

# Minutes

## CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA December 7, 2017

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

**Council Members Present:** Vosburg, Raine, Ramsey, Lander, Stolz

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

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

#### 1. Recognition of Outstanding Service - Larry Miller

Police Chief Salvador recognized Larry Miller for his outstanding service in saving \$50K by resolving a technical issue at the water treatment plant. It ended up to cost the City only \$3K.

#### 2. Swearing in of Animal Control Officer Jose Caldera

Police Chief Salvador swore-in Jose Caldera as Coalinga's new Animal Control Officer. Family and friend were present for the swearing-in ceremony.

#### 3. Introduction of New Executive Director of the Coalinga Chamber of Commerce Ruben Macareno.

Mr. Macareno indicated his happiness to be here. The reception has been good and he looks forward to working together with everyone. Coalinga has great potential which can be accomplished with us working hand-in-hand.

#### 4. Mid State Realty - Quarterly Report, Tawnya Stevens

Ms. Stevens presented her Quarterly Report indicating that 100 Walnut (Senior Housing) is in escrow. Offer is available for lots 5 and 6 in the Industrial Park. Elm and 5<sup>th</sup> has an offer. There are several other lots available.

Self-help funding is available.

The City hired an appraiser for the Church of Christ.

### 3. CITIZEN COMMENTS

Ms. Roberta Jorden commented on being upset that the City still doesn't have Dial-a-Ride functioning. Why cannot the Administration apply rules to all employees? The seniors and disabled need Dial-a-Ride to get to doctor appointments and to purchase groceries.

There are no handicapped ramps on Polk.

Council Member Lander acknowledged that a driver is needed.

Mr. Bill Lewis announced the Annual Baker Museum Tea is on Saturday from 1:00 – 4:00 PM. There will be raffle baskets and refreshments for all.

#### 4. PUBLIC HEARINGS

1. Introduce and Waive First Reading of Ordinance No. 804 (1) Adopting a Retail Cannabis Operation's Ordinance and Associated Zoning Text Changes; (2) Adoption of various amendments to Section 9-5.128 of the Coalinga Planning and Zoning Code related to Commercial Cannabis Operations in accordance with the Medicinal Adult-Use Cannabis Regulation and Safety Act; and (3) Consideration of a draft resolution establishing Physical and Financial Security Measures for Retail Cannabis Facilities to be adopted by Resolution, by the City Council, at their next meeting.

**Sean Brewer, Community Development Director**

Mayor Vosburg and Council Member Lander were excused from the public hearing due to a conflict of interest because they have businesses downtown.

Community Development Director Sean Brewer presented the staff report on this item reviewing the background and the following items:

- Section 1. Amendments to Section 9-8.128 (Commercial Cannabis Operations).
- Section 2 and 3. Land Use Table Changes. (Page 18, Section 3)
- Section 4. Definition for Retail Sales, Cannabis
- Section 5. Cannabis Retail Ordinance Language
- Draft Resolution, Security Measure for Retail Cannabis Locations

January 2<sup>nd</sup> the issues are to be modified by the State. We can adjust. There was a meeting yesterday and we are watching.

Council Member Ramsey said the Chief and Sean are doing a good job watching the State for us.

Mayor Pro-tem Raine opened the public hearing.

Ms. Jackie McGowan indicated a fantastic job being done.

Mayor Prop-tem Raine closed the public hearing.

*Motion by Ramsey, Second by Stolz to Introduce and Waive First Reading of Ordinance No. 804 (1) Adopting a Retail Cannabis Operation's Ordinance and Associated Zoning Text Changes; (2) Adoption of various amendments to Section 9-5.128 of the Coalinga Planning and Zoning Code related to Commercial Cannabis Operations in accordance with the Medicinal Adult-Use Cannabis Regulation and Safety Act; and (3) Consideration of a draft resolution establishing Physical and Financial Security Measures for Retail Cannabis Facilities to be adopted by Resolution, by the City*

*Council. Motion **Approved** by a 3/0 Majority Vote. Lander and Vosburg excused due to conflict of interest.*

2. Adoption of Resolution No. 3789 Establishing New Fees for Development and Other Miscellaneous Services and Accepting the Comprehensive User Fee Study Report

**Tony Thrasher, Willdan Financial**

Financial Services Director Jasmin Bains introduced Resolution No. 3789 and Mr. Tony Thrasher from Willdan Financial.

Mr. Thrasher gave a PowerPoint presentation depicting the following:

- User Fees
  - State Law
- What is a User Fee Study?
- Objectives of User Fee Study
- Scope of Study
- Data of City Staff Participation
- Summary Steps of the Study
  - Data Analysis Building Cost
- Typical Fee Composition and Set Fees
- Fee Cost Composition Example
- Policy Considerations

Mayor Vosburg commented on the fact that Coalinga was at a lower level than most cities.

Comments:

- The bicycle license fee is up 98%. The fear is no one is going to pay.
- Fees are based on staff time to process (entering into record systems, etc.)
- Council Member Lander commented on the hot water heater replacement fee. He paid \$32.00.
- Annual license fee for dogs?
- By ordinance the fee is \$42.
- Our neighborhood not going to pay.
- \$35 is not fixed. \$12 for space/neutered. Actual cost to do paperwork.
- Can we reward people who license their dogs by altered and/or not altered?
- Events were held for free license fees.
- People will be cited by administration citation.
- \$160 for 4 dogs?
- Cost is for tag and staff time.
- Ordinance is silent on this.
- Suggested fees were submitted by Raine.
- High cost for citations

Speaker who manages motel suggested lowering the prices. If dog is picked up, you can impose fees.



Mr. Greg Cody said when animals are picked-up the owner is to have licenses. Ordinance is silent. Need rabies shot? One new service is rabies shots.

Ms. Mary Jones said on Google the average license fee is \$20. It does go up from there but it is \$10 for seniors.

City Attorney Zamora said the ceiling can be adjusted. This is 100% cost recovery. It cannot be excused. The study is so the City would not be out-of-pocket. What will community accept? You can pick and choose to adjust.

Ms. Mary Jones said a table is needed on the Website.

Mayor Vosburg said this would give the public the information to look at.

Council Member Lander said he likes the senior discount.

Financial Services Director Bains said the fee study has been on the website since October.

Mayor Vosburg said the public doesn't get it until Mary puts in the newspaper. What about the retail cannabis fees?

Mayor Vosburg suggested this item should be brought back at the next meeting.

*Motion by Lander, Second by Raine to bring this item back at the next meeting of January 4<sup>th</sup>, 2018. Motion **Approved** by a Majority Voice Vote.*

## **5. CONSENT CALENDAR**

1. Approve MINUTES - October 19, 2017
2. Approve MINUTES - November 2, 2017
3. Check Register: 9/01/2017-9/30/2017
4. Check Register: 10/01/2017-10/31/2017
5. Report on Open Future Agenda Items from 2015, 2016, and 2017
6. Approve the Renewal of the Exclusive Authorization and Right to Sell Agreement between the City of Coalinga and Mid State Realty
7. Council Update on Unattended Collection Boxes within the City of Coalinga
8. Declare Surplus Property at Fire Department and Approve Disposition
9. City Council Approval of the Draft Retail Cannabis Request for Proposal and Further Authorizing Staff to Advertise the Retail Cannabis Request for Proposal to Solicit Potential Applicant Teams Who Will Own and Operate a Single Retail Cannabis Facility in the City of Coalinga.
10. Review and Approve Recommendation to Grant a Commercial Cannabis Regulatory Permit to Coax Consultants

11. Adopt Resolution No. 3790 Utilities Supervisor and Resolution No. 3791 Public Works Supervisor Job Descriptions
12. Notice of Completion for Paving Various Dirt Alleys (Project No. 15-004)
13. Approve the Repairs of Northwest Booster Station Pump
14. Approve Installation of Retention Pond at the Wastewater Treatment Plant
15. Police Department Monthly Report
16. Public Works & Utilities Monthly Report for December 2017

Mayor Vosburg pulled Items 6, 9, 10 for explanation. Council Member Stolz pulled Item 15 for explanation.

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*Motion by Lander, Second by Stolz to Approve Consent Calendar Items 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 14 and 16. Motion **Approved** by a Roll-call 5/0 Majority Vote.*

Staff feels that Mid State Realty has been doing a good job for the City and is familiar with the properties, process and procedures. A renewal of the agreement would allow Mid State Realty to continue to work on the sale of the remaining 5 properties not currently in escrow that need to be sold. This is an annual renewal until December 31, 2018.

*Motion by Lander, Second by Stolz to Approve Consent Calendar Item 5.6. This is an annual renewal until December 31, 2018. Motion **Approved** by a Roll-call 5/0 Majority Vote.*

It is recommended to add medicinal products to the proposed RFP to solicit retail cannabis facility operators for the single retail cannabis facility to be located in the City of Coalinga.

*Motion by Ramsey, Second by Stolz to Approve Consent Calendar Item 9. Motion **Approved** by a Roll-call 5/0 Majority Vote.*

Questions were ask about who Coax is and where are they from. Coax is out of L.A. and is an applicant for a commercial cannabis regulatory permit. There location would be 1950 Mercantile Lane in the Juniper Ridge Industrial Park. All tasks required by the Ordinance have been completed.

*Motion by Lander, Second by Stolz to Approve Consent Calendar Item 10. Motion **Approved** by a Roll-call 5/0 Majority Vote.*

Police Chief Salvador read Page 3 of his Police Report. (Report for response times.)

Mayor Vosburg expressed his appreciation to the Chief and all employees of the Police Department for a great job done.

*Motion by Stolz, Second by Ramsey to Approve Consenter Calendar Item 15. Motion **Approved** by a Roll-call 5/0 Majority Vote.*

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

1. Discussion, Direction and Potential Action regarding Providing Translation Services for City Council Meetings

**Marissa Trejo, City Manager**

City Manager Trejo indicated that at Council Meetings at least two City employees who are bilingual in English and Spanish are present; Senior Administrative Analyst Mercedes Garcia and Economic Development Coordinator Edith Sanchez. There is a requirement of notification of 24 hours in advance of any Council Meeting. The estimate is that the fiscal impact would be less than \$500 per year.

Mr. Greg Cody said in the USA English is our language. Will this open it up to all? Come one, come all?

*Motion by Lander, Second by Stolz to utilize certified staff and advise public for anyone wishing to request translation services. Motion **Approved** by a Roll-call 5/0 Majority Vote.*

2. Discussion and Direction regarding the On-Site Consumption of Cannabis Products

**Michael Salvador, Chief of Police**

Mayor Vosburg asked staff to explore the possibilities of allowing the onsite consumption of cannabis products at a location in the City of Coalinga.

A location like the Smoke Shop in the Plaza or any of the restaurant bar locations in town cannot be allowed to have onsite consumption due to their retail sales of tobacco or alcohol. The onsite consumption would have to be a room in the dispensary that meets qualifications and allowed within zoning that also allows for the retail or commercial cannabis operations. With the voter initiative authority, there would be one location available for onsite consumption to be determined by the RFP.

*No action was taken on this item tonight.*

3. Discussion and Direction regarding Delivery of Cannabis Products in the City of Coalinga

**Michael Salvador, Chief of Police**

The State of California has deferred to local control with some regulations on this issue. SB94 gives clear guidance on the State regulation in Section 26200 of the Business and Professional Code. The retail storefront location qualifies as a retail establishment under State law and would be governed under the voter approved initiative. Staff recommends a store front location with deliveries to maximize the value of the single voter approved dispensary to the residents of Coalinga.

The RFP process will allow deliveries.

*No action was taken on this item tonight.*

**7. CITIZEN COMMENTS**

Ms. Jackie McGowan said Hollywood considering allowing consumption in hotels with a buffet of products. Truck deliveries should be allowed. Davis is considering drive-through dispensary. Dispensary should have right of approval.

Mr. Glenn Mitchell reported a technical fault resulting in 10-12 minutes of recording post additional comments. The issue has been resolved.



## **8. ANNOUNCEMENTS**

City Manager Trejo said Police Explorers sponsoring Kid's Day with Santa Clause, crafts, snacks and goodies Saturday, December 16 from 10:00 AM to 1:00 PM and 2:00 to 4:00 PM. There is no charge and it is at City Hall.

Council Member Ramsey said Coalinga hosted a Prop 64 symposium sponsored by ACCAP with forty cities represented. Chief Salvador and Sean Brewer were the speakers and did an excellent job. Representatives from the League of California Cities were also present.

Mayor Vosburg indicated the items with no action tonight will come back.

The District Library now has three printers; two in Coalinga and one in Huron. Cost is minimal to use the printers. Also Virtual Reality needs adult users.

Council Member Ramsey announced that Coalinga Fire Department sent an engine and three men to the Thomas Fire in Ventura.

Mayor Pro-tem Raine said he has friends whose homes are in jeopardy.

Mt. Greg Cody said he is delighted to have Coalinga participating.

## **9. FUTURE AGENDA ITEMS**

Mayor Pro-tem Raine proposes parking fee to offset sales tax.

Expedite Park and Recs Department getting sport fields up and running. They should offset summer camp in Cambria.

Council Member Ramsey would like an update on Dial-a-Ride.

Mayor Vosburg wants transparency and change in Future Agenda Items. He recommends FAI can be submitted for the Agenda seven days in advance of date agenda is being finalized.

Also, allow the public to submit a FAI by contacting a Council Member for sign-off seven days prior to finalized agenda.

He would like to see the approval of the agenda in lieu of changes to the agenda. He feels these changes will increase productivity and efficiency.

Mayor Pro-tem Raine said staff may need to supply information.

Mayor Vosburg indicated that he feels seven days prior to agenda being finalized gives staff time to do any research and present a staff report.

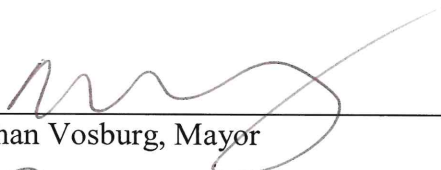
## **10. CLOSED SESSION**

1. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8.CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: APN: 083-010-08 MU located in the City of Coalinga on the north side of Alcalde Road east of 1717 and 1375 W. Elm Ave. CITY NEGOTIATORS: City Manager, Marissa

Trejo; Sean Brewer, Community Development Director; and City Attorney, Mario Zamora. NEGOTIATING PARTIES: 1375/1717 WEST ELM AVE LLC. UNDER NEGOTIATION: Price and Terms of Payment

2. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: Southeast Corner of Elm Avenue and 5th Street (APNs: 072-127-05; 06; 07; & 08) located in the City of Coalinga. CITY NEGOTIATORS: City Manager, Marissa Trejo; and City Attorney, Mario Zamora. NEGOTIATING PARTIES: Nevada New Builds, LLC or Assignee. UNDER NEGOTIATION: Price and Terms of Payment
3. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: Juniper Ridge Industrial Park, Lots 5 & 6 (083-280-14ST and 083-280-15ST) located in the City of Coalinga on Polk Street (Jayne Avenue) and Enterprise Parkway. CITY NEGOTIATORS: City Manager, Marissa Trejo; and City Attorney, Mario Zamora. NEGOTIATING PARTIES: SP Growth Fund, Inc or Assignee. UNDER NEGOTIATION: Price and Terms of Payment
4. CONFERENCE WITH LABOR NEGOTIATORS – Government Code 54957.6. CITY NEGOTIATORS: City Manager, Marissa Trejo; City Attorney, Mario Zamora. EMPLOYEE (ORGANIZATION): Non-represented Employees; General Employees; International Association of Firefighters; and Coalinga's Police Officer's Association
5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Initiation of Litigation Pursuant to Section 54956.9(d)(4): 1 case
6. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9: 3 cases
7. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Government Code Section 54956.9(d)(1): 4 Cases. Lambeth v. City of Coalinga (Case #16CECG00752); Sumaya/Tattersfield v. City of Coalinga (Case #16CECL08146); Fresno County Superior Court Case No. 16 CE CG 02009 Henry/Minor v. City of Coalinga, et al.; and ICMA-RC and Strategic Retirement Adisors

**11. ADJOURNMENT 7:40 PM**

  
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Nathan Vosburg, Mayor

  
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City Clerk/Deputy Clerk

1-4-18  
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Date