal Year 2013-2014 through 2018-2019
- Adopt Resolution No. 3956 Extending the Time Period for the Development and or Disposition of Housing Properties Transferred from the Former Coalinga Redevelopment Agency Pursuant to Health and Safety Code Section 34176.1(e)
- 11. Adopt Resolution No. 3957 Declaring Public Nuisances on Certain Properties
- 12. Approve Agreement with HdL Coren & Cone for Property Tax Audit and Information Services
- 13. Approval of MKN & Associates Water Analysis Contract
- 14. Public Works, Utilities & Community Development Monthly Report for February 2020

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

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

#### 7. ANNOUNCEMENTS

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

- 8. FUTURE AGENDA ITEMS
- 9. CLOSED SESSION (NONE)
- 10. CLOSED SESSION REPORT

**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.

#### 11. ADJOURNMENT

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

**Subject:** Public Hearing and Adoption of Resolution No. 3955 Approving the Submittal of a

2019/2020 Community Development Block Grant Application

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

**Prepared by:** Sean Brewer, Assistant City Manager

#### I. RECOMMENDATION:

Open the public hearing to accept comments on the City's proposed submittal of an application in response to the 2019/2020 State Community Development Block Grant (CDBG) Notice of Funding Availability (NOFA), and to solicit citizen input.

Adopt Resolution No. 3955 and thereby:

Review and approve an application for up to \$2,137,419 under the NOFA for the following eligible activities:

Public Improvements – Storm Drain Pipeline \$1,997,588 General Administration (up to 7.5% of activity funds awarded) \$139,831

TOTAL: \$2,137,419

Authorize and direct the City Manager or Assistant City Manager, or designees, to enter into and sign the grant agreement and any subsequent amendments with the State of California for the purposes of the grant.

If the application is approved, authorize the City Manager or Assistant City Manager, or designees, to transfer or modify budget amounts and activities as necessary to fully expend CDBG Program funds and to execute loan documents, Funds Requests, and other required reporting forms.

#### II. BACKGROUND:

CDBG Program regulations require that the City conduct a public hearing on all CDBG-related matters to provide for and encourage citizen participation, particularly by low and moderate income persons who reside in areas in which CDBG funds are used. Therefore, when the public hearing is opened, the public will be invited to comment on the City's proposed submittal of a 2019/2020 CDBG Grant application and to make their comments known on the proposed activities.

A public notice was published in the February 23, 2020, issue of the Hanford Sentinel notifying the public of this public hearing.

On January 21, 2020, HCD released a NOFA announcing the availability of CDBG Program funds of approximately \$60 million from the 2019-2020 funding allocation. Competitive applications are due on April 15, 2020 and Over-the-Counter (OTC) Application will be accepted February 14, 2020 until September 30,

Eligible activities predominantly benefit low- and moderate-income Californians and include: Housing Assistance Programs (Single-Family Homeownership Assistance, and Single-Family Housing Rehabilitation); Public Facility and Public Improvements projects (including Public Improvements in Support of New Housing Construction); Public Service programs, Planning Studies, Economic Development Business Assistance and Microenterprise activities. The City may apply for a maximum of \$3,500,000 for a maximum of six activities.

#### III. DISCUSSION:

The City proposes to apply for CDBG funds to complete construction of a major storm drain pipeline, 3510 LF (0.66 mi), along Van Ness-Washington Street beginning on the westerly side of Coalinga Street and terminating at Elm Avenue. The proposed Project alignment is in accordance with the 2005 Storm Drain Master Plan and will reduce or eliminate flooding and potential damage to existing homes and businesses from significant rain storms.

A resolution is attached for your consideration, which approves submittal of a 2019/2020 CDBG Program application for up to \$3,500,000 as follows:

Public Improvements Project – Storm Drain Pipeline	\$1,997,588
General Administration (up to 7.5% of activity funds awarded)	\$139,831

TOTAL: \$2,137,419

When the Public Hearing is opened, citizens are encouraged to ask questions and/or comment on the proposed activities/application or on any aspect of the CDBG Program. Citizens are also invited to submit written comments to the City or to review information on the City's CDBG Program at City Hall, 155 West Durian Ave., Coalinga, CA 93210. Write or contact Sean Brewer, Assistant City Manager, at the same address.

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

None at this time.

#### V. FISCAL IMPACT:

The cost for preparation of the CDBG application by Self-Help Enterprises is \$3,500.

#### ATTACHMENTS:

File Name Description

■ RESO#3955\_2020\_CDBG\_Application\_Submission\_Resolution\_030520.pdf

Resolution No. 3955 - CDBG Application

#### **RESOLUTION NO. 3955**

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2019-2020 FUNDING YEAR FOR THE STATE CDBG PROGRAM

**BE IT RESOLVED** by the City Council of the City of Coalinga as follows:

#### **SECTION 1**:

The City Council has reviewed and hereby approves one or more application(s) in the aggregate amount not to exceed \$3,500,000 for the following CDBG activities, pursuant to the January 2020 CDBG NOFA:

Public Improvement Project – Storm Drainage Pipeline

\$2,137,419

#### **SECTION 2:**

The City acknowledges compliance with state and federal public participation requirements in the development of this application.

#### **SECTION 3**:

The City hereby authorizes and directs the City Manager or Assistant City Manager, or designee, to sign this application and act on the City's behalf in all matters pertaining to this application.

#### **SECTION 4**:

If the application is approved, the City Manager or Assistant City Manager, or designee, is authorized to enter into and sign the grant agreement and any subsequent amendments thereto with the State of California for the purposes of this grant.

#### **SECTION 5**:

If the application is approved, the City Manager or Assistant City Manager, or designee, is authorized to sign Funds Requests and other required reporting forms.

The foregoing resolution was duly adopted by the City Council of the City of Coalinga at a regular meeting held on the **5th day of March 2020**, by the following vote, to wit:

AYES: NOES: ABSENT: ABSTENTION:	APPROVED:
ATTEST:	Ron Lander, Mayor
Shannon Jensen, City Clerk	

#### STATE OF CALIFORNIA

City/County of FRESNO

I, <u>SHANNON JENSEN</u>, City<del>/County</del> Clerk of the City<del>/County</del> of <u>COALINGA</u>, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council<del>/Board of Supervisors</del> on this <u>5TH</u> day of <u>MARCH</u>, 20<u>20</u>.

SHANNON JENSEN, City Clerk

City of Coalinga, State of California

## $\begin{array}{c} \textbf{STAFF REPORT-CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE} \\ \textbf{AUTHORITY} \end{array}$

Approve MINUTES - March 21, 2019 (Amended)

**Subject:** 

Me	eting Date:	March 5, 2020					
From: Marissa Trejo, City Manager							
Pre	epared by:	Shannon Jensen, City Clerk					
I.	RECOMMEN	DATION:		-			
II.	BACKGROU	ND:					
III.	DISCUSSIO	N:					
IV.	ALTERNATI	VES:					
V.	FISCAL IMPA	ACT:					
AT	TACHMENTS:						
	File Name		Descript	ion			
D	MINUTES_AMENDE	D_032119_For_ReviewApproval_030520.pdf	_	March 5, 2019 (Amended)			

# Minutes AMENDED CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA March 21, 2019

#### 1. CALL TO ORDER 6:00PM

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

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

Council Members Absent: None

Motion by Ramsey, Second by Singleton to Approve the Agenda for Meeting of March 21, 2019. Motion **Approved** by a 5/0 Majority Voice Vote.

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

1. Employee of the Month for March 2019, Maintenance Worker I Raymond Cabral-Perez

Public Works and Utilities Director Pete Preciado gave a brief speech and awarded Maintenance Worker I Raymond Cabral-Perez with a certificate for Employee of the Month for March 2019.

2. Swearing in of Interim Chief of Police, Darren Blevins

Mayor Lander gave a brief speech and swore-in Darren Blevins as Interim Chief of Police. Mr. Blevins gave a brief speech and thanked the City Council for opportunity.

3. Swearing in of Interim Police Lieutenant Sean Young

Interim Police Chief Darren Blevins gave a brief speech and swore-in Sean Young as Interim Police Lieutenant. Mr. Young gave a brief speech and thanked the City Council for opportunity.

4. Recognition of Coalinga Police Department Officer of the Year, Francisco Ybarra

Interim Police Chief Darren Blevins gave a brief speech and awarded Police Officer Francisco Ybarra with a certificate for Coalinga Police Department Officer of the Year.

5. Recognition of Coalinga Police Department Non-Sworn Employee of the Year, Vanesa Gonzales

Interim Police Chief Darren Blevins gave a brief speech and awarded Vanesa Gonzales with a certificate for Coalinga Police Department Non-Sworn Employee of the Year.

- 6. Swearing in of Michele Helmar to the Planning Commission
- 7. Swearing in of James Jacobs to the Planning Commission

Mayor Lander gave a brief speech and swore-in Michele Helmar and James Jacobs as Planning Commissioners.

8. Recognition of Coalinga High School Wrestling Team for Making it to State Finals

Mayor Lander gave a brief speech and awarded certificates of recognition to Wyatt Bedrosian and Mariah Limon for making the 2018-2019 CIF State Championship. Ms. Noelina Medina was not in attendance.

Mayor Lander called for a 10-minute break at 6:14 PM. The meeting was reconvened at 6:24 PM.

9. Presentation by the Fresno Area Hispanic Foundation - Coalinga Business Revolving Loan Fund

Yeny Olivares, Chief Operating Officer of the Fresno Area Hispanic Foundation, gave a brief speech presenting the Coalinga Revolving Loan Fund which is funded by the Department of Commerce Economic Development Administration. Ms. Olivares looks forward to working with the City of Coalinga to continue to bring program resources to the local small businesses of Coalinga.

#### 3. CITIZEN COMMENTS

Mayor Lander requested the City Attorney explain the recent change to the verbiage of the Citizen Comments section of the agenda.

City Attorney Mario Zamora stated the Citizen Comment language previously used had not been incorrect, only that the change reflected a different way of allowing comments, which is still in line with the requirements of the Brown Act. With this change, citizens can comment on any item on the agenda during the Citizen Comments section. The Mayor runs the meeting and he will maintain discretion to allow additional comments on any particular items as he sees fit. The change is being made now because it was brought up by a citizen.

Mr. Nathan Vosburg stated he is not in favor of the change, believing the change would require an amendment to the Council's Code of Conduct and should be based off a vote of the Council. Mr. Vosburg is in favor of Item No. 5.8 and hopes the Council continues with the program. Referencing Item No. 6.1, Mr. Vosburg stated he agrees food trucks are over regulated and suggests food truck vendors partner with a private business to operate on their private property. Mr. Vosburg is also in favor of the City using Facebook Live to broadcast the City Council meetings as stated in Item No. 6.2. Mr. Vosburg went on to comment that City Council Members are commenting on Facebook about Closed Session Items and requests that the issue be investigated.

Mary Jones began asking questions about the regulation of street vendors.

City Attorney Mario Zamora clarified that the item being questioned was under Public Hearings and she would have an opportunity to comment specifically at that time.

Mary Jones requested information on the Committees that were set up, stating concern the public isn't being notified when meetings will be held.

Mr. Mathew Apple, aka John Sunlight, voiced his agreeance of Mr. Vosburg's comments on the changes to the Citizen Comments section of the agenda. Mr. Apple went on to thank the City Manager for speaking to the public about the utility billing issues, however he is concerned for how it is affecting the citizens.

Robin Scott agrees with Mr. Vosburg's comments regarding Council Member's comments regarding Closed Session items. Ms. Scott provided a copy of screen a shot of Facebook comments to the members of the City Council.

Mayor Lander requested Ms. Scott refrain from speaking any further on Closed Session items.

#### 4. PUBLIC HEARINGS

 Introduce and Waive the First Reading of Ordinance No. 827 Amending the Planning and Zoning Code Related to Regulating Street Vendors (Zoning Text Amendment Application ZTA 19-01)
 Sean Brewer, Community Development Director

Community Development Director Sean Brewer gave a brief overview of the item.

Mary Jones asked if pedal driven carts are allowed on sidewalks?

Mr. Brewer stated Ms. Jones is correct. That type of designation will be classified as a mobile vendor and they will have a different process to adhere by.

Ms. Jones asked for clarification regarding number 7 of Section 5, only vendors selling food would be required to have a food permit?

Mr. Brewer answered that was correct, it would only be required when applicable.

Mr. Nathan Vosburg stated that he attended the Planning Commission meeting when this item was discussed, he is in favor of approval.

Motion by Stolz, Second by Singleton to Approve the First Reading of Ordinance No. 827 Amending the Planning and Zoning Code Related to Regulating Street Vendors (Zoning Text Amendment Application ZTA 19-01) as Amended to Reflect the Removal of Pedal Driven Carts. Motion **Approved** by a Roll-call 5/0 Majority Vote.

#### 5. CONSENT CALENDAR

- 1. Approve MINUTES February 7, 2019 (Amended)
- 2. Introduce and Waive First Reading of Ordinance No. 828 Amending the Coalinga Municipal Code Related to Bicycles and Wheeled Toys
- 3. Approval of Resolution No. 3891 Authorizing the Submission of the 2018 General Plan Progress Report and Housing Report to the Governor's Office of Planning and Research in Accordance with Government Code Section 65400(b)(1)
- 4. Approval of the City of Coalinga Military/Veteran's Banner Program

Councilwoman Stolz pulled Item no. 5.4.

Councilwoman Stolz is in favor of the program, however she voiced concern of deficit spending on an unbudgeted program. She asked about fundraising for the program. Ms. Stolz went on to question the proof of residency requirements, stating applicants must provide a city utility bill and a PG&E bill. This could pose an issue for veterans who reside in an apartment or if they are living with another person who has the city utility bill in their name. She suggested there be other acceptable forms for proof of residency.

Mayor Pro-Tem Ramsey stated he had a fundraising letter to send out asking for donations, but he had been waiting to see if the item was approved at tonight's meeting before doing so.

Councilwoman Stolz stated the letter covered the cost of the hardware and she was referring to the money spent to cover banners for veterans that were killed in action.

Councilman Adkisson stated \$600 for a veteran killed in the line of duty is not that much to ask the City to pay.

Mayor Pro-Tem Ramsey confirmed the fundraising letter does include donations for banners of those who died in combat.

Mayor Lander read a copy of the donation letter.

Mayor Pro-Tem Ramsey asked City Manager Marissa Trejo for clarification regarding the families being able to submit the banner for reuse after being up for the original period as long as there was room for them.

City Manager Marissa Trejo stated that would be up to the Council. The original plan was not to reuse them multiple times as they will eventually become damaged by the weather, generally a new banner would be purchased.

Mayor Pro-Tem Ramsey requested a stipulation be added so banners could be reused if not badly damaged.

Ms. Stolz stated we have 69 poles available, but we are only buying brackets for 40.

Ms. Trejo clarified that all 69 poles are not likely to be utilized because there are other banners that go up for various events in town.

Councilman Adkisson remarked that he agreed with Mayor Pro-Tem Ramsey and would like to reuse the banners if possible.

Councilwoman Stolz asked for clarification, would the City be covering the \$671.20 cost or would be covered by donations?

City Manager Trejo stated donations will be requested, however if the was not enough money raised then the City would cover the cost up to \$671.20.

Motion by Adkisson, Second by Singleton to Approve the Consent Calendar Item No. 5.4 and to include a stipulation that the banners can be reused when possible. Motion **Approved** by a Roll-call 5/0 Majority Vote.

- 5. Status Update on FY 19 Goals and Objectives
- 6. FY 18-19 Budget Report July 2018 to December 2018
- 7. Cannabis Related Revenue Update-Year to Date Fiscal Year 2019
- 8. Approval to Waive Business License Fees for New Businesses for a Period of One Year
- 9. Authorize the Purchase of Bomag Asphalt Compactor from United Rentals

- 10. Approval of Resolution No. 3892 Authorizing an Agreement with the USBR to Purchase Discounted Water Supply
- 11. Approval of the City of Coalinga Establishing itself as a Groundwater Sustainability Agency (GSA) under the Sustainable Groundwater Management Act (SGMA)
- 12. Authorize Mike Wilson Construction to Install Bypass Valves at the Wastewater Treatment Plant

Motion by Ramsey, Second by Stolz to Approve the Consent Calendar Item Nos. 5.1 through 5.3 and 5.5 through 5.12. Motion **Approved** by a Roll-call 5/0 Majority Vote.

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

 Direction from the City Council Regarding the Development of a Food Truck Regulatory Ordinance Sean Brewer, Community Development Director

City Manager Marissa Trejo commented that she believed the concerns addressed are with the location because the other standards are basic. She suggested staff draft operational standards that include the vendor's ability to be on private property in non-residential areas, not just limited to the city-owned public parking lot and bring that back for Council's consideration.

Consensus of the Council is for Staff to make the recommended changes and bring the item back for Council's consideration.

2. Council Discussion and Potential Action Regarding Having City Council Meetings Broadcasted Via Facebook Live

Sean Brewer, Community Development Director

Community Development Director Sean Brewer gave a brief overview of the item.

Councilman Adkisson stated many cities are using Facebook Live for their Meeting, believing social media is the future and the Facebook Live option is cheap.

Councilwoman Stolz asked if staff researched utilizing a YouTube channel?

Mr. Brewer stated staff had not spent too many resources researching. There are several other options available, however this was a future agenda item requested by Councilman Adkisson and was merely meant to open the discussion.

Councilwoman Stolz recalled Council's discussion about the new website and the ability to stream-live with it.

Mr. Brewer stated there was is no capability, but there are streaming services available that could be integrated into our site to stream live, however there are costs associated with that operation.

Mayor Lander suggested staff research other avenues and asked how the Council would like to proceed.

Councilman Adkisson would like to see several other options.

Mayor Lander mentioned Mr. Vosburg is very knowledgeable about the options and asked if he would like to speak on the matter.

Mr. Vosburg agrees with Mayor Lander, the Council should look at all the options available. The goal is not to replace what we are currently doing because we want to maintain the archive.

Mayor Pro-Tem Ramsey asked Mr. Vosburg is YouTube live?

Mr. Vosburg answered that they do have a live version of YouTube.

City Attorney Mario Zamora commented that his firm is currently putting together a presentation for some school districts and while going over data for social media found people our age and older are using Facebook, everyone younger is using other things. The one thing that seems to be universal is YouTube. He said 85% of people on social media are using YouTube, regardless of aga.

Consensus of the Council is for Staff to research all available options and bring the item back for Council's consideration.

3. Discussion, Direction and Potential Action regarding FY 20 Goals and Objectives and General Direction regarding FY 20 Budget Preparation

Marissa Trejo, City Manager

City Manager Marissa Trejo gave a brief overview of the item. Explaining that like last year, the admin team met and developed a set of proposed goals and objectives. These goals and objectives would be used to form next year's budget. We plan to have a budget workshop at 4PM prior to the April 4th City Council Meeting to go over the proposed operational portions of the budget.

Mayor Lander stressed the proposed budget workshop is not only for the Council but is also very important for the public to attend.

Consensus of the Council is for Staff to move forward with drafting their operational budgets based on the goals and objectives presented by staff and to schedule a 4PM budget workshop on April 4th.

4. Introduce and Waive the First Reading of Ordinance No. 829 Adding Prohibitions of the Use of Vehicles for Human Habitation

Sean Brewer, Community Development Director

Community Development Director Sean Brewer gave a brief overview of the item. Mr. Brewer explained staff realized there was nothing in the current code to enforce the issue after receiving multiple complaints of people living in recreational vehicles for extended periods of time.

Councilman Adkisson asked if his father wanted to visit for two weeks and stay in his RV on my driveway could he do that?

Mr. Brewer answered, the way the ordinance is written, he would only be able to stay in the RV for 72 hours.

Councilman Adkisson asked, even if the RV is on my property?

Mr. Brewer stated it would be based on the timeframe the Council wants to establish.

Mayor Pro-Tem Ramsey asked if the Chief of Police could give discretion on that?

Mr. Brewer replied, it could be added to the ordinance.

Mayor Lander believes there should be an exception for such cases and agrees that the Chief of Police could maintain that discretion.

Mr. Brewer suggested being clear that recreational vehicles would need to be on private property and not parked on the street.

Mayor Pro-Tem Ramsey voiced some concern with implications of allowing it for extended period of times, stating you could have someone who wanted to hook up to the sewer and water system and then it is basically like any other house. He believes the extended period should be limited, as 6 months would be too long.

Councilwoman Stolz asked the City Attorney what would happen if the extension is abused, how could we rectify the situation?

Mr. Zamora stated staff would need to create criteria and apply it each time an extension is granted. From a legal perspective he would prefer to the see the Council make the decision to allow it on private property two weeks or whatever timeframe instead of using individual discretion.

Councilwoman Stolz asked what happens when the two weeks is up, and the person is still living in the RV?

Mr. Zamora stated it would become a code enforcement issue and in the extreme, the City could get an order to have the persons removed.

Mayor Pro-Tem Ramsey asked if we would require the vehicle to be behind a fence?

Mr. Brewer indicated the vehicle would need to be legally parked on private property.

Motion by Adkisson, Second by Singleton to Approve the First Reading of Ordinance No. 829 Adding Prohibitions of the Use of Vehicles for Human Habitation with a Two-Week Stipulation on Private Property. Motion **Approved** by a Roll-call 5/0 Majority Vote.

5. Discussion, Direction and Potential Action regarding allowing Temporary Hangar Structures at the New Coalinga Municipal Airport

Mercedes Garcia, Senior Administrative Analyst

Administrative Analysis Mercedes Garcia gave a brief overview of the item.

Councilwoman Stolz asked if we had a lot of land around the airport?

Ms. Garcia confirmed there is additional land, however we do not have the funding to add additional hangers at this time.

Mayor Lander is interested in the cost factors associated with adding additional hanger space. What would be the cost factors, what would the rent be, what is the overall feasibility of study

Councilwoman Stolz asked if we have a waitlist?

Ms. Garcia confirmed staff does maintain a waitlist for available hanger space. The hangers that have been leased are long time tenants, however when a space becomes available staff utilizes the list to fill the vacancy.

Councilwoman Stolz suggested we could look into a grant to assist with the costs.

Ms. Garcia explained the FAA does not provide grant funds for the development of hanger space; the expense would be covered by the City. Just a few years ago the City paid off the bond for the cost of the current hangers.

City Attorney Mario Zamora mentioned one alternative would be to include the cost of the temporary hanger in the hanger rent until the City was able to recoup the money.

Mr. Peter Banos mentioned he was aware of one type of hanger that costs about \$5,000, but he is not sure if it is still available. He is aware of other options; however, they may be too large. Mr. Banos said he has found there are 6 aircraft currently registered at the Coalinga airport and 11 aircraft overall registered in the City of Coalinga, two of which are at the Harris Ranch airport. He expressed concern over the current use of hangers and said the hangers should be used for aircraft that are being actively used. He suggested the City perform inspections to make sure they are being used properly for aviation use as other cities do.

Consensus of the Council is for Staff to further investigate the costs associated with allowing temporary hanger structures at the airport and bring back the item for Council's consideration.

6. Discussion, Direction and Potential Action Regarding the Appointment of Three Committee Members to the Committee of Employee Appeals

Marissa Trejo, City Manager

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

Motion by Stolz, Second by Ramsey to Appoint Jeff McCloud and Linda Clark to Fill the Vacancies on the Committee for Employee Appeals. Motion **Approved** by a Roll-call 5/0 Majority Vote.

#### 7. ANNOUNCEMENTS

#### City Manager's Announcements:

Mrs. Trejo reminded the Council and the public that we would have a Budget Workshop at 4PM on April 4, 2019.

#### Council Member's Announcements:

None

#### Mayor's Announcements:

None

#### FUTURE AGENDA ITEMS

Councilman Adkisson asked if we had an ordinance to inspect the airport hangers to verify that they are being used for aeronautical purposes?

Ms. Garcia stated we do not have an ordinance, however the right to inspect is built into the lease agreement.

#### 9. CLOSED SESSION

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

NEGOTIATING PARTIES: Walid Saif Muharram. UNDER NEGOTIATION: Price and Terms of Payment

- 2. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION. Government Code Section 54956.9(d)(1). Name of Case: City of Coalinga v. Gregory Cody, Fresno County Superior Court Case No. 18CECG04425
- 3. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION. Government Code Section 54956.9(d)(1). Name of Case: Adam Adkisson v. Gregory Cody, Fresno County Superior Court Case No. 18CECG04424

Mayor Lander recused himself from the discussion related to Closed Session Item No. 9.1.
10. CLOSED SESSION REPORT
None
11. ADJOURNMENT 7:58PM
Ron Lander, Mayor
Shannon Jensen, City Clerk

Date

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

Sul	bject:	Approve MINUTES - April 4, 2019	
Me	Meeting Date: March 5, 2020		
Fre	From: Marissa Trejo, City Manager		
Pro	epared by:	Shannon Jensen, City Clerk	
I.	RECOMMEN	DATION:	
II.	BACKGROU	ND:	
III.	DISCUSSION	<b>N</b> :	
IV.	ALTERNATIV	VES:	
V.	FISCAL IMPA	ACT:	
AT	TACHMENTS:		
	File Name		Description
D	MINUTES_040419_	For_ReviewApproval_030520.pdf	Minutes - April 4, 2019

## Minutes CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA April 4, 2019

#### 1. CALL TO ORDER 6:00PM

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

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

Council Members Absent: None

Motion by Ramsey, Second by Stolz to Move Awards, Presentations, Appointments and Proclamations Item No. 2.1 to the April 25, 2019 Council Meeting and Approve the Agenda for Meeting of April 4, 2019. Motion **Approved** by a 5/0 Majority Voice Vote.

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

1. Community Development Quarterly Department Presentation

Awards, Presentations, Appointments and Proclamations Item No. 2.1 was moved to the April 4, 2019 Council Meeting.

#### 3. CITIZEN COMMENTS

Mr. Scott Netherton expressed his displeasure regarding the Council Members' comments about other Council Members and city volunteers on Facebook. He reminded the Council they hold those seats to better our community and urged the Council to stay off social media.

Ms. Mary Jones commented about the County of Fresno recent decision to discontinue using Los Gatos Creek County Park as a park and instead using it for cattle grazing. The only portion remaining from the park is the picnic grounds. She is very displeased with their decision and requests the Council's help to keep it a park for the residents of Coalinga.

Mr. Nathan Vosburg commented about the cupcake truck in town today. He really enjoyed it and it sold out. He hopes more food trucks come. Mr. Vosburg commented on the homeless situation and urged the Council to contact the City of Mendota about tents used for the homeless. Mr. Vosburg agreed with Ms. Mary Jones about the closure of Los Gatos Creek County Park and again urged the Council to reach out to the County.

Mayor Lander mentioned he left a message today with Buddy Mendes of the Fresno County Board of Supervisors to discuss the park closure.

Ms. Melanie Vargas agrees with Mr. Scott Netherton about the negative comments seen on Facebook. Ms. Vargas went on to say she came tonight to thank Justin Milligan of the Fire Department for his help with her daughter's third degree burns a couple of weeks ago and more recently with the amputation of her leg.

Fire Chief Dwayne Gabriel thanked Ms. Vargas and said he would pass her thanks to Mr. Milligan.

Ms. Vargas went on to thank City Manager Marissa Trejo for always being there for her. You always go above and beyond. She thanked Councilman Adkisson for his encouragement to attend tonight's meeting. Ms. Vargas also thanked Mayor Lander for giving her boys a place to go.

Ms. Amanda Sparks invited the community to attend Coalinga's 12 Step Recovery Speaker Jam. There will be several speakers from different organizations from around the state of California in attendance. It will be this Saturday, April 6, 2019 at Frame Park and will begin at 11am and is set to end at 6pm. Ms. Sparks also commented about the negativity on Facebook and expressed displeasure of her councilmember's involvement.

Matthew Apple, aka John Sunlight, voiced concern over a Council Member abusing their power and harassing an individual and asked if the issue was being investigated? He asked how is it possible for a Council Members to be involved in both sides of case against a citizen of the community and if this was a conflict of interest? Mr. Matthew commented about allegations of a Council Member leaking information from Closed Session and asked if this was being investigated? He remarked that all these concerns involve one Council Member and asked if the rest of Council was in favor or opposed to their actions. If opposed, would the Council denounce that member's actions? If the allegations were found to be true, would the Council force the Council Member to vacate their seat? If that cannot be done, will the Council support a recall?

Mayor Lander stated the Council is aware of the situation and urges those concerned to reach out to the City Attorney.

Ms. Deanna Lander announced the Coalinga Women's Club Annual Flower Show will be held on April 18, 2019 from 11am to 1pm. Lunch will be served. There will be flowers, artwork, place settings and a raffle with proceeds going toward Camp Yeager.

Councilman Adkisson asked about the cost to attend?

Ms. Lander stated there is no cost to view the followers, however it is \$10 for lunch.

City Manager Marissa Trejo stated the event is being advertised on the Community Pride Sign.

#### 4. PUBLIC HEARINGS (NONE)

#### 5. CONSENT CALENDAR

- 1. City Council Resolution No. 3894 Approving a List of Projects to be Funded by SB 1: The Road Repair and Accountability Act and Further Authorizing a Budget Expense in the Amount of \$320,916 to Execute the List of Projects Funded by SB 1 in the 2019-2020 Fiscal Year
- 2. Rejection of Claim for Damages Presented by Sean Peters

Councilwoman Stolz pulled Item no. 5.2.

Councilwoman Stolz expressed concern over allegations of a child being exploited and asked how many people on the dais have minor children or grandchildren? She urged the Council to consider this when voting.

Councilman Adkisson asked if the claim had been denied by the insurance company.

City Attorney Mario Zamora stated it is not at that point yet. At this point the Council is being asked to accept or reject the claim.

Councilman Adkisson read a post about the agenda item and then referred to a section of the Council's Code of Conduct.

Motion by Adkisson, Second by Ramsey to Approve the Consent Calendar Item No. 5.2. **Approved** by a Roll-call 4/0 Majority Vote. (Stolz Voted "No")

- 3. Waive Second Reading and Adopt Ordinance No. 827 Amending the Planning and Zoning Code Related to Regulating Street Vendors (Zoning Text Amendment Application ZTA 19-01)
- 4. Waive Second Reading and Adopt Ordinance No. 828 Amending the Coalinga Municipal Code Related to Bicycles and Wheeled Toys
- 5. Waive the Second Reading and Adopt Ordinance No. 829 Adding Prohibitions of the Use of Vehicles for Human Habitation
- 6. Declare Old Police Computer Equipment and Department Property as Surplus
- Approval of an Adjustment of Fees between the City of Coalinga and Tri City Engineering, Inc. for City Engineer Services
- 8. Approve the Coalinga Annex of the Fresno County Multi-Hazard Mitigation Plan
- 9. Fire Department Report January 2019
- 10. Fire Department Report February 2019
- 11. Police Department Monthly Report
- 12. Public Works & Utilities Monthly Report for March 2019

Motion by Adkisson, Second by Ramsey to Approve the Consent Calendar Item Nos. 5.1 and 5.3 through 5.12. **Approved** by a Roll-call 5/0 Majority Vote.

#### 6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS (NONE)

#### 7. ANNOUNCEMENTS

#### <u>City Manager's Announcements:</u>

None

#### Council Member's Announcements:

Mayor Lander urged everyone to come together and put our issues aside so we can start taking care of our community again.

Mayor's Announcements:			
None			
8. FUTURE AGENDA ITEMS			
Councilman Adkisson requested we send Supervisor Buddy Mendes a resolution condemning the Los Gatos Creek County Park issue.			
Mayor Lander suggested the City Attorney draft a letter to be signed by him.			
Mayor Pro-Tem Ramsey suggested the letter include all the Council Member's signatures.			
City Attorney Mario Zamora stated that the letter would need to come back to the Council for approval if it included all the Council Member's signatures.			
Mayor Lander suggested the letter be prepared on behalf of the Council and then signed by him.			
Councilman Adkisson voiced concerned with things going on with the Council and requested that Councilwoman Stolz be censured indefinitely or until the time she no longer demonstrates the alleged actions. With the Future Agenda Item for the censure he requests Councilwoman Stolz' travel budget be taken away and she be taken off any committees.			
9. CLOSED SESSION (NONE)			
10. CLOSED SESSION REPORT			
None			
11. ADJOURNMENT 6:36PM			
Ron Lander, Mayor			

Shannon Jensen, City Clerk

Date

## $\begin{array}{c} \textbf{STAFF REPORT-CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE} \\ \textbf{AUTHORITY} \end{array}$

Information on the Disposition of Former Redevelopment Agency Properties

**Subject:** 

Me	eeting Date:	March 5, 2020	
Fre	om:	Marissa Trejo, City Manager	
Pro	epared by:	Marissa Trejo, City Manager	
 I.	RECOMMEN	DATION:	
	ere is no staff reco yor Lander.	mmendation. This item is informational and was requested as a Futur	re Agency Item by
II.	BACKGROU	ND:	
III.	DISCUSSIO	N:	
IV.	ALTERNATI	VES:	
V.	FISCAL IMPA	ACT:	
AT	TACHMENTS:		
	File Name		Description
D	PROPERTIES_APPR	OVED_FOR_SALE_BY_SUCCESSOR_AGENCY_Update_for_Council_030520.pdf	RDA Property List

PROPERTIES TO BE SOLD BY SUCCESSOR AGENCY					
PROPERTY	APN	STATUS			
Old Dairy (Property 12)	071-084-01	Currently in Escrow			
aka Church of Christ	071-084-02	2/20/20 Extended the Close of Escrow to:			
SW Corner of Elm & Cherry	071-084-03	3/2/20			
	071-084-21	(Proposed strip-mall)			
	071-084-06				
Old Caltrans Yard & Old Vet's Office (Property No. 13)	071-162-01	Currently in Escrow			
SE Corner of Elm & Walnut	071-162-02	12/2/19 Extended Close of Escrow to:			
		12/31/20			
		(Proposed Senior Apartment Project)			
Octagon House (Property No. 14)	072-124-07	SOLD – Feb 2016			
Cottagon House (Hoperty Ho. 11)	0,2 22 1 0,	(\$57,250)			
Coalinga Motel (Property No. 15)	072-127-05	SOLD – January 29, 2019			
aka the Old McCabe Property	072-127-06	(\$200,000)			
SE Corner of Elm & 5th	072-127-07	Future site of Family Dollar			
	072-127-08				
Old Thrift Store (Property No. 16)	072-124-18	SOLD – Feb 2016			
old Tilline Store (Froperty No. 10)	072-124-19	(\$195,000)			
Lots Across from Ron's Barber Shop (Property No. 17)	072-131-06	Property Listed for Sale			
	072-131-07	3/01/20 – Escrow Cancelled by Buyer			
	072-131-08	No other interested Buyer(s) at this time			
Portion of Old Pacific Rail Road (Property No. 18)	072-222-02	Property Listed for Sale			
Just behind West Side Construction (Randy Oxborrow)		No Recent Interest			
off of Forest					
Juniper Ridge Industrial Park (Property No. 19)	083-280-10	SOLD – March 2017			
Lot#1		(\$550,000)			
Luninar Bidge Industrial Park (Property No. 10)	083-280-11	SOLD May 2017			
Juniper Ridge Industrial Park (Property No. 19) Lot#2	083-280-11	SOLD – May 2017			
LOUHZ		(\$500,000)			
Juniper Ridge Industrial Park (Property No. 19)	083-280-12	SOLD – Feb 2017			
Lot#3		(\$420,000)			
Juniper Ridge Industrial Park (Property No. 19)	083-280-13	SOLD – March 2017			
Lot#4		(\$420,000)			
Lunio au Ridea la dustrial Rault (Rusus arts No. 40)	002 200 44				
Juniper Ridge Industrial Park (Property No. 19) Lot#5	083-280-14				
LOU#3		SOLD – May 2018			
Juniper Ridge Industrial Park (Property No. 19)	083-280-15	(\$608,400)			
Lot#6					
Juniper Ridge Industrial Park (Property No. 19)	083-280-16	SOLD – Aug 2016			
Lot#7		(\$200,000)			
	002 200 40				
Juniper Ridge Industrial Park (Property No. 19) Lot#8	083-280-18				
LU(#O					
Juniper Ridge Industrial Park (Property No. 19)	083-280-20	SOLD – April 2018			
Lot#9		(\$1,400,000)			
Juniper Ridge Industrial Park (Property No. 19)	083-280-21				
Lot#10	355 250 21				

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

**Subject:** Adopt Resolution No. 3953 of the City Council of the city of Coalinga Adopting

the Annual City Investment Policy

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

Prepared by: Jasmin Bains, Financial Services Director

#### I. RECOMMENDATION:

Financial Services Director recommends the City Council Adopt Resolution No. 3953 approving the annual submittal of the City's Investment Policy.

#### II. BACKGROUND:

Government Code Section 53646(a) requires that a public entity's investment policy be reviewed annually by the governing body or an investment committee. An investment policy should identify the parameters of the investment function with the primary objectives being safety, liquidity and yield, in that order.

#### Portfolio Monitoring & Compliance

The Government Finance Officers Association (GFOA) recommends that an agency's investment policy explicitly require periodic reporting. Consistent with GFOA best practices, the Financial Services Department will continue to prepare quarterly summary investment reports within 45 days after the close of each quarter, with an Annual Investment Report prepared and filed within 60 days of year end. Quarterly and annual reports have been, and will continue to be, presented to City Council as an informational item. The City's Financial Services Director is identified in the attached resolution as authorized to invest funds and otherwise do all things necessary to implement the Investment Policy.

#### III. DISCUSSION:

All financial investment instruments are constantly monitored and assessed for safety, liquidity and yield. The City's idle funds have historically been in principal safe investments that protect its pooled cash, such as money market accounts, rolling Certificates of Deposit through Multi-Bank Securities in various FDIC insured accounts, the State of California's Local Agency Investment Fund (LAIF), Union Bank. Adoption of this annual policy will allow staff to continue to ensure continued compliance, safety of principal, sufficient portfolio liquidity, and an acceptable yield for the City's idle cash balances.

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

None.

#### V. FISCAL IMPACT:

None.

#### ATTACHMENTS:

File Name

- RESO#3953\_Adopting\_of\_the\_Investment\_Policy\_030520.pdf
- Investment\_Policy\_-\_MUZ.pdf

#### Description

Resolution No. 3953 Adopting of the Investment Policy Investment Policy

#### **RESOLUTION NO 3953**

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA ADOPTING THE ANNUAL CITY OF COALINGA STATEMENT OF INVESTMENT POLICY

**WHEREAS**, the authority governing investments for California local agencies is set forth in the California Government Code, Sections 53601 et. seq.

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

- 1. Pursuant to Government Code Sections 53601 et. seq., the City of Coalinga City Council hereby authorizes and directs the City Manager or the Financial Services Director to invest funds not required for the immediate necessities of the City in accordance with the attached Statement of Investment Policy which is hereby adopted and incorporated by reference as **Exhibit "A".**
- 2. The City Treasurer/Finance Officer (Assistant City Manager) is hereby directed and authorized to do all things necessary to implement said Statement of Investment Policy.

This foregoing resolution was duly passed, approved and adopted by the City Council of the City of Coalinga this **5th day of March, 2020**, by the following vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	APPROVED:
	Ron Lander, Mayor
ATTEST:	
Shannon Jensen, City Clerk	

#### CITY OF COALINGA STATEMENT OF INVESTMENT POLICY

#### **PURPOSE**

This Statement is intended to provide guidelines for the prudent investment of the City's temporary idle cash and outline the policies for maximizing the efficiency of the City's cash management system. The ultimate goal is to enhance the economic status of the City while protecting its pooled cash.

#### **OBJECTIVE**

The City's cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to obtain the highest yield obtainable as long as the investments meet the criteria established for safety and liquidity.

#### POLICY

The City of Coalinga operates its temporary pooled idle cash investments under the prudent investor rule as generally described in California Probate Code section 16045, et. seq. The prudent man rule states, in essence, that "in investing ... property for the benefit of another, a trustee shall exercise the judgment and care, under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs ...". This affords the City a broad spectrum of investment opportunities as long as the investment is deemed prudent and is allowable under current legislation of the State of California. Government Code (Section 53601) restricts the City from purchasing investment securities with a maturity length greater than five years unless prior legislative approval is given.

Investments may be made in the following media and as specifically outlined under Government Code Section 53601:

- U.S. Treasury issues
- Federal Agency issues
- Registered warrants, treasury notes, or bonds of this state, or treasury notes or bonds of any other state
- Bonds, Notes
- Commercial Paper
- Bankers Acceptances
- Certificates of Deposits
- Repurchase Agreements and Reverse Repurchase Agreements
- Local Agency Invest Fund Demand Deposits (State Pool)
- Passbook Savings Account Demand Deposits

Criteria for selecting investments and the order of priority are:

- 1. <u>Safety</u>. The safety and risk associated with an investment refers to the potential loss of principal, interest or a combination of these amounts. The City only operates in those investments that are considered very safe.
- 2. <u>Liquidity</u>. This refers to the ability to "cash in" at any moment in time with a minimal chance of losing some portion of principal or interest. Liquidity is an important investment quality especially when the need for unexpected funds occurs occasionally.
- 3. <u>Yield</u>. Yield is the potential dollar earnings an investment can provide, and sometimes is described as the rate of return.

<u>Safekeeping</u>. If a physical copy of a security is obtained by the City, securities purchased from brokers/dealers shall be held in third party safekeeping by the trust department of the local agency's bank or other designated third-party trust, in local agency's name and control, whenever possible.

<u>Investment Objective</u>. The cash management system of the City of Coalinga is designed to accurately monitor and forecast expenditures and revenues, thus insuring the investment of monies to the fullest extent possible. Attempts to obtain highest interest yields possible as long as investments meet the criteria required for safety and liquidity. The City strives to maintain the level of investment of all idle funds as near 100% as possible, through daily and projected cash flow determinations. Idle cash management and investment transactions are the responsibility of the City Treasurer/Finance Officer (Assistant City Manager).

<u>Prudence.</u> As it pertains to its pooled cash investments, the City adheres to the guidance provided by the "prudent investor standard," as set forth in Government Code section 53600.3, which specifically addresses public investing, as follows:

"Except as provided in subdivision (a) of Section 27000.3, all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law".

The basic premise underlying the City's investment philosophy is, and will continue to be, to ensure that money is always safe and available when needed.

<u>Public Trust.</u> All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measured losses are inevitable and must be considered within the context of the overall portfolio investment return, provided that adequate diversification has been implemented.

Ethics and Conflicts of Interest. Employees and officials involved in the investment process shall refrain from personal business activities that create a conflict of interest or the appearance of a conflict with proper execution of the investment program or impairs their ability to make impartial investment decisions. The City Council, or City Manager in the case of Employees, may choose to take action through the City Attorney, to address any conflicts which may arise, should the employee or official fail to avoid or recuse themselves in the case of such conflicts.

Reporting. Consistent with industry best practices, the City Treasurer/Finance Officer will prepare quarterly summary investment reports within 45 days after the close of each quarter, with an Annual Investment Report prepared and filed within 60 days of year end. Quarterly and annual reports will be presented to City Council as a Receive, Review and File item.

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

**Subject:** Authorize City Manager to Execute City Engineering Task Orders for Construction

Engineering and Design Engineering for Segments 10-12 of the Coalinga Multi-Use Trail System Funded by the Congestion Mitigation Air Quality Grant Program

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

**Prepared by:** Sean Brewer, Assistant City Manager

#### I. RECOMMENDATION:

Council Authorization for the City Manager to Execute City Engineering Task Orders for Construction Engineering and Design Engineering Services for Segments 10-12 of the Coalinga Multi-Use Trail System Funded by the Congestion Mitigation Air Quality Grant Program

#### II. BACKGROUND:

In 2018 the City of Coalinga received a grant award notification through the Congestion Mitigation Air Quality (CMAQ) grant program in the amount of \$741,000 to design and construct segments 10-12 of the multi-use trail system. Segments 10-12 cover Monterey from Lucille Ave to Cambridge Ave.

#### III. DISCUSSION:

Attached are the work orders for design engineering and construction engineering from the City Engineer for the design and construction support of segments 10-12 of trail plan. Once approved by the City Council, the City Engineer will begin immediately on surveying and design in order to proceed with this project expeditiously.

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

• Do not approve the work orders and authorize the City Manager to execute said work orders as requested by Staff and direct staff accordingly- this is not recommended

#### V. FISCAL IMPACT:

The design task order is not to exceed \$138,000 and the construction engineering task order is not to exceed \$46,000. All costs associated with design and construction engineering is budgeted and paid from the proceeds of the CMAQ grant award.

#### ATTACHMENTS:

File Name Description

2790 Work Order Design Engineering West Coalinga Multi Trails.pdf

2790 Work Order Construction Engineering West Coalinga Multi Trails.pdf

Design Engineering Task Order

Construction Engineering Task Order

#### PROFESSIONAL SERVICES WORK ORDER

This agreement entered into the	day of	, 20 <u>20</u> between	n City of Coalir	ıga
(hereinafter called the Client) and the				
Consultant) for services in connection	n with the follow	owing project: <u>CMAQ</u>	West Coalinga	<u> Multi –</u>
Trail - Monterey Ave from Cambridg	ge to Lucille.	The Client and Consulta	ant's rights, dut	ies, and
obligations hereunder will be performed	rmed in acco	rdance with the terms	and conditions	of the
Agreement for Professional Services	between Clie	nt and Consultant dated	September	<u>2, 2014</u>
which is fully incorporated herein by	reference.			

- I. <u>Scope of Services</u>. The Consultant's services will consist of the following:
  - Develop final design and analysis for City staff review; includes Multi-Trail construction impacts on Property Owners along Monterey Avenue, Prepare Preliminary construction cost estimates, City Staff meetings to review design, issues and costs.
  - Prepare 1 set of Multi-Trail Improvement Plans; includes design engineering and final working drawings of Monterey and Lucille Multi-Trail segments, Class 2 bike lane on Monterey Ave from Monroe to Polk, Curb Ramps, Curb Returns and Traffic Striping, Signage.
  - State Water Resources Control Board General Permit; includes preparation of NPDES General Permit (NOI), Rainfall Erosivity Waiver, Contractor Compliance.
  - Prepare Bidding Documents and Final Engineers Cost Estimate for New Multi-Trail Improvements and Release for Bidding; includes specifications, addendums, public advertising of project.
  - Provide Project Management during bidding process including "Request for Information" through advertisement period. Supervise Contractor Bid opening and develop Contractor bids spread sheet summary for City Manager review. Prepare draft staff report for City Council Public Hearing and assist City Manager with award of bid.
  - Topographic Field Survey; includes; topographic field survey of project limits, survey data reduction and calculations, Topographic Survey Base Map layout and preparation.
  - Federal Compliance: Federal Authorizations; Preliminary Engineering, Construction, Right of Way Package, Environmental, Award Package, Close Out Package and processing reimbursements through Caltrans.
- II. <u>Additional Services</u>. Any services not specifically provided for under Section I above shall be Additional Services. Only if mutually agreed to in writing by client or consultant shall consultant perform such additional services.
- III. <u>Consultant's Compensation</u>. In consideration for Consultant providing the services noted above, the Client agrees to compensate the Consultant as follows:

#### *\$138,000.00*

Retainer. The Client shall make an initial payment of \_\_\_\_\_\_\_ dollars (\$0.00) (retainer)

upon execution of this Agreement. This retainer shall be held by the Consultant and applied against final invoices.

<u>Payment Due</u>. Invoices shall be submitted by the Consultant monthly, are due upon presentation, and shall be considered past due if not paid within ten (10) calendar days of the due date.

<u>Interest</u>. If payment in full is not received by the Consultant within 30 calendar days of the due date, invoices shall bear interest at one-and-one-half (1.5) percent of the PAST DUE amount per month, which shall be calculated from the invoice due date. Payment thereafter shall first be applied to accrued interest and then to the unpaid principal.

<u>Collection Costs</u>. If the Client fails to make payments when due and the Consultant incurs any costs in order to collect overdue sums from the Client, the Client agrees that all such collection costs incurred shall immediately become due and payable to the Consultant. Collection costs shall include, without limitation, legal fees, and expenses, court costs, collection bonds and reasonable Consultant staff costs at standard billing rates for the Consultant's time spent in efforts to collect. This obligation of the Client to pay the Consultant's collection costs shall survive the term of this agreement or any earlier termination by either party.

<u>Set-offs, Back charges, Discounts</u>. Payment of invoices shall not be subject to any discount or set-offs by the Client, unless agreed to in writing by the Consultant. Payment to the Consultant for services rendered and expenses incurred shall be due and payable regardless of any subsequent suspension or termination of this Agreement by either party.

In witness thereof, the parties hereto have accepted, made and executed this agreement upon the terms, conditions and provisions above stated, the day and year first above written.

Consultant:	By	Client: I	Signature
Name:	Daniel E. Jauregui For: Tri City Engineering	Name:	Marissa Trejo For: City of Coalinga
Title:	President	Title:	City Manager
Address:	4630 W Jennifer Ave #101	Address:	155 W. Durian Ave
	Fresno, CA 93722		Coalinga, CA 93210

Reference: 2790

#### PROFESSIONAL SERVICES WORK ORDER

This agreement entered into the	day of	, 20 20 betw	een City of Coalin	nga
(hereinafter called the Client) and the	e Consultant _	Tri City Engineerin	g(hereinafter	called
Consultant) for services in connection	on with the fol	lowing project: <u>CM</u>	AQ West Coalinga	a Multi-
Trail - Monterey Ave from Cambrid	lge to Lucille.	The Client and Cons	sultant's rights, dut	ties, and
obligations hereunder will be perfe	ormed in acco	ordance with the terr	ns and conditions	s of the
Agreement for Professional Services	s between Clie	ent and Consultant da	ited <u>September</u>	<u>2, 2014</u>
which is fully incorporated herein by	reference.			

- I. <u>Scope of Services</u>. The Consultant's services will consist of the following:
  - Construction Coordination; Coordinate administrative, inspection, quality assurance, materials testing activities. Coordinate Contractors pre-construction meeting, project site meetings, punch list, project closeout activities, Staff Report to Council authorizing Notice of Completion/Project Acceptance filing. Coordinate Response to Contractors Request for Information, Construction Clarifications and Project Inspectors Request for Information, Supervise Contractor Construction Site Meetings.
  - Product Submittals; review contractor product submittals for compliance with the Project Plans and Specifications.
  - Labor Compliance: Perform labor compliance task, including verifying Certified Payrolls, Subcontractor Utilization and Labor Interviews.
  - Progress Reports: Review daily progress reports addressing progress of the work, the project schedule to include City Public Works Inspectors provided daily photographs documenting the progress of the work.
  - Contract Change Orders: Prepare Change Orders in compliance with the plans and specifications for City of Coalinga approval.
  - Progress Payments: Review contractor's initial schedule of values. Reconcile and document items of work in compliance with the plans and specifications; Review monthly progress payments for compliance with Federal funding and City of Coalinga funding procedures for City approval. Maintain Federal Funding reporting compliance in accordance with Caltrans Local Assistance Program Guidelines.
- II. <u>Additional Services</u>. Any services not specifically provided for under Section I above shall be Additional Services. Only if mutually agreed to in writing by client or consultant shall consultant perform such additional services.
- III. <u>Consultant's Compensation</u>. In consideration for Consultant providing the services noted above, the Client agrees to compensate the Consultant as follows:

#### \$46,000.00

Retainer. The Client shall make an initial payment of	-0-	dollars (\$0.00) (retainer)
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upon execution of this Agreement. This retainer shall be held by the Consultant and applied against final invoices.

<u>Payment Due</u>. Invoices shall be submitted by the Consultant monthly, are due upon presentation, and shall be considered past due if not paid within ten (10) calendar days of the due date.

<u>Interest</u>. If payment in full is not received by the Consultant within 30 calendar days of the due date, invoices shall bear interest at one-and-one-half (1.5) percent of the PAST DUE amount per month, which shall be calculated from the invoice due date. Payment thereafter shall first be applied to accrued interest and then to the unpaid principal.

<u>Collection Costs</u>. If the Client fails to make payments when due and the Consultant incurs any costs in order to collect overdue sums from the Client, the Client agrees that all such collection costs incurred shall immediately become due and payable to the Consultant. Collection costs shall include, without limitation, legal fees, and expenses, court costs, collection bonds and reasonable Consultant staff costs at standard billing rates for the Consultant's time spent in efforts to collect. This obligation of the Client to pay the Consultant's collection costs shall survive the term of this agreement or any earlier termination by either party.

<u>Set-offs, Back charges, Discounts</u>. Payment of invoices shall not be subject to any discount or set-offs by the Client, unless agreed to in writing by the Consultant. Payment to the Consultant for services rendered and expenses incurred shall be due and payable regardless of any subsequent suspension or termination of this Agreement by either party.

In witness thereof, the parties hereto have accepted, made and executed this agreement upon the terms, conditions and provisions above stated, the day and year first above written.

Consultant:	By	Client: By	Signature
Name:	Daniel E. Jauregui  For: Tri City Engineering	Name:	Marissa Trejo For: City of Coalinga
Title:	President	Title:	City Manager
Address:	4630 W Jennifer Ave #101	Address:	155 W. Durian Ave
	Fresno, CA 93722		Coalinga, CA 93210

Reference: 2790

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

**Subject:** Authorize City Manager to Execute City Engineering Task Orders for Construction

Engineering and Design Engineering for the Polk Street Rehabilitation Project (5th to Elm Ave SR198) Funded by the Surface Transportation Block Grant Program

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

**Prepared by:** Sean Brewer, Assistant City Manager

#### I. RECOMMENDATION:

It is recommended that the Coalinga City Council Authorize the City Manager to Execute City Engineering Task Orders for Construction Engineering and Design Engineering for the Polk Street Rehabilitation Project (5th to Elm Ave SR198) Funded by the Surface Transportation Block Grant Program (STBG).

#### II. BACKGROUND:

Federal and State Transportation funds for STBG are allocated through a competitive grant process from the Fresno COG every two years. The City of Coalinga received funds for one priority project (Polk Street Reconstruction from 5th to Elm Ave).

This project will reconstruction Polk Street from Elm Avenue (SR 198) to Fifth Street (SR 33). The project will pulverize the existing AC pavement, grade the base material, remove existing concrete improvements, install ADA compliant curb ramps, sidewalks, AC pavement, traffic striping, traffic signage, and adjust existing utility lids.

The City of Coalinga has \$578,000 budget for this project under the STBG program (\$396,000 grant funds & \$182,000 STBG Lifeline Funds).

#### III. DISCUSSION:

The City Engineering Task Orders are attached for the City Councils review. The design engineering task order is not to exceed \$65,500 and the construction engineering task order is not to exceed \$65,800. Both of these tasks are funded by the grant proceeds.

#### IV. ALTERNATIVES:

None

#### V. FISCAL IMPACT:

Both task orders are eligible expenses under the grant and will be paid from proceeds of the grant.

#### ATTACHMENTS:

#### File Name

- □ 2789\_Work\_Order\_Design\_Engineering\_Elm\_to\_5th.pdf
- □ 2789\_Work\_Order\_Construction\_Engineering\_Elm\_to\_5th.pdf

#### Description

Design Engineering Task Order Construction Engineering Task Order

## PROFESSIONAL SERVICES WORK ORDER

This agreement entered into theday of, 20 <u>20</u> between City of Coalinga (hereinafter called the Client) and the Consultant <u>Tri City Engineering</u> (hereinafter called Consultant) for services in connection with the following project: <u>Polk Street Rehabilitation Total Project - Elm Avenue to 5th Street</u> . The Client and Consultant's rights, duties, and obligations hereunder will be performed in accordance with the terms and conditions of the Agreement for Professional Services between Client and Consultant dated <u>September 2, 2014</u> which is fully incorporated herein by reference.
I. <u>Scope of Services</u> . The Consultant's services will consist of the following:
<ul> <li>Develop final design and analysis for City staff review; includes street reconstruction impacts on Property Owners along Polk Street, Prepare Preliminary construction cost estimates, City Staff meetings to review design, issues and costs.</li> </ul>
<ul> <li>Prepare 1 set of Street Improvement Plans; includes design engineering and final working drawings of Polk Street pulverizing of existing ac pavement, new ac pavement cap section reconstruction from Elm Avenue to 5<sup>th</sup> Street; includes New ADA Accessibility Complaint Concrete Sidewalk segments, Curb Ramps, Curb Returns, Commercial Driveway Approaches, Detector loop replacement, Manhole/Valve lids adjustments, Traffic Striping, Signage and AC Pavement Section Roadway Reconstruction.</li> </ul>
<ul> <li>State Water Resources Control Board General Permit; includes preparation of NPDES General Permit (NOI), Rainfall Erosivity Waiver, Contractor Compliance.</li> </ul>
<ul> <li>Prepare Bidding Documents and Final Engineers Cost Estimate for New Street Improvements and Release for Bidding; includes specifications, addendums, public advertising of project.</li> </ul>
<ul> <li>Provide Project Management during bidding process including "Request for Information" through advertisement period. Supervise Contractor Bid opening and develop Contractor bids spread sheet summary for City Manager review. Prepare draft staff report for City Council Public Hearing and assist City Manager with award of bid.</li> </ul>
<ul> <li>Topographic Field Survey; includes; topographic field survey of project limits, survey data reduction and calculations, Topographic Survey Base Map layout and preparation.</li> </ul>
II. <u>Additional Services</u> . Any services not specifically provided for under Section I above shall be Additional Services. Only if mutually agreed to in writing by client or consultant shall consultant perform such additional services.
III. <u>Consultant's Compensation</u> . In consideration for Consultant providing the services noted above, the Client agrees to compensate the Consultant as follows:
<u>\$65,500.00</u>
Retainer. The Client shall make an initial payment of0 dollars (\$0.00) (retainer) upon execution of this Agreement. This retainer shall be held by the Consultant and applied against final invoices.

<u>Payment Due</u>. Invoices shall be submitted by the Consultant monthly, are due upon presentation, and shall be considered past due if not paid within ten (10) calendar days of the due date.

<u>Interest</u>. If payment in full is not received by the Consultant within 30 calendar days of the due date, invoices shall bear interest at one-and-one-half (1.5) percent of the PAST DUE amount per month, which shall be calculated from the invoice due date. Payment thereafter shall first be applied to accrued interest and then to the unpaid principal.

<u>Collection Costs</u>. If the Client fails to make payments when due and the Consultant incurs any costs in order to collect overdue sums from the Client, the Client agrees that all such collection costs incurred shall immediately become due and payable to the Consultant. Collection costs shall include, without limitation, legal fees, and expenses, court costs, collection bonds and reasonable Consultant staff costs at standard billing rates for the Consultant's time spent in efforts to collect. This obligation of the Client to pay the Consultant's collection costs shall survive the term of this agreement or any earlier termination by either party.

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In witness thereof, the parties hereto have accepted, made and executed this agreement upon the terms, conditions and provisions above stated, the day and year first above written.

Consultant: —	3	Client: By	
	Signature		Signature
Name:	Daniel E. Jauregui	Name:	Marissa Trejo
	For: Tri City Engineering		For: City of Coalinga
Title:	President	Title:	City Manager
Address:	4630 W Jennifer Ave #101	Address:	155 W. Durian Ave
	Fresno, CA 93722		Coalinga, CA 93210

Reference: 2789

#### PROFESSIONAL SERVICES WORK ORDER

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(hereinafter called the Client) and the	Consultant _	Tri City	Engineering	(hereinafter	called
Consultant) for services in connection	with the foll	lowing proj	ject: Polk Stre	et Rehabilitation	<u>on Total</u>
Project – Elm Avenue to 5 <sup>th</sup> Street.	The Client	and Consu	ltant's rights,	duties, and obli	igations
hereunder will be performed in accor-	rdance with	the terms a	and conditions	of the Agreen	nent for
Professional Services between Client	and Consult	ant dated	September 2	2, 2014 which	is fully
incorporated herein by reference.					

- I. Scope of Services. The Consultant's services will consist of the following:
  - Construction Coordination; Coordinate administrative, inspection, quality assurance, materials testing activities. Coordinate Contractors pre-construction meeting, project site meetings, punch list, project closeout activities, Staff Report to Council authorizing Notice of Completion/Project Acceptance filing. Coordinate Response to Contractors Request for Information, Construction Clarifications and Project Inspectors Request for Information, Supervise Contractor Construction Site Meetings.
  - Product Submittals; review contractor product submittals for compliance with the Project Plans and Specifications.
  - Coordinate with PG&E for street lighting electrical service connections.
  - Labor Compliance: Perform labor compliance task, including verifying Certified Payrolls, Subcontractor Utilization and Labor Interviews.
  - Progress Reports: Review daily progress reports addressing progress of the work, the project schedule to include City Public Works Inspectors provided daily photographs documenting the progress of the work.
  - Contract Change Orders: Prepare Change Orders in compliance with the plans and specifications for City of Coalinga approval.
  - Progress Payments: Review contractor's initial schedule of values. Reconcile and document items of work in compliance with the plans and specifications; Review monthly progress payments for compliance with Federal funding and City of Coalinga funding procedures for City approval. Maintain Federal Funding reporting compliance in accordance with Caltrans Local Assistance Program Guidelines.
- II. <u>Additional Services</u>. Any services not specifically provided for under Section I above shall be Additional Services. Only if mutually agreed to in writing by client or consultant shall consultant perform such additional services.
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	Signature		Signature
Name:	Daniel E. Jauregui	Name:	Marissa Trejo
	For: Tri City Engineering		For: City of Coalinga
Title:	President	Title:	City Manager
Address:	4630 W Jennifer Ave #101	Address:	155 W. Durian Ave
	Fresno, CA 93722		Coalinga, CA 93210

Reference: 2789

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

**Subject:** Adopt Resolution No. 3954 Approving a List of Projects to be Funded by SB 1:

The Road Repair and Accountability Act and Further Authorizing a Budget

Expense in the Amount of \$341,606.00 to Execute the List of Projects Funded by

SB 1 in the 2020-2021 Fiscal Year

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

**Prepared by:** Sean Brewer, Assistant City Manager

#### I. RECOMMENDATION:

City Council Approve Resolution No. 3954 Approving a List of Projects to be Funded by SB 1: The Road Repair and Accountability Act and Further Authorizing a Budget Expense in the Amount of \$341,606 to Execute the List of Projects Funded by SB 1 in the 2020-2021 Fiscal Year

#### II. BACKGROUND:

Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide. The new transportation bill will generate \$54 billion over the next decade, split between state and local agencies.

#### III. DISCUSSION:

SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year. The City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.

The City is expected to receive \$341,606 in RMRA funding in Fiscal Year 2020/2021 from SB 1 and is recommending using the funds and future funds for the City's annual road repair and maintenance efforts through expanding Sunset Street from Polk Street to Washington Street and complete construction in one phase. The project includes the installation of curb and gutter, sidewalks, curb ramps to comply with Americans with Disabilities Act requirements, driveway approaches, alley approaches, valley gutters, A.C. pavement, aggregate base, storm drain laterals, storm drain inlets, LED street lights, electrical conduit, electrical wire, pull boxes, crosswalks, traffic striping and markings, traffic signage, bike lane striping, existing utility lid adjustment, street tree removal or trimming, construction surveying and landscaping.

#### IV. ALTERNATIVES:

None - this action is required under SB 1 in order to utilize the finding allocated to the City of Coalinga.

#### V. FISCAL IMPACT:

The City is expected to receive an estimated \$341,606 from the Road Maintenance And Rehabilitation Account funds to support the City's annual road and rehabilitation efforts. This new funding must be used on street related project implementation.

#### ATTACHMENTS:

File Name Description

RESO#3954\_FY21\_SB\_1\_Project\_List\_(Sunset\_Street).pdf Resolution No. 3954 - SB Project List

#### **RESOLUTION NO. 3954**

## RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020/2021 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City of Coalinga, will receive an estimated \$341,606 in RMRA funding in Fiscal Year 2020/2021 from SB 1; and

WHEREAS, this is the third year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City complete its efforts in rehabilitating Sunset Street from Polk Street to Washington Street by expanding the limits of construction by two blocks with the installation of curb and gutter, sidewalks, curb ramps to comply with Americans with Disabilities Act requirements, driveway approaches, alley approaches, valley gutters, A.C. pavement, aggregate base, storm drain laterals, storm drain inlets, LED street lights, electrical conduit, electrical wire, pull boxes, crosswalks, traffic striping and markings, traffic signage, bike lane striping, existing utility lid adjustment, street tree removal or trimming, construction surveying and landscaping; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "good" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "excellent" condition; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

**NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Coalinga, State of California, as follows:

- 1. The foregoing recitals are true and correct.
- 2. The following previously proposed and adopted project will utilize Fiscal Year 2020/2021 Road Maintenance and Rehabilitation Account revenues in their delivery as the project has been expanded by two blocks. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

Project Description	Location	Estimated Useful Life	Year of Construction
Installation of curb and gutter, sidewalks, curb ramps to comply with Americans with Disabilities Act requirements, driveway approaches, alley approaches, valley gutters, A.C. pavement, aggregate base, storm drain laterals, storm drain inlets, LED street lights, electrical conduit, electrical wire, pull boxes, crosswalks, traffic striping and markings, traffic signage, bike lane striping, existing utility lid adjustment, street tree removal or trimming, construction surveying and landscaping.	Sunset Street from Polk Street to Washington Street	20 years	Fiscal Year 2020/2021

3. The City of Coalinga's RMRA Fund for the fiscal year 2020/2021 Budget will include the following:

Description	Expense
Sunset Rehabilitation	\$ 341,606

**PASSED AND ADOPTED** by the City Council of the City of Coalinga, State of California this **5th** day of March **2020**, by the following vote:

AYES: NOES:	
ABSTAIN:	
ABSENT:	
	APPROVED:
	Ron Lander, Mayor
ATTEST:	
Shannon Jensen, City Clerk	

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

**Subject:** Review and Approval of an Expanded Scope and Updated Budget to the Sunset

Street Rehabilitation Phase 1 Project and Further Authorizing the City Manager to

Execute Amended City Engineering Task Orders for Design Services and

Construction Engineering

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

**Prepared by:** Sean Brewer, Assistant City Manager

#### I. RECOMMENDATION:

Council Review and Approval of an Expanded Scope and Updated Budget for the Sunset Street Rehabilitation Project and Further Authorizing the City Manager to Execute Amended City Engineering Task Orders for Design Services and Construction Engineering.

#### II. BACKGROUND:

The City Council identified the first phase of the Sunset Street Rehabilitation Project undertaken with SB1 funds from fiscal year 18/19 and 19/20 proceeds in addition to the use of \$500,000 in STBG lifeline funds for a project budget of \$820,000 and a scope spanning from Polk Street to Monroe/Cedar Ave.

During the course of design and several field reviews, staff, in conjunction with the City Engineer is recommending an expanded scope of work to include additional blocks, including some necessary storm drain improvements. Staff expects to use the City's fiscal year 20/21 SB1 funding allocation.

#### III. DISCUSSION:

The new scope of work for this project will expand the limits of the project to seven blocks of Sunset beginning at Polk Street and extending to Washington/Van Ness. The City Engineer is also designing an island at the corner of Jefferson and Birch.

Work under this project would include demolition of existing improvements, clearing and grubbing, sawcutting, pulverization of existing AC pavement, grading base material, installation of curb and gutter, sidewalk, curb ramps, alley approaches, driveway approaches, valley gutter, median island, A.C. pavement, aggregate base, street lights, street trees, traffic striping, traffic signage, existing utility lid adjustment and construction surveying.

The budget for the updated scope of work is estimated at \$1.45 Million. A copy of a preliminary cost estimate has been attached for the Councils review.

Due to the expanded scope and budget increase, staff needs to update the City Engineers preliminary design engineering and construction engineering task orders in order to continue with the finalization of the plans. The updated design engineering task order will not exceed \$182,200 and the construction engineering task order shall not exceed \$62,000. This is all inclusive and not in addition to previously approved tasked orders. These new task orders will supercede previously approved task orders.

#### IV. ALTERNATIVES:

• Do not approve the budget re-appropriation as requested by Staff and proceed with the project as originally approved in the budget - this is not recommended

#### V. FISCAL IMPACT:

If the budget re-appropriation is approved, the funds originally approved by the City Council for Sunset Street would be amended to be as follows:

#### **Sunset Street Budget (Amended)**

SB1 Funds: \$983,438 (FY19, FY20, FY21)

Storm Drain Impact Fee: \$40,700

STBG Lifeline Funds: \$500,000 (STBG Lifeline)

Total: \$1,524,138

#### ATTACHMENTS:

File Name Description

☐ Updated\_Task\_Order\_PE\_2-2020.pdf Design Engineering Task Order (Sunset)

□ Updated\_Task\_Order\_CE\_2-20-2020.pdf Construction Engineering Task Order (Sunset)

🗅 2772\_Sunset\_Avenue\_Reconstruction\_Cost\_Estimate\_Polk\_to\_Van\_Ness\_2-24-2020.pdf Updated Engineers Cost Estimate

Birch Ave Park Island Exhibit.pdf
Birch Ave - Jefferson Island Exhibit

#### PROFESSIONAL SERVICES WORK ORDER

This agreement entered into the	day of	<u>,</u> 20 <u>20</u> b	etween (	City of Coalin	ıga
(hereinafter called the Client) and the	Consultant	Tri City Enginee	ring	(hereinafter	called
Consultant) for services in connection	n with the	following project:	Sunset S	Street Rehabi	litation
Total Project - Polk St to Van Ness	Avenue.	The Client and Co	nsultant'	s rights, dutie	es, and
obligations hereunder will be perfor	med in acc	cordance with the	terms an	nd conditions	of the
Agreement for Professional Services	between Cl	ient and Consultant	dated _	September 2	2, 2014
which is fully incorporated herein by	reference.				

- I. <u>Scope of Services</u>. The Consultant's services will consist of the following:
  - Develop final design and analysis for City staff review; includes street reconstruction impacts on Property Owners along Sunset Street, median refuge island alignments, storm drain facilities condition, Prepare P.G&E. Rule 16 Application for Electric Service for new LED Street Lights, Prepare Preliminary construction cost estimates, City Staff meetings to review design, issues and costs.
  - Prepare 1 set of Street Improvement Plans; includes design engineering and final working
    drawings of Sunset Street pulverizing of existing ac pavement, new ac pavement cap section
    reconstruction from Polk Street to Van Ness Avenue; includes New ADA Accessibility Complaint
    Concrete Curb & Gutter segments, Concrete Sidewalk segments, Curb Ramps, Curb Returns,
    Commercial Driveway Approaches, and AC Pavement Section Roadway Reconstruction.
  - Prepare 1 set of LED Street Light Improvement Plans; includes Design Engineer final Quality Control review of plans. Submittals to PG&E for Electric Service connection approvals under the Electric Schedule LS-2 customer-owned street lighting.
  - State Water Resources Control Board General Permit; includes preparation of NPDES General Permit (NOI), Rainfall Erosivity Waiver, Contractor Compliance.
  - Prepare Bidding Documents and Final Engineers Cost Estimate for New Street Improvements and Release for Bidding; includes specifications, addendums, public advertising of project.
  - Provide Project Management during bidding process including "Request for Information" through
    advertisement period. Supervise Contractor Bid opening and develop Contractor bids spread sheet
    summary for City Manager review. Prepare draft staff report for City Council Public Hearing and
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In witness thereof, the parties hereto have accepted, made and executed this agreement upon the terms, conditions and provisions above stated, the day and year first above written.

Consultant:	By	Client: By	
	Signature ()		Signature
Name:	Daniel E. Jauregui For: Tri City Engineering	Name:	Marissa Trejo For: City of Coalinga
Title:	President	Title:	City Manager
Address:	4630 W Jennifer Ave #101	Address:	155 W. Durian Ave
	Fresno, CA 93722		Coalinga, CA 93210

Reference: 2772

#### PROFESSIONAL SERVICES WORK ORDER

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(hereinafter called the Client) and the	Consultant	Tri City Enginee	ering	(hereinafter	called
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Total Project - Polk St to Van Ness	s Avenue.	The Client and Co	nsultant	's rights, duti	es, and
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    list, project closeout activities, Staff Report to Council authorizing Notice of Completion/Project
    Acceptance filing. Coordinate Response to Contractors Request for Information, Construction
    Clarifications and Project Inspectors Request for Information, Supervise Contractor Construction
    Site Meetings.
  - Coordinate Product Submittals between Contractor and Construction Engineer in compliance with the Project Plans and Specifications.
  - Coordinate with PG&E for street lighting electrical service connections.
  - Labor Compliance: Perform labor compliance task, including verifying Certified Payrolls,
     Subcontractor Utilization and Labor Interviews.
  - Progress Reports: Review daily progress reports addressing progress of the work, the
    project schedule to include City Public Works Inspectors provided daily photographs
    documenting the progress of the work.
  - Contract Change Orders: Prepare Change Orders in compliance with the plans and specifications for City of Coalinga approval.
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<u>Interest</u>. If payment in full is not received by the Consultant within 30 calendar days of the due date, invoices shall bear interest at one-and-one-half (1.5) percent of the PAST DUE amount per month, which shall be calculated from the invoice due date. Payment thereafter shall first be applied to accrued interest and then to the unpaid principal.

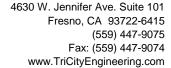
<u>Collection Costs</u>. If the Client fails to make payments when due and the Consultant incurs any costs in order to collect overdue sums from the Client, the Client agrees that all such collection costs incurred shall immediately become due and payable to the Consultant. Collection costs shall include, without limitation, legal fees, and expenses, court costs, collection bonds and reasonable Consultant staff costs at standard billing rates for the Consultant's time spent in efforts to collect. This obligation of the Client to pay the Consultant's collection costs shall survive the term of this agreement or any earlier termination by either party.

<u>Set-offs, Backcharges, Discounts</u>. Payment of invoices shall not be subject to any discount or set-offs by the Client, unless agreed to in writing by the Consultant. Payment to the Consultant for services rendered and expenses incurred shall be due and payable regardless of any subsequent suspension or termination of this Agreement by either party.

In witness thereof, the parties hereto have accepted, made and executed this agreement upon the terms, conditions and provisions above stated, the day and year first above written.

Consultant: By	Signature	Client: By	Signature
Name:	Daniel E. Jauregui For: Tri City Engineering	Name:	Marissa Trejo For: City of Coalinga
Title:	President	Title:	City Manager
Address:	4630 W Jennifer Ave #101	Address:	155 W. Durian Ave
	Fresno, CA 93722		Coalinga, CA 93210

Reference: 2772





# PRELIMINARY ENGINEER'S OPINION OF PROBABLE COST City of Coalinga - Sunset Avenue Reconstruction - SB1/STBG

JN 2772 Created: September 14, 2018

Revised: February 24, 2020

#### **GENERAL ITEMS**

Item No.	Description	Unit	Qty.	Unit Price	Extension
1	MOBILIZATION / GENERAL REQUIREMENTS	LS	1	\$73,180.00	\$73,180.00
2	WORKER SAFETY	LS	1	\$5,600.00	\$5,600.00
3	TRAFFIC CONTROL	LS	1	\$12,000.00	\$12,000.00
4	DUST CONTROL	LS	1	\$5,000.00	\$5,000.00
5	SWPPP	LS	1	\$3,500.00	\$3,500.00
6	CONSTRUCTION SURVEYING	LS	1	\$15,000.00	\$15,000.00
ST-G		GENE	RAL ITEMS	S SUBTOTAL	\$114,280.00

#### **STREET ITEMS**

Item No.	Description	Unit	Qty.	Unit Price	Extension
7	PULVERIZE EXISTING ASPHALT CONCRETE PAVEMENT	SF	92,500	\$0.50	\$46,250.00
8	SUBGRADE RECOMPACTION AND GRADING	SF	92,500	\$0.45	\$41,625.00
9	HOT MIX ASPHALT TYPE A (HMA-A)	TON	2,030	\$90.00	\$182,700.00
10	SAWCUTTING	LF	1,880	\$2.00	\$3,760.00
11	AGGREGATE BASE CLASS II	TON	540	\$40.00	\$21,600.00
12	CONCRETE/PAVEMENT REMOVAL AND DISPOSAL	CY	500	\$150.00	\$75,000.00
13	CLEARING AND GRUBBING	LS	1	\$5,000.00	\$5,000.00
14	CONCRETE CURB RAMP	SF	1,850	\$25.00	\$46,250.00
15	CONCRETE DRIVEWAY APPROACH	SF	3,210	\$15.00	\$48,150.00
16	CONCRETE VALLEY GUTTER	SF	2,180	\$12.00	\$26,160.00
17	CONCRETE 6" CURB & GUTTER	LF	4,060	\$30.00	\$121,800.00
18	CONCRETE SIDEWALK	SF	16,530	\$10.00	\$165,300.00
19	ADJUST EXISTING VALVE/METER BOX	EA	24	\$900.00	\$21,600.00
20	ADJUST EXISTING MANHOLE	EA	10	\$1,250.00	\$12,500.00
ST-1		STR	EET ITEN	IS SUBTOTAL	\$817,695.00

#### **STRIPING ITEMS**

Item No.	Description	Unit	Qty.	Unit Price	Extension
21	THERMOPLASTIC TRAFFIC STRIPING	LF	1,700	\$1.50	\$2,550.00
22	THERMOPLASTIC TRAFFIC SIGNAGE	EA	11	\$300.00	\$3,300.00
S-1		STRIP	ING ITEM	S SUBTOTAL	\$5,850.00

#### **STORM DRAIN ITEMS**

Item No.	Description	Unit	Qty.	Unit Price	Extension
23	TYPE "D" STORM DRAIN INLET	EA	3	\$7,000.00	\$21,000.00
24	10" PVC SDR-35 PIPE	LF	120	\$70.00	\$8,400.00
25	12" PVC SDR-35 PIPE	LF	55	\$80.00	\$4,400.00
26	18" STORM DRAIN CLASS III RGRCP	LF	12	\$200.00	\$2,400.00
27	48" STORM DRAIN MANHOLE	EA	1	\$4,500.00	\$4,500.00
SD-1		STORM DR	AIN ITEM	S SUBTOTAL	\$40,700.00

## **ELECTRICAL ITEMS**

Item No.	Description	Unit	Qty.	Unit Price	Extension
28	CALTRANS NO. 3 1/2 PULL BOX	EA	19	\$1,000.00	\$19,000.00
29	PG&E NO. 2 PULL BOX AND EXTENSION	EA	1	\$3,000.00	\$3,000.00
30	2" SCH. 40 PVC CONDUIT AND WIRE	LF	2,654	\$20.00	\$53,080.00
E-1		ELECTRI	CAL ITEM	S SUBTOTAL	\$75,080.00

## ENGINEERING FEES, TESTING, PERMIT AND CONNECTION FEES

Item No.	Description	Unit	Qty.	Unit Price	Extension
31	DESIGN ENGINEERING	LS	1	\$182,200.00	\$182,200.00
32	TESTING SERVICES	LS	1	\$7,500.00	\$7,500.00
33	PG&E CONNECTION FEE	LS	1	\$10,000.00	\$10,000.00
34	CONSTRUCTION MANAGEMENT/ENGINEERING	LS	1	\$62,000.00	\$62,000.00
PE-1		ENGINEE	RING FEE	S SUBTOTAL	\$261,700.00

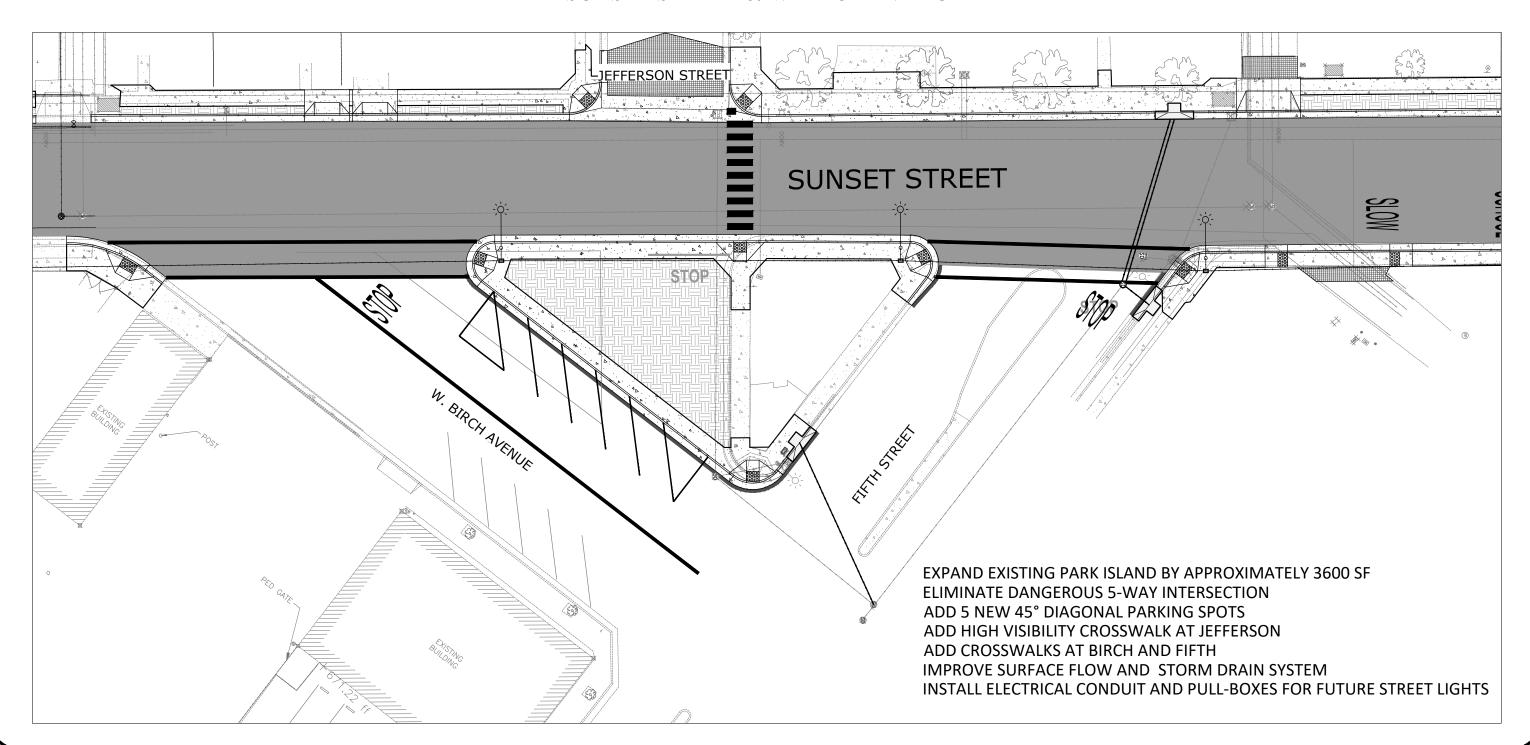
### **SUMMARY OF PROJECT COST**

Section	Description		Subtotal
ST-G	GENERAL ITEMS SUBTOTAL		\$114,280.00
ST-1	STREET ITEMS SUBTOTAL		\$817,695.00
S-1	STRIPING ITEMS SUBTOTAL		\$5,850.00
SD-1	STORM DRAIN ITEMS SUBTOTAL		\$40,700.00
E-1	ELECTRICAL ITEMS		\$75,080.00
PE-1	ENGINEERING FEES SUBTOTAL		\$261,700.00
		CONSTRUCTION TOTAL	\$1,315,305.00
		10% Cont.	\$105,360.50
		CONSTRUCTION TOTAL + 10% Cont.	\$1,420,665.50

# PARK ISLAND IMPROVEMENTS



SUNSET STREET & W BIRCH AVENUE



SUNSET RECONSTRUCTION **POLK TO VAN NESS** 

COALINGA, **CALIFORNIA** 



Tri City Engineering, Inc. Fresno, CA 93722-6415
Engineers Surveyors PH: 559-447-9075

4630 W. Jennifer Ave. #101 PH: 559-447-9075 FAX 559-447-9074 www.TriCityEngineering.com

DATE	APPRVD.	REVISION	
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1"=30' Scale: 2020.Feb.24 CM Date: Drwn:

Chckd: DJ JN#: 2772

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

**Subject:** Receive and File the Housing Sucessor Agency SB 341 Annual Reports for Fiscal

Year 2013-2014 through 2018-2019

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

Prepared by: Jasmin Bains, Financial Services Director

#### I. RECOMMENDATION:

Receive and file the Housing Successor Agency SB341 Annual Report for Fiscal Years 2013-14 through 2018-19.

#### II. BACKGROUND:

Staff is presenting Housing Successor Agency Annual Reports for Fiscal Years 2013-14 through 2018-19 to the City Council, serving as the Housing Successor Agency of the former Coalinga Redevelopment Agency. The annual reports are required by State law and detail compliance with various expenditure, productions, and property disposition requirements.

#### III. DISCUSSION:

The City of Coalinga ("City") is the Housing Successor Agency ("Housing Successor") to the former Coalinga Redevelopment Agency ("Agency"). Health and Safety Code ("HSC") Section 34176.1 (enacted by Senate Bill 341 and related legislation) requires the Housing Successor to prepare an annual report documenting compliance with expenditure proportionality and other requirements pertaining to its Low and Moderate Income Housing Asset Fund ("Housing Asset Fund"). The report is due to the California Department of Housing and Community Development ("HCD") by April 1st annually. The report must also be presented to City Council and posted on the City's website.

All California redevelopment agencies were dissolved by State law on February 1, 2012. The former Agency's affordable housing rights, powers, assets, liabilities, duties, and obligations, excluding any amounts in the Agency's Housing Asset Fund, were transferred to the City as the Housing Successor Agency. Housing assets and liabilities were transferred to the City through a Housing Asset Transfer Form ("HAT") approved by the Department of Finance ("DOF") on December 15, 2012.

Housing Successor staff and consultants have prepared Housing Successor Agency Annual Reports for Fiscal Years ("FY") 2013-14 through 2018-19 in order to catch up with its annual reporting requirements. The reports are being presented to City Council to receive and file. Staff will also submit the reports to HCD. Following is a summary of compliance with HSC 34176.1 as of FY 2018-19.

Low and Moderate Income Housing Asset Fund Activity

The Housing Asset Fund includes all assets that were transferred from the former Agency to the Housing Successor upon redevelopment dissolution. The assets included:

- Real properties, and
- Loan/grants receivable

As of June 30, 2019, the Housing Asset Fund had an ending balance of \$352,602.

The Housing Successor received \$181,050 in deposits in FY 2018-19. The source of the deposits was from loan repayments and interest. Deposits since FY 2013-14 have ranged from \$1,229 through \$181,050, and vary each year depending on loan repayment activity.

The Housing Successor spent \$19,854 on administrative items in FY 2018-19. Expenses since FY 2013-14 have ranged from \$7,064 to \$19,854, all related to administrative expenses. The law sets an annual limit on administrative expenses of \$200,000 per year, adjusted annually for inflation. Coalinga has spent well below the annual limit each year.

#### **Property Disposition**

The Agency transferred three real properties to the Housing Successor. The Housing Successor is developing a strategy for each property's disposition or development, taking several factors into consideration, including whether it is more beneficial to develop properties to provide housing, or to receive sales proceeds to spend on affordable housing activities within the expenditure limitations set by the HSC.

Properties must be developed with affordable housing or sold within five years of DOF approving a Housing Asset Transfer form, or December 15, 2017. The City Council may adopt a resolution to extend this deadline by five years to December 15, 2022. Staff will present a resolution to City Council for this extension.

#### Outstanding Inclusionary and Replacement Housing Obligations

The Agency did not have any outstanding inclusionary or replacement housing obligations at the time of dissolution. There are no outstanding inclusionary or replacement housing obligations to be fulfilled by the Housing Successor.

#### Income & Age Proportionality

If housing successors expend money on projects, State law requires at least 30% to be spent on extremely low income rental housing in a five-year period, among other restrictions. The first five-year compliance period period began January 1, 2014 and ended on June 30, 2019. During this period, the Housing Successor did not spend Housing Asset Fund monies on income-contingent housing projects.

State law also sets a limit of 50% on the portion of deed-restricted rental housing that may be restricted to seniors if assisted by the City or former Agency in the prior ten years. The City and former Agency did not assist the construction of any senior rental units in the prior ten years; therefore, the Agency is in compliance.

#### Excess Surplus

Senate Bill 341 reinstated a requirement to prevent housing successors from accumulating an excess surplus, which is generally defined as unencumbered cash that exceeds the greater of \$1 million or the aggregate amount deposited into the Housing Asset Fund in the preceding four years.

The Housing Asset Fund had a beginning cash balance of \$189,495 in FY 2018-19. The sum of deposits in the prior four years is \$202,381. The Housing Successor has no excess surplus because the unencumbered cash balance is less than \$1 million.

State law requires the Housing Successor to spend or encumber any future excess surplus within three fiscal years of acquiring the surplus. If the surplus is not spent within the allotted timeframe, all remaining surplus funds will be remitted to HCD for statewide housing projects.

#### Homeownership Unit Inventory

State law requires the annual report to contain an inventory of any homeownership units assisted by the Housing Successor that require restrictions, covenants, or an adopted program that protects Housing Asset Fund monies. The Housing Successor oversees 25 homeownership units with affordability restrictions.

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

None.

#### V. FISCAL IMPACT:

There will be no impact to the General Fund at this time.

#### ATTACHMENTS:

	File Name	Description
	Coalinga_SB_341_Annual_Report_2013-14_FINAL.pdf	Coalinga SB341 Annual Report FY2013-2014
D	Coalinga_SB_341_Annual_Report_2014-15_FINAL.pdf	Coalinga SB341 Annual Report FY2014-2015
D	Coalinga_SB_341_Annual_Report_2015-16_FINAL.pdf	Coalinga SB341 Annual Report FY2015-2016
D	Coalinga_SB_341_Annual_Report_2016-17_FINAL.pdf	Coalinga SB341 Annual Report FY2016-2017
	Coalinga_SB_341_Annual_Report_2017-18_FINAL.pdf	Coalinga SB 341 Annual Report FY2017-2018
D	Coalinga_SB_341_Annual_Report_2018-19_(Draft).pdf	Coalinga SB 341 Annual Report FY2018-2019 Draft



**City of Coalinga Housing Successor** 

FY 2013-14



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#### INTRODUCTION

The City of Coalinga ("City") is the Housing Successor entity of the former Coalinga Redevelopment Agency ("Former Agency"), which was dissolved on February 1, 2012. With dissolution, the Former Agency's affordable housing rights, powers, assets, liabilities, duties, and obligations, excluding any amounts in the Former Agency's Low and Moderate Income Housing Fund, were transferred to the Housing Successor. Unlike the Former Agency, the Housing Successor could not collect a recurring stream of funds for which to fulfill affordable housing obligations and needs. All Former Agency housing assets and liabilities were transferred to the Housing Successor through a Housing Asset Transfer Form approved by the Department of Finance ("DOF") on December 15, 2012.

This is the first annual report of the Housing Successor with respect to the inherited affordable housing obligations from the Former Agency. It contains information regarding expenditures and program activity and complies with legal requirements that went into effect on January 1, 2014.

#### **DEFINITION OF HOUSING ASSETS**

According to Health and Safety Code ("HSC") Section 34176(e), housing assets may include the following.

- Real property
- Restrictions on the use of property
- Personal property in a residence
- Housing-related files
- Office supplies and software programs acquired for low-and moderate-income purposes
- Funds encumbered by an enforceable obligation
- Loan or grant receivables funded from the former LMIHF
- Funds derived from rents or operation of properties acquired for low-and moderate-income housing purposes
- Rents or payments from housing tenants or operators of low-and moderate-income housing
- Repayment of Supplemental Educational Revenue Augmentation Fund loans

The assets transferred from the Former Agency to the Housing Successor include real properties and loans receivable.

#### **REPORTING REQUIREMENTS OF SENATE BILL 341**

On January 1, 2014, Senate Bill 341 ("SB 341") became effective and amended certain sections of the HSC that pertain largely to the entities that accepted the housing assets and liabilities of former redevelopment agencies. Among other changes, SB 341 clarified that all former redevelopment agency housing assets, regardless of their originating redevelopment agency, must be maintained in a separate fund called the Low and Moderate Income Housing Asset Fund ("Housing Asset Fund"). In accordance with HSC Section 34176.1(f), the following data must now be reported annually for the Housing Asset Fund. Please note that while annual reporting is required, compliance periods may be longer, as described below. Not all items are applicable to all housing successors.

- 1. Total amount deposited in the Housing Asset Fund for the Fiscal Year.
- 2. Statement of balance at the close of the Fiscal Year.

- 3. Description of expenditures for Fiscal Year broken out as follows:
  - a. Rapid rehousing for homelessness prevention (maximum of \$250,000 per year)
  - b. Administrative expenses (greater of \$200,000 or 2 percent of "portfolio")
  - c. Monitoring expenses (included as an administrative expense)
  - d. All other expenditures must be reported as spent for each income group (extremely low-, very low-, and low income)
- 4. Sum of other "Portfolio" balances
  - a. Statutory value of real property either transferred from the Former Agency or purchased by the Housing Asset Fund.
  - b. Value of loans and grants receivable.
- 5. Descriptions of any transfers to another housing successor for a joint project.
- 6. Description of any project still funded through the Recognized Obligation Payment Schedule ("ROPS").
- 7. Update on property disposition for any property owned more than 5 years or plans for property owned less than 5 years.
- 8. Description of any outstanding production obligations of the former redevelopment agency that are inherited by the Housing Successor.
- 9. Compliance with proportionality requirements (income group targets). Compliance must be upheld on a five-year cycle.
- 10. Percentage of deed-restricted rental housing restricted to seniors and assisted by the entity assuming housing functions, the Former Agency, or the Housing Successor within the past 10 years compared to the total number of units assisted by any of those three agencies.
- 11. Amount of excess surplus, and if any, the plan for eliminating the surplus.

Although SB 341 did not go into effect until January 1, 2014, this report includes information on the previous Fiscal Year ending June 30, 2014.

#### LOW AND MODERATE INCOME HOUSING ASSET FUND

The Low and Moderate Income Housing Asset Fund succeeded the Former Agency's Low and Moderate Income Housing Fund. The Housing Asset Fund includes all of the assets that were transferred from the Former Agency to the Housing Successor via the Housing Asset Transfer form which included:

- 1. Real properties, and
- 2. Loans/grants receivable

A copy of the Housing Asset Transfer Form ("HAT") listing all transferred assets is included as Appendix A. The HAT was approved by the Department of Finance on December 15, 2012.

#### HOUSING ASSET FUND DEPOSITS AND ENDING BALANCE

The Housing Successor deposited \$117,949 into the Housing Asset Fund during Fiscal Year 2013-14. The source of the deposits was from loan payments, loan payoffs, and interest. No deposits were held for items on the ROPS.

Fiscal year 2013-14 Housing Asset Fund expenditures totaled \$11,596. Expenses included costs for general administration, property maintenance and operations, loan servicing fees, and outside service fees such as recording fees.

Fiscal Year 2013-14 Housing Asset Fund Activity	Table 1
City of Coalinga Housing Successor	
Beginning Balance	\$ 4,230
Revenues	117,949
Expenditures	(11,596)
Transfers In	-
Transfers Out	-
Ending Balance	\$ 110,583

Source: City of Coalinga Detail Trial Balance, Fund 815

At the close of fiscal year 2013-14, the ending balance in the Housing Asset Fund was \$110,583. No amounts were held for enforceable obligations on the ROPS.

#### **EXPENDITURE LIMITATIONS**

SB 341 provides the following guidelines for expenditures from the Housing Asset Fund:

- 1. Administrative costs, which include housing monitoring, are capped at \$200,000 or 5% of the statutory value of any land owned by the housing successor and of loans and grants receivable.
- 2. A housing successor is authorized to spend up to \$250,000 per year on rapid rehousing solutions for homelessness prevention if the Former Agency did not have any outstanding housing production requirements.
- 3. Remaining allowable expenditures must be spent to improve housing options affordable to households earning 80% or less of the area median income ("AMI"). This means that no funding may be spent on moderate-income households, as was previously authorized by redevelopment law. Of the money expended, a minimum of 30% must go towards the development of rental housing affordable to households earning 30% or less of the AMI, and a maximum of 20% may go towards the development of housing affordable to households earning between 60% and 80% of the AMI.

Note that housing successors must report expenditures by category each year, but compliance is measured every five years. For example, a housing successor could spend all of its funds in a single year on households earning

between 60% and 80% AMI, as long as it was 20% or less of the total expenditures during the five-year compliance period. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

Table 2 summarizes Housing Asset Fund expenditures on administrative costs and rapid rehousing solutions in Fiscal Year 2013-14, and affordable housing activities by income level from January 1, 2014 through June 30, 2014.

#### Fiscal Year 2013-14 Housing Asset Fund Expenditures

Table 2

City of Coalinga Housing Successor						
	Annual Limits		Five-Year Limits			
	20 13- 14		January 1, 2014 - June 30, 20			
	Adm in/	Hom eless	< 30 %	31-59%	60-80%	
	Monitoring	Prevention	AMI Rental	AMI	AMI	
FY 20 13-14	\$11,596	\$0	\$0	\$0	\$0	
FY 20 14 - 15						
FY 20 15-16						
FY 20 16-17	TE	BD.		TBD		
FY 20 17-18						
FY 20 18-19						
Compliance Period Total	¢44.50.0	<b>#</b> 0		TDD		
Expenditures	\$11,596	\$0		TBD		
SB 341Limitation	\$200,000	\$250,000	>30%	N/A	<20%	
Compliant (Yes/No)	Yes	Yes	Yes	N/A	Yes	

Source: City of Coalinga, Detailed Trial Balances for Fund 815

#### STATUTORY VALUE OF REAL PROPERTIES AND LOANS RECEIVABLE

The Housing Successor must report the statutory value of real properties previously owned by the Former Agency or purchased by the Housing Successor with Housing Asset Funds, and the value of loans and/or grant receivables transferred on the Housing Asset Transfer Form. The Housing Successor inherited three real properties (Property #2 is comprised of four separate parcels), 50 loan receivables, and seven grants from the Former Agency. Table 3 shows the total value of real properties and loans receivable. The Housing Asset Transfer Form in Appendix A shows more detailed information about each property and loans/grants receivable.

Fiscal Year 2013-14 Real Properties and Receivables	Table 3		
City of Coalinga Successor Agency			
Value of Real Properties	\$ 180,000		
Value of Loans Receivable	\$ 1,734,238		
Total Value	\$ 1,914,238		

Source: City of Coalinga Detail Trial Balance, Fund 815

Since the Housing Asset Transfer form was adopted, 13 loans have been paid off since they were transferred to the Housing Successor, including 12 first-time homebuyer loans and one rehabilitation program loan. Total Fiscal Year 2013-14 loans receivable balance was \$1,734,238.

#### MONEY TRANSFERRED BETWEEN HOUSING SUCCESSORS

SB 341 requires that when two or more contiguous housing successors enter into a joint venture to provide (A) a description of any transfers made in the previous fiscal year and in earlier fiscal years and (B) a description of and status update on any project for which transferred funds have been or will be expended.

The Housing Successor has not entered into a joint venture with another housing successor, therefore there is no description or status update to provide.

#### PROPERTY AND PROJECT DESCRIPTIONS

The Former Agency transferred three real properties to the Housing Successor on the Housing Asset Transfer Form. Table 4 describes each property and their current status. The Housing Successor is developing a strategy for each property's disposition or development. It is taking several factors into consideration, including whether it is more beneficial to develop properties to provide housing, or to receive sales proceeds to spend on affordable housing activities within the expenditure limitations set by SB 341.

#### Properties Transferred from the Former Redevelopment Agency Table 4

#### City of Coalinga Successor Agency

HAT Item	Address/APN	Property Type	Status / Desired Action
1	180 Pierce Street	Vacant SFR Lot	Sell or retain for housing
	(APN 071-123-18)		develop m en t
2	083-020-56ST	Vacant Land	Sell or retain for housing
	083-020-58ST		developm ent
	083-020-60ST		
	083-080-63ST		
3	071-162-16S	Vacant Land	Sell or retain for housing
			developm ent

Source: City of Coalinga Housing Assets List

#### PROPERTY DISPOSITION COMPLIANCE

HSC Code Section 34176(e) requires that all real properties acquired by the Former Agency prior to February 1, 2012 and transferred to the Housing Successor be developed pursuant to the requirements detailed in HSC Section 33334.16. Thus, all property that falls within these parameters must be developed for affordable housing purposes within 5 years from the date DOF approved the Housing Asset Transfer Form. Coalinga's Housing Asset Transfer Form was approved by DOF on December 15, 2012, setting a 5-year deadline of December 15, 2017. If the Housing Successor is unable to develop these properties within the 5-year period, the law allows for a 5-year extension via adoption of a resolution. The Housing Successor is developing a strategy that will comply with disposition requirements.

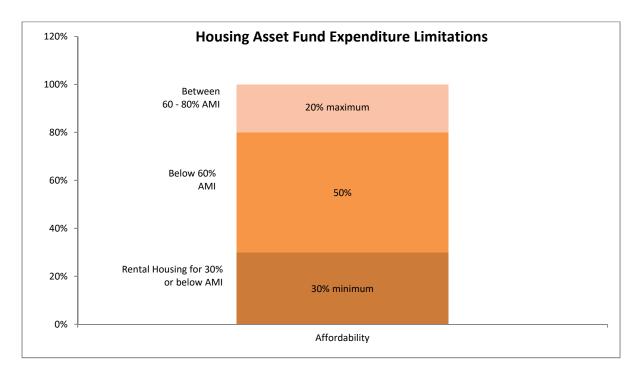
#### OUTSTANDING INCLUSIONARY AND REPLACEMENT HOUSING OBLIGATIONS

SB 341 requires housing successors to describe (A) any outstanding obligations that were supposed to be transfer to the housing successor at the time of dissolution, (B) the housing successor's progress in meeting those obligations, and (C) the housing successor's plans to meet unmet obligations.

The Former Agency did not have any outstanding inclusionary or replacement housing obligations at the time of dissolution. There are no outstanding inclusionary or replacement housing obligations to be fulfilled by the Housing Successor.

#### INCOME EXPENDITURE PROPORTIONALITY

Expenditures from the Housing Asset Fund shall be limited to the development of housing affordable to and occupied by lower income households earning 80% or less of the AMI, with at least (not less than) 30% of expenditures for rental housing for households earning 30% or less of the AMI and not more than 20% of the expenditures for on the development of housing for households earning between 60% and 80% of the AMI.



Failure to comply with the extremely low-income requirement in any 5-year report will result in the Housing Successor having to ensure that 50% of remaining funds be spent on extremely low-income rental units until in compliance. Exceeding the expenditure limit for households earning between 60% and 80% of the AMI in any 5-year reporting period will result in the Housing Successor not being able to expend any funds on these income categories until in compliance.

As depicted in Table 2, the Housing Successor has not expended any funds other than for administrative purposes at this time. Should any funds be expended in the future, staff will ensure that the Housing Successor meets expenditures proportionality requirements by the end of the first five-year compliance period in Fiscal Year 2018-19.

#### SENIOR HOUSING EXPENDITURE PROPORTIONALITY

This report must include an accounting of deed-restricted senior rental units that were produced over the last ten years. The Housing Successor must expend no more than 50% of the aggregate total number of senior housing units produced by either the Housing Successor or Former Agency during the past 10 years. Exceeding this limitation will prohibit the use of Housing Asset Funds to subsidize any senior rental units.

Over the last 10 years, no affordable senior rental units were constructed. The percentage of affordable rental units developed for seniors is therefore 0%. By default, the Successor has not exceeded the 50% threshold.

#### **EXCESS SURPLUS**

Excess surplus calculations were once performed by redevelopment agencies on an annual basis and are intended to ensure that funds are expended to benefit low-income households in an expeditious manner. Funds should be encumbered within four years of receipt. SB 341 reinstates this calculation for housing successors. Excess surplus is defined by HSC Section 34176.1(d) as "an unencumbered amount in the account that exceeds the greater of

one million dollars, or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater."

The first meaningful calculation of this total cannot be performed until the close of the fifth fiscal year. Once four years of deposits have been established, at the close of the fifth year, the Housing Successor will have to perform a true excess surplus calculation, comparing the unencumbered fund balance to the prior four years of deposits. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

APPENDIX B - HOMEOWNERSHIP UNIT INVENTORY

Address	Zip	Date	Last Name	First Name	Income	Units	Assisted by	Senior
		Assisted			Level			(Y/N)
120 APPALOOSA COURT	93210	02/29/2008	ESPARZA	FRANK	LI	1	RDA	N
143 PALOMINO STREET	93210	05/05/2008	URBANO	ANTONIO DIAZ	LI	1	RDA	N
1404 NORTH NEVADA STREET	93210	05/06/2008	CONTRERAS	RUDY & ELIZABETH	LI	1	RDA	N
235 TYLER STREET	93210	06/02/2008	DIAZ	JOSE & IRENE	XLI	1	RDA	N
298 EAST HOUSTON STREET	93210	08/19/2008	BARAJAS	GERARDO GARCIA	LI	1	RDA	N
110 MADISON STREET	93210	10/01/2008	GUTIRREZ	NICHOLAS	LI	1	RDA	N
204 NORTH COALINGA	93210	03/04/2009	ROOT	FLOYD GENE	LI	1	RDA	N
1688 POPPY MEADOW COURT	93210	04/14/2009	PANTOJA	RAUL A & COLLEEN	LI	1	RDA	N
303 LOCUST AVENUE	93210	05/05/2009	MARTINEZ	ALBERTO	LI	1	RDA	N
144 ARABIAN	93210	05/18/2009	NAVARRO	JUAN M	LI	1	RDA	N
209 SOUTH PRINCETON AVENUE	93210	05/18/2009	OSUNA	MARLENE	VLI	1	RDA	N
325 EAST HOUSTON	93210	05/19/2009	WALLACE	DORTHY	XLI	1	RDA	N
290 BUCKEYE SPRINGSOUTHRD	93210	05/21/2009	PHILLIPS	JOSHUA & JENNIFER	LI	1	RDA	N
323 COOLIDGE STREET	93210	07/16/2009	MORENO	MARIA G & IRMA C	VLI	1	RDA	N
149 MONROE STREET	93210	08/03/2009	OSBORNE	DENNIS	LI	1	RDA	N
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196 HARRISON	93210	0 1/12/20 10	HERNANDEZ	ANGELICA	LI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	LI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	MED	1	RDA	N
445 WEST PLEASANT	93210	02/12/2010	LUNA	LUCY	LI	1	RDA	N
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2.0 U		8/16/2017	REBOLLEDO	SOCORRO	VLI		Housing Successor	

Source: City of Coalinga

# **SENATE BILL 341 ANNUAL REPORT**

City of Coalinga Housing Successor

FY 2014-15



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#### INTRODUCTION

The City of Coalinga ("City") is the Housing Successor entity of the former Coalinga Redevelopment Agency ("former Agency"), which was dissolved on February 1, 2012. With dissolution, the former Agency's affordable housing rights, powers, assets, liabilities, duties, and obligations, excluding any amounts in the Agency's Low and Moderate Income Housing Fund, were transferred to the City. Unlike the former Agency, the City could not collect a recurring stream of funds for which to fulfill affordable housing obligations and needs. All former Agency housing assets and liabilities were transferred to the City through a Housing Asset Transfer Form approved by the Department of Finance ("DOF") on December 15, 2012.

This is the second annual report of the Housing Successor with respect to the inherited affordable housing obligations from the former Agency. It contains information regarding expenditures and program activity and complies with legal requirements imposed by Senate Bill ("SB") 341 (effective January 1, 2014), Assembly Bill ("AB") 1793 (effective January 1, 2015) and SB 107 (effective September 22, 2015).

#### **DEFINITION OF HOUSING ASSETS**

According to Health and Safety Code ("HSC") Section 34176(e), housing assets may include the following.

- Real property
- Restrictions on the use of property
- Personal property in a residence
- Housing-related files
- Office supplies and software programs acquired for low-and moderate-income purposes
- Funds encumbered by an enforceable obligation
- Loan or grant receivables funded from the former LMIHF
- Funds derived from rents or operation of properties acquired for low-and moderate-income housing purposes
- Rents or payments from housing tenants or operators of low-and moderate-income housing
- Repayment of Supplemental Educational Revenue Augmentation Fund loans

The assets transferred from the former Agency to the Housing Successor include real properties and loans receivable.

#### **REPORTING REQUIREMENTS OF SENATE BILL 341**

On January 1, 2014, Senate Bill 341 ("SB 341") became effective and amended certain sections of the HSC that pertain largely to the entities that accepted the housing assets and liabilities of former redevelopment agencies. Originally put into law by SB 341 and later amended by AB 1793, the law clarified that all former redevelopment agency housing assets, regardless of their originating redevelopment agency, must be maintained in a separate fund called the Low and Moderate Income Housing Asset Fund ("Housing Asset Fund"). In accordance with HSC Section 34176.1(f), the following data must now be reported annually for the Housing Asset Fund. Please note that while annual reporting is required, compliance periods may be longer, as described below. Not all items are applicable to all housing successors.

- 1. Total amount deposited in the Housing Asset Fund for the Fiscal Year.
- 2. Statement of balance at the close of the Fiscal Year.
- 3. Description of expenditures for Fiscal Year broken out as follows:
  - a. Rapid rehousing for homelessness prevention (maximum of \$250,000 per year)
  - b. Administrative expenses (greater of \$201,600 or 5 percent of "portfolio")
  - c. Monitoring expenses (included as an administrative expense)
  - d. All other expenditures must be reported as spent for each income group (extremely low-, very low-, and low income)
- 4. Sum of other "Portfolio" balances
  - a. Statutory value of real property either transferred from the former Agency or purchased by the Housing Asset Fund.
  - b. Value of loans and grants receivable.
- 5. Descriptions of any transfers to another housing successor for a joint project.
- 6. Description of any project still funded through the Recognized Obligation Payment Schedule ("ROPS").
- 7. Update on property disposition for any property owned more than 5 years or plans for property owned less than 5 years.
- 8. Description of any outstanding production obligations of the former redevelopment agency that are inherited by the Housing Successor.
- 9. Compliance with proportionality requirements (income group targets). Compliance must be upheld on a five-year cycle.
- 10. Percentage of deed-restricted rental housing restricted to seniors and assisted by the entity assuming housing functions, the former Agency, or the Housing Successor within the past 10 years compared to the total number of units assisted by any of those three agencies.
- 11. Amount of excess surplus, and if any, the plan for eliminating the surplus.
- 12. An inventory of homeownership units assisted by the former Agency or its housing successor subject to covenants or restrictions.
- 13. The amount the Housing Successor receives from the repayment of Housing Successor loans to the former Agency pursuant to HSC 34191.4(b)(3)(C) (if any).

#### LOW AND MODERATE INCOME HOUSING ASSET FUND

The Low and Moderate Income Housing Asset Fund succeeded the former Agency's Low and Moderate Income Housing Fund. The Housing Asset Fund includes all of the assets that were transferred from the Former Agency to the Housing Successor via the Housing Asset Transfer form which included:

1. Real properties, and

# 2. Loans/grants receivable

A copy of the Housing Asset Transfer Form ("HAT") listing all transferred assets is included as Appendix A. The HAT was approved by the Department of Finance on December 15, 2012.

## HOUSING ASSET FUND DEPOSITS AND ENDING BALANCE

The Housing Successor deposited \$6,347 into the Housing Asset Fund during Fiscal Year 2014-15. The source of the deposits was from loan payments, loan payoffs, and interest. No deposits were held for items on the ROPS.

Fiscal year 2014-15 Housing Asset Fund expenditures totaled \$8,632. Expenses included costs for general administration, property maintenance and operations, loan servicing fees, and outside service fees such as recording fees.

Additionally, the Housing Successor allocated \$1,500,000 in Successor Agency Housing Bond Proceeds as a residual receipts loan to Warthan Place Investors, LP for the construction of the Warthan Place Apartments multi-family housing project on ROPS 14-15B. The Housing Successor will be repaid through a residual receipts agreement with Warthan at a 1% interest rate. Since bond proceeds are exempt from SB 341 requirements because they are subject to their own bond covenants, this loan is not counted as a Housing Asset Fund revenue or expense and is not included in the table below.

Fiscal Year 2014-15 Housing Asset Fund Activity	Table 1
City of Coalinga Housing Successor	
Beginning Balance	\$ 110,583
Revenues	6,347
Expenditures	(8,632)
Transfers In	-
Transfers Out	 -
Ending Balance	\$ 108,298

Source: City of Coalinga, Detail Trial Balance, Fund 815

At the close of fiscal year 2014-15, the ending balance in the Housing Asset Fund was \$1,609,181. No amounts were held for enforceable obligations on the ROPS.

## **EXPENDITURE LIMITATIONS**

SB 341 provides the following guidelines for expenditures from the Housing Asset Fund:

1. Administrative costs, which include housing monitoring, are capped at \$201,600 or 5% of the statutory value of any land owned by the housing successor and of loans and grants receivable.

- 2. A housing successor is authorized to spend up to \$250,000 per year on rapid rehousing solutions for homelessness prevention if the former Agency did not have any outstanding housing production requirements.
- 3. Remaining allowable expenditures must be spent to improve housing options affordable to households earning 80% or less of the area median income ("AMI"). This means that no funding may be spent on moderate-income households, as was previously authorized by redevelopment law. Of the money expended, a minimum of 30% must go towards the development of rental housing affordable to households earning 30% or less of the AMI, and a maximum of 20% may go towards the development of housing affordable to households earning between 60% and 80% of the AMI.

Note that housing successors must report expenditures by category each year, but compliance is measured every five years. For example, a housing successor could spend all of its funds in a single year on households earning between 60% and 80% AMI, as long as it was 20% or less of the total expenditures during the five-year compliance period. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

Table 2 summarizes Housing Asset Fund expenditures on administrative costs and rapid rehousing solutions in Fiscal Year 2014-15, and affordable housing activities by income level from January 1, 2014 through June 30, 2015.

Fiscal Year 2014-15 Housing Asset Fund Expenditures

Table 2

City of Coalinga Housing Successor							
	Annual	Limits	Five-Year Limits				
	2014	<b>1 - 1</b> 5	January 1, 20 14 - June 30, 20				
	Admin/	Hom eless	< 30 %	31-59%	60-80%		
	Monitoring	Prevention	AMI Rental	AMI	AMI		
FY 20 13-14	\$ 11,596	\$0	\$0	\$0	\$0		
FY 20 14 - 15	\$8,632	\$0	\$0	\$0	<i>\$0</i>		
FY 20 15-16							
FY 20 16-17	ТВ	D	TBD				
FY 20 17-18	IB	D					
FY 20 18-19							
Compliance Period	<b>*</b> 0.000	<b>*</b> • •		¢0			
Total Expenditures	\$8,632	\$0		<i>\$0</i>			
SB 341Lim itation	\$201,600	\$250,000	>30 %	N/A	<20%		
Compliant (Yes/No)	Yes	Yes	Yes	N/A	Yes		

Source: City of Coalinga, Detailed Trial Balances for Fund 815

## STATUTORY VALUE OF REAL PROPERTIES AND LOAN RECEIVABLES

The Housing Successor must report the statutory value of real properties formerly owned by the Former Agency or purchased by the Housing Successor with Housing Asset Funds, and the value of loans and/or grant receivables

transferred on the Housing Asset Transfer Form. The Housing Successor inherited three real properties (Property #2 is comprised of four separate parcels), 50 loan receivables, and seven grants from the former Agency. Table 3 shows the current total value of real properties and loans receivable. The Housing Asset Transfer Form in Appendix A shows more detailed information about each property and loans/grants receivable.

Fiscal Year 2014-15 Real Properties and Receivables	Table 3
City of Coalinga Housing Successor	
Value of Real Properties	\$ 180,000
Value of Loans Receivable	\$ 1,697,746
Total Value	\$ 1,877,746

Source: City of Coalinga, Detail Trial Balance, Fund 815

Since the Housing Asset Transfer form was adopted, 16 loans have been paid off since they were transferred to the Housing Successor, including 15 first-time homebuyer loans and one rehabilitation program loan. Total Fiscal Year 2014-15 loans receivable balance was \$1,697,746.

#### MONEY TRANSFERRED BETWEEN HOUSING SUCCESSORS

SB 341 requires that when two or more contiguous housing successors enter into a joint venture to provide (A) a description of any transfers made in the previous fiscal year and in earlier fiscal years and (B) a description of and status update on any project for which transferred funds have been or will be expended.

The Housing Successor has not entered into a joint venture with another housing successor, therefore there is no description or status update to provide.

## PROPERTY AND PROJECT DESCRIPTIONS

The Former Agency transferred three real properties to the Housing Successor on the Housing Asset Transfer Form. Table 4 describes each property and their current status. The Housing Successor is developing a strategy for each property's disposition or development. It is taking several factors into consideration, including whether it is more beneficial to develop properties to provide housing, or to receive sales proceeds to spend on affordable housing activities within the expenditure limitations set by SB 341.

## City of Coalinga Housing Successor

HAT Item	Address/APN	Property Type	Statutory Value	Status / Desired Action
1	180 Pierce Street (APN 071-123-18)	Vacant SFR Lot	\$ 17,000	Sell or retain for housing development
2	083-020-56ST, 083-020-58ST, 083-020-60ST, 083-080-63ST	Vacant Land	\$ 30,000	Sell or retain for housing development
3	071-162-16S	Vacant Land	\$ 133,000	Sell or retain for housing development

Source: City of Coalinga Housing Assets List

## PROPERTY DISPOSITION COMPLIANCE

HSC Code Section 34176(e) requires that all real properties acquired by the Former Agency prior to February 1, 2012 and transferred to the Housing Successor be developed pursuant to the requirements detailed in HSC Section 33334.16. Thus, all property that falls within these parameters must be developed for affordable housing purposes within 5 years from the date DOF approved the Housing Asset Transfer Form. Coalinga's Housing Asset Transfer Form was approved by DOF on December 15, 2012, setting a 5-year deadline of December 15, 2017. If the Housing Successor is unable to develop these properties within the 5-year period, the law allows for a 5-year extension via adoption of a resolution. The Housing Successor is developing a strategy that will comply with disposition requirements.

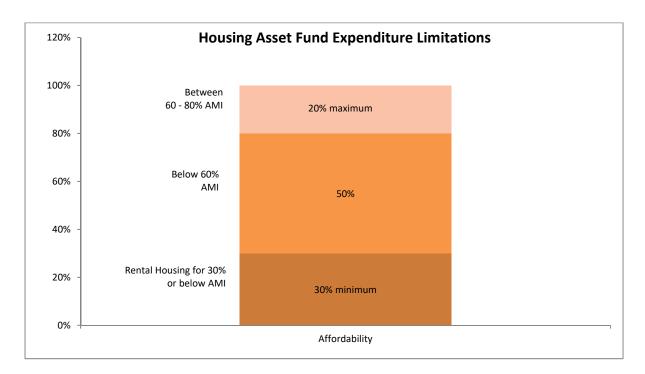
#### OUTSTANDING INCLUSIONARY AND REPLACEMENT HOUSING OBLIGATIONS

SB 341 requires housing successors to describe (A) any outstanding obligations that were supposed to be transfer to the housing successor at the time of dissolution, (B) the housing successor's progress in meeting those obligations, and (C) the housing successor's plans to meet unmet obligations.

The Former Agency did not have any outstanding inclusionary or replacement housing obligations at the time of dissolution. There are no outstanding inclusionary or replacement housing obligations to be fulfilled by the Housing Successor.

## INCOME EXPENDITURE PROPORTIONALITY

Expenditures from the Housing Asset Fund shall be limited to the development of housing affordable to and occupied by lower income households earning 80% or less of the AMI, with at least (not less than) 30% of expenditures for rental housing for households earning 30% or less of the AMI and not more than 20% of the expenditures for on the development of housing for households earning between 60% and 80% of the AMI.



Failure to comply with the extremely low-income requirement in any 5-year report will result in the Housing Successor having to ensure that 50% of remaining funds be spent on extremely low-income rental units until in compliance. Exceeding the expenditure limit for households earning between 60% and 80% of the AMI in any 5-year reporting period will result in the Housing Successor not being to expend any funds on these income categories until in compliance.

As depicted in Table 2, the Housing Successor has not expended any funds other than for administrative purposes at this time. Should any funds be expended in the future, staff will ensure that the Housing Successor meets expenditures proportionality requirements by the end of the first five-year compliance period in Fiscal Year 2018-19.

## SENIOR HOUSING EXPENDITURE PROPORTIONALITY

This report must include an accounting of deed-restricted senior rental units that were produced over the last ten years. The Housing Successor must expend no more than 50% of the aggregate total number of senior housing units produced by either the Housing Successor or former Agency during the past 10 years. Exceeding this limitation will prohibit the use of Housing Asset Funds to subsidize any senior rental units.

Over the last 10 years, no affordable senior rental units were constructed. The percentage of affordable rental units developed for seniors is therefore 0%. By default, the Successor has not exceeded the 50% threshold.

#### **EXCESS SURPLUS**

Excess surplus calculations were once performed by redevelopment agencies on an annual basis and are intended to ensure that funds are expended to benefit low-income households in an expeditious manner. Generally speaking, funds should be encumbered within four years of receipt. SB 341 reinstates this calculation for housing successors. Excess surplus is defined by HSC Section 34176.1(d) as "an unencumbered amount in the account that

exceeds the greater of one million dollars, or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater."

The first meaningful calculation of this total cannot be performed until the close of the fifth fiscal year. Once four years of deposits have been established, at the close of the fifth year, the Housing Successor will have to perform a true excess surplus calculation, comparing the unencumbered fund balance to the prior four years of deposits. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

#### INVENTORY OF HOMEOWNERSHIP UNITS

AB 1793 requires this report to include an inventory of homeownership units assisted by the former Agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former Agency's investment of moneys from the Housing Asset Fund. This inventory is attached as Appendix B.

#### DEPOSITS FROM HOUSING SUCCESSOR TO AGENCY LOAN REPAYMENTS

HSC Section 34191.4(b)(3)(C) requires that twenty percent of any loan repayment made from a successor agency to a Housing Successor for a loan to the former redevelopment agency be deducted from the loan repayment amount and transferred to the Housing Asset Fund. There were no loan repayments made to the Housing Successor in FY 2014-15, so no monies were deposited into the Housing Asset Fund based on this provision of the law.

APPENDIX B - HOMEOWNERSHIP UNIT INVENTORY

Address	Zip	Date	Last Name	First Name	Income	Units	Assisted by	Senior
		Assisted			Level			(Y/N)
120 APPALOOSA COURT	93210	02/29/2008	ESPARZA	FRANK	LI	1	RDA	N
143 PALOMINO STREET	93210	05/05/2008	URBANO	ANTONIO DIAZ	LI	1	RDA	N
1404 NORTH NEVADA STREET	93210	05/06/2008	CONTRERAS	RUDY & ELIZABETH	LI	1	RDA	N
235 TYLER STREET	93210	06/02/2008	DIAZ	JOSE & IRENE	XLI	1	RDA	N
298 EAST HOUSTON STREET	93210	08/19/2008	BARAJAS	GERARDO GARCIA	LI	1	RDA	N
110 MADISON STREET	93210	10/01/2008	GUTIRREZ	NICHOLAS	LI	1	RDA	N
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144 ARABIAN	93210	05/18/2009	NAVARRO	JUAN M	LI	1	RDA	N
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231 SOUTH THOMPSON STREET		8/16/2017	REBOLLEDO	SOCORRO	VLI	1	Housing Successor	N

Source: City of Coalinga



City of Coalinga Housing Successor

FY 2015-16



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This is the 3<sup>rd</sup> annual report of the Housing Successor with respect to the inherited affordable housing obligations from the former Agency. It contains information regarding expenditures and program activity and complies with legal requirements imposed by Senate Bill ("SB") 341 (effective January 1, 2014), Assembly Bill ("AB") 1793 (effective January 1, 2015) and SB 107 (effective September 22, 2015).

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- Restrictions on the use of property
- Personal property in a residence
- Housing-related files
- Office supplies and software programs acquired for low-and moderate-income purposes
- Funds encumbered by an enforceable obligation
- Loan or grant receivable funded from the former LMIHF
- Funds derived from rents or operation of properties acquired for low-and moderate-income housing purposes
- Rents or payments from housing tenants or operators of low-and moderate-income housing
- Repayment of Supplemental Educational Revenue Augmentation Fund loans

The assets transferred from the former Agency to the Housing Successor include real properties and loans receivable.

# **REPORTING REQUIREMENTS OF SENATE BILL 341**

On January 1, 2014, Senate Bill 341 ("SB 341") became effective and amended certain sections of the HSC that pertain largely to the entities that accepted the housing assets and liabilities of former redevelopment agencies.

Originally put into law by SB 341 and later amended by AB 1793, the law clarified that all former redevelopment agency housing assets, regardless of their originating redevelopment agency, must be maintained in a separate fund called the Low and Moderate Income Housing Asset Fund ("Housing Asset Fund"). In accordance with HSC Section 34176.1(f), the following data must now be reported annually for the Housing Asset Fund. Please note that while annual reporting is required, compliance periods may be longer, as described below. Not all items are applicable to all housing successors.

- 1. Total amount deposited in the Housing Asset Fund for the Fiscal Year.
- 2. Statement of balance at the close of the Fiscal Year.
- 3. Description of expenditures for Fiscal Year broken out as follows:
  - a. Rapid rehousing for homelessness prevention (maximum of \$250,000 per year)
  - b. Administrative expenses (greater of \$203,000 or 5 percent of "portfolio")
  - c. Monitoring expenses (included as an administrative expense)
  - d. All other expenditures must be reported as spent for each income group (extremely low-, very low-, and low income)
- 4. Sum of other "Portfolio" balances
  - a. Statutory value of real property either transferred from the former Agency or purchased by the Housing Asset Fund.
  - b. Value of loans and grants receivable.
- 5. Descriptions of any transfers to another housing successor for a joint project.
- 6. Description of any project still funded through the Recognized Obligation Payment Schedule ("ROPS").
- 7. Update on property disposition for any property owned more than 5 years or plans for property owned less than 5 years.
- 8. Description of any outstanding production obligations of the former redevelopment agency that are inherited by the Housing Successor.
- 9. Compliance with proportionality requirements (income group targets). Compliance must be upheld on a five-year cycle.
- 10. Percentage of deed-restricted rental housing restricted to seniors and assisted by the entity assuming housing functions, the former Agency, or the Housing Successor within the past 10 years compared to the total number of units assisted by any of those three agencies.
- 11. Amount of excess surplus, and if any, the plan for eliminating the surplus.
- 12. An inventory of homeownership units assisted by the former Agency or its housing successor subject to covenants or restrictions.

13. The amount the Housing Successor receives from the repayment of Housing Successor loans to the former Agency pursuant to HSC 34191.4(b)(3)(C) (if any).

# LOW AND MODERATE INCOME HOUSING ASSET FUND

The Low and Moderate Income Housing Asset Fund succeeded the former Agency's Low and Moderate Income Housing Fund. The Housing Asset Fund includes all of the assets that were transferred from the Former Agency to the Housing Successor via the Housing Asset Transfer form which included:

- 1. Real properties, and
- 2. Loans/grants receivable

A copy of the Housing Asset Transfer Form ("HAT") listing all transferred assets is included as Appendix A. The HAT was approved by the Department of Finance on December 15, 2012.

#### HOUSING ASSET FUND DEPOSITS AND ENDING BALANCE

The Housing Successor deposited \$1,229 into the Housing Asset Fund during Fiscal Year 2015-16. The source of the deposits was from loan payments, loan payoffs, and interest. No deposits were held for items on the ROPS.

Fiscal year 2015-16 Housing Asset Fund expenditures totaled \$30,814. Expenses included costs for general administration, property maintenance and operations, loan servicing fees, and outside service fees such as recording fees.

Fiscal Year 2015-16 Housing Asset Fund Activity	Table 1
City of Coalinga Housing Successor	
Beginning Balance	\$ 108,298
Revenues Expenditures	1,229 (30,814)
Transfers In	-
Transfers Out	 
Ending Balance	\$ 78,713

Source: City of Coalinga, Detail Trial Balance, Fund 815

At the close of fiscal year 2015-16, the ending balance in the Housing Asset Fund was \$79,595. No amounts were held for enforceable obligations on the ROPS.

#### **EXPENDITURE LIMITATIONS**

SB 341 provides the following guidelines for expenditures from the Housing Asset Fund:

- 1. Administrative costs, which include housing monitoring, are capped at \$203,000 or 5% of the statutory value of any land owned by the housing successor and of loans and grants receivable.
- A housing successor is authorized to spend up to \$250,000 per year on rapid rehousing solutions for homelessness prevention if the former Agency did not have any outstanding housing production requirements.
- 3. Remaining allowable expenditures must be spent to improve housing options affordable to households earning 80% or less of the area median income ("AMI"). This means that no funding may be spent on moderate-income households, as was previously authorized by redevelopment law. Of the money expended, a minimum of 30% must go towards the development of rental housing affordable to households earning 30% or less of the AMI, and a maximum of 20% may go towards the development of housing affordable to households earning between 60% and 80% of the AMI.

Note that housing successors must report expenditures by category each year, but compliance is measured every five years. For example, a housing successor could spend all of its funds in a single year on households earning between 60% and 80% AMI, as long as it was 20% or less of the total expenditures during the five-year compliance period. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

Table 2 summarizes Housing Asset Fund expenditures on administrative costs and rapid rehousing solutions in Fiscal Year 2015-16, and affordable housing activities by income level from January 1, 2014 through June 30, 2016.

City of Coalinga Housing Successor

	Annua	Limits	Five	Five-Year Limit			
	201	5-16	January 1, 2014 - June 30, 2016				
	Adm in/	Hom eless	< 30 %	31-59%	60-80%		
	Monitoring	Prevention	AMI Rental	AMI	AMI		
FY 20 13-14	\$11,596	\$0	\$0	\$0	\$0		
FY 2014-15	\$8,632	\$0	\$0	\$0	<i>\$0</i>		
FY 20 15-16	\$30,814 \$0		\$0	<i>\$0</i>	\$ <i>0</i>		
FY 2016-17							
FY 20 17-18	TB	BD	TBD				
FY 20 18-19							
Compliance Period	¢20.044	<b>¢</b> 0		TBD			
Total Expenditures	\$30,814	\$0		עפו			
SB 341Limitation	\$203,000	\$250,000	>30 %	N/A	<20%		
Compliant (Yes/No)	Yes	Yes	Yes	N/A	Yes		

Source: City of Coalinga, Detailed Trial Balances for Fund 815

## STATUTORY VALUE OF REAL PROPERTIES AND LOANS RECEIVABLE

The Housing Successor must report the statutory value of real properties formerly owned by the Former Agency or purchased by the Housing Successor with Housing Asset Funds, and the value of loans and/or grant receivables transferred on the Housing Asset Transfer Form. The Housing Successor inherited three real properties (Property #2 is comprised of four separate parcels), 50 loan receivables, and seven grants from the former Agency. Table 3 shows the current total value of real properties and loans receivable. The Housing Asset Transfer Form in Appendix A shows more detailed information about each property and loans/grants receivable.

Fiscal Year 2015-16 Real Properties and Receivables		Table 3
City of Coalinga Housing Successor		
Value of Real Properties	\$	-
Value of Loans Receivable	\$ 1,5	595,253
Total Value	\$ 1,5	595,253

Source: City of Coalinga, Detail Trial Balance

Since the Housing Asset Transfer form was adopted, 16 loans have been paid off since they were transferred to the Housing Successor, including 15 first-time homebuyer loans and one rehabilitation program loan. Total Fiscal Year 2015-16 loans receivables balance was \$1,595,253.

#### MONEY TRANSFERS BETWEEN HOUSING SUCCESSORS

SB 341 requires that when two or more contiguous housing successors enter into a joint venture to provide (A) a description of any transfers made in the previous fiscal year and in earlier fiscal years and (B) a description of and status update on any project for which transferred funds have been or will be expended.

The Housing Successor has not entered into a joint venture with another housing successor, therefore there is no description or status update to provide.

## PROPERTY AND PROJECT DESCRIPTIONS

The Former Agency transferred three real properties to the Housing Successor on the Housing Asset Transfer Form. Table 4 describes each property and their current status. The Housing Successor is developing a strategy for each property's disposition or development. It is taking several factors into consideration, including whether it is more beneficial to develop properties to provide housing, or to receive sales proceeds to spend on affordable housing activities within the expenditure limitations set by SB 341.

# Properties Transferred from the Former Redevelopment Agency

Table 4

# City of Coalinga Housing Successor

HAT Item	Address/APN	Property Type	tatutory Value	Status / Desired Action
1	180 Pierce Street	Vacant SFR Lot	\$ 17,000	Sell or retain for housing
	(APN 071-123-18)			developm ent
2	083-020-56ST, 083-020-58ST,	Vacant Land	\$ 30,000	Sell or retain for housing
	083-020-60ST, 083-080-63ST			developm ent
3	071-162-16S	Vacant Land	\$ 133,000	Sell or retain for housing
				developm ent

Source: City of Coalinga Housing Assets List

#### PROPERTY DISPOSITION COMPLIANCE

HSC Code Section 34176(e) requires that all real properties acquired by the Former Agency prior to February 1, 2012 and transferred to the Housing Successor be developed pursuant to the requirements detailed in HSC Section 33334.16. Thus, all property that falls within these parameters must be developed for affordable housing

purposes within 5 years from the date DOF approved the Housing Asset Transfer Form. Coalinga's Housing Asset Transfer Form was approved by DOF on December 15, 2012, setting a 5-year deadline of December 15, 2017. If the Housing Successor is unable to develop these properties within the 5-year period, the law allows for a 5-year extension via adoption of a resolution. The Housing Successor is developing a strategy that will comply with disposition requirements.

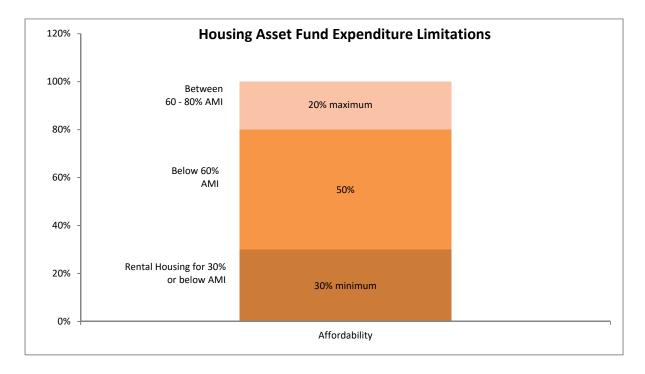
## OUTSTANDING INCLUSIONARY AND REPLACEMENT HOUSING OBLIGATIONS

SB 341 requires housing successors to describe (A) any outstanding obligations that were supposed to be transfer to the housing successor at the time of dissolution, (B) the housing successor's progress in meeting those obligations, and (C) the housing successor's plans to meet unmet obligations.

The Former Agency did not have any outstanding inclusionary or replacement housing obligations at the time of dissolution. There are no outstanding inclusionary or replacement housing obligations to be fulfilled by the Housing Successor.

#### INCOME EXPENDITURE PROPORTIONALITY

Expenditures from the Housing Asset Fund shall be limited to the development of housing affordable to and occupied by lower income households earning 80% or less of the AMI, with at least (not less than) 30% of expenditures for rental housing for households earning 30% or less of the AMI and not more than 20% of the expenditures for on the development of housing for households earning between 60% and 80% of the AMI.



Failure to comply with the extremely low-income requirement in any 5-year report will result in the Housing Successor having to ensure that 50% of remaining funds be spent on extremely low-income rental units until in compliance. Exceeding the expenditure limit for households earning between 60% and 80% of the AMI in any 5-year reporting period will result in the Housing Successor not being to expend any funds on these income categories until in compliance.

As depicted in Table 2, the Housing Successor has not expended any funds other than for administrative purposes at this time. Should any funds be expended in the future, staff will ensure that the Housing Successor meets expenditures proportionality requirements by the end of the first five-year compliance period in Fiscal Year 2018-19.

## SENIOR HOUSING EXPENDITURE PROPORTIONALITY

This report must include an accounting of deed-restricted senior rental units that were produced over the last ten years. The Housing Successor must expend no more than 50% of the aggregate total number of senior housing units produced by either the Housing Successor or former Agency during the past 10 years. Exceeding this limitation will prohibit the use of Housing Asset Funds to subsidize any senior rental units.

Over the last 10 years, no affordable senior rental units were constructed. The percentage of affordable rental units developed for seniors is therefore 0%. By default, the Successor has not exceeded the 50% threshold.

# **EXCESS SURPLUS**

Excess surplus calculations were once performed by redevelopment agencies on an annual basis and are intended to ensure that funds are expended to benefit low-income households in an expeditious manner. Generally speaking, funds should be encumbered within four years of receipt. SB 341 reinstates this calculation for housing successors. Excess surplus is defined by HSC Section 34176.1(d) as "an unencumbered amount in the account that exceeds the greater of one million dollars, or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater."

The first meaningful calculation of this total cannot be performed until the close of the fifth fiscal year. Once four years of deposits have been established, at the close of the fifth year, the Housing Successor will have to perform a true excess surplus calculation, comparing the unencumbered fund balance to the prior four years of deposits. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

## INVENTORY OF HOMEOWNERSHIP UNITS

AB 1793 requires this report to include an inventory of homeownership units assisted by the former Agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former Agency's investment of moneys from the Housing Asset Fund. This inventory is attached as Appendix B.

## DEPOSITS FROM HOUSING SUCCESSOR TO AGENCY LOAN REPAYMENTS

HSC Section 34191.4(b)(3)(C) requires that twenty percent of any loan repayment made from a successor agency to a Housing Successor for a loan to the former redevelopment agency be deducted from the loan repayment amount and transferred to the Housing Asset Fund. There were no loan repayments made to the Housing Successor in FY 2015-16, so no monies were deposited into the Housing Asset Fund based on this provision of the law.

APPENDIX B - HOMEOWNERSHIP UNIT INVENTORY

Address	Zip	Date	Last Name	First Name	Income	Units	Assisted by	Senior
		Assisted			Level			(Y/N)
120 APPALOOSA COURT	93210	02/29/2008	ESPARZA	FRANK	LI	1	RDA	N
143 PALOMINO STREET	93210	05/05/2008	URBANO	ANTONIO DIAZ	LI	1	RDA	N
1404 NORTH NEVADA STREET	93210	05/06/2008	CONTRERAS	RUDY & ELIZABETH	LI	1	RDA	N
235 TYLER STREET	93210	06/02/2008	DIAZ	JOSE & IRENE	XLI	1	RDA	N
298 EAST HOUSTON STREET	93210	08/19/2008	BARAJAS	GERARDO GARCIA	LI	1	RDA	N
110 MADISON STREET	93210	10/01/2008	GUTIRREZ	NICHOLAS	LI	1	RDA	N
204 NORTH COALINGA	93210	03/04/2009	ROOT	FLOYD GENE	LI	1	RDA	N
1688 POPPY MEADOW COURT	93210	04/14/2009	PANTOJA	RAUL A & COLLEEN	LI	1	RDA	N
303 LOCUST AVENUE	93210	05/05/2009	MARTINEZ	ALBERTO	LI	1	RDA	N
144 ARABIAN	93210	05/18/2009	NAVARRO	JUAN M	LI	1	RDA	N
209 SOUTH PRINCETON AVENUE	93210	05/18/2009	OSUNA	MARLENE	VLI	1	RDA	N
325 EAST HOUSTON	93210	05/19/2009	WALLACE	DORTHY	XLI	1	RDA	N
290 BUCKEYE SPRINGSOUTHRD	93210	05/21/2009	PHILLIPS	JOSHUA &JENNIFER	LI	1	RDA	N
323 COOLIDGE STREET	93210	07/16/2009	MORENO	MARIA G & IRMA C	VLI	1	RDA	N
149 MONROE STREET	93210	08/03/2009	OSBORNE	DENNIS	LI	1	RDA	N
154 BUCHANAN	93210	08/29/2009	ORTEGA	VALENTINA	VLI	1	RDA	N
255 EL CAMINO LANE	93210	09/18/2009	VANBIBBER	JAMES & ANGELINA	LI	1	RDA	N
744 NORTH MONTEREY AVENUE	93210	09/30/2009	WOODBRIDGE	WILLIAM D	LI	1	RDA	N
140 MONROE STREET	93210	11/24/2009	BRAVO	SALVADOR & MARIA DEL ROSARIO	VLI	1	RDA	N
265 MONROE	93210	11/25/2009	POLANCO	GREGORIA	VLI	1	RDA	N
454 ADAMS	93210	11/25/2009	PORTHOUSE	DAVID & COLEAN	MED	1	RDA	N
196 HARRISON	93210	01/12/2010	HERNANDEZ	ANGELICA	LI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	LI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	MED	1	RDA	N
445 WEST PLEASANT	93210	02/12/2010	LUNA	LUCY	LI	1	RDA	N
206 FRESNO STREET	93210	04/01/2010	CLARK	LORI	LI	1	RDA	N
241 LINCOLN STREET	93210	04/13/2010	MARTIN	NORMA	LI	1	RDA	N
159 EAST IVY AVENUE EAST		07/12/2010	SERNA	LYDIA	LI	1	RDA	N
217 GRANT STREET	93210	07/15/2010	JOHNSON	DAVID & DIANE	LI	1	RDA	N
325 EAST HOUSTON	93210	07/30/2010	WALLACE	DOROTHY	XLI	1	RDA	N
196 HOOVER STREET		09/23/2010	PONCE	ADULFO JESUS	LI	1	RDA	N
215 WARTHAN STREET	93210	12/14/2010	CRUZ	MARVIN DAVID RAMOS	LI	1	RDA	N
236 COOLIDGE STREET			TUINSTRA	NORMA (LINDA JOYCE EATON)	XLI	1	RDA	N
501 PINE STREET		2/28/2011	ROYCHOUDHURY	PRAKASH	VLI	1	RDA	N
989 NORTH PRINCETON AVENUE		04/28/2011	MORA	SALVADOR AND EVA	VLI	1	RDA	N
835 MUSTANG WAY		06/03/2011	GARCIA	JOSE AND JESSICA	LI	1	RDA	N
252 MONROE STREET	93210	,,	DELING	DAVID & MARY	VLI	1	RDA	N
210 HARVARD AVENUE	93210	,,	HOWARD	WENDI	MOD	i	RDA	N
219 JACKSON STREET	93210	,,	DURAN	LUIS & MARIA	LI	i	RDA	N
EIS WAGNOOM STREET		8/16/2017	REBOLLEDO	SOCORRO	VLI	i	Housing Successor	N

Source: City of Coalinga



**City of Coalinga Housing Successor** 

FY 2016-17



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#### INTRODUCTION

The City of Coalinga ("City") is the Housing Successor to the former Coalinga Redevelopment Agency ("Agency"), which was dissolved on February 1, 2012. With dissolution, the former Agency's affordable housing rights, powers, assets, liabilities, duties, and obligations, excluding any amounts in the Agency's Low and Moderate Income Housing Fund, were transferred to the Housing Successor. Unlike the former Agency, the Housing Successor could not collect a recurring stream of funds for which to fulfill affordable housing obligations and needs. All former Agency housing assets and liabilities were transferred to the City as Housing Successor through a Housing Asset Transfer Form approved by the Department of Finance ("DOF") on December 15, 2012.

This is the fourth annual report of the Coalinga Housing Successor with respect to the inherited affordable housing obligations from the former Agency. It contains information regarding expenditures and program activity and complies with legal requirements imposed by Senate Bill ("SB") 341 (effective January 1, 2014), Assembly Bill ("AB") 1793 (effective January 1, 2015) and SB 107 (effective September 22, 2015).

#### **DEFINITION OF HOUSING ASSETS**

According to Health and Safety Code ("HSC") Section 34176(e), housing assets may include the following.

- Real property
- Restrictions on the use of property
- Personal property in a residence
- Housing-related files
- Office supplies and software programs acquired for low-and moderate-income purposes
- Funds encumbered by an enforceable obligation
- Loan or grant receivable funded from the former LMIHF
- Funds derived from rents or operation of properties acquired for low-and moderate-income housing purposes
- Rents or payments from housing tenants or operators of low-and moderate-income housing
- Repayment of Supplemental Educational Revenue Augmentation Fund loans

The assets transferred from the former Agency to the City as Housing Successor include real properties and loans receivable.

# **REPORTING REQUIREMENTS OF SENATE BILL 341**

On January 1, 2014, Senate Bill 341 ("SB 341") became effective and amended certain sections of the HSC that pertain largely to the entities that accepted the housing assets and liabilities of former redevelopment agencies. Originally put into law by SB 341 and later amended by AB 1793, the law clarified that all former redevelopment agency housing assets, regardless of their originating redevelopment agency, must be maintained in a separate fund called the Low and Moderate Income Housing Asset Fund ("Housing Asset Fund"). In accordance with HSC Section 34176.1(f), the following data must now be reported annually for the Housing Asset Fund. Please note that while annual reporting is required, compliance periods may be longer, as described below. Not all items are applicable to all housing successors.

- 1. Total amount deposited in the Housing Asset Fund for the Fiscal Year.
- 2. Statement of balance at the close of the Fiscal Year.
- 3. Description of expenditures for Fiscal Year broken out as follows:
  - a. Rapid rehousing for homelessness prevention (maximum of \$250,000 per year)
  - b. Administrative expenses (greater of \$207,200 or 5 percent of "portfolio")
  - c. Monitoring expenses (included as an administrative expense)
  - d. All other expenditures must be reported as spent for each income group (extremely low-, very low-, and low income)
- 4. Sum of other "Portfolio" balances
  - a. Statutory value of real property either transferred from the former Agency or purchased by the Housing Asset Fund.
  - b. Value of loans and grants receivable.
- 5. Descriptions of any transfers to another housing successor for a joint project.
- 6. Description of any project still funded through the Recognized Obligation Payment Schedule ("ROPS").
- 7. Update on property disposition for any property owned more than 5 years or plans for property owned less than 5 years.
- 8. Description of any outstanding production obligations of the former redevelopment agency that are inherited by the Housing Successor.
- 9. Compliance with proportionality requirements (income group targets). Compliance must be upheld on a five-year cycle.
- 10. Percentage of deed-restricted rental housing restricted to seniors and assisted by the entity assuming housing functions, the former Agency, or the City as Housing Successor within the past 10 years compared to the total number of units assisted by any of those three agencies.
- 11. Amount of excess surplus, and if any, the plan for eliminating the surplus.
- 12. An inventory of homeownership units assisted by the former Agency or its housing successor subject to covenants or restrictions.
- 13. The amount the City receives from the repayment of City loans to the former Agency pursuant to HSC 34191.4(b)(3)(C) (if any).

## LOW AND MODERATE INCOME HOUSING ASSET FUND

The Low and Moderate Income Housing Asset Fund succeeded the former Agency's Low and Moderate Income Housing Fund. The Housing Asset Fund includes all the assets that were transferred from the Agency to the Housing Successor via the Housing Asset Transfer form which included:

1. Real properties, and

# 2. Loans/grants receivable

A copy of the Housing Asset Transfer Form ("HAT") listing all transferred assets is included as Appendix A. The HAT was approved by the Department of Finance on December 15, 2012.

## HOUSING ASSET FUND DEPOSITS AND ENDING BALANCE

The Housing Successor deposited \$115,702 into the Housing Asset Fund during Fiscal Year 2016-17. The source of the deposits was from loan payments, loan payoffs, and interest. No deposits were held for items on the ROPS.

Fiscal year 2016-17 Housing Asset Fund expenditures totaled \$7,064 Expenses included costs for general administration, property maintenance and operations, and loan servicing fees.

Fiscal Year 2016-17 Housing Asset Fund Activity	Table 1
City of Coalinga Housing Successor	
Beginning Balance	\$ 78,713
Revenues	115,702
Expenditures	(7,064)
Transfers In	-
Transfers Out	 -
Ending Balance	\$ 187,351

Source: City of Coalinga, Detailed Trial Balances for Fund 815

At the close of fiscal year 2016-17, the ending balance in the Housing Asset Fund was \$181,581. No amounts were held for enforceable obligations on the ROPS.

# **EXPENDITURE LIMITATIONS**

SB 341 provides the following guidelines for expenditures from the Housing Asset Fund:

- 1. Administrative costs, which include housing monitoring, are capped at \$207,200 or 5% of the statutory value of any land owned by the housing successor and of loans and grants receivable.
- 2. A housing successor is authorized to spend up to \$250,000 per year on rapid rehousing solutions for homelessness prevention if the former Agency did not have any outstanding housing production requirements.
- 3. Remaining allowable expenditures must be spent to improve housing options affordable to households earning 80% or less of the area median income ("AMI"). This means that no funding may be spent on moderate-income households, as was previously authorized by redevelopment law. Of the money expended, a minimum of 30% must go towards the development of rental housing affordable to

households earning 30% or less of the AMI, and a maximum of 20% may go towards the development of housing affordable to households earning between 60% and 80% of the AMI.

Note that housing successors must report expenditures by category each year, but compliance is measured every five years. For example, a housing successor could spend all its funds in a single year on households earning between 60% and 80% AMI, if it was 20% or less of the total expenditures during the five-year compliance period. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

Table 2 summarizes Housing Asset Fund expenditures on administrative costs and rapid rehousing solutions in Fiscal Year 2016-17, and affordable housing activities by income level from January 1, 2014 through June 30, 2017.

# Fiscal Year 2016-17 Housing Asset Fund Expenditures

Table 2

City of Coalinga Housing Successor						
	Annual I	_im its	Five-Year Limits			
	2016-	17	January 1, 2014 - June 30, 2017			
	Admin/ Homeless		< 30% 31-59%		60-80%	
	Monitoring	Prevention	AMI Rental	AMI	AMI	
FY 20 13-14	\$11,596	\$0	\$0	\$0	\$0	
FY 20 14 - 15	\$8,632	\$0	\$0	\$0	\$0	
FY 20 15-16	\$30,814	\$0	\$0	\$0	\$0	
FY 20 16-17	\$7,064	\$0	\$0	\$ <i>0</i>	\$0	
FY 20 17-18	TO 0		TBD			
FY 20 18-19	TBD	,	IDU			
Compliance Period Total Expenditures	\$7,064	\$0		TBD		
SB 341Limitation	\$207,200	\$250,000	>30%	N/A	<20%	
Compliant (Yes/No)	Yes	Yes	Yes	N/A	Yes	

Source: City of Coalinga, Detailed Trial Balances for Fund 815

#### STATUTORY VALUE OF REAL PROPERTIES AND LOAN RECEIVABLES

The Housing Successor must report the statutory value of real properties formerly owned by the Agency or purchased by the Housing Successor with Housing Asset Funds, and the value of loans and/or grants receivable transferred on the Housing Asset Transfer Form. The Housing Successor inherited three real properties (Property #2 is comprised of four separate parcels), 50 loan receivables, and seven grants from the former Agency. Table 3 shows the current total value of real properties and loans receivable. The Housing Asset Transfer Form in Appendix A shows more detailed information about each property and loans/grants receivable.

Fiscal Year 2016-17 Real Properties and Receivables	Table 3		
City of Coalinga Housing Successor			
Value of Real Properties	\$ -		
Value of Loans Receivable	\$ 1,516,857		
Total Value	\$ 1,516,857		

Source: City of Coalinga, Detailed Trial Balances for Fund 815

Since the Housing Asset Transfer form was adopted, 16 loans have been paid off, including 15 first-time homebuyer loans and one rehabilitation program loan. Total Fiscal Year 2016-17 loans receivable balance was \$1,516,857.

# MONEY TRANSFERRED BETWEEN HOUSING SUCCESSORS

SB 341 requires that when two or more contiguous housing successors enter into a joint venture to provide (A) a description of any transfers made in the previous fiscal year and in earlier fiscal years and (B) a description of and status update on any project for which transferred funds have been or will be expended.

The Agency has not entered into a joint venture with another housing successor, therefore there is no description or status update to provide.

#### PROPERTY AND PROJECT DESCRIPTIONS

The Agency transferred three real properties to the Housing Successor on the Housing Asset Transfer Form. Table 4 describes each property and its current status. The Housing Successor is developing a strategy for each property's disposition or development, taking several factors into consideration, including whether it is more beneficial to develop properties to provide housing, or to receive sales proceeds to spend on affordable housing activities within the expenditure limitations set by SB 341.

# Properties Transferred from the Former Redevelopment Agency

Table 4

# City of Coalinga Housing Successor

HAT Item	Address/APN	Property Type	Statutory Value	Status / Desired Action	
1	180 Pierce Street (APN 071-123-18)	Vacant SFR	\$ 17,000	Sell or retain for	
		Lot		housing	
				developm ent	
2	083-020-56ST, 083-020-58ST, 083-020-	Vacant Land	\$ 30,000	Sell or retain for	
	60ST, 083-080-63ST			housing	
				developm ent	
3	071-162-16S	Vacant Land	\$ 133,000	Sell or retain for	
				housing	
				developm ent	

Source: City of Coalinga Housing Assets List

#### PROPERTY DISPOSITION COMPLIANCE

HSC Code Section 34176(e) requires that all real properties acquired by the Agency prior to February 1, 2012 and transferred to the Housing Successor be developed pursuant to the requirements detailed in HSC Section 33334.16. Thus, all property that falls within these parameters must be developed for affordable housing purposes within 5 years from the date DOF approved the Housing Asset Transfer Form. Coalinga's Housing Asset Transfer Form was approved by DOF on December 15, 2012, setting a 5-year deadline of December 15, 2017. If the Housing Successor is unable to develop these properties within the 5-year period, the law allows for a 5-year extension via adoption of a resolution. The Housing Successor is developing a strategy that will comply with disposition requirements.

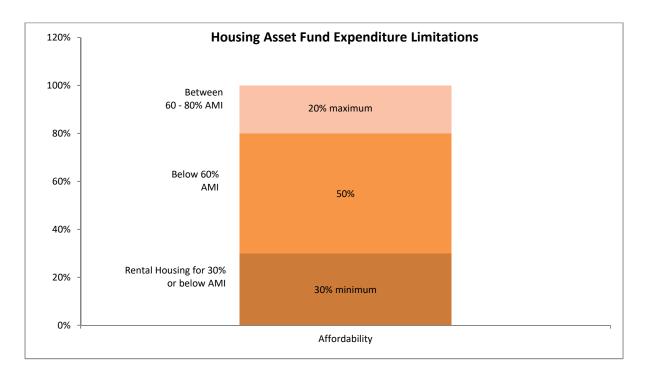
#### OUTSTANDING INCLUSIONARY AND REPLACEMENT HOUSING OBLIGATIONS

SB 341 requires housing successors to describe (A) any outstanding obligations that were supposed to be transferred to the housing successor at the time of dissolution, (B) the housing successor's progress in meeting those obligations, and (C) the housing successor's plans to meet unmet obligations.

The Agency did not have any outstanding inclusionary or replacement housing obligations at the time of dissolution. There are no outstanding inclusionary or replacement housing obligations to be fulfilled by the Housing Successor.

#### INCOME EXPENDITURE PROPORTIONALITY

Expenditures from the Housing Asset Fund shall be limited to the development of housing affordable to and occupied by lower income households earning 80% or less of the AMI, with at least (not less than) 30% of expenditures for rental housing for households earning 30% or less of the AMI and not more than 20% of the expenditures for on the development of housing for households earning between 60% and 80% of the AMI.



Failure to comply with the extremely low-income requirement in any 5-year report will result in the Housing Successor having to ensure that 50% of remaining funds be spent on extremely low-income rental units until in compliance. Exceeding the expenditure limit for households earning between 60% and 80% of the AMI in any 5-year reporting period will result in the Housing Successor not being to expend any funds on these income categories until in compliance.

As depicted in Table 2, the Housing Successor has not expended any funds other than for administrative purposes at this time. Should any funds be expended in the future, staff will ensure that the Successor Agency meets expenditure proportionality requirements by the end of the first five-year compliance period in Fiscal Year 2018-19.

## SENIOR HOUSING EXPENDITURE PROPORTIONALITY

This report must include an accounting of deed-restricted senior rental units that were produced over the last ten years. The Housing Successor must expend no more than 50% of the aggregate total number of senior housing units produced by either the Housing Successor or former Agency during the past 10 years. Exceeding this limitation will prohibit the use of Housing Asset Funds to subsidize any senior rental units.

Over the last 10 years, no affordable senior rental units were constructed. The percentage of affordable rental units developed for seniors is therefore 0%. By default, the Successor has not exceeded the 50% threshold.

#### **EXCESS SURPLUS**

Excess surplus calculations were once performed by redevelopment agencies on an annual basis and are intended to ensure that funds are expended to benefit low-income households in an expeditious manner. Generally speaking, funds should be encumbered within four years of receipt. SB 341 reinstates this calculation for housing successors. Excess surplus is defined by HSC Section 34176.1(d) as "an unencumbered amount in the account that

exceeds the greater of one million dollars, or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater."

The first meaningful calculation of this total cannot be performed until the close of the fifth fiscal year. Once four years of deposits have been established, at the close of the fifth year, the Housing Successor will have to perform a true excess surplus calculation, comparing the unencumbered fund balance to the prior four years of deposits. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

#### INVENTORY OF HOMEOWNERSHIP UNITS

AB 1793 requires this report to include an inventory of homeownership units assisted by the former Agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former Agency's investment of moneys from the Housing Asset Fund. This inventory is attached as Appendix B.

#### DEPOSITS FROM CITY TO AGENCY LOAN REPAYMENTS

HSC Section 34191.4(b)(3)(C) requires that twenty percent of any loan repayment made from a successor agency to a City for a loan to the former redevelopment agency be deducted from the loan repayment amount and transferred to the Housing Asset Fund. There were no loan repayments made to the City in FY 2016-17, so no monies were deposited into the Housing Asset Fund based on this provision of the law.

# APPENDIX B - HOMEOWNERSHIP UNIT INVENTORY

Homeownership Unit Inventory

-				ership Unit Inventory				
Address	Zip	Date	Last Name	First Name	Income	Units	Assisted by	Senior
		Assisted			Level			(Y/N)
120 APPALOOSA COURT	93210	02/29/2008	ESPARZA	FRANK	LI	1	RDA	N
143 PALOMINO STREET		05/05/2008	URBANO	ANTONIO DIAZ	LI	1	RDA	N
1404 NORTH NEVADA STREET		05/06/2008	CONTRERAS	RUDY & ELIZABETH	LI	1	RDA	N
235 TYLER STREET		06/02/2008	DIAZ	JOSE & IRENE	XLI	1	RDA	N
298 EAST HOUSTON STREET		08/19/2008	BARAJAS	GERARDO GARCIA	LI	1	RDA	N
110 MADISON STREET	93210	10/01/2008	GUTIRREZ	NICHOLAS	LI	1	RDA	N
204 NORTH COALINGA	93210	03/04/2009	ROOT	FLOYD GENE	LI	1	RDA	N
1688 POPPY MEADOW COURT	93210	04/14/2009	PANTOJA	RAUL A & COLLEEN	LI	1	RDA	N
303 LOCUST AVENUE	93210	05/05/2009	MARTINEZ	ALBERTO	LI	1	RDA	N
144 ARABIAN	93210	05/18/2009	NAVARRO	JUAN M	LI	1	RDA	N
209 SOUTH PRINCETON AVENUE	93210	05/18/2009	OSUNA	MARLENE	VLI	1	RDA	N
325 EAST HOUSTON	93210	05/19/2009	WALLACE	DORTHY	XLI	1	RDA	N
290 BUCKEYE SPRINGSOUTHRD	93210	05/21/2009	PHILLIPS	JOSHUA & JENNIFER	LI	1	RDA	N
323 COOLIDGE STREET	93210	07/16/2009	MORENO	MARIA G & IRMA C	VLI	1	RDA	N
149 MONROE STREET	93210	08/03/2009	OSBORNE	DENNIS	LI	1	RDA	N
154 BUCHANAN	93210	08/29/2009	ORTEGA	VALENTINA	VLI	1	RDA	N
255 EL CAMINO LANE	93210	09/18/2009	VANBIBBER	JAMES & ANGELINA	LI	1	RDA	N
744 NORTH MONTEREY AVENUE	93210	09/30/2009	WOODBRIDGE	WILLIAM D	LI	1	RDA	N
140 MONROE STREET	93210	11/24/2009	BRAVO	SALVADOR & MARIA DEL ROSARIO	VLI	1	RDA	N
265 MONROE	93210	11/25/2009	POLANCO	GREGORIA	VLI	1	RDA	N
454 ADAMS	93210	11/25/2009	PORTHOUSE	DAVID & COLEAN	MED	1	RDA	N
196 HARRISON	93210	0 1/12/20 10	HERNANDEZ	ANGELICA	LI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	LI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	MED	1	RDA	N
445 WEST PLEASANT	93210	02/12/2010	LUNA	LUCY	LI	1	RDA	N
206 FRESNO STREET		04/01/2010	CLARK	LORI	LI	1	RDA	N
241LINCOLN STREET		04/13/2010	MARTIN	NORMA	LI	1	RDA	N
159 EAST IVY AVENUE EAST	93210	07/12/2010	SERNA	LYDIA	LI	1	RDA	N
217 GRANT STREET		07/15/2010	JOHNSON	DAVID & DIANE	LI	1	RDA	N
325 EAST HOUSTON		07/30/2010	WALLACE	DOROTHY	XLI	1	RDA	N
196 HOOVER STREET		09/23/2010	PONCE	ADULFO JESUS	LI	1	RDA	N
215 WARTHAN STREET		12/14/2010	CRUZ	MARVIN DAVID RAMOS	LI	1	RDA	N
236 COOLIDGE STREET		01/20/2011	TUINSTRA	NORMA (LINDA JOYCE EATON)	XLI	1	RDA	N
501PINE STREET		2/28/2011	ROYCHOUDHURY	PRAKASH	VLI	1	RDA	N
989 NORTH PRINCETON AVENUE		04/28/2011	MORA	SALVADOR AND EVA	VLI	1	RDA	N
835 MUSTANG WAY		06/03/2011	GARCIA	JOSE AND JESSICA	LI	1	RDA	N
252 MONROE STREET		06/06/2011	DELING	DAVID & MARY	VLI	1	RDA	N
210 HARVARD AVENUE		06/06/2011	HOWARD	WENDI	MOD	1	RDA	N
					LI	1	RDA	N
219 JACKSON STREET		07/07/2011 8/16/2017	DURAN	LUIS & MARIA	VLI	1		N N
231SOUTH THOMPSON STREET	932 IU	0/10/201/	REBOLLEDO	SOCORRO	VLI	ı	Housing Successor	IN

Source: City of Coalinga



**City of Coalinga Housing Successor** 

FY 2017-18



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#### INTRODUCTION

The City of Coalinga ("City") is the Housing Successor to the former Coalinga Redevelopment Agency ("Agency"), which was dissolved on February 1, 2012. With dissolution, the former Agency's affordable housing rights, powers, assets, liabilities, duties, and obligations, excluding any amounts in the Agency's Low and Moderate Income Housing Fund, were transferred to the Housing Successor. Unlike the former Agency, the Housing Successor could not collect a recurring stream of funds for which to fulfill affordable housing obligations and needs. All former Agency housing assets and liabilities were transferred to the City as Housing Successor through a Housing Asset Transfer Form approved by the Department of Finance ("DOF") on December 15, 2012.

This is the fifth annual report of the Coalinga Housing Successor Agency with respect to the inherited affordable housing obligations from the former Agency. It contains information regarding expenditures and program activity and complies with legal requirements imposed by Senate Bill ("SB") 341 (effective January 1, 2014), Assembly Bill ("AB") 1793 (effective January 1, 2015) and SB 107 (effective September 22, 2015).

#### **DEFINITION OF HOUSING ASSETS**

According to Health and Safety Code ("HSC") Section 34176(e), housing assets may include the following.

- Real property
- Restrictions on the use of property
- Personal property in a residence
- Housing-related files
- Office supplies and software programs acquired for low-and moderate-income purposes
- Funds encumbered by an enforceable obligation
- Loan or grant receivable funded from the former LMIHF
- Funds derived from rents or operation of properties acquired for low-and moderate-income housing purposes
- Rents or payments from housing tenants or operators of low-and moderate-income housing
- Repayment of Supplemental Educational Revenue Augmentation Fund loans

The assets transferred from the former Agency to the City as Housing Successor include real properties and loans receivable.

# **REPORTING REQUIREMENTS OF SENATE BILL 341**

On January 1, 2014, Senate Bill 341 ("SB 341") became effective and amended certain sections of the HSC that pertain largely to the entities that accepted the housing assets and liabilities of former redevelopment agencies. Originally put into law by SB 341 and later amended by AB 1793, the law clarified that all former redevelopment agency housing assets, regardless of their originating redevelopment agency, must be maintained in a separate fund called the Low and Moderate Income Housing Asset Fund ("Housing Asset Fund"). In accordance with HSC Section 34176.1(f), the following data must now be reported annually for the Housing Asset Fund. Please note that while annual reporting is required, compliance periods may be longer, as described below. Not all items are applicable to all housing successors.

- 1. Total amount deposited in the Housing Asset Fund for the Fiscal Year.
- 2. Statement of balance at the close of the Fiscal Year.
- 3. Description of expenditures for Fiscal Year broken out as follows:
  - a. Rapid rehousing for homelessness prevention (maximum of \$250,000 per year)
  - b. Administrative expenses (greater of \$211,500 or 5 percent of "portfolio")
  - c. Monitoring expenses (included as an administrative expense)
  - d. All other expenditures must be reported as spent for each income group (extremely low-, very low-, and low income)
- 4. Sum of other "Portfolio" balances
  - a. Statutory value of real property either transferred from the former Agency or purchased by the Housing Asset Fund.
  - b. Value of loans and grants receivable.
- 5. Descriptions of any transfers to another housing successor for a joint project.
- 6. Description of any project still funded through the Recognized Obligation Payment Schedule ("ROPS").
- 7. Update on property disposition for any property owned more than 5 years or plans for property owned less than 5 years.
- 8. Description of any outstanding production obligations of the former redevelopment agency that are inherited by the Housing Successor.
- 9. Compliance with proportionality requirements (income group targets). Compliance must be upheld on a five-year cycle.
- 10. Percentage of deed-restricted rental housing restricted to seniors and assisted by the entity assuming housing functions, the former Agency, or the City as Housing Successor within the past 10 years compared to the total number of units assisted by any of those three agencies.
- 11. Amount of excess surplus, and if any, the plan for eliminating the surplus.
- 12. An inventory of homeownership units assisted by the former Agency or its housing successor subject to covenants or restrictions.
- 13. The amount the City receives from the repayment of City loans to the former Agency pursuant to HSC 34191.4(b)(3)(C) (if any).

#### LOW AND MODERATE INCOME HOUSING ASSET FUND

The Low and Moderate Income Housing Asset Fund succeeded the former Agency's Low and Moderate Income Housing Fund. The Housing Asset Fund includes all the assets that were transferred from the Agency to the Housing Successor via the Housing Asset Transfer form which included:

1. Real properties, and

#### 2. Loans/grants receivable

A copy of the Housing Asset Transfer Form ("HAT") listing all transferred assets is included as Appendix A. The HAT was approved by the Department of Finance on December 15, 2012.

#### HOUSING ASSET FUND DEPOSITS AND ENDING BALANCE

The Housing Successor deposited \$79,104 into the Housing Asset Fund during Fiscal Year 2017-18. The source of the deposits was from CDBG grants, loan payments, and loan payoffs. No deposits were held for items on the ROPS.

Fiscal year 2017-18 Housing Asset Fund expenditures totaled \$15,404. Expenses included costs for general administration, property maintenance and operations, and loan servicing fees.

Fiscal Year 2017-18 Housing Asset Fund Activity	Table 1
City of Coalinga	
Beginning Balance	\$ 188,234
Revenues Expenditures	79,104 (15,404)
Transfers In Transfers Out	 -
Ending Balance	\$ 251,934

Source: City of Coalinga, Detailed Trial Balance, Fund 815

At the close of fiscal year 2017-18, the ending balance in the Housing Asset Fund was \$251,934 No amounts were held for enforceable obligations on the ROPS.

#### **EXPENDITURE LIMITATIONS**

SB 341 provides the following guidelines for expenditures from the Housing Asset Fund:

- 1. Administrative costs, which include housing monitoring, are capped at \$211,500 or 5% of the statutory value of any land owned by the housing successor and of loans and grants receivable.
- 2. A housing successor is authorized to spend up to \$250,000 per year on rapid rehousing solutions for homelessness prevention if the former Agency did not have any outstanding housing production requirements.
- 3. Remaining allowable expenditures must be spent to improve housing options affordable to households earning 80% or less of the area median income ("AMI"). This means that no funding may be spent on moderate-income households, as was previously authorized by redevelopment law. Of the money expended, a minimum of 30% must go towards the development of rental housing affordable to

households earning 30% or less of the AMI, and a maximum of 20% may go towards the development of housing affordable to households earning between 60% and 80% of the AMI.

Note that housing successors must report expenditures by category each year, but compliance is measured every five years. For example, a housing successor could spend all its funds in a single year on households earning between 60% and 80% AMI, if it was 20% or less of the total expenditures during the five-year compliance period. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

Table 2 summarizes Housing Asset Fund expenditures on administrative costs and rapid rehousing solutions in Fiscal Year 2017-18, and affordable housing activities by income level from January 1, 2014 through June 30, 2018.

Fiscal Year 2017-18 Housing Asset Fund Expenditures

Table 2

City of Coalinga						
	Annua	l Limits	Five-Year Limits			
	201	7-18	January 1, 20 14 - June 30, 20 18			
	Adm in/	Hom eless	< 30 %	31-59%	60-80%	
	Monitoring	Prevention	AMI Rental	AMI	AMI	
FY 20 13-14	\$11,596	\$0	\$0	\$0	\$0	
FY 20 14 - 15	\$8,632	\$0	\$0	\$0	\$0	
FY 20 15-16	\$30,814	\$0	\$0	\$0	\$0	
FY 20 16-17	\$7,064	\$0	\$0	\$0	\$0	
FY 20 17-18	\$15,404	\$0	\$0	\$0	\$0	
FY 20 18-19	TE	BD.		TBD		
Compliance Period						
Total Expenditures	\$15,404	\$0	\$0	\$0	<i>\$0</i>	
SB 341Limitation	\$211,500 \$250,000		>30%	N/A	<20%	
Compliant (Yes/No)	Yes Yes		Yes	N/A	Yes	

Source: City of Coalinga, Detailed Trial Balance, Fund 815

#### STATUTORY VALUE OF REAL PROPERTIES AND LOAN RECEIVABLES

The Housing Successor must report the statutory value of real properties formerly owned by the Agency or purchased by the Housing Successor with Housing Asset Funds, and the value of loans and/or grants receivable transferred on the Housing Asset Transfer Form. The Housing Successor inherited three real properties (Property #2 is comprised of four separate parcels), 50 loan receivables, and seven grants from the former Agency. Table 3 shows the current total value of real properties and loans receivable. The Housing Asset Transfer Form in Appendix A shows more detailed information about each property and loans/grants receivable.

Fiscal Year 2017-18 Real Properties and Receivables		Table 3
City of Coalinga		
Value of Real Properties	\$	-
Value of Loans Receivable	\$ 1	,484,188
Total Value	\$ 1	,484,188

Source: City of Coalinga, Detailed Trial Balance, Fund 815

Since the Housing Asset Transfer form was adopted, 16 loans have been paid off, including 15 first-time homebuyer loans and one rehabilitation program loan. Total Fiscal Year 2017-18 loans receivable balance was \$1,484,188.

#### MONEY TRANSFERRED BETWEEN HOUSING SUCCESSORS

SB 341 requires that when two or more contiguous housing successors enter into a joint venture to provide (A) a description of any transfers made in the previous fiscal year and in earlier fiscal years and (B) a description of and status update on any project for which transferred funds have been or will be expended.

The Agency has not entered into a joint venture with another housing successor, therefore there is no description or status update to provide.

#### PROPERTY AND PROJECT DESCRIPTIONS

The Agency transferred three real properties to the Housing Successor on the Housing Asset Transfer Form. Table 4 describes each property and its current status. The Housing Successor is developing a strategy for each property's disposition or development, taking several factors into consideration, including whether it is more beneficial to develop properties to provide housing, or to receive sales proceeds to spend on affordable housing activities within the expenditure limitations set by SB 341.

#### Properties Transferred from the Former Redevelopment Agency

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City	of Coalinga			
HAT Item	Address/APN	Property Type	Statutory Value	Status / Desired Action
1	180 Pierce Street (APN 071-123-18)	Vacant SFR Lot	\$ 17,000	Sell or retain for housing
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				developm ent

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HSC Code Section 34176(e) requires that all real properties acquired by the Agency prior to February 1, 2012 and transferred to the Housing Successor be developed pursuant to the requirements detailed in HSC Section 33334.16. Thus, all property that falls within these parameters must be developed for affordable housing purposes within 5 years from the date DOF approved the Housing Asset Transfer Form. Coalinga's Housing Asset Transfer Form was approved by DOF on December 15, 2012, setting a 5-year deadline of December 15, 2017. If the Housing Successor is unable to develop these properties within the 5-year period, the law allows for a 5-year extension via adoption of a resolution. The Housing Successor is developing a strategy that will comply with disposition requirements.

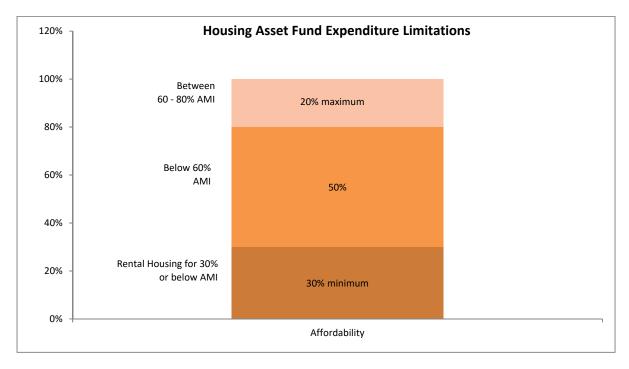
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Expenditures from the Housing Asset Fund shall be limited to the development of housing affordable to and occupied by lower income households earning 80% or less of the AMI, with at least (not less than) 30% of expenditures for rental housing for households earning 30% or less of the AMI and not more than 20% of the expenditures for on the development of housing for households earning between 60% and 80% of the AMI.



Failure to comply with the extremely low-income requirement in any 5-year report will result in the Housing Successor having to ensure that 50% of remaining funds be spent on extremely low-income rental units until in compliance. Exceeding the expenditure limit for households earning between 60% and 80% of the AMI in any 5-year reporting period will result in the Housing Successor not being to expend any funds on these income categories until in compliance.

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Over the last 10 years, no affordable senior rental units were constructed. The percentage of affordable rental units developed for seniors is therefore 0%. By default, the Successor has not exceeded the 50% threshold.

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Excess surplus calculations were once performed by redevelopment agencies on an annual basis and are intended to ensure that funds are expended to benefit low-income households in an expeditious manner. Funds should be encumbered within four years of receipt. SB 341 reinstates this calculation for housing successors. Excess surplus is defined by HSC Section 34176.1(d) as "an unencumbered amount in the account that exceeds the greater of one million dollars, or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater."

The first meaningful calculation of this total cannot be performed until the close of the fifth fiscal year. Once four years of deposits have been established, at the close of the fifth year, the Housing Successor will have to perform a true excess surplus calculation, comparing the unencumbered fund balance to the prior four years of deposits. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019. Compliance will be evaluated in the annual report for Fiscal Year 2018-19.

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HSC Section 34191.4(b)(3)(C) requires that twenty percent of any loan repayment made from a successor agency to a City for a loan to the former redevelopment agency be deducted from the loan repayment amount and

transferred to the Housing Asset Fund. There were no loan repayments made to the City in FY 2017-18, so no monies were deposited into the Housing Asset Fund based on this provision of the law.

## APPENDIX B - HOMEOWNERSHIP UNIT INVENTORY

Homeownership Unit Inventory

Address	Zip	Date	Last Name	ership Unit Inventory First Name	Income	Units	Assisted by	Senior
Address	Zip	Assisted	Last Hame	i ii st Name	Level	Oiiita	Assisted by	(Y/N)
120 APPALOOSA COURT	93210	02/29/2008	ESPARZA	FRANK	Levei	1	RDA	N (1/14)
143 PALOMINO STREET	93210	05/05/2008	URBANO	ANTONIO DIAZ	LI	1	RDA	N
1404 NORTH NEVADA STREET	93210	05/06/2008	CONTRERAS	RUDY & ELIZABETH	LI	1	RDA	N
235 TYLER STREET	93210		DIAZ	JOSE & IRENE	XLI	1	RDA	N
298 EAST HOUSTON STREET	93210	08/19/2008	BARAJAS	GERARDO GARCIA	LI	1	RDA	N
110 MADISON STREET	93210	10/01/2008	GUTIRREZ	NICHOLAS	LI	1	RDA	N
204 NORTH COALINGA	93210		ROOT	FLOYD GENE	LI	1	RDA	N
1688 POPPY MEADOW COURT		04/14/2009	PANTOJA	RAUL A & COLLEEN	LI	1	RDA	N
303 LOCUST AVENUE	93210		MARTINEZ	ALBERTO	LI	1	RDA	N
144 ARABIAN	93210	05/18/2009	NAVARRO	JUAN M	LI	1	RDA	N
209 SOUTH PRINCETON AVENUE		05/18/2009	OSUNA	MARLENE	VLI	1	RDA	N
325 EAST HOUSTON		05/19/2009	WALLACE	DORTHY	XLI	1	RDA	N
290 BUCKEYE SPRINGSOUTHRD	93210	05/21/2009	PHILLIPS	JOSHUA & JENNIFER	LI	1	RDA	N
323 COOLIDGE STREET	93210	07/16/2009	MORENO	MARIA G & IRMA C	VLI	1	RDA	N
149 MONROE STREET	93210	08/03/2009	OSBORNE	DENNIS	LI	1	RDA	N
154 BUCHANAN		08/29/2009	ORTEGA	VALENTINA	VLI	1	RDA	N
255 EL CAMINO LANE	93210	09/18/2009	VANBIBBER	JAMES & ANGELINA	LI	1	RDA	
	93210				LI	1	RDA	N N
744 NORTH MONTEREY AVENUE			WOODBRIDGE	WILLIAM D		-		
140 MONROE STREET			BRAVO	SALVADOR & MARIA DEL ROSARIO	VLI	1 1	RDA	N
265 MONROE		11/25/2009	POLANCO	GREGORIA	VLI	-	RDA	N
454 ADAMS			PORTHOUSE	DAVID & COLEAN	MED	1	RDA	N
196 HARRISON			HERNANDEZ	ANGELICA	LI	1	RDA	N
236 EAST CHERRY LANE		02/02/2010	JONES	MARIA	LI	1	RDA	N
236 EAST CHERRY LANE		02/02/2010	JONES	MARIA	MED	1	RDA	N
445 WEST PLEASANT		02/12/2010	LUNA	LUCY	LI	1	RDA	N
206 FRESNO STREET		04/01/2010	CLARK	LORI	LI	1	RDA	N
241LINCOLN STREET		04/13/2010	MARTIN	NORMA	LI	1	RDA	N
159 EAST IVY AVENUE EAST		07/12/2010	SERNA	LYDIA	LI	1	RDA	N
217 GRANT STREET			JOHNSON	DAVID & DIANE	LI	1	RDA	N
325 EAST HOUSTON	93210	07/30/2010	WALLACE	DOROTHY	XLI	1	RDA	N
196 HOOVER STREET	93210	09/23/2010	PONCE	ADULFO JESUS	LI	1	RDA	N
215 WARTHAN STREET		12/14/2010	CRUZ	MARVIN DAVID RAMOS	LI	1	RDA	N
236 COOLIDGE STREET	93210	01/20/2011	TUINSTRA	NORMA (LINDA JOYCE EATON)	XLI	1	RDA	N
501PINE STREET	93210	2/28/2011	ROYCHOUDHURY	PRAKASH	VLI	1	RDA	N
989 NORTH PRINCETON AVENUE	93210	04/28/2011	MORA	SALVADOR AND EVA	VLI	1	RDA	N
835 MUSTANG WAY	93210	06/03/2011	GARCIA	JOSE AND JESSICA	LI	1	RDA	N
252 MONROE STREET	93210	06/06/2011	DELING	DAVID & MARY	VLI	1	RDA	N
210 HARVARD AVENUE	93210	06/06/2011	HOWARD	WENDI	MOD	1	RDA	N
219 JACKSON STREET	93210	07/07/2011	DURAN	LUIS & MARIA	LI	1	RDA	N
231SOUTH THOMPSON STREET	93210	8/16/2017	REBOLLEDO	SOCORRO	VLI	1	Housing Successor	· N



**City of Coalinga Housing Successor** 

FY 2018-19



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#### INTRODUCTION

The City of Coalinga ("City") is the Housing Successor to the former Coalinga Redevelopment Agency ("Agency"), which was dissolved on February 1, 2012. With dissolution, the former Agency's affordable housing rights, powers, assets, liabilities, duties, and obligations, excluding any amounts in the Agency's Low and Moderate Income Housing Fund, were transferred to the Housing Successor. Unlike the former Agency, the Housing Successor could not collect a recurring stream of funds for which to fulfill affordable housing obligations and needs. All former Agency housing assets and liabilities were transferred to the City as Housing Successor through a Housing Asset Transfer Form approved by the Department of Finance ("DOF") on December 15, 2012.

This is the sixth annual report ("Annual Report") of the Coalinga Housing Successor Agency with respect to the inherited affordable housing obligations from the former Agency. It contains information regarding expenditures and program activity and complies with legal requirements imposed by Senate Bill ("SB") 341 (effective January 1, 2014), Assembly Bill ("AB") 1793 (effective January 1, 2015) and SB 107 (effective September 22, 2015). FY 2018-19 marks the end of the first five-year compliance period for income proportionality. This Annual Report details how the Housing Successor met all requirements for expenditures by income level from January 1, 2014 through June 30, 2019.

The Annual Report is due to the California Department of Housing and Community Development ("HCD") by April 1 annually, and must be accompanied by an independent financial audit. The City's audited financial statements will be posted on the City website when available.

#### **DEFINITION OF HOUSING ASSETS**

According to Health and Safety Code ("HSC") Section 34176(e), housing assets may include the following.

- Real property
- Restrictions on the use of property
- Personal property in a residence
- Housing-related files
- Office supplies and software programs acquired for low-and moderate-income purposes
- Funds encumbered by an enforceable obligation
- Loan or grant receivable funded from the former LMIHF
- Funds derived from rents or operation of properties acquired for low-and moderate-income housing purposes
- Rents or payments from housing tenants or operators of low-and moderate-income housing
- Repayment of Supplemental Educational Revenue Augmentation Fund loans

The assets transferred from the former Agency to the City as Housing Successor include real properties and loans receivable.

## **REPORTING REQUIREMENTS OF SENATE BILL 341**

On January 1, 2014, Senate Bill 341 ("SB 341") became effective and amended certain sections of the HSC that pertain largely to the entities that accepted the housing assets and liabilities of former redevelopment agencies.

Originally put into law by SB 341 and later amended by AB 1793, the law clarified that all former redevelopment agency housing assets, regardless of their originating redevelopment agency, must be maintained in a separate fund called the Low and Moderate Income Housing Asset Fund ("Housing Asset Fund"). In accordance with HSC Section 34176.1(f), the following data must now be reported annually for the Housing Asset Fund. Please note that while annual reporting is required, compliance periods may be longer, as described below. Not all items are applicable to all housing successors.

- 1. Total amount deposited in the Housing Asset Fund for the Fiscal Year.
- 2. Statement of balance at the close of the Fiscal Year.
- 3. Description of expenditures for Fiscal Year broken out as follows:
  - a. Rapid rehousing for homelessness prevention (maximum of \$250,000 per year)
  - b. Administrative expenses (greater of \$215,500 or 5 percent of "portfolio")
  - c. Monitoring expenses (included as an administrative expense)
  - d. All other expenditures must be reported as spent for each income group (extremely low-, very low-, and low income)
- 4. Sum of other "Portfolio" balances
  - a. Statutory value of real property either transferred from the former Agency or purchased by the Housing Asset Fund.
  - b. Value of loans and grants receivable.
- 5. Descriptions of any transfers to another housing successor for a joint project.
- 6. Description of any project still funded through the Recognized Obligation Payment Schedule ("ROPS").
- 7. Update on property disposition for any property owned more than 5 years or plans for property owned less than 5 years.
- 8. Description of any outstanding production obligations of the former redevelopment agency that are inherited by the Housing Successor.
- 9. Compliance with proportionality requirements (income group targets). Compliance must be upheld on a five-year cycle.
- 10. Percentage of deed-restricted rental housing restricted to seniors and assisted by the entity assuming housing functions, the former Agency, or the City as Housing Successor within the past 10 years compared to the total number of units assisted by any of those three agencies.
- 11. Amount of excess surplus, and if any, the plan for eliminating the surplus.
- 12. An inventory of homeownership units assisted by the former Agency or its housing successor subject to covenants or restrictions.
- 13. The amount the City receives from the repayment of City loans to the former Agency pursuant to HSC 34191.4(b)(3)(C) (if any).

#### LOW AND MODERATE INCOME HOUSING ASSET FUND

The Low and Moderate Income Housing Asset Fund succeeded the former Agency's Low and Moderate Income Housing Fund. The Housing Asset Fund includes all the assets that were transferred from the Agency to the Housing Successor via the Housing Asset Transfer form which included:

- 1. Real properties, and
- 2. Loans/grants receivable

A copy of the Housing Asset Transfer Form ("HAT") listing all transferred assets is included as Appendix A. The HAT was approved by the Department of Finance on December 15, 2012.

#### HOUSING ASSET FUND DEPOSITS AND ENDING BALANCE

The Housing Successor deposited \$181,050 into the Housing Asset Fund during Fiscal Year 2018-19. The source of the deposits was from loan repayments and interest. No deposits were received from Successor Agency Recognized Obligation Payment Schedule ("ROPS") obligations. There were \$19,854 worth of expenditures in Fiscal Year 2018-19.

Fiscal Year 2018-19 Housing Asset Fund Activity	Table 1
City of Coalinga	
Beginning Balance <sup>1</sup>	\$ 189,495
Revenues Expenditures Adjusting Entry	18 1,0 50 (19,8 54) 1,9 11
Ending Balance	\$ 352,602

<sup>&</sup>lt;sup>1</sup>Beginning balance may vary from prior year ending balance due to year-end accounting adjustments.

Source: City of Coalinga, Detailed Trial Balance, Fund 815

At the close of fiscal year 2018-19, the ending balance in the Housing Asset Fund was \$352,602. No amounts were held for enforceable obligations on the ROPS.

## **EXPENDITURE LIMITATIONS**

SB 341 provides the following guidelines for expenditures from the Housing Asset Fund:

1. Administrative costs, which include housing monitoring, are capped at \$215,500 or 5% of the statutory value of any land owned by the housing successor and of loans and grants receivable.

- 2. A housing successor is authorized to spend up to \$250,000 per year on rapid rehousing solutions for homelessness prevention if the former Agency did not have any outstanding housing production requirements.
- 3. Remaining allowable expenditures must be spent to improve housing options affordable to households earning 80% or less of the area median income ("AMI"). This means that no funding may be spent on moderate-income households, as was previously authorized by redevelopment law. Of the money expended, a minimum of 30% must go towards the development of rental housing affordable to households earning 30% or less of the AMI, and a maximum of 20% may go towards the development of housing affordable to households earning between 60% and 80% of the AMI.

Note that housing successors must report expenditures by category each year, but compliance is measured every five years. For example, a housing successor could spend all its funds in a single year on households earning between 60% and 80% AMI, if it was 20% or less of the total expenditures during the five-year compliance period. The first five-year compliance period begins on January 1, 2014 and ends on June 30, 2019.

Table 2 summarizes Housing Asset Fund expenditures on administrative costs and rapid rehousing solutions in Fiscal Year 2018-19, and affordable housing activities by income level from January 1, 2014 through June 30, 2019.

## Fiscal Year 2018-19 Housing Asset Fund Expenditures

Table 2

City of Coalinga								
	Annua	l Limits	Five-Year Limits					
	201	8-19	January 1	30, 2019				
	Adm in/	Hom eless	< 30 %	31-59%	60-80%			
	Monitoring	Prevention	AMI Rental	AMI	AMI			
FY 2013-14	\$11,596	\$0	\$0	\$0	\$0			
FY 2014-15	\$8,632	\$0	\$0	\$0	\$0			
FY 20 15-16	\$30,814	\$0	\$0	\$0	\$0			
FY 2016-17	\$7,064	\$0	<i>\$0</i>	\$0	\$0			
FY 20 17-18	\$15,404	\$0	\$0	\$0	\$0			
FY 20 18-19	\$19,854	\$0	<i>\$0</i>	\$0	\$0			
Compliance Period								
Total Expenditures	\$19,854	\$0	\$ <i>0</i>	\$0	\$0			
SB 341Limitation	\$215,500	\$250,000	>30 %	N/A	<20%			
Compliant (Yes/No)	Yes	Yes	Yes	N/A	Yes			

Source: City of Coalinga, Detailed Trial Balance, Fund 815

#### STATUTORY VALUE OF REAL PROPERTIES AND LOAN RECEIVABLES

The Housing Successor must report the statutory value of real properties formerly owned by the Agency or purchased by the Housing Successor with Housing Asset Funds, and the value of loans and/or grants receivable transferred on the Housing Asset Transfer Form. The Housing Successor inherited three real properties (one property is comprised of four separate parcels), 50 loan receivables, and seven grants from the former Agency. Table 3 shows the current total value of real properties and loans receivable accounted for in the Housing Asset Fund. The Housing Asset Transfer Form in Appendix A shows more detailed information about each property and loans/grants receivable.

Fiscal Year 2018-19 Real Properties and Receivables		Table 3
City of Coalinga		
	•	
Value of Real Properties <sup>1</sup>	\$	-
Value of Loans Receivable	\$ 1,4	184,188
Total Value	\$ 1,4	184,188

<sup>&</sup>lt;sup>1</sup>Fund 815 does not account for the statutory value of properties reported in Table 4

Source: City of Coalinga, Detailed Trial Balance, Fund 815

Since the Housing Asset Transfer form was adopted, 16 loans have been paid off, including 15 first-time homebuyer loans and one rehabilitation program loan. The Fiscal Year 2018-19 loans receivable balance was \$1,484,188.

#### MONEY TRANSFERRED BETWEEN HOUSING SUCCESSORS

SB 341 requires that when two or more contiguous housing successors enter into a joint venture to provide (A) a description of any transfers made in the previous fiscal year and in earlier fiscal years and (B) a description of and status update on any project for which transferred funds have been or will be expended.

The Agency has not entered into a joint venture with another housing successor, therefore there is no description or status update to provide.

#### PROPERTY AND PROJECT DESCRIPTIONS

The Agency transferred three real properties to the Housing Successor on the Housing Asset Transfer Form. Table 4 describes each property and its current status. The Housing Successor is developing a strategy for each property's disposition or development, taking several factors into consideration, including whether it is more beneficial to develop properties to provide housing, or to receive sales proceeds to spend on affordable housing activities within the expenditure limitations set by SB 341.

#### City of Coalinga

HAT Item	Address/APN	Property Type	Statutory Value	Status / Desired Action
1	180 Pierce Street (APN 071-123-18)	Vacant SFR	\$ 17,000	Sell or retain for housing
		Lot		develop m ent
2	083-020-56ST, 083-020-58ST, 083-020-60ST, 083-080-	Vacant Land	\$ 30,000	Sell or retain for housing
	63ST			developm ent
3	071-162-16S	Vacant Land	\$ 133,000	Sell or retain for housing
				developm ent

Source: City of Coalinga Housing Assets List

#### PROPERTY DISPOSITION COMPLIANCE

HSC Code Section 34176(e) requires that all real properties acquired by the Agency prior to February 1, 2012 and transferred to the Housing Successor be developed pursuant to the requirements detailed in HSC Section 33334.16. Thus, all property that falls within these parameters must be developed for affordable housing purposes within 5 years from the date DOF approved the Housing Asset Transfer Form. Coalinga's Housing Asset Transfer Form was approved by DOF on December 15, 2012, setting a 5-year deadline of December 15, 2017. If the Housing Successor is unable to develop these properties within the 5-year period, the law allows for a 5-year extension via adoption of a resolution. The Housing Successor is developing a strategy that will comply with disposition requirements.

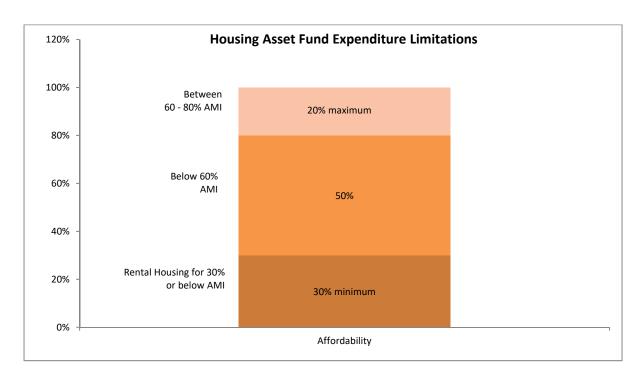
#### OUTSTANDING INCLUSIONARY AND REPLACEMENT HOUSING OBLIGATIONS

SB 341 requires housing successors to describe (A) any outstanding obligations that were supposed to be transfer to the housing successor at the time of dissolution, (B) the housing successor's progress in meeting those obligations, and (C) the housing successor's plans to meet unmet obligations.

The Agency did not have any outstanding inclusionary or replacement housing obligations at the time of dissolution. There are no outstanding inclusionary or replacement housing obligations to be fulfilled by the Housing Successor.

#### INCOME EXPENDITURE PROPORTIONALITY

Expenditures from the Housing Asset Fund shall be limited to the development of housing affordable to and occupied by lower income households earning 80% or less of the AMI, with at least (not less than) 30% of expenditures for rental housing for households earning 30% or less of the AMI and not more than 20% of the expenditures for on the development of housing for households earning between 60% and 80% of the AMI.



Failure to comply with the extremely low-income requirement in any 5-year report will result in the Housing Successor having to ensure that 50% of remaining funds be spent on extremely low-income rental units until in compliance. Exceeding the expenditure limit for households earning between 60% and 80% of the AMI in any 5-year reporting period will result in the Housing Successor not being to expend any funds on these income categories until in compliance.

As depicted in Table 2, the Housing Successor has not expended any funds other than for administrative purposes at this time. Should any funds be expended in the future, staff will ensure that the Successor Agency meets expenditure proportionality requirements by the end of the first five-year compliance period in Fiscal Year 2018-19.

#### SENIOR HOUSING EXPENDITURE PROPORTIONALITY

This report must include an accounting of deed-restricted senior rental units that were produced over the last ten years. The Housing Successor must expend no more than 50% of the aggregate total number of senior housing units produced by either the Housing Successor or former Agency during the past 10 years. Exceeding this limitation will prohibit the use of Housing Asset Funds to subsidize any senior rental units.

Over the last 10 years, no affordable senior rental units were constructed. The percentage of affordable rental units developed for seniors is therefore 0%. By default, the Successor has not exceeded the 50% threshold.

#### **EXCESS SURPLUS**

Excess surplus calculations were once performed by redevelopment agencies on an annual basis and are intended to ensure that funds are expended to benefit low-income households in an expeditious manner. Funds should be encumbered within four years of receipt. SB 341 reinstates this calculation for housing successors. Excess surplus is defined by HSC Section 34176.1(d) as "an unencumbered amount in the account that exceeds the greater of

one million dollars, or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater."

The Housing Successor did not have an excess surplus as of FY 2018-19 as shown in Table 5.

Fiscal Year 2018-19 Excess Surplus									
Fiscal Year	20 14 - 15	20 15-16	20 16-17	20 17-18	20 18 - 19				
Deposits:	\$6,347	\$1,229	\$115,702	\$79,104	\$ 18 1,0 50				
FY 2018-19 Beginning Less: Encumbered Fu Unencumbered Amo	\$189,495 \$0 \$189,495								
Last 4 Deposits	\$202,381								
Larger of \$1Million or Last 4 Deposits Unencumbered Cash Balance									
Excess Surplus					\$0				

If the Housing Asset Fund accumulates an excess surplus in the future, it must be expended or encumbered within three fiscal years. If a housing successor fails to comply, it must transfer any excess surplus to HCD within 90 days of the end of the third fiscal year.

#### INVENTORY OF HOMEOWNERSHIP UNITS

AB 1793 requires this report to include an inventory of homeownership units assisted by the former Agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former Agency's investment of moneys from the Housing Asset Fund. This inventory is attached as Appendix B.

## DEPOSITS FROM CITY TO AGENCY LOAN REPAYMENTS

HSC Section 34191.4(b)(3)(C) requires that twenty percent of any loan repayment made from a successor agency to a City for a loan to the former redevelopment agency be deducted from the loan repayment amount and transferred to the Housing Asset Fund. There were no loan repayments made to the City in FY 2018-19, so no monies were deposited into the Housing Asset Fund based on this provision of the law.

Attached as a separate document.

APPENDIX B - HOMEOWNERSHIP UNIT INVENTORY

Address	Zip	Date	Last Name	First Name	Income	Units	Assisted by	Senior
		Assisted			Level			(Y/N)
120 APPALOOSA COURT	93210	02/29/2008	ESPARZA	FRANK	LI	1	RDA	N
143 PALAMINO STREET	93210	05/05/2008	URBANO	ANTONIO DIAZ	LI	1	RDA	N
1404 NORTH NEVADA STREET	93210	05/06/2008	CONTRERAS	RUDY & ELIZABETH	LI	1	RDA	N
235 TYLER STREET	93210	06/02/2008	DIAZ	JOSE & IRENE	XLI	1	RDA	N
298 EAST HOUSTON STREET	93210	08/19/2008	BARAJAS	GERARDO GARCIA	LI	1	RDA	N
110 MADISON STREET	93210	10/01/2008	GUTIRREZ	NICHOLAS	LI	1	RDA	N
204 NORTH COALINGA	93210	03/04/2009	ROOT	FLOYD GENE	LI	1	RDA	N
303 LOCUST AVENUE	93210	05/05/2009	MARTINEZ	ALBERTO	LI	1	RDA	N
144 ARABIAN	93210	05/18/2009	NAVARRO	JUAN M	LI	1	RDA	N
209 SOUTH PRINCETON AVENUE	93210	05/18/2009	OSUNA	MARLENE	VLI	1	RDA	N
325 EAST HOUSTON	93210	05/19/2009	WALLACE	DORTHY	XLI	1	RDA	N
255 EL CAMINO LANE	93210	09/18/2009	VANBIBBER	JAMES & ANGELINA	LI	1	RDA	N
140 MONROE STREET	93210	11/24/2009	BRAVO	SALVADOR & MARIA DEL ROSARIO	VLI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	LI	1	RDA	N
236 EAST CHERRY LANE	93210	02/02/2010	JONES	MARIA	MED	1	RDA	N
445 WEST PLEASANT	93210	02/12/2010	LUNA	LUCY	LI	1	RDA	N
206 FRESNO STREET	93210	04/01/2010	CLARK	LORI	LI	1	RDA	N
159 EAST IVY AVENUE EAST	93210	07/12/2010	SERNA	LYDIA	LI	1	RDA	N
325 EAST HOUSTON	93210	07/30/2010	WALLACE	DOROTHY	XLI	1	RDA	N
196 HOOVER STREET	93210	09/23/2010	PONCE	ADULFO JESUS	LI	1	RDA	N
215 WARTHAN STREET	93210	12/14/2010	CRUZ	MARVIN DAVID RAMOS	LI	1	RDA	N
236 COOLIDGE STREET	93210	01/20/2011	TUINSTRA	NORMA (LINDA JOYCE EATON)	XLI	1	RDA	N
989 NORTH PRINCETON AVENUE	93210	04/28/2011	MORA	SALVADOR AND EVA	VLI	1	RDA	N
835 MUSTANG WAY	93210	06/03/2011	GARCIA	JOSE AND JESSICA	LI	1	RDA	N
231SOUTH THOMPSON STREET	93210	8/16/2017	REBOLLEDO	SOCORRO	VLI	1	Housing Successor	N

Source: City of Coalinga

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

**Subject:** Adopt Resolution No. 3956 Extending the Time Period for the Development and

or Disposition of Housing Properties Transferred from the Former Coalinga Redevelopment Agency Pursuant to Health and Safety Code Section 34176.1(e)

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

**Prepared by:** Jasmin Bains, Financial Services Director

## I. RECOMMENDATION:

Financial Services Director recommends City Council adoption of Resolution No. 3956 extending the time period for the development and or disposition of housing properties transferred from the former Coalinga Redevelopment Agency pursuant to Health and Safety Code Section 34176.1(e).

#### II. BACKGROUND:

The City Council, serving as the Housing Successor Agency of the former Coalinga Redevelopment Agency ("RDA"), may consider an extension of five-years to initiate the affordable housing development and/or disposal of the remaining housing assets that were transferred from the RDA to the Successor Agency.

#### III. DISCUSSION:

The City of Coalinga ("City") is the Housing Successor Agency ("Housing Successor") to the former Coalinga Redevelopment Agency. Properties transferred from the former Agency to the City as Housing Successor must be developed for affordable housing purposes or sold by December 15, 2017, unless the City Council extends this time period by five years as permitted by state law.

The attached resolution would extend the time period to initiate development or disposal of the remaining housing assets to December 15, 2022.

All California redevelopment agencies were dissolved by State law on February 1, 2012. The former RDA's affordable housing rights, powers, assets, liabilities, duties, and obligations, excluding any amounts in the Agency's Low and Moderate Income Housing Fund, were transferred to the City as the Housing Successor Agency. Housing assets and liabilities were transferred to the City through a Housing Asset Transfer Form approved by the Department of Finance ("DOF") on December 15, 2012.

As a consequence of redevelopment dissolution, the former RDA transferred a total of three real properties to the City, as listed in the following table, and on the maps shown in Attachment B. All three properties remain to be sold or developed.

# PROPERTIES TRANSFERRED FROM THE COALINGA REDEVELOPMENT AGENCY

HAT	PROPERTY ADDRESS/APN	PROPERTY TYPE
ITEM#		
1	180 Pierce Street (APN: 071-123-18)	Vacant SFR Lot
2	083-020-58ST (portion)  083-020-63ST  083-020-60ST  083-020-56ST (portion)	Vacant Land
3	071-162-16S	Vacant Land

Note: S extension is surface rights only, mineral rights owned by a third party and not subject to disposition. Under Redevelopment Law, real properties acquired with housing funds had to see some initiation of development activities within five years, and the law allows a single extension of this timeframe for another five years. The Dissolution Act, specifically Health and Safety Code Section 34176.16, starts the first five-year time period from the date that the Department of Finance approved the transfer of housing assets from the former RDA to the housing successor agency. For Coalinga, the DOF sent their approval letter dated December 15, 2012 approving the transfer of housing assets to the City, meaning that the City would need to initiate activities for development or disposition by December 15, 2017, or seek an extension of this time limit by another five years.

Handicapped without funding to acquire or underwrite projects, most housing successor agencies are limited in their ability to initiate development activities without an extension. The City has been unable to initiate development on the properties due to the loss of funding from redevelopment dissolution. For this reason, City staff is recommending that the City Council extend the time period for initiation of housing activities on these three property assets to December 15, 2022 as described in the attached resolution.

The extension allows for the orderly and prudent use of affordable housing assets. While the City might consider selling some of the properties, staff must adhere to several restrictions imposed by State Law on Housing Successor financing and housing production. State law requires housing successor agencies to spend Housing Asset Funds within certain limits based on income levels, age restrictions, and excess surplus thresholds. Therefore, city staff does not recommend selling the properties right away in order to preserve opportunities for future affordable housing development within the limits imposed by law, and to avoid accumulating an excess surplus. If the properties are sold, the sales proceeds would be deposited into the Housing Asset Fund, and if they are not spent on qualified expenses within a certain timeframe and threshold, the City could be forced to transfer funds to the State.

## **IV. ALTERNATIVES:**

None.

#### V. FISCAL IMPACT:

There will be no fiscal impact to the General Fund at this time.

ATTACHMENTS:

File Name Description

RESO#3956\_Five-Year\_Successor\_Housing\_Disposition\_Extension\_030520.pdf

□ Parcel\_Map\_HAT\_Item\_#1.pdf

□ Parcel\_Map\_HAT\_Item\_#2.pdf

■ Parcel\_Map\_HAT\_Item\_#3.pdf

RESO#3956 Five-Year Sucessor Housing Disposition

Exention

Pacel Map HAT Item#1

Parcel Map HAT Item#2

Parcel Map HAT Item#3

#### **RESOLUTION NO. 3956**

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA EXTENDING THE TIME PERIOD FOR THE DEVELOPMENT AND OR DISPOSITION OF HOUSING PROPERTIES TRANSFERRED FROM THE FORMER COALINGA REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176.1(e)

WHEREAS, the Coalinga Redevelopment Agency ("RDA") was a public body, corporate and politic, duly created, established and authorized to transact business and exercise its powers under and pursuant to the provisions of the Community Redevelopment Law (Part 1 of Division 24 (commencing with Section 33000) of the Health and Safety Code of the State of California) ("HSC"); and

WHEREAS, the City of Coalinga ("City"), as the entity that authorized the creation of the dissolved Coalinga Redevelopment Agency elected to become the "Housing Successor Agency" to the former RDA pursuant to HSC Section 34176, and retain the housing assets and functions previously performed by the RDA, excluding any amounts on deposit in the Low and Moderate Income Housing Fund ("LMIHF"), after all California redevelopment agencies were dissolved by State law on February 1, 2012; and

WHEREAS, HSC Section 33334.16 provides that within five years from the date a property is acquired by a redevelopment agency with LMIHF monies, activities must be initiated consistent with the development of the property for affordable housing purposes, or the property must be sold and sales proceeds shall be deposited into the LMIHF; and

WHEREAS, HSC 33334.16 further states that the legislative body may extend the aforementioned property development or disposition deadline for one additional period not to exceed five years; and

WHEREAS, pursuant to HSC 34176.1(e), the Dissolution Act amended HSC 33334.16 by establishing that the initial five-year period to initiate housing activities on real properties acquired by the RDA prior to February 1, 2012 and transferred to the Housing Successor Agency commences not from the date of redevelopment acquisition, but from the date the Department of Finance ("DOF") approved such properties as a housing asset, and continues to allow for an extension of this timeframe; and

WHEREAS, as a result of redevelopment dissolution pursuant to HSC Section 34176, on December 15, 2012, DOF approved the Coalinga Housing Assets Transfer form, and a total of three LMIHF real property assets "Properties" were transferred, at no cost, from the former RDA to the City's Low and Moderate Income Housing Asset Fund established pursuant to HSC 34176(d), with the requirement that such assets be used for affordable housing purposes. A list of these housing assets is contained herewith as Exhibit "A"; and

WHEREAS, under amended provisions of HSC 34176.1(e), the City, in its capacity as Housing Successor Agency, would have to initiate activities to develop affordable housing on or dispose of the properties by December 15, 2017, which is five years from the date DOF approved the housing assets transferred from the RDA to the City; and

WHEREAS, due in large part to the loss of funds resulting from the dissolution of redevelopment agencies in California and other factors, the City has been unable to initiate affordable housing activities at the Properties; and

WHEREAS, as the City is continuing to pursue a strategy to leverage the Properties to achieve affordable housing objectives, an extension as permitted by HSC 33334.16 is appropriate.

**NOW BE IT HEREBY RESOLVED** by the City Council of the City of Coalinga as follows:

**SECTION 1.** The foregoing recitals are true and correct.

**SECTION 2.** The City Council finds and determines it is the City's intention that the Properties be developed for affordable housing purposes or sold to fund other affordable housing activities as permitted by the HSC.

**SECTION 3.** The City Council finds and determines that the City may retain the Properties for an additional period not to exceed five years, or December 15, 2022, for the purpose of initiating affordable housing development activities.

**SECTION 4.** The City Clerk shall attest to the adoption of this Resolution.

**PASSED and ADOPTED** by the City Council of the City of Coalinga at a regular meeting on this **5th day of March**, **2020**, by the following vote:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	APPROVED:
	Ron Lander, Mayor
ATTEST:	
Shannon Jensen, City Clerk	

## **EXHIBIT A**

# PROPERTIES TRANSFERRED FROM THE COALINGA REDEVELOPMENT AGENCY

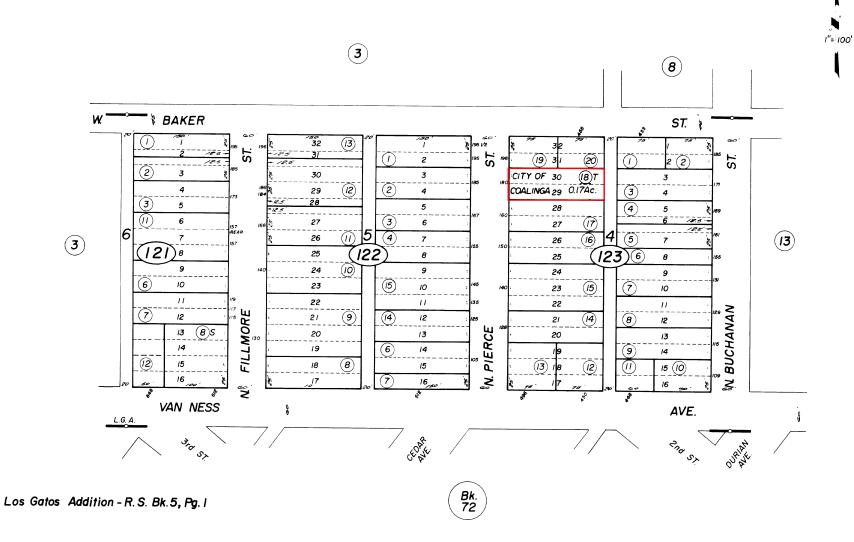
HAT	PROPERTY ADDRESS/APN	PROPERTY TYPE
ITEM#		
1	180 Pierce Street (APN: 071-123-18)	Vacant SFR Lot
2	083-020-58ST (portion)	Vacant Land
	083-020-63ST	
	083-020-60ST	
	083-020-56ST (portion)	
3	071-162-16S	Vacant Land

Note: S extension is surface rights only, mineral rights owned by a third party and not subject to disposition.



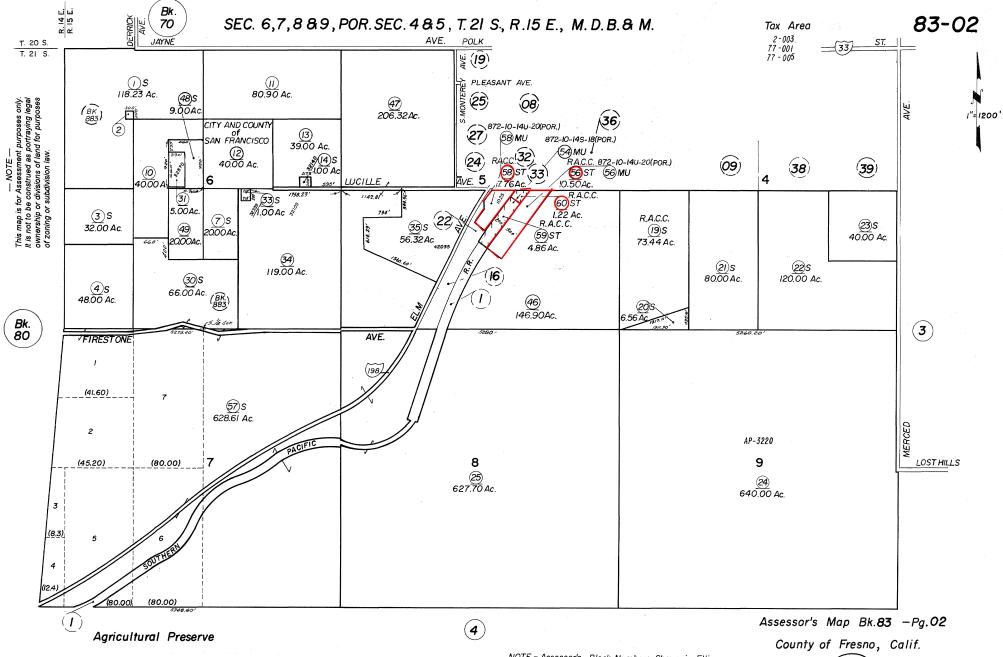
— NOTE —

This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.



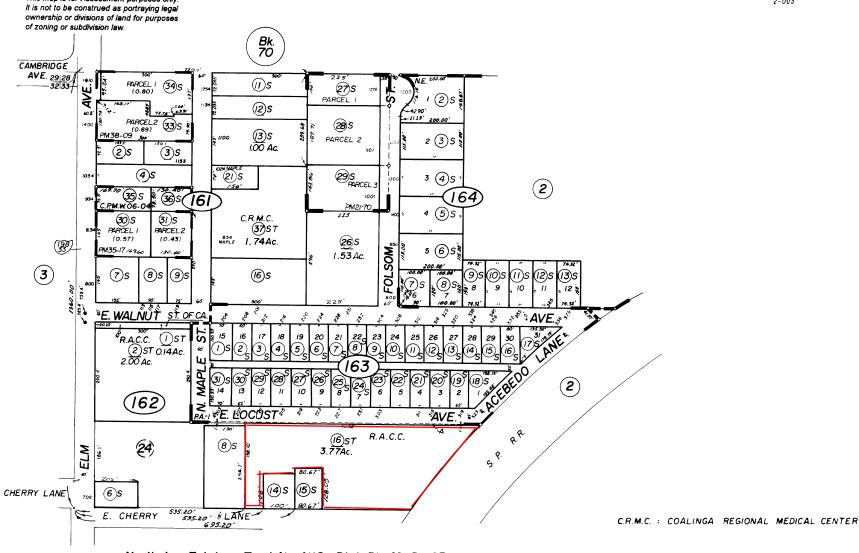
Assessor's Map Bk.71 - Pg.12
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses. Assessor's Parcel Numbers Shown in Circles.



NOTE - Assessor's Block Numbers Shown in Ellipses. Assessor's Parcel Numbers Shown in Circles.

1" = 200'



Northview Estates - Tract No. 4118 - Plat Bk. 49, Pg. 83
Parcel Map No. 009 - Bk. 35, Pg. 17
Pearson Addition No. 1, Tract No. 1888 - Plat Bk. 21, Pg. 9
Parcel Map No. 003 - Bk. 21, Pg. 70
Parcel Map No. 013 - Bk. 38, Pg. 09
Certificate of Parcel Map Waiver 06-04, Doc. 222671, 12-17-07

NOTE - Assessor's Block Numbers Shown in Ellipses. Assessor's Parcel Numbers Shown in Circles. Assessor's Map Bk. 71 - Pg. 16

County of Fresno, Calif.

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

**Subject:** Adopt Resolution No. 3957 Declaring Public Nuisances on Certain Properties

Meeting Date: March 5m 2020

From: Marissa Trejo, City Manager

**Prepared by:** Jasmin Bains, Financial Services Director

#### I. RECOMMENDATION:

Financial Services Director requests adoption of Resolution No. 3957 declaring public nuisances on certain properties.

#### II. BACKGROUND:

The City Council of the City of Coalinga previously passed Resolution No. 2666 declaring weeds on certain properties to be public nuisances and placing liens on those certain properties which was subsequently recorded in error by the Recorder of the County of Fresno as Document No. 1999-0135080.

#### III. DISCUSSION:

Properties listed on Document No. 1999-0135080 as recorded by the County of Fresno Recorders office listed properties with a zero balance due with a lien attached. These properties should not have been assessed a charge nor a lien placed with the passage of Resolution No. 2666.

Resolution No. 3957 declares these properties listed in the exhibit to be satisfied and no lien should remain on the properties.

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

None.

## V. FISCAL IMPACT:

None.

#### ATTACHMENTS:

File Name Description

□ RESO#3957 Exhibit A.pdf
Resolution No. 3957 Exhibit A

 $m f PRSO#3957\_DECLARING\_PUBLIC\_NUISANCES\_ON\_CERTAIN\_PROPERTIES\_030520.pdf <math>
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Resolution No. 3957 Declairing Public Nuisances on Certain Properties

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	čų.	PARADISE	865	FAVADUSE	COMPICA	FIRESPE	COMPRO	CONTINCY	COMPAGE	COALMERA	SACRAMENTO	CONTRICT	SANTA MATIA	KARAM	TENODAL:	COMPRISA	COMUNICA	COMMINGO	SAMTA PAZA	35 SEEVALLEY	COALINGA
	OWNERS ADDRESS	P.O. 80X 2847	F.O BOX 292	P.O BOX 2847	641 HEARTHA ST. CAD	464 E. PRIMARAPOLIS AVE.	P. S. BOX 1885	330 MADISON ST.		285 ADAMS	F. C. BOX PLOSES	CON TALE AVE	201 ap	123 KINCA STRIPET	18 Isriest to:	HORNOUS OF	370 TALER	772 TM EN	CLEATING 2000	ACC COUNTRY MENT - SU 36 SEED WALLEY	P. O. BOX 1
1896 WEED ABATEMENT PROGRAM	CHARGES	trigga glydd 1 bethy	CARTALINE, PAURICE A	TEDUK CLYDE A BETTY	CITY OF CONUMAN	Mareno, Debera A.	MARSHA BARME	HAMSEY, BALL	STATES TERCH	ALICF MAIL FENSILICKLIFE ESTATE.	il parthent of Veterans appares	AYERS. WARNEN	WLEMCH, HEMRY G	SARDIFTS D SAADY	Challes, disables and selections of the selection of the	WEGENER, WELECH	BALINDA, ARCH	JONES, MACOM	MARTINEZ, TOAY	COUNTRY WADE HOME LOAMS, MC	HERMANICZ, RESS
	PROPERTY DESCRIPTOR	Bur RTS Par in Lot 43. Creentry:	1.07 M. Cresorane rstates	Portha cploy as cheerang	2.50 ACRUS, THE MEADOWS	Lot 8, block 1, subset adoten, 148 washerotor	LOT DE, JOACHAN ADDYRION	LOT 54, PORTION OF LOT 13, BLOCK 9, JOHCHIN NUDFROM	267 POLYMS	Lots be 9, block 3, Joachs addition	AND WASTE MANAGES	LOTS 21.22 BLOCK 14.004 MON	HOSEOWE DEL	M 100 FT 1 OF 8 1-A. BLK 10. BLNBEP ADMINEN	Portion of Lots 1, 2 & 3, block 12, blaket adulton	Lots 17 & 19, Portion of Lot 18, Ber 13, Berest Adoptor	370 77,038	UJY 22, BLOXX 17, BUNNET NORTHON	and w. Policies of Controls Carboid	COST FINESTON	Lots al block 18. Corlegga Cabbrio
S. Marrie	*	67-258-115	\$87.087.10	071-N2-086	07425-151	072.054.04	NO 190-2/2	072-084-19	U208641	073-008-05	07-403-11	072-074-13s	114/04/0	the create	80-810-810	D'SORAT	s)-190-Z/D	11-500-210	072-084-13	71-190-210	072-008-04
	# 3000	룘	1.12	286	ă	ĸ	22	8	Ā	*	Ę	107	a a	5	an an	ð	258	ğ	,	<b>£</b>	8

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EQUAL: N.	٨	1/174	0126	SECTION AND ADDRESS OF THE PERSON AND ADDRES	SECTO	\$5.55¢	95240	87.00CH	er tea	93/10	94.50	11.00	200	502.15	21/96	4077.0	\$52.10	04.225	622.40	98210	52.00
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	CHA	VIBALIA	COMMISS	CONTROL	COALINGA	COMPAGE	COADMIN	RMERDALE	FRESHO	FREBNO	CONTAIGN	VIBALIA	CONTAGA	CONTRICA	CHICAGO PARK	FIERE	CONTRC	CONTROL	COMBINED	COMPAGA	COALINGA
	OVACHES AUDITESS	500 N. MOONEY BLVD.	143 LEYPERSON	JOIA WASHINGTON ST.	ZOIA WASHINGTON BT.	201A WASHINGTON ST.	TIANATI COM	P. O BOX 638	THE E. DOWNWOOD LANE	THE EL DOVENDOD LAME	100 ASH \$1.	3801 B WALLS CT	P. O. BOX 77	KT * 8/3X 423	P, G BOK 72.	1550 N. FRESHO &T	251 COULTGE	263 COM INCA PLAZA	211 & THOMPSON ST.	211 S THEORYSON ST.	ARIO POR SONO SIM
1899 WEED ABATEMENT PROGRAM	CHANETIS	HOVARESMAN SOLIS	BOLINDEAL, JOHN	ARASTITORUS, WALKER, D.D.B.	ARMSTROPEL WELLER, D.D.S.	arkstrong, waller, d.p.s.	CLARE, ALEN	Forial Speries vasoniam	MADIRAAC, R.A.	Marisonic ala	CLATT, MELVAH	Sheared Precision	HARRICH (DELEANS	Were house hostoration fourtains	LEPWIO ANNIE MESLEY ANN	rdman Cathanac Bernop of Freisho	MOTTE, MADIE SIVE	PACIFIC BICHSTRIAL PROPERTIES HOLDINGS	YOUNG, WANDA J., TRABITEE	YOUNG WANTA L. THAITEE	CARROLL DON A LYNEM.
, par \	PROPERTY DESCRIPTION	072-4 <b>06</b> -145 सक् 8सम्बद्धाः	Cots 19, 20 a et, belock 19, bennet Addition	LOTE STHRU 15, BLOCK A, COMINGA	LOTH, BLOCK & COMLINGA	LOT 7, BLOCK 4, COMPRISA	LOTS 1 42, BLOCK 4, COALMOA	1072 и виз БЛ п. Роденият.	120 E. 600CH	LOTB ?! & ZL; BEOCK &, COALSHOA	15D ARH	1,017% 4.7.48.1.8.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.	Lots 77. 28 & 29. Block Common	AND M, GOTTH	Lotb 27 a 29, alock 12. Coalfiga	1.078 a. 5 e.g. bloch r. Coalerga	Portion of Lot's 22 Thrush, recome common	Lots e thrus a, be dek 12, com enca	Portion of Lots 1 Then; 4, block 14, dominga	Portion of Loys 1 instal 4 block 14 coalarga	LOTES 21, 22 & 23. PORTION OF LOTE 19 & 23. REAR, COM INGA
A CONTRACTOR OF THE PARTY OF TH	ŧ	- 155 - 155 - 155	872-005-18	072-008-01	27-667-25	872-488-43	072-023-05	072-193-07	972.002.12	072-083-13	072-362-15	11-080-510	072-086-04	872-109-04	10-50-50	073-104-04	072-104-28	57.3-136.45	CTZ-112-05	072-1-208	072-115-108
	\$3000 \$3000	<b>3</b>	<b>A A A A A A A A A A</b>	2	317 992	278 GP2		270 972	<b>1</b>		<b>25</b>	255 075		383 C.S		178 672					
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<b>₹</b>	ħ	96210	94540	15000	Q2.200	04% 55	\$22.10	93740	\$67.10	9,1710	60210	80210	54210	9228	63210	\$20.19	\$250 \$70 \$	04758	22.22	07.0	01.202	
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	È	CONTINGA	CCALPERA	SANTA MARKA	COMPRGA	CONT. BACK	CONTINGY	FRESHO	FRESHO	FRESHO	COMMON	CONTRACT	COMPACA	COMINGA	COMBRON	COMPAGA	CONTINUO	CONTINCO	COMING	CONTHIGH	COALMER	
	CWARTS ACCRESS	SOURCE SELECTION	350 CELVAR	1775 NAVAJO PLACE	551 N FRESNO ST.	280 N. 77H ST.	ASS YALEST.	1655 E, SERVIN AVE A1CO	(851 E. BHWW AVE. #108	1551 E BHAWAYE #100	125 W, DUPLAN	155 H, DURWH	<b>建筑的水积</b>	ICE W. DURIAN	155 W. DURIAN	155 M. DIJRAM	165 W. CLIFANN	ASSERT DIFFEREN	165 W. DIRWAY	HESW DURGAN	181 E. BIRCH AVE.	
** ** ** ** ** ** ** ** ** ** ** ** **	CWAERS	ROBERT E. JOHDAN	GARCA LE A BERNACE I.	DEGLER, PATRICIA LOURSE	SETTINGA, JOSE G. & ASMA, R.	CHANTA PITUISH DRIEGH	Anthra Harren	GARDYN FAMILY TRUST-GAL HAMBON, TRUSTEE.	GARDON, FAMILY TRUST, GAL. HARSON, TRUSTEF	GARDADI, FAMILY TRUSTI, GALL MANSON, TRUSTES	REAL CITY OF COALMEN WENN DORIG	rdm, city of commen is dan ochus	ROTA, CITY OF COOL, MONA, % DANA DOPINE	FUAL CITY OF COALINDA % DAN DORUS	KODA, CSTY OP! COMUNICAL M. DANS DORUS	ada city de coalbada y dan ochre	fem city of comuner a man dorse	ROSE, CITY OF COALMON MEAN DONIE	FIDA, CITT OF CCALINDA % DAW DOARS	ROAL LITY OF COALMOA % DAN DOPES	BRACC, PHELLIP	<b>6</b> 0
	PROPERTY DESCRIPTION	10110	Portition of 1 ares theus. In oak 19 commens	LOTS 17 5 18, BEDCH 18, 501 E. DURBAN AVE.	Portion of Lots 12 - 14, 373 N, 940 ST,	ZOOK 79H	Litte 5, 9 & 7, Block 22, Coalada	LOT 7. PORTION OF LOTS 4, 5 & 5, \$1,00K.77, CON, MGA	Portion of Loth 2 B.R. Block 27. Canimer	PORTION (SP.) OTS 1 THRUE, BLOCK 27. COM, WGA	LOT B PORTION OF LOT R. DECOR 211, COALPHGA	LDTS S. R. 7, NLDCK 128	Portion de l'Ota e tifkle 4, in com èr, comenga	Portion uplant 1 Thru 1, block in Conleasa	Lots 11 a 12, block 21, coalinga	LOTS 29 & SA, RE OCK 2: COALINGA	LOTS 27 A 28. MICHAEL COALDEGA	LOTE 25 & 28, BLOCK 21, COALINGA	Poptincia (yf. 1,011s 19 thes) 18, 18,000 x 21, coal, mga	POPTION OF LOTS 13 THRM 16 BLOCK 21, COALBACA	LOTE 11 & 12, 00, DOCK 29, COMMINGA	
jen	ž	ard 1 se-ca	90.5% \$ 5.06	41-98-7240	0214B	10-12-13	807217408	372-125.04	02:20	072-125-08	120-121-570	073-127-1081	1.50-121-210	180-221-210	972-13:4RF	75-131-057	क्याम का	130-131-001	072-131-157	072-121-16T	OF 2-A SEASE	
	# 90000	õ	¥.	E.	**	Si .	## ##	*	ĸ	74 0	440		\$15	114 0	904	<b>*</b>	8	9	\$	201	G G	AND THE STATE OF T

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		OMMERS ADDRESS	204 E COLCHEN, OR	1563 W. 605TON	P.O. BOX 181	QTEALLERS WAS	200 S. MARKET BT #613	273 HALLWEW LANE	P. O. BOX 163	178 M. POLYGI.	HE DIAMANT.	SOS WENLYGOT	P G. BOX NZ7	P. C. BOX 527	P. G. BOX 527	P. C. (BOX (835)	P. D. SCH 895	P, O BOX SZ	521 W. BRWDOD	ZBTO! BARIN WAY	218 51年68年7 81。	745 VALLEY ST.	
, parker	1999 MEED ABATEMBAT PROGRAM	CWMERS	HURN WOMENASS	Wathore, Elizabeth	sondaganay, albent	AMATTHEZ TONY	Mary H. Harton, LPC Cotate	SALING, TITO	J.E. HOWARD	CONOR TORK T A ESIG	MAGRESSEN, BRING.	MORRISON, BRUDGHE	Vest falls besignants	West Hilb Bwestlehts	West frees whestwents	ANCHERODA, JAMES E.	ANDERSON, JAMES 11,	West falls enesthedits	ERCHAMA, MELVEN IN TRASTREE	Bankin "Androge	Henry Aris	RICHARDSON DIEN	<b>4</b>
gree vers.		PROPERTY DESIGNATION	Lots 8 & 19, block 28 udelets	Lots 17 & 18, portion of Lot 18, block 22, comenga	Portion of Lots is finel in mounty commen	LOTS 13 THER IS, 28 OCK 19 COALINGS.	jed e. overah st., coalbea carcho	SOF. ELM AIR COMPAGA CARTETO	LOTR 9 a 10, REDOKN 31, SOSLENDA	Lots 46 S. Block 31 Coalerca, usc E. Blu ave.	LOTS 17 7HSULET, BLOCK 16 COMJB634	LOTS 22 THEN JA. BLOCK 16	LOTO 15 & 15 DE COX 22, SOMEWISA	LOT8 13 & 14, BLOCK 22 COALINGA	lots 11 & 12 B ook 52 Corlanga	Portion of 1073 21 & 32, bux 32, comensar	portion of lots 11 k d. block 22 con Proj	Lots sthru ar brock 32, coalhga	473 e porest, city de comunaa	LOTS 17 AND 18, BLOCK SS, 100 N, PRIST ST COALRYGA CAROZEIO	LOT 19, PORTION OF LOT 29, BLOCK 25, CONLINCA	Portion of Little 1 Thrill 4 b.Lgt 5 block 42, coalabor	
,		3	m><22.co	072-472-12	D TOTAL	(172486A)	072-126-06	072.138.03	972-138-00	073-18-23	072-1-62-10	42424	OFE-14TH-OR	072-143-02	072-143-03	072-143-118	672-543-520	072-1-63-188	grates to	072-144-01	SP2-144-05	972-159-05	
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	•	para	1900 WEED ABATEMENT PROCESAM			•	ECONOTT A	ه.
CODE	*	PHOPERTY SESCHBITION	CAMBERS	ONAHERIS ADOPERAS	٥٩٨	ħ	ħ	
\$	072-163-06	PORTICALOF LOTS I THIRI A, BLOCK AL CONLEKEA	RECHURCOSCON, DREN	740 VMLRY ST.	CONTROV	ే	01.250	
OC.	21-69-15	268 8, 874 87,	HENSON, JOHN P	15 to 1 ferth 5.7	COMING	5	01274	÷
Ē	92-18-0	Lots it 6.12 block to commen	REVNOLOS MEL	172 ACCOSENCE T ST.	CONTAGA	3	01.208	
DIE.	072/165/08	TR? E. NY	REMINEL, EUNAND P. L. MAKLOREE 1	(SED N. BRAVALLY	FYESINO	క	22,125	
R	072-191-03	230 E. GLEMM COALTHGA CARER 18	是14年的 14年的 14年	P. O. BOX 527	COMPLE	ð	0+288	
R	() 2-481-45	LOT 28, PORTION OF LOTS 27 4.29, PLOCK 44, CONLINGAC	HAGOSIAN, WRITEHA	AOS1 M. VASHON	FRESHO	క	\$27.0\$	, para
ğ	072-470-01	Block et. Com Wea	LYNCH FLOOM CAO P. LYNCH	1775 VACTORIA MANOR	SAM CARLOS	ర	O.COM	
8	De Service	até washaritor. City cip coalbaca	THE JOHINA	AZZ YAKETENGTON	COMMISS	3	\$177.10	
ž	572-000-019	PARCEL 1, PARCEL MAP 20, CLD SPRICEROF OF WAY.	Overly Constitute K	NOS INSTITUTOS ENES.	COVUNCY	ฮ	94.53	
18	072.200 CE	test pous	Scrimer, seth a rita, irustede	8 to 900 1048	NEW THOO	5	01228	
248	072-200-69	THE RICK	RCANNER, WEITH & RITH. TRUSTIEEB	P O. BOX 1048	COMPAGA	5	642540	
ž	072-200-145	102.8 आस्टर	KITZANH, J ANDREW	STORE CHANCONEW DIE.		3	H	
75	072-210-146	PARTOR 8, PARTOR, HAP DIS SPART RIGHT DF WAY	POSBURG CPRIL	tot is Joachin et.	CONTINGA	5	98210	
#	372234018	255 HRIVETH LANE, CORREGG	HENCH RAYMOND & SANDY	4T. 1 BOX 344	YSWTYCO:	క	84210	en de
6	072-234-038	es helusylane, coribida	hal vencence opacifico, atta k scramer	P. C. BOX (075	CONTINGY	ă	92210	٠,
<b>38</b>	00.2524.065	ens hall visualane, coalanca	hel vew development co. Attre aechaner	P O. BOX 1078	COMINGY	5	80210	
8	870+65-170	113 HEL VISHLANE, CONJAIGA	STACLEY, DANGLOWE	P O BOX 822	AVENA	5	насы	
#	372-234-085	Indirect victulene. Coreagn	SCOTT, MARC	644 MONROE	DOAL#GA	5	0120	
嘉	107-23-108	sto Helview Lane, compara	HAL VAN DEWLOPMENT OO , ATTR KSCHAMEN	2 C BOX (0/5	COMPRICE	5	01/25	
95	OT3-349-018	260 Hell View Lane, Com Baca	HALL WENT DEVELOPMENT CO., ATTN: K. SCHWINER	P. O. BOX 1175	COALMGA	5	0 Kasal	

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× 5888	â	677.10	94250	94240	92240	01.253	\$25	01778	<b>1</b>	042240	017220	02250	01256	#12510	<b>15</b> (15)	ÓJ ZZZ	95270	11.158	01250	92210	65250	
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	25	CONTROV	COMPAGA	CONTINGY	COAMEGA	COMPRES	COMINGY	COMPRSA	SAN PRANCISCO	CONTRIGA	CONTROL	CONTINGA	COMPANY	COALINGA	THOUSAND DAKE	COALMOA	COMINGN	COAL MGA	CDALBESA	*SWINGS	COALBYGA	
	OWNERS ADDRESS	P D. BOX 1175	P. O BOX 1175	P. O. BOX 1175	P. C. BOX 1175	P O BOX 1178	155 W. DUPANN	155 W DURINA	1 MARKET PLAZA, BUTTE 9:2	SW CURMA	HT 1, BOX 180	P. D. BOX 1818	155 W Diggare	156 W CURSAN	P. C. BOX 3023	Sto 2. JOACHIBF	STE 8. ALACUM	P. O. 8031 628	STO S. JOAQUEN	241 2. THOMPSOM ST	P.O. BOX RS6	
1930 WEED ABATFHENT PROGRAM	CNAMERS	hel vrov develonsky co. Attre e screenist	HALL VADIV DEVELOPMENT CO., ATTHER BORNMER	HES, WEN DEVELOPMENT CO. ATTN: K. BOXKNER	hell view development co. Attic x boravier	Hall ween divide consent co. Aith Kockmark	SIDA, CITY OF COALINGA 14 DAN DONES	hth city of combron hean pones	af pagha property & sante herealty tax oppl	ROAL CITY OF COALMOA IN DAM DONS	CHEVRON U.S.A. BKC	See and the second seco	HIM CITY OF COMINGA SCAMI DORES	EDA CITY OF COALMOA SE DAN DORUG	GOLL DEPOS OFFIEHT CORPORATION	brode, Pall a Undua A	RICCS, BRIT & URBULA	ANDERSON LANCS 6	BIGGR BILL & UPSULA	YOURG WAKEN	JAMES ANDERSON	\$7.
· principal	PROPERTY DESCRIPTION	234 PRI WEWIAM, COMANDA	260 Hel Wewland, Compaga	not hell viene land, coalinga	RLOCK 24G, MAP BOOK 72 PARCEL 2,18 ACTOFIR, COALINGA	BLOCK \$49, MAP BOOK TO PARCICL 1.08 ACKES, COALDIGA.	TO SO ACRES	7.76 ACINES	Arche & Sarche	1.ZZ ACIBES	alida Alfred in mat gric si tatras	MODELY CLAN ANC.	# De Aches	qualquad description of the property of the pr	#10 KARES	P 65 ACS IN NESA 550 A TYLES	2.24 MCs In west 4 Bec 4 Touris	3.K RTS 22.24 ACM WELLA SEC 4 72/FLID	rip ris par W 12F cemetery in sec a triris	SUR RTS 1.15 AG BENING OF MIZ SEC 4 121R16	115.63.64.8888	
×	Ş	072-242-043	072-245-068	072.243.075	801-5K-50	#1-00cm	083-020-56	8-520-Cto	045-000-E90	0023-020-60	21-960-880	2000 COD	100-000-630	isosoossi	17-080-290	20-010-530	20-080-590	890-000-633	080-080-186	005-080-208	62-000-630	
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	OWNERS ADDRESS	228 E. SACRAMENTO	P. G BOX 1547	P.O. BOX 873	TTE DOLOGAS AVE.	1720 PACIFIC COAST HIGHMAY	P.O. MOX 103	ITYO PACSFIC COAST INGHWAY	SSA VALLEY ST.	<b>金色等的大学</b>	WHE CHEENTIELD AVE	1201 E. OCEAN M.	TOTE DEFANT	3414 LAWER LAWE DRIVE	215 HAWKERED	SSS E VALLEY	P. O. ROM 665	P. O. 802 506	F.D 80X 555	135 £27FER92M ST	155 W. DAHRAN	
1900 WISED AGATEMENT PROCRAMA	SPCSWAYO	CRRTEM & CHISTER	KING OF CENTRAL VALLEY	COALMOA GRANGE 779	FLLICIT, EDWARD OND RESYL 4-89AC#	Hodely yn oren 16 marety in Hagerelle	TARLOCK PRISCALA	MARILY'N ORRY & WARRY'N WOCARR	REPOTERVA, ANTORNO A ESTIMER	CARZ, JC8838 1,00022	BONGHIB, OHEN RAY	KHOSTI MCHMET	MOGIL MECHEL	FORTER, MAR, CAO D. R. PORTER	YOUNG, MINA GRACE TRIPSTEE	Falgard, Pale,	DUVAL 40E	מהאאר יוטפ	DUNK, JOE	MATERIAL ROAGUBUAT.	City of Ecalinga & Dan Dones	었
	PROPERTY DESCREPTION	2000年2000年2000年2000年200日	の名か人の推奨	ZZZ E. POLK WE	280 E. Polk st Combrer Casszio	120 DORCHIT COALMEA	140 DOROTHY	strp polket corunga	134 VALLEY 87	LOT 8, PROL BAP # 014, BK 36,PG 52, YN S WARTHAM.	140 WASTIFFER BT.	PANCEL 1, PARTIE SAV DIA, BROK 28, SAGE 12, 85 ACHES	Parcel 2, parcel hap dia, book 38, page 22, 73 acres	mg 144 of lot 24, pleasant valiet adoition	150 B HACHBARK COSLERGA	ere present company career	LOT ULBILOCK 2. WAS AROUTEN	Lot e, mocke was adopted	Lot's riches werrings	163 E. Sackarre	AN PROPINITION OF WANT	
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#### **RESOLUTION NO. 3957**

# A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA DECLARING PUBLIC NUISANCES ON CERTAIN PROPERTIES

**WHEREAS**, the City Council of the City of Coalinga previously passed Resolution 2666 declaring weeds on certain properties to be public nuisances and placing liens on those certain properties which was subsequently recorded in the Recorder of the County of Fresno as Document No. 1999-0135080.

**WHEREAS**, the City Council of the City of wishes to remove any and all liens placed on the properties listed in "Exhibit A" attached hereto, as all liens have been satisfied;

**NOW BE IT HEREBY RESOLVED** by the City Council of the City of Coalinga as follows:

1. Any and all liens placed on the properties listed in "Exhibit A", attached hereto, by Resolution 2666 and filed by Fresno County Recorded Document No. 199-0135080, shall be declared satisfied and no liens shall remain on the properties held by the City of Coalinga or its departments.

**PASSED and ADOPTED** by the City Council of the City of Coalinga at a regular meeting on this **5th day of March**, **2020**, by the following vote:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	APPROVED:
	Ron Lander, Mayor
ATTEST:	
Shannon Jensen, City Clerk	

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

**Subject:** Approve Agreement with HdL Coren & Cone for Property Tax Audit and

Information Services

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

Prepared by: Jasmin Bains, Financial Services Director

#### I. RECOMMENDATION:

Financial Services Director requests approval of agreement with HdL Coren & Cone for Property Tax Audit and Information.

#### II. BACKGROUND:

HdL currently provides sales and use tax revenue management services for the City since 2000 and the reports are very helpful in revenue management and business license fee recovery. HdL has been continually updating its review and analytic procedures and will provide staff with a wide variety of reports that are straight-forward and easy to use. The firm has also enhanced its ability to provide information and analysis very quickly after the close of each quarter.

Founded in 1992, HdL Coren & Cone (HdLCC) developed the first computer software system in California for tracking property tax revenues for counties, cities, and special districts. The company was the first in the state to go beyond using parcel data for allocation audits by developing specialized reports and models to assist government agencies by using the data for parcel administration, focused economic development strategies and revenue projections. The corporation is owned by its employees and the major stockholders that manage the firm. The staff consists of 15 highly qualified analysts, auditors and information systems technology professionals.

#### III. DISCUSSION:

Services include verification of proper revenue allocations and payments to the City, and appropriate follow-up and recovery efforts when it appears there are errors or under-payments. The databases HdLCC uses to perform these revenue management functions and will furnishes a variety of reports detailing property and revenue trends for the entire City and Successor Agency and for custom defined geographic areas. These reports can be used for budgeting purposes, planning, economic development and public

information. Among the reports provided are top property owner/taxpayer listings, identification of property ownership transfers, sales trend analysis, Proposition 8 tracking and restoration forecasting, use category value/revenue analysis and budget projections. We also provide the City with quarterly reports of successful,

pending and historical assessment appeals.

Specific advantages that HdLCC possesses to perform the services being sought by the City include:

- HdLCC maintains property tax data for 45 California counties, including all agencies in those counties. The size of the database plus a sophisticated computer system uniquely qualifies HdLCC to provide the most comprehensive property tax analysis available in California.
- HdLCC's audit team has developed specialized databases and audit techniques and is thoroughly familiar with the County of Fresno. This familiarity, and excellent working relationships with County departments, will allow Coalinga to recover all misallocated property tax revenue in a timely manner.
- HdLCC's service team is comprised of individuals with extensive experience in property tax assessment, administration, auditing, economic development and financial management. All of the firms' key personnel have worked in or with public agencies and thoroughly understand their challenges and needs. This ensures prompt and knowledgeable response to inquiries and provides for relevant and timely information.
- HdLCC employs a staff of three full time information technology professionals with expertise in applications development, network design and maintenance, database management and technical support. These staff members continually work on developing and enhancing the firm's technological capabilities.
- All HdLCC staff works from our centrally located headquarters in Brea, California. The decision to operate out of a single location allows the company to minimize overhead costs and thereby lower service fees, maximize coordination of client services, protect the company's substantial databases and allows for immediate response to requests for information or assistance.
- HdLCC will provide Coalinga staff with access to the firm's web-based property tax software which affords city staff a user-friendly tool for parcel look-up and will display parcel ownership, valuation, sales and building/land characteristic information.

#### IV. ALTERNATIVES:

Not approve agreement.

#### V. FISCAL IMPACT:

The fiscal impact to the General Fund and the Successor Agency Fund will be 50% reach at a contract price of \$2,025 per quarter and 25% of net tax recovered for the City and/or Successor Agency in the audits perform over the period of time allowed by State statue (current year and 3 prior lien date years). Given the different analytic resources employed by HdL Coren & Cone, it is possible that the amount of property tax recovered could offset the cost of this contract.

#### ATTACHMENTS:

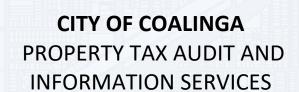
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Coalinga\_Property\_Tax\_Proposal\_2020.pdf

Coalinga Property Tax Agreeement 2020.pdf

#### Description

Coalinga Property Tax Proposal 2020 Coalinga Property Tax Agreement 2020



**JANUARY 21, 2020** 





January 20, 2020

Ms. Jasmin Bains, Finance Director City of Coalinga 155 W. Durian Coalinga, California 93210

Re: Property Tax Management, Audit and Information Services

Thank you for your interest in our Property Tax Services. In response, enclosed is our firm's proposal to provide property tax management, audit and information services for the City of Coalinga.

Founded in 1992, HdL Coren & Cone (HdLCC) developed the first computer software system in California for tracking property tax revenues for counties, cities, and special. The company was the first in the state to go beyond using parcel data for allocation audits by developing specialized reports and models to assist government agencies by using the data for parcel administration, focused economic development strategies and revenue projections. The corporation is owned by its employees and the major stockholders that manage the firm. The staff consists of 15 highly qualified analysts, auditors and information systems technology professionals.

HdLCC currently provides ongoing services to over 230 California agencies. The company maintains annual property tax records for Fresno County back to 1996. HdLCC's experienced team has worked with key county staff and is thoroughly familiar with county property tax procedures.

Specific advantages that HdLCC possesses to perform the services being sought by the City include:

- HdLCC maintains property tax data for 45 California counties, including all agencies in those counties. The size of the database plus a sophisticated computer system uniquely qualifies HdLCC to provide the most comprehensive property tax analysis available in California.
- HdLCC's audit team has developed specialized databases and audit techniques and is thoroughly familiar with the County of Fresno. This familiarity, and excellent working relationships with County departments, will allow Coalinga to recover all misallocated property tax revenue in a timely manner.
- HdLCC's service team is comprised of individuals with extensive experience in property tax
  assessment, administration, auditing, economic development and financial management. All
  of the firms' key personnel have worked in or with public agencies and thoroughly understand
  their challenges and needs. This ensures prompt and knowledgeable response to inquiries
  and provides for relevant and timely information.

- HdLCC employs a staff of three full time information technology professionals with expertise
  in applications development, network design and maintenance, database management and
  technical support. These staff members continually work on developing and enhancing the
  firm's technological capabilities.
- All HdLCC staff works from our centrally located headquarters in Brea, California. The decision
  to operate out of a single location allows the company to minimize overhead costs and
  thereby lower service fees, maximize coordination of client services, protect the company's
  substantial databases and allows for immediate response to requests for information or
  assistance.
- HdLCC will provide Coalinga staff with access to the firm's web-based property tax software
  which affords city staff a user-friendly tool for parcel look-up and will display parcel
  ownership, valuation, sales and building/land characteristic information.

We look forward to reviewing this proposal with you in greater detail and demonstrating how our services and software products can benefit the City of Coalinga.

Sincerely,

Nichole Cone, President

Julia E. Com

ncone@HdLCCpropertytax.com

HdL Coren & Cone 120 S. State College Blvd., Suite 200 Brea, California 92821 www.hdlcompanies.com



# 1. PERSONNEL--SUMMARY OF PROFESSIONAL QUALIFICATIONS

The firms' staff have performed thousands of secured and unsecured property tax audits for client agencies over the past twenty-two years and recovered millions of dollars in misallocated property tax revenue. Our management team and staff pride themselves on being highly responsive to client needs and cordial in our contacts county departments. This philosophy has served our clients and the company well. This is evident by the fact that 83% of our property tax audit and information services clients have been using our services for more than 10 years and 50% of our clients have been under contract for more than 15 years.

#### **KEY STAFF**

#### Paula Cone

Paula Cone is a principal with HdL Coren and Cone, the property tax arm of the HdL Companies, and has over twenty years of municipal experience in finance and city management and 29 years of property tax analysis, local agency interface and audit review experience. She joined the firm in 1990 to oversee the development of the property tax analysis, audit and software elements in use today. She developed the first cost-effective and accurate computer program for identifying, monitoring, auditing and correcting property tax misallocations. Paula oversees the company's property tax management and auditing division which is also responsible for verifying and correcting jurisdictional and boundary errors. She and her team have identified errors which have resulted in a redistribution of net tax revenues of \$ 52.6 million to client agencies since 2000. The property tax database is also used to verify jurisdictional and boundary errors for sales tax audit purposes.

Ms. Cone earned her Bachelor's degree from California State University at Long Beach. She is former Parks and Recreation Director and Assistant City Manager for the City of Lawndale.

#### **David Schey**

David has 25 years of experience with HdLCC since joining the firm in 1994. His prior experience includes service as Planning Director, Community Development Director and Deputy Director of Redevelopment as well as having provided development and consulting services to municipal clients. As a principal with HdLCC, David has provided client services in connection with tax allocations bonds; property tax and tax increment issues; tax sharing calculation; and analysis of legislative actions. David has spoken at numerous conferences and seminars sponsored by the California Redevelopment Association and the League of California Cities.

In addition to his professional work in connection with local government, David served for over six years as a member and chairman of both the Planning Commission and Parks and Recreation Commission. Education: Bachelor of Arts, University of California; Los Angeles, California; Bachelor of Arts, California State University; Long Beach, California; Master of Public Administration, University of Southern California; Los Angeles, California.

#### **Nichole Cone**

Nichole has 19 years property tax analytical and processing experience, and specializes in understanding the data received from Assessor & Auditor, used for secured and unsecured parcel audits, and property tax analysis

Nichole Cone joined HdLCC in 1992. She oversees the acquisition and processing of county assessor and auditor controller data into HdLCC's database. Preparation and production of property tax reports and client data sets are also under Ms. Cone's direction. She oversees the staff responsible for the HdLCC Comprehensive Annual Financial Report (CAFR) product and fields many of the general day to day client inquires. Ms. Cone was instrumental in our system redesign which closely mirrors the systems used by counties. Education: Bachelor of Arts, Loyola Marymount University, Los Angeles, California.

#### **Cheryl Murase**

Cheryl Murase joined HdL Coren & Cone in 1997 after five years with O'Connor & Company Securities as a Vice President. Prior to that, Ms. Murase worked for a California municipal financial advising firm for five years in Senior Associate and Associate positions where she gained experience in structuring a wide variety of issues including tax allocation, certificates of participation, Marks-Roos and Mello-Roos issues. Her understanding of county assessments of property value and tax collections has aided in the projection of tax increment revenue. She has assisted clients with the various government reporting requirements, and has gathered information necessary for continued rating of debt.

Ms. Murase gained her municipal accounting background from working in a variety of capacities for the cities of Montebello and Commerce. She served as the Redevelopment Accountant for the City of Commerce.

# **Robert Scherer**

Robert Scherer joined HdL Coren and Cone in 2004. He is responsible for the acquisition and preparation of County data, and is the lead designer of HdLCC's property tax analytical reports system. Mr. Scherer earned his Bachelor's degree in Business Administration, Computer Information Systems from California State Polytechnic University, Pomona, California.

#### 2. EXPERIENCE/QUALIFICATION INFORMATION

HdL Coren and Cone (HdLCC) was founded in 1992 and developed California's first computerized property tax management program. In addition, the firm provides clients with parcel tax administration and successor agency consulting. HdLCC is a California "S" Corporation which has been serving cities and special districts for 28 years. All HdLCC staff work from our centrally located headquarters in Brea, California. The decision to operate out of a single location allows the company to minimize overhead costs and thereby lower service fees, maximize

coordination of client services, protect the company's substantial databases and allows for immediate response to requests for information or assistance.

HdLCC provides property tax management services to over 230 California public agencies. The company consists of a team of seasoned professionals with decades of experience in every aspect of local government including finance, management, auditing, economic development, redevelopment and legislative advocacy. This ensures prompt and knowledgeable response to inquiries and provides for relevant and timely information on issues impacting the City's property tax. HdLCC's specialized computer software, databases and highly trained staff have generated over \$95,000,000 in new revenues for client agencies, \$52.6 million since 2000.

HdLCC maintains property tax data from 40 California counties, including all cities and successor agency project areas in those counties. Our data resources include 15-22 years of historical data in most counties and the company maintains twenty four years of annual property tax records for the Fresno County. Our audit team has worked extensively with key County staff and is thoroughly familiar with Fresno County.

Using HdLCC's custom software, a data set of all parcel in the city and former redevelopment project area(s), successor agency, will be established and be available via the internet through the HdLCC Web-Based property tax program. This data is prepared from the Fresno County lien date property rolls that are purchased annually in July. HdLCC updates the original county roll with any transfers of ownership, which have occurred between the lien date and the current month and updates the ownership information (name, and mailing address), date of transfer, sale price, and document (deed) number monthly.

## A. Reports and Analytical Services

HdLCC furnishes a variety of reports detailing property and revenue trends for the entire City and Successor Agency and for custom defined geographic areas. These reports can be used for budgeting purposes, planning, economic development and public information. Among the reports provided are top property owner/taxpayer listings, identification of property ownership transfers, sales trend analysis, Proposition 8 tracking and restoration forecasting, use category value/revenue analysis and budget projections. We also provide the City with quarterly reports of successful, pending and historical assessment appeals.

#### **GENERAL STRATEGY**

HdL Coren and Cone will reconcile the annual Auditor/Controller Assessed Valuations Report and will furnish a breakdown of assessed values within the City and Successor Agency.

The identification of escaping revenue through the use of property tax data sets has been a targeted focus for HdLCC during the past 28 years. With the reduction of tax revenues through legislated Educational Revenue Augmentation Fund (ERAF), cities, counties, agencies and special districts have been focusing on ways to increase the limited resources already stretched thin. The unsecured roll contains property owners which, when matched with a business license data set can be used to identify escaping revenues. For instance, property leased to businesses in your jurisdiction is taxed to the lessor of the property. We find that frequently, the lessors are not properly registered with a city business license. When notified and properly licensed, these businesses will generate additional revenue for the city.

The use of the secured roll will assist in identifying owners of rented residential, commercial, or industrial properties that do not have a business license with the City should one be required.

The company will provide the following reports based on the current year lien date rolls and will provide the reports annually, quarterly or monthly as appropriate: Reports are also available from prior years if required.

- A five year history of the values within the city, Successor Agency and custom (city defined) geographic area;
- A listing of the largest value changes, positive and negative between tax years;
- An annual parcel listing of properties with parcel number changes between tax
   years identifying parcel splits and combines;
- A listing of the major property owners for both the City and Successor Agency, including the combined assessed values of their property and property use code designation;
- A listing of the major property tax payers, including an estimate of the property taxes:
- A listing of property tax transfers which occurred since the lien date ordered by month;
- A listing of parcels that have not changed ownership since the enactment of Proposition 13;
- A comparison of property within the City and Successor Agency by county use-code designation;
- A multiple year comparison of growth by use code designation over a 10 year period;
- A listing by parcel of new construction activity utilizing City building department data, including building permits with assessor parcel numbers and project completion dates, to identify non-residential parcels with new construction activity and to provide reports for use in the City's preparation of Proposition 4 and 111 State Appropriation Limit calculations;
- Calculate an estimate of property tax revenue anticipated to be received for the fiscal year by the City and Successor Agency respectively based upon the initial information provided by the County and subject to modification. This report is

interactive for tax modeling. This estimate shall not be used to secure the indebtedness of the City or Successor Agency.

 Analyses based on geo areas designated by the City to include assessed valuations and square footage computations for use in economic analysis and community development planning.

#### B. <u>Identification and Correction of Errors</u>

HdL Coren & Cone has the technology, methodology and trained staff to analyze all secured parcels within the City and Successor Agency to identify costly errors resulting in the misallocation of property taxes.

The company has the ability to audit the secured and unsecured property tax rolls two ways, first reviewing the entire county to find parcels miscoded to other jurisdictions; and second, reviewing the parcels within the city, county or agency to ensure that each is coded to the appropriate taxing entity. To date, we have recovered in excess of \$95 million in net revenue for our client agencies in 40 counties statewide. Our advanced technology, accuracy and track record have placed us in a unique position to be hired by cities to find additional revenues after audits have been performed by prior consultants. In addition, by filing audit results with the County Assessor in a timely manner, we can assure that the repetitive errors from previous years will not re-occur.

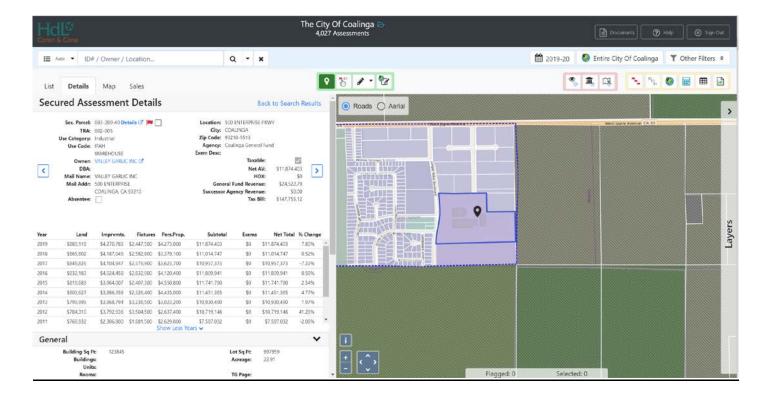
Upon approval of the contract, the company will perform an analysis of the Assessor Rolls to identify all parcels on both the secured and unsecured tax rolls and verify that parcel assessed valuations and the resulting taxes are correctly allocated to the City or its Successor Agency. This analysis is accomplished through the use of specialized computer software, assessor maps, city GIS maps, city records, other pertinent documents, and field investigations. The review will include the lien date secured and unsecured data for the current tax year as well as historical data back for a total of four (4) tax years. By

cross matching parcels with the City's building permit activity and project completion information, we are able to track parcels which should have been reassessed due to new construction activity but have been missed by the assessor's appraisers (escaped assessments).

# C. <u>Information Provided Quarterly</u>

- A listing of property tax appeals filed on properties in the City where data is available for purchase from the Clerk of the Board. These reports will be prepared for both the City General Fund portion of the City and Successor Agency and include a history of all appeals filed; the disposition of those appeals, successful appeals, pending appeals, Proposition 8 appeals and a report to assist the City/RDA in determining the potential impact of pending appeals. These reports are provided in a pdf format and are emailed to designated city staff.
- A listing of property transfers that have occurred since the last report will be available through the software provided and updated on a quarterly basis. This data will include the new owner/seller of the property, new mailing address if not the situs address, the date of sale, the sale price when verified, document number, and transaction type.

# D. <u>Property Tax Application and Database</u>



HdLCC provides a web-based software application to clients as a user-friendly tool to access the City's property tax data. HdLCC provides updates to the data portion of the product on monthly basis to reflect changes in ownership, updated appeals filings, and deed recordings.

As modifications and enhancements are made to the program, clients receive the enhanced version of the software at no additional cost.

Training will be provided to city staff within the first two months after the execution of the agreement for property tax management and audit services and is available annually for new staff members or staff requiring a refresher course. If additional training sessions are required, the fees in the compensation section under hourly fees will be charged.

The help manual available within the program is easy to navigate and "user friendly." HdLCC staff is available Monday through Friday, 8 a.m. to 5 p.m. to answer questions and assist staff on the use of the software. Assistance is available either by phone or via email.

The city will be granted a "site license" for the application, providing no limit to the number of users. HdLCC will not charge an annual maintenance fee for the software program. Periodically, as the program changes and product enhancements are developed, upgrades or new releases of the software are issued at no additional cost to the client.

# E Successor Agency Support

Successor Agency Services including but not limited to:

- Annual tax increment projections and, as requested, cash flow analysis for the
   Successor Agency by Project Area
- Review of Redevelopment Obligation Payment Schedules (ROPS) as requested.
- Provide property tax information to the Oversight Board at the direction of the Successor Agency
- Provide access to the Oversight Board to City and former redevelopment agency
   documents at the direction of the Successor Agency
- Monitor the County distribution of tax-sharing revenues to the taxing entities of the former redevelopment agency
- Advice and consultation on the City/Successor Agency's preparation of required reports, such as revenue projections; review of Recognized Obligation Payment Schedules (ROPS), submittals to the Oversight Board and/or County or State agencies, and new or revised legislative requirements
- Analysis of legislative and judicial matters impacting Redevelopment Property Tax Trust Fund (RPTTF) revenues to the Successor Agency and to the City.

#### 5. PROPOSED CONTRACT AMOUNT FOR SERVICES

Based on the number of parcels within Coalinga (3,752) the fee for these services is **\$2,025 per quarter**, (\$8,100/year). In addition to the standard fee, 25% of net tax revenues recovered for the City and/or Successor Agency in the audits performed over the period of time allowable by State statute (current year and 3 prior lien date years) shall be paid to HdL Coren & Cone. Net tax revenues mean the taxes received by the City or Successor Agency through our audit efforts after factoring for tax sharing agreements.

Work that is requested by the City and that is beyond the scope of services outlined in this proposal shall be charged on a time and material basis. No work shall be performed without prior written approval of the City/RDA Successor Agency. Fees for these services are as follows:

Partner	\$225 per hour
Principal	\$195 per hour
Associate	\$150 per hour
Programmer	\$150 per hour
Senior Analyst	\$100 per hour
Analyst	\$ 65 per hour
Administrative	\$ 45 per hour

Hourly rates are exclusive of expenses. Expenses, reasonable travel and lodging fees are billed at 1.15 times actual incurred costs.

#### 6. PROPOSED WORK PLAN/STAFFING SCHEDULE

The methodology that the company follows in identifying, correcting and recovering property tax errors includes the following:

Task I Establishment of County Data Set

Task II Identify and Correct Errors

Task III Prepare Reports

Task IV Ongoing Analysis

HdL Coren & Cone has ample staff to devote to the tasks required in this request for qualifications. Our knowledgeable staff will be assigned to ensure that the deadlines for deliverables are met and that requests placed by City staff are handled expeditiously.

#### **Timeline for Property Tax Analysis and Audit Services:**

- County assessment rolls are purchased annually in July.
- The property data program will be available for access via the internet within 30 days
  of the execution of the agreement. Parcel data will be updated monthly to include
  the most current ownership information due to parcel transfers.
- The secured audits for the City and Successor Agency will be completed and submitted to the County Assessor for corrective action within 90 days of receipt of county rolls. The City will receive file copies of submittals simultaneous with submissions to the County Assessor.
- Data collection from the county assessor's and auditor controller's offices for reports
  is performed in August and September each year and preliminary reports will be
  delivered to the City prior to the end of October annually.
- The final tax ratio percentages are available from the auditor controller's office annually in February/March. Final reports will be prepared and delivered prior to the end of April annually.

# CITY OF AGREEMENT FOR PROPERTY TAX CONSULTING/AUDIT SERVICES

This AGREEMENT (the "Agreement") is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between the CITY OF COALINGA a municipal corporation hereinafter called CITY, and HdL Coren & Cone, a California Corporation hereinafter called CONTRACTOR.

#### RECITALS

**WHEREAS**, property tax revenues can be verified and potentially increased through a system of continuous monitoring, identification and reconciliation to county records; and

**WHEREAS**, an effective program of property tax management will assist the CITY in fiscal, economic and community development planning; and

**WHEREAS**, CITY desires the property tax data based reports and data analysis required to effectively manage the CITY property tax base and identify and recover revenues misallocated within the CITY, or to other jurisdictions; and

**WHEREAS**, CONTRACTOR is a state-wide expert in such data analysis with over 150 public agency clients for whom such services are performed and has the programs, equipment, data and personnel required to deliver the property tax services referenced herein;

**WHEREAS**, CITY prefers to pay for certain of such services through a contingency arrangement where payment is made from monies recovered and CONTRACTOR is willing to base its compensation on such a risk-based formula.

**NOW, THEREFORE**, CITY and CONTRACTOR, for the consideration hereinafter described, mutually agree as follows:

#### 1.0 **DEFINITIONS**

For purposes of this Agreement, the following terms shall have the meaning stated below:

**Audit Review:** "Audit" or "Audit Review" shall mean the comparison of databases to ensure that parcels are correctly coded with the appropriate tax rate area to return revenue to the client city. Audits include the secured and unsecured tax rolls and where secured records are corrected; the corresponding unsecured records related to those properties are also corrected. A review of the calculation methodologies developed by auditor/controller offices in the administration of property tax is made to ensure compliance. New annexations are audited the 1st or 2nd year after the area's adoption due to the timing of LAFCO and the State Board of Equalization in assigning new tax rate areas and county processing of those changes.

County: "County" shall mean the County in which the CITY is located.

**Data Base:** "Data Base" shall mean a computerized listing of property tax parcels and information compiled for CITY from information provided by the County.

Days: "Days" shall mean calendar days.

**Property Tax Roll**: "Property Tax Roll" shall mean the assessed values of parcels on the secured and unsecured lien date rolls as reported by the County.

**Proprietary Information**: "Proprietary Information" shall be the reports, technical information, compilations of data, methodologies, formula, software, programs, technologies and other processes previously designed and developed by CONTRACTOR and used in the performance of the services hereunder.

**Successor Agency:** "Successor Agency" means the City's administration pursuant to Section 34176 of the Health and Safety Code of the former community redevelopment agency of CITY).

**Recovered/Reallocated Revenue**: "Recovered or Reallocated Revenue" shall mean additional revenue received as a result of an audit or review of properties submitted for correction or for corrections due erroneous calculations or incorrect methods of distributing revenue discovered by the CONTRACTOR and then made by county agencies which result in a return of additional revenue to the AGENCY. Reviews of AGENCY administered pass throughs are performed to ensure the correctness of distributions being made to participating agencies.

**Scope of Services:** "Scope of Services" shall mean all of the Base Services specified in Section 2.0, the Optional Services in Section 3.0, the Additional Services in Section 4.0, or any other services rendered hereunder.

**TRA**: "Tax Rate Area" shall mean the area subject to the tax rate.

## 2.0 BASE SERVICES

The CONTRACTOR shall perform all of the following duties as part of the Base Services provided hereunder, unless otherwise specified in writing by the Contract Officer:

# 2.1 Analysis And Identification Of Misallocation Errors (Contingent Fee)

(a) In the first year of this Agreement, and as necessary thereafter but not less than once every five (5) years, CONTRACTOR shall conduct an analysis to identify and verify in the CITY parcels on the secured Property Tax Roll which are not properly attributed to a CITY, and will provide the correct TRA designation to the proper County agency. Typical errors include parcels assigned to incorrect TRAs within the CITY or an adjacent city, and TRAs allocated to wrong taxing agencies.

- (b) CONTRACTOR shall annually reconcile the annual auditor-controller assessed valuations report to the assessor's lien date rolls and identify discrepancies.
- (c) CONTRACTOR shall annually review parcels on the unsecured Property Tax Roll to identify inconsistencies such as value variations, values being reported to a mailing address rather than the situs address, and errors involving TRAs (to the extent records are available).
- (d) In Counties with automated data, CONTRACTOR shall quarterly audit documentary transfer tax remittance detail provided by County and identify misallocations that may be recovered for CITY.
- (e) CONTRACTOR may audit general fund or tax increment property tax revenue or other revenues attributable to the CITY departments, districts, (including but not limited to base year value audits; administration of tax sharing agreements; tax increment allocation reviews; county allocation and payments reviews).

# 2.2 <u>Annual Services (Fixed Fee)</u>

Annually, after the Property Tax Roll is available:

- (a) CONTRACTOR shall establish a Data Base for CITY available through CONTRACTOR'S online property tax application
  - (b) Utilizing the Data Base, CONTRACTOR will provide:
  - (1) A listing of the major property owners in the CITY, including the assessed value of their property.
  - (2) A listing of the major property tax payers, including an estimate of the property taxes.
  - (3) A listing of property tax transfers which occurred since the prior lien date.
  - (4) A listing of parcels that have not changed ownership since the enactment of Proposition XIIIA.
  - (5) A comparison of property within the CITY by county-use code designation.
  - (6) A listing by parcel of new construction activity utilizing city building department data, including building permits with assessor parcel numbers and project completion dates, to identify non-residential parcels with new construction activity and to provide reports for use in the CITY's preparation of Gann (Propositions 4 and 111) State Appropriation Limit calculations.

- (7) A listing of multiple owned parcels.
- (8) A listing of absentee owner parcels.
- (9) Calculate an estimate of property tax revenue anticipated to be received for the fiscal year by the CITY. This estimate is based upon the initial information provided by the County and is subject to modification. This estimate shall not be used to secure the indebtedness of the CITY.
- (10) Development of historical trending reports involving taxable assessed values for the CITY, median and average sales prices, foreclosure activity and related economics trends.
- (11) Upon written request, analyses based on geographic areas designated by the CITY to include assessed valuations and square footage computations for use in community development planning.

# 2.3 Successor Agency Services

Successor Agency Services including but not limited to:

- (a) Annual tax increment projections and, as requested, cash flow analysis for the Successor Agency by Project Area
- (b) Review of Redevelopment Obligation Payment Schedules (ROPS) as requested.
- (c) Provide property tax information to the Oversight Board at the direction of the Successor Agency
- (d) Provide access to the Oversight Board to City and former redevelopment agency documents at the direction of the Successor Agency
- (e) Monitor the County distribution of tax-sharing revenues to the taxing entities of the former redevelopment agency
- (f) Advice and consultation on the City/Successor Agency's preparation of required reports, such as revenue projections; review of Recognized Obligation Payment Schedules (ROPS), submittals to the Oversight Board and/or County or State agencies, and new or revised legislative requirements
- (g) Analysis of legislative and judicial matters impacting Redevelopment Property Tax Trust Fund (RPTTF) revenues to the Successor Agency and to the City.

## 2.4 Quarterly Services/Monthly Services (Fixed Fee)

The CONTRACTOR shall perform the following services quarterly:

(a) A listing of property transfers that have occurred since the last report.

(b) Monthly update of CONTRACTOR'S web-based software program to include parcel transfer data and, in select counties, appeal updates.

# 2.5 On-Going Consultation (Fixed Fee)

During the term of this Agreement, CONTRACTOR will serve as the CITY's resource staff on questions relating to property tax and assist in estimating current year property tax revenues. On-going consultation would include, but not be limited to, inquiries resolved through use of the CITY's data base.

## 3.0 OPTIONAL SERVICES

The following services are available on a time and materials basis:

#### 3.1 Specified Data

Generation of specialized data-based reports which would require additional programming, the purchase of additional data, costs for county staff research, or similar matters not necessary to carry out services outlined in Section 2.0.

#### 3.2 County Research

Any research with County agencies for which CONTRACTOR does not have a current database.

# 3.3 Bond Services

Bond services are available for a fixed negotiated fee, including:

- (a) Tax Allocation Bonds fiscal consultant reports
- (b) Mello-Roos Special Tax studies

## 3.4 Additional Meetings Requested

Meetings in excess of the annual meeting to review the analysis of property tax data, trending information, and other findings with AGENCY shall be considered an Optional Service.

#### 4.0 ADDITIONAL SERVICES

CITY shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to or deducting from said work. No such extra work may be undertaken unless a written order is first given by the Contract Officer to the Contractor, incorporating therein any material adjustment in the contract and/or the time to perform this Agreement, which said adjustments are subject to the written approval of the Contractor. Any increase in compensation of up to \$75,000, or in the time to perform of up to one hundred eighty

(180) days may be approved by the Contract Officer. Any greater increases, taken either separately or cumulatively must be approved by the City Council. It is expressly understood by Contractor that the provisions of this Section shall not apply to services specifically set forth in the Scope of Services or reasonably contemplated therein.

# 5.0 OBLIGATIONS OF THE PARTIES WITH RESPECT TO SERVICES

# 5.1 <u>City Materials and Support</u>

CITY agrees to provide the following information:

- 1. Current CITY maps and zoning map;
- 2. A copy of reports received by the CITY annually from the Auditor-Controller's office detailing assessed values (secured, unsecured and utilities), as well as unitary values for reconciliation analysis;
- 3. Parcel listing and maps of CITY parcel annexations since the lien date roll;
- 4. A listing of completed new construction projects with Assessor's map book, page and parcel numbers (APN) for proper identification and tracking for two years prior to the date of this Agreement. If the data does not include the APN information, CONTRACTOR will research this information at an additional cost;
- 5. A listing of the CITY levies assessment districts and direct assessments.

## 5.2 Compliance with Law

All services rendered hereunder shall be provided in accordance with all ordinances, resolutions, statutes, rules, and regulations of the CITY and any Federal, State or local governmental agency having jurisdiction in effect at the time service is rendered.

#### 5.3 License, Permits, Fees and Assessments

CONTRACTOR shall obtain such licenses, permits and approvals (collectively the "Permits") as may be required by law for the performance of the services required by this Agreement. CITY shall assist CONTRACTOR in obtaining such Permits, and CITY shall absorb all fees, assessments and taxes which are necessary for any Permits required to be issued by CITY.

## 5.4 Further Responsibilities of Parties

Both parties agree to use reasonable care and diligence to perform their respective obligations under this Agreement. Both parties agree to act in good faith to execute all instruments, prepare all documents and take all actions as may be reasonably necessary to carry out the purposes of this Agreement. Unless hereafter specified, neither party shall be responsible for the service of the other.

## 6.0 CONSIDERATION

## 6.1 Base Fixed Fee Services

CONTRACTOR shall provide the Base Services described in Section 2.0 above, for a fixed annual fee of \$8,100 (\$2,025 invoiced quarterly).

The Base Fixed Fee shall be adjusted annually by the California Consumer Price Index (CCPI) for all items as determined by the California Department of Industrial Relations as measured February to February by the California All Urban Consumers index.

## 6.2 Base Contingent Fee Services

For Base Services pursuant to Section 2.1 which are payable on a contingent basis, CONTRACTOR shall receive 25 percent of net general fund attributable to CITY departments, districts, or funds recovered or reallocated which are directly or indirectly the result of an audit, analysis or consultation performed by CONTRACTOR (including but not limited to base year value audits; administration of tax sharing agreements; tax increment allocation reviews; county allocation reviews). CONTRACTOR shall separate and support said reallocation and provide CITY with an itemized invoice showing all amounts due as a result of revenue recovery or reallocation. CITY shall pay audit fees after Contractor's submittal of evidence that corrections have been made by the appropriate agency. Payment to CONTRACTOR shall be made within thirty (30) days after CITY receives its first remittance advice during the fiscal year for which the correction applies. The fee for documentary transfer tax audit recovery services will be 25% of documentary transfer tax recovered as a result of our audit efforts.

# 6.3 Optional Services

Fees for Optional Services as outlined in Services in Section 3.0 above (except Section 3.4) shall be billed at the following hourly rates:

Partner	\$225 per hour
Principal	\$195 per hour
Associate	\$150 per hour
Programmer	\$175 per hour
Senior Analyst	\$100 per hour
Analyst	\$ 65 per hour
Administrative	\$ 45 per hour

Hourly rates are exclusive of expenses and are subject to adjustment by CONTRACTOR annually. On July 1st of each year CONTRACTOR shall provide CITY with an updated schedule of hourly rates. The rates will not be increased by more than five percent (5%) per year. In addition, expenses for Optional Services shall be billed at 1.15 times actual incurred costs.

#### 6.4 Fees for Bond Services

Services under Section 3.5 above will be determined depending upon the complexity of the bond issue and the time available for completion of the task and will be mutually agreed to be the parties.

#### 6.5 Indirect Expenses

Except as specified above, no other charges shall be made for direct or indirect expenses incurred by CONTRACTOR in performing the services in the Scope of Services including for administrative overhead, salaries of CONTRACTOR'S employees, travel expenses or similar matters.

#### 6.6 **Due Date**

All fees are due 30 days immediately following billing. All amounts that are not paid when due shall accrue interest from the due date at the rate of one percent per month (12% per annum).

# 7.0 TERM PERFORMANCE SCHEDULE

# 7.1 <u>Time of Essence</u>

Time is of the essence in the performance of this Agreement.

# 7.2 Schedule of Performance

CONTRACTOR shall commence the services pursuant to this Agreement upon receipt of a written notice to proceed and shall perform all services within the time period(s) established in the "Schedule of Performance" attached hereto as Exhibit "A", and incorporated herein by this reference. When requested by the CONTRACTOR, extensions to the time period(s) specified in the Schedule of Performance may be approved in writing by the Contract Officer but not exceeding one hundred eighty (180) days cumulatively.

#### 7.3 Force Majeure

The time period(s) specified in the Schedule of Performance for performance of the services rendered pursuant to this Agreement shall be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of the CONTRACTOR, including, but not restricted to, acts of God or of the public enemy, unusually severe weather, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes, wars, litigation, and/or acts of any governmental agency, including the CITY, if the CONTRACTOR shall within ten (10) days of the commencement of such delay notify the Contract Officer in writing of the causes of the delay. The Contract Officer shall ascertain the facts and the extent of delay, and extend the time for performing the services for the period of the enforced delay when and if in the judgment of the Contract Officer such delay is justified.

## 7.4 <u>Term</u>

Unless earlier terminated in accordance with Section 11.6 of this Agreement, this Agreement shall continue in full force and effect for five (5) years, and, unless a notice of

termination is given on the fourth anniversary date, shall be automatically extended from year to year until and such notice shall be given.

## 8.0 COORDINATION OF WORK

## **Representative of Contractor**

The following principals of CONTRACTOR are hereby designated as being the principals and representatives of CONTRACTOR authorized to act in its behalf with respect to the work specified herein and make all decisions in connection therewith:

Paula Cone HdL COREN & CONE 120 S State College Boulevard, Suite 200 Brea, California 92821

It is expressly understood that the experience, knowledge, capability and reputation of the foregoing principals were a substantial inducement for CITY to enter into this Agreement. Therefore, the foregoing principals shall be responsible during the term of this Agreement for directing all activities of CONTRACTOR and devoting sufficient time to personally supervise the services hereunder. For purposes of this Agreement, the foregoing principals may not be replaced nor may their responsibilities be substantially reduced by CONTRACTOR without the express written approval of CITY.

# 8.2 Contract Officer

The Contract Officer shall be such person as may be designated by the City Manager of CITY. It shall be the CONTRACTOR'S responsibility to assure that the Contract Officer is kept informed of the progress of the performance of the services and the CONTRACTOR shall refer any decisions which must be made by CITY to the Contract Officer. Unless otherwise specified herein, any approval of CITY required hereunder shall mean the approval of the Contract Officer. The Contract Officer shall have authority to sign all documents on behalf of the CITY required hereunder to carry out the terms of this Agreement.

# 8.3 Prohibition Against Subcontracting or Assignment

The experience, knowledge, capability and reputation of CONTRACTOR, its principals and employees were a substantial inducement for the CITY to enter into this Agreement. Therefore, CONTRACTOR shall not contract with any other entity to perform in whole or in part the services required hereunder without the express written approval of the CITY. In addition, neither this Agreement nor any interest herein may be transferred, assigned, conveyed, hypothecated or encumbered voluntarily or by operation of law, whether for the benefit of creditors or otherwise, without the prior written approval of CITY. Transfers restricted hereunder shall include the transfer to any person or group of persons acting in concert of more than fifty percent (50%) of the present ownership and/or control of CONTRACTOR, taking all transfers into account on a cumulative basis. In the event of any such unapproved transfer, including any bankruptcy proceeding, this Agreement shall be void. No approved transfer shall release the CONTRACTOR or any surety of CONTRACTOR of any liability hereunder without the express consent of CITY.

# 8.4 Independent Contractor

Neither the CITY nor any of its employees shall have any control over the manner, mode or means by which CONTRACTOR, its agents or employees, perform the services required herein, except as otherwise set forth herein. CITY shall have no voice in the selection, discharge, supervision or control of CONTRACTOR'S employees, servants, representatives or agents, or in fixing their number, compensation or hours of service. CONTRACTOR shall perform all services required herein as an independent CONTRACTOR of CITY and shall remain at all times as to CITY a wholly independent CONTRACTOR with only such obligations as are consistent with that role. CONTRACTOR shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of CITY. CITY shall not in any way or for any purpose become or be deemed to be a partner of CONTRACTOR in its business or otherwise or a joint venturer or a member of any joint enterprise with CONTRACTOR.

# 9.0 INSURANCE AND INDEMNIFICATION

# 9.1 Insurance

The CONTRACTOR shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to CITY, during the entire term of this Agreement including any extension thereof, the following policies of insurance:

- (a) <u>Comprehensive General Liability Insurance</u>. The policy of insurance shall be in an amount not less than either (i) a combined single limit of \$1,000,000 for bodily injury, death and property damage or (ii) bodily injury limits of \$500,000 per person, \$1,000,000 per occurrence and \$1,000,000 products and completed operations and property damage limits of \$500,000 per occurrence and \$500,000 in the aggregate.
- (b) <u>Worker's Compensation Insurance</u>. A policy of worker's compensation insurance in such amount as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the CONTRACTOR and the CITY against any loss, claim or damage arising from any injuries or occupational diseases occurring to any worker employed by or any persons retained by the CONTRACTOR in the course of carrying out the work or services contemplated in this Agreement.
- (c) <u>Automotive Insurance</u>. A policy of comprehensive automobile liability insurance written on a per occurrence basis in an amount not less than either (i) bodily injury liability limits of \$250,000 per person and \$500,000 per occurrence and property damage liability limits of \$100,000 per occurrence and \$250,000 in the aggregate or (ii) combined single limit liability of \$500,000. Said policy shall include coverage for owned, non-owned, leased and hired cars.
- (d) <u>Errors and Omissions (Professional Liability)</u>. A policy of professional liability issuance written on a claims made basis in an amount not less than One Million Dollars (\$1,000,000).
- (e) <u>General Requirements</u>. All of the above policies of insurance shall be primary insurance and shall name the CITY, its officers, employees and agents as additional

insureds. The insurer shall waive all rights of subrogation and contribution it may have against the CITY, its officers, employees and agents and their respective insurers. All of said policies of insurance shall provide that said insurance may not be amended or cancelled without providing thirty (30) days prior written notice by registered mail to the CITY. In the event any of said policies of insurance are cancelled, the CONTRACTOR shall, prior to the cancellation date, submit new evidence of insurance in conformance with this Section 9.0 to the Contract Officer. No work or services under this Agreement shall commence until the CONTRACTOR has provided the CITY with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by the CITY.

# 9.2 Indemnification

CONTRACTOR agrees to indemnify the CITY, its officers, agents and employees against, and will hold and save them and each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities, (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the negligent performance of the work, operations or activities of CONTRACTOR, its agents, employees, subcontractors, or invitees, provided for herein, or arising from the negligent acts or omissions of CONTRACTOR hereunder, or arising from CONTRACTOR'S negligent performance of or failure to perform any term, provision, covenant or condition of this Agreement, whether or not there is concurrent passive or active negligence on the part of the CITY, its officers, agents or employees but excluding such claims or liabilities arising from the sole negligence or willful misconduct of the CITY, its officers, agents or employees, who are directly responsible to the CITY.

# 9.3 Sufficiency of Insurer or Surety

Insurance or bonds required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated "A" or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a financial category Class VII or better, unless such requirements are waived by the Risk Manager of the CITY due to unique circumstances. In the event the Risk Manager of CITY ("Risk Manager") determines that the work or services to be performed under this Agreement creates an increased or decreased risk of loss to the CITY, the CONTRACTOR agrees that the minimum limits of the insurance policies and the performance bond required by this Section 9.0 may be changed accordingly upon receipt of written notice from the Risk Manager; provided that the CONTRACTOR shall have the right to appeal a determination of increased coverage by the Risk Manager to the CITY Council of CITY within 10 days of receipt of notice from the Risk Manager.

# 10.0 RECORDS AND REPORTS

# 10.1 Reports

CONTRACTOR shall periodically prepare and submit to the Contract Officer such reports concerning the performance of the services required by this Agreement as the Contract Officer shall require.

# 10.2 Records

CONTRACTOR shall keep, and require subcontractors to keep, such books and records as shall be necessary to perform the services required by this Agreement and enable the Contract Officer to evaluate the performance of such services. The Contract Officer shall have full and free access to such books and records at all times during normal business hours of CITY, including the right to inspect, copy, audit and make records and transcripts from such records. Such records shall be maintained for a period of three (3) years following completion of the services hereunder, and the CITY shall have access to such records in the event any audit is required.

# 10.3 Non-Disclosure of Proprietary Information

In performing its duties under this Agreement, CONTRACTOR will produce reports, technical information and other compilations of data to CITY. These reports, technical information and compilations of data are derived by CONTRACTOR using methodologies, formulae, programs, techniques and other processes designed and developed by CONTRACTOR at a substantial expense. CONTRACTOR'S reports, technical information, compilations of data, methodologies, formulae, software, programs, techniques and other processes designed and developed by CONTRACTOR shall be referred to as Proprietary Information. CONTRACTOR'S Proprietary Information is not generally known by the entities with which CONTRACTOR competes.

CONTRACTOR desires to protect its Proprietary Information. Accordingly, CITY agrees that neither it nor any of its employees, agents, independent contractors or other persons or organizations over which it has control, will at any time during or after the term of this Agreement, directly or indirectly use any of CONTRACTOR'S Proprietary Information for any purpose not associated with CONTRACTOR'S activities. Further, CITY agrees that it nor any of its employees, agents, independent contractors or other persons or organizations over which it has control, will disseminate or disclose any of CONTRACTOR'S Proprietary Information to any person or organization not connected with CONTRACTOR, without the express written consent of CONTRACTOR. The CITY also agrees that consistent with its obligations under the California Public Records Act and related disclosure laws, it will undertake all necessary and appropriate steps to maintain the proprietary nature of CONTRACTOR'S Proprietary Information.

Any use of the Proprietary Information or any other reports, records, documents or other materials prepared by CONTRACTOR hereunder for other projects and/or use of uncompleted documents without specific written authorization by the CONTRACTOR will be at the CITY's sole risk and without liability to CONTRACTOR, and the CITY shall indemnify the CONTRACTOR for all damages resulting therefrom.

## 10.4 Release of Documents Pursuant to Public Records Act

Notwithstanding any other provision in this Agreement, all obligations relating to disclosure of Proprietary Information remain subject to the Freedom of Information Act or California Public Records Act, Cal. Gov't Code §§ 6250 et seq. (collectively, the "PRA"). The Parties intend that if CITY is served with a request for disclosure under the PRA, or any similar statute, the CITY in good faith will make the determination as to whether the material is discloseable or exempt under the statute, and shall resist the disclosure of Proprietary Information which is exempt from disclosure to the extent allowable under the law. CITY shall advise

CONTRACTOR in writing five (5) days prior to the intended disclosure of any decision to disclose Proprietary Information, and the reasons therefore, and if CONTRACTOR then timely advises CITY in writing that it objects to the disclosure, CITY shall not disclose the information. In such case, CONTRACTOR shall then be solely liable for defending the non-disclosure and shall indemnify and hold CITY harmless for such nondisclosure.

# 11.0 ENFORCEMENT OF AGREEMENT

## 11.1 California Law

This Agreement shall be construed and interpreted both as to validity and to performance of the parties in accordance with the laws of the State of California. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted in the Superior Court of the County of Los Angeles, State of California, or any other appropriate court in such county, and CONTRACTOR covenants and agrees to submit to the personal jurisdiction of such court in the event of such action.

# 11.2 Disputes

In the event of any dispute arising under this Agreement, the injured party shall notify the injuring party in writing of its contentions by submitting a claim therefor. The injured party shall continue performing its obligations hereunder so long as the injuring party commences to cure such default within ten (10) days of service of such notice and completes the cure of such default within forty-five (45) days after service of the notice, or such longer period as may be permitted by the injured party; provided that if the default is an immediate danger to the health, safety and general welfare, such immediate action may be necessary. Compliance with the provisions of this Section shall be a condition precedent to termination of this Agreement for cause and to any legal action, and such compliance shall not be a waiver of any party's right to take legal action in the event that the dispute is not cured, provided that nothing herein shall limit CITY's or the CONTRACTOR'S right to terminate this Agreement without cause pursuant to Section 11.6.

## 11.3 Waiver

No delay or omission in the exercise of any right or remedy by a nondefaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

# 11.4 Rights and Remedies are Cumulative

Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the parties are cumulative and the exercise by either party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party.

# 11.5 <u>Legal Action</u>

In addition to any other rights or remedies, either party may take legal action, in law or in equity, to cure, correct or remedy any default, to recover damages for any default, to compel specific performance of this Agreement, to obtain declaratory or injunctive relief, or to obtain any other remedy consistent with the purposes of this Agreement.

# 11.6 Termination Prior to Expiration of Term

This Section shall govern any termination of this Agreement. The Parties reserve the right to terminate this Agreement at any time, with or without cause, upon forty-five (45) days' written notice to the non-terminating party, except that where termination is for cause, the Parties will comply with the dispute resolution process in Section 11.2. Upon issuance of any notice of termination, CONTRACTOR shall immediately cease all services hereunder except such as may be specifically approved by the Contract Officer. The CONTRACTOR shall be entitled to compensation for all services rendered prior to the effective date of the notice of termination and for any services authorized by the Contract Officer thereafter. In the event of termination without cause pursuant to this Section, the terminating party need not provide the non-terminating party with the opportunity to cure pursuant to Section 11.2.

# 11.7 Attorneys' Fees

If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees. Attorney's fees shall include attorney's fees on any appeal, and in addition a party entitled to attorney's fees shall be entitled to all other reasonable costs for investigating such action, taking depositions and discovery and all other necessary costs the court allows which are incurred in such litigation. All such fees shall be deemed to have accrued on commencement of such action and shall be enforceable whether or not such action is prosecuted to judgment.

## 12.0 CITY OFFICERS AND EMPLOYEES: NON-DISCRIMINATION

# 12.1 Non-liability of CITY Officers and Employees

No officer or employee of the CITY shall be personally liable to the CONTRACTOR, or any successor in interest, in the event of any default or breach by the CITY or for any amount which may become due to the CONTRACTOR or to its successor, or for breach of any obligation of the terms of this Agreement.

# 12.2 <u>Conflict of Interest</u>

No officer or employee of the CITY shall have any financial interest, direct or indirect, in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which effects his financial interest or the financial interest of any corporation, partnership or association in which he is, directly or indirectly, interested, in violation of any State

statute or regulation. The CONTRACTOR warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement.

# 12.3 Covenant Against Discrimination

CONTRACTOR covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement. CONTRACTOR shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin, or ancestry.

# 13.0 MISCELLANEOUS PROVISIONS

## 13.1 Notice

Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail addressed as follows:

CITY City of Coalinga

155 W. Durian

Coalinga, California 93210

CONTRACTOR: HdL COREN & CONE

120 S State College Boulevard, Suite 200

Brea, California 92821

Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated at the time personally delivered or in seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

#### 13.2 Interpretation

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

## 13.3 Integration; Amendment

It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

# 13.4 Severability

In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

# 13.5 Corporate Authority

The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

IN WITNESS WHEREOF, the parties have executed and entered into this Agreement as of the date first written above.

	CITY OF COALINGA
	City Manager
CONTRACTOR:	
HdL COREN & CONE A California Corporation	
Julia E. Com	
APPROVED AS TO FORM:	

# **EXHIBIT "A"**

# **SCHEDULE OF PERFORMANCE**

# **TIMELINE FOR DELIVERABLES**

July/August Data available for purchase from counties

September 30 Data available on HdLCC's web based property tax application

September-October Unsecured audits performed and forwarded to county assessor

October-February Delivery of preliminary property tax reports

December Appeals quarterly updates emailed in counties where the data is available

March Appeals quarterly updates emailed in counties where the data is available

February/March General Fund Budget Projections

April/May Final Books – Addendums emailed to clients

June Appeals quarterly updates emailed in counties where the data is available

Ongoing Secured Audits – City

Revenue audits of City and District receipts for correctness

Property sales reports

City mid-year budget reviews and budget projections

Analytical work at the request of clients

Monthly updates of database with property sale information

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

**Subject:** Approval of MKN & Associates Water Analysis Contract

Meeting Date: March 5, 2020

From: Marissa Trejo, City Manager

Prepared by: Larry Miller, Public Utilities Coordinator

#### I. RECOMMENDATION:

Authorize the City Manager to execute a contract with MKN to develop a hydraulic model of Coalinga's water distribution system.

#### II. BACKGROUND:

MKN specializes in planning and design of water supply, treatment, storage, pumping, and distribution facilities for municipal clients. Their experience will be crucial in moving forward with maintenance plans for Derrick Reservoir.

#### III. DISCUSSION:

Staff has been working to see if our distribution system can operate independently from the Derrick Reservoir. It has become clear that maintenance must be done on our main reservoir, and in doing such, it will become unavailable for use for some time. Bearing this deficit will greatly alter the characteristics of our distribution system. Learning what these characteristics are and improving them will greatly benefit our ability to provide safe drinking water during maintenance activities.

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

Do not enter in a contract with MKN & Associates.

# V. FISCAL IMPACT:

The contract is not to exceed \$23,271. The cost will be divided between Water Treatment and Water Distribution funds 60% and 40% respectively. This will have no impact on the General Fund. This cost is unbudgeted and their is not sufficient funding within the specifically budgeted account numbers associated with this item but there is sufficient funding within the overall departmental budget.

#### ATTACHMENTS:

File Name Description

MKN Water Analysis Contract.pdf
MKN Water Analysis Contract

# AGREEMENT FOR PROFESSIONAL SERVICES FOR WATER SYSTEM ANALYSIS

This Agreement for Professional Services ("Agreement") is made and entered into this 5th day of March, by and between the City of Coalinga, a Municipal Corporation ("City"), and MKN & Associates ("Provider").

#### **RECITALS**

- A. Provider represents to City that they are specially trained, experienced, licensed and competent to perform the services which will be required by this Agreement; and
- B. Provider represents to City that they possess the skill, experience, ability, background, certification and knowledge to provide the services described in this Agreement on the terms and conditions described herein.
- C. City desires to retain Provider to render the services as set forth in this Agreement, as Exhibit 1.

NOW THEREFORE, in consideration of the mutual covenants set forth herein for such other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

- 1. <u>Retention of Provider</u>. Subject to the terms and conditions set forth herein, City retains Provider to perform the services identified in this Agreement, as an independent contractor and Provider hereby accepts this independent contractor appointment.
- 2. <u>Scope of Services</u>. The Provider shall perform professional services, in accordance with all the provisions of this Agreement. The Scope of Work is attached hereto as Exhibit 1. Provider shall correct any and all errors and/or omissions, which arise out of Provider's negligence or intentional misconduct, in the performance of the Services and any documents resulting therefrom even though City has accepted said Services or documents. Provider shall make such corrections upon City's request and at no cost or expense to City.
- 3. <u>Time of Performance</u>. This agreement shall remain in effect until June 1 2020. Contract time of completion for individual projects will be agreed upon before assignment of each project to Provider. Services designated in the scope of work shall be completed on agreed date unless prior written approval for a time extension has been granted by Sean Brewer.
- 4. <u>Compensation</u>. Compensation to be paid to Provider shall be in accordance with the fee schedule, Exhibit 2, subject to the Prevailing Wage Requirements which are available at the office of the Public Works Director. An estimate for cost of services for each project shall be submitted to the Public Works Director before commencement of work. Payment by City under this Agreement shall not be deemed a waiver of defects, even if such defects were known to the City at the time of payment. An increase in the fee schedule will be allowed at the beginning of year three of this agreement and when the Prevailing Wage for services included in this agreement increases by the same amount approved for increase by the Department of Industrial Relations.

- 5. Method of Payment. Provider shall submit monthly billings to City describing the work performed during the preceding month. Provider's bills shall include a brief description of the Services performed and the date the Services were performed the number of hours spent and by whom, and a description of any reimbursable expenditures. City shall pay Provider no later than 60 days after the date of submittal of a complete invoice for completed tasks and approval of the invoice by City staff.
- 6. Extra Work. At any time during the term of this Agreement, City may request that Provider perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Services, but which the parties did not include in the Scope of Work. Extra work will be performed on an hourly basis under the Provider's most current hourly fee schedule. Provider shall not perform, nor be compensated for Extra Work without written authorization from City.
- 7. <u>Termination</u>. This Agreement may be terminated by the City immediately and without notice for cause or by City without cause upon ten (10) days' written notice of termination to Provider. Upon termination, Provider shall be entitled to compensation for Services performed up to the effective date of termination, unless this Agreement is terminated for cause, in which case, City may withhold compensation due Provider in order to reimburse City for any losses, damages or expenses caused by Provider's default under this Agreement.
- 8. Equal Opportunity Employment. Provider represents that it is an equal opportunity employer and it shall not discriminate against any sub provider, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Provider shall also comply with all relevant provisions of City's programs or guidelines currently in effect as identified and provided to Provider by City.

# 9. **Insurance Requirements**.

- a. Provider, at Provider's own cost and expense, shall procure and maintain, for the duration of this Agreement, the following insurance policies.
- i. <u>Workers Compensation Coverage</u>. As required by the State of California, with Statutory Limits, and Employer's Liability Insurance with a limit of no less than ONE MILLION AND NO/100 DOLLARS (\$1,000,000) per accident for bodily injury or disease.
- ii. <u>General Liability Coverage</u>. Insurance Services Office (ISO) Form CG 0001, including products and completed operations, with limits of no less than ONE MILLION AND NO/100 DOLLARS (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be TWO MILLION AND NO/100 DOLLARS (\$2,000,000), twice the required occurrence limit.

- iii. <u>Automobile Liability Coverage</u>. ISO Form Number CA 0001 covering any auto (Code 1), with a limit no less than ONE MILLION AND NO/100 DOLLARS (\$1,000,000) per accident for bodily injury and property damage.
- iv. <u>Professional Liability Coverage</u>. Contractor will maintain Professional Liability coverage with limits no less than ONE MILLION AND NO/100 DOLLARS (\$1,000,000) per occurrence or claim, and TWO MILLION AND NO/100 DOLLARS (\$2,000,000) policy aggregate.

If Provider maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by Provider.

Provider's insurance policies shall be "occurrence" policies and not "claims-made" coverage except for Professional Liability Coverage.

Provider may maintain an Umbrella policy in conjunction with the insurance policies referenced above. In such case, Provider shall be deemed to have satisfied the insurance requirements of this contract as long as: (i) the coverage limits of the Umbrella policy and of the underlying liability policy(ies), when combined, satisfy each of the per occurrence and aggregate requirements identified in this subsection a.; and (ii) coverage under the Umbrella policy is as broad as and includes all incidents and events covered by the underlying insurance that it supplements.

Any deductibles or self-insured retentions must be declared to and approved by the City. The City may require Provider to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. Alternatively, the City may require Provider to provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration, and defense expenses within the retention.

The policies are to contain, or be endorsed to contain, the following provisions:

- i The City and its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL and automobile liability policies with respect to liability arising out of work or operations performed by or on behalf of Provider including materials, parts, or equipment furnished in connection with such work or operations; products used by Provider; or automobiles owned, leased, hired or borrowed by Provider. General liability coverage can be provided in the form of an endorsement to Provider's insurance at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10 and CG 20 37 if a later edition is used. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees or volunteers.
- ii. For any claims related to this contract, Provider's insurance coverage shall be primary insurance as respects the City and its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City and/or its officers, officials, employees, or volunteers shall be in excess of Provider's insurance and shall be non-contributory.

Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the City.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

Provider shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Provider's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Provider hereby grants to City and its officers, officials, employees, and volunteers a waiver of any right to subrogation which any insurer of Provider may acquire against the City and/or its officers, officials, employees, and volunteers by virtue of the payment of any loss under such insurance. Provider agrees to obtain endorsements necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

The City reserves the right to modify the insurance requirements contained in this contract, including, without limitation, coverage limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

- Indemnification. To the fullest extent allowable by law, Provider agrees to indemnify, defend and hold harmless the City and its officials, officers, employees, agents and volunteers from and against all claims, demands, actions, injuries, liabilities, losses, costs or damages, direct or indirect, and any and all attorneys' fees and other expenses which City or its officials, officers, employees, agents or volunteers may sustain or incur as a consequence of or are in any way related to Provider's or its owners, directors, officers, managers, employees, agents and subcontractor's willful or negligent acts or omissions in the performance of the services and Providers responsibilities and obligations to be performed under this agreement or its failure to perform or comply with any of its obligations or responsibilities contained in this agreement; excluding, however, such liability, claims, losses, damages or expenses arising from City's sole or active negligence or willful acts. This duty to indemnify, defend, and hold harmless shall survive the termination of this agreement. If Provider maintains additional coverage or higher limits than those required herein, then City shall be entitled to additional coverage or higher limits maintained by Provider.
- 11. <u>Independent Contractor Status</u>. It is understood and agreed that Provider, in the performance of the Services to be performed pursuant to this Agreement, shall act as and be an independent contractor and shall not act as an agent or employee of City. Provider shall obtain no retirement benefits or other benefits which accrue to City's employees and Provider hereby expressly waives any claim it may have to any such rights. Nothing in this Agreement shall create or be construed as creating a partnership, joint venture or any other relationship between City and Provider.

# 12. Provider's Books and Records.

a. Provider shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for

services, or expenditures and disbursements charged to City for a minimum period of three (3) years, or for any longer period required by law, from the date of final payment to Provider under this Agreement.

- b. Provider shall maintain all documents and records that demonstrate performance under this Agreement for a minimum period of three (3) years, or for any longer period required by law, from the date of termination or completion of this Agreement.
- c. Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during regular business hours, upon written request by the City. Copies of such documents shall be provided to the City for inspection at the City offices.
- d. Where City has reason to believe that such records or documents may be lost or discarded due to dissolution, disbandment or termination of Provider's business, City may, by written request, require that custody of the records be given to the City and that the records and documents be maintained in the City offices. Access to such records and documents shall be granted to any party authorized by Provider, Provider's representatives, or Provider's successor-in-interest.
- 13. Professional Ability of Provider. City has relied upon Provider's representations regarding its training and professional ability to perform the Services hereunder as a material inducement to enter into this Agreement. Provider shall therefore provide properly skilled personnel to perform all Services under this Agreement. The primary provider of the Services called for by this Agreement shall be MKN & Associates who shall not be replaced without the written consent of the City. All work performed by Provider under this Agreement shall be in accordance with the applicable professional standard of care and shall meet the local professional standard of quality ordinarily to be expected of competent persons in Provider's field of expertise working in Fresno County.
- 14. <u>Compliance with Laws</u>. Provider shall use the proper standard of care in performing the Services and shall comply with all applicable federal, state and local laws, codes, ordinances and regulations in effect at the time the Agreement is executed. In addition, if the request for proposal to provide professional services which are the subject of this Agreement cited any federal or state financial assistance involved in the project for which the Services are provided, the Provider shall perform all services in accordance with all applicable federal and state laws, rates and regulations in effect at the time the agreement is executed.
- 15. <u>Licenses</u>. Provider represents and warrants to City that it has all licenses, permits, qualifications, and insurance which are legally required of Provider to lawfully and competently perform the Services. Provider represents and warrants to City that Provider shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, and insurance which are legally required of Provider to lawfully and competently perform the Services. Provider shall maintain a City of Coalinga business license.
- 16. Assignment and Subcontracting. The parties recognize that a substantial inducement to City for entering into this Agreement is the reputation, experience and competence of Provider. Assignments of any or all rights, duties or obligations of the Provider under this Agreement will be permitted only with the express written consent of the City, which will not be unreasonably

withheld. Provider shall not subcontract any portion of the Services to be performed under this Agreement without the express written consent of the City, which will not be unreasonably withheld. If City consents to such subcontract, Provider shall be fully responsible to City for all acts or omissions of the subcontractor. Nothing in this Agreement shall: (1) create any contractual relationship between City and sub Provider; (ii) create any obligation on the part of the City to pay or to see to the payment of any monies due to any such subcontractor; (iii) or relieve Provider of any of its obligations and responsibilities under this Agreement.

- 17. Attorneys' Fees. If an action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other reasonable relief to which he may be entitled. With respect to any suit, action or proceeding arising out of or related to this Agreement, or the documentation related hereto, the parties hereby submit to the jurisdiction and venue of the Superior Court for the County of Fresno, State of California for any proceeding arising hereunder.
- 18. <u>Sole and Only Agreement</u>. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding said matters. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party or anyone acting on behalf of any party which are not embodied in this Agreement and no other agreement, statement or promise shall be valid or binding.
- 19. <u>Invalidity</u>. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.
- 20. <u>Amendment</u>. No change, amendment or modification of this Agreement shall be valid unless the same be in writing and signed by the parties hereto.
- 21. Governing Law. This Agreement shall be construed and governed pursuant to the laws of the State of California. Any action to enforce this Agreement is to be brought in Fresno County, California.
- 22. <u>Waiver</u>. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.
- 23. <u>Mediation</u>. The parties agree to make a good faith attempt to resolve any disputes arising out of this Agreement through mediation prior to commencing litigation. The parties shall mutually agree upon the mediator and shall divide the costs of mediation equally. If the parties are unable to agree upon a mediator, the dispute shall be submitted to JAMS/ENDISPUTE ("JAMS") or its successor in interest. JAMS shall provide the parties with the names of five qualified mediators. Each party shall have the option to strike two of the five mediators selected by JAMS and thereafter the mediator remaining shall hear the dispute. If the dispute remains unresolved after mediation, either party may commence litigation.



- 24. <u>Authority to Enter Agreement.</u> Provider has all requisite power and authority to conduct its business and to execute, deliver and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.
- 25. Notice. Except as otherwise expressly provided herein, any notice, consent, authorization or other communication to be given hereunder shall be in writing and shall be deemed duly given and received when delivered personally, when transmitted by facsimile or e-mail if receipt is acknowledged by the addressee, one business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or three business days after being mailed by first class mail, charges and postage prepaid, property addressed to the party to receive such notice at the last address furnished for such purpose by the party to whom notice is directed and addressed as follows:

PROVIDER:

CITY:

<u>)                                    </u>
on the day and
Corporation
9:32 -08'00'
O

Initial: City	Provider_	MN
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# Exhibit 1 Scope of Work



February 25, 2020

Dan Jauregui City Engineer Tri City Engineering 4630 W. Jennifer Ave Fresno, CA 93722 (Submitted Electronically)

Subject: Proposal for City of Coalinga Water System Analysis

Dear Dan.

**MKN & Associates, Inc.** (MKN) is pleased to provide this proposal to the City of Coalinga (City) for professional engineering services to complete a water system evaluation that will explore several alternatives to allow for the Derrick Reservoir and 10-inch bypass to be taken offline to perform inspection and potential rehabilitation of the facility.

## **Project Understanding**

To perform this analysis, MKN will develop an updated water system hydraulic model (based on the City's existing water system GIS), review existing water production and demands, evaluate the adequacy of and impacts to systemwide storage, and perform a water distribution system hydraulic analysis focused on the primary transmission lines supply water to the City from its various connection points to reservoirs. The objective of this hydraulic analysis is to determine the City's ability to deliver water to it users under different operation scenarios and demand conditions.

## **Scope of Services**

## Task Group 100 - Project Management, Meetings, QA/QC

MKN's project manager will oversee the activities of the project team and coordinate with Tri City and City Staff throughout the project.

MKN will conduct two meetings. MKN will prepare and distribute meeting agendas prior to the scheduled meeting and will record and distribute meeting notes to all attendees. The meeting notes will document the discussions and decisions made. Project meetings include:

- Kickoff meeting and operator workshop to ensure the completeness of the water system hydraulic model and scenarios
- Review meeting to discuss preliminary findings

MKN will perform quality control reviews of all deliverables prior to submitting to the City. A qualified technical reviewer who is not involved in the day-to-day effort will perform an independent review of the project to verify project goals are being met and completeness of the project documents.

#### **Task Group 200 - Data Collection and Review**

To develop the updated hydraulic model and complete the hydraulic evaluation, MKN will review the following information provided by the City:

- Existing water system GIS mapping
- · Daily water production information for the past three years
- Monthly water billing information per customer (with address and/or assessor's parcel number) for the past three
  years



- Tank level data for all system tanks from SCADA (duration to be determined following review of production data)
- · Booster pump station (BPS) pump curves and as-builts
- Storage typical tank level settings (high/low) and as-builts
- · Pressure reducing valve (PRV) stations set points and as-builts
- · As-built improvements of the water distribution system (as needed) to supplement the water GIS mapping
- · Elevation data of existing water system facilities
- · Pressure readings throughout the distribution system

## **Task Group 300 - Existing Demand Analysis**

Using the recent water production and water billing information provided by the City and review of the demand analysis completed for the 2005 Water Master Plan, MKN will develop revised existing demand conditions for the evaluation. The existing demand analysis will include the following:

- Develop the following existing water demands conditions:
  - o Average Day Demand (ADD)
  - o Maximum Day Demand (MDD)
  - o Peak Hour (PHD)
- Assign existing demands to the City or Fresno County GIS parcel layer based on address and/or APN to distribute demands throughout the City

Future demand conditions and/or projections will not be developed for this project.

#### **Task Group 400 - Storage Evaluation**

To analyze the adequacy of the City's storage facilities to serve existing demands with and without the Derrick Reservoir, three criteria will be reviewed including the following:

- Equalization (or operational) Storage: Is the volume of storage required to meet short-term peak day demands that are in excess of production, ideally without using water maintained for emergency or fire storage.
- Emergency Storage: Is the volume of storage recommended to ensure ongoing supply in the event of a water supply emergency.
- Fire Storage: Is the volume of storage recommended to meet fire-flow requirements for the duration of the event.

MKN will identify the baseline storage capacity conditions (surplus/deficit) with all existing City storage facilities in service. Once baseline conditions are established, MKN will review up to three (3) storage alternatives to supplement storage needs with the Derrick Reservoir offline and present them to the City to determine what service level of storage can be provided.

## **Task Group 500 - Water System Evaluation**

MKN will develop a skeletonized water system hydraulic model of the City's backbone water supply, transmission, and distribution facilities using the City's existing water system GIS mapping shapefiles. MKN will modify the City's existing water GIS shapefiles as necessary to import the data into Bentley WaterCAD Connect Edition Version 10 to develop the model. In addition to the water GIS mapping, MKN will incorporate and configure the model using the water system information (tank levels, PRV settings, pump curves) identified in Task Group 200.

PROPOSAL FOR COALINGA WATER SYSTEM ANALYSIS



MKN will use existing elevation information provided by the City, as-built plans, or Google Earth. However, more detailed survey information of major water facilities may be needed from the City to complete the model development. MKN will identity the additional survey needs following review of the City's water GIS and existing information.

MKN will calibrate the model using the City's pressure monitoring information that City staff have collected at key locations throughout the system. MKN will coordinate with the City to complete the required pressure monitoring.

Using the updated hydraulic model, MKN will identify baseline pressure, flow, and velocity for the demand conditions identified in Task Group 300 with all existing facilities in service. Once baseline conditions are established, MKN will analyze up to five additional alternatives to supplement system flows and pressures needs with the Derrick Reservoir offline.

MKN will develop and analyze the following steady-state scenarios:

- 1. Baseline model that will have all City facilities in service (Derrick, SR198 main, Jayne Ave main, Phelps Ave main all active)
- 2. System served only from Derrick Reservoir existing bypass using supply from Palmer Reservoir with no other supplies (MKN will evaluate the existing Derrick Reservoir bypass' ability to serve existing demand conditions and if there's a benefit to upsizing the bypass.)
- 3. System served only from 16-inch main in SR198 using supply from Palmer Reservoir
- 4. System served from 12- to 16-inch mains in Jayne Avenue and 10-inch main in Phelps Avenue using supply from Calaveras Reservoir
- 5. System served from 16-inch main in SR198, 10-inch main in Phelps, and 12- to 16-inch mains in Jayne Avenue using supply from Palmer and Calaveras
- 6. System served from 16-inch main in SR198 and 10-inch Derrick Reservoir bypass using supply from Palmer Reservoir

## Task Group 600 - Prepare Technical Memorandum Summarizing Results

MKN will prepare a draft and final technical memorandum summarizing the results of the data collection and review, existing demand analysis, storage evaluation and recommendations, water system evaluation and recommendations, validation of the proposed Derrick Reservoir bypass facilities, and recommended operating scenario(s).

MKN will conduct a review meeting with the City to discuss the TM and our findings and submit the draft TM for City review and comments. Comments provided will be incorporated into the final technical memorandum to the City.

# **Assumptions**

MKN's proposed scope of services is based on the following assumptions:

- · City will provide existing water GIS mapping for model development and other data listed in Task Group 200
- City GIS data will include pipe size and material information
- City staff will be able to complete pressure monitoring and fire flow testing (if needed) to support hydraulic model calibration
- · Tri City Engineering will be able to provide additional survey data (if needed) to develop the model
- Future demands, projections, and system analysis of future scenarios will not be required for this project and is not included in this scope of services
- · System-wide fire flow analysis will not be required for this project, but could be provided as a future effort

PROPOSAL FOR COALINGA WATER SYSTEM ANALYSIS

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## **Schedule**

The hydraulic modeling and draft technical memorandum will be completed within 3 weeks from the Kickoff Meeting. The final technical memorandum will be completed within 2 weeks of receiving comments from the City on the draft technical memorandum.

# **Budget**

MKN proposes to complete this work on a time and materials basis in accordance with the attached 2020 Fee Schedule, with a not-to-exceed budget of \$23,271.

Thank you for providing MKN & Associates with the opportunity to provide professional services for your project. If you have any questions regarding this proposal, please contact me at hliang@mknassociates.us or by phone at (559) 500-4750.

Sincerely,

Henry Liang, PE

Principal/Operations Manager

Rob Lepore, GISP

Water Resource Planner

Attachments:

MKN 2020 Fee Schedule





## FEE SCHEDULE FOR PROFESSIONAL SERVICES

# **ENGINEERS AND TECHNICAL SUPPORT STAFF**

Project Director/ Operations Manager	\$206/HR
Principal Engineer	\$191/HR
Senior Project Engineer	\$180/HR
Project Engineer/ Senior Scientist	\$159/HR
Water Resources Planner	\$145/HR
GIS Specialist	\$139/HR
Assistant Engineer II	\$136/HR
Assistant Engineer I	\$115/HR
GISTechnician	\$115/HR
Supervising Drafter	\$138/HR
Drafting/Design Technician II	\$128/HR
Drafting/Design Technician I	\$105/HR
Administrative Assistant	\$65/HR
Engineering Intern	\$60/HR

Routine office expenses such as computer usage, software licenses and fees, telephone charges, office equipment and supplies, incidental postage, copying, and faxes are included as a 3% fee on labor cost.

# **DIRECT PROJECT EXPENSES**

Outside Reproduction	Cost + 10%
Subcontracted or Subconsultant Services	Cost + 10%

Travel & Subsistence (other than mileage) Cost

Auto Mileage Current IRS Rate - \$.58/mi.

PROPOSAL FOR COALINGA WATER SYSTEM ANALYSIS

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# Exhibit 2 Fee Schedule

Proposal for City of Coalinga Water System Analysis										
	Project Manager	Senior Engineer	Water Resource Planner	Assistant Engineer	Total Hours	ODCs		Total Labor	Total Cost	
Task Group 100: Project Management, Meetings, QA/QC			-11-11-	No. of the least						-6.3
Kickoff meeting/operator workshop	4	0	4	0	8	\$	242	\$ 1,404	\$	1,646
Review meeting	4	0	4	0	8	\$	242	\$ 1,404	\$	1,646
Quality control	0	2	0	0	2	\$	11	\$ 360	\$	371
Subtotal	8	2	8	0	18	\$	495	\$ 3,168	\$	3,663
Task Group 200: Data Collection and Review										
Review and document existing water system information	0	0	2	6	8	\$	29	\$ 980	\$	1,009
Subtotal	0	0	2	6	8	\$	29	\$ 980	\$	1,009
Task Group 300: Existing Demand Analysis								No. of Parties		100
Demand analysis	2	0	2	8	12	\$	49	\$ 1,622	\$	1,671
Subtotal	2	0	2	8	12	\$	49			1,671
Task Group 400: Storage Evaluation										
Complete baseline storage evaluation	2	0	2	4	8	\$	35	\$ 1,162	Ś	1,197
Complete alternatives storage evaluation (total of 3)	2	0	2	6	10	\$	42			1,434
Subtotal	4	0	4	10	18	\$	77			2,631
Task Group 500: Water System Evaluation	-335		- 1			7			7	-,
Develop Hydraulic Model using City GIS and data/records provided by City	0	0	6	24	30	\$	109	\$ 3,630	Ś	3,739
Configure and calibrate model	0	0	4	6	10	Ś	38		Ś	1,308
Evaluate baseline conditions	0	0	2	4	6	Ś	23		-	774
Evaluate alternatives (total of 4)	4	0	4	24	32	Ś	125		Ś	4,289
Subtotal	4	0	16	58	78	Ś	294		<u> </u>	10,109
Task Group 600: Technical Memorandum						1		, 5,514	1	20,200
Draft technical memorandum	4	0	6	8	18	Ī\$	78	\$ 2,614	Ś	2,692
Final technical memorandum	2	0	4	4	10	Ś	44		Ś	1,496
Subtotal	6	0	10	12	28	Ś		\$ 4,066	Ś	4,188
					20	+		+ 4,000	1	7,200
TOTAL BUDGET	24	2	42	94	162	Ś	1,066	\$ 22,204	Ś	23.271

Billing Rates	\$/hr
Project Manager	206
Senior Engineer	180
Water Resource Planner	145
Assistant Engineer	115



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

Subject:	<b>bject:</b> Public Works, Utilities & Community Development Monthly Report for February 2020					
Meeting Date: March 5, 2020						
From: Marissa Trejo, City Manager						
Prepared by:	Sean Brewer, Assistant City Manager					
I. RECOMMEN	NDATION:					
Approve Public Wo	rks, Utilities & Community Development Monthly Report for February 2020.					
II. BACKGROU	J <b>ND</b> :					
None.						
III. DISCUSSIO	on:					
None.						
IV. ALTERNATI	VES:					
None.						
V. FISCAL IMP	ACT:					
None.						
ATTACHMENTS						
File Name	Description					

Monthly Report for February 2020

Monthly\_Report\_Feb\_2020.pdf

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# PUBLIC WORKS AND UTILITIES DEPARTMENT MONTHLY REPORT FOR FEBRUARY 2020

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

## **PUBLIC WORKS**

## **Natural Gas Distribution:**

- Repairs have started from short survey-90% Complete
- Gas Annual Report has been Completed
- 13 defective modems have been replaced on Watchdog units at Rectifiers

## Water Distribution:

- Repaired water leak Phelps/Calaveras
- Repaired water leak 510 S. Joaquin 8" mainline
- Repaired by-pass meter State Hospital
- Repaired water leak 28972 Phelps
- Repaired water leak 1375 W. Elm Ave

#### **Wastewater Collection:**

- Cleared sewer blockage 1277 Sunflower
- Cleared sewer blockage Meadows/Sunflower

# Sidewalks:

Repaired Sidewalk in front of 374 Buckeye Springs due to water leak

#### Parks:

#### Miscellaneous:

- 23 New trees have been planted in Posa Chante Blvd. Bark should be ready to be installed mid to late January. -Bark will be ordered and should be installed first week of Feb.-Bark has been installed in medians and wall landscapes at Posa Chante blvd.
- Trees have been ordered and should be installed first two weeks in Feb along Washington and Monterey-47 New Trees have been Installed along Washington and Monterey.
- A total of 9 dead trees have been removed 3- 500 blk of 4th, 3- 300 blk of Madison, 2 400 blk of Jefferson, 1- Mountain View.
- 2 Trees have been removed in Frame Park in prep for Splash Pad

Removed Palm Tree in Alley of 236 W. Forest St.

#### UTILITIES

- Northwest Booster Station P20 is down. Repairs to P20 pump is complete but needs to go back in shaft is too long for the motor. Repairs have been made. Installation should been complete March 9.
- City wide fire hydrant flushing. Has been completed on February 19 & 20.
- Northwest Booster Station P19 motor has been sent in for repairs. Repairs are complete waiting on installation. **Installation has been completed on P19 motor.**

# PUBLIC UTILITIES COORDINATOR

# LRSP (Local Road and Safety Plan)

LRSP(Local Road and Safety Plan) is a grant fund that is intended to help discover unsafe areas in regard to road safety.

Submitted Funding Allocation Request to our DLAE

#### Water Plant/Wastewater Video Surveillance

I was asked to build out a site-to-site networked surveillance system for both the water plant and the wastewater plant.

• Our soon to be IT replacements have expressed some interest in installing what we require for surveillance. They have stated that they will be able to be under any current bids. Currently coordinating with them to see what this will look like.

## SCADA Updates/WTP Network

- OpenVPN released a major repository update. VPN client and server were updated to this new version.
- Connection to SCADA was temporarily lost. Worked to fix/identify the issue. A fix has been deployed to avoid the cause of the problem. The entire platform had to be redeployed.

#### **Cross Connection Control**

• 146 Backflows have been tested.

# **Natural Gas System**

I have been working with the Public Works department and Dan Bergman to help with the Natural Gas Audit of 2018. Additionally, I have been assisting with the response to PHMSA regulatory requirements.

- Meter short repairs are currently being conducted.
- Valve turning and maintenance has been completed.
- Yearly PHMSA report has been submitted.

#### **2015 UWMP**

I have been asked to draft and submit for proposal on the 2015 UWMP.

- A kickstart meeting has tentatively been set for February 4<sup>th</sup> to begin the formation of the 2015 UWMP.
- Data has been supplied to ACME.

# Grow.Coalinga.com

At the request of the City Manager I have been asked to create a subdomain of our current website. This space is to be known as grow.coalinga.com and will highlight economic growth opportunities available with Coalinga.

- I have gathered information desired to be placed on this sub domain. Much of this has been tentatively placed on the site. I have reached out to Coalinga High's media class to help facilitate photography that will be representative of our business atmosphere.
- Website is currently approximately 40% complete.

# **Graphic Design Requests**

The City manager has asked me to create some designs for booths at conventions. These would be two backdrops (11'x6') and two podiums.

Work has been completed on backdrops and submitted for printing.

## **Personnel Action Forms**

At the request of the City Manager I have been asked to create a method to replace our paper PA forms.

- Converted present PA form to a form fillable PDF.
- Created a protocol to have the forms be distributed via Adobe Sign.
- Provided any required programs to Human Resources.
- Trained supervisor level staff on actions being required by them and gave instruction to inform employees of new changes.
- Digital PA forms are now live.

# **ESRI GIS**

Public Works has begun the processes to be able to utilize GIS in the field effectively.

- Collected new locations for natural gas valves, and updated information relevant to them.
- Collected new locations for pipelines and features discovered during Phelps and Truman/Forest projects.
- Gave more employees access to program. Three viewer accounts have been added. This is intended to facilitate line location and fact finding in the field.
- Drafted a "Splash Screen" for online maps available to citizens. The draft has been submitted to the City Attorney and is under review.
- Splash screen is now active on website.
- Added ATP map on private side. Currently under review prior to release to public.

Requested QK create a map for Collector that we can utilize for all utilities. This map would allow us to take points on any part of the system and add them to live maps at a set interval.

# WATER TREATMENR PLANT (WTP)

Working on card lock system for rolling gates, control room project should be completed by end of February. Access control to the doors has been completed. Waiting on the woiring for the gates.

Rosemounts and tank level sensors are being calibrated by Solomon Electric. This project hasn't started yet. **Project schedule to start mid March.** 

Solomon Electric is working on getting quote for backup Generator for the Water Plant. Should have a report mid March.

Westland Canal is planning a week long shut down schedule for the week of March 9th - 13th.

City staff is working with Carter Redding on PHA for Fresno County. In progress

Hach quarterly maintenance is schedule for March

Basin 3 taken down for annual maintenance. Has been completed and back in service.

Hypo Gen. next schedule maintenance is March.

P15 motor and pump will be out of service. Being sent out for repairs and maintenance. Waiting on quote.

Basin 2 was taken down for annual maintenance. Maintenance has been completed and back in service.

Basin 1 has been taken down for annual maintenance.

Univar has been schedule to pick up the remaining blue empty chemical barrels, 90 lb bags of carbon and any other chemicals that doesn't need to be on site.

South Moss screen motor is being looked at by Soloman Eletric.

# WASTEWATER TREATMENT PLANT (WWTP)

- 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**
- Effluent water is being directed to the old school farm now. Radio field needs to be ripped. 90% complete. Radio should be back in service March 1.
- Garlic plant Waiting on them to install screens on their side and tie into city main. In progress working with Public Works

# **CITY ENGINEER**

# Project Status Update as of February 2020:

1. Cambridge Signalization

- a. Caltrans has approved the Encroachment Permit.
- b. The Right of Way Package was approved by Caltrans and the request for authorization of Construction was submitted on August 14<sup>th</sup>. Once we receive authorization for construction the project will be put out to bid.
- c. Funding is exhausted for 18/19 FFY. Expedited Project Selection Procedure concurrence letter was approved by FresnoCOG on September 26, 2019 to move the CON portion of project to 19/20.
- d. Request for authorization of Construction was re- submitted on October 14<sup>th</sup>. Authorization still pending; Once we receive authorization for construction the project will be put out to bid.
- e. We continue to ask for status updates from Caltrans Local Assistance.
- f. Construction anticipated Spring/Summer 2020.
- g. Request for Authorization of Construction sent to FHWA for processing and approval on February 20.

# 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.
- c. Requested update from PG&E awaiting response.
- d. Spoke with PG&E representative regarding status; they are waiting on a response for utility information from AT&T that was not disclosed by underground service alert.
- e. Notified by PG&E representative of AT&T contact person to obtain records of AT&T buried facilities.

# 3. Phelps Ave Improvements

- a. Bids were open August 27<sup>th</sup> and project awarded at September 5<sup>th</sup> Council Meeting. The project is anticipated to begin construction on September 30<sup>th</sup>.
- b. Plans have been resubmitted to Caltrans and we are awaiting comments. There were some minor comments on the last submittal that were addressed. The encroachment permit will be approved pending State Clearinghouse approval of Notice of Exemption.
- c. State Clearinghouse approved Notice of Exemption and Encroachment Permit approved by Caltrans.
- d. Project Contractor obtaining Rider Permit approval from Caltrans. The project is anticipated to begin construction on November 4<sup>th</sup>.
- e. Project is currently under construction.
- f. Project construction completion extended due to Caltrans requested changes to protect traffic signal poles at Elm & Phelps due to grade issues with new sidewalk grades.

# 4. ATP 2017 Cycle 3 Sidewalk Gap Improvements

- 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. The project has been given an extension of 20 months to work with Caltrans and Fresno Council of Governments to find the best solution for the project.
- c. Meeting with the School went well and the design is taking the information from the meeting into account.
- d. Additional Topographic survey in progress and design is underway.
- e. Design continues toward completion.

## 5. ATP Cycle 4

a. City was awarded a grant in the amount of \$951,360 with a local match of \$66,360.

- b. The request for environmental studies was submitted to Caltrans on August 8<sup>th</sup>. The request will be on the October CTC agenda. Once the request is approved an RFQ will be released for Environmental Studies on the trail segments adjacent to the creek.
- c. The request for environmental studies was approved by the CTC at the October Meeting. An RFQ is being prepared and will be released for Environmental Studies on the trail segments adjacent to the creek within the next 30 days
- d. RFQ preparation continues.
- 6. RSTP Forest/Truman from 1<sup>st</sup> 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. Caltrans has approved the Encroachment Permit.
  - c. Project released for bidding on September 10<sup>th</sup> with a bid opening October 3rd.
  - d. Bids were opened October 3rd and project awarded at the October 10<sup>th</sup> Council Meeting.
  - e. The project is currently under construction.
  - f. Project completion March 6, 2020
- 7. CMAQ Paving of Various Alleys Ph. 3
  - a. Topographic survey has been completed and design is underway.
  - b. Construction has been put off until next fiscal year due to wanting to replace underground utilities in the alleys.
- 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. Additional survey work of tank containment area and Westland's raw water pump turnout needed for injection point design.
  - d. Westland's plans on replacing nonfunction venturi meter that will facilitate injection metering.
  - e. Project requires USBR permit for connection of injection point at Coalinga Canal pump station. Application in progress.
  - f. 90% project plans and specifications submitted to city staff for review.
  - g. Project completion Summer 2020.
- 9. WWTP Concrete Yard Boxes and Ponds Rehabilitation Project
  - a. Bids opened on November 8, 2018 and they came in over budget.
  - b. Working with the City to reduce project scope and re-release for bidding.
  - c. Reduced scope project under design.
  - d. Reduced scope project design complete and has been released for bidding.
  - e. Bid opening February 27, 2020

# ASSISTANT CITY MANAGER

#### PUBLIC WORKS/UTILITIES

- **Budget**: ACM conducted budget meetings with Utilities, Public Works and building to discuss all operational budgets in preparation of the FY21 budget discussions.
- Street Light Acquisition: The lighting feasibility study has been completed will be presented to Council on February 6, 2020. Staff is working with Tanko Lighting and Finance to determine a funding course of action. As soon as a funding source is determined, staff will bring the audit/acquisition contract before the Council.

- TTHM: Staff is currently reviewing 90% drawings from MKN. Project will be shelf ready in the coming months and will be funded with future proceeds from a rate increase expected in the summer.
- Derrick Bypass / Reservoir Assessment: CSI Inspection Services performed a tank inspection of Derrick Reservoir in January and staff reviewed the report and held a meeting with MKN Engineering, City Engineer, Public Works Staff and IGS Consultant to prepare a recommended course of action based on the results and recommendations by CSI. Staff is working with MKN to develop a hydraulic analysis to understand the water system as a whole when the City either rehabilitates/replaces the Derrick Reservoir.
- SCADA: Staff is currently reviewing 90% drawings submitted by Frisch Engineering and providing comments. Soon thereafter, staff will work with the Frisch to bid project.
- Coalinga Water Plant PSM/RMP: Environmental Permitting Specialist met with plant staff and is currently developing all PSM/RMP programs for staff review in the next month.
- County Inspection (Water Plant): Fresno County department of environmental health inspected the water plant and provided a correction plan which staff is currently working on to complete in the 30 days given by the County. Staff is currently working on the checklist items as addressed in the inspection report and coordinating with the EPS to establish a compliance schedule. Staff is still awaiting a response from the County as to when their next visit will occur. Majority of items already complete.
- Secondary WWTP Access Road: The City Engineer is reviewing the location and will then begin working on obtaining the appropriate easements for dedication. Property owners will need to be contacted in the near future. This is a low priority project as this time considering the other items staff is working on.
- Center Median Rehab: The City Council approved a budget allocation and scope of work at the November 7<sup>th</sup> Meeting. Design has been finalized and staff is currently reviewing the design and specifications packages from the City Engineer. Once approved, the City Engineer will advertise bids. Trees have been installed and staff is finalizing all prep work before the contractors installs the landscaping.
- **Grants**: The professional services agreement with Blais and associates has been executed and staff conducted a needs assessment on February 12, 2020 to discuss funding needs. B&A is preparing a report based on the information that staff provided to the consultants and will be given to the City Manager which plans to share with the Council for additional feedback.
  - CMAQ: Staff submitted the City's additional CMAQ application for the completion of the unimproved alleys as COG did not receive enough applications under the cost-effective category. Awards should be advertised in March/April 2020.
  - State Parks Per Capita Program: Staff working on final items to complete at Centennial and Sandalwood Parks.
  - HOME application for housing rehabilitation and first-time home buyer program has been submitted.
  - The City's AHSC Affordable Housing Grant Application for Pacific and Elm Ave was submitted in February by the deadline. Awards are expected by mid-June.
  - **STBG:** Forest Phase 4 (Elm -1<sup>st</sup>) This project is under construction and should be complete by early March.
  - o CMAQ: Alley Paving this project is currently under design and expected to go to construction in later 2020 early 2021.
  - ATP Cycle 3: Sidewalk Gaps and Safety Enhancements staff is currently working on a scope change to be presented to the CTC and once approved staff will be able to proceed with construction. This project is currently under design engineering.
  - CMAQ: Trail Segments 10-12 This project is currently under design with the City Engineers office.
  - o ATP Cycle 4 Trail segments, 9, 4 and 3 (portion) staff is currently working with Rincon Consulting on the environmental review RFP. Once complete staff will advertise the RFP in order to secure an environmental consultant for these segments of the trail. This project funding includes construction of these segments as well.
  - o **STBG (2017)** design is currently underway for the Polk Street Reconstruction project from 5<sup>th</sup> Street to Elm Ave. Construction is anticipated for later 2020.

- o STBG (2019) the City was awarded funding for the reconstruction of Polk Street from Elm to Monterey. Design will proceed once authorization has been granted which is expected in 2021.
- CDBG Staff is working with Self Help Enterprises to complete the application for Phase
   2 of the Van Ness Storm Drain Project consisting of a new storm drain line from Elm to S.
   Coalinga Street on Van Ness.
- Wastewater Consultant and City Engineer are working on opportunities for future uses of waste discharge, capital needs, and grant opportunities. -Ongoing
- OES Grant: the City received notice that is was not successful in obtaining money for a new back up generator at the Water Treatment Plant. Staff will continue working with B&A to find other sources for a back-up generator.
- Staff is working on ordinances and other necessary documents for submission to the State
  Controller's Office in order for the City to be subject to the Uniform Public Construction Cost
  Accounting Act. Staff is working on standardized informal and formal bidding procedures for
  smaller public works projects to expedite project delivery.
- 2015 Urban Water Management Plan: Staff conducted it's initial kickoff meeting with ASM consulting and preparing all the documents requested to complete the plan.
- Garlic Plant: The City is preparing for accepting discharge water into the sewer system from Valley Garlic once they installed a screen to capture the organics (peels, skins, ect.).
- Continued discussions with Staff, IGS and City Engineer on developing a long-range Capital Improvement Program for the Water and Wastewater Infrastructure in preparation of a summer water rate discussion.
- Developing a list of amenities for the parks related to the Per Capita Parks Program
- Surge Tanks: Staff is currently reviewing plans and spec and providing comments to City Engineer. Hope to bid project in March.
- Frame Park Splash Pad: City Council approved the project budget and scope on January 2, 2020. The City Engineer has finalized the Plans and Specifications for bidding and construction in spring 2020 is expected. PW's staff is working on prep work (sewer/water tie-in & minor tree removal) in anticipation of the contractor installing the splash pad infrastructure.
- Coordinating Efforts with the Chamber of Commerce to provide banner installation services. Waiting on items from the Chamber prior to engaging in further discussions.
- Staff is working on policies for property owner responsibility for tree trimming and sidewalk repairs, and an additional policy for construction water.
- Gale Ave Rehabilitation: City Council approved a task order and budget appropriation for an overlay of 200' of Gale Ave from Elm to the City Limits. Design is currently underway, and bids should be advertised in April.
- S. Princeton Drainage Issues: Staff is currently working with the City Engineer to look at possible resolutions to address the drainage issues on S. Princeton. Awaiting a response from PG&E regarding some improvements that may be cause of the damage.
- Crosswalk on Polk Street at California Street: The City engineer provided a technical memo regarding the challenges with installing a new crosswalk at this location, however, with the recent funding award, a new crosswalk will be installed as part of the Polk Street Reconstruction Project.
- Training: The ASM, PWS and US will be attending a disaster training and a pavement management training in March and April respectively.
- Pavement Management System: The pavement management system is operational, and staff will be utilizing its full potential for determining treatments for streets, budgeting and prioritization. The training in the spring will be highly beneficial to the program's implementation and success.

# COMMUNITY DEVELOPMENT

- Working on presentation for the Council regarding a Cottage Home Program March/April
- Continuing coordination with the County and surrounding agencies regarding Community Choice Solar. *Ongoing*
- Council Chambers Technology Modernization budget has been approved and staff is currently working on purchasing and installing new equipment.

- Staff continuing to work with Tyler Technologies on Energov Migration.
- Family Dollar building, landscape and sign plans have been approved. Permits are expected to be pulled in the coming month.
- Council approved the rehabilitation of the hotel units on Valley Street. Staff issued the approval letter to the applicant with conditions. Awaiting response from applicant.
- The City Engineer is currently reviewing the Luxe Estates Final Map application. This project is located on the northeast corner of La Questa and Phelps.
- Staff is working with Ranch WIFI on a CUP application for a wireless network within the City of Coalinga. Staff has prepared request from ranch WIFI to utilize city owned facilities for placement of antenna.
- CDA 18-02 Application UrbGreen cultivation facility is currently under the review and staff is awaiting an updated project application in order to proceed with processing the application further.
- Site Plan Review 19-01 Western Oil Office The Planning Commission approved the application at their January 14, 2020 meeting. The applicant is currently with Building obtaining permits.
- Site Plan Review 19-02 Multi-Family Development at Pacific and Elm Project was approved by the Planning Commission on January 21, 2020.
- Staff is working on an ordinance that will update the Large Family Daycare regulations to be consistent with State law related to land use.
- Zoning Code 5 Year Update Staff is continuing to work with the Planning Commission on the 5-year zoning code update going through all sections of zoning code. This is expected to be an ongoing project throughout 2020.
- CDA 17-01 150 Hachman Subdivision Map, General Plan Amendment and Re-Zone The
  applicant has resurrected this project, staff is currently drafting the CEQA documentation for public
  review.

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

**Subject:** Discussion, Direction and Potential Action regarding City of Coalinga Council

Rules of Procedure (Commonly referred to as Code of Conduct or Standards of

Conduct)

Meeting Date: Thursday, March 5, 2020

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

## I. RECOMMENDATION:

There is no staff recommendation. This item was requested as a Future Agenda Item by Councilwoman Stolz.

## II. BACKGROUND:

This item was originally requested as a Future Agenda Item by Former Mayor Vosburg and was on the June 21, 2018, City Council agenda. Changes were requested and the item was brought back and approved by the Coalinga City Council on August 2, 2018.

## III. DISCUSSION:

Now that the Rules of Procedure have been in place for nearly a year and a half, Councilwoman Stolz would like Council to review the Rules, discuss them and make changes, if needed.

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

# V. FISCAL IMPACT:

None.

ATTACHMENTS:

File Name Description

□ COUNCIL\_STANDARDS\_OF\_CONDUCT\_FINAL\_080218.pdf Council Code of Conduct

#### CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

# **Decorum of City Council Members**

- 1. Council Members shall:
  - a. put constituents first at all times;
  - b. treat each other, Staff, and the Public with dignity, courtesy, and respect;
  - c. value all opinions, be tolerant of new and different ideas, and encourage creativity and innovation;
  - d. follow through on commitments and be accountable to each other;
  - e. clarify when items are discussed in confidence and maintain appropriate confidentiality;
  - f. be attentive to others, limiting interruptions and distractions;
  - g. encourage dissent in debate while being mindful not to prolong discourse or block consensus;
  - h. be candid with each other about ideas and feelings, and resolve conflicts directly;
  - keep comments clear, concise, and on-topic to maximize opportunities for all to express themselves;
  - j. continuously strive to improve how members work as a team;
  - k. place clear and realistic demands on staff resources and time when requesting action;
  - I. start and end meetings on time, work from an agenda, and be present, attentive, and prepared;
  - m. present problems in a way that promotes discussion and resolution;
  - n. continually work to build trust in each other;
  - o. treat each other and everyone with courtesy and refrain from inappropriate behavior and derogatory comments at all times, including but not limited to Council Meetings, social media, and public events;
  - p. be fair, impartial, and unbiased when voting on quasi-judicial actions;
  - q. move to require the Mayor to enforce these Rules, and the Mayor shall do so upon an affirmative vote of a majority of the Council Members present;
  - r. preserve order and decorum during the meeting;
  - s. not delay or interrupt the proceedings or the peace of the council, nor disturb any council member while speaking, by conversation or otherwise;
  - t. prohibit disclosure of confidential communications and authorize public censure for failure to comply;

## CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

- u. support the Rules established by the Council; and
- v. abide by these Rules in conducting the business of the City of Coalinga.
- w. value each other's time;
- x. attempt to build consensus on an item through an opportunity for dialogue; but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority;
- y. have the right to dissent from, protest, or comment upon any action of the Council:
- z. respect each other's opportunity to speak and, if necessary, agree to disagree;
- aa. avoid offensive negative comments and shall practice civility and decorum during discussions and debate; and
- bb. assist the Mayor's exercise of the affirmative duty to maintain order.
- cc. speak to the City Manager directly on issues and concerns but not give individual direction;
- dd. treat staff professionally and refrain from publicly criticizing individual employees;
- ee. avoid involvement in personnel issues except during Council closed sessions regarding council-appointed staff such as the City Manager and City Attorney, including hiring, firing, promoting, disciplining, and other personnel matters;
- ff. discuss directly with the City Manager and/or City Attorney any displeasure with a department or Staff; and
- gg. request answers to questions on agenda items from the City Manager, City Attorney, City Clerk, City Treasurer, Department Directors, or Division Managers prior to the meeting whenever possible.

# **Decorum of City Staff**

# 1. City Staff shall:

- a. prepare well-written staff reports and provide accompanying documents on all agenda items in accordance with the agenda format and preparation schedule;
- b. be available for questions from Council Members in accordance with the Brown Act prior to and during meetings;
- c. respond to questions from the public during meetings only when requested to do so by Council Members or the City Manager;
- d. refrain from arguing with the Public or Council Members; and
- e. switch any electronic equipment such as pagers and cellular telephones to

- silent, airplane mode or off during Council meetings.
- f. remain objective on issues and should not be advocates for issues unless so directed by the City Manager.

#### **Decorum of the Public**

- 1. Members of the public attending Council meetings shall observe the same rules and decorum applicable to the Council Members and staff as noted above.
- 2. Members of the public attending Council meetings shall not bring food items into the Council Chambers. Water is okay so long as the container it is in has a closed top.
- 3. No person shall engage in conduct that is intended to or is likely to provoke violent or riotous behavior, nor shall any person engage in conduct that disturbs the orderly conduct of the Council meeting. Examples of disorderly conduct include, but are not limited to, feet-stamping, whistling, yelling or shouting, organized silent demonstrations, physically threatening conduct, name calling, cursing, and similar demonstrations.
- 4. The Mayor shall request that a person who is breaching the rules of decorum cease the conduct. If the person does not cease the conduct immediately, the Mayor may declare that person to be in disorder as a result of their conduct and order the person to leave the Council meeting. The Coalinga Police Department shall assist the Mayor in enforcing the rules of decorum, including removing disorderly persons upon order of the Mayor.
- 5. Lobbyists shall identify themselves and the client(s), business, or organization they represent before speaking to the Council.

# Addressing the Council

- Purpose of Citizen Comments. During City Council meetings, the City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding unagendized matters within the subject matter jurisdiction of the City
  - a. Citizen comments should not be addressed to individual Council Members nor to City Officials, but rather to the Council as a whole regarding city business.
  - b. While members of the public may speak their opinions on City business, personal attacks on Council Members and City Officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
  - c. Consistent with the Brown Act, the public comment periods on the agenda are not intended to be "Question and Answer" periods or conversations with the Council and City Officials. The limited circumstances under which members

- may respond to public comments as set out in Rule 8.D.2.
- d. Members of the public with questions concerning Consent Calendar items may contact the Staff person who provided the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.
- e. During Discussion items, the Mayor may stop a member of the public whose comments are not confined to the agendized item being heard.
- 2. Speaker time limits. In the interest of facilitating the Council's conduct of City business, the following time limits apply to members of the public (speakers) who wish to address the council during the meeting.
  - a. Matters not on the agenda. Three minutes per speaker.
  - b. Consent Calendar items. The Consent Calendar is considered a single item, and speakers are therefore subject to the three-minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council Member's request and will be considered individually, with up to three minutes of public comment per speaker.
  - c. Discussion Calendar items. Three minutes per speaker.
  - d. Time limits per meeting.
    - (i) Each speaker shall limit his/her remarks to the specified time allotment.
    - (ii) The Mayor shall consistently utilize the timing system.
    - (iii) In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group, but with no increase in time.
    - (iv) Speakers shall not concede any part of their allotted time to another speaker.
    - (v) The Mayor, with consensus of Council, may further limit, or expand, the time allotted for public comments per speaker or in total for the orderly conduct of the meeting; such limits shall be fairly applied.

#### **Electronic Devices**

- Members of the public shall turn their electronic devices that are capable of emitting sound – including cellular telephones, personal data devices, pagers, digital tablets, laptop computers, etc. – to the off or silent mode during Council meetings.
- 2. Cameras. Cameras and recording equipment may be used during Council meetings only if:

- a. the devices are silent during use; and
- b. the devices are used in a manner and at locations that do not impede walkways or others views of the meeting or disrupt the conduct of the meeting.

### **Location of Speaker**

- 1. Members of the public shall not approach the dais without the express consent of the Mayor.
- 2. Members of the public wishing to address the Council must approach the podium when recognized by the Mayor and speak only from the podium.
- 3. Members of the public should, but are not required, to state their name and address before beginning comments.

### **MEETING TYPES AND SCHEDULES**

## **Regular Meetings**

- 1. The Council shall meet the first and third Thursday of each month generally beginning at 6:00 p.m. in the City Hall Council Chambers, 155 W. Durian Ave, Coalinga, California, except as otherwise provided in the annually adopted meeting schedule or as otherwise revised by the Council.
- 2. Whenever possible, Special Workshops shall take place in the Council Chambers.

# **Adjourned Meetings**

As permitted by law, the Council may adjourn any Regular, adjourned Regular, Special, or adjourned Special meeting to a time and place specified in the motion of adjournment.

Any Regular, Adjourned Regular, Special, or Adjourned Special Meeting of the Council may be adjourned to a time and place specified in the order of the adjournment. Less than a quorum may so adjourn from time to time. If all the members of the Council are absent from a Regular or Adjourned Regular Meeting, the City Clerk or Deputy City Clerk may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be delivered personally or by mail to each member of the Council, the City Attorney, and to each local newspaper of general circulation and radio or television station requesting notice in writing. Such notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as set forth in the notice. A copy of the order or notice of an adjournment shall be conspicuously posted on or near the door of the place where the Regular, Adjourned Regular, Special, Adjourned Special Meeting was held within twenty-four (24) hours after the time of the adjournment. When a Regular or Adjourned Regular Meeting is adjourned as provided in this

section, the resulting Adjourned Regular Meeting shall be a Regular Meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the Adjourned Meeting is held, it shall be held at the hour specified for Regular Meetings by ordinance, resolution, law, or other rules.

## **Special Meetings**

A Special Meeting of the City Council may be called at any time by the Mayor, Mayor Pro-Tem, or by a majority of the members of the Council by delivering personally or by mail a written notice to each member of the Council, the City Attorney, and to each local newspaper of general circulation and radio or television station requesting notice in writing. Such notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as set forth in the notice. The call and notice shall set forth the time and place of the Special Meeting and the business to be transacted. No other business shall be considered at such meeting. Such written notice may be dispensed with as to any member who, at or prior to the time the meeting convenes, files with the City Clerk or Deputy City Clerk, a written waiver of the notice. Such waiver may be given by telephone or by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting as the time it convenes.

## **Emergency Meetings**

- In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the legislative body may hold an Emergency Meeting without complying with either the 72-hour or 24-hour notice and posting requirements for Regular and Special Meetings, but shall otherwise comply with the Brown Act procedures generally stated below.
- 2. Each local newspaper of general circulation and radio or television station that has requested notice of Special Meetings pursuant to the Brown Act, shall be notified by the Mayor of the legislative body, or designee thereof, at least one hour prior to the Emergency Meeting, or in the case of a dire emergency, at or near the time that the Mayor or designee notifies the Council of the Emergency Meeting.
- 3. This notice shall be given by telephone call to the numbers provided in the most recent request for notification.
- 4. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the Emergency Meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

- 5. During an Emergency Meeting, the legislative body may meet in closed session pursuant to the Brown Act if agreed to by a two-thirds vote of the members present, being not less than four votes of the Council.
- 6. All Special Meeting requirements in the Brown Act shall be applicable to an Emergency Meeting, with the exception of the 24-hour notice and posting requirement.
- 7. The minutes of an Emergency Meeting; a list of persons who the Mayor or designee of the Council, notified or attempted to notify; a copy of the roll call vote; and any actions taken at the meeting, shall be posted for a minimum of ten days in a public place as soon after the meeting as possible.

#### **Closed Sessions**

- Closed Sessions generally shall be conducted on the first and third Thursday of every month or during Special Meetings held immediately prior to Regular Meetings.
- 2. In accordance with the Brown Act, the public may speak regarding any Closed Session item prior to the Closed Session.
- 3. All Closed Session information, verbal or written, is privileged and confidential and shall not be shared with any person not at the Closed Session. Any Council Member sharing information in violation of this rule may be subject to censure by the Council consistent with the Council's confidentiality policy then in effect.
- 4. The City Attorney shall report out in open session any reportable actions that were taken by Council and the vote on such actions in accordance with the Brown Act.

# **Public Hearings**

- 1. The city clerk shall set Public Hearing dates on all matters that require a notice and Public Hearing before the Council, such as matters received from the planning division and appeals to the Council.
- 2. Public Hearings will not be withdrawn or continued without the full knowledge and concurrence of the Council Members within whose districts/jurisdiction the issue resides.
- 3. The Council may refuse to grant a continuance of any Public Hearing unless there is a valid legal reason why the Public Hearing must be continued.
- 4. Continuances.
  - a. Any person (applicant, appellant, or designated representative) scheduled for a Public Hearing before the Council:
    - (i) may obtain one continuance for a period not to exceed the second Regular Meeting after the original scheduled Public Hearing date, as a matter of right, without personally appearing before the Council on

the scheduled hearing date, provided a written request for the continuance must be delivered to the City Clerk by noon on the day prior to the scheduled Public Hearing. Any person, who has once obtained a continuance by any procedure, may not obtain a subsequent continuance by notifying the City Clerk as provided in this Rule 6.F.a(i).

- (ii) who wants to obtain a continuance of the Public Hearing beyond the second Regular Meeting after the original scheduled Public Hearing date, or has not notified the City Clerk as provided in Rule 6.F.4.a(i), may obtain a continuance only by appearing before the Council at the time the original Public Hearing is scheduled and requesting a continuance. This continuance is not a matter of right and will not be granted unless the Council is satisfied that good cause exists for the continuance and that a substantial number of people will not be inconvenienced by such continuance.
- (iii) who has once obtained a continuance of a Public Hearing either by notice to the City Clerk per Rule 6.F.4.a(i) or by personal appearance per Rule 6.F.4.a(ii), may obtain a further continuance only by appearing before the Council at the scheduled Public Hearing and satisfying the Council that extraordinary circumstances exist that would justify this second continuance.
- (iv) who has twice obtained a continuance of a Public Hearing, may obtain an additional continuance only by appearing before the Council at the scheduled hearing and satisfying the Council that a miscarriage of justice would result from the refusal of the Council to grant a continuance.
- b. City Staff may request and upon Council's approval obtain a continuance based on the need of the originating department or on behalf of a Council Member. Department staff may request, via the City Clerk, as many continuances as needed to complete and ready the project or appeal for the Public Hearing process; however, Staff may not serve as a requestor on behalf of an applicant or appellant.
- c. Any organized group of residents or neighborhood associations, not recognized as an applicant or appellant, may contact their Council Member and request a continuance as needed to complete and ready the project or appeal for the hearing process. The Council Member, in his or her sole discretion, may request the Council approve the continuance for good cause.
- d. At the meeting when the Public Hearing is scheduled, but before the hearing starts, any Council Member may request the Council approve a continuance.
- e. Disputes regarding the length of a continuance will be decided by the Council

at the scheduled hearing if City Staff or the City Clerk cannot obtain mutual agreement between the parties beforehand.

### **MEETING AGENDAS**

### **Requirements for Agenda Item Submission**

- 1. The City Manager and City Clerk shall develop the agenda for Council meetings in consultation with the Mayor and Mayor Pro-Tem.
- 2. Council Members may submit items for inclusion on a future agenda by submitting the request via email within ten (10) days of the next finalized agenda via email or written notice.
- 3. Council Members may submit staff reports or descriptions of oral reports to the City Clerk and or the City Manager for placement on the agenda.
- 4. Department directors, subject to the discretion of the City Manager, may submit staff reports or descriptions of oral reports to the City Clerk for placement on the agenda.
- 5. Outside agencies may submit agenda items in accordance with the following:
  - a. Items from outside agencies must be sponsored for agenda placement by Council Members or department Staff; and
  - b. All agenda items must be submitted in accordance with the agenda packet submission and preparation requirements.

# **Declaration of Policy**

- No ordinance, resolution, motion, or item of business shall be introduced or acted upon at a meeting of a legislative body of the City without it appearing on a duly noticed and posted agenda in accordance with the Brown Act. Exceptions to this rule are limited to those provided by state law.
- 2. No ordinance, resolution, motion, or item of business will be considered that:
  - a. does not affect the conduct of the business of the City of Coalinga or its powers or duties as a municipal corporation, or
  - b. supports or disapproves of any legislation or action
    - (i) of the State of California;
    - (ii) of the Congress of the United States; or
    - (iii) before any officer or agency of the state or nation,

unless the proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers or duties of the City of Coalinga or its

- officers or employees.
- c. Rule 7.B.2 may be invoked only before Public Comment or council deliberation on the matter and by three affirmative votes on the question: "Shall the Council consider this matter?"

### **Procedures for Submission of Reports**

- 1. A written staff report should be prepared and submitted for agenda review in accordance with the agenda review procedure.
- 2. Staff reports shall include a section reflecting review by the City Attorney as appropriate.
- 3. "Continued" items do not require a new staff report if there are no changes other than the agenda date. If there is any other change, a new staff report meeting all applicable requirements must be submitted.
- 4. Staff reports shall the name of the staff member or department head putting the item on the agenda.
- 5. Staff reports shall include any fiscal information as it relates to the city budget or spending or saving money.

### Written Communications from the City and the Public

- 1. The City Clerk, City Manager, and or City Attorney shall manage communications to Council Members regarding meeting topics to ensure compliance with the Brown Act.
  - a. Except for records exempt from disclosure under the California Public Records Act and otherwise by law, agendas or any other writings distributed to all or a majority of the Council Members for discussion or consideration at a Public Meeting are disclosable to the public, and shall be made available upon request without delay.
  - b. Materials distributed to the Council Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Council Member, or at the conclusion of the meeting if prepared by another person.
- Interested parties or their authorized representatives may address the Council by written communications regarding agenda items.
  - a. Written communications received by the City Clerk prior to posting of the agenda will be included in the agenda packet material. Written communications received by the City Clerk after that deadline will be delivered to the Council Members at the Council Meeting if related to an item on the meeting agenda.
  - b. Documents (10 copies recommended) that members of the public submit to the

City Council at the meeting shall be given directly to the City Clerk for distribution and shall not be given directly to the Council. The documents will be made available to the public.

# **Preparation of the Agenda Packet**

- 1. No later than 6:00 p.m. on the Monday prior to each regularly scheduled meeting, the City Clerk shall finalize the agenda packet.
- 2. Agenda Packet Contents.
  - a. The agenda packet shall include the agenda, the staff reports, draft resolutions and ordinances, contract, and other attachments. Items noted as "To Be Delivered" on the agenda will be delivered prior to the start of the Council Meeting and published to the City's website no later than the following day. No item shall be required to be considered by the Council if the applicable written material is not delivered to the Council before the agenda item is discussed and made available to the public at the same time.
  - b. Corrections or supplements to a staff report or other written materials already included in the agenda packet may be delivered separately.
  - c. All agreements on the agenda shall be available for review by the Council and the Public prior to the meeting, or at the meeting location during the meeting, unless determined otherwise by the City Attorney.

#### **Distribution of the Packet**

- 1. The City Clerk shall distribute the agenda packet to the Council Members and persons requesting copies of the agenda packet no later than Monday at 6:00 p.m. prior to the regularly scheduled meeting.
- 2. Paper or electronic copies of the agenda packet shall be available for the news media and other such organizations, agencies, institutions, or persons who so subscribe.

# **Posting of Agenda**

- The City Clerk shall post the agenda of each Regular or adjourned Regular Meetings of the legislative body at least 72 hours in advance of the meeting in a location that is freely accessible to members of the public as required by the Brown Act.
- 2. The City Clerk shall maintain an affidavit indicating the location, date, and time of posting each agenda.
- 3. Agendas will generally be published to the City's website by the end of business on the Monday before Regular Meetings.

- Staff reports including attachments, exhibits, and agreements will generally be published to the City's website by end of business on the Monday before Regular Meetings.
- 5. If technical difficulties occur, the agenda and reports will be published on the City's website as soon as those difficulties are resolved.

### **Failure to Meet Agenda Deadlines**

 The City Clerk shall not, without the consent of the City Manager or City Attorney, accept any agenda item or revised agenda item after the deadlines established and noted in these Rules.

# **Exceptions to the Agenda Requirement**

- Matters not included on the published agenda may be discussed and acted upon by the legislative body only in the following situations:
  - a. at a meeting during which a majority of the Council Members determine in open session that the matter in question constitutes an "emergency"; or
  - b. Upon a determination by two-thirds of the Council Members, or if less than two-thirds are present by unanimous vote of the Council Members present, that:
    - (i) there is a need to take immediate action; and
    - (ii) the need for action came to the attention of the City after the agenda had been posted; or
  - c. the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

# Types of Agenda Items

- 1. Closed Sessions confidential discussions with the legislative body as permitted by the Brown Act.
- 2. Ceremonial Matters the presentation and receipt of ceremonial resolutions and celebrations not requiring formal legislative body action.
- 3. Administrative Matters consent items making clerical corrections to previous legislative documents and to ensure accurate legislative history.
- 4. Consent Calendar considered one item, consisting of matters routine in nature and not likely to be subject to debate or inquiry by the Council Members or the public; typically adopted in one motion.
- 5. Public Hearings duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Council.

- 6. New Business non-routine items requiring an oral presentation and discussion before action is taken.
- 7. Information Items items when staff is required by federal or state law or city code to inform Council of an issue when authority has been delegated to a person, position, board, or commission.
- 8. Public Comment oral communications from the public regarding matters not on the agenda but within the subject matter jurisdiction of the City.
- 9. City Council Reports and Requests:
  - a. Brief oral or written reports summarizing meeting or conference attendance at City expense, as required by AB 12349;
  - b. Requests that City Manager or Staff report on various issues;
  - c. Requests to place items on a future council meeting agenda must be approved (consensus by Council must be received);
  - d. Reports on district and citywide activities or news.

### **Ordinances and Non-Binding Resolutions**

- 1. Ordinances on the agenda may be passed for publication or adopted in accordance with established procedures.
- 2. Ordinance changes during the review and adoption process.
  - a. The text of an ordinance receiving the necessary votes to bring the matter to Council shall be the text that is included in the published agenda as pass-for-publication.
  - b. The text of an ordinance passed for publication shall be the text that is included in the published agenda for the meeting at which the adoption of the ordinance is discussed.
  - c. Notwithstanding subsections a, b, and c, typographical and clerical errors may be corrected at any time during the ordinance review and adoption process.
  - d. If a Staff Member intends to make a substantive (i.e., anything not typographical or clerical) change to an ordinance after it is included in a published agenda, at or before the time the ordinance adoption item is called on the agenda the Staff Member shall distribute sufficient written copies of the proposed change so that all other members, the Council Members, relevant City staff, and the public audience have copies.
  - e. Consideration of a proposed substantive change from the ordinance text that was included in the published agenda shall be continued until the next regular council meeting unless another meeting date is approved by Council.

f. If the Council's motion to adopt an ordinance includes a change to the ordinance text from that published in the agenda, prior to the vote the City Attorney or City Clerk shall repeat verbatim the proposed change or otherwise indicate the change is reflected in the circulated written copy of the change.

### **CONDUCT OF MEETING**

# Call to Order – Mayor

- The Mayor, or in the Mayor's absence the Mayor Pro-Tem, shall take the chair at the hour appointed for the meeting and shall immediately call the meeting of the Council to order.
- 2. In the absence of the Mayor and Mayor Pro-Tem, the City Clerk shall call the meeting to order and a Mayor *Pro-Tempore* shall be appointed from the members present.
- 3. Upon the arrival of the Mayor, the Mayor Pro-Tem or Mayor Pro-Tempore shall immediately relinquish the chair at the conclusion of the business then before the Council.

#### **Roll Call / Attendance**

- 1. A majority of the members of the Council then in office and present within the City limits of Coalinga shall constitute a quorum.
- 2. Before the Council proceeds with the business before it, the City Clerk shall call the role and note the Council Members present for the minutes. The late arrival of Council Members shall be entered into the minutes.
- 3. A Council Member shall be considered present at a meeting if the member either is physically in the Council Chambers or is participating in the meeting through teleconference in accordance with the Brown Act. Meeting attendance of Council Members through teleconference will be permitted on a case-by-case basis, determined by the majority of Council.
- 4. Council Members attending a council meeting through a teleconference are counted when determining a quorum unless they are not within the City limits of Coalinga.
- 5. Council Members must be physically present at the Council Chamber dais or teleconference location to vote. Proxy or absentee voting is not permitted.

#### Order of Discussion

The order of business is typically carried out as listed on the agenda or as set out below; however, the Mayor, Mayor Pro-Tem and or City Manager may request the items, unless Council Members object.

Council Members may request items be reordered by motion.

- 1. Public Comment will be held at the beginning and at the end of the meeting.
- Consent Calendar items removed for discussion.
  - a. Council Members or the City Manager may request that an item be removed from the Consent Calendar for separate consideration.
  - b. Members of the Public wishing to have an item removed from the Consent Calendar for separate consideration may make a request to a Council Member or the City Manager prior to the beginning of council meeting.
  - c. All matters remaining on the Consent Calendar shall be approved by a single action, such single action to have the legal effect of individual action on each matter.
  - d. If Consent Calendar items are removed, they shall be discussed immediately and voted on individually after adoption of the balance of the Consent Calendar.

### 3. Public Hearings.

- a. The order of Public Hearings will generally be as follows:
  - (i) Staff comments, information, and reports, followed by Council Member questions.
  - (ii) proponent, if applicable, speaks, followed by Council Member questions.
  - (iii) opponent, if applicable, speaks, followed by Council Member questions.
  - (iv) if the Public Hearing is on an appeal that does not require Council *de novo* review, then the appellant (opponent) speaks before the applicant (proponent) in accordance with the allotted time.
  - (v) Public Comments.
  - (vi) if the Public Hearing is a de novo review appeal, the applicant speaks in rebuttal, but if not a de novo review appeal, the appellant speaks in rebuttal.
  - (vii) closure of Public Comment.
  - (viii) further Council Member discussion.
  - (ix) motion to close Public Hearing and take action. See Rule 6.F regarding continuances.
- b. The Mayor may direct speakers to avoid repetition in order to permit maximum information to be provided the Council within the time allotted to the hearing.
- 4. New Business.

- a. The order of discussion after introduction of an item by the Mayor will generally be as follows:
  - (i) Staff comments, information, and reports, followed by questions from the Council Members.
  - (ii) Public Comments and information, followed by questions from the Council Members.
  - (iii) Council Member discussion, motion, and action.
- b. Once the item is placed before the Council for discussion, motion, or action, no member of Staff or the Public shall be allowed to address the Council without the consent of the Mayor or Council Members.

#### **Oral Communications from the Audience**

- As required by the Brown Act, a portion of each Council Meeting agenda will
  provide an opportunity for members of the Public to address the Council on
  any agendized item, including Closed Session and Consent calendar items.
  Regular Meeting agendas also will provide for Public Comment on any
  unagendized matter that is within the subject matter jurisdiction of the City.
- 2. In response to Public Comment on non-agendized items, the Council Members may individually:
  - a. briefly respond to statements made or questions posed by members of the Public;
  - b. ask questions for clarification;
  - c. provide a reference to Staff or other resources for factual information or response;
  - d. request Staff, with consensus of Council, to report to the Council at a subsequent meeting; and
  - e. request Staff, with consensus of Council, to place a matter of business on a future agenda as needed.

#### **Quorum Call**

- 1. During the course of the meeting, should the presiding officer note a quorum is lacking, the mayor shall call this fact to the attention of the City Clerk.
- 2. The Mayor then shall issue a quorum call. If a quorum has not been restored within two minutes of a quorum call, the Mayor may declare a recess for a reasonable period of time in order to reestablish a quorum.
- 3. If no quorum is reestablished within a reasonable time, the Mayor shall adjourn the meeting.

### **Obtaining the Floor**

- 1. Any Council Member wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor shall recognize any Council Member who seeks the floor when appropriately entitled to do so.
- 2. With the concurrence of the Mayor, a Council Member holding the floor may address a question to another Council Member and that Council Member may respond while the floor is still held by the member asking the question. A Council Member may opt not to answer a question while another member has the floor.

#### **Motions**

1. Robert's Rules of Order, a manual of parliamentary procedure shall be used for the management of motions.