

Minutes

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

1. CALL TO ORDER (6:00 PM)

Council Members Present: Vosburg, Raine, Ramsey, Stolz (Lander was present at beginning of meeting but left.)

Others Present: City Manager Marissa Trejo, City Attorney Mario Zamora, Community Development Director Sean Brewer, Assistant to the City Manager Shannon Jensen, Senior Administrative Analyst Mercedes Garcia, Financial Director Jasmin Bain, Public Works and Utilities Director Pete Paciado, Police Chief Michael Salvador, Fire Chief Dewayne Gabriel, City Treasurer James Vosburg, City Clerk Wanda Earls and police officers in attendance for the swearing-in.

There were no changes to the Agenda.

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. Swearing In of Public Safety Dispatcher Fabian Saucedo

Police Chief Salvador swore-in Public Safety Dispatcher Fabian Saucedo.

His desire has been to swear in his first Explorer Post Member; Fabian is the first. He is a senior at Coalinga High School and will work weekends.

A wonderful demonstration of support was present honoring Fabian.

3. CITIZEN COMMENTS (None)

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) Establishment of a Commercial Retail Cannabis Overlay District; and (3) 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.

Sean Brewer, Community Development Director

Community Development Director Sean Brewer gave a PowerPoint presentation on Ordinance No. 804. He presented maps of the Overlay Districts and summarized key items on the following sections:

Section 1: The Coalinga Municipal Code Title 9, Chapter 3 is amended by the additional of a new Article to read: Cannabis Retail Overlay District. The purpose is to adopt local regulations applicable to commercial operations as may be permitted under the California Control, Regulate and Tax Adult use of Marijuana Act (AUMA) and the California Medicinal Adult Use Cannabis Regulation and Safe Act (MACRSA) signed into law on June 27, 2017 with legislative bill SB 94.

Clearly indicate the areas of the City designated for Cannabis retail facilities and regulate Cannabis retail facilities to ensure safe operation of, and mitigate potential impacts Cannabis retail operations may have on surrounding properties and persons.

Section 2: Cannabis cultivation, manufacturing, testing, transportation and distribution. The purpose of this section is to adopt local regulations applicable to commercial Cannabis operations as may be permitted under the SB94, approved by the Governor or subsequently enacted State law pertaining to the same.

Except as set forth herein or where a different meaning is clearly intended by language, the definition set forth in the Act shall apply to interpretation under this section.

Section 3: Amends use Classification Crop Cultivation and Industry.

- Crop Cultivation
- Industry, Limited

Section 4: Is amended by the addition of a new Article: Retail Cannabis Operations,

Comments:

- Council Member Ramey asked about a third location on Cody Street.
 - Mr. Brewer indicated there are only two locations.
- Mayor Vosburg suggested putting person from WHCC on panel and to possibly increase the size of the Overlay District.
 - Retail operation location expanded
 - From Dirt to building
 - One more year and no dispensary
 - Wants to move quicker
 - Want location expanded
- Council Member Stolz asked about the redline and can it be expanded.
- Mr. Brewer said this will eliminate the Overlay District or draw new lines.
- Council Member Stolz asked if line can be expanded.
- Mr. Brewer said outside the MBL Zone, regulations will have to be redone.
- Council Member Stolz asked about Cody Street.
- Mayor Vosburg suggested putting people on committee who have a vested interest. This will allow for greater transparency and get us up and running. Please include all on committee and sort out through RFP.
- Council Member Raine asked for clarity.

- Mr. Brewer said anyone who has property can apply.
- Council Member Raine said to follow State recommendations – one or two dispensaries.
- Mr. Brewer said citizens voted for one. A delivery license restricts Medicinal or Recreational. Do you want language in our ordinance?
- SB94 changed but we don't have regulations yet.
- Mayor Vosburg said Medicinal can't survive. Council wants focus on Medicinal side.
- Council Member Raine said the purpose was to make medicine available to people who want to purchase under State law.
- Mayor Vosburg said Fresno supported Prop. 64. It is a Catch 22. We need Medicinal products. What is Council allowed for both?
- Mr. Brewer said retail can be generic in language.
- Comment: We are ahead of the State.

Mayor Vosburg opened the Public Hearing for comments:

Comments:

- Ms. Jackie McGovern said there are only two pieces of property. Hard time to raise funds. Open up as wide as you can.
- Mr. Chris Macaluso said they don't want retail close to them. Suggest waiving first reading.
- Mayor Vosburg opened discussion on Deliveries.
- Mr. Brewer said retail can do deliveries, Section L –five categories.
- Ms. McGovern – Confused on deliveries. Language needs clarification.
- Mr. Brewer said each section changes Municipal Code: 9-5.128 Standards for Specific Uses and 9-5.129 retail facility only.
- Ms. McGovern – Hours of delivery at most places are 10:00 AM to Midnight.
- Mr. Chris Macaluso asked about Bond requirements.
- Mr. Brewer said camera capture rate and quality are a cost to consumer.

There was a great deal of discussion regarding the cameras. Lots of problems in Colorado. Five megapics to 3 but not below 3.

City Attorney Zamora said all megapics not equal. Frame rate regardless of megapics. Put into Resolution; it can be changed.

- Mr. Brewer said camera description and requirements are up to the Police Chief.
- Mayor Vosburg said retention policy is 30 days. He prepares frames per second; five frames per second. Camera system will be accessed by whom?

Mayor Vosburg said to maintain State-of-the-Art computer equipment presents cost increases.

Mr. Brewer said Ordinance written with flexibility. Resolution can change.

Mayor Vosburg said change 804 retail-side and fine-line for commercial side; 9-6.129 refer to 128. Change locations.

Overlay District changes:

- *Ramsey agree to open up and expand*
- *Raine thinks it needs more thought and discussion*

- *Stolz is open to opening up.*

City Manager Trejo said in reference to deliveries, facility cannot be open from 10:00 AM to 12:00 PM. Suggest 9:00 AM to 10:00 PM. Deliveries depend on hours of dispensary.

Police Chief Salvador addressed illegal dispensary deliveries. Local dispensary only can deliver. Outside deliveries not addressed.

Comments:

- Ms. McGovern – transferring of licenses going forward. Ninety days print out of products sold. She is opposed to audit by outside firm.
- Mr. Chris Macaluso said on pages 9 and 10 define designated employees.
- City Attorney Zamora said warrant not always required. Permission granted for us to check on you.
- Ms. Mary Jones appreciates concerns. Employees at will. Look for language.
- Mayor Vosburg said to designate job duties to specific person. This gives blanket authority to Police Chief. What stops Chief from abusing?
- Police Chief Salvador said the approval process.
- Mayor Vosburg said he wants it build into Ordinance that the Council is in charge.
- Police Chief Salvador said we are pioneers in a City of industry. He understands concerns; concerns without warrant and concerns without police chief. The Spirit of the law is the bridge. Safety operation for new industry to Coalinga.

He has spent 50 percent of this time the last two years on this. There will be no release of the list of names of people who will have information.

Council Member Stolz asked about titles. Would you release titles?

City Attorney Zamora said fear is of leaked out information; chief will deal with.

Mr. Chris Macaluso said need clarity and spirit and letter of the law. There was a leak early on with value of property, etc.

Police Chief Salvador said there are 400 cities watching us. It is to the company's best interest to protect products. He suggests keeping language and personal process in use. He will follow the constitution of the law and investigate anything necessary.

Ms. McGovern said without a warrant language it is terrifying. She has fear of the county sheriff. She would like language added.

City Attorney Zamora attorney said issues are Public Records Act; Warrants and confidential information required without warrants; permission through video feed and we don't want competition having confidential information.

Mr. Chris Macaluso said his drawings were released to the competition. This is a problem because they had to change everything.

Mr. Greg Cody said concerns are to be safe. Some police officers are not for medicinal cannabis. Something needs to protect the industry.

City Attorney Zamora said these are two different things. We can check with the cops and find out.

City cannot go into facilities without warrant or permission. We have access to premises.

Police Chief Salvador said he takes tours through the present facility.

Mr. Chris Macaluso said they had confidential information released to competition. They had to change everything at cost and time.

Police Chief said it was not his department that released information.

Raine said he is undecided.

Ramsey wants more areas included.

Stolz said to include the three areas and increase allowable areas.

Mr. Brewer said therefore there would be no overlay district.

Ms. McGovern said Medicinal vs. Recreational. There has been a drop in patients of 20%. On January 2 number of patients qualify. Need co-location. AB 133 and Trade bill 2.0 are high priority. Co-location for Recreational and Medicinal. She thinks 10% tax is too high. It is traffic vs. deliveries. Change three words; "Without a warrant". Is it necessary?

Mr. Chris Macaluso said the Police Department is required by law to keep confidential information confidential. Act allows for inspectors to come to Coalinga 6154 Government Code.

Police Chief Salvador said law enforcement is the least of your worries as to competition.

Mayor Vosburg closed the public hearing.

No Action was Taken on this Item. Mayor Vosburg indicated that staff has direction and to bring back at a future Council Meeting.

Mr. Brewer asked if this will go back to the Planning Commission.

City Attorney Zamora replied "no".

5. CONSENT CALENDAR

1. Approve MINUTES - August 3, 2017
2. Approve MINUTES - August 17, 2017
3. SLESF (COPS) Grant spending plan FY17-18

Police Chief Salvador presented his spending plan for the COPS Grant:

1. Pay year two of a five year lease for the 6 patrol vehicles purchased from McPeak Dodge in FY16/17 using this same funding source \$50,799.
 2. Complete IT Upgrade started in FY16-17 \$20,000.
 3. Purchase Equipment and services needed to upgrade CLETS services \$20,000.
 4. Carryover of \$10,000 against cost overruns and overtime overruns.
4. Declare Surplus Property at City Hall and Donate to Coalinga Neighborhood Resource Center
 5. Review and Consider Approval of Ordinance No. 805 Religious Facilities (Urgency Ordinance): An Urgency Ordinance of the City Council of the City of Coalinga Amending Section 9-2.502, Table 2.9 related to Religious Facilities as permitted uses within the Public Facilities Zoning Designation in the City Pending the Adoption of a Permanent Ordinance
 6. Authorization from the City Council to proceed with an Rectangular Rapid Flashing Beacon (RRFB) Project at the intersection of Washington and California and further authorizing a budget increase of \$33,000 from Measure "C" flexible funding street funds to be added as part of the annual slurry seal project expected to begin later this year
 7. City Council Authorization for City Manager to Execute an Engineering Task Order for Design and Construction Engineering/Management Services for the Cycle 2 Active Transportation Coalinga Sidewalk Gap Closure and Pedestrian Improvement Project
 8. Approval to Purchase a Vacuum Jet-Rodder Truck and attachments for Use by the Public Works Department

Public Works and Utilities Director Peter Preciado explained the reasons and results of purchasing a new vacuum jet-rodder truck.

9. Rejection of All Bids for the Wastewater Treatment Plant (WWTP) Headworks/Clarifier Project
10. Economic Development Coordinator Monthly Report-August 2017

City Manager Trejo presented the Monthly Report for the Economic Development Coordinator.

11. Fire Department Report - June
12. Fire Department Report - July
13. Public Works & Utilities Monthly Report for August 2017

Public Works and Utilities Director Pete Preciado summarized his monthly report for August 2017.

Council Member Stolz pulled Item 3 and 10 for explanation.

Mayor Vosburg pulled Item 8 and 13 for explanation.

Motion by Ramsey, Second by Raine to Approve Consent Calendar Items, 1,2, 4, 5, 6, 7, 9, 11 and 12. Motion Approved by a 4/0 Majority Vote. (Lander absent)

Motion by Raine, Second by Stolz to Approve Consent Calendar Items 3, 8, 10 and 13. Motion Approved by a 4/0 Majority Roll-call Vote. (Lander absent)

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Animal Control Report and Approval of Feral Cat Program Michael Salvador, Chief of Police

Police Chief Salvador gave the following report on the Animal Control Report and Approval of Feral Cat Program.

Comments:

- Facility
- Equipment
- Call Volume
- No staffing – Vacant F/T and Vacant P/T
 - Recruiting – staff by end of month
- Training
 - King’s County Sheriff Office
- Old Facility
 - Built by inmate labor
 - Maintenance needs
 - A/C
 - Pipe burst and flooded area
 - Bathrooms not ADA accessible
 - Not up to ADA Standards
 - \$30K to bring to ADA Standards
- Facility is landlocked
 - Easement gone at end of year
 - \$180K-\$500K for roads, parking, grading, etc
- Call Volume – 3 calls per day
 - Crime analysis
 - 5% enforcement rate
 - Calls 2,473
 - Mondays are busiest
 - Busiest hours 8:00 AM to 11:00 AM
 - 50% of calls 8:00 AM to 2:00 PM
 - All areas of town
 - Heat Map Target areas 8:00AM – 2:00PM Daily
- Programs:
 - Coalingafest
 - Farmer’s Market
 - Vaccination Clinics

- Explorer Post helps
- Volunteers at shelter
- No Vet
- Budget Total \$153K
- New Shelter at old City Hall
 - Out for bid
 - Can adopt animals from new shelter
- Construction time limited because must be out of old shelter by December 31
- Three Rooms in new shelter
 - Large dogs
 - Small Dogs
 - Cats
 - Office
 - Two outside bays
 - Volunteers can access
 - Social media
- Feral Cat Program
 - Goal is to reduce numbers for service
 - Coalinga volume higher than Lemoore
 - Eliminate cats into shelter except for sick or injured
 - Lower population
 - Educate public on Feral Cat Program
 - Lower costs
 - Need updated ordinance
 - Traditional programs don't work
 - Community cats should be feral cats
 - TNR – Trap, Neuter and Release
 - San Jose experienced 41% reduction
- Exotic Animal Program
 - Possums
 - Skunks
 - Bob Cats
 - Raccoons
 - We don't take them anymore.
- Ace Hardware is ordering Deer Repellent and it will take care of the exotic animals
- Mandatory microchips
 - Enforcement
 - Charge fee to surrender
 - Recovery fee
 - Discourage Surrender
- Need two vehicles at \$50K per vehicle
- ACP writing
- Need Ordinance changes for animal control
 - Administrative citations for animal control
- Training for two new staff members
 - Kings County Sheriff's Department
 - San Diego school to certify for staff member to euthanize

- New Contracts
 - Two vets in line
 - Disposal services and freezer
 - Purchase food at Ace Hardware as needed and delivered

Most important need support of Council when you receive complaints.

- Division of Fresno County Health Department will help
- Kings' County Sheriff's Department will help
- HOPE Foundation

Mayor Vosburg indicated support. City does excellent job.

Council Member Stolz asked about adopting out.

Police Chief Salvador said change in ordinance from criminal misdemeanors to administrative fine. (ACO) Officers can write

Mr. Greg Cody said this is the future. It is well know that it is a dump at the old shelter. City can track people and monitor pets.

Mayor Pro-tem Raine said some people breed dogs.

Ms. Terry Yanez asked how many dogs in jail now.

Police Chief Salvador said we average from 6 to 15. Rescuers are in and out. Pits hard to rescue. We have microchip reader for registration and licenses.

The trucks are old and challenging. Equipment needs on trucks.

We have received no grant for the Feral Cat Program. We will neuter only males at first.

Speaker asked about the cost to euthanize.

Police Chief Salvador said a bottle cost \$500 but we have no one licensed to administer.

Also, we need at least 10 volunteers and we need no more donations. Community has been great to donate to the shelter. We presently need nothing additional.

Consensus of Council is to proceed and come back with contracts and ordinance amendments. (Lander Absent)

2. Introduce and Waive the First Reading of Ordinance No. 806 to allow for Minor Adjustments to the City's Development Standards.

Sean Brewer, Community Development Director

Mr. Brewer said that Ordinance No. 806 allows for a minor exception of fifteen (15%) percent as it relates to various design and site considerations such as distance buildings projections, lot dimensions, setbacks, signs, required parking on dimensions, building height, code enforcement considerations and non-conformity. The ordinance also includes the imposition of conditions to ensure that the minor exception approvals would be in compliance with the findings. Any deviation beyond 15% would require the submission of an application for variance.

*Motion by Ramsey, Second by Stolz to Waive the First Reading of Ordinance No. 806 to allow for Minor Adjustments to the City's Development Standards. Motion **Approved** by a Roll-call 4/0 Majority Vote. (Lander Absent)*

3. Council Direction Regarding the Mayor's Attendance and Permission to Speak on Behalf of the Council at the State of Cannabis Conference in Long Beach on September 28th and 29th, 2017

Marissa Trejo, City Manager

Mayor Vosburg would like to attend this Conference in Long Beach on the State of Cannabis. He is requesting the City pay for any fee associated with the Conference and he is willing to pay for his hotel, food, etc. He will speak during the open microphone session.

Consensus of Council is to approve Mayor Vosburg to speak on behalf of the Council at the State of Cannabis Conference in Long Beach on September 28, 29, 2017.

7. CITIZEN COMMENTS (None)

8. ANNOUNCEMENTS

City Manager Trejo announced the Food Truck Invasion will be on the 14th from 6:00 to 10:00 PM at the City Parking Lot. We have five vendors so far and one is a clothing vendor.

Council Member Stolz said they are selling raffle tickets for an AP15 rifle to support the Fire Works Show on June 30th. Only 300 hundred tickets are being sold and drawing is to be announced.

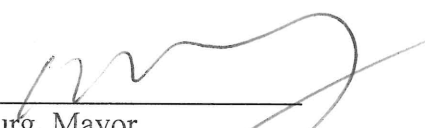
Mayor Pro-tem Raine said they attended a Farmer's Market in Cambria and it was well done with many in attendance.

City Manager Trejo said there will be regular meetings in October. For future meetings there will be only one meeting (the first meeting) for November and December. There will be no second meeting for those months.

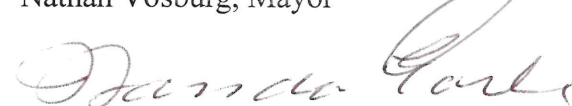
9. FUTURE AGENDA ITEMS (NONE)

10. CLOSED SESSION (NONE)

11. ADJOURNMENT (9:30 PM)



Nathan Vosburg, Mayor



City Clerk/Deputy Clerk

10-5-17

Date