



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

**September 19, 2024  
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 Meeting, on September 19, 2024 in the City Council Chambers located at 155 West Durian, Coalinga, CA. Persons with disabilities who may need assistance should contact the City Clerk at least 24 hours prior to this 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. The CrisCom Company - Quarterly Report Lobbying Services
2. Swearing In of Interim City Manager Sean Brewer

## **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.*

*Citizen Comments submitted in writing to the City Clerk by 5:00pm on the day of the City Council meeting shall be distributed to the City Council and included in the record, however they will not be read.*

**4. PUBLIC HEARINGS (NONE)**

**5. CONSENT CALENDAR**

1. Approve MINUTES - September 5, 2024
2. Receive Report and Approve a Regulatory Permit for a Cannabis Retail Facility with Delivery at 286 N 5th Street
3. Waive the Second Reading and Adopt Ordinance No. 868 a City Initiated Text Amendment ZTA 24-03 related to Gyms, Vehicle Washing Facilities and Drive Throughs
4. Waive the Second Reading and Adopt Ordinance No. 869 Amending Section 2-4.604, 2-4.607 of Article 6 of Chapter 4 of Title 2 of the Coalinga Municipal Code relating to the Purchasing Agent and System
5. Waive the Second Reading and Adopt Ordinance No. 870 related to Unsafe Camping and Public Hazards in the City
6. Adopt Resolution No. 4235 Updating Authorized Signatures to the Investment of Monies in the Local Agency Investment Fund
7. Adopt Resolution No. 4236 Approving the Support of Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act
8. Adopt Resolution No. 4237 Authorizing the Submission of a Grant Application for the 2024 Active Transportation Program (Cycle 7) Regional Bid
9. Adoption of Resolution No. 4238 Approving Final Parcel Map No. 22-02
10. Consideration of Bid Award for Derrick Reservoir Rehabilitation
11. Approval of a City Engineer Task Order and Project Budget for Sacramento Street Rehabilitation Project
12. Code Enforcement Monthly Report for July 2024

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

1. Discussion, Direction and Potential Action on the League of California Cities 2024 Annual Conference Resolutions

**Sean Brewer, Interim City Manager**

**7. ANNOUNCEMENTS**

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

**8. FUTURE AGENDA ITEMS**

**9. CLOSED SESSION**

1. CITY MANAGER'S PERFORMANCE EVALUATION – Government Code Section 54957(b)
2. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: Vacant Land (APNs: 072-104-26) located in the City of Coalinga at the SW corner of Fifth Street and Cedar Avenue. CITY NEGOTIATORS: Interim City Manager, Sean Brewer; and City Attorney, Mario Zamora. NEGOTIATING PARTIES: Motte J M Trustee. UNDER NEGOTIATION: Price and Terms of Payment

## **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:** Approve MINUTES - September 5, 2024  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Shannon Jensen, City Clerk

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**I. RECOMMENDATION:**

**II. BACKGROUND:**

**III. DISCUSSION:**

**IV. ALTERNATIVES:**

**V. FISCAL IMPACT:**

**ATTACHMENTS:**

	File Name	Description
▣	MINUTES_For_Approval_090524.pdf	Minutes - September 5, 2024



# MINUTES

## CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

### MEETING AGENDA

#### September 5, 2024

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

Council Members Present: Horn, Ramirez, Vosburg, Schindler, Hedgecock

Others Present: Interim City Manager Sean Brewer, Assistant City Attorney Nick Matoian, Police Commander Sean Young, Financial Services Director Mai Vang, City Treasurer, Dawn Kahikina, Fire Chief Greg DuPuis, Administrative Analyst Mercedes Garcia and City Clerk Shannon Jensen

Council Members Absent: None

Others Absent: Chief of Police Jose Garza

Changes to the Agenda: Interim City Manager Sean Brewer announced the following Changes to the Agenda:

1. Special Meeting shall run concurrently with the regular meeting and discussion Item 6.1 from the Special agenda will be added to the regular agenda as discussion Item No. 6.5.

*Motion by Vosburg, Second by Ramirez to Approve the Agenda for the meeting of September 5, 2024. Motion **Approved** by 5/0 Roll-Call Majority Vote.*

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

1. Presentation of Results of Community Survey Conducted by Gene Bregman and Associates

Interim City Manger Sean Brewer presented the results of the Community Survey conducted by Gene Bergman and Associates. It was reported overall that the community favors the continuation of the 1% sales tax once they learned that it is not a new tax but just an extension of the existing sales tax. Mr. Bregman believes the public's knowledge of this not being a tax increase is key to the passing of Measure J this November.

### 3. CITIZEN COMMENTS

*The following individual(s) spoke under Citizen Comments:*

Chuck Yeadon stated he would like to encourage more positivity and thanked the Police, Fire, and Public Works Departments for a job well done.

Mary Jones stated she is also trying to report o more positive stories in the newspaper and encourage community members to email her with any potential stories so that she can report on them.

Scott Netherton announced that the Coalinga Chamber of Commerce is holding their Chamber Mixer on Wednesday, September 18, 2024 at the Elks Lodge. The event is for Chamber member only and will be geared at providing information on Measure J and how groups can help promote it.

Other upcoming Chamber events include:

- 9/29 2024 Airport Days – Wings and Wheels (11am – 6pm) at the Coaling Municipal Airport
- 10/15 Meet the Candidates Night (6pm) located TBD
- 10/19 Annual CoalingFest 2024 (11am – 9pm) along the Coalinga Plaza

*The following individual(s) submitted written comment(s):*

None

### 4. PUBLIC HEARINGS

1. Introduce and Waive the First Reading of Ordinance No. 868 – City Initiated Text Amendment ZTA 24-03 – Related to Gyms, Vehicle Washing Facilities and Drive Throughs  
**Sean Brewer, Assistant City Manager**

Assistant City Manager Sean Brewer provided a brief overview of item.

Mayor Horn opened the Public Hearing for comments.

Applicant Rob Mallory of Strength Valley gym asked when he would be allowed to open for business.

Mr. Brewer indicated after the next regularly schedule City Council meeting on September 19th, but advised Mr. Mallory to go ahead and continue with any of the necessary paper work now.

Councilman Vosburg requested staff include separate regulations for mobile car washing.

Hearing no other comments, Mayor Horn closed the Public Hearing.

*Motion by Vosburg, Second by Schindler to **Approve** the First Reading and Waiver of Ordinance No. 868 Approving the Zoning Text Amendment No. 24-03 related to Gyms, Vehicle Washing Facilities and Drive Throughs with the Recommended Changes to Vehicle Washing Facilities. **Approved** by a 5/0 Roll-Call Majority Vote.*

2. Adopt Resolution No. 4234 Vacating a 2-Foot Public Street Easement Property Located at 733 Riesling Lane Public Street Right-of-Way  
**Sean Brewer, Assistant City Manager**

Assistant City Manager Sean Brewer provided a brief overview of item.

Mayor Horn opened the Public Hearing for comments.

Applicant Maria Celis stated she would like to scoot her fence line over a bit to enlarge her backyard. She asked when she would be able to move the fence if Council approved her request.

Mr. Brewer indicated if the item was approved tonight that we would still need to record the property line change with the Fresno County Recorder's Office, however she could start right away.

Hearing no other comments, Mayor Horn closed the Public Hearing.

*Motion by Horn, Second by Hedgecock to **Approve** Resolution No. 4234 Adopting the Summary Vacation of a Public Street Easement located at 733 Riesling Lane, Coalinga, CA. **Approved** by a 5/0 Roll-Call Majority Vote.*

## 5. CONSENT CALENDAR

1. Approve MINUTES – August 15, 2024
2. Check Register: 07/01/2024-07/31/2024
3. Informational Only: Sale Tax Update Quarter 1 January 2024 – March 2024
4. Information Only: California Consensus Forecast 1Q 2024 Sale Tax Trends
5. Approve Resolution No. 4233 Authorizing the Application and Amending the PLHA Plan for the Permanent Local Housing Allocation Program
6. Authorize and Source New Public Works Vehicle Under the City's Existing Fleet Management Contract with Enterprise
7. Introduce and Waive First Reading of Ordinance No. 869 Amending Section 2-4.604, 2-4.607 of Article 6 of Chapter 4 of Title 2 of the Coalinga Municipal Code relating to the Purchasing Agenet System
8. Review and Approval of an Updated Budget and further Authorize the Interim City Manager to Execute Amended Engineering Work Order with the City Engineer for Design Engineering Services for the CMAQ Trails Project Segments 1, 2, 13, and 14

*Item No. 5.8 was Pulled by Councilman Vosburg.*

Interim City Manager Sean Brewer provided a brief overview of the item

9. Reject Claim for Damages Presented by Noe Diaz

*Item No. 5.9 was Pulled by Councilman Vosburg for information to be provided to the public.*

Senior Administrative Analyst Mercedes Garcia provided a brief overview of the item.

10. Reject Claim for Damages Presented by Daniel Solorio

*Item No. 5.10 was Pulled by Councilman Vosburg for information to be provided to the public.*

Senior Administrative Analyst Mercedes Garcia provided a brief overview of the item.

11. Authorize Interim City Manager to Sign Letter of Opposition on behalf of the City Council Opposing AB 2557 (Ortega) – Local Agencies: Contracts for Special Services and Temporary Help

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

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

1. Introduce and Waive the First Reading of Ordinance No. 870 related to Unsafe Camping and Public Hazards in the City  
**Sean Brewer, Interim City Manager**

Interim City Manager Sean Brewer provided a brief overview of the item, stating that City Attorney Mario Zamora made the Council's requested changes to the definitions regarding abandoned and discarded property.

*Motion by Schindler, Second by Horn to **Approve** the Waiving and First Reading of Ordinance No. 870 related to Unsafe Camping and Public Hazards. **Approved** by a 5/0 Roll-Call Majority Vote.*

2. Discussion, Direction and Potential related to Regulating Unhoused Individual Living in Vehicles on City Streets  
**Sean Brewer, Assistant City Manager**

Interim City Manager Sean Brewer provided a brief overview of the item, stating this was a Future Agenda Item requested by Councilman Vosburg.

*Consensus of the Council is for Staff to draft the recommended changes to the municipal code and bring back for Council's consideration.*

3. Discussion, Direction and Potential Action related to the Coalinga Electronic Sign Relocation Budget and Plan  
**Sean Brewer, Assistant City Manager**

Interim City Manager Sean Brewer provided a brief overview of the item, offering an alternate location for the electronic sign at the walking beam at the southwest corner of Phelps and Elm Avenues.

*Consensus of the Council is for Staff to continue researching alternative locations of the electronic sign to be relocated with preference near a stop sign or stop light.*

4. Consideration and Approval of Resolution No. 4232 Taking Notice that the Animal Shelter Project can be more Economically Performed through the Use of the Open Market  
**Sean Brewer, Assistant City Manager**

Interim City Manager Sean Brewer provided a brief overview of the item.

*Motion by Horn, Second by Ramirez to **Approve** the Adoption of Resolution No. 4232 Approving the Taking Notice that the Animal Shelter Project can be More Economically Performed through the Open Market. **Approved** by a 5/0 Roll-Call Majority Vote.*

5. Airport Days Planning and Budget Update  
**Sean Brewer, Assistant City Manager**

*Item No. 6.1 from the Special Agenda was added to the Regular Agenda as Item No. 6.5 during Changes to the Agenda.*

Assistant City Manger Sean Brewer provided a planning and budget update on the 2024 Airport Days Wings & Wheels event planned for the Coalinga Municipal Airport on Sunday, September 29, 2024 between 11am and 6pm.

*Motion by Horn, Second by Schindler to **Approve** the Planning and Budget presented for the 2024 Airport Days Wings & Wheels Event scheduled for September 29, 2024 at the Coalinga Municipal Airport. **Approved** by a 5/0 Roll-Call Majority Vote.*

## 7. ANNOUNCEMENTS

### City Manager's Announcements:

Interim City Manager Sean Brewer announced that the Solar Water and Wastewater projects are moving along and reported that the City received an excellent Moody's rating which will saver millions in project funding and we are expected to close at the end of the month.

Mr. Brewer announced that the speed bumps requested be installed in District No. 4 have been received and are scheduled to be installed next month.

Mr. Brewer requested that Fire Chief Greg DuPuis provide an update on the Boone Fire.

Fire Chief Greg DuPuis stated that the Boone Fire is a Fresno County incident, but has now been taken over by Cal Fire. The fire has now reached over 17,000 acres. Since Cal Fire's management, the City is now receiving significantly better communication regarding the fire. The City is relaying any information we receive to the public via the City's website and social medial channels. There are several areas that are being evaluated and the Coalinga College rodeo grounds is housing livestock. Red Cross has setup a command post and is providing available resources as needed. Cooling and clean air centers have been setup at the following locations:

Keck Center, 555 Monroe, Monday – Friday (8am-5pm)  
CHRPD Fitness Center, 191 Fores Stret, Friday – Sunday (7am-9pm)  
Library, 305 N. 4th Street, Monday – Thursday (9am-7pm) and Friday – Saturday (9am-5pm)

A sandwich board sign has been set up in front of the Fire Department and will be used to provide daily updated information related to the fire. The Fire Department does have a limited number of masks to assist those who may require them due to the increased smoke and poor air quality.

Council Member's Announcements:

Councilman Vosburg stated he appreciated Congressman Duarte's Town Hall.

Councilman Vosburg announced that Joanna Garcia Rose is running for State Assembly District 27 and is expected to come to town in the future.

Councilman Vosburg thanked the Police and Fire Departments for their assistance with updating the public as about the Boone Fire.

Mayor Pro-Tem Ramirez also thanked Staff and the schools. Mr. Ramirez asked if the City has masks available for the public.

Fire Chief Greg DuPuis stated he reached out to various entities to obtain masks for the public, however they have none in stock. The Fire Department does have a limited number of masks that they have made available for staff.

Mayor Horn stated he had reached out to a few surrounding cities and a few said they had some in stock and will reach out when they are available to be picked up.

Mayor's Announcements:

None

**8. FUTURE AGENDA ITEMS**

Councilman Vosburg requested a Future Agenda Item to continue educating the public on Measure J, so it is clear that this a continuation of the 1% sales tax, not a new tax or an increase of the existing tax. Councilman Vosburg would like to engage the services of Gene Bregman and Associates to do another round of surveying the public.

Councilman Vosburg requested a Future Agenda Item to offer the vacation of public street easements to other property owners in the Warthan Meadows subdivision.

Councilman Vosburg requested a Future Agenda Item to schedule a "Meet and Greet" in the City Council Chambers for the public to be introduced to Interim City Manager Sean Brewer.

**9. CLOSED SESSION**

1. CITY MANAGER'S PERFORMANCE EVALUATION – Government Code Section 54957(b)
2. CONFERENCE WITH LABOR NEGOTIATORS – Government Code 54957.6. CITY NEGOTIATORS: City Manager Marissa Trejo and City Attorney Mario Zamora. EMPLOYEE (ORGANIZATION): Non-Represented Employees

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Government Code Section 54956.8.  
Property: 240 Coalinga Plaza. City Negotiator: City Manager Marissa Trejo and City Attorney Mario Zamora. Negotiation Parties: Pacific Gas and Electric Company

**10. CLOSED SESSION REPORT**

None

**11. ADJOURNMENT 7:45 PM**

**APPROVED:**

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James Horn, Mayor

**ATTEST:**

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Shannon Jensen, City Clerk

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Date

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

**Subject:** Receive Report and Approve a Regulatory Permit for a Cannabis Retail Facility with Delivery at 286 N 5th Street

**Meeting Date:**

**From:** Sean Brewer, (i)City Manager

**Prepared by:** Sean Young, Police Commander

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**I. RECOMMENDATION:**

Approval of a recommendation of the Coalinga Police Commander to approved a Regulatory Permit for a Cannabis Retail Facility with Delivery at 286 N 5th Street.

**II. BACKGROUND:**

The Police Commander has reviewed the regulatory permit application for MJ Direct-Coalinga, who are planning to open a retail cannabis facility with delivery at 286 N 5th Street.

**III. DISCUSSION:**

MJ Direct-Coalinga is an applicant for a Cannabis Retail Facility with Delivery which will be located at 286 N 5th Street. All the tasks required by the ordinance have been completed.

The Police Department has completed the background on the owner and they have met the minimum qualifications required by city ordinance and state law. Staff recommends approval of a regulatory permit to be issued to MJ Direct-Coalinga.

**IV. ALTERNATIVES:**

Do not issue the permit.

**V. FISCAL IMPACT:**

Possible increased tax revenue to the City of Coalinga.

**ATTACHMENTS:**

File Name	Description
No Attachments Available	



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

**Subject:** Waive the Second Reading and Adopt Ordinance No. 868 a City Initiated Text Amendment ZTA 24-03 related to Gyms, Vehicle Washing Facilities and Drive Throughs  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Sean Brewer, Interim City Manager

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**I. RECOMMENDATION:**

Staff is recommending that the City Council Waive the Second Reading of Ordinance No. 868, Amending the Planning and Zoning Code updating language in the code and lessen regulations on vehicle washing facilities, gymnasiums and drive-through facilities in order to encourage business growth and attraction (Zoning Text Amendment Application ZTA 24-03).

**II. BACKGROUND:**

The City Council directed staff to prepare a recommendation regarding a proposed zoning text amendment to develop an ordinance amending the planning and zoning code regulations related to vehicle washing facilities, gymnasiums, and drive-through prohibitions to expand their permitted uses within various commercial and industrial zones.

On August 13, 2024, the Planning Commission conducted a noticed public hearing to consider ordinance no. 868 and approved resolution number 024P-006 recommending approval by the City Council.

On September 5, 2024 the City Council conducted a noticed public hearing to consider Ordinance No. 868 with a few recommended changes to the language related to vehicle washing facilities adding regulations related to operating outside the public right-of-way and drainage. These changes have been added to the attached ordinance.

**III. DISCUSSION:**

The Council wishes to update the planning and zoning code to amend the following regulation in the code:

*Gymnasiums:* Update definitions of a gym and fitness centers and include allowing this use classification in the Manufacturing/Business Light (MBL) zoning designation with additional criteria limiting outdoor activities during certain hours. The ordinance will permit gymnasiums in the MBL zoning designation by right with the restriction that there shall be no outdoor activity between the hours of 10:00pm and 6:00am if the property is adjacent to a residential zoning district.

*Vehicle Washing Facilities:* Amending the vehicle washing facilities land use classification into two categories self-serve/automated vs. hand washing and detail services (including tenting). In addition, the ordinance would allow handwashing and detail facilities as permitted by-right in commercial zones subject to local and state

regulations. the current code requires the issuance of a conditional use permit for all vehicle washing facilities.

Drive-Through Facilities: Council wishes to remove the prohibitions on drive-through facilities in the General Commercial (CG) zoning district which is currently prohibited. This would expand where drive through facilities are permitted in the City considering many restaurants are moving to the drive-through model due to changes in customer behaviors.

A copy of the proposed ordinance is attached to this report. Redlines and track changes have been used to see the original text vs. the amended text.

**Environmental Review:** Staff believes that these ordinance amendments do not serve to intensify land uses however just amends the permit requirements for different uses and amending the definitions of said land use categories to better fit their operational characteristics. The “General Rule” exemption (CEQA Guidelines § 15061(b)(3)) is often used if a project does not fit into one of the classes of categorical exemptions. The “General Rule” exemption means that CEQA only applies to projects which have the potential for causing a significant impact—if there is no possibility that the activity in question may have a significant impact, the activity is not covered by CEQA.

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

**Findings:** The following standard findings must be made for each Zoning Ordinance amendment:

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

#### IV. ALTERNATIVES:

- Do not adopt ordinance 868.

#### V. FISCAL IMPACT:

None determined at this time.

#### ATTACHMENTS:

File Name	Description
□ Ordinance_No._868_-_Gyms__Vehicle_Washing_-_rev992024.docx	Ordinance No. 868 - Gyms, Vehicle Washing - rev992024

## ORDINANCE NO. 868

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA AMENDING THE PLANNING AND ZONING CODE RELATED TO VEHICLE WASHING FACILITIES, GYMNASIUMS, AND DRIVE-THROUGHS.

**WHEREAS**, the City of Coalinga has always promoted itself as the most business-friendly City on the State of California; and,

**WHEREAS**, on May 13, 2024, the City Council directed staff to proceed with a zoning text amendment to update language in the code and lessen regulations on vehicle washing facilities, gymnasiums and drive-through facilities in order to encourage business growth and attraction; and,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Coalinga does ordain as follows:

**Section 1.** New language is in red and deletions are in ~~strikethrough~~. Article 2. – Definitions of the Coalinga Municipal Code is amended to read as follows:

#### Article 2 – Definitions

##### Amend:

~~Automobile/vehicle washing. Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.~~

Cinema/theaters. Facilities for indoor display of films, motion pictures, or dramatic, musical, or live performances. This classification may include incidental food and beverage services to patrons.

Large-scale. This classification includes large outdoor facilities such as amusement and theme parks, casinos, sports stadiums and arenas, racetracks, amphitheaters, drive-in theaters, driving ranges, golf courses, and facilities with more than 10,000 square feet in building area, including ~~fitness centers, gymnasiums~~, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; bowling alleys; archery or indoor shooting ranges; riding stables; campgrounds; or stables. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Small-scale. This classification includes small, generally indoor facilities that occupy less than 10,000 square feet of building area, such as billiard parlors, card rooms, ~~health clubs~~, dance halls, small tennis club facilities, poolrooms, and amusement arcades. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

##### Add:

Gym (interchangeable with Fitness Club and Health Club). A facility that is focused on a wide range of physical fitness and wellness services. These services often include the use of exercise equipment (including free weights and resistance equipment), fitness classes, personal training, and wellness services. This classification would include specialized training centers for disciplines such as boxing and mixed-martial arts subject to limited outdoor activities.

*Automobile/Vehicle Washing (Self-Serve or Automated):* Vehicle washing facilities that require customers to clean their vehicles using provided equipment in washing bays. Automated Carwashes allow vehicles to be driven into a washing bay or tunnel, where they undergo a series of automated steps such as pre-soaking, soap application, scrubbing, rinsing, and drying. This also includes facilities with vacuums.

*Automobile/Vehicle Washing (Hand Washing and Detail):* A hand washing business refers to a service where vehicles are cleaned by hand, typically by trained staff using specialized cleaning products, tools, and techniques. This service usually involves thorough cleaning of both the exterior and interior of the vehicle, including washing, waxing, polishing, vacuuming, and detailing. This would also include auto related ancillary services such as window tinting, ceramic and similar paint protection film application. Hand washing businesses may not use the public right-of-way or designated parking areas to wash or detail vehicles. Washing and detailing must occur entirely on the property of the business location.

**Section 2.** Section 9-5.107 of the Coalinga Municipal Code is amended to read as follows:

Sec. 9-5.107. Auto service stations and automobile/vehicle washing.

- (b) Service stations, automobile/vehicle washing facilities (self-serve or automated), and any other commercial use that includes fuel pumps for retail sales of gasoline shall be located, developed, and operated in compliance with the following standards:
- (1) *Landscaping.* At least ten (10) percent of the site shall be landscaped. All landscaped areas shall be permanently maintained in compliance with Section 9-4.204, Landscaping and the following standards:
    - a. A landscaped planter with a minimum five-foot wide inside dimension, exclusive of curb, and a six-inch high curb shall be provided along the front and street property lines, except for vehicular circulation openings. Where the planter is adjacent to a sidewalk, no curb is required. A three-foot wide landscaping buffer shall be provided along all other property lines.
    - b. A 600-square-foot planter with a minimum dimension of twenty (20) feet shall be provided at the corner of intersecting streets unless a building is located at the corner.
    - c. Additional landscaping may be required where necessary to prevent visual impacts on adjacent properties.
  - (2) *Bay doors.* On corner lots fronting two (2) or more streets with different classifications in the General Plan, bay doors shall face the street with the highest classification.
  - (3) *Pump islands.* Pump islands shall be located a minimum of fifteen (15') feet from any property line to the nearest edge of the pump island.
  - (4) *Canopies and roof structures.* Canopies and roof structures over a pump island, including associated signage, shall be designed as an integral design element of a building's architecture and architecturally compatible, including materials, color and design details, with surrounding structures. A canopy or roof structure over a pump island must be set back at least five (5) feet from any property line.
  - (5) *Washing facilities.* No building or structure **for automated or self-serve washing facilities** shall be located within thirty (30) feet of any public street or within twenty (20) feet of any interior lot line of a residential use or an Residential district.
  - (6) *Hours of operation.* **All** Automobile/vehicle washing facilities are limited to 7:00 a.m. to 10:00 p.m., seven (7) days a week. When adjacent to an Residential district, the hours of operation shall be 8:00 a.m. to 8:00 p.m., seven (7) days a week.
  - (7) *Application review and findings for approval.* In reviewing proposals, emphasis shall be placed on quality design of building materials and landscape features. The Planning Commission shall only approve a Conditional Use Permit for an auto service station, **and/or an automated or self-serve car**

washing facility if it makes the required findings below, in addition to the other findings required for Conditional Use Permits per Chapter 6, Article 5, Conditional Use Permits.

- a. The project is designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood.
  - b. The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation.
  - c. Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties.
  - d. Lighting is designed to be low-profile, indirect or diffused, create a pleasing appearance, and avoid adverse impacts on surrounding uses.
- (8) *Conditions of approval.* Conditions of approval of a Conditional Use Permit for auto servicing stations and car washing (**automated/self-serve**) may address operational characteristics of the use; impose restrictions on outdoor storage and display, location of pump islands, canopies and service bay openings; and/or require buffering, screening, lighting, planting areas, or other site elements, in order to avoid adverse impacts on properties in the surrounding area., ~~including but not limited to the following:~~
- (9) **All vehicle washing facilities shall obtain and maintain the appropriate stormwater permits from the Central Valley Water Quality Control Board while in operation. At anytime the City has the right to request a copy of said permit.**
- (10) **Specific Requirements for Handwashing and Detail Washing Facilities. (1) There shall be no washing/detailing or tinting in the public right-of-way including alleyways. This includes staged vehicles awaiting services or pickup. All services shall remain on-site and cannot take up required parking spaces. (2) Water from the washing of vehicles shall enter the sewer and shall not enter the storm drain system unless a storm drain plan has been approved by the City and the State not to create a nuisance to adjacent properties.**
- (11) *Abandonment.* Any service station shall in the case of abandonment or non-operation of the primary use be dismantled and the site cleared within twelve (12) months subsequent to the close of the last business day.

**Section 3.** Section 9-2.302 of the Coalinga Municipal Code is amended to read as follows:

Table 2.5: Land Use Regulations - Commercial Districts					
Use Classifications	CG	CR	CS	MX	Additional Regulations
Automobile/Vehicle Washing (Self-Serve or Automated)	CUP	CUP	CUP	No	Section 9-5.107, Auto Service Stations and Car Washing
Automobile/Vehicle Washing (Hand Washing and Detail)	Yes	Yes	Yes	Yes	Section 9-5.107, Auto Service Stations and Car Washing
Small-scale Cinema Theaters (300 seats and under)	<del>No</del> Yes	Yes	Yes	CUP	
Gym	Yes	Yes	Yes	CUP	Outdoor activities limited to the hours of 6:00am - 10:00pm if adjacent to residential zoning districts.
Coffee Shops/Cafes	Yes	Yes	Yes	Yes	<del>(CG) Drive-through facilities are prohibited.</del>
Restaurants, equal to or less than 3,000 square feet	Yes	Yes	Yes	Yes	Section 9-5.103, Alcoholic Beverage Sales.

					<del>(CG) Drive-through facilities are prohibited.</del>
Restaurants, greater than 3,000 square feet	CUP	Yes	Yes	Yes	Section 9-5.103, Alcoholic Beverage Sales <del>(CG) Drive-through facilities are prohibited.</del>

**Section 4.** Section 9-2.402 of the Coalinga Municipal Code is amended to read as follows:

Table 2.7: Land Use Regulations - Manufacturing/Business Districts			
Use Classifications	MBL	MBH	Additional Regulations
Commercial Uses			
Automobile/Vehicle Washing (Self-Serve/Automated & Hand Washing/Detail)	Yes	Yes	Section 9-5.107, Auto Service Stations and Car Washing
Gym	Yes	Yes	Outdoor activities limited to the hours of 6:00am - 10:00pm if adjacent to residential zoning districts.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Coalinga on the 19<sup>th</sup> day of September 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor of the City of Coalinga

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Coalinga

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

**Subject:** Waive the Second Reading and Adopt Ordinance No. 869 Amending Section 2-4.604, 2-4.607 of Article 6 of Chapter 4 of Title 2 of the Coalinga Municipal Code relating to the Purchasing Agent and System

**Meeting Date:** Thursday, September 19, 2024

**From:** Sean Brewer, Interim City Manager

**Prepared by:** Mai Vang, Financial Services Director

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**I. RECOMMENDATION:**

Staff is recommending that the City Council waive the second reading and adopt Ordinance No. 869 Amending Section 2-4.604, 2-4.607 of Article 6 of Chapter 4 of Title 2 of the Coalinga Municipal Code relating to the Purchasing Agent and System.

**II. BACKGROUND:**

In July 2018, staff introduced and waived the first reading of Ordinance No. 814, which amended Section 2-4.604 and Section 2-4.607 of Article 6 of Chapter 4 of Title 2 of the Coalinga Municipal Code by decreasing the Purchasing Agent authorized amount from \$20,000 to \$10,000 without prior authorization from City Council.

In August 2018, City Council waived second reading and adopted Ordinance No. 814.

Under the direction of City Council, Ordinance No. 869 was introduced to increase the Purchasing Agent authorized amount from \$10,000 to \$20,000 without prior authorization from City Council.

On Thursday September 5, 2024, the City Council introduced and waived the first reading of Ordinance No. 869.

**III. DISCUSSION:**

**Section 1.** Section 2-4.604 (a) of the Coalinga Municipal Code is amended to read:

(a) Upon receipt of a properly prepared requisition and provided the total purchase price of the services or supplies identified in the requisition is twenty thousand dollars (\$20,000.00) or less, so long as budgeted funds are available, the purchasing officer is authorized to order, by issuance of a purchase order, the services or supplies identified in the requisition. The provisions of this section shall not apply to purchases of fuels, bituminous materials, and aggregate base for street purposes and related delivery costs provided that any purchase shall not exceed the sum of thirty thousand dollars (\$30,000.00).

**Section 2.** Section 2-4.607 (a) of the Coalinga Municipal Code is amended to read:

(a) The purchase of supplies or services of an estimated value of twenty thousand dollars (\$20,000.00) or less may be made in the open market without prior authorization from the City Council, so long as budgeted funds are available.

**IV. ALTERNATIVES:**

No changes to the current ordinance.

**V. FISCAL IMPACT:**

There is no fiscal impact to implement the ordinance. The ordinance controls the limit set upon staff within the budget approved.

**ATTACHMENTS:**

	<b>File Name</b>	<b>Description</b>
📎	20240919_-_ORDINANCE_NO_869.pdf	Ordinance No. 869



**ORDINANCE NO. 869**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA AMENDING SECTION 2- 4.604, 2-4.607 OF ARTICLE 6 OF CHAPTER 4 OF TITLE 2 OF THE COALINGA MUNICIPAL CODE RELATING TO THE PURCHASING AGENT AND SYSTEM**

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

**Section 1.** Section 2-4.604 (a) of the Coalinga Municipal Code is amended to read:

- (a) Upon receipt of a properly prepared requisition and provided the total purchase price of the services or supplies identified in the requisition is twenty thousand dollars (\$20,000.00) or less, so long as budgeted funds are available, the purchasing officer is authorized to order, by issuance of a purchase order, the services or supplies identified in the requisition. The provisions of this section shall not apply to purchases of fuels, bituminous materials, and aggregate base for street purposes and related delivery costs provided that any purchase shall not exceed the sum of thirty thousand dollars (\$30,000.00).

**Section 2.** Section 2-4.607 (a) of the Coalinga Municipal Code is amended to read:

- (a) The purchase of supplies or services of an estimated value of twenty thousand dollars (\$20,000.00) or less may be made in the open market without prior authorization from the City Council, so long as budgeted funds are available.

The foregoing ordinance was introduced by the City Council of the City of Coalinga, California, at a regular meeting held on September 5th, 2024, and was passed and adopted by the City Council on this **19<sup>th</sup> day of September, 2024**, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

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James Horn, Mayor

**ATTEST:**

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Shannon Jensen, City Clerk

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

**Subject:** Waive the Second Reading and Adopt Ordinance No. 870 related to Unsafe Camping and Public Hazards in the City  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Sean Brewer, Interim City Manager

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**I. RECOMMENDATION:**

Waive the Second reading and Adopt Ordinance No. 870 related to Unsafe Camping and Public hazards the City.

**II. BACKGROUND:**

The U.S. Supreme Court recently granted cities more power to arrest, cite and fine people who sleep outside in public places - overturning six years of legal protections for homeless residents in California and other western states.

City Council, at their last meeting, introduced and waived the first reading of an ordinance addressing unsafe camping and public hazards. Included in the ordinance is updated language related to defining abandoned and unattended property.

**III. DISCUSSION:**

Staff, with the City Councils input, has prepared Ordinance No. 870 to address unsafe camping and public hazards in the City.

The ordinance prohibits sitting, lying, sleeping, or storing personal property in public spaces when it obstructs access or safety, especially near driveways, building entrances, fire hydrants, or utility meters. It restricts such activities within certain distances of sensitive areas like schools, parks, or shelters, and allows the city to remove and impound property if violations occur. The city must provide notice before removing property and store it for a designated period before disposal.

**IV. ALTERNATIVES:**

Do not adopt Ordinance No. 870.

**V. FISCAL IMPACT:**

None determined at this time.

**ATTACHMENTS:**

File Name

Description



**ORDINANCE NO. 870**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA ADDING CHAPTERS 17 AND 18 TO TITLE 5 OF THE COALINGA MUNICIPAL CODE RELATING TO UNSAFE CAMPING AND PUBLIC HAZARDS**

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

Section 1. Chapter 17 is hereby added to Title 5 of the Coalinga Municipal Code to read:

Chapter 17  
Unsafe Camping

Section 5-17.01. Sitting, lying, or sleeping or storing, using or maintaining or placing personal property in the public right-of-way.

- (a) **Sitting, Lying, or Sleeping:** These activities are prohibited in the public right-of-way when the intent is to occupy the space beyond what is considered normal and reasonable use. This means that temporary, short-term use such as resting briefly on a bench or sitting for a moment is permitted. However, using the area for extended periods in a manner that obstructs or impedes the normal flow of pedestrians or traffic is not allowed.
- (b) **Storing, Using, Maintaining, or Placing Personal Property:** The storage, use, maintenance, or placement of personal property in the public right-of-way is prohibited when it extends beyond normal and reasonable use. This means that personal property should not be left unattended, stored, or arranged in a way that obstructs public access or creates a hazard. Unattended property may be considered abandoned. Normal, brief use of personal items that does not impede public access or safety is permitted.
- (c) No person shall obstruct a street, sidewalk, alleyway or other public right-of-way:
  - (1) By sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property in a manner that impedes passage, as provided by the Americans with Disabilities Act of 1990, as amended;
  - (2) By sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property within twenty-five (25) feet of any operational or utilizable driveway or loading zone;
  - (3) By sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property within twenty-five (25) feet of any operational or utilizable building entrance or exit;
  - (4) By sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property within ten (10) feet of any fire hydrant, fire plug, or other fire department connection;
  - (5) By sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property within ten (10) feet of a utility meter, utility connection or street light;
  - (6) By sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal

property within the public right-of-way in a manner that obstructs or unreasonably interferes with the use of the right-of-way for any activity for which the City has issued a permit.

- (d) No person shall obstruct any portion of any street or other public right-of-way to use by motor vehicles, or any portion of a bike lane, bike path, or other public right-of-way open to use by bicycles, by sitting, lying or sleeping, or by storing, using, maintaining, or placing personal property, anywhere within the street, alley, bike lane, bike path, or other public right-of-way as specified.
- (e) Except as limited by subsection (d), no person shall:
  - (1) Sit, lie, sleep, or store, use, maintain, or place personal property in or upon any street, alley, sidewalk, or other public right-of-way within the distance stated on the posted signage (up to a maximum of 1,000 feet) of a property designated as sensitive use. For a property to be designated as “sensitive use,” the property must be a school (public or private), childcare facility, public park, public library, warming center, cooling center, or City-permitted shelter for the unhoused;
  - (2) Sit, lie, sleep, or store, use, maintain, or place personal property in or upon any street, alley, sidewalk, or other public right-of-way within the distance stated on the posted signage (up to a maximum of 500 feet) of a bridge or pedestrian bridge where the City Council determines, by Resolution, that the public health, safety or welfare is served by the prohibition, including, without limitation, by finding that sleeping or lodging within stated proximity to the designated area is unhealthy, unsafe or incompatible with safe passage;
  - (3) Sit, lie, sleep, or store, use, maintain, or place personal property in or upon any street, alley, sidewalk, or other public right-of-way that has been posted with signage prohibiting sitting, lying, sleeping, or storing, using, maintaining, or placing personal property. In order to designate a section of street, sidewalk, or other public right-of-way as prohibited under this subdivision, the City Council shall determine, in a designating resolution, and based on specific documentation, that the circumstances of continued sitting, sleeping, lying or storing or personal property, or otherwise obstructing the public right-of-way at the location poses a particular and ongoing threat to public health or safety.
- (f) No person shall be found to be in violation of any prohibition set forth in Subsection (c) unless and until (i) the City Council has taken action by resolution to designate specified areas for enforcement against sitting, lying, sleeping, or storing, using, maintaining, or placing personal property, other otherwise obstructing the public right-of-way; (ii) the City has posted signage at the designated area or areas set forth in the resolution, with such signage including reference to any required findings adopted in the resolution and giving notice of the date after which no sitting, lying, sleeping, or storing, using, maintaining, or placing personal property, or otherwise obstructing the public right-of-way will be allowed; and (iii) at least fourteen (14) calendar days have passed from the date on which the signage is posted at the designated area or areas.

(g) The City shall adhere to State law as it pertains to mobile and sidewalk vendors.

Section 5-17.02. Utilizing public water sources.

(a) No person shall use a fountain or other public water feature for bathing.

Section 5-17.03. Defecation and Urination.

(a) It is unlawful for any person to defecate or urinate on public property or in any public place.

(b) A person who is found defecating or urinating in a public place in violation of Section 5-17.03 shall be guilty of a misdemeanor.

Section 5-17.04. Camping.

(a) No person shall camp, lodge, sleep or tarry overnight on any public property or in any public place.

(b) No person shall camp, lodge, sleep, or tarry overnight in a private structure or place without permission of the owner.

(c) Unless otherwise permitted in Section 4-4.722.1. of the Code, the use of vehicles and other recreational vehicles for human habitation is prohibited.

(d) Unless otherwise permitted in Section 4-4.722.2. of the Code, long-term parking of recreational vehicles, boats and boat trailers on city streets or public ways is prohibited.

(e) Unless otherwise permitted in Section 10-1.12. of the Code, overnight camping is prohibited.

Section 5-17.05. Violations

(a) Notwithstanding any other provision within the Municipal Code, violations of this Section may be prosecuted as criminal misdemeanors by the District Attorney or the City Attorney per [Govt C §36900\(a\)](#).

SECTION 2. Chapter 18 is hereby added to Title 5 of the Coalinga Municipal Code to read:

Chapter 18  
Public Hazards

Section 5-18.01. Storage of Personal Property.

5-18.02. Definitions.

5-18.03. Regulations and Impoundment of Stored Personal Property. Discard of Certain Stored Personal Property.

5-18.04. Notice.

5-18.05. Storage and Disposal.

5-18.06. Repossession.

5-18.07. Power of the City Manager to Make Rules and Regulations.

SECTION 5-18.01. STORAGE OF PERSONAL PROPERTY.

The City enacts this section to balance the needs of the residents and public at large to access clean and sanitary public areas consistent with the intended uses for the public areas with the needs of the individuals, who have no other alternatives for the storage of personal property, to retain access to a limited amount of personal property in public areas. This section attempts to balance the needs of all of the City's residents.

#### Section 5-18.02. DEFINITIONS.

The definitions contained in this subsection shall govern the construction, meaning, and application of words and phrases used in this article.

- (a) "Abandoned property" means property that the owner voluntarily surrenders, relinquishes, or disclaims, either expressly or impliedly. Property may be implied to be abandoned when property is left unattended without an indication of ownership or the whereabouts of the owner for a reasonable amount of time under the circumstances.
- (b) "Alley" means any roadway not exceeding 25 feet in width which is primarily for access to the rear or side entrances of abutting property.
- (c) "Bikeway" means all facilities that provide primarily for, and promote, bicycle travel.
- (d) "City Employee" means any full or part-time employee of the City of Coalinga, or a contractor retained by the City for the purpose of implementing this Section.
- (e) "Essential Personal Property" means any and all Personal Property that cumulatively is less than two cubic feet in volume, which, by way of example, is the amount of property capable of being carried within a backpack.
- (f) "Excess Personal Property" means any and all Personal Property that cumulatively exceeds the amount of property that could fit in a 60-gallon container with lid closed.
- (g) "Highway" means a way of place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel.
- (h) "Parkway" means the area of the Street between the back of the curb and the Sidewalk that typically is planted and landscaped.
- (i) "Person" means any individual.
- (j) "Personal Property" means any tangible property, and includes, but is not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, sleeping bags, hammocks, sheds, structures, mattresses, couches, chairs, other furniture, appliances, and personal items, such as household items, luggage, backpacks, clothing, documents, and medication.
- (k) "Public Area" or "Public Areas" means all property that is owned, managed by the City, and shall include, but not be limited to, any Street, medial strip, space, ground, building or structure.
- (l) "Roadway" means that portion of a road or street improved, designed or ordinarily used for vehicular travel.
- (m) "Sidewalk" means a paved walkway at the side of the street or road, other than

the Roadway, set apart by curbs, barriers, markings or delineation, for pedestrian travel.

(n) "Storage Facility" means any facility, whether operated by a public, non-profit or private provider, which allows and has capacity for voluntary storage, free of charge, for a homeless person to store Personal Property up to the equivalent of the amount of property that would fit into a single 60-gallon container with the lid closed.

(o) "Store", "Stored", "Storing" or "Storage" means to put Personal Property aside or accumulate for use when needed, to put for safekeeping, and/or to place or leave in a Public Area. Moving Personal Property to another location in a Public Area or returning Personal Property to the same block on a daily or regular basis shall be considered Storing and shall not be considered to be removing the Personal Property from a Public Area. This definition shall not include any Personal Property that, pursuant to statute, ordinance, permit, regulation or other authorization by the City or state, is Stored with the permission of the City or state on real property that is owned or controlled by the City.

(p) "Street" includes every Highway, avenue, lane, Alley, court, place, square, Sidewalk, Parkway, curbs, Bikeway or other public way in this City which has been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

(q) "Tent" means a collapsible shelter made of fabric, such as nylon or canvass or a tarp stretched and sustained by supports, which is not open on all sides, and which hinders an unobstructed view behind or into the area surrounded by the fabric. In order to qualify as a Tent for purposes of this subsection, a Tent, when deconstructed, must be able to fit within a 60-gallon container with the lid closed.

(r) "Unattended" means no Person is present with the Personal Property who asserts or claims ownership over the Personal Property. Conversely, property is considered "Attended" if a Person is present with the Personal Property and the Person claims ownership over the Personal Property.

#### Section 5-18.03. REGULATION AND IMPOUNDMENT OF STORED PERSONAL PROPERTY; DISCARD OF CERTAIN STORED PERSONAL PROPERTY.

(a) No person shall Store any Unattended Personal Property in a Public Area, and in such case, the property shall be recognized as abandoned property. Abandoned property may be seized immediately without notice and destroyed as authorized by law.

(b) No Person shall Store any Attended Excess Personal Property in a Public Area. With pre-removal notice as specified in Section 5-18.04(a), the City may impound any Attended Excess Personal Property Stored in a Public Area. Post-removal notice shall be provided as set forth in Subsection 5-18.04(b).

(c) No person shall Store any Personal Property in a Public Area in such a manner as to obstruct City operations, including a Street or Sidewalk maintenance or cleaning. Without prior notice, the City may temporarily move Personal Property which is



obstructing City operations in a Public Area, including a Street or Sidewalk maintenance or cleaning, during the time necessary to conduct the City operations. The City may also impound Personal Property that is obstructing City operations in a Public Area, pursuant to Sections 5-18.03(a) or 5-18.03(b).

(d) No Person shall Store any Personal Property in a Public Area in such a manner that it does not allow for passage as provided by the Americans with Disabilities Act of 1990, as amended. Without prior notice, the City may move and may immediately impound any Personal Property Stored in a Public Area in such manner that it does not allow for the passage as required by the Americans with Disabilities Act of 1990. Post-removal notice shall be provided as set forth in Section 5- 18.04(b). A violation of this section is governed by Section 5-17.01(f) of this Code.

(e) No person shall Store any Personal Property within:

- (1) Twenty five (25) feet of any operational or utilizable driveway or loading dock;
- (2) Twenty five (25) feet of any operational or utilizable building entrance or exit;
- (3) Ten (10) feet of any fire hydrant, fire plug, or other fire department connection;
- (4) Ten (10) feet of any utility meter, utility connection or street light;
- (5) One thousand (1,000) feet of a property designated as sensitive use pursuant to Section 5-17.01.c.1;
- (6) Five hundred (500) feet of a bridge or pedestrian bridge; or
- (7) A area with posted signage pursuant to a Resolution adopted by Coalinga City Council.

Without prior notice, the City may move or may immediately impound any Personal Property Store in a Public Area in violation of this section. Post-removal notice shall be provided as set forth in Section 5-17.01(f) of this Code.

(f) No person shall Store any Personal Property in a Public Area that has a clearly posted closure time any Personal Property after that posted closure time any Personal Property after that posted closure time. Without prior notice, the City may remove and impound Personal Property Stored in a Public Are that has a clearly posted closure time, provided the Personal Property is removed and impounded after the posted closure time.

(g) No person shall Store any Personal Property in a Public Area if the Personal Property constitutes an immediate threat to the health or safety of the public. Without prior notice, the City may remove and may discard any Personal Property Stored in a Public Area if the Personal Property poses an immediate threat to the health or safety of the public.

(h) No person shall Store any Personal Property in a Public Area if the Personal Property constitutes evidence of a crime or contraband. Without prior notice, the City may

remove and discard any Personal Property that constitutes evidence of a crime or contraband, as permissible by law.

(i) No Person shall Store any Personal Property in such a manner that obstructs or interferes with any activity in a Public Area for which the City has issued a permit. Without prior notice, the City may move any Personal Property Stored in a Public Area in violation of this section. With pre-removal notice as specified in Section 5-18.04(a), the City may impound any Personal Property Stored in violation of this section. Post-removal notice shall be provided as set forth in Section 5- 18.04(b). A violation of this section is governed by Section 5-17.01(f) of this code.

(j) No Person shall Store any Personal Property in such a manner as to obstruct any portion of a street or other public right-of-way open to use by motor vehicles, a designated bike lane or bike path, or other public right-of-way open exclusively to use bicycles. Without prior notice, the City may move and may immediately impound any Personal Property in violation of this section. Post-removal notice shall be provided as set forth in Section 5- 18.04(b). A violation of this section is governed by Section 5-17.01(f) of this Code.

(k) No Person shall Store any Personal Property in violation of Section 5-17.01(c) of this Code. The City may move and may immediately impound any Personal Property in violation of this section. Pre-removal notice and post-removal will be provided by erecting signage providing notice that Storage of Personal is a violation of 5-17.01, which may result in removal or impoundment of Personal Property. This signage must also provide information on retrieval of Personal Property and provide notice that the Personal Property may be discarded, if not claimed within 90 days. A violation of this section is governed by Section 5-17.01(f) of this code.

(l) No Person shall Store any Personal Property in violation of Section 5-17.01(e) of this Code. With pre-removal notice as specified in Section 5-18.04(a) or posted signage, the City may impound any Personal Property in violation of this section. If the City has not posed signage, a post-removal notice shall be provided as set forth in Section 5-18.04(b). A violation of this section is governed by Section 5-17.01(f) of this Code.

#### Section 5-18.04. NOTICE.

(a) Pre-Removal Notice. Pre-removal notice shall be deemed provided if a written is provided to the Person who is Storing or claims ownership of the Personal Property or is posted conspicuously on or near the Personal Property or is posted conspicuously on or near the Personal Property and the actual removal commences no more than 48 hours after the pre-removal notice is posted. The written notice shall contain the following:

- (1) A general description of the Personal Property to be removed.
- (2) The location from which the Personal Property will be removed.
- (3) The date and time the notice was posted.
- (4) A statement that the Personal Property has been stored in violation of Section 5-18.03.

(5) A statement that the Personal Property may be impounded if not removed from Public Areas within 24 hours.

(6) A statement that moving Personal Property to another location in a Public Area shall not be considered removal of Personal Property from a Public Area.

(7) The address where the removed Public Property will be located, including a telephone number and the internet website of the City through which a Person may receive information as to impounded Personal Property as well as information as to voluntary storage location(s).

(8) A statement that impounded Personal Property may be discarded if not claimed within 60 days after impoundment.

(b) Post-Removal Notice. Upon removal of Stored Personal Property, written notice shall be conspicuously posted in the area from which the Personal Property was removed.

The written notice shall contain the following:

(1) A general description of the Personal Property removed.

(2) The date and approximate time the Personal Property was removed.

(3) A statement that the Personal Property has been stored in violation of Section 5-18.03.

(4) The address where the removed Personal Property will be located including a telephone number and internet website of the City through which a Person may receive information as to impound Personal Property.

(5) A statement that impounded Personal Property may be discarded if not claimed within 60 days after impoundment.

#### Section 5-18.05. STORAGE AND DISPOSAL

(a) Except as specified herein, the City shall move Personal Property to a place of storage.

(b) Except as specified herein, the City shall store impounded Personal Property for 60 days, after which time, if not claimed, may be discarded or destroyed. The City shall not be required to undertake any search for, or return, any impounded Personal Property store for longer than 60 days.

(c) The City shall maintain a record of the date any impounded Personal Property was discarded.

#### Section 5-18.06. REPOSSESSION.

The owner of impounded Personal Property may repossess the Personal Property prior to its disposal upon submitting satisfactory proof of ownership. A person may establish proof of ownership by, among methods, describing the location from and date when the Personal Property was impounded from a Public Area, and providing a reasonably specific and detailed description of the Personal Property. Valid, governmental-issued identification is not required to claim impounded Personal Property.

Section 5-18.07. POWER OF THE CITY MANAGER TO MAKE RULES AND REGULATIONS.

The City Manager is hereby charged with serving as the Designated Administrative Agency for the purpose of this ordinance. The Designated Administrative Agency shall promulgate rules, protocols, and procedures for the implementation and enforcement of this ordinance, consistent with the provisions herein.

SECTION 3. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

ATTEST:

The foregoing Ordinance was introduced by the City Council of the City of Coalinga, California, at a regularly scheduled meeting held on September 5, 2024, and was passed and adopted by the City Council at a regular meeting held on September 19, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Date: \_\_\_\_\_, 2024

\_\_\_\_\_

Mayor, City of Coalinga

\_\_\_\_\_  
City Clerk, City of Coalinga

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

**Subject:** Adopt Resolution No. 4235 Updating Authorized Signatures to the Investment of Monies in the Local Agency Investment Fund  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Mai Vang, Financial Services Director

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**I. RECOMMENDATION:**

Financial Services Director recommends Council adopt Resolution No. 4235 to update authorized signatures to the investment of monies in the Local Agency Investment Fund (LAIF).

**II. BACKGROUND:**

Under Resolution No. 3953, the City in accordance with the Statement of Investment Policy is authorized to invest funds not required for immediate necessities in one of the media outlined under Government Code Section 53601.

As of August 31, 2024, the City's Local Agency Investment Fund ending balance is \$1,405,560.

Pursuant to LAIF Statutes Section 16429.1, personnel with such authority are granted authorization by the governing body of the agency to order the deposit or withdrawal of monies in Local Agency Investment Fund.

In the event of such changes to the designated and authorized personnel, it is necessary to make such changes to the resolution authorized signatures currently on file with the Local Agency Investment Fund.

**III. DISCUSSION:**

Due to the departure of the City Manager, it is necessary to update the resolution authorizing designated signatures currently on file with the Local Agency Investment Fund.

**New Additions:**

Interim City Manager as Sean Brewer

**Removals:**

City Manager as Marissa Trejo

**Remaining:**

Mayor as James Horn

Mayor Pro Tempore as Jose Manny Ramirez

Financial Services Director as Mai Vang

**IV. ALTERNATIVES:**

None

**V. FISCAL IMPACT:**

None

**ATTACHMENTS:**

File Name	Description
□ 20240919_-_Resolution_No._4235_Authorizing_Investment_in_LAIF.pdf	Resolution No. 4235
□ 20240910_-_LAIF_Authorization_for_Transfer_of_Funds_Access.pdf	LAIF Authorization for Transfer of Fund Form

**RESOLUTION NO. 4235**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA  
AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY  
INVESTMENT FUND**

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF COALINGA.

**WHEREAS**, pursuant to Chapter 730 of statues of 1976, Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

**WHEREAS**, the City Council does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein are in the best interest of the City of Coalinga.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF COALINGA:**

That the City Council of the City of Coalinga does hereby authorize the deposit and withdrawal of City of Coalinga monies in the Local Agency Investment Fund in the State Treasury in accordance with the provision of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer’s Office of all banking information provided in that regard.

**BE IT FURTHER RESOLVED**, that the following City of Coalinga employees or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

Sean Brewer,  
Interim City Manager

Mai Vang,  
Financial Services Director

James Horn,  
Mayor

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Jose Manny Ramirez,  
Mayor Pro Tempore

\_\_\_\_\_

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Coalinga on September 19, 2024, by the following roll call vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

**APPROVED**

---

James Horn, Mayor

**ATTEST**

---

City Clerk/Deputy City Clerk





**California State Treasurer's Office  
Local Agency Investment Fund (LAIF)  
Authorization for Transfer of Funds**

Effective Date \_\_\_\_\_

Agency Name \_\_\_\_\_

LAIF Account # \_\_\_\_\_

Agency's LAIF Resolution # \_\_\_\_\_ or Resolution Date \_\_\_\_\_

**ONLY** the following individuals whose names appear in the table below are hereby authorized to order the deposit or withdrawal of funds in LAIF. ***This authorization REPLACES AND SUPERSEDES all prior authorizations on file with LAIF for the transfer of funds.***

Name	Title

**Two authorized signatures required.** Each of the undersigned certifies that he/she is authorized to execute this form under the agency's resolution, and that the information contained herein is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone

Please provide email address to receive LAIF notifications.

Name	Email

Please email the completed form for review to [laif@treasurer.ca.gov](mailto:laif@treasurer.ca.gov) and allow 2 days for the review. **DO NOT** mail the original form until you receive a response from LAIF that the form is acceptable.

Mail the approved form to: CA State Treasurer's Office  
Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001

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

**Subject:** Adopt Resolution No. 4236 Approving the Support of Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Sean Brewer, Interim City Manager

---

**I. RECOMMENDATION:**

Adopt Resolution No. 4236, approving the support of Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act.

This item was requested as a Future Agenda Item by Councilman Vosburg.

**II. BACKGROUND:**

Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act, which, if passed by voters, would create a deterrent for repeat retail theft offenders and redirect some people towards treatment rather than incarceration.

**III. DISCUSSION:**

Prop 36, the Homelessness, Drug Addiction, and Theft Reduction Act is a bi-partisan measure that provides common sense, targeted reforms to Prop 47 that, with the recently adopted legislative Retail Theft Package, provide more tools to increase safety in our communities.

**IV. ALTERNATIVES:**

Do not Adopt Resolution No. 4236, approving the support of Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act.

**V. FISCAL IMPACT:**

None.

**ATTACHMENTS:**

File Name	Description
<input type="checkbox"/> RESO#4236_Support_of_Prop_36_-_Homelessness__Drug_Addition_and_Theft_Reduction_Act_091924.pdf	Resolution No. 4236
<input type="checkbox"/> Prop_36_Comparison_Table.pdf	Prop 36 Comparison Table

**RESOLUTION NO. 4236**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA APPROVING  
THE SUPPORT OF PROPOSITION 36, THE HOMELESS, DRUG ADDICTION,  
AND THEFT REDUCTION ACT**

**WHEREAS:** While Prop 47 achieved notable success in making California’s criminal justice system more equitable, Prop 47 has also led to unintended consequences over the past decade.

**WHEREAS:** Prop 47 has contributed to increases in repeat and often organized retail theft, the shuttering of local businesses, and difficulty convincing people to seek drug and mental health treatment.

**WHEREAS:** These unintended consequences can only be corrected by the voters at the ballot box with modest amendments to Prop 47.

**WHEREAS:** Prop 36, the Homelessness, Drug Addiction, and Theft Reduction Act is a bi-partisan measure that provides common sense, targeted reforms to Prop 47 that, with the recently adopted legislative Retail Theft Package, provide more tools to increase safety in our communities.

**WHEREAS:** Spikes in retail theft, violent smash-and-grab robberies, fentanyl deaths and illicit drug use, as well as strained social services, are creating challenges beyond the capacity of local governments.

**WHEREAS:** Cities are partnering with the state to advance solutions that help reduce crime and provide more support to residents struggling with substance abuse, while avoiding a return to the days of mass incarceration.

**WHEREAS:** Prop 36, the Homelessness, Drug Addiction, and Theft Reduction Act will define fentanyl as a hard drug, hold individuals convicted of trafficking fentanyl accountable, and grant judges greater discretion in sentencing drug traffickers.

**WHEREAS:** Breaking the cycle of repeat offenders means addressing the many root causes of retail theft.

**WHEREAS:** Prop 36, the Homelessness, Drug Addiction, and Theft Reduction Act allows critical behavioral health services, drug treatment, and job training within our justice system for people who are homeless and suffering from mental illness or struggling with substance abuse.

**WHEREAS:** It’s time for meaningful and tailored reforms to our justice system to ensure the safety of our communities.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Coalinga, that the City Council formally expresses support for Prop 36, the Homelessness, Drug Addiction, and Theft Reduction Act and the benefit that it provides for our community’s safety.

\*\*\*\*\*

The foregoing resolution has been authorized by the City Council of the City of Coalinga at a regular meeting held on the **19th day of September, 2024**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

---

James Horn, Mayor

ATTEST:

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Shannon Jensen, City Clerk



# Retail Theft Package and Proposition 36

Recently, Gov. Gavin Newsom signed a 10-bill package addressing retail theft. The table below compares Proposition 36 — the ballot initiative sponsored by the District Attorneys that would make changes to Proposition 47 — with the retail theft package signed by the Governor.

PROVISION	PROPOSITION 36	LEGISLATIVE PACKAGE (NO AMENDMENTS TO PROPOSITION 47)	RELEVANT BILL NUMBERS
<b>Fentanyl</b>			
Fentanyl possession with firearm	Adds to list of crimes with penalties of 2, 3, or 4 years in prison.	Not in package.	
Fentanyl increasing penalties	Increases penalties from 2 to 20 years depending on the amount.	Not in package.	
Treatment mandated felony	Creates a new crime for hard drug possession with tiered penalties up to 25 years.	Not in package.	
<b>Retail Theft</b>			
Aggregation	Provides that any case involving one or more acts of theft or shoplifting may be aggregated into a single count or charge.	Not in package.	
Auto theft	Does not address this issue.	Closes the loophole under existing law regarding locked cars.	SB 905 (Wiener)
Cargo theft	Does not address this issue.	Adds cargo theft to the Regional Property Crime Task Force operated by the CHP.	AB 1972 (Alanis)
Fencing	Does not address this issue.	Expands existing law for online marketplaces to report high-volume sellers to law enforcement.	SB 1144 (Skinner)
Fires	Does not address this issue.	Makes it a factor in aggravation if an offense	SB 1242 (Min)

<b>PROVISION</b>	<b>PROPOSITION 36</b>	<b>LEGISLATIVE PACKAGE (NO AMENDMENTS TO PROPOSITION 47)</b>	<b>RELEVANT BILL NUMBERS</b>
		was carried out in a merchant's premises to commit retail theft.	
Increased penalties	Increases penalty enhancements for property crimes for up to 4 years and allows the court to impose enhancements with another single count.	Increases penalty enhancements for resale of property or stolen property in the commission of a felony for up to 4 years and allows the court to impose enhancements with another single count. No changes to Proposition 47.	AB 1960 (Rivas)*; SB 1416 (Newman)
Multi-jurisdictional offenses	Does not address this issue.	Allows local jurisdictions to file charges that deal with offenses across county lines.	AB 1779 (Irwin)
Organized retail theft	Several provisions related to acting in concert and increasing penalties for organized retail theft. However, it does not address the sunset date of the statute. (Does not amend the same code section as the legislative bills).	Removes the sunset clause on the organized retail theft statute.	AB 1802 (Jones-Sawyer); SB 982 (Wahab)
Police ability to arrest	Does not address this issue.	Provides that under certain circumstances police can arrest without a warrant.	AB 2943 (Zbur)
Probation	Does not address this issue.	Provides that the term of probation for shoplifting or petty theft would be two years.	AB 2943 (Zbur)
Repeat offenders	An offender with two prior convictions of petty theft or shoplifting can be	Creates a new crime for shoplifting which can be charged as a felony but does not change the threshold amount of \$950.	AB 2943 (Zbur)

<b>PROVISION</b>	<b>PROPOSITION 36</b>	<b>LEGISLATIVE PACKAGE (NO AMENDMENTS TO PROPOSITION 47)</b>	<b>RELEVANT BILL NUMBERS</b>
	charged with a felony regardless of value. Amends Proposition 47.		
Restraining orders	Does not address this issue.	Creates the Retail Theft Restraining Order for repeated attempts of shoplifting which can be requested by city attorneys, retailers, or district attorneys.	AB 3209 (Berman)
Retailers – nuisance action	Does not address this issue.	Prohibits local government and law enforcement from threatening or filing nuisance complaints against retailers for reporting crime.	AB 2943 (Zbur)

\*AB 1960 (Rivas) is currently pending on the Governor's desk.

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

**Subject:** Adopt Resolution No. 4237 Authorizing the Submission of a Grant Application for the 2024 Active Transportation Program (Cycle 7) Regional Bid

**Meeting Date:** Thursday, September 19, 2024

**From:** Sean Brewer, Interim City Manager

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

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**I. RECOMMENDATION:**

Council Review and Approval of Resolution No. 4237 Authorizing the Submission of a Grant Application for Grant Funds for the 2024 Active Transportation Program (Cycle 7) through the competitive regional bid.

**II. BACKGROUND:**

Coalinga requested \$8,395,693 in funding in the Statewide Active Transportation Program (ATP) Cycle 7 competition for the **Coalinga Perimeter Trail**. The full project includes: 2 multi-use pedestrian and bicycle paths beginning at Elm Avenue and Lucille Avenue and extending to East Polk Street just west of the Warthan Creek Bridge, and 3 street crossings, one at Elm Avenue and Lucille Avenue, one at East Polk Street, and one at Gregory Way and Cambridge Avenue. This project will also encompass a roundabout rest stop between proposed path segments 7 and 8, and a rest stop path-head off of Gregory Way between Phelps Avenue and Cambridge Avenue.

The work under this project includes: Demolition of existing asphalt concrete (A.C.), concrete, decomposed granite, and sawcutting, excavation and grading. Improvements include installation of curb and gutter, retaining curb, curb ramps, sidewalks, concrete drive approach, A.C. pavement, aggregate base, sheltered bench and way finding signs, bike rack, trash receptacle, bike repair stand, drinking fountain, shade trees, solar light poles, fence and post and cable barriers, RRFBs, hawk signal, and street light posts. Site improvements include storm drain inlets, water service and connections, relocating existing fire hydrant, irrigation system and connections, electrical service and connections, traffic signage, existing utility lid adjustment, thermoplastic striping, thermoplastic pavement markings, and construction surveying.

The project was submitted to the state but awards have not been announced as of yet.

The Fresno COG will also consider the project for funding at the regional level. Coalinga has had exceptional success in receiving funding at the regional level. The COG will consider Coalinga's full application request amount and also a reduced-scope option.

Coalinga's reduced scope option will still include the majority of the project elements

The scaled option request is as follows:

**Regional funding request will complete final segments of the Multi-Use Perimeter Network**

- Segment 7 – Runs along Warthan Creek, connecting to Segment 6 at SR 33 to the north and Segment 8 at the south.



- Segment 8 – Begins at Forest Street and extends eastward along the south end of the City, joining Segment 7 near Warthan Creek.
- Segment 9c – Sidewalk segment along SR198, between Pacific Street and Lucille Avenue.

**Proposed budget**

- Total project costs = \$1,508,410
- FCOG grant request = \$1,335,395
- Required City Match = \$173,015 (11.47%)

Due to reduced funding, regional request cannot include all elements that were submitted to the State ATP program which includes the enhanced crossings and trailhead are postponed for future funding opportunities.

**III. DISCUSSION:**

Coalinga historically applies concurrently to Fresno COG for a limited scope reduced project to maximize its opportunity to obtain funding through the Active Transportation Program. Therefore, staff is recommending the City Council adopt Resolution No. 4237 which will authorize staff to proceed with applying to Fresno COG for regional funds provided under the active transportation program. Staff has been directed by COG to prepare amended applications including reproduction of the original state application to Fresno COG for consideration of award should the City not receive funding directly from the State.

**IV. ALTERNATIVES:**

- Do not approve Resolution No. 4237 and do not proceed with submitting a grant application to Fresno COG - staff does not recommend.

**V. FISCAL IMPACT:**

The local match would be funded through Measure C Flexible Funds in the amount of \$173,015.00.

**ATTACHMENTS:**

File Name	Description
RESO#4237_Draft_Resolution_Cycle_7_Regional_ATP_Application_091024.docx	Resolution No. 4237 - ATP 7 Submission Regional Bid

**RESOLUTION NO. 4237**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF COALINGA SUPPORTING THE COALINGA BIKE/PED PERIMETER NETWORK GAP CLOSURES PROJECT AND AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDS FOR THE CYCLE 7 REGIONAL TRANSPORTATION PROGRAM CARRIED OUT BY THE FRESNO COUNCIL OF GOVERNMENTS AND AUTHORIZING THE EXECUTION OF APPLICATION-RELATED DOCUMENTS BY THE INTERIM CITY MANAGER, ASSISTANT CITY MANAGER OR HIS/HER DESIGNEE**

**WHEREAS**, the Active Transportation Program provides grant funds for eligible local agencies for the purposes of increasing the proportion of biking and walking trips, increasing safety and mobility for non-motorized users, advancing the efforts of regional agencies to achieve greenhouse gas reduction goals, enhancing public health and addressing childhood obesity; and

**WHEREAS**, the Fresno Council of Governments administers the regional grant program and has requested applications from eligible agencies for their Cycle Seven Call for Applications; and

**WHEREAS**, the City of Coalinga is committed to seeking opportunities to fund infrastructure which support multimodal commuting choices and active transportation recreation for residents; and

**WHEREAS**, the City of Coalinga desires to ensure that its projects are delivered in a timely manner to preclude Fresno County from losing those funds for non-delivery; and

**WHEREAS**, it is understood by the City of Coalinga that not meeting project delivery dates for any phase of a project may jeopardize federal or state funding to Fresno County;

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF COALINGA HEREBY:**

1. Agrees to ensure that all project delivery deadlines for all project phases will be met or exceeded;
2. Directs the City Manager, Assistant City Manager, or designee to ensure that the project is carried out in a timely manner as per the requirements of the Active Transportation Program and the directive of the City Council; and
3. Appoints and authorizes the City Manager, Assistant City Manager, or designee, and each of them as agents for the City of Coalinga, to execute and submit all grant application related documents, subject to prior approval as to form by the City Attorney's office.

\*\*\*\*\*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF COALINGA )

I, Shannon Jensen, City Clerk of the City of Coalinga, certify that the foregoing resolution was adopted by the Council of the City of Coalinga, at a regular meeting held on the 19th day of September 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Shannon Jensen, City Clerk of the City of Coalinga

---

APPROVED AS TO FORM:

---

James Horn, Mayor

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

**Subject:** Adoption of Resolution No. 4238 Approving Final Parcel Map No. 22-02  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Sean Brewer, Interim City Manager

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**I. RECOMMENDATION:**

Staff is recommending that the City Council approve Resolution No. 4238 approving Final Parcel Map No. 22-02.

**II. BACKGROUND:**

On July 25, 2023, by Resolution No. 023P-007, the Planning Commission approved Tentative Parcel Map No. 22-02 consisting of one (1) 7.69 net acre parcel subdivided into four (4) commercial zoned parcels in order to accommodate future development.

**III. DISCUSSION:**

The purpose of the request is to approve the final parcel map to subdivide the existing parcel (APN: 070-100-21s) within the city limits of the City of Coalinga into four (4) commercial zoned parcels with the intention of developing the commercial zoned parcels into future commercial.

**IV. ALTERNATIVES:**

Do not approve Resolution No. 4238, staff does not recommend.

Amend Resolution No. 4238 and direct staff accordingly.

**V. FISCAL IMPACT:**

There will be no fiscal impact to the General Fund.

**ATTACHMENTS:**

File Name	Description
□ Parcel_Map_No_22-02.pdf	Parcel Map 22-02
□ RESO#4238_Final_Parcel_Map_22-02_Anderson_091924.pdf	Resolution No. 4238

# PARCEL MAP NO. 22-02

BEING A PORTION OF LOT 5 OF TRACT NO. 4662, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 57 PAGES 43, 44 AND 45 OF PLATS, FRESNO COUNTY RECORDS, LYING IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF COALINGA, COUNTY OF FRESNO, STATE OF CALIFORNIA

CONSISTING OF 2 SHEETS  
SHEET 1 OF 2 SHEETS

## OWNER'S STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP:

JAMES S. ANDERSON, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

BY: James S. Anderson DATE 7/17/2024

## NOTARY ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA  
COUNTY OF Fresno

ON July 17, 2024 BEFORE ME,

Christy Mapel, NOTARY PUBLIC,

PERSONALLY APPEARED James S. Anderson

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

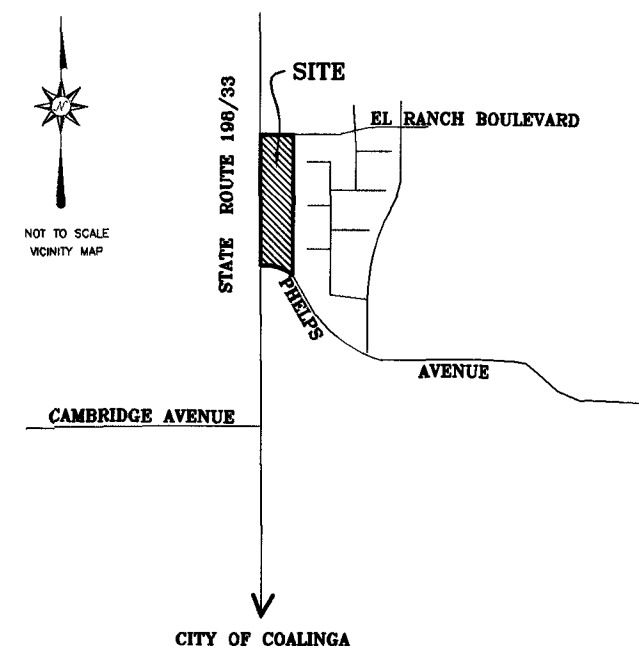
Christy Mapel  
PRINT NAME

Christy Mapel  
SIGNATURE

Fresno  
COUNTY OF

July 18, 2024  
MY COMMISSION EXPIRES

2329836  
MY COMMISSION NUMBER



## LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY COALINGA, COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOT 5 OF TRACT NO. 4662, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 57 PAGES 43, 44 AND 45 OF PLATS, FRESNO COUNTY RECORDS, LYING IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 28, THENCE SOUTH 89°48'06" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 68.24 FEET TO THE NORTHWEST CORNER OF SAID LOT 5;

THENCE SOUTH 00°04'33" WEST ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 534.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 90°00'00" EAST A DISTANCE OF 398.92 FEET TO THE EAST LINE OF SAID LOT 5; THENCE SOUTH 00°04'43" WEST ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 1056.37 FEET TO THE NORTHERLY LINE OF THE LAND DESCRIBED IN THE DEED TO THE CITY OF COALINGA RECORDED APRIL 9, 2001 AS DOCUMENT NO. 2001-047075, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 435.70 FEET TO WHICH POINT A RADIAL LINE BEARS NORTH 50°14'12" EAST; THENCE NORTHWESTERLY A DISTANCE OF 378.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°49'25"; THENCE NORTH 58°13'40" WEST A DISTANCE OF 33.83 FEET TO THE EASTERLY LINE OF THE LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED APRIL 9, 2001, AS DOCUMENT NO. 2001-047076, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 7116.13 FEET TO WHICH POINT A RADIAL LINE BEARS NORTH 88°14'05" EAST; THENCE NORTHERLY A DISTANCE OF 126.82 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°01'16" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE EAST HAVING A RADIUS OF 6991.47 FEET AND TO WHICH POINT A RADIAL LINE BEARS SOUTH 87°12'49" WEST; THENCE NORTHERLY A DISTANCE OF 390.41 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°11'58"; THENCE NORTH 00°06'22" EAST ALONG THE EASTERLY LINE OF THE LAND DESCRIBED IN SAID DEED TO THE STATE OF CALIFORNIA, A DISTANCE OF 326.85 FEET; THENCE NORTH 89°53'38" WEST CONTINUING ALONG SAID EASTERLY LINE A DISTANCE OF 24.46 FEET; TO THE WEST LINE OF SAID LOT 5; THENCE NORTH 00°04'33" EAST ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 37.66 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION GRANTED TO THE STATE OF CALIFORNIA, BY GRANT DEED RECORDED MARCH 6, 2000, AS DOCUMENT NO. 2000-0027096, OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL THAT PORTION GRANTED TO THE CITY OF COALINGA, BY GRANT DEED RECORDED APRIL 9, 2001, AS DOCUMENT NO. 2001-0047075, OF OFFICIAL RECORDS.

AND ALSO EXCEPTING THEREFROM ALL THAT PORTION GRANTED TO THE STATE OF CALIFORNIA, BY GRANT DEED RECORDED APRIL 9, 2001, AS DOCUMENT NO. 2001-0047076, OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBONS SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON OR THEREUNDER, AS RESERVED IN DEEDS OF RECORD.

## THIS PROPERTY IS SUBJECT TO THE FOLLOWING

- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: THE COUNTY OF FRESNO PURPOSE: PUBLIC ROAD  
RECORDING DATE: AUGUST 30, 1897 RECORDING NO: BOOK 214, PAGE 84, OF DEEDS
- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: SUNSET TELEPHONE AND TELEGRAPH COMPANY  
PURPOSE: PUBLIC UTILITIES  
RECORDING DATE: FEBRUARY 23, 1905 RECORDING NO: BOOK 314, PAGE 472, OF DEEDS
- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: SUNSET TELEPHONE AND TELEGRAPH COMPANY  
PURPOSE: PUBLIC UTILITIES  
RECORDING DATE: APRIL 26, 1905 RECORDING NO: BOOK 321, PAGE 424, OF DEEDS
- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: PACIFIC TELEPHONE AND TELEGRAPH COMPANY  
PURPOSE: PUBLIC UTILITIES  
RECORDING DATE: JANUARY 15, 1910 RECORDING NO: BOOK 450, PAGE 60, OF DEEDS
- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: NATIONAL OIL AND TRANSPORTATION COMPANY  
PURPOSE: OIL, PETROLEUM OR GAS PIPE LINES, AND TELEGRAPH OR TELEPHONE LINES  
RECORDING DATE: FEBRUARY 25, 1910 RECORDING NO: BOOK 449, PAGE 319, OF DEEDS
- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: CITY OF COALINGA  
PURPOSE: PUBLIC UTILITIES  
RECORDING DATE: FEBRUARY 25, 1963 RECORDING NO: 16031, BOOK 4826, PAGE 139, OF OFFICIAL RECORDS
- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: THE CITY OF COALINGA  
PURPOSE: PUBLIC UTILITIES  
RECORDING DATE: APRIL 30, 1990 RECORDING NO: 90049172, OF OFFICIAL RECORDS
- EASEMENT(S) FOR THE PURPOSE(S) AS GRANTED IN A DOCUMENT:  
GRANTED TO: THE CITY OF COALINGA, A CALIFORNIA MUNICIPAL CORPORATION  
PURPOSE: PUBLIC UTILITIES  
RECORDING DATE: JANUARY 14, 1997 RECORDING NO: 97005734, OF OFFICIAL RECORDS
- MATTERS CONTAINED IN THAT CERTAIN DOCUMENT  
ENTITLED: DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
DATED: NOVEMBER 29, 2023  
EXECUTED BY: JAMES A. ANDERSON  
RECORDING DATE: DECEMBER 22, 2023 RECORDING NO: 2023-0116724, OF OFFICIAL RECORDS



## SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF JAMES S. ANDERSON ON SEPTEMBER 1, 2023. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. THE MONUMENTS ARE OF THE CHARACTER AND IN THE LOCATIONS SHOWN HEREON AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BY: Aaron D. Spray  
AARON D. SPRAY, P.L.S. 9484

6-29-24  
DATE

## CITY ENGINEERS STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN THEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

NOEL G. BUCU, PE C-57148  
DATE

## CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT, PURSUANT TO THE PROVISIONS OF THE SUBDIVISION MAP ACT.

BY: Criss H. Robles  
CRIS H. ROBLES, P.L.S. 5503

7-31-2024  
DATE

## CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF COALINGA BY RESOLUTION ADOPTED \_\_\_\_\_, APPROVED THE WITHIN MAP.

BY: Shannon Jensen, CITY CLERK  
DATE

## RECORDER'S STATEMENT

DOCUMENT NO. \_\_\_\_\_ FEE

\$ \_\_\_\_\_

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_m.  
IN \_\_\_\_\_

BOOK \_\_\_\_\_ OF PARCEL MAPS AT PAGES \_\_\_\_\_ AND \_\_\_\_\_, AT THE REQUEST OF CHICAGO TITLE COMPANY.

PAUL DICTOS, C.P.A.  
FRESNO COUNTY RECORDER

BY: \_\_\_\_\_  
DEPUTY COUNTY RECORDER

**DIXON & ASSOCIATES, INC.**  
**LAND SURVEYING**

620 DEWITT, #101  
CLOVIS, CALIFORNIA, 93612

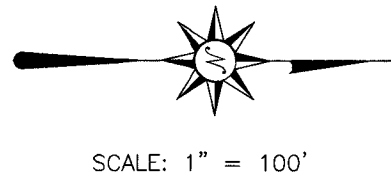
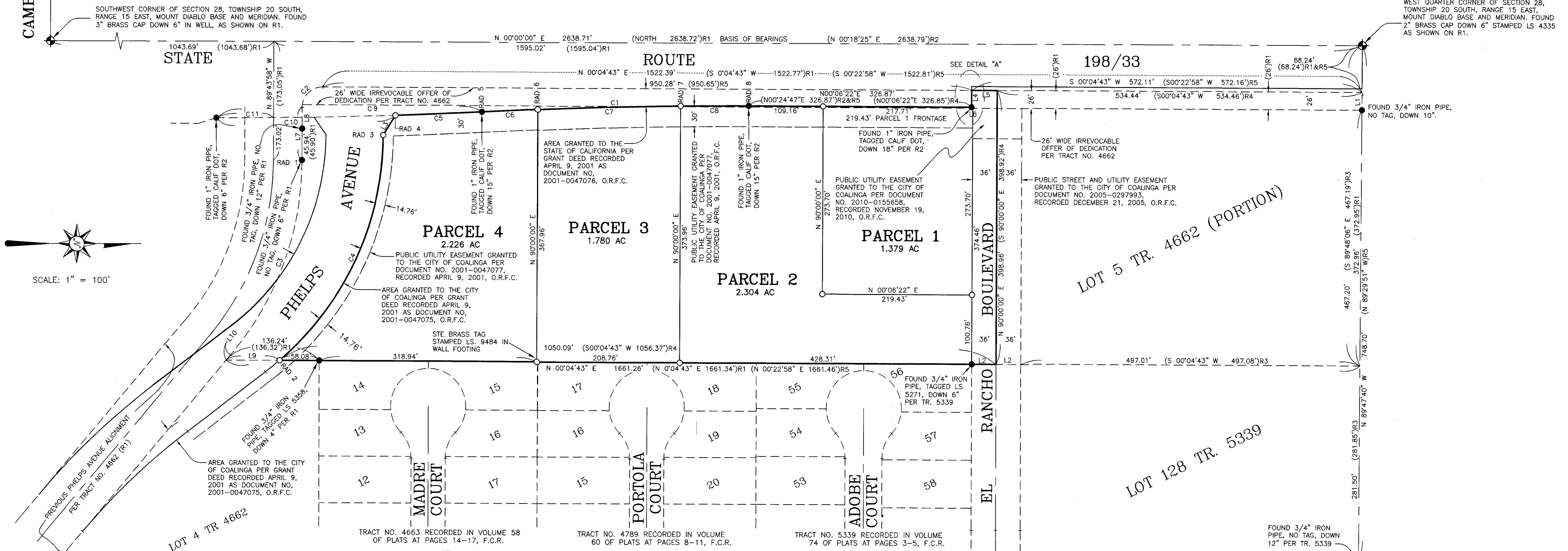
PH: (559)297-4200 FAX: (559)297-4272

# PARCEL MAP NO. 22-02

BEING A PORTION OF LOT 5 OF TRACT NO. 4662, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 57 PAGES 43, 44 AND 45 OF PLATS, FRESNO COUNTY RECORDS, LYING IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF COALINGA, COUNTY OF FRESNO, STATE OF CALIFORNIA

CONSISTING OF 2 SHEETS  
SHEET 2 OF 2 SHEETS

CAMBRIDGE AVENUE



**LEGEND:**

- ◆ INDICATES FOUND AND ACCEPTED SECTION CORNER OR QUARTER CORNER, DESCRIBED AS NOTED.
- INDICATES FOUND AND ACCEPTED MONUMENT, DESCRIBED AS NOTED.
- INDICATES SET 3/4" X 30" IRON PIPE, DOWN 6", TAGGED PLS 9484, UNLESS OTHERWISE NOTED.
- (R1) INDICATES RECORD DATA AS SHOWN ON TRACT MAP NO. 4662 RECORDED JUNE 28, 1994 IN VOLUME 57 OF PLATS AT PAGES 43 THROUGH 45, FRESNO COUNTY RECORDS.
- (R2) INDICATES RECORD DATA AS SHOWN ON, OR CALCULATED FROM, RECORD OF SURVEY RECORDED JANUARY 5, 2006 IN BOOK 49 OF RECORD OF SURVEYS AT PAGES 79 THROUGH 82, FRESNO COUNTY RECORDS.
- (R3) INDICATES RECORD DATA AS SHOWN ON TRACT MAP NO. 5339 RECORDED DECEMBER 21, 2005 IN VOLUME 74 OF PLATS AT PAGES 3 THROUGH 5, FRESNO COUNTY RECORDS.
- (R4) INDICATES RECORD DATA AS SHOWN IN GRANT DEED RECORDED APRIL 18, 2006 AS DOCUMENT NO. 2006-0081009, O.R.F.C.
- (R5) INDICATES RECORD DATA AS SHOWN ON, OR CALCULATED FROM, CAL TRANS RIGHT OF WAY RECORD MAP, DISTRICT 06, FRESNO COUNTY, ROUTE 33, KILOMETER POST 26.64/27.30, SHEET 2 OF 15.

F.C.R. FRESNO COUNTY RECORDS

O.R.F.C. OFFICIAL RECORDS OF FRESNO COUNTY

**BASIS OF BEARINGS**

THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, WAS TAKEN TO BE NORTH AS SHOWN ON TRACT MAP NO. 4662 RECORDED JUNE 28, 1994 IN VOLUME 57 OF PLATS AT PAGES 43 THROUGH 45, FRESNO COUNTY RECORDS.

**CURVE DATA:**

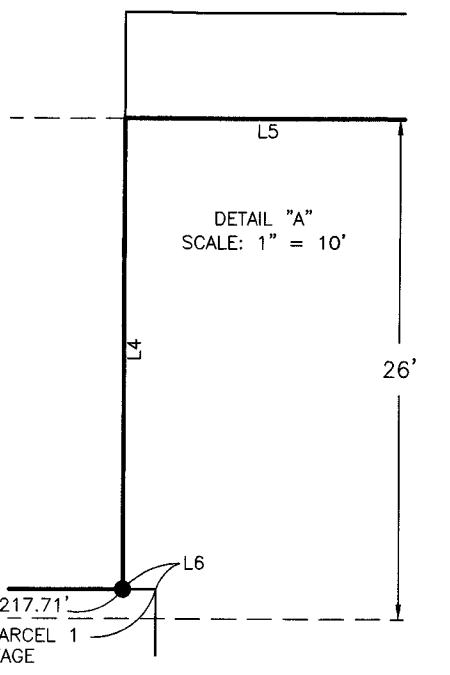
CURVE NUMBER	DELTA	RADIUS	ARC LENGTH
C 1	3°11'58"	6991.92'	390.43'
C 1	(3°11'58")R2	(6991.92)R2	(390.43)R2
C 1	(3°11'58")R4	(6991.47)R4	(390.41)R4
C 1	(3°11'58")R5	(6991.92)R5	(390.43)R5
C 2	89°48'41"	30.00'	47.03'
C 2	(90°04'43")R1	(30.00)R1	(47.17)R1
C 2	(90°04'43")R5	(30.00)R5	(47.16)R5
C 3	40°00'24"	442.00'	308.63'
C 3	(40°00'00")R1	(442.00)R1	(308.57)R1
C 3	(40°00'00")R5	(442.00)R5	(308.57)R5
C 4	49°04'24"	435.73'	373.20'
C 4	(49°49'25")R4	(435.70)R4	(378.88)R4
C 4	(49°05'10")R5	(435.73)R5	(373.29)R5
C 5	1°01'16"	7116.60'	126.83'
C 5	(0°10'11")R4	(7116.13)R4	(126.82)R4
C 5	(0°10'11")R5	(7116.60)R5	(126.83)R5
C 6	0°40'15"	6991.92'	81.86'
C 7	1°42'41"	6991.92'	208.84'
C 8	0°49'02"	6991.92'	99.73'
C 9	3°08'14"	7116.60'	389.67'
C 9	(3°08'14")R1	(7116.60)R1	(389.66)R1
C 10	2°06'58"	7116.60'	262.84'
C 11	0°20'17"	7116.60'	41.98'

**LINE DATA:**

LINE NUMBER	BEARING	DISTANCE
L 1	N 89°47'40" W	26.00'
L 2	N 00°04'43" E	36.00'
L 3	N 58°32'05" W	33.83'
L 3	(N58°13'40"W)R4	(33.83)R4
L 3	(N58°13'40"W)R5	(33.83)R5
L 4	N 89°53'38" W	24.49'
L 4	(N89°53'38"W)R4	(24.46)R4
L 4	(S89°35'13"W)R5	(24.46)R5
L 5	N 00°04'43" E	37.67'
L 5	(N00°04'43"E)R4	(37.66)R4
L 6	N 00°06'25" E	1.72'
L 7	N 89°43'58" W	77.01'
L 7	(EAST)R1	(76.91)R1
L 7	(S89°41'35"E)R5	(76.83)R5
L 8	N 89°43'58" W	31.07'
L 8	(EAST)R1	(31.01)R1
L 9	N 00°04'43" E	78.16'
L 9	(N 00°22'58" E)R5	(78.16)R5
L 10	N 49°59'53" W	10.09'
L 10	(S49°41'35"E)R5	(10.21)R5

**RADIAL DATA:**

RADIAL NUMBER	RADIAL BEARING	RADIUS
RAD 1	N 00°00'17" W	442.00'
RAD 2	N 49°10'46" E	435.73'
RAD 2	(N50°14'12"E)R4	(435.70)R4
RAD 3	N 00°06'22" E	435.73'
RAD 3	(N00°24'47"E)R5	(435.73)R5
RAD 4	N 87°55'40" E	7116.60'
RAD 4	(N88°14'05"E)R4	(7116.13)R4
RAD 4	(N88°14'05"E)R5	(7116.13)R5
RAD 5	N 86°54'24" E	7116.60'
RAD 4	(S87°12'49"W)R4	(6991.47)R4
RAD 6	S 87°34'39" W	6991.92'
RAD 7	S 89°17'20" W	6991.92'
RAD 8	N 89°53'38" W	6991.92'



WEST QUARTER CORNER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN. FOUND 2" BRASS CAP DOWN 6" STAMPED LS 4335 AS SHOWN ON R1.

**DIXON & ASSOCIATES, INC.**  
LAND SURVEYING  
620 DEWITT, #101  
CLOVIS, CALIFORNIA, 93612  
PH: (559)297-4200 FAX: (559)297-4272

**RESOLUTION NO. 4238**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA APPROVING  
A FINAL PARCEL MAP FOR PARCEL MAP NO. 22-02 FOR JAMES S. ANDERSON**

**WHEREAS**, James S. Anderson is the owner of real property in the City of Coalinga within Parcel Map No. 22-02; and

**WHEREAS**, On July 25, 2023, City Council approved the Tentative Parcel Map No. 22-02 for future commercial development; and

**WHEREAS**, Tri City Engineering acting as the City Engineer has reviewed and approved the submitted final Parcel Map; and,

**WHEREAS**, Parcel Map No. 22-02, includes the creation of four parcels for future commercial development; and,

**WHEREAS**, the public infrastructure and other public improvements will be deferred until future development occurs in accordance with the Subdivision Map Act; and,

**WHEREAS**, that approval of the Final Parcel Map by City Council is a ministerial act because all conditions have been complied with, because the final Parcel Map conforms to the approved Tentative Parcel Map and because the final Parcel Map conforms to all the requirements of the State Subdivision Map Act and all provisions of applicable City Ordinances

**NOW, THEREFORE, BE IT RESOLVED, THAT THE** City Council of the City of Coalinga finds and determines as follows:

1. Parcel Map No. 22-02 is approved.
2. The City Clerk are further authorized and directed to execute on the final parcel map on behalf of the City of Coalinga contemplated by this resolution.
3. The resolution shall take effect immediately on adoption.

The foregoing resolution was passed and adopted at a regular meeting of the City Council of the City of Coalinga on the **19th day of September, 2024**, by the following roll call vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVE:

ATTEST:

\_\_\_\_\_  
James Horn, Mayor

\_\_\_\_\_  
Shannon Jensen, City Clerk

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

**Subject:** Consideration of Bid Award for Derrick Reservoir Rehabilitation  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Sean Brewer, Interim City Manager

---

**I. RECOMMENDATION:**

- It is recommended that the Coalinga City Council waive the requirement for all bidders to indicate whether a steel or aluminum roof is contained in the bid and award a Contract in the amount of \$3,776,720.00 to Unified Field Services Corporation, 6906 Downing Avenue, Bakersfield, CA 93308 for the Derrick Reservoir Rehabilitation Project. It is also recommended that a contingency of 10% (377,672) be included in the Council action to cover any unforeseen incidentals for a total authorization amount of \$4,154,392.
- Approval of a work order with MKN for construction management services, and;
- Approval of a task order with the City Engineer to process contractor payments and certified payrolls.

**II. BACKGROUND:**

On September 16, 2021, Council proceeded with MKN to develop a preliminary engineers report related to the rehabilitation of the 7.5 million gallon water storage tank. Staff in conjunction with MKN will be presenting the findings to the City Council at the meeting in order to receive feedback and direction on the next steps to rehabilitate the Derrick tank. The presentation consisted of addressing the critical components of the rehabilitation from coatings (exterior/interior), structural and appurtenances, alternatives and recommended next steps including implementation and schedule.

**III. DISCUSSION:**

City Staff received and opened 3 bids for this project on September 5, 2024, at 2:00pm. We were open to either a steel or aluminum roof, so we waive the requirement to circle the bids and award the contract to the lowest bidder. Unified Field Services Corporation was the apparent low bidder with a total bid proposal of 3,776,720.00. The Engineer's Estimate was \$3,956,000.00. The entire bid summary is included as Attachment "A". Unified Field Services Corporation has furnished the required bid bond. If the City Council decides to award the project to Unified Field Services Corporation, and the "Notice to Proceed" is issued, the Contractor will have 115 working days to complete the work. The following is a tentative schedule:

Award of Contract: September 19, 2024  
Start of Construction: October 21, 2024  
Completion of Construction: April 10, 2025

The City Engineer proposes to provide Civil Engineering Construction Management Services for the Derrick Reservoir Rehabilitation Project. for a not to exceed amount of \$20,000.00. The Work Order is included in



this report.

MKN proposes to provide Civil Engineering Construction Management Support Services for the Derrick Reservoir Rehabilitation Project. for a not to exceed amount of \$302,796.00. The Work Order is included in this report.

**IV. ALTERNATIVES:**

The alternative to this council action would be to reject all bids. If all bids are rejected, the City would have to re-advertise or cancel the project. Staff believes that re-advertising the project will not result in lower bids.

**V. FISCAL IMPACT:**

Total authorization request for this contract is \$3,776,720.00 with an additional 10% contingency of \$377,672 for a construction total of \$4,154,392. Total authorization request for Construction Management Services is \$322,796.00 for a proposed total of \$4,475,188.00

This project is funded by Water Bond Proceeds and will have no fiscal impact to the General Fund.

**ATTACHMENTS:**

File Name	Description
3088_Bid_Summary.pdf	Bid Summary
Proposal_20240829_Coalinga_Derick_Res_Rehab_CM.pdf	MKN Work Order - CM & Inspection Services
3088_Work_Order_Construction_Engineering_Derrick_Reservoir.pdf	Work Order Derick Reservoir

City of Coalinga

ATTACHMENT "A" Bids 1-3

PW 24-006/#3088 Derrick Reservoir Rehabilitation Project - MKN

9/5/2024

Base Bid Items

					1		2		3	
					Unified Field Services Corporation		Paso Robles Tank, Inc.		Crosnos Construction, Inc.	
Item	Description	Unit	Qty.	Engineer's Est.	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization and Demobilization	LS	1	\$ 200,000.00	\$ 150,000.00	\$ 150,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00
2	Containment for Removal of Heavy Metal Bearing Coatings	LS	1	\$ 121,000.00	\$ 100,000.00	\$ 100,000.00	\$ 305,038.00	\$ 305,038.00	\$ 218,470.00	\$ 218,470.00
3	Disposal of Heavy Metal Bearing Coatings	LS	1	\$ 50,000.00	\$ 25,000.00	\$ 25,000.00	\$ 63,250.00	\$ 63,250.00	\$ 21,490.00	\$ 21,490.00
4	Demolition and Disposal of Existing Roof	LS	1	\$ 300,000.00	\$ 198,000.00	\$ 198,000.00	\$ 190,000.00	\$ 190,000.00	\$ 91,410.00	\$ 91,410.00
5	Tank Inlet Piping Modifications	LS	1	\$ 58,000.00	\$ 71,500.00	\$ 71,500.00	\$ 67,500.00	\$ 67,500.00	\$ 49,340.00	\$ 49,340.00
6	Tank Outlet Piping Modifications	LS	1	\$ 66,000.00	\$ 101,750.00	\$ 101,750.00	\$ 96,250.00	\$ 96,250.00	\$ 60,720.00	\$ 60,720.00
7	Tank Overflow Piping and Nozzle Modification	LS	1	\$ 42,000.00	\$ 83,820.00	\$ 83,820.00	\$ 78,300.00	\$ 78,300.00	\$ 27,330.00	\$ 27,330.00
8	Abandon Tank Drain Piping	LS	1	\$ 22,000.00	\$ 17,600.00	\$ 17,600.00	\$ 16,500.00	\$ 16,500.00	\$ 18,700.00	\$ 18,700.00
9	Flush Cleanout Manway	LS	1	\$ 36,000.00	\$ 86,500.00	\$ 86,500.00	\$ 80,250.00	\$ 80,250.00	\$ 38,710.00	\$ 38,710.00
10	Interior Ladder and Fall Protection System	LS	1	\$ 23,000.00	\$ 17,050.00	\$ 17,050.00	\$ 15,500.00	\$ 15,500.00	\$ 13,190.00	\$ 13,190.00
11	Interior Coating (Full Removal and Replacement, Shell Wall, Floor, and Internal Inlet Piping)	LS	1	\$ 776,000.00	\$ 1,353,000.00	\$ 1,353,000.00	\$ 2,524,882.00	\$ 2,524,882.00	\$ 2,349,260.00	\$ 2,349,260.00
12	Exterior Coating (Full Removal and Replacement, Shell Wall and Appurtenances)	LS	1	\$ 358,000.00	\$ 525,000.00	\$ 525,000.00	\$ 1,174,413.00	\$ 1,174,413.00	\$ 236,130.00	\$ 236,130.00
13	Tank Roof Steel	LS	1	\$ 1,814,000.00	\$ 962,500.00	Steel \$ 962,500.00	\$ 875,000.00	Steel \$ 875,000.00	\$ 2,493,380.00	Steel \$ 2,493,380.00
14	Impressed Current Cathodic Protection System	LS	1	\$ 45,000.00	\$ 60,000.00	\$ 60,000.00	\$ 51,405.00	\$ 51,405.00	\$ 145,480.00	\$ 145,480.00
15	Clean, Disinfect, Hydrostatic Pressure Test	LS	1	\$ 30,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,925.00	\$ 10,925.00	\$ 8,500.00	\$ 8,500.00
16	11-Month Inspection	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
<b>Base Bid Summary</b>				<b>\$ 3,956,000.00</b>		<b>\$ 3,776,720.00</b>		<b>\$ 5,764,213.00</b>		<b>\$ 5,987,110.00</b>



8405 North Fresno St., Ste. 120  
Fresno, CA 93720  
559-500-4750 [PHONE](tel:559-500-4750)

August 29, 2024

Sean Brewer  
Interim City Manager  
City of Coalinga  
(Submitted Electronically)

**Re: Proposal for Construction Management Services for the Derrick Reservoir Rehabilitation Project (Project)**

Dear Sean,

MKN & Associates, Inc. (MKN) is pleased to provide this proposal to perform construction management and inspection services for the City of Coalinga. The Project is an extremely challenging construction project that will require significant oversight by the City and the construction management team. MKN proposes to provide a team consisting of a lead Construction Manager (CM) and an inspector that would be full-time from December through February to provide the required level of construction management and quality assurance for the project. The CM and inspector's primary duties will be to manage construction activities, inspect and verify that work in place meets the requirements of the contract plans and specifications, and to manage document control. The MKN team also includes CSI Services, Inc. (CSI), who will be performing coating inspections, and Salem Engineering Group, Inc. (Salem), who will be performing construction testing and welding inspection services.

MKN will be performing the following scope of services throughout the construction of the project.

## Scope of Work

### [Preconstruction Meeting](#)

The MKN team will organize and conduct a preconstruction meeting with City staff, the contractor, subcontractors, and any other key project stakeholders. Roles and responsibilities will be discussed. Lines of communication and decision-making procedures will be explained and clarified. Emergency contact information for all parties will be collected. MKN will generate an agenda prior to the meeting for review and acceptance by the City prior to the meeting. MKN will generate meeting minutes and distribute them to all interested parties.

### [Daily Inspection Reports](#)

The project inspector will maintain daily written records of work, including notation of such items as weather, personnel, and equipment on-site, sub-contractors on site, discussions held with contractor and others, project issues that arise, material and equipment received for on-site storage, etc. Procore construction management software shall be used for document management.

### Photo Record Maintenance

MKN will regularly photograph construction activity in digital format. Digital photos will be posted daily in the inspector's Procore daily reports.

### Record Drawing Maintenance

MKN will regularly review the contractor's record drawing set for completeness and accuracy as well as keeping a separate As-Built set throughout the project.

### Special Inspections

MKN's subconsultant, CSI, will provide surface preparation and coatings special inspections that may be required for the work both in the shop and in the field. MKN's subconsultant, Salem, will provide additional special inspections services such as field observation and compaction testing, soil and concrete sampling, structural special inspections, and laboratory testing. Required tests and inspections during site preparation activities will include compaction testing, pavement area subgrade and aggregate base compaction tests, and trench backfill compaction tests. Special inspections and testing may include the following:

- Soil Compaction Testing - Measure the compaction of fill soils for compliance to recommended minimum percentages in building pads, trenches, roadways, and other backfilled areas utilizing the nuclear gage or tube method of testing. Perform compaction testing of aggregate base material in paved areas.
- Concrete Inspection - Inspect forms and excavations for cleanliness and stability prior to the concrete placement and verifying that the approved concrete mix design is used for the batched concrete and the water-cement ratio for each delivered load of concrete is per project specifications. Monitor the time limitation from freshly batched concrete to the placement. Perform slump measurements, temperature determinations, and mold concrete cylinder samples for compressive strength determinations. Inspect the placement and consolidation methods of the placement of concrete.
- Steel Reinforcement Inspection - Conduct inspections of steel bar reinforcement before concrete placement and confirm the details of the reinforcing steel including grade, size, orientation, distribution, lengths, bends, splices, clearances, cleanliness, stability, embed items, anchor bolt size, welded connections, and continuity. Obtain mill certifications for all reinforcing steel. Ensure that unidentified steel reinforcement is tested in accordance with the applicable reinforced standard.
- Field Welding Inspection - Perform material, filler metal, welding procedure specifications and welder certification verifications. During the welding process, continuously inspect multi-pass welding and full-penetration welds, and periodically inspect single pass fillet welds. Provide ultrasonic inspection as applicable after welding is complete.
- High Strength Bolt Inspection - Verify the wrench calibration procedure while present during the tightening of high-strength bolts using the Calibrated Wrench method. Observe the wrench calibration procedure and that it is performed at least once each working day for each bolt diameter, length, and grade, using fastener assemblies that are being installed in the connections. Identify and sample high-strength bolts for laboratory testing.

- Shop Welding - Perform material, filler metal, welding procedure specifications and welder certification verifications. During the welding process, continuously inspect multi-pass welding and full-penetration welds, and periodically inspect single pass fillet welds. Obtain mill certifications for structural steel.

### Document Control

MKN will utilize the software, Procore, for document management on the project. MKN will coordinate processing of all project documents including contractor RFIs and submittals. MKN will ensure that contractor-generated documents are routed to the appropriate parties for review and response. MKN will track and review document responses from the City and design engineer and facilitate communication with the contractor. Throughout the process MKN will ensure that document correspondence is handled in a timely and efficient manner so as not to unnecessarily delay the project. MKN will provide licenses of the software to the City.

### Schedule Review and Management

MKN will review the contractor's baseline schedule submittal and all monthly schedule updates and monitor the construction progress with respect to the contractor's schedule.

### Pay Request Processing

MKN will review the contractor's monthly pay request for completeness and accuracy. MKN will make recommendations and forward the pay request to the City for processing in accordance with the City's pay procedures.

### Change Order Review

MKN will assist the City in review and processing of any contractor change order requests. MKN will make recommendations to the City as to the validity of any change order requests. MKN will keep track of any time and material pricing for extra work as needed.

### Progress Meetings

MKN will hold weekly virtual progress meetings with the contractor, design team, and City staff. Progress meetings will review safety, submittal and RFI status, progress of the work, the three-week look-ahead schedule, extra work and change orders, quality issues, and any other pending issues. MKN will prepare meeting minutes and distribute them to all interested parties. Some progress meetings may be coordinated with site visits and be conducted in-person at the Project site.

### Verification of Material and Equipment

As material arrives onsite, the inspector will verify that the delivered items conform to the project specifications and approved submittals prior to approving them for use on the project.

### Quality Assurance

MKN will inspect work in progress to ensure that it meets the requirements and quality of work outlined in the contract documents. Any deficient work will be rejected and MKN will notify the City of the deficient work to determine next steps.

### Project Closeout

MKN will be proactive during the closeout of the contract to ensure that work is completed to the satisfaction of the City, and to ensure that all required documents, manuals, and warranties are properly submitted prior to final project closeout.

### Punchlist Inspection

The project inspector and CM will administer the specifications' final acceptance requirements and develop a deficiency list (punch-list) for the work performed, notify the contractor, and re-inspect the completed work. MKN will also conduct a final inspection in the presence of the City and the contractor.

### O&M Manual and Warranty Coordination

MKN will also ensure that the contractor submits warranty information and will assist the City during this period if the contractor needs corrective work.

### Startup and Operator Training

MKN will review the project specifications to ascertain startup and training requirements for each system and piece of equipment to ensure that these requirements are satisfied.

### Start-Up and Commissioning

MKN will coordinate with the contractor and the City for the commissioning of the reservoir. MKN will assist with troubleshooting and addressing any corrective action that may be required.

### Closeout

Upon satisfactory completion of all contract work, MKN will perform a final inspection, compile final invoices, assemble and submit contract closeout packages, prepare project closeout files and reports, and recommend final acceptance of the project.

### Final Report

MKN will prepare a final construction report for the project. The report shall contain at a minimum the following:

- Final costs of the project (items, change orders and settled claims)
- A summary of key dates (advertisement, bid opening, award, pre-construction meeting, first working day, completion date)
- A summary of working days, non-working days, change order days, weather days, and other days

- Discussion of significant issues or problems encountered or addressed during construction
- A copy of the approved final acceptance form

### Compensation

MKN proposes to perform our services on a time and materials basis with an initial not-to-exceed fee of \$302,796 as provided in the fee estimate (Exhibit C) and based on MKN's rate schedule (Exhibit A), Salem's rate schedule (Exhibit B), and CSI's rate schedule. The fee estimate in Exhibit C includes our assumptions regarding construction schedule and number of labor hours per month. The budget will not be exceeded unless prior written authorization is granted by the City. Attached rates may be revised annually.

Thank you for providing MKN the opportunity to propose on this work for the City. If you have any questions regarding this proposal, please contact Henry (hliang@mknassociates.us) or Peter (pbrennan@mknassociates.us).

Sincerely,



Peter Brennan, PE, CCM  
Construction Manager



Henry Liang, PE  
Principal

Enclosures:

1. Exhibit A – MKN Rate Sheet
2. Exhibit B – Salem Rate Sheet
3. Exhibit C – Project and Fee Schedule

# Exhibit A

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MKN Rate Sheet





2024 RATE SCHEDULE  
FOR PROFESSIONAL CM SERVICES  
MKN CPM, LLC

ENGINEERS AND TECHNICAL SUPPORT STAFF

Principal Construction Manager	\$264/HR
Construction Manager	\$224/HR
Resident Engineer	\$215/HR
Assistant Resident Engineer	\$185/HR
Construction Inspector	\$190/HR
Administrative Assistant	\$70/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%
Mileage	Current IRS Rate

# Exhibit B

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Salem and CSI Rate Sheet

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**ATTACHMENT A**  
**PREVAILING WAGE FIELD AND LABORATORY FEE SCHEDULE**

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**Soils, Aggregate, and Asphalt Inspection and Testing**

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Soils/Asphalt Technician	\$120.00 per hr.
Max Density/Opt. Moisture Test - ASTM D1557	\$200.00 per ea.
Max Density/Opt. Moisture Test - ASTM D698	\$200.00 per ea.
Max Density/Opt. Moisture Test - CAL216	\$200.00 per ea.
R-Value Test	\$345.00 per ea.
Sieve Analysis	\$150.00 per ea.
Sand Equivalent	\$135.00 per ea.
Expansion Index	\$225.00 per ea.
Plasticity Index	\$225.00 per ea.
Asphalt Maximum Density Test	\$340.00 per ea.
Asphalt Concrete Core Density	\$70.00 per ea.
Asphalt Gradation and Oil Extraction	\$415.00 per ea.
Asphalt Coring (one person crew)	\$200.00 per hr.

**Concrete Inspection and Testing**

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ACI Concrete Sampling Technician	\$110.00 per hr.
ICC Inspector and Proof-Load Testing	\$130.00 per hr.
6"x12" Concrete Cylinder Compression Test	\$145.00 per set of 4
4"x8" Concrete Cylinder Compression Test	\$145.00 per set of 5
Concrete Cylinder Compression Test (ea. additional)	\$40.00 per sample
Reinforcing Steel Testing (Bend/Yield/Elongation)	\$150.00 per sample
Floor Flatness Testing	\$910.00 per day
Vapor Emission Test Kit	\$55.00 per kit
Relative Humidity Test Kit	\$90.00 per kit
Floor Slip and Gloss Testing	\$925.00 per trip
Concrete Coring (one person crew)	\$205.00 per hr.

**Structural Masonry Inspection and Testing**

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ICC Inspector	\$130.00 per hr.
DSA Masonry Inspector	\$150.00 per hr.
Grout Compression Test	\$145.00 per set of 4
Mortar Compression Test	\$145.00 per set of 4
Masonry Prism Compression Test	\$275.00 per set of 3
Masonry Block Compression Test	\$425.00 per set of 3
Masonry Block Compliance Testing (ASTM C90)	\$495.00 per set
Masonry Core Shear Test	\$275.00 per set
Masonry Coring (two person crew)	\$315.00 per hr.

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**PREVAILING WAGE FIELD AND LABORATORY FEE SCHEDULE**

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**Structural Steel Inspection**

Shop Welding Inspector	\$95.00 per hr.
Field Welding/Bolting Inspector	\$130.00 per hr.
Ultrasonic Testing	\$150.00 per hr.
High Strength Bolt Tensile/Wedge/Hardness	\$900.00 per set of 3

**Shear Wall and Roof Inspection**

ICC Inspector or Registered Engineer	\$150.00 per hr.
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**Engineering and Administration**

Professional Engineer Review	\$165.00 per hr.
Project Manager	\$145.00 per hr.
Qualified SWPPP Developer	\$145.00 per hr.
Qualified SWPPP Practitioner	\$135.00 per hr.
Administrative Support	\$65.00 per hr.

**Vehicle, Equipment, and Sample Pickup Charges**

Vehicle/Equipment/Trip Fee	\$160.00 per trip
Sample Pickup and Delivery	\$185.00 per trip

General Terms:

- 1) SALEM invoices will be submitted on a monthly basis and will be billed on a time-and-materials basis in accordance with the above fees.
- 2) SALEM requires a minimum 48-hour prior notice for scheduling inspectors and/or technicians.
- 3) Inspection charges start at the scheduled show up time at the job site. There will be a minimum four (4) hour charge, with two (2) hour increments billed thereafter for any SALEM personnel present on a job site, batch plant, fabrication shop, etc.
- 4) Normal working hours are from 7:00 AM to 6:00 PM. Work performed over 8 hours per day, outside normal working hours, and on Saturdays will be billed at 1.5 times the above rates at the above minimum and increments; Work in excess of 12 hours per day, on Sundays, Holidays, or over 8 hours on Saturday will be billed at 2.0 times the above rates at the above minimum and increments.
- 5) Work performed during Second Shift work hours (work that commences after 2:00 PM or before 4:00 AM during any twenty-four (24) hour period commencing at 12:01 AM) will be billed at 1.5 times the above rates; Second Shift work hours in excess of 8 hours per day will be billed at 2.0 times the above rates.



**Fee Schedule**

CSI proposes to provide the above Scope of Services on a time and materials basis in accordance with our standard terms and conditions. It is understood that prevailing wages are required on this project ,and our CA DIR No. is 100010187. Our fees and estimates follow:

**Fees**

**Project Manager**..... No Charge

**Coating Inspection**

Shop Rate (half day minimum)..... \$ 840.00/day\*  
 Field Rate ..... \$ 975.00/day

The above fees are inclusive of expenses.

**Estimates**

Although we are not aware of the contractor’s schedule, the below estimates are based on 100’s of similar projects. The estimated not-to-exceed (NTE) fees follow:

**New Steel Roof** - It is projected that a new roof will require 4-weeks (20 days) for shop work with 12 weeks (60 days) for all fieldwork.

New Steel Roof Coating Inspection

Shop..... 20 days @ \$840.00/day.....	\$ 16,800.00*
<u>Field..... 60 days @ \$975.00/day.....</u>	<u>\$ 58,500.00</u>
	<b>\$ 75,300.00 NTE</b>

**New Aluminum Roof** - It is projected that a new roof will require 4-days for appurtenance shop work with and 9 weeks (45 days) for all field work.

New Aluminum Roof Coating Inspection

Shop..... 4 days @ \$840.00/day.....	\$ 3,360.00*
<u>Field..... 45 days @ \$975.00/day.....</u>	<u>\$ 43,875.00</u>
	<b>\$ 47,235.00 NTE</b>

\* Assumes that the shop steel cleaning and priming operations will take place in San Luis Obispo County, as 95% of all new steel tanks in CA are fabricated at one of these shops. Paso Robles Tank in Paso Robles, CA is the only tank shop that carries the required SSPC C-3 certification. CSI can also provide inspection anywhere in Riverside, Los Angeles, Orange and San Bernardino Counties for the same fees.

No fees will be charged for Project Management or Administrative tasks required to support the project.


# Exhibit C

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Fee Estimate

# City of Coalinga

## Derrick Reservoir Rehab Project CM

PROJECT SCHEDULE	2024								2025											
PHASE	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		Oct	Nov	Dec
Pre-Construction																				
Construction Management																				
Project Closeout																				

PHASE		2024								2025								Total Hours	Hourly Rate	Total Cost		
Role	Staff	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep				Oct	Nov
Construction Management																						
Project Manager	Peter Brennan					8	8	8	8	8												
Assistant Resident Engineer	Jeremiah Harrington					48	48	48	48	48												
Construction Inspector	Staff					48	48	160	160	160												
	Subtotal	0	0	0	0	104	104	216	216	216	0	0	0	0	0	0	0	0	0	0		
Project Closeout																						
Project Manager	Peter Brennan										2											
Assistant Resident Engineer	Jeremiah Harrington										16											
Construction Inspector	Staff										60											
	Subtotal	0	0	0	0	0	0	0	0	0	78	0	0	0	0	0	0	0	0	0		
		<b>TOTAL HOURS</b>																		<b>934</b>		<b>\$ 179,288</b>
Direct Expenses																						<b>\$2,000</b>
Subconsultant																						
Salem Welding & Special Inspection																						\$30,395
CSI Coatings Inspection Services																						\$91,113
		<b>Grand Total</b>																				<b>\$ 302,796</b>

**PROFESSIONAL SERVICES WORK ORDER  
CONSTRUCTION ENGINEERING**

This agreement entered into the 19th day of September, 20 24 between City of Coalinga (hereinafter called the Client) and the Consultant Tri City Engineering (hereinafter called Consultant) for services in connection with the following project: Derrick Reservoir Rehabilitation Project. 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 October 26, 2021 which is fully incorporated herein by reference.

I. Scope of Services. The Consultant's services will consist of the following:

- Construction Coordination; Coordinate administrative and project engineer consultant, inspection, activities. Coordinate project engineer consultant and Contractor's 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, Coordinate Contractor Construction Site Meetings.
- Product Submittals coordination; manage project engineer consultant and contractor product submittals for compliance with the Project Plans and Specifications.
- Labor Compliance: Perform labor compliance task, including verifying Certified Payrolls and Subcontractor Utilization.
- Progress Reports: Review daily progress reports addressing progress of the work, the project schedule to include City Public Utilities 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 City of Coalinga funding procedures for City approval.

II. Additional Services. 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. Consultant's Compensation. In consideration for Consultant providing the services noted above, the Client agrees to compensate the Consultant as follows:

**\$20,000.00**



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

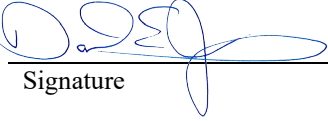
Payment Due. Invoices shall be submitted by the Consultant monthly, are due upon presentation, and shall be considered past due if not paid within ten (10) calendar days of the due date.

Interest. 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.

Collection Costs. 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.

Set-offs, Back charges, Discounts. 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		Signature
Name:	<u>Daniel E. Jauregui</u>	Name:	<u>Sean Brewer</u>
	For: Tri City Engineering		For: City of Coalinga
Title:	<u>President</u>	Title:	<u>Assistant City Manager</u>
Address:	<u>4630 W Jennifer Ave #101</u>	Address:	<u>155 W. Durian Ave</u>
	<u>Fresno, CA 93722</u>		<u>Coalinga, CA 93210</u>

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

**Subject:** Approval of a City Engineer Task Order and Project Budget for Sacramento Street Rehabilitation Project  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Sean Brewer, Interim City Manager

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**I. RECOMMENDATION:**

Staff is recommending the Council approve:

- Sacramento Street Budget of \$907,920.00 (includes PE and CM work orders).
- Authorize the City Manager to execute task orders for preliminary design and construction engineering with the City Engineer totaling \$197,340.00.

**II. BACKGROUND:**

The City Council approved the E. Sacramento Project as part of the project authorization of annual SB1 funding allocations. Project preparation has been in the works and this authorization is for the design engineering and construction management task order approvals in order to proceed with design and construction in the coming year.

**III. DISCUSSION:**

This project will encompass street improvements beginning at Sacramento Street and Forest Street and extending to Warthan Street and Tache Way just west of the Warthan Street and Tache Way intersection. A copy of the cost estimate and exhibit are attached to this report.

The work under this project includes: Demolition of existing asphalt concrete (A.C.), concrete, and saw cutting, excavation, and grading. Improvements include installation of new A.C. pavement, new aggregate base, new concrete valley, utility lid adjustments, thermoplastic striping, thermoplastic pavement markings, and construction surveying.

Based on pavement designs from Warthan Apartments; the pavement design for this project was projected with a Traffic Index at 7, R-Value at 50, and a Lifespan at 20 years.

Once approved, the design phase schedule can start October 2025 through April 2025 and the construction phase can start April 2025 through August 2025; schedule subject to change per approval.

**IV. ALTERNATIVES:**

- The Council may choose not to proceed with the project - staff does not recommend as the funding source is coming from multi-year SB1 allocations.

## V. FISCAL IMPACT:

The City is expected to receive an estimated \$462,377 from the Road Maintenance And Rehabilitation Account funds in FY25 to support the City's annual road and rehabilitation efforts. This new funding must be used on street related project implementation. There is carry over SB1 funds from FY24 as well as the use of FY36 funds next year. There is sufficient funds in SB1 to support these efforts.

### ATTACHMENTS:

File Name	Description
▢ 3029_Work_Order_Construction_Engineering_Sacramento.pdf	3029 Work Order Construction Engineering Sacramento
▢ 3029_Work_Order_Design_Engineering_Sacramento.pdf	3029 Work Order Design Engineering Sacramento
▢ Sacramento_Project_Scope__Cost__Exhibit.pdf	Sacramento Project Scope, Cost & Exhibit

**PROFESSIONAL SERVICES WORK ORDER  
CONSTRUCTION ENGINEERING SERVICES**

This agreement entered into the 19<sup>th</sup> day of September, 2024 between City of Coalinga (hereinafter called the Client) and the Consultant Tri City Engineering (hereinafter called Consultant) for services in connection with the following project: Sacramento-Warthan St Improvements (Forest to Polk) Project. 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 October 26, 2021 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.
- 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 City of Coalinga funding procedures for City approval.
- Sub-Consultant provided Soils Engineering, R-Value/Compaction Testing Fee:

II. Additional Services. 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. Consultant's Compensation. In consideration for Consultant providing the services noted above, the Client agrees to compensate the Consultant as follows:

**\$85,700.00**

Retainer. The Client shall make an initial payment of -0- dollars (\$0.00) (retainer)

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


Payment Due. 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.

Interest. 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.

Collection Costs. 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.

Set-offs, Back charges, Discounts. 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			Signature
Name:		<u>Daniel E. Jauregui</u>	Name:		<u>Sean Brewer</u>
		For: Tri City Engineering			For: City of Coalinga
Title:		<u>President</u>	Title:		<u>Interim City Manager</u>
Address:		<u>4630 W Jennifer Ave #101</u>	Address:		<u>155 W. Durian Ave</u>
		<u>Fresno, CA 93722</u>			<u>Coalinga, CA 93210</u>

**PROFESSIONAL SERVICES WORK ORDER  
DESIGN ENGINEERING SERVICES**

This agreement entered into the 19th day of September, 2024 between City of Coalinga (hereinafter called the Client) and the Consultant Tri City Engineering (hereinafter called Consultant) for services in connection with the following project: Sacramento-Warthan St Improvements (Forest to Tache Way) Project. 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 October 26, 2021 which is fully incorporated herein by reference.

I. Scope of Services. 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 Sacramento and Warthan Street, 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 Sacramento and Warthan Streets, removal of existing ac pavement, new ac pavement structural section reconstruction from Forest Street to Tache Way; includes New Concrete valley gutter, Manhole/Valve lids adjustments and new AC Pavement Section Roadway Reconstruction.
- 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 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.

II. Additional Services. 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. Consultant's Compensation. In consideration for Consultant providing the services noted above, the Client agrees to compensate the Consultant as follows:

**\$111,640.00**

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


Payment Due. 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.

Interest. 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.

Collection Costs. 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.

Set-offs, Back charges, Discounts. 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			Signature
Name:		<u>Daniel E. Jauregui</u>	Name:		<u>Sean Brewer</u>
		For: Tri City Engineering			For: City of Coalinga
Title:		<u>President</u>	Title:		<u>Interim City Manager</u>
Address:		<u>4630 W Jennifer Ave #101</u>	Address:		<u>155 W. Durian Ave</u>
		<u>Fresno, CA 93722</u>			<u>Coalinga, CA 93210</u>

Reference: 3029



4630 West Jennifer Avenue, Suite 101  
Fresno, CA 93722-6415  
Tel: (559) 447-9075  
Fax: (559) 447-9074  
Email: Info@TriCityEngineering.com  
www.TriCityEngineering.com

## MEMORANDUM

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**To:** Sean Brewer  
**From:** Erika Lansburgh  
**Subject:** Sacramento-Warthan Street Improvements Project  
**Date:** September 11, 2024

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This project will encompass street improvements beginning at Sacramento Street and Forest Street and extending to Warthan Street and Tache Way just west of the Warthan Street and Wache Way intersection.

The work under this project includes: Demolition of existing asphalt concrete (A.C.), concrete, and saw cutting, excavation, and grading. Improvements include installation of new A.C. pavement, new aggregate base, new concrete valley, utility lid adjustments, thermoplastic striping, thermoplastic pavement markings, and construction surveying.

Based on pavement designs from Warthan Apartments; the pavement design for this project was projected with a Traffic Index at 7, R-Value at 50, and a Lifespan at 20 years.

Once approved, the design phase schedule can start October 2025 through April 2025 and the construction phase can start April 2025 through August 2025; schedule subject to change per approval.

Engineer's Estimate: \$907,920.<sup>00</sup>





**ENGINEER'S PRELIMINARY OPINION OF PROBABLE COST**  
**Sacramento-Warthan Street Reconstruction**  
**SB1 - Forest Street to Tache Way**

Job No. 3029

Created: **May 17, 2023**  
 Revised: **September 11, 2024**

**CONSTRUCTION BID ITEMS**

Item No.	Description	Unit	Qty.	Unit Price	Extension
1	MOBILIZATION / GENERAL REQUIREMENTS	LS	1	\$ 39,000.00	\$ 39,000.00
2	WORKER SAFETY	LS	1	\$ 2,800.00	\$ 2,800.00
3	TRAFFIC CONTROL	LS	1	\$ 13,000.00	\$ 13,000.00
4	DUST CONTROL	LS	1	\$ 3,900.00	\$ 3,900.00
5	CONSTRUCTION SURVEYING	LS	1	\$ 12,000.00	\$ 12,000.00
6	COLD MILL AC PAVEMENT AND DISPOSAL	CY	3240	\$ 30.00	\$ 97,200.00
7	SUBGRADE EXCAVATION, COMPACTION, AND GRADING	SF	75100	\$ 0.50	\$ 37,550.00
8	CONCRETE REMOVAL AND DISPOSAL	CY	10	\$ 200.00	\$ 2,000.00
9	HOT MIX ASPHALT TYPE A (HMA-A)	TON	1980	\$ 140.00	\$ 277,200.00
10	AGGREGATE BASE CLASS II	TON	2150	\$ 40.00	\$ 86,000.00
11	CONCRETE VALLEY GUTTER	SF	200	\$ 20.00	\$ 4,000.00
12	ADJUST EXISTING UTILITY VALVE LIDS	EA	5	\$ 1,000.00	\$ 5,000.00
13	ADJUST EXISTING UTILITY MANHOLE LIDS	EA	6	\$ 1,250.00	\$ 7,500.00
14	STRIPING AND MARKINGS	LS	1	\$ 5,000.00	\$ 5,000.00
<b>CB-1</b>	<b>CONSTRUCTION BID ITEMS SUBTOTAL</b>				<b>\$ 592,150.00</b>

**CONSTRUCTION BID ITEMS**

Item No.	Description	Unit	Qty.	Unit Price	Extension
15	CONSTRUCTION MANAGEMENT SERVICES	LS	1	\$ 78,200.00	\$ 78,200.00
16	GEO TECHNICAL SOIL TESTING FEES	LS	1	\$ 7,500.00	\$ 7,500.00
<b>CE-1</b>	<b>CONSTRUCTION ENGINEERING SUBTOTAL</b>				<b>\$ 85,700.00</b>

**PRELIMINARY ENGINEERING**

Item No.	Description	Unit	Qty.	Unit Price	Extension
17	ENGINEERING DESIGN SERVICES	LS	1	\$ 106,600.00	\$ 106,600.00
18	TOPOGRAPHICAL SURVEY	LS	1	\$ 5,040.00	\$ 5,040.00
<b>PE-1</b>	<b>PRELIMINARY ENGINEERING SUBTOTAL</b>				<b>\$ 111,640.00</b>

**SUMMARY OF CONSTRUCTION COST**



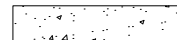




Section	Description	Subtotal
CB-1	CONSTRUCTION BID ITEMS SUBTOTAL	\$ 592,150.00
CE-1	CONSTRUCTION ENGINEERING SUBTOTAL	\$ 85,700.00
	<b>CONSTRUCTION SUBTOTAL</b>	<b>\$ 677,850.00</b>
	20% CONTINGENCY	\$ 118,430.00
	<b>CONSTRUCTION TOTAL</b>	<b>\$ 796,280.00</b>
PE-1	PRELIMINARY ENGINEERING SUBTOTAL	\$ 111,640.00
	<b>PROJECT TOTAL</b>	<b>\$ 907,920.00</b>



# SACRAMENTO & WARTHAN STREET IMPROVEMENTS

## FOREST STREET TO TACHE WAY

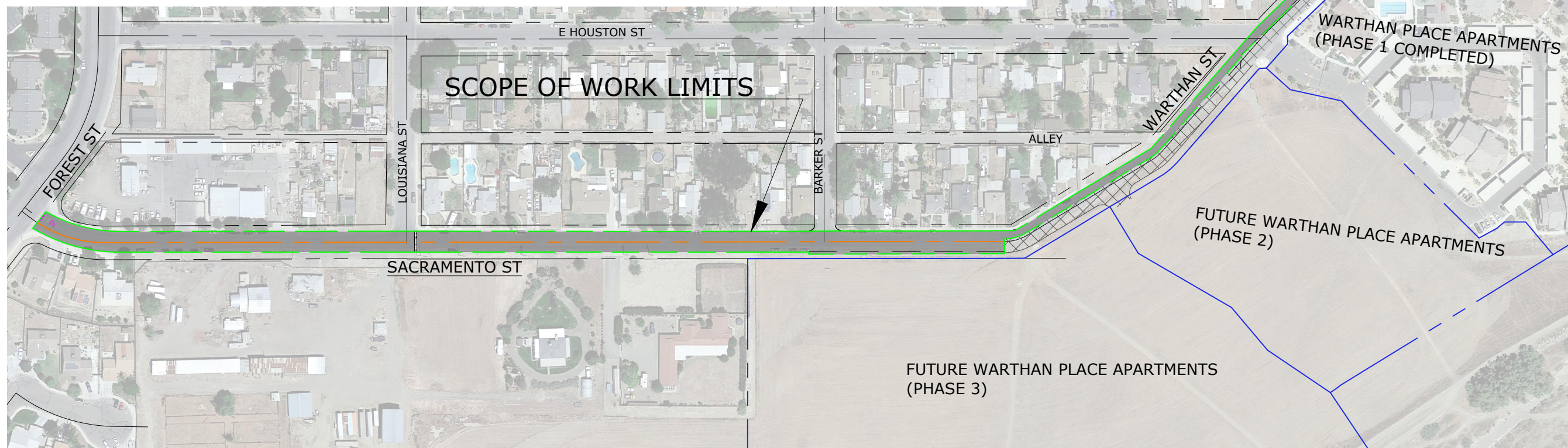
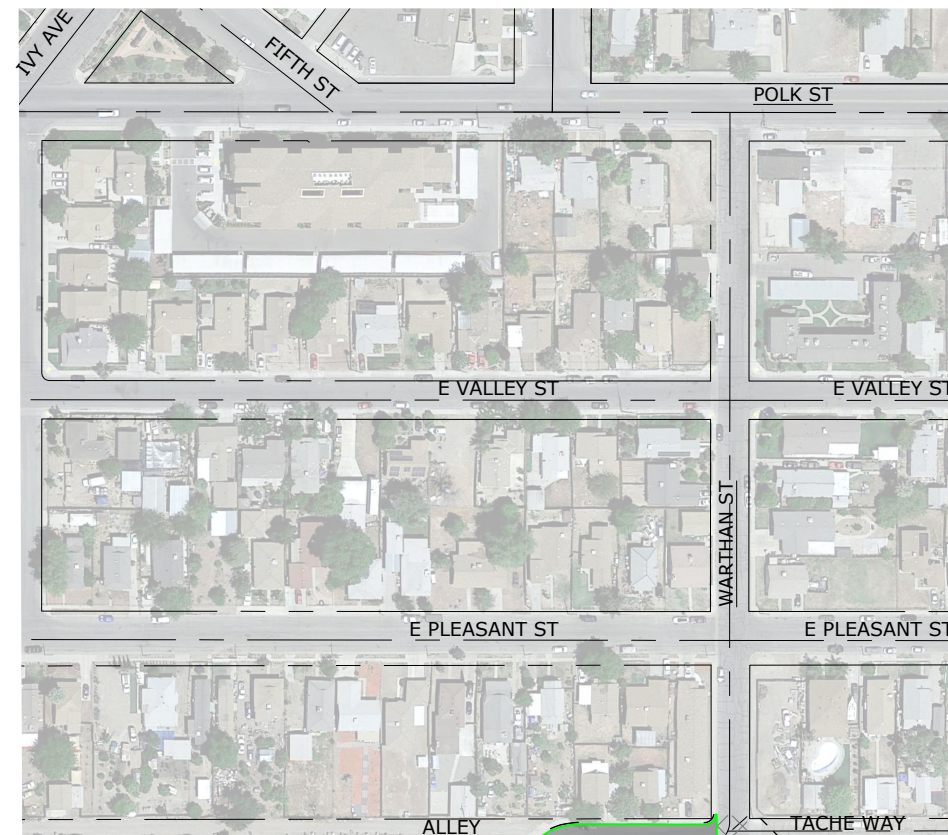
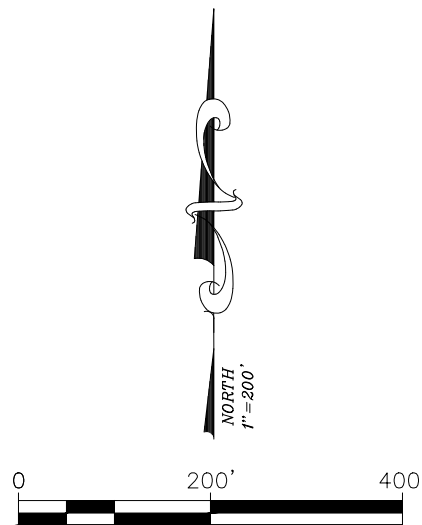
### LEGEND

-  PROJECT LIMITS
-  NEW AC ROADWAY
-  NEW CONCRETE
-  WARTHAN PHASE 1 IMPROVEMENTS (COMPLETED)
-  WARTHAN PHASE 2 IMPROVEMENTS (PLANNED)
-  RIGHT OF WAY
-  LIMITS OF WARTHAN APARTMENTS
-  NEW ROADWAY CROWN
-  NEW PAVEMENT MARKINGS

### SCOPE OF WORK

THE PROJECT'S SCOPE OF WORK IS TO IMPROVE SACRAMENTO AND WARTHAN STREET FROM FOREST STREET TO TACHE WAY BY REPLACING EXISTING ASPHALT CONCRETE PAVEMENT, EXISTING VALLEY GUTTER, EXISTING STOP BAR AND STOP TEXT MARKINGS AND ADJUSTING EXISTING UTILITY LIDS.

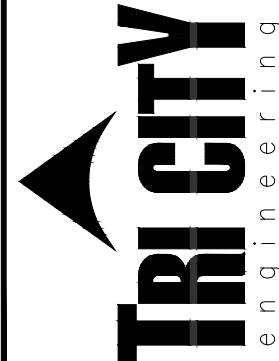
WARTHAN APARTMENTS PHASE 1 COMPLETED PARTIAL RECONSTRUCTION OF WARTHAN STREET. WARTHAN APARTMENTS PHASE 2 TO COMPLETE PARTIAL RECONSTRUCTION OF WARTHAN STREET.



DATE	APPRVD.	REVISION

**Tri City Engineering, Inc.**  
Engineers  
Surveyors

4630 W. Jennifer Ave. #101  
Fresno, CA 93722-6415  
PH: 559-447-9075  
FAX: 559-447-9074  
www.TriCityEngineering.com



Scale:	1"=200'
Date:	9/11/2024
Drwn:	EL
Chckd:	DJ
JN#:	3029

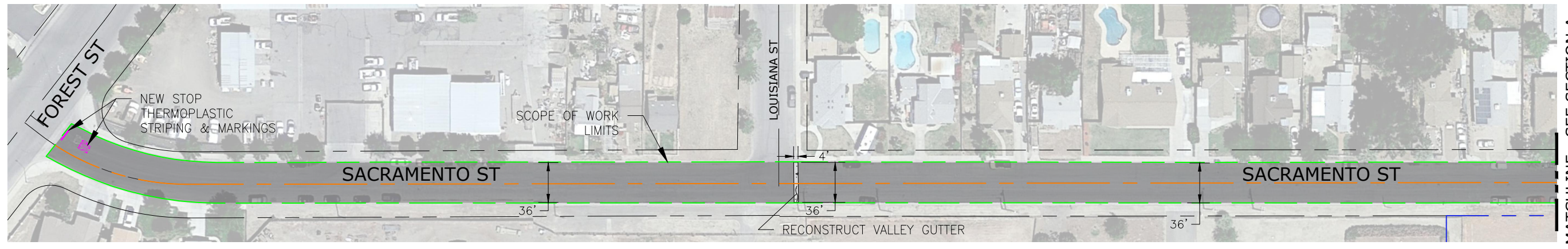
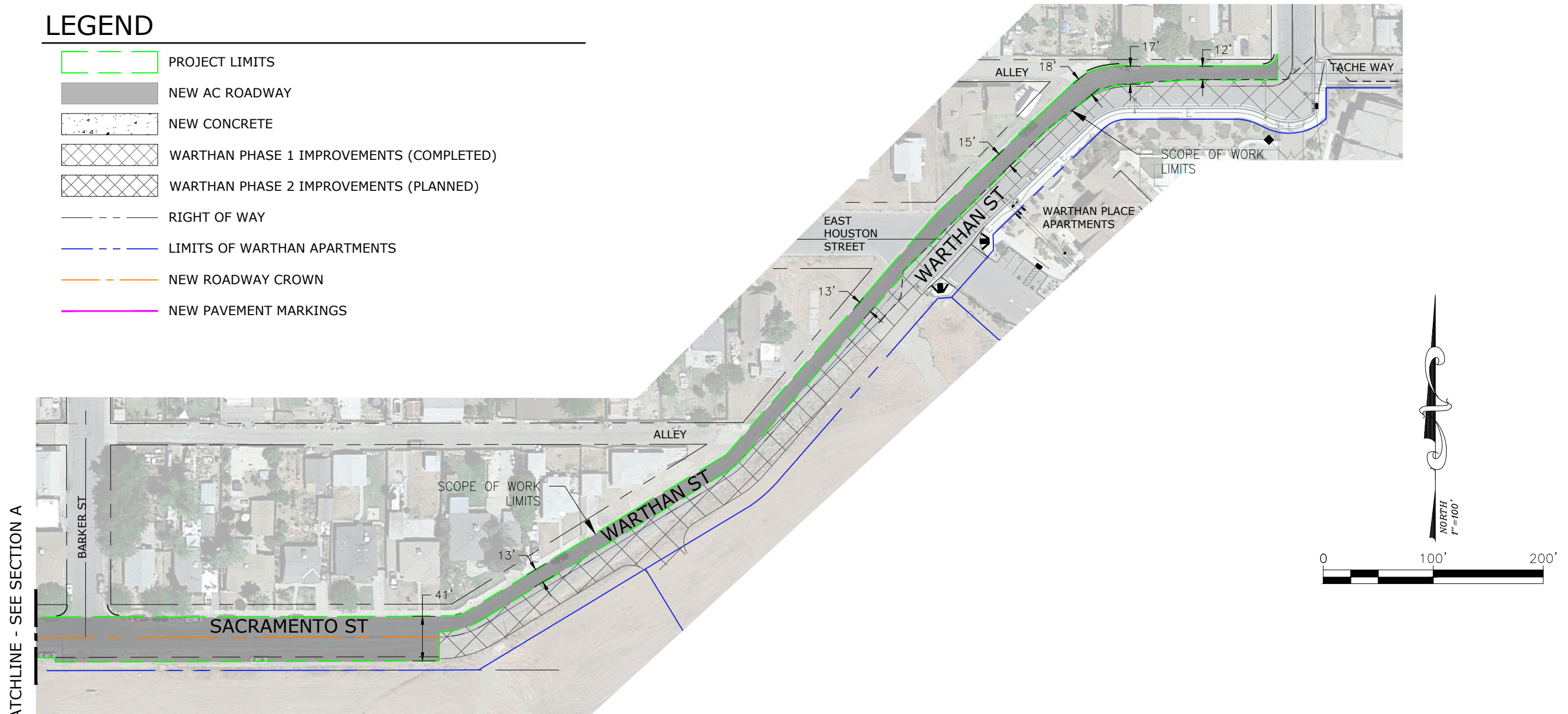


# SACRAMENTO & WARTHAN STREET IMPROVEMENTS

## FOREST STREET TO TACHE WAY

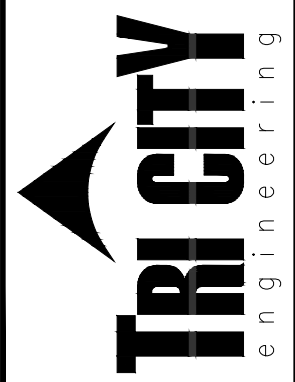
### LEGEND

- PROJECT LIMITS
- NEW AC ROADWAY
- NEW CONCRETE
- WARTHAN PHASE 1 IMPROVEMENTS (COMPLETED)
- WARTHAN PHASE 2 IMPROVEMENTS (PLANNED)
- RIGHT OF WAY
- LIMITS OF WARTHAN APARTMENTS
- NEW ROADWAY CROWN
- NEW PAVEMENT MARKINGS



DATE	APPRVD.	REVISION

**Tri City Engineering, Inc.**  
 Engineers  
 Surveyors  
 4630 W. Jennifer Ave. #101  
 Fresno, CA 93722-6415  
 PH: 559-447-9075  
 FAX: 559-447-9074  
 www.TriCityEngineering.com



Scale: 1"=100'  
 Date: 11 September 2022  
 Drwn: EL  
 Chckd: DJ  
 JN#: 3029

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

**Subject:** Code Enforcement Monthly Report for July 2024  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Yaneth Ibarra, Code Enforcement Officer

---

**I. RECOMMENDATION:**

**II. BACKGROUND:**

**III. DISCUSSION:**

**IV. ALTERNATIVES:**

**V. FISCAL IMPACT:**

**ATTACHMENTS:**

	File Name	Description
□	July_2024.pdf	Code Enforcement Report July 2024

## Code Enforcement Activity

<b>July 2024</b>	<b>Notices</b>	<b>Pending</b>	<b>Cited</b>	<b>Completed</b>
Accumulation of vehicles	1		1	
Boken Fence	1		1	
Graffiti	1			1
In-Op Vehicles	14	1	2	11
Junk Trash Debris	5	1	1	3
Overgrown Trees	10	2	2	6
Over Grown Weeds	22	1	2	19
Property Maintenance	1			1
Shopping Carts	6			6
Unpermitted Business- Food-FB	2		2	2
Vehicle Abatement	3			3
Vehicles on Lawn	7		1	7
RV used as Human Habitation	1			1
<b>Total</b>	<b>74</b>	<b>5</b>	<b>12</b>	<b>60</b>
72 Hour Parking Warning	<b>18</b>		<b>6</b>	<b>18</b>
Vehicle Tows				<b>2</b>
<b>Water Conservation</b>				

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

**Subject:** Discussion, Direction and Potential Action on the League of California Cities 2024 Annual Conference Resolutions  
**Meeting Date:** Thursday, September 19, 2024  
**From:** Sean Brewer, Interim City Manager  
**Prepared by:** Sean Brewer, Interim City Manager

---

**I. RECOMMENDATION:**

There is no staff recommendation, however a consensus of the Council should be met in order for the voting delegate to vote on the Council's behalf.

**II. BACKGROUND:**

The League's 2024 Annual Conference is scheduled for October 16th - 18th in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 8:30 a.m. on Friday, October 18, 2024. At this meeting, the League members consider and take action on resolutions that establish League Policy.

In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and up to two alternate voting delegates. The City Council has designated Mayor Horn as this year's voting delegate and Councilman Vosburg and Mayor Pro-Tem Ramirez as the alternate voting delegates, who may vote in the event that Mayor Horn is unable to serve in his capacity.

**III. DISCUSSION:**

This year, one resolution has been introduced for consideration at the Annual Conference and referred to the League policy committee.

In previous years, the League's resolutions have been brought before the Council to ensure the Council's consensus of the resolutions to be voted on.

**IV. ALTERNATIVES:**

**V. FISCAL IMPACT:**

**ATTACHMENTS:**

File Name	Description
<input type="checkbox"/> FINAL--2024-Resolutions-Packet.pdf	2024 League of California Cities Resolution Packet



**2023-2024  
CAL CITIES OFFICERS**

**President**

Daniel T. Parra  
Mayor  
Fowler

**First Vice President**

Lynne Kennedy  
Mayor Pro Tem,  
Rancho Cucamonga

**Second Vice President**

Gabe Quinto  
Council Member,  
El Cerrito

**Immediate Past President**

Ali Sajjad Taj  
Mayor Pro Tem,  
Artesia

**Executive Director  
and CEO**

Carolyn M. Coleman

**August 28, 2024**

TO: Mayors, Council Members, City Managers, and City Clerks

RE: Cal Cities 2024 Resolution Packet

Sixty days before the Cal Cities [Annual Conference and Expo](#), Cal Cities members may submit resolutions on issues of importance to cities. This year, Cal Cities received one resolution by the Aug. 17 deadline.

The attached packet contains the proposed resolution, supporting letters from city officials, and an analysis of the resolution by Cal Cities. The packet includes detailed information on the resolution process.

We encourage each city council to consider the resolution and determine a city position so your voting delegate can represent your city's position on the resolution.

**Voting Delegates:** City councils must appoint a voting delegate to vote during the General Assembly. Each city may also appoint up to two alternate delegates. If your city has not already done so, please appoint your voting delegate by Sept. 25. [The voting delegate packet](#) contains more information.

The Cal Cities 2024 General Assembly will be held Oct. 18 at 8:30 a.m. in the Long Beach Convention Center during the [Annual Conference and Expo](#).

For questions about resolutions, voting delegates, or the General Assembly, please contact [Zach Seals](#).



LEAGUE OF  
**CALIFORNIA**  
**CITIES**

# 2024 **Resolutions** **Packet**



## Information on 2024 Resolutions Process

### **Consideration by Policy Committee (pre-conference)**

Per the Cal Cities bylaws, the Cal Cities President has referred the submitted resolution to the [Governance, Transparency, and Labor Relations Policy Committee](#). The committee will meet on Oct. 3 at 10 a.m. via Zoom to review the resolution and make a recommendation that will be sent to the Resolutions Committee. A public comment period will be held during the meeting. Register for the meeting [here](#).

A list of recommendations the policy committee may make during its meeting are on page three of this packet.

### **Consideration by Resolutions Committee (during conference)**

On Oct. 17 at 1:30 p.m. the Resolutions Committee will meet to review the resolution and the recommendation of the policy committee.

The Resolutions Committee consists of one representative from each of Cal Cities caucuses, departments, divisions, and policy committees, as well as up to ten additional appointments made by the Cal Cities President. A public comment period will be held during the meeting. Refer to the onsite conference program for the location.

A list of recommendations the Resolutions Committee may make during its meeting are on page three of this packet.

### **Consideration by the General Assembly (during conference)**

The General Assembly will convene on Oct. 18 at 8:30 a.m. to consider any qualified resolutions. To vote during the General Assembly, voting delegates must have checked-in at the voting delegate booth.

Conference attendees will receive materials for the General Assembly on the evening of Oct. 17. For more information on voting and discussion procedures during the General Assembly, see page four of this packet.

### **Petitioned Resolutions (during conference)**

The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. To initiate a petitioned resolution, voting delegates from 10% of member cities must sign the petition. The resolution and signatures are due at least 24 hours before the beginning of the General Assembly. Voting delegates who have checked-in at the voting delegate booth can receive more information on petitioned resolutions at the booth onsite.

# How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

## Prior to the Annual Conference and Expo

### General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance

to cities. The resolution must have the concurrence of at least five additional member cities or individual members.



### Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members

review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.



## During the Annual Conference and Expo

### Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during

the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.



### Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved<sup>1</sup> by either a policy committee

or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.<sup>2</sup>



### General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

## Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

**Voting delegates** are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates—one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

<sup>1</sup> The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

<sup>2</sup> Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI, Sec. 5(f).

## Policy Committee and Resolutions Committee Actions

The submitted resolution will be heard by the policy committee to which it was assigned, and the Resolutions Committee. The below table shows what recommendations these bodies may make on the resolution.

<b>Policy Committee Actions</b>	<b>Resolutions Committee Actions</b>
Approve	Approve
Disapprove*	Disapprove*
No Action	No Action
Amend and approve	Amend and approve
Refer to appropriate policy committee for further study*	Approve as amended
Refer as amended to appropriate policy committee for further study*	Refer to appropriate policy committee for further study*
	Refer as amended to appropriate policy committee for further study*
	Approve with additional amendment(s)
	Additional amendments and refer to appropriate policy committee for further study*

*\*If a resolution is disapproved or referred for further study by all policy committees to which it is assigned and the Resolutions Committee, it will not proceed to the General Assembly.*

## General Assembly Voting and Discussion Procedures

### **Discussion Procedures:**

Discussion procedures during the General Assembly are guided by two calendars: the Consent Calendar and the Regular Calendar. As seen below, resolutions are calendared by the recommendations they receive from policy committees and the Resolutions Committee.

For General Resolutions:

<b>Policy Committee Recommendation</b>	<b>Resolutions Committee Recommendation</b>	<b>Calendar</b>
Approve	Approve	Consent Calendar
Approve	Disapprove or refer	Regular Calendar
Disapprove or refer	Approve	Regular Calendar
Disapprove or refer	Disapprove or refer	Does not proceed to General Assembly

For Petitioned Resolutions:

<b>Policy Committee Recommendation</b>	<b>Resolutions Committee Action</b>	<b>Calendar</b>
N/A	Approve	Regular Calendar
	Disapprove or Refer	Regular Calendar
	Disqualified	Does not proceed to General Assembly

Items on the Consent Calendar will be presented as one motion during the General Assembly from the Resolutions Committee chair. Unless an item on the Consent Calendar is set aside by the majority of the General Assembly, a vote will be taken on the whole calendar. If an item is set aside, it will be opened for discussion, followed by a vote.

Items on the Regular Calendar will be presented individually by the Resolutions Committee chair. After a recommendation is presented by the Resolutions Committee chair, the resolution will be opened for discussion by the General Assembly. A vote will take place following discussion.

### **Voting Procedures:**

Per Cal Cities Bylaws Article XII, Sec. 2, all votes will be conducted by voice vote first. If the presiding official cannot determine the outcome a vote will be taken by an alternative method, typically a raise of voting cards by voting delegates. A roll call vote may be called for by delegates of ten percent or more of the General Assembly.

## **2024 Resolution**

1. Resolution on Fair and Equal Treatment of All Governmental Officials at All Levels submitted by City of Glendora
  - Letters of concurrence submitted by:
    - i. April A. Verlato, Mayor, City of Arcadia
    - ii. Robert Gonzales, Mayor, City of Azusa
    - iii. Tim Hepburn, Mayor, City of La Verne
    - iv. Bill Uphoff, Mayor, City of Lomita
    - v. John M. Cruikshank, Mayor, City of Rancho Palos Verdes
  - Referred to Governance, Transparency, and Labor Relations Policy Committee
  - Policy Committee Recommendation:
  - Resolutions Committee Recommendation:

**Resolution No. 1: *Fair and Equal Treatment of All Governmental Officials at All Levels* submitted by City of Glendora**

## 1. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT “WHAT APPLIES TO ONE, APPLIES TO ALL” IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE STATE OF CALIFORNIA

Source: City of Glendora

Concurrence of five or more cities/city officials

City Officials: April A. Verlato, Mayor, City of Arcadia; Robert Gonzales, Mayor, City of Azusa; Tim Hepburn, Mayor, City of La Verne; Bill Uphoff, Mayor, City of Lomita; John M. Cruikshank, Mayor, City of Rancho Palos Verdes

Referred to: Governance, Transparency and Labor Relations Policy Committee

**WHEREAS**, the General Assembly of the League of California Cities objects to the practice of the California Legislature of imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California; and

**WHEREAS**, examples of such rules or regulations that apply to local city elected officials that do not otherwise apply to the elected officials of the State of California include, but are not limited to:

California’s open meeting rules, codified in the Ralph M. Brown Act, Government Code, Chapter 9, §§ 54950 *et seq.*, which purport to “declare[] that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly,” but which limits its application to “local agencies,” but not including elected officials of the State of California;

Creating “one-off” exemptions, in the form of Senate Bill No. 174, from the California Environmental Quality Act (“CEQA”) which purportedly requires all government agencies to consider the environmental consequences of their actions before approving plans and policies or committing to a course of action on a project in order to demolish and then rebuild State offices for the Governor and other State officials;

Adopting rules, in the form of Senate Bill No. 1439, amending the Political Reform Act (the "Act"), by removing the exception for local elected officers from contribution limits requiring disqualification on development project decisions," but not including elected officials of the State of California;

Adopting rules, in the form of Assembly Bill No. 571, that apply to city and county candidates for local elected office, but not to candidates for state-wide office, including, but not limited to: prohibiting the making a contribution over the AB 571 limit to another candidate in jurisdictions subject to the AB 571; requiring a candidate that has qualified as a committee to establish a separate controlled committee and campaign bank account for each specific office; prohibiting a candidate from redesignating a committee for one election for another election.

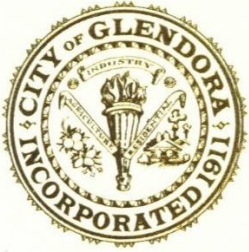
**WHEREAS**, the General Assembly of the League of California Cities now calls upon the Governor and the California Legislature to adopt a policy, practice, and procedure requiring, in their legislative activities, that "what applies to one applies to all."

**NOW, THEREFORE, BE IT RESOLVED** at the League General Assembly, assembled at the League Annual Conference on October 18, 2024 in Long Beach, California, that the League calls upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

***"The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."***



## **Resolution No. 1: Letters of Concurrence**



July 10, 2024

The City Council of Glendora  
is proposing the following resolution for consideration at the  
California League of Cities annual conference  
on  
October 18, 2024

Proposed Resolution: ("To ensure fairness and equal treatment for all government officials in  
California")

*"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."*

The following five city council members are in concurrence with their letters of support (attached):

- ✓ Mayor John Cruikshank, City of Rancho Palos Verdes
- ✓ Mayor Bill Uphoff, City of Lomita
- ✓ Mayor Robert Gonzales, City of Azusa
- ✓ Mayor April Verlato, City of Arcadia
- ✓ Mayor Tim Hepburn, City of La Verne

Please confirm receipt of this request.

Sincerely,

Michael Allawos  
Council Member  
City of Glendora



April A. Verlato  
Mayor

July 9, 2024

Honorary Mike Allawos  
Glendora City Councilmember  
116 E. Foothill Blvd.  
Glendora, CA 91741

**RE: Support for "Glendora CalCities Resolution"**

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

**"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."**

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,

April A. Verlato  
City of Arcadia Mayor

240 West Huntington Drive  
Post Office Box 60021  
Arcadia, CA 91066-6021  
(626) 574-5403 City Hall  
averlato@ArcadiaCA.gov  
www.ArcadiaCA.gov

July 8, 2024

Hon. Michael Allawos  
Glendora City Councilmember  
116 E. Foothill Blvd.  
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Councilmember Allawos:

I would like to support Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024:

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution "

I am an elected representative for the City of Azusa . We should all have the same rules to be governed by.

Sincerely,



Mayor Robert Gonzales

\*The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author They do not necessarily reflect an official position of the City Council, staff or other entities



# CITY OF LAVERNE CITY HALL

3660 "D" Street, La Verne, California 91750-3599  
www.cityoflaverne.org

July 8, 2024

Ms. Kathleen Sessman  
Glendora City Clerk  
116 E. Foothill Blvd.  
Glendora, California 91741

Re: Item 14 – Cal Cities Annual Conference Resolution

Dear Ms. Sessman:

As the Mayor of the City of La Verne, I would like to voice support for Glendora's timely and needed resolution, within agenda item #14, for the upcoming League of California Cities (Cal Cities) annual conference this coming October 18, 2024.

In its simplistic form, the proposed Resolution states what we all believe should be true for each and every elected official: We should all have the same rules to be governed by. No matter what level of government an official is elected to, we are here to do the people's work and be their collective voices. The Resolution simply states:

*"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."*

Whether the State Legislature or Governor heed our collective voices, we at the local level, through our Cal Cities membership, will have demonstrated our resolve that the basic leadership characteristic of leadership by example is the best approach to holding elective office.

Sincerely,

Tim Hepburn  
Mayor

General Administration 909/596-8726 • Water Customer Service 909/596-8744 • Community Services 909/596-8700  
Public Works 909/596-8741 • Finance 909/596-8716 • Community Development 909/596-8706 • Building 909/596-8713  
Police Department 909/596-1913 • Fire Department 909/596-5991 • General Fax 909/596-8737

Bill Uphoff  
Lomita, CA

July 8, 2024

Hon. Mike Allowos  
Glendora City Councilmember  
116 E. Foothill Blvd.  
Glendora, CA 91741

**Re: Support for “Glendora’s CalCities Resolution”**

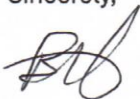
Dear Councilmember Allowos:

I would like to be a voice of support for Glendora’s timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

***“The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution.”***

I am an elected representative for our respective city, county, and state governance to do the people’s work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,



Bill Uphoff, Mayor  
City of Lomita

*The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.*

John M. Cruikshank  
Rancho Palos Verdes, CA

July 6, 2024

Hon. Mike Allawos  
Glendora City Councilmember  
116 E. Foothill Blvd.  
Glendora, CA 91741

**Re: Support for “Glendora’s CalCities Resolution”**

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora’s timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

***“The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution.”***

I am an elected representative for our respective city, county, and state governance to do the people’s work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,



John M. Cruikshank, Mayor  
City of Rancho Palos Verdes

*The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.*

## **Resolution No. 1: Staff Analysis**



## League of California Cities Staff Analysis on Resolution No. 1

Staff: Johnnie Pina, Legislative Affairs, Lobbyist  
Committee: Governance, Transparency, and Labor Relations

### **Summary:**

This Resolution states that the League of California Cities shall call upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

“The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution.”

### **Background:**

This resolution states that examples of the California Legislature imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California include, but are not limited to:

- California’s open meeting rules, codified in the **Ralph M. Brown Act**, Government Code, Chapter 9, §§ 54950 *et seq.*;
- “One-off” exemptions, in the form of Senate Bill No. 174, from the **California Environmental Quality Act (“CEQA”)**;
- Rules, in the form of **Senate Bill No. 1439**, amending the **Political Reform Act** (the “Act”); and
- Rules, in the form of **Assembly Bill No. 571**, that apply to city and county candidates for local elected office, but not to candidates for state-wide office.

### **Ralph M. Brown Act**

[The California Attorney General’s \(AG\) Office](#) defines [The Ralph M. Brown Act](#) (Brown Act) as what governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils and school boards. The AG’s office states the Act represents the Legislature’s determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and information gathering on the other.

[The Ralph M. Brown Act](#) governs local agencies, the [Bagley-Keene Open Meeting Act](#) covers all state boards and commissions, and [Government code](#)

[9027](#) governs the state Legislature. The California Constitution also mandates open meetings for state agencies, boards, and commissions. Specifically, the Constitution requires that each local agency comply with the Brown Act (Article I, section 3(b)(7)): and that the proceedings of each house of the Legislature be open and public (with exceptions for employment matters; matters affecting security; confer with legal counsel; and to meet as a caucus (Article IV, section 7)).

Although fairly detailed requirements apply to state agencies and other state bodies, they do not apply to the Legislature. The Legislature has Constitutional authority to adopt rules for its proceedings that are consistent with the requirement that the proceedings of each house and the committees be open and public.

Another notable difference between the Legislature and a city council is the ability for Legislators to have a caucus to discuss a bill, express how they will vote, and to count votes. This is not allowed under the Brown Act. One other difference is that the laws governing teleconferencing for members of the state Legislature is far less flexible than it is for local bodies. However, state agencies have more flexibility than locals in that regard.

### **California Environmental Quality Act (“CEQA”)**

The Resolution cites the Legislature's action in exempting from CEQA the reconstruction of the State Capitol Annex building. The State Legislature enacted the [California Environmental Quality Act \(CEQA\)](#) in 1970, establishing it as a public disclosure law for the environmental review of discretionary projects and a process for mitigating or avoiding potential environmental impacts.

[SB 174 \(Committee on Budget and Fiscal Review\)](#) Chaptered by Secretary of State. Chapter 74, Statutes of 2024 was signed into law July 2, 2024. This bill exempts the work performed under the State Capitol Building Annex Act of 2016 from the California Environmental Quality Act (CEQA). In this example the Legislature exempted themselves as not being considered a “public agency,” “state agency,” or “lead agency” under CEQA. A lead agency under CEQA is the public agency that has the principal responsibility for carrying out or approving a project that is subject to CEQA.

Over the years, the Legislature has also created many CEQA exceptions and exemptions for local projects involving local agencies as well.

### **The Political Reform Act (PRA) - Senate Bill No. 1439**

[SB 1439 \(Glazer\)](#) Chaptered by Secretary of State. Chapter 848, Statutes of 2022 amends section 84308 and is aimed at preventing "pay-to-play" practices, in part by prohibiting parties, participants, and their respective agents in a

proceeding involving a license, permit, or other entitlement for use from contributing more than \$250 to an officer of an agency during a 12 month period. When the Levine Act was first enacted in 1982, Section 84308 applied to appointed members of boards and commissions who were running for elective office. SB 1439 expended this law to now apply to local elected officials. Since it is focused on permits and licenses, it now applies to State agencies and local agencies that approve permits and licenses. Section 84308 does not apply to the Legislature or the Courts. It is important to note that unlike local governments, neither issue permits and licenses.

### **The Political Reform Act (PRA) - Assembly Bill No. 571**

[AB 571 \(Mullin\)](#) Chaptered by Secretary of State. Chapter 556, Statutes of 2019 established default campaign contribution limits for county and city office at the same level as the limit on contributions from individuals to candidates for Senate and Assembly, effective January 1, 2021. This bill permitted a county or city to establish its own contribution limits, which would prevail over these default limits.

The Resolution cites AB 571 as an example of treating cities differently than the State. The Fair Political Practices Commission clarifies in their [AB 571 fact sheet](#) that under AB 571 a city may elect to have "no" contribution limit in which case the state contribution limit will not apply as a default for that jurisdiction. A city or county can set contribution limits higher than the default state limit, AB 571 sets a default in line with contributions Assembly Members and Senators if a city or county is silent on contribution limits.

### **Fiscal Impact:**

Unknown.

### **Existing Cal Cities Policy:**

#### **Mission Statement**

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

We Believe:

- Local self-governance is the cornerstone of democracy.
- In the involvement of all stakeholders in establishing goals and in solving problems.
- In conducting the business of government with transparency, openness, respect, and civility. The spirit of honest public service is what builds communities.
- Open decision-making that is of the highest ethical standards honors the public trust.
- The vitality of cities is dependent upon their fiscal stability and local autonomy. The active participation of all city officials increases Cal Cities' effectiveness.

- Partnerships and collaborations are essential elements of focused advocacy and lobbying.
- Ethical and well-informed city officials are essential for responsive, visionary leadership and effective and efficient city operations.

**Comments:**

**Additional Examples**

The Legislature has passed and the Governor has signed many laws that apply to local governments and do not apply to the state or the state Legislature. This year [AB 2561 \(McKinnor\)](#) was introduced, which requires local governments to present in a public meeting a detailed report about their vacancy rates and detailed information about their hiring practices. This is an attempt to address public sector vacancy rates. This bill does not apply to the state in a time when they are also dealing with high vacancy rates.

Additionally, there were several bills that aim to amend the Levine Act, which now applies to local elected officials, to make changes to SB 1439, referenced previously in the analysis. None of the bills would amend the law to be applicable to Assembly Members or Senators.

[AB 817 \(Pacheco\)](#), co-sponsored by Cal Cities tried to bring parity to the Brown Act by making the teleconference rules for state advisory bodies the same for local advisory bodies but the Legislature struck the bill down.

**Applying to elected officials or to the legislative body? Legislature or the State?**

The resolution also states, "... applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate."

This portion of the resolve clause is specifically speaking to local elected officials and State Assembly Members and Senators. However, many of the "where as" clauses are in reference to laws that apply to cities, the state and the Legislature as government agencies and not specifically to the elected officials on the governing bodies. For example, the Brown Act applies rules to the Legislative body and not the individual council member. Additionally, the city council as a whole is the lead agency under CEQA and not the individual council members.

**Inherent Powers of the Legislative Branch**

The resolution also states, "This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

It is unclear what inherent powers of the legislative branch under the California Constitution means in this context. The legislative branch does have the power

of preemption over cities and can state that a change in law is a matter of state wide concern. This allows the legislative branch to apply new laws or amend existing laws to apply to general law and charter cities. It seems like the last sentence of the resolve clause could negate the rest of the resolve clause if not clarified.

**Support:**

The following letters of concurrence were received:

April A. Verlato, Mayor, City of Arcadia

Robert Gonzales, Mayor, City of Azusa

Tim Hepburn, Mayor, City of La Verne

Bill Uphoff, Mayor, City of Lomita

John M. Cruikshank, Mayor, City of Rancho Palos Verdes