

***CORCORAN CITY COUNCIL,  
JOINT POWERS FINANCE AUTHORITY,  
SUCCESSOR AGENCY FOR CORCORAN RDA,  
& HOUSING AUTHORITY  
AGENDA***

City Council Chambers  
1015 Chittenden Avenue  
Corcoran, CA 93212

*Tuesday, November 28, 2017  
5:30 P.M.*

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**Public Inspection:** A detailed City Council packet is available for review at the City Clerk's Office, located at Corcoran City Hall, 832 Whitley Avenue.

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**Notice of ADA Compliance:** In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerks Office at (559) 992-2151.

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**Public Comment:** Members of the audience may address the Council on non-agenda items; However, in accordance with government code section 54954.2, the Council may not (except in very specific instances) take action on an item not appearing on the posted agenda.

This is the time for members of the public to comment on any matter within the jurisdiction of the Corcoran City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item. The councilmembers ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome.

After receiving recognition from the chair, speakers shall walk to the rostrum, state their name and address and proceed with comments. Each speaker will be limited to five (5) minutes.

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**Consent Calendar:** All items listed under the consent calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion of any item on the consent calendar, the item can be removed at the request of any member of the City Council and made a part of the regular agenda.

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**ROLL CALL**

|                 |                        |
|-----------------|------------------------|
| Mayor:          | Raymond Lerma          |
| Vice Mayor:     | Sidonio "Sid" Palmerin |
| Council Member: | Patricia Nolen         |
| Council Member: | Jerry Robertson        |
| Council Member: | Jeanette Zamora-Bragg  |

**INVOCATION**

**FLAG SALUTE**

1. **PUBLIC DISCUSSION**
2. **CONSENT CALENDAR (VV)**

- 2-A. Approval of minutes of the meeting of the City Council on November 14, 2017.
- 2-B. Authorization to read ordinances and resolutions by title only.
- 2-C. Consider request of the Corcoran Chamber of Commerce to hold the annual Christmas Parade Thursday, December 7, 2017 utilizing Whitley Ave and Christmas Tree Park.
- 2-D. Waive Second Reading and approval of Ordinance No. 637, establishing a ban on all commercial cannabis activities.
- 2-E. Waive Second Reading and approval of Ordinance No. 636, enacting regulations regarding personal cannabis use and cultivation.
- 2-F. Waive Second Reading and approval of revised Ordinance No. 635 outlining revisions to Chapter 4, Public Health and Safety of the Corcoran Municipal Code regarding Sub-Standard Buildings and time regulations on boarded properties.

3. **APPROPRIATIONS (VV)**

Approval of Warrant Register dated November 28, 2017. *(Ruiz-Nuñez) (VV)*

4. **PRESENTATIONS** –None

5. **PUBLIC HEARINGS**

5-A. Public Hearing to Discuss Submittal of a 2017 Community Development Block Grant Application and Approve Resolution No. 2909

- A. Open public hearing
- B. Staff report and presentation
- C. Accept written testimony
- D. Accept oral testimony
- E. Close hearing
- F. Council Discussion
- G. By motion approve/approve with changes/deny proposed resolution.

6. **WRITTEN COMMUNICATIONS** – None

7. **STAFF REPORTS**

- 7-A. Authorize the distribution of the notice of public hearing regarding the proposed modification of City refuse and sewer rates. *(Meik) (VV)*
- 7-B. Discuss and provide direction on proposed Measure A expenditure plan. *(Meik)*
- 7-C. Authorize City staff to request proposals for on-call engineering services for Transportation Related Projects.
- 7-D. Authorization to solicit construction bids for the new police facility. *(Meik and Shortnacy)(VV)*
- 7-E. Approve advertisement to fill (1) scheduled vacancy for the Corcoran Planning Commission. *(Lopez) (VV)*

8. **MATTERS FOR MAYOR AND COUNCIL**

- 8-A. Information Items
- 8-B. Staff Referral Items - *Items of Interest (Non-action items the Council may wish to discuss)*
- 8-C. Committee Reports

9. **CLOSED SESSION**

9-A. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:

Conference with legal counsel – ANTICIPATED LITIGATION (Government Code § 54956.9(d)).

**Initiation of litigation** (Government Code § 54956.9(d)(4)).

Number of potential cases is:   1  .

9-B. **PERSONNEL** (Government Code § 54957(b)). It is the intention of this governing body to meet in closed-session to:

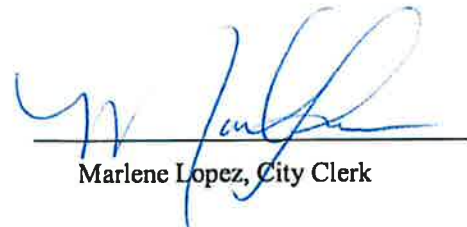
- Consider the discipline, dismissal or release of a public employee.
- Hear complaints or charges against a public employee.
- Consider public employee appointment/employment for the position of:  
\_\_\_\_\_
- Consider public employee performance evaluation for the position of:  
\_\_\_\_\_

9-C. **CONFERENCE WITH LABOR NEGOTIATOR(S)** (Government Code § 54957.6). It is the intention of this governing body to meet in closed-session to review its position and to instruct its designated representatives:

- Designated representatives:   Kindon Meik
- Name of employee organization: \_\_\_\_\_, or
- Position title(s) of unrepresented employee(s): \_\_\_\_\_

10. **ADJOURNMENT**

I certify that I caused this Agenda of the Corcoran City Council meeting to be posted at the City Council Chambers, 1015 Chittenden Avenue on November 22, 2017.

  
\_\_\_\_\_  
Marlene Lopez, City Clerk

**MINUTES  
CORCORAN CITY COUNCIL,  
JOINT POWERS FINANCE AUTHORITY,  
SUCCESSOR AGENCY FOR CORCORAN RDA  
& HOUSING AUTHORITY  
REGULAR MEETING  
Tuesday, November 14, 2017**

The regular session of the Corcoran City Council was called to order by Lerma, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:30 P.M.

**ROLL CALL**

Councilmembers present: Raymond Lerma, Patricia Nolen, Sidonio Palmerin, Jerry Robertson (arrived at 5:31 p.m.) and Jeanette Zamora-Bragg

Councilmembers absent: None.

Staff present: Moses Diaz, Joseph Faulkner, Rick Joyner, Marlene Lopez, Kindon Meik, Reuben Shortnacy, Soledad Ruiz-Nuñez and Kevin Tromborg

Press present: Jeanette Todd "Corcoran Journal"

**INVOCATION**

Invocation was presented by Palmerin.

**FLAG SALUTE**

The flag salute was led by Zamora-Bragg.

**1. PUBLIC DISCUSSION**

Daniel Leon, Janelle Leva, Veronica Martinez and Maria Saenz spoke in regards to the incident involving Danielle Leon.

David Bega, read a letter on behalf of Danielle Leon's family.

**2. CONSENT CALENDAR**

Following Council discussion a **motion** was made by Palmerin and seconded by Zamora-Bragg to approve Consent Calendar. Motion carried by the following vote:

**AYES:** Nolen, Palmerin, Robertson and Zamora-Bragg

**NOES:**

**ABSENT:**

**ABSTAIN:** Lerma abstained from October 24, 2017 Minutes.

**3. APPROPRIATIONS**

Following Council discussion a **motion** was made by Zamora-Bragg and seconded by Nolen to approve the Warrant Register dated November 14, 2017. Motion carried by the following vote:

**AYES:** Lerma, Nolen, Palmerin, Robertson and Zamora-Bragg

**NOES:**

**ABSENT:**

**ABSTAIN:**

4. **PRESENTATIONS** – None

5. **PUBLIC HEARINGS**

5-A. Public hearing to introduce and approve Ordinance 636 regulating personal cannabis use and cultivation. Public hearing opened at 5:48 p.m. Kevin Tromborg presented the staff report. There being no oral or written communication the hearing was closed at 5:59 p.m.

Following Council discussion, a **motion** was made by Robertson seconded by Nolen to approve Ordinance 636 regulating personal cannabis use and cultivation. Motion carried by the following vote:

**AYES:** Lerma, Nolen, Palmerin, Robertson and Zamora-Bragg

**NOES:**

**ABSENT:**

5-B. Public hearing to introduce and approve Ordinance 637 banning all commercial cannabis activities within the city limits. Public hearing opened at 6:01 p.m. Kindon Meik, City Manager, presented the staff report.

Staff received a petition with 128 signatures, a letter from Carlo Wilcox and a Resolution No. 1237 from the Board of Trustees of the Corcoran Unified School District, in opposition of commercial cannabis. Staff also received a letter from Mike Porte and Mary Gomez-Gonzalez in favor of commercial cannabis.

Mark Cartwright, Jason Mayhill, Lloyd Rippey and Victoria Bonilla, residents of Corcoran, expressed opposition to allowing commercial cannabis activities in the City of Corcoran

Ben Eilenberg, attorney for Industrial Partners Group, expressed his support for commercial cultivation of marijuana.

Public hearing was closed at 6:22 p.m.

Following Council discussion, a **motion** was made by Robertson and seconded by Nolen to approve Ordinance 637 banning all commercial cannabis activities within the city limits.

**AYES:** Lerma, Nolen, Palmerin, Robertson and Zamora-Bragg

**NOES:**

**ABSENT:**

- 5-C. Following Council discussion, a **motion** was made by Zamora-Bragg and seconded by Palmerin to table Ordinance 638 approving and regulating commercial cannabis activities and establishing land use policies

**AYES:** Lerma, Nolen, Palmerin, Robertson and Zamora-Bragg

**NOES:**

**ABSENT:**

- 5-D. Public hearing to introduce and approve Ordinance 635 outlining revisions to Chapter 4, Public Health and Safety of the Corcoran Municipal Code regarding Sub-Standard Buildings and time regulations on boarded properties. Public hearing opened at 6:28 p.m. Kevin Tromborg presented the staff report. There being no oral or written communication the hearing was closed at 6:40 p.m.

Following Council discussion, a **motion** was made by Robertson seconded by Zamora-Bragg to approve with changes, Ordinance 635 outlining revisions to Chapter 4, Public Health and Safety of the Corcoran Municipal Code regarding Sub-Standard Buildings and time regulations on boarded properties.

**AYES:** Lerma, Nolen, Palmerin, Robertson and Zamora-Bragg

**NOES:**

**ABSENT:**

6. **WRITTEN COMMUNICATIONS** – None
7. **STAFF REPORTS** – None
8. **MATTERS FOR MAYOR AND COUNCIL**
- 8-A. Council received information items.
- 8-B. Staff received referral items.
- 8-C. Committee reports.

### **CLOSED SESSION**

At 6:48 p.m. Council recessed to closed session pursuant to:

9. **CLOSED SESSION**

- 9-A. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:  
Conference with legal counsel – ANTICIPATED LITIGATION (Government Code § 54956.9(d)).

**Initiation of litigation** (Government Code § 54956.9(d)(4)).

Number of potential cases is:   1  .

**9-B. PERSONNEL** (Government Code § 54957(b)). It is the intention of this governing body to meet in closed-session to:

- Consider the discipline, dismissal or release of a public employee.
- Hear complaints or charges against a public employee.
- Consider public employee appointment/employment for the position of:  
\_\_\_\_\_
- Consider public employee performance evaluation for the position of:  
\_\_\_\_\_

The regular meeting was reconvened at 7:32 p.m.

**ADJOURNMENT**

**7:34 P.M.**

\_\_\_\_\_  
Raymond Lerma, Mayor

\_\_\_\_\_  
Marlene Lopez, City Clerk

**APPROVED DATE:** \_\_\_\_\_

City of

# CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

**CONSENT ITEM  
ITEM #: 2-C**

**MEMO**

**TO:** Corcoran City Council

**FROM:** Joseph Faulkner, Public Works Director

**DATE:** November 15, 2017      **MEETING DATE:** November 28, 2017

**SUBJECT:** Consider request of the Corcoran Chamber of Commerce to hold the annual Christmas Parade Thursday, December 7, 2017 utilizing Whitley Ave. and Christmas Tree Park.

**Recommendation: (Voice Vote)**

Move to approve request contingent upon the receipt of a Certificate of Liability Insurance naming the City of Corcoran as an additional insured.

**Discussion:**

Staff received an application from Corcoran Chamber of Commerce requesting to hold their event on December 7, 2017. This is an annual event.

Clean up is on-going, under the direction of the Chamber of Commerce.

The City, Public Works Department, will set out barricades and cones the day prior to the event, and the Chamber of Commerce and their volunteers will set them up on Thursday afternoon and take them down Thursday evening. Public Works will pick up all barricades and cones on Friday.

Security is provided by the Corcoran Police Department.

Police and Fire to be notified of street closure.

**Budget Impact:**

None.

City Offices



# CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

**PUBLIC HEARING  
ITEM #: 2-D**

**MEMO**

**TO: Corcoran City Council**

**FROM: Kindon Meik, City Manager**

**DATE: November 17, 2017**

**MEETING DATE: November 28, 2017**

**SUBJECT: Waive Second Reading and approval of Ordinance No. 637, establishing a ban on all commercial cannabis activities.**

**RECOMMENDATION**

Move to waive second reading and approve Ordinance No. 637 as part of the consent calendar.

**DISCUSSION**

At the City Council meeting held on November 14, 2017, Ordinance 637 was introduced. For your review attached is Ordinance No. 637.

After waiving the second reading and approval, the ordinance will be effective in thirty-one days. The effective date would not be scheduled until after December 29, 2017.

Before fifteen days expiration after tonight's adoption the summary of ordinance will be published in The Corcoran Journal.

**BUDGET IMPACT**

Minimal advertising cost.

**ATTACHMENTS**

Ordinance 637

ORDINANCE NO. 637

AN ORDINANCE OF THE CITY OF CORCORAN  
BANNING NON-MEDICINAL AND MEDICINAL  
COMMERCIAL CANNABIS CULTIVATION,  
BUSINESSES, TRANSACTIONS AND LAND USES.

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

**Section 1. PURPOSE.** There are adverse secondary impacts of cannabis/marijuana cultivation, processing, manufacturing, distribution, sales and use which include, without limitation, criminal activity, pungent odors, excess water consumption, toxic mold, excessive energy consumption and indoor electrical fire hazards, loitering at dispensaries and robbery of cannabis businesses which transact business primarily in cash. The provisions of this ordinance are intended to promote the public safety, health, comfort and general welfare, in order to provide a plan for sound and orderly development, and to ensure social and economic stability within the various zones established by the Corcoran Zoning Ordinance.

**Section 2. FINDINGS AND PURPOSE.** The City Council of the City of Corcoran hereby finds and declares the following:

- (a) California Constitution Article 11, Section 7 authorizes the City of Corcoran (“City”) to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws;
- (b) California Government Code § 37100 authorizes the legislative body of a local government to enact local ordinances which are not in conflict with the Constitution and laws of the State of California or the United States;
- (c) The federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., classifies cannabis/marijuana as a Schedule I drug, which is defined as a drug or other substance which has a high potential for abuse, no currently accepted medical use in treatment in the United States, and has not been accepted as safe for use under medical supervision. The federal Controlled Substances Act declares it unlawful for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, cannabis. The federal Controlled Substances Act contains no exemption for cultivation, manufacture, distribution, dispensation or possession of cannabis for medical or non-medical purposes;

(d) On June 28, 2016, the Secretary of State of the State of California certified Proposition 64, the Control, Regulate and Tax Adult Use of Cannabis Act (“AUMA” or “**Proposition 64**”), for the November 8, 2016 statewide presidential general election ballot;

(e) The AUMA became law when a majority of the electorate voted “yes” on Proposition 64. The AUMA, to a certain degree, decriminalized under state law the possession, consumption, cultivation, processing, manufacture, distribution, testing and sale of non-medicinal cannabis/marijuana and derivative products, including edibles, for adults twenty-one (21) years of age and older. The AUMA also included provisions for licensing commercial cannabis and preserved the authority of local governments to regulate, and in some cases ban, certain cannabis activities within their boundaries.

(f) On June 27, 2017, Senate Bill 94 (“**SB-94**”), which was a state budget trailer bill, was signed into law by the Governor of the State of California. This legislation clarified and/or revised certain portions of the AUMA and also certain state statutes pertaining to medicinal cannabis/marijuana, including the authority of local governments to regulate, and in some cases ban, certain cannabis activities within their boundaries;

(g) The AUMA now regulates, among other matters, the use of cannabis/marijuana for non-medicinal personal and commercial purposes, including the recreational use of cannabis by adults over twenty-one (21) years of age;

(h) To regulate personal use of cannabis, the AUMA added Health and Safety Code § 11362.1 which, among other things and with certain exceptions, made it “...lawful under state and local law...” for persons 21 years of age or older to “...possess, process, transport, purchase, obtain or give away to persons 21 years of age or older without any compensation whatsoever...” up to 28.5 grams of non-medical cannabis in the form of concentrated cannabis or not more than eight grams in the form of concentrated cannabis contained in cannabis products;

(i) The AUMA also removed certain state criminal law prohibitions for adult individuals who “...possess, plant, cultivate, harvest, dry or process not more than six living cannabis plants and possess the cannabis produced by the plants...”;

(j) The AUMA also clarified that state law does not prohibit specified adult individuals from smoking or ingesting cannabis or cannabis products;

(k) To regulate commercial use of non-medical cannabis, the AUMA added Division 10 (Cannabis) to the Business & Professions Code, which vested certain state agencies with “...the sole authority to create, issue, deny, renew, discipline, suspend, or revoke licenses...” for certain non-medicinal commercial cannabis business activity including

microbusinesses, transportation, storage (unrelated to manufacturing activities), distribution, testing, and sale of cannabis and cannabis products within the state;

(l) The AUMA provides that specified state agencies shall promulgate rules and regulations and shall begin issuing state business licenses under Division 10 of the Business & Professions Code by January 1, 2018;

(m) The AUMA specifies that a local jurisdiction shall not prevent transportation of non-medicinal cannabis or derivative products on public roads by a licensee transporting cannabis or derivative products in compliance with Division 10;

(n) The AUMA authorized cities to "...reasonably regulate..." without completely prohibiting cultivation of cannabis inside a private residence or inside an "...accessory structure to a private residence located upon the grounds of a private residence which is fully enclosed and secure...";

(o) The AUMA authorized cities to completely prohibit outdoor cultivation on the grounds of a private residence until a "...determination by the California Attorney General that nonmedical use of cannabis is lawful in the State of California under federal law...";

(p) The AUMA authorized cities to completely prohibit the establishment or operation of any non-medical cannabis business licensed under Division 10 within its jurisdiction, including cannabis dispensaries, cannabis retailers and cannabis delivery services;

(q) Absent appropriate local regulation, which is authorized by the AUMA, only state regulations will be controlling within a given local jurisdiction;

(r) Until the AUMA was enacted, state statutes prohibited cultivation, possession and sales of non-medicinal cannabis and therefore overlapping local regulations would have been preempted by state statute;

(s) The City has permissive zoning standards which prohibit all land uses not expressly allowed and has applied the same, without exception, to all instances of medicinal cannabis, including, but not limited to, cultivation, distribution, dispensing, transportation, sales and gifting;

(t) The existence of cannabis cultivation operations carries the potential to increase secondary impacts such as: (1) robberies, break-ins and other thefts due to the high monetary value of cannabis plants; (2) dangerous alterations to the electrical wiring of buildings; (3) toxic amounts of mold spores present in buildings intended for human occupation; (4) the potential for exposure to or increased usage by school aged children; (5) the spread of strong, pungent and/or noxious odors from cannabis plants;

(u) The City has legitimate and compelling interests in protecting the public health, welfare and safety of its residents, as well as preserving the peace and quiet of the neighborhoods within the City;

(v) The City has determined that a regulatory ordinance is necessary to protect the public health, welfare and safety of residents of the City to the maximum extent allowable under California law to address the adverse secondary impacts resulting from changes to California law through the AUMA and Senate Bill 94 (2017);

(w) The cultivation of substantial amounts of cannabis/marijuana in any location or parcel of real property within the City poses serious threats to the health, safety, and well-being of the City and its residents, including the following:

(1) By concentrating substantial amounts of cannabis in one place, such locations and parcels are frequently associated with, and create a significant risk of, burglary, robbery, armed robbery, and larceny and other property crimes; and acts of violence in connection with the commission of such crimes or the occupants' attempts to prevent such crimes.

(2) Such locations and parcels are frequently associated with other criminal activities, including unlawful sales of cannabis to individuals, including minors who are not qualified medical patients, trafficking of cannabis outside the City by unlawful enterprises, and possession and discharge of unlawful firearms.

(3) The creation of persistent malodorous smells reaching into populated areas far beyond cannabis grow sites. Cannabis plants, as they begin to flower and for a period of two (2) months or more during the growing season (August - October for outdoor grows), produce an extremely strong odor, offensive to many people, and detectable far beyond property boundaries. This malodorous smell is often described as "skunky," as it resembles the odor of a skunk.

(4) The distinctive smell of flowering cannabis also creates an attractive nuisance, alerting persons to the location of the valuable cannabis plants, and creating a risk of theft, burglary, robbery and armed robbery and associated violent confrontations.

(5) Cultivation of large amounts of cannabis also frequently requires excessive use of water resources, which exacerbates drought conditions.

(6) Extensive indoor cultivation of large amounts of cannabis also frequently requires excessive use of electricity, which often creates an unreasonable risk of fire from the electrical grow lighting systems used in indoor cultivation.

(x) Cultivation and sales of any amount of cannabis and/or derivative products at

locations or parcels within six hundred (600) feet of schools, school bus stops, school evacuation sites, churches, parks, child care centers, or youth-oriented facilities creates unique risks that the cannabis plants may be observed by juveniles, and therefore be especially vulnerable to theft or recreational consumption by juveniles. Further, the potential for criminal activities associated with cannabis cultivation in such locations poses heightened risks that juveniles will be involved or endangered. Therefore, cultivation and sales of any amount of cannabis or derivative products within such locations or parcels is especially hazardous to public safety and welfare, and to the protection of children.

(y) As recognized by the California Attorney General's August 2008 GUIDELINES FOR THE SECURITY AND NON-DIVERSION OF CANNABIS GROWN FOR MEDICAL USE, the cultivation or other concentration of cannabis in any location or parcels without adequate security increases the risk that surrounding homes or businesses may be negatively impacted by nuisance activity such as loitering or crime. There is no known reason why this same principle would not apply to non-medicinal cannabis.

(z) It is the purpose and intent of this ordinance to implement State law by providing a means for regulating non-medicinal and medicinal cannabis in a manner which is consistent with applicable state laws and which promotes the health, safety, security and welfare of local residents within the City. This Chapter is intended to be consistent with Proposition 64 and Senate Bill 94, and to that end, is not intended to prohibit any person from exercising any right otherwise granted by state law. Rather, the intent and purpose of this Chapter is to establish reasonable regulations upon the manner in which cannabis and cannabis products must be cultivated, manufactured, processed, stored and sold or gifted, in order to protect the public health, safety, security and welfare of all of the residents of the City.

(aa) The limited right of individuals under state law to cultivate cannabis plants for non-medicinal purposes and/or to carry on a cannabis business without violating state criminal laws does not confer the right to create or maintain a public nuisance. By adopting the regulations contained in this Chapter, the City will achieve a significant reduction in the aforementioned harms caused or threatened by the cultivation of non-medicinal cannabis and/or carrying on of any cannabis business within the City.

(bb) Nothing in this ordinance shall be construed to allow or legalize cannabis for any purposes, or allow or legalize any activity relating to the cultivation, distribution or consumption of cannabis which is otherwise illegal under state or federal law. No provision of this Chapter shall be deemed a defense or immunity to any action brought against any person by the County District Attorney or the Attorney General of State of California.

**Section 3.** CODE ADOPTION. Chapter 11-34 of Title 11 is hereby added to

the Corcoran Municipal Code and reads as follows:

**CHAPTER 11-34 COMMERCIAL CANNABIS**

- 11-34-010 Authority and Title.**
- 11-34-020 Definitions.**
- 11-34-030 Nuisance Declared.**
- 11-34-040 Responsibilities of Landowners.**
- 11-34-050 Violations.**

**11-34-010 Authority and Title.**

Pursuant to the authority granted by Article XI, section 7 of the California Constitution, Health and Safety Code § 11362.2(b)(1), and Government Code § 38773.5, the City Council does enact this Chapter, which shall be known and may be cited as the “Commercial Cannabis Ordinance.”

**11-34-020 Definitions.**

(a) All definitions set forth within California Health and Safety Code § 11362.7, California Business and Professions Code § 26001 and California Revenue and Taxation Code § 34010, as amended from time to time, and as interpreted by judicial opinions from time to time, shall apply under this Chapter in addition to the definitions set forth within subsection (b) below. In the event of an actual conflict between the definitions within the aforementioned statutes and those contained within subsection (b) below, the definition within subsection (b) shall prevail.

(b) Except where the context otherwise requires, the following definitions shall govern the construction of this Chapter of the Municipal Code:

- (1) “City” refers to the City of Corcoran.
- (2) “Enforcing officer” means the Chief of Police, Community Development Director or other the Code Enforcement Officer, or the authorized deputies or designees of the same, each of whom is independently authorized to enforce this Chapter.
- (3) “Legal parcel” and “parcel” means any parcel of real property which may be separately sold in compliance with the Subdivision Map Act [Division 2 (commencing with section 66410) of Title 7 of the Government Code].
- (4) The terms “cannabis” and “marijuana” shall have the same

meaning within this ordinance. Furthermore, except where otherwise distinguished, the term “cannabis” shall include and refer to both medicinal cannabis and non-medicinal cannabis.

(5) “Medical cannabis” shall have the same meaning as medicinal cannabis in California Business and Professions Code § 26001.

(6) “Municipal Code” refers to the Corcoran Municipal Code.

(7) “Cannabis business” shall mean any “cannabis business activity” as defined California Business and Professions Code § 26001(k), or successor statute, but shall not include any business whose only relationship to cannabis is the production or sale of accessories for individual consumption and/or use of cannabis or cannabis products.

(8) The term “State” refers to the State of California.

(c) Effect of Headings/Titles Within this Chapter: Section and subsection headings and title are provided for organizational purposes only and must not be read to in any manner affect the scope, meaning or intent of the provisions associated with them.

#### **11-34-030 Nuisance Declared.**

(a) Prohibited Cannabis Activities: Unless and until this subsection is specifically cited as repealed, notwithstanding any other ordinance of the City, each of the following shall be prohibited everywhere within the City and shall constitute a public nuisance:

- (1) Cannabis Retail Sales: Each retail sale of cannabis, cannabis products and industrial hemp;
- (2) Commercial Cannabis Business: The operation of any business of the type which requires or could obtain licensure under Division 10 of the California Business and Professions Code (presently consisting of sections 26000-26211) within any portion of the City of Corcoran, including all lands therein and each and all zoning districts established by Title 9 of the Corcoran Municipal Code;
- (3) Retail Deliveries Within the City: The delivery, as defined by Businesses and Professions Code § 26001(p) or any successor



statute, of cannabis and/or cannabis product(s) to any parcel of real property within the City in connection with a retail sale thereof; and

- (4) Microbusinesses: The operation of any cannabis microbusiness within any land-use zone within the City.

**11-34-040 Responsibilities of Landowners for Violations.**

- (a) No person owning, leasing, occupying or having charge or possession of any parcel within the City shall cause, allow, suffer or permit such parcel to be used for a cannabis business in violation of any provision in this Chapter. For the purpose of enforcing the requirements of this Chapter, the record owner of each parcel within the City shall be fully responsible for all conduct occurring on the parcel which may violate the terms of this Chapter, including the conduct of each of the occupants, invitees, guests, employees, agents and independent contractors on the parcel, if applicable.
- (b) The City may report all violations of this Chapter committed by State licensees to the State.

**11-34-050 Violations.**

- (a) Any violation of the provisions of this Chapter by any member of the public is hereby declared to be a public nuisance and may be abated by any or all remedies available.
- (b) The City may abate the violation of this Chapter by the prosecution of a civil action through the City Attorney, including an action for injunctive relief. The remedy of injunctive relief may take the form of a court order, enforceable through civil contempt proceedings, prohibiting the maintenance of the violation of this Chapter or requiring compliance with other terms.
- (c) Each cannabis plant cultivated in violation of the applicable provisions of this Chapter shall constitute a separate and distinct violation.
- (d) Each and every day that a violation exists as to any violation within this Chapter shall constitute a separate and distinct violation.
- (e) Each violation of this Chapter may be enforced by any and all lawful remedies available under the Municipal Code and applicable state statute(s), including but not limited to civil fines and penalties, infraction citation, criminal prosecution, public nuisance abatement and civil

injunction, as appropriate, and all available remedies shall be cumulative and not preclude other available remedies.

**Section 4. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment] and 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemptions, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

**Section 5. NO LIABILITY.** The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Corcoran, or any official, employee or agent thereof.

**Section 6. PENDING ACTIONS.** Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 7. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Corcoran hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any

one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**Section 8. CONSTRUCTION.** The City Council intends this ordinance to supplement, not to duplicate, contradict or otherwise conflict with, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Corcoran Municipal Code as amended by this ordinance are substantially the same as provisions in the Corcoran Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**Section 9. EFFECTIVE DATE.** The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the passage hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code § 36933(c)(1) and a summary shall be published once in the \_\_\_\_\_, a newspaper printed and published in the City of Corcoran, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Corcoran, State of California, on \_\_\_\_\_, 2017 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
RAYMOND LERMA, Mayor

ATTEST: \_\_\_\_\_  
MARLENE LOPEZ, City Clerk

City of

# CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

**PUBLIC HEARING  
ITEM # 2-E**

## **MEMORANDUM**

**TO:** Corcoran City Council

**FROM:** Kevin J. Tromborg: Community Development Director  
Planner, Building Official, Transit Director

**SUBJECT: Waive Second Reading and approval of Ordinance No. 636, enacting regulations regarding personal cannabis use and cultivation.**

**DATE:** November 22, 2017

**MEETING DATE:** November 28, 2017

### **RECOMMENDATION**

Move to waive second reading and approve Ordinance No. 636 as part of the consent calendar.

### **DISCUSSION**

At the City Council meeting held on November 14, 2017, Ordinance 636 was introduced. For your review attached is Ordinance No. 636.

After waiving the second reading and approval, the ordinance will be effective in thirty-one days. The effective date would not be scheduled until after December 29, 2017.

Before fifteen days expiration after tonight's adoption the summary of ordinance will be published in The Corcoran Journal.

### **BUDGET IMPACT**

Unknown at this time.

### **ATTACHMENTS**

Ordinance 636

ORDINANCE NO. 636

AN ORDINANCE OF THE CITY OF CORCORAN  
ENACTING REGULATIONS FOR NON-COMMERCIAL  
MEDICINAL AND NON-MEDICINAL CANNABIS USE,  
CULTIVATION, AND LAND USES; AND ENACTING  
ENFORCEMENT PROVISIONS FOR CANNABIS  
RELATED ORDINANCE VIOLATIONS.

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

**Section 1. PURPOSE.** There are adverse secondary impacts of marijuana cultivation, processing, manufacturing, distribution, sales and use which include, without limitation, criminal activity, pungent odors, excess water consumption, toxic mold, excess energy consumption and indoor electrical fire hazards. The provisions of this ordinance are intended in order to promote the public safety, health, comfort and general welfare, in order to provide a plan for sound and orderly development, and to ensure social and economic stability within the various zones established by the Corcoran Zoning Ordinance.

**Section 2. FINDINGS AND PURPOSE.** The City Council of the City of Corcoran hereby finds and declares the following:

- (a) California Constitution Article 11, Section 7 authorizes the City of Corcoran (“City”) to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws;
- (b) California Government Code § 37100 authorizes the legislative body of a local government to enact local ordinances which are not in conflict with the Constitution and laws of the State of California or the United States;
- (c) The federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., classifies cannabis/marijuana as a Schedule I drug, which is defined as a drug or other substance which has a high potential for abuse, no currently accepted medical use in treatment in the United States, and has not been accepted as safe for use under medical supervision. The federal Controlled Substances Act declares it unlawful for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, cannabis. The federal Controlled Substances Act contains no exemption for cultivation, manufacture,

distribution, dispensation or possession of cannabis for medical or non-medical purposes;

(d) On June 28, 2016, the Secretary of State of the State of California certified Proposition 64, the Control, Regulate and Tax Adult Use of Cannabis Act (“AUMA” or “**Proposition 64**”), for the November 8, 2016 statewide presidential general election ballot;

(e) The AUMA became law when a majority of the electorate voted “yes” on Proposition 64. The AUMA, to a certain degree, decriminalized under State law the possession, consumption, cultivation, processing, manufacture, distribution, testing and sale of non-medicinal cannabis/marijuana and derivative products, including edibles, for adults twenty-one (21) years of age and older. The AUMA also included provisions for licensing commercial cannabis and preserved the authority of local governments to regulate, and in some cases ban, certain cannabis activities within their boundaries.

(f) On June 27, 2017, Senate Bill 94 (“**SB-94**”), which was a state budget trailer bill, was signed into law by the Governor of the State of California. This legislation clarified and/or revised certain portions of the AUMA and also certain state statutes pertaining to medicinal cannabis/marijuana, including the authority of local governments to regulate, and in some cases ban, certain cannabis activities within their boundaries;

(g) The AUMA now regulates, among other matters, the use of cannabis/marijuana for non-medicinal personal and commercial purposes, including the recreational use of cannabis by adults over twenty-one (21) years of age;

(h) To regulate personal use of cannabis, the AUMA added Health and Safety Code § 11362.1 which, among other things and with certain exceptions, made it “...lawful under state and local law...” for persons 21 years of age or older to “...possess, process, transport, purchase, obtain or give away to persons 21 years of age or older without any compensation whatsoever...” up to 28.5 grams of non-medical cannabis in the form of concentrated cannabis or not more than eight grams in the form of concentrated cannabis contained in cannabis products;

(i) The AUMA also removed certain state criminal law prohibitions for adult individuals who “...possess, plant, cultivate, harvest, dry or process not more than six living cannabis plants and possess the cannabis produced by the plants...”;

(j) The AUMA also clarified that State law does not prohibit specified adult individuals from smoking or ingesting cannabis or cannabis products;

(k) To regulate commercial use of non-medical cannabis, the AUMA added Division 10 (Cannabis) to the Business & Professions Code, which vested certain state agencies with “...the sole authority to create, issue, deny, renew, discipline, suspend, or revoke

licenses...” for certain non-medicinal commercial cannabis business activity including microbusinesses, transportation, storage (unrelated to manufacturing activities), distribution, testing, and sale of cannabis and cannabis products within the state;

(l) The AUMA provides that specified state agencies shall promulgate rules and regulations and shall begin issuing state business licenses under Division 10 of the Business & Professions Code by January 1, 2018;

(m) The AUMA specifies that a local jurisdiction shall not prevent transportation of non-medicinal cannabis or derivative products on public roads by a licensee transporting cannabis or derivative products in compliance with Division 10;

(n) The AUMA authorized cities to “...reasonably regulate...” without completely prohibiting cultivation of cannabis inside a private residence or inside an “...accessory structure to a private residence located upon the grounds of a private residence which is fully enclosed and secure...”;

(o) The AUMA authorized cities to completely prohibit outdoor cultivation on the grounds of a private residence until a “...determination by the California Attorney General that nonmedical use of cannabis is lawful in the State of California under federal law...”;

(p) The AUMA authorized cities to completely prohibit the establishment or operation of any non-medicinal cannabis business licensed under Division 10 within its jurisdiction, including cannabis dispensaries, cannabis retailers and cannabis delivery services;

(q) Absent appropriate local regulation, which is authorized by the AUMA, only state regulations will be controlling within a given local jurisdiction;

(r) Until the AUMA was enacted, state statutes prohibited cultivation, possession and sales of non-medicinal cannabis and therefore overlapping local regulations would have been preempted by state statute;

(s) The City has permissive zoning standards which prohibit all land uses not expressly allowed and has applied the same, without exception, to all instances of medicinal cannabis, including, but not limited to, cultivation, distribution, dispensing, transportation, sales and gifting;

(t) The existence of cannabis cultivation operations carries the potential to increase secondary impacts such as: (1) robberies, break-ins and other thefts due to the high monetary value of cannabis plants; (2) dangerous alterations to the electrical wiring of buildings; (3) toxic amounts of mold spores present in buildings intended for human occupation; (4) the potential for exposure to or increased usage by school aged children; (5) the spread of strong, pungent and/or noxious odors from cannabis plants;

(u) The City has legitimate and compelling interests in protecting the public health, welfare and safety of its residents, as well as preserving the peace and quiet of the neighborhoods within the City;

(v) The City has determined that a regulatory ordinance is necessary to protect the public health, welfare and safety of residents of the City to the maximum extent allowable under California law to address the adverse secondary impacts resulting from changes to California law through the AUMA and Senate Bill 94 (2017);

(w) The cultivation of substantial amounts of cannabis/marijuana in any location or parcel of real property within the City poses serious threats to the health, safety, and well-being of the City and its residents, including the following:

(1) By concentrating substantial amounts of cannabis in one place, such locations and parcels are frequently associated with, and create a significant risk of, burglary, robbery, armed robbery, and larceny and other property crimes; and acts of violence in connection with the commission of such crimes or the occupants' attempts to prevent such crimes.

(2) Such locations and parcels are frequently associated with other criminal activities, including unlawful sales of cannabis to individuals, including minors who are not qualified medical patients, trafficking of cannabis outside the City by unlawful enterprises, and possession and discharge of unlawful firearms.

(3) The creation of persistent malodorous smells reaching into populated areas far beyond cannabis grow sites. Cannabis plants, as they begin to flower and for a period of two (2) months or more during the growing season (August - October for outdoor grows), produce an extremely strong odor, offensive to many people, and detectable far beyond property boundaries. This malodorous smell is often described as "skunky," as it resembles the odor of a skunk.

(4) The distinctive smell of flowering cannabis also creates an attractive nuisance, alerting persons to the location of the valuable cannabis plants, and creating a risk of theft, burglary, robbery and armed robbery and associated violent confrontations.

(5) Cultivation of large amounts of cannabis also frequently requires excessive use of water resources, which exacerbates drought conditions.

(6) Extensive indoor cultivation of large amounts of cannabis also frequently requires excessive use of electricity, which often creates an unreasonable risk of fire from the electrical grow lighting systems used in indoor cultivation.



(x) Cultivation and sales of any amount of cannabis and/or derivative products at locations or parcels within one thousand (1,000) feet of schools, school bus stops, school evacuation sites, churches, parks, child care centers, or youth-oriented facilities creates unique risks that the cannabis plants may be observed by juveniles, and therefore be especially vulnerable to theft or recreational consumption by juveniles. Further, the potential for criminal activities associated with cannabis cultivation in such locations poses heightened risks that juveniles will be involved or endangered. Therefore, cultivation and sales of any amount of cannabis or derivative products within such locations or parcels is especially hazardous to public safety and welfare, and to the protection of children.

(y) As recognized by the California Attorney General's August 2008 GUIDELINES FOR THE SECURITY AND NON-DIVERSION OF CANNABIS GROWN FOR MEDICAL USE, the cultivation or other concentration of cannabis in any location or parcels without adequate security increases the risk that surrounding homes or businesses may be negatively impacted by nuisance activity such as loitering or crime. There is no known reason why this same principle would not apply to non-medicinal cannabis.

(z) It is the purpose and intent of this Ordinance to implement State law by providing a means for regulating non-medicinal and medicinal cannabis in a manner which is consistent with applicable State laws and which promotes the health, safety, security and welfare of local residents within the City. This Chapter is intended to be consistent with Proposition 64 and Senate Bill 94, and to that end, is not intended to prohibit any person from exercising any right otherwise granted by State law. Rather, the intent and purpose of this Chapter is to establish reasonable regulations upon the manner in which cannabis and cannabis products must or must not be cultivated, manufactured, processed, stored and sold or gifted, in order to protect the public health, safety, security and welfare of all of the residents of the City.

(aa) The limited right of individuals under State law to cultivate cannabis plants for non-medicinal purposes and/or to carry on a cannabis business without violating state criminal laws does not confer the right to create or maintain a public nuisance. By adopting the regulations contained in this Chapter, the City will achieve a significant reduction in the aforementioned harms caused or threatened.

(bb) Nothing in this ordinance shall be construed to allow or legalize cannabis for any purposes, or allow or legalize any activity relating to the cultivation, distribution or consumption of cannabis which is otherwise illegal under state or federal law. No provision of this Chapter shall be deemed a defense or immunity to any action brought against any person by the County District Attorney or the Attorney General of State of California.

**Section 3. CODE REPEAL.** Except to the extent expressly indicated otherwise

herein, the specific provisions of each and all existing ordinances which are in actual conflict with any provision of this ordinance shall be repealed.

**Section 4. CODE REPEAL.** The following definitions within section 11-31-2 of the Corcoran Municipal Code are hereby repealed:

- Medical Marijuana;
- Medical Marijuana Cultivation;
- Medical Marijuana Dispensary;
- Medical Marijuana Facility; and
- Mobile Marijuana Dispensary.

**Section 5. CODE AMENDMENT.** The following definitions are added, in alphabetical order, to the existing definitions within section 11-31-2 of Chapter 11-31 of Title 11 of the Corcoran Municipal Code:

Cannabis. Shall be defined as provided within California Health and Safety Code section 11018, or successor statute. The terms “cannabis” and “marijuana” shall have the same meaning within the Corcoran Municipal Code. Furthermore, except where otherwise distinguished, the term “cannabis” shall include and refer to both medicinal cannabis and non-medicinal cannabis.

Cannabis business. Shall refer to commercial cannabis activity, as defined within this section.

Commercial cannabis activity. Shall be defined as provided within California Business and Professions Code § 26001(k), or successor statute, but shall not include any business whose only relationship to cannabis is the production or sale of accessories for individual consumption and/or use of cannabis or cannabis products.

Commercial cannabis delivery. Shall be defined as provided within California Business and Professions Code section 26001(p).

Cannabis products. Shall have the meaning as provided within California Health and Safety Code section 11018.1.

Medical Marijuana. Shall have the same meaning as “medicinal cannabis” as defined within California Business and Professions Code § 26001(ai), or successor statute.

Medical Marijuana Cultivation. Shall have the same meaning as “cultivation” as defined within California Business and Professions Code § 26001(D), or successor statute.

Medical Marijuana Dispensary. Shall have the same meaning as “cannabis retailer” as defined within California Revenue and Taxation Code § 34010(j), or successor statute.

**Section 6.** CODE ADOPTION. Chapter 11-33 of Title 11 is hereby added to the Corcoran Municipal Code and reads as follows:

**CHAPTER 11-33 ADULT-USE CANNABIS REGULATIONS**

**11-33-010 Authority and Title.**

**11-33-020 Definitions.**

**11-33-030 Nuisance Declared.**

**11-33-040 Registration of Parcels Prior to Non-Commercial Cultivation.**

**11-33-050 Registration Application and Certificate; Identification Cards.**

**11-33-060 Regulatory Inspections of Registered Parcels and Records.**

**11-33-070 Denial of Registration.**

**11-33-080 Responsibilities of Registrants.**

**11-33-090 Violations.**

**11-33-010 Authority and Title.**

Pursuant to the authority granted by Article XI, section 7 of the California Constitution, Health and Safety Code § 11362.2(b)(1), and Government Code § 38773.5, the City Council does enact this Chapter, which shall be known and may be cited as the “Adult-Use Cannabis Ordinance.”

**11-33-020 Definitions.**

(a) All definitions set forth within California Health and Safety Code § 11362.7, California Business and Professions Code § 26001 and California Revenue and Taxation Code § 34010, as amended from time to time, and as interpreted by judicial opinions from time to time, shall apply under this Chapter in addition to the definitions set forth within subsection (b) below. In the event of an actual conflict between the definitions within the aforementioned statutes and those contained within subsection (b) below, the definition within subsection (b) shall prevail.

(b) Except where the context otherwise requires, the following definitions shall govern the construction of this Chapter:

- (1) "City" refers to the City of Corcoran.
- (2) "Enforcing officer" means the Chief of Police, Community Development Director or other the Code Enforcement Officer, or the authorized deputies or designees of either, each of whom is independently authorized to enforce this Chapter.
- (3) "Legal parcel" and "parcel" mean any parcel of real property which may be separately sold in compliance with the Subdivision Map Act [Division 2 (commencing with section 66410) of Title 7 of the Government Code].
- (4) The terms "cannabis" and "marijuana" shall have the same meaning within this ordinance. Furthermore, except where otherwise distinguished, the term "cannabis" shall include and refer to both medicinal cannabis and non-medicinal cannabis.
- (5) "Mature cannabis plant" and "immature cannabis plant" shall have the same meaning as those terms are used in California Health and Safety Code § 11362.77.
- (6) "Medical cannabis" shall have the same meaning as medicinal cannabis in California Business and Professions Code § 26001.
- (7) "Municipal Code" refers to the Corcoran Municipal Code.
- (8) The term "State" refers to the State of California.

(c) Effect of Headings/Titles Within this Chapter: Section and subsection headings and title are provided for organizational purposes only and must not be read to in any manner affect the scope, meaning or intent of the provisions associated with them.

**11-33-030 Nuisance Declared.**

(a) Unless and until this subsection is specifically cited as repealed, notwithstanding any other ordinance of the City, each and all of the following activities are hereby declared to be a public nuisance and unlawful when the same occur in violation of any of the provisions of this Chapter or any State law, and any such public nuisance may be abated by the City in any manner allowed by any State law or local ordinance:

- (1) The operation of any indoor and/or outdoor cannabis cultivation site or cultivation area upon any parcel of real property within the City which does not have an active registration with the City; and
- (2) The operation of any cannabis business upon any parcel of real property within the City which does not have an active registration with the City.

(b) Prohibited Non-Commercial Cannabis Activities: Unless and until this subsection is specifically cited as repealed, notwithstanding any other ordinance of the City, each of the following shall be prohibited everywhere within the City and shall constitute a public nuisance:

- (1) Outdoor Cultivation: All outdoor possession, planting, cultivation, harvesting, drying or processing of cannabis and industrial hemp, including any such activities with non-commercial cannabis upon any private residence under California Health and Safety Code § 11362.1;
- (2) Non-Commercial Cultivation: The operation of any indoor and outdoor cannabis cultivation site or cultivation area upon any parcel of real property within the City without a valid State license therefor issued under Division 10 of the California Business and Professions Code, excluding non-commercial cannabis cultivation under Health and Safety Code § 11362.1 occurring while in full compliance with all applicable provisions of this Chapter, the Municipal Code and State law;
- (3) Use In Certain Areas: The inhalation, ingestion, use and/or other consumption, by any natural person, of any cannabis and/or any cannabis product(s):
  - a. In any place where any form of tobacco use is prohibited under California Labor Code § 6404.5 (or successor statute);
  - b. Within any building and/or other facility owned, leased, operated or controlled by City;
  - c. Upon any public road, street, right-of-way, easement, sidewalk, park or recreation site; and
  - d. Upon any privately owned parcel, when such inhalation,

ingestion, use and/or other consumption is to any degree detectable to the unaided senses of any reasonable observer who is not located upon the same parcel; and

- (4) Child-Resistant Containers: Failure to at all times maintain cannabis products and harvested cannabis within secured child-resistant containers, except during active use or consumption in accordance with State law.

(c) Cannabis Use Prohibited During Public Business Hours: Notwithstanding any other ordinance of the City to the contrary, and to any extent not already prohibited by State law, federal law or subsection (b), inhalation, ingestion, use and/or other consumption of any cannabis and/or any cannabis product(s) by any natural person is prohibited upon each parcel of real property within the City during such times when any commercial business conducted thereon is open to the public.

**11-33-040 Registration of Parcels Prior to Non-Commercial Cannabis Cultivation.**

(a) Registration Required: This section applies to non-commercial cannabis cultivation under Health and Safety Code § 11362.1. Each parcel of real property within the City must be registered under this section with the City Manager or designee prior to the non-commercial cultivation thereon of any quantity of cannabis whatsoever. Violation of this requirement is hereby declared to be unlawful and a public nuisance which may be abated by the City in any manner allowed by State law or local ordinance. Registration of a parcel does not create any vested right or any land-use entitlement.

(b) Conditions of Active Registration: Registration of any parcel of real property under this section shall be invalid, void and inactive except during such times when all of the following conditions are all simultaneously satisfied:

(1) Registration Application Requirements: Any person owning, leasing, occupying and/or having charge or possession of the parcel has, within the twelve (12) months preceding each date when cultivation will occur, submitted an accurate and signed application for registration, which was ultimately approved for registration by the City, containing all of the following information and documentation:

- (A) The name of each person, owning, leasing, occupying

and having possession of the parcel;

(B) The maximum number of plants which will be cultivated on the parcel;

(C) Written consent to allow a City inspection of the cultivation area, during normal business hours and on a mutually suitable date, in order to complete the registration process; and

(D) Such other information and/or documentation as the City Manager reasonably determines is necessary to ensure compliance with State law and this Chapter including, without limitation, information reasonably necessary to establish compliance with subsection (b)(2) of this section.

The application information and documentation shall be received in confidence, and shall be used or disclosed only for purposes of administration or enforcement of this Chapter and/or State law, or as otherwise required by law or legal process.

The City Council may, by adoption of a resolution, establish a fee for such annual registration, which may include a fee for issuance of a registration certificate in accordance with all applicable legal requirements. Such fee must be paid in full for a registration to be valid and effective. All registrations, whether initial or renewal, of all parcels of real property shall expire at the end of the day on January 31st of the calendar year following the calendar year in which the parcel was registered.

(2) Zoning Compliance: This subsection shall apply notwithstanding any other provision within the Municipal Code. For cannabis cultivations within the scope of Health and Safety Code § 11362.1, the parcel to be registered must be located within any zone where a residential land use is permitted, as established by Title 9 of the Municipal Code.

(3) Owner's Consent: When a person cultivating cannabis on any parcel is not the legal owner(s) of the parcel, such person(s) must obtain the notarized written consent to such cultivation from the legal owner(s) of the parcel prior to commencing cultivation of cannabis on such parcel, and must provide the original of said consent to the City Manager at the time of application for registration of the parcel. Any withdrawal or revocation of the

owner's consent must be notarized and shall, without any notice from the City, terminate any existing annual registration at the end of the thirtieth (30th) day after personal service of the notice, which must be dated, upon the tenant(s)/occupant(s), provided that a copy is contemporaneously served upon or mailed to the City. Any such notice which is mailed to a tenant(s)/occupant(s) must be postmarked and shall require an additional five (5) days to become effective.

(4) Indoor Cultivation Requirements: Subject to the other requirements within this Chapter, the total area used for cannabis cultivation must be contiguous and not exceed one hundred (100) square feet. When it is unattended by the registrant, such cultivation area must be locked and completely inaccessible to anyone without a unique physical and/or alphanumeric key. The cannabis plants within the cultivation area must not be detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level. Each door providing access into any cultivation area must be locked at all times when not within the view of the cultivator. After a citation issued for excessive odor becomes final and non-appealable, and after written notice of at least fifteen (15) business days, the City may require, as a condition for maintaining registration of a parcel, the installation of a City-approved ventilation system which includes one or more charcoal filters sufficient to eliminate further violations pertaining to cannabis odor. Each building must also comply with any existing, adopted or revised ordinances and all applicable State and local standards pertaining to ventilation rates, exhaust termination, ventilation inlets and humidity levels.

(5) Cultivation Building Requirements: All cannabis cultivations must occur within a properly constructed and permitted real property improvement which is the private residence of the cultivator or is upon the parcel containing such private residence. Such private residence or accessory structure thereto which contains a cultivation area must be fully enclosed and must be fully compliant with all applicable State and local laws, building standards and all of the following shall apply:

(A) Portables Prohibited: Cultivation within any trailer, camper and any other form of portable enclosure which is not a "private residence" under Health and Safety Code section 11362.2(b)(5) is prohibited.

(B) Windows: The exterior windows to all buildings or



structures where cannabis is cultivated, must eliminate visibility of all cannabis plants from all ground level exterior vantage points and must be equipped with security bars. Security bars must be installed on the inside of detached garages and other auxiliary buildings which are not certified or permitted as human living spaces and such buildings must have fire rated drywall properly installed. Windows must not be broken.

(C) Doors: All frames for doors which allow entry into the building from the outside must be made of metal or solid wood reinforced with metal at the point where locks latch to them. All non-metal doors must be solid-core and equipped with either a deadbolt lock, or a properly functioning industrial grade padlock and locking mechanism, which can only be unlocked with a unique key.

(D) Electrical: The lighting and electrical system for the cultivation area must comport with applicable building standards, including those pertaining to cultivation areas, and not exceed consumption of 1,200 watts at any time. The use of an extension cord of any kind is prohibited for all aspects of cannabis cultivation.

(E) Flooring: The flooring beneath each cannabis plant must not consist of carpet or other non-water proof material which can be penetrated by water or other liquids.

(F) Irrigation Equipment: Use of all garden hoses, drip irrigation lines, irrigation timers and other irrigation components designed for outdoor use is prohibited for all indoor cannabis cultivation. All water fixtures and modifications thereto must be inspected and approved by the City. A City-approved backflow prevention device must be properly installed, functioning and inspected for each water fixture used primarily for cannabis cultivation. The presence of any toxic mold in any quantity which exceeds the naturally occurring level is prohibited.

(G) Effluents: Discharge into the City's sanitary sewer system of any effluent containing any cannabis cultivation waste product, chemical, fertilizer or pesticide is prohibited, including discharges into household drains, commercial drains, storm drains and other private and public drainage

systems within the City. Furthermore, such discharges are also prohibited into any community water system, municipal water system and all other public or private water systems.

(H) Chemical: All pesticides, fertilizers and other treatments or chemicals used for cannabis cultivation must not be stored within any area of a private residence which does not comply with all requirements of this Chapter for a cannabis cultivation area. All such items must not be visible or otherwise detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level.

(6) Plant Size: At all times during indoor cannabis cultivation under Health and Safety Code § 11362.1 within a parcel containing a private residence, each cannabis plant must not exceed a height which is the lesser of eight (8) feet or one (1) foot from the ceiling above the plant, and the width must not exceed three (3) feet, provided that in no event should the size of cannabis plants which are grown together increase to a degree that any of them to any degree obstruct ingress and egress between each doorway and window within the room wherein they are located. Notwithstanding the foregoing, cannabis plants must not be cultivated in such a manner that the cannabis plant makes contact with any wall, door, window or ceiling at any time and there must at all times exist at least a one (1) foot space between each plant and the walls, doors, windows and the ceiling.

(7) Safety Requirements: At all times during indoor cannabis cultivation under Health and Safety Code § 11362.1 within a parcel containing a private residence, whenever any person under the age of twenty-one (21) years resides, regularly visits or is actually present upon such parcel, the cultivated cannabis plants must not be located within any common area of such private residence which is accessible by such minor including, without limitation, any hallway, living room, den, family room, kitchen, bathroom, garage or sunroom. Minors under the age of twenty-one (21) years also must not be allowed access into any indoor cultivation area during cultivation, harvesting, drying or processing of cannabis. Except when being actively consumed or handled in accordance with applicable State and local laws, all harvested cannabis and all cannabis products which are located on the parcel must be secured in a safe or room which is locked and inaccessible by persons under the age of twenty-one (21) years of age.

(8) Records: At all times during cannabis cultivation under Health and Safety Code § 11362.1 which occurs within the City, at least one legible and up-to-date hardcopy journal must be maintained on the parcel, containing all of the following information:

- (A) Each cannabis plant's date of acquisition;
- (B) The source of such acquisition;
- (C) Height and width in inches during each calendar month;
- (D) Each cannabis plant's corresponding owner; and
- (E) The date of each journal entry next to the printed and signed name of the person making the entry into the journal.

Said journal must be retained for a period of not less than five (5) years after each date listed within the journal. As a pre-condition of registration or registration renewal, the City may require individual tags, bar codes or other physical labels or markers to be affixed onto each cannabis plant exceeding one inch in vertical height.

(9) Metered Water: Water service to the parcel must be metered with a device which is both capable of wireless transmission of metering data and approved by the City.

(10) Building Standards: All waterlines, electrical wiring and structures used for cultivation of cannabis must comply with all applicable building codes, laws and ordinances.

(11) Compliance with State Cannabis Laws: Each registrant must at all times remain in full compliance with all State statutes which are applicable to cannabis including, without limitation, those pertaining to personal cultivation, sales, gifting, use and possession.

(12) Overdue City Balance: Each owner of the parcel to be registered must not have any amount which is overdue, thirty (30) or more days, to the City in unpaid fines, penalties, fees, charges, taxes, assessments and/or other payments, including homebuyer or housing rehabilitation loans from the City and other contracted payments of any kind.

(13) Code Violations: Each parcel to be registered must not have any active recorded instrument pertaining to any code violation which has been finally determined, or which otherwise can no longer be appealed, and which requires the City to inspect and clear such violation.

(d) Registration Voided Upon Violation: Any registration which becomes void for lack of compliance with any requirement of this Chapter shall remain void and ineffective from the initial moment of noncompliance and cannot be reinstated without a renewal application.

(e) Responsibility for Cultivation Violations: No person owning, leasing, occupying or having charge or possession of any parcel within the City shall cause, allow, suffer, or permit such parcel to be used for cultivation of cannabis in violation of any provision in this Chapter. Violation of this provision by any person owning, leasing, occupying or having charge or possession of any registered parcel shall be grounds for revocation of registration in addition to abatement under this Chapter.

(f) The City Manager or designee shall have authority to, in writing, waive any registration fee and/or requirements otherwise needed for registration, and thereafter issue a registration when, after reasonable consultation with the Office of the City Attorney, it is reasonably believed that State or federal law might so require.

**11-33-050 Registration Application and Certificate.**

(a) Applications: Each applicant seeking to register a parcel for a cannabis cultivation must be the owner or authorized tenant of the parcel and submit a written application on a form approved by the City. Within twenty (20) business days after receipt of registration application, the City Manager or designee shall either:

- (1) Act upon the registration application;
- (2) Provide a written notice of extension, not to exceed twenty (20) business days; or
- (3) Return the registration application with written notification as to why the application is incomplete.

(b) Registration Certificate: Upon approval of a registration application, the City shall issue a registration certificate which must be maintained within the registered parcel and physically posted on the door or other entryway into the cultivation area. This certificate is subject to inspection by any Enforcement Officer, whenever she/he is on the parcel for a lawful purpose, during such times when cannabis is actively cultivated on the parcel. Duplicate registration certificates will require payment of fee which shall be set by resolution of the City Council.

**11-33-060 Regulatory Inspections of Registered Parcels and Records.**

(a) Annual Inspections: Each parcel upon which cultivation of cannabis occurs must be inspected by the City a minimum of one (1) time each calendar year.

(b) Regulatory Parcel Inspections: Each parcel upon which cultivation of cannabis occurs shall be subject to inspection by the City during the ordinary business hours. If the owner or other person in charge of or in possession of the parcel fails to consent to the regulatory inspection, the registrant shall be deemed to have requested that the City obtain and execute a regulatory inspection warrant and a fee shall be assessed against the registrant. Said fee shall be set in accordance with a fee resolution approved by the City Council. The inspection required by this section shall be for the purpose of ensuring compliance with the requirements of this Chapter and applicable State laws.

(c) Regulatory Records Inspections: The records required to be maintained under this Chapter shall be subject to inspection by the City during the ordinary business hours. Said inspection shall be for the purpose of ensuring compliance with the requirements of this Chapter and applicable State laws.

**11-33-070 Denial of Registration.**

(a) Identification: Each applicant must verify their identity by presenting an unexpired identification card or driver's license issued by any U.S. state or the federal government.

(b) Grounds for Denial/Revocation/Suspension: The City Manager, or her/his designee, may deny, refuse to renew, suspend or revoke any registration obtained or sought to be obtained under this Chapter where the applicant or registrant satisfies any one or any combination of the following:

- (1) Failed to provide a fully completed application for registration;
- (2) Provided inaccurate information on an application for registration;
- (3) Failed to pay to the City the required registration fee and inspection costs;
- (4) Repeatedly violated this Chapter within the preceding twenty-four (24) months;

- (5) Refused to allow the City to conduct a regulatory inspection of the parcel registered or inspection of records required, as required by this Chapter;
- (6) Failed to pay to the City any amount which is overdue, thirty (30) or more days, to the City in unpaid fines, penalties, fees, charges, taxes, assessments and/or other payments, including contracted payments; or
- (7) Failed to provide written approval or written clearance to cultivate cannabis, which must be dated no earlier than sixty (60) days before the date of application, from the applicant's parole officer or probation officer, if the applicant is on active parole or formal probation.

(c) Appeal: Any person aggrieved by a denial of their application for registration may appeal the decision in the same manner as a notice to abate under Section 11-33-130. Upon receipt of a request for appeal, the City Manager or designee may elect to have the appeal proceed under Section 11-33-130 or another process within the Municipal Code, by providing a copy of such process.

**11-33-080 Responsibilities of Registrants.**

- (a) For the purpose of enforcing the requirements of this Chapter, the registrant of each parcel within the City shall be fully responsible for all conduct occurring on the parcel which may violate the terms of this Chapter, including the conduct of each of the registrant's invitees, guests, employees, agents and independent contractors working on the parcel, if applicable.
- (b) If any violation of the requirements of this Chapter occurs on a registered parcel, notice of suspension, revocation or restriction may be issued by providing written notice thereof within or in addition to a notice of violation and/or a notice to abate, which identifies the violation(s) supporting the decision to suspend, revoke or restrict the registration. The suspension, revocation or restriction shall become final when finding regarding the related violation(s) becomes final, unless an immediate suspension, revocation or restriction is reasonably necessary to protect against a substantial risk of significant bodily harm, death or significant property damage.
- (c) In addition, the City may report all violations committed by State licensees to the State.

**11-33-090 Violations.**

(a) Any violation of the provisions of this Chapter by any member of the public is hereby declared to be a public nuisance and may be abated by any or all remedies available under local, State and federal laws.

(b) The City may abate the violation of this Chapter by the prosecution of a civil action through the City Attorney, including an action for injunctive relief. The remedy of injunctive relief may take the form of a court order, enforceable through civil contempt proceedings, prohibiting the maintenance of the violation of this Chapter or requiring compliance with other terms.

(c) Each cannabis plant cultivated in violation of the applicable provisions of this Chapter shall constitute a separate and distinct violation.

(d) Each and every day that a violation exists as to any violation within this Chapter shall constitute a separate and distinct violation.

(e) Each violation of this Chapter may be enforced by any and all lawful remedies available under the Municipal Code and applicable state statute(s), including but not limited to civil fines and penalties, infraction citation, public nuisance abatement and civil injunction, and all available remedies shall be cumulative and not preclude other available remedies.

**Section 7. CODE ADOPTION.** Chapter 11-32 of Title 11 is hereby added to the Corcoran Municipal Code and reads as follows:

**CHAPTER 11-32 CANNABIS ABATEMENTS**

- 11-32-010 Notice to Abate Cannabis Violation.**
- 11-32-020 Contents of Notice.**
- 11-32-030 Service of Notice.**
- 11-32-040 Administrative Review.**
- 11-32-050 Liability for Costs and Expenses.**
- 11-32-060 Abatement by Owner or Occupant.**
- 11-32-070 Enforcement.**
- 11-32-080 Accounting.**
- 11-32-090 Notice of Hearing on Accounting; Waiver by Payment.**
- 11-32-100 Hearing on Accounting.**
- 11-32-110 Modifications.**
- 11-32-120 Special Assessment and Lien.**
- 11-32-130 Enforcement by Civil Action.**
- 11-32-140 Summary Abatement.**
- 11-32-150 No Duty to Enforce.**

**11-32-010 Notice to Abate Cannabis Violation.**

Whenever the enforcing officer determines that a public nuisance as described in Chapter 11-33 or 11-34 exists on any parcel within the City, he or she is authorized to notify the record owner(s) and/or occupant(s) of the parcel, through issuance of a written Notice to Abate Cannabis Violation (“*notice to abate*”).

**11-32-020 Contents of Notice.**

The written notice required under section 11-32-010 must be in writing and must:

- (a) Identify the owner(s) of the parcel upon which the nuisance exists, as named in the records of the county assessor, and identify the occupant(s), if other than the owner(s), and if known or reasonably identifiable.
- (b) Describe the location of such parcel by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the parcel.
- (c) Identify such property by reference to the assessor’s parcel number.
- (d) Contain a statement that cannabis violation exists on the parcel and that it has been determined by the enforcing officer to be a public nuisance as described in Chapter 11-33 or 11-34.
- (e) Describe the cannabis violation that exists and the actions required to abate it.
- (h) Contain a statement that the owner or occupant is required to abate the cannabis violation within fourteen (14) calendar days after the date of service of the required *notice to abate*.
- (i) Contain a statement that the owner or occupant may, within ten (10) calendar days after the date that said notice was served, make a request in writing to the City Clerk for a hearing with the City Manager or the City Manager's designee to appeal the determination of the enforcing officer that the conditions existing constitute a public nuisance, or to show other cause why those conditions should not be abated in accordance with the provisions of this Chapter.
- (j) Contain a statement that, unless the owner or occupant abates the cannabis violation, or requests a hearing before the City Manager or designee,



within the time prescribed in the written notice, the enforcing officer will abate the nuisance. It shall also state that the abatement costs, including administrative costs, shall be made a special assessment added to the real property tax assessment roll and become a lien on the parcel, or be placed on the unsecured tax roll.

(k) Indicate that the parcel may be sold by the tax collector after three (3) years of unpaid delinquent assessments.

**11-32-030 Service of Notice.**

(a) The *notice to abate* shall be served by delivering it personally to any adult occupant of the parcel and, pursuant to Government Code § 38773.5(c), shall also be served by certified United States mail address to each owner of the parcel, together with a Certificate of Mailing, to the address of each owner of the parcel as shown on the last equalized assessment roll, except that:

(1) If the records of the county assessor show that the ownership has changed since the last equalized assessment roll was completed, the written notice shall also be mailed to each new owner at his or her address as it appears in said records; or

(2) In the event that, after reasonable effort, the enforcing officer is unable to serve the written notice as required by this section, service shall be accomplished by posting a copy of the written notice on the parcel upon which the nuisance exists as follows:

(A) Copies of the written notice shall be posted along the frontage of the subject property and at each entryway or such other locations on the property reasonably likely to provide notice to the owner and occupant.

(B) In no event shall fewer than two (2) copies of the written notice be posted on a property pursuant to this section.

(b) The service of the written notice is deemed complete as of the date of deposit in the U.S. mail, personal delivery, or posting, as applicable.

(c) Upon completion of service of the *notice to abate*, said notice may be recorded in the Office of the County Recorder pursuant to Government Code § 38773.5(e).

**11-32-040 Administrative Review.**

(a) Any person upon whom a *notice to abate* has been served may

appeal the determination of the enforcing officer, that the conditions set forth in such notice constitute a violation and/or public nuisance, to the City Manager or designee, or may show cause before the City Manager or designee why those conditions should not be abated in accordance with the provisions of this Chapter.

(b) An administrative review must be commenced by filing a written request for a hearing with the City Clerk within ten (10) calendar days after the date when the relevant notice was served upon them. The written request shall include a statement of all facts supporting the appeal. The time requirement for filing the written request for administrative review shall be deemed jurisdictional and may not be waived. In the absence of a timely filed written request which complies fully with the requirements of this section, the findings of the enforcing officer contained in the relevant notice shall become final and conclusive on the eleventh (11th) day following service of the relevant notice.

(c) Upon timely receipt of a written request for hearing which complies with the requirements of this section, the City Clerk shall set a hearing date not less than seven (7) days nor more than thirty (30) days from the date the request was filed, unless the City and the person requesting the hearing agree otherwise in writing. The City Clerk shall send written notice of the hearing date to the requesting party, to any other parties upon whom the City served, and to the enforcing officer. Pursuant to Government Code § 38773.5(c), said notice of the hearing date shall be sent by certified mail to the record owners of the parcel.

(d) Any hearing conducted pursuant to this Chapter need not be conducted according to technical rules relating to evidence, witnesses and hearsay. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely upon in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions. The City Manager or designee has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.

(e) The City Manager or designee may continue the administrative hearing from time to time.

(f) The City Manager or designee shall consider the matter de novo, and may affirm, reverse, or modify the determinations contained in the notice identifying the disputed violations. The City Manager or designee shall issue a written decision in the form of a resolution, which shall include

findings relating to the existence or nonexistence of the alleged cannabis violation, as well as findings concerning the propriety and means of abatement of the conditions set forth in the *notice to abate*. Such decision shall be mailed to, or personally served upon, the party requesting the hearing, any other parties upon whom the *notice to abate* was served, and the enforcing officer except that pursuant to Government Code § 38773.5(c), said notice shall be sent by certified mail to the record owners of the parcel.

(g) The decision of the City Manager or designee shall be final and conclusive.

(h) After issuance of the decision of the City Manager or designee, if a *notice to abate* was recorded against any property that, under the decision of the City Manager or designee, shall not secure any special assessment under this Chapter, the City Clerk shall cause a *Notice of Withdrawal* to be recorded in the Office of the County Recorder pursuant to Government Code § 38773.5(e). Said *Notice of Withdrawal* need not be acknowledged but must have attached a certified copy of the City Manager or designee resolution authorizing the recordation of the *Notice of Withdrawal*, and shall specifically reference the official recorded document number listed on the *notice to abate* to be withdrawn.

**11-32-050 Liability for Costs and Expenses.**

(a) In any enforcement action brought pursuant to this Chapter, whether by administrative proceedings, judicial proceedings, or summary abatement, each person who causes or permits to exist, or who maintains any cannabis violation shall be liable for all costs incurred by the City, including, but not limited to, administrative costs, and any and all costs incurred to undertake, or to cause or compel any responsible party to undertake, any abatement action in compliance with the requirements of this Chapter, whether those costs are incurred prior to, during, or following enactment of this Chapter.

(b) In any action by the enforcing officer to abate a cannabis violation under Chapter 11-33 or 11-34, whether by administrative proceedings, judicial proceedings, or summary abatement, the prevailing party shall be entitled to a recovery of the reasonable attorneys' fees incurred. In no action, administrative proceeding or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees actually incurred by the City in such action or proceeding. Pursuant to Government Code § 38773.5(b), recovery of attorneys' fees under this subsection shall be limited to those actions or proceedings in which the City elects, in the *notice to abate*, to seek recovery of its own

attorneys' fees.

**11-32-060 Abatement by Owner or Occupant.**

Any owner or occupant may abate any cannabis violation on parcel of real property owned, occupied or controlled by them or cause such cannabis violation to be abated at any time prior to commencement of abatement by, or at the direction of, the enforcing officer.

**11-32-070 Enforcement.**

(a) Whenever the enforcing officer becomes aware that an owner or occupant has failed to abate any cannabis violation within fourteen (14) days of the date of service of the *notice to abate*, or if an such notice was appealed, as of the date set by the City Manager or designee requiring such abatement, if any, the enforcing officer may take one or more of the following actions:

(1) Enter upon the parcel and abate the nuisance with City personnel, or by private contractor under the direction of the enforcing officer. The enforcing officer may apply to a court of competent jurisdiction for an abatement warrant authorizing entry upon the property for the purpose of undertaking the abatement work. If any part of the work is to be accomplished by a private contractor(s), a written estimate of the work shall be provided to the owners and occupants of the parcel. Nothing herein shall be construed to require that any contract be awarded under this Chapter through competitive bidding procedures whenever such procedures are not required by the general laws of the State of California or this Code; or

(2) Request that the City Attorney commence a civil action to redress, enjoin and/or abate the public nuisance.

**11-32-080 Accounting.**

The enforcing officer shall keep a written accounting of the cost of every abatement carried out and shall render a report in writing, itemized by parcel, to the City Manager or designee showing the cost of abatement and the administrative costs for each parcel.

**11-32-090 Notice of Hearing on Accounting; Waiver by Payment.**

Upon receipt of the accounting report of the enforcing officer, the City Clerk shall send a copy of each report by certified mail addressed to each corresponding property owner and include therewith a notice informing each owner that at the date and time specified, which shall not be less than five (5) business days after the date of mailing of the notice, the City Manager

or designee will meet to review the accounting report and that each owner may appear at said time and be heard. The owner may waive the hearing on the accounting by paying the cost of abatement and the cost of administration to the City Clerk prior to the time set for the hearing by the City Manager or designee. Unless otherwise expressly stated by the owner, payment of any costs of abatement and any costs of administration prior to said hearing shall be deemed a full waiver of the right to said hearing and a conclusive admission that said accounting is accurate and reasonable.

**11-32-100 Hearing on Accounting.**

(a) At the time fixed, the City Manager or designee shall meet to review the report of the enforcing officer. An owner may appear at said time and be heard on the question of whether the accounting, so far as it pertains to the cost of abating a nuisance upon the land of the owner, is accurate and the amounts reported are reasonable. The cost of administration shall also be reviewed.

(b) The report of the enforcing officer shall be admitted into evidence. The owner(s) shall bear the burden of proving by clear and convincing evidence that the accounting is not accurate and reasonable.

**11-32-110 Modifications.**

The City Manager or designee shall make such modifications in the accounting as it deems necessary and thereafter shall confirm the report by resolution.

**11-32-120 Special Assessment and Lien.**

After the hearing on the accounting under section 11-32-100, the City Manager or designee may order that the cost of abatement of any nuisance pursuant to Chapter 11-33 or 11-34 and the administrative costs as confirmed by the City Manager or designee be recorded as a special assessment against the respective parcels of land and placed upon the secured County tax roll, or placed on the unsecured roll, pursuant to section 38773.5 of the Government Code. However, the cost of abatement and the cost of administration as finally determined by the City Manager or designee shall not be placed on any tax roll if paid in full prior to entry of said costs on the tax roll. The City Manager or designee may also authorize or require that a *Notice of Abatement Lien* be recorded against the respective parcels of real property pursuant to section 38773.5(e) of the Government Code.

**11-32-130 Enforcement by Civil Action.**

As an alternative to the procedures set forth in sections 11-32-010 through 11-32-040, the City may abate the violation of Chapters 11-33 and 11-34 by the prosecution of a civil action through the City Attorney, including an

action for injunctive relief. The remedy of injunctive relief may take the form of a court order, enforceable through civil contempt proceedings, prohibiting the maintenance of any violation of Chapter 11-33 or 11-34 or requiring compliance with other terms.

**11-32-140 Summary Abatement.**

Notwithstanding any other provision of this Chapter, when any cannabis violation constitutes an immediate threat to public health, security or safety, and when the procedures set forth in sections 11-32-010 through 11-32-040 would not result in abatement of that nuisance within a short enough time period to avoid that threat, the enforcing officer may direct any officer or employee of the City to summarily abate the nuisance. The enforcing officer shall make reasonable efforts to notify the persons identified in section 11-32-030, but the formal notice and hearing procedures set forth in this Chapter shall not apply. Pursuant to Government Code § 38773, the City may nevertheless recover its costs for abating that nuisance in the manner set forth in sections 11-32-080 through 11-32-120.

**11-32-150 No Duty to Enforce.**

Nothing in this Chapter shall be construed as imposing on the enforcing officer or the City any duty to issue a *notice to abate*, nor to abate any cannabis violation, nor to take any other action with regard to any cannabis violation, and neither the enforcing officer nor the City shall be held liable for failure to issue an order to abate any cannabis violation, nor for failure to abate any cannabis violation, nor for failure to take any other action with regard to any cannabis violation.

**Section 8. CODE ADOPTION.** Subsection V. of section 4-1-1 of the Corcoran Municipal Code is hereby amended to read in its entirety as follows:

It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in this City to maintain such premises or an alleyway or other public right of way fronting said premises in such manner that any of the following conditions are found to exist thereon:

...

V. Cannabis: A violation, by any member of the public, of any cannabis regulation within the Corcoran Municipal Code.

**Section 9. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant

to CEQA Guidelines sections 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment] and 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemptions, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

**Section 10. NO LIABILITY.** The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Corcoran, or any official, employee or agent thereof.

**Section 11. PENDING ACTIONS.** Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 12. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Corcoran hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**Section 13. CONSTRUCTION.** The City Council intends this ordinance to supplement, not to duplicate, contradict or otherwise conflict with, applicable State and

federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Corcoran Municipal Code as amended by this ordinance are substantially the same as provisions in the Corcoran Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**Section 14. EFFECTIVE DATE.** The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the passage hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the \_\_\_\_\_, a newspaper printed and published in the City of Corcoran, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Corcoran, State of California, on \_\_\_\_\_, 2017 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
RAYMOND LERMA, Mayor

ATTEST: \_\_\_\_\_  
MARLENE LOPEZ, City Clerk



City of

# CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

CONSENT CALENDAR  
ITEM #: 2-F

## MEMORANDUM

**TO:** Corcoran City Council

**FROM:** Kevin J. Tromborg: Community Development Director.  
Planner, Building Official, Transit Director

**SUBJECT:** Waive Second Reading and approval of revised Ordinance No. 635 outlining revisions to Chapter 4, Public Health and Safety of the Corcoran Municipal Code regarding Sub-Standard Buildings and time regulations on boarded properties.

**DATE:** November 21, 2017

**MEETING DATE:** November 28, 2017

**RECOMMENDATION:** Move to waive second reading and approve revised Ordinance No. 635 as part of the consent calendar.

**DISCUSSION:** The Building and Safety and Code Enforcement Divisions of Community Development is responsible for keeping and maintaining the health and safety of all structures and properties within the City of Corcoran. Since 2007 it has been Building and Safety Department policy to require all Sub-standard buildings or properties that are posted or boarded up by the owner to tear down the structure or take out permits for the rehab of the structure. This requirement is stated on all Notice and Orders regarding these properties. Currently we have over 40 posted properties and several properties that have been boarded up by the owner. These properties are falling into decay and are causing blight and health and safety concerns. Boarded or posted properties also cause property values to plummet and are a magnet for criminal activities. Staff is seeking to move these requirements from a department policy to an ordinance in the City municipal code. This will allow the City to take legal action and issue fines against property owners who do not comply. The Planning Commission, at a regularly scheduled meeting on October 16, 2017 approved Resolution 17-09 regarding time limits and has sent its recommendation of approval to the Corcoran City Council to consider adding this requirement as an ordinance.

PROPOSED ORDINANCE NO. 635

SUMMARY

Ordinance 635 amends section 4-1-1 and add subsections (E) and (F) to section 4-1-9 of the Corcoran Municipal Code ("CMC"). As amended, CMC §§ 4-1-1(A) and 4-1-1(E) clarify that buildings which have been voluntarily or involuntarily boarded up or posted by the City Building Official as "Unsafe to Occupy" are public nuisances when they are not repaired, corrected or demolished within any period of time sufficient to carry out such repair, correction or demolition. With added subsections, CMC § 4-1-9 requires that owners of buildings which have been boarded up or posted as "Unsafe to Occupy" must carry out necessary repairs, corrections or demolitions within three (3) months and each day after expiration of the period to correct, repair or demolish gives rise to a new separate violation for penalty purposes, which can be enforced through civil fines and penalties, infraction citation, criminal prosecution, public nuisance abatement and civil injunction, as appropriate.

In accordance with Government Code Section 36933(c)(1) a certified copy of the full text of the ordinance is posted in the Office of the City Clerk, 832 Whitley Avenue, Corcoran, California 93212.

The ordinance was introduced and the first reading was waived by the Corcoran City Council on November 14, 2017. The second reading and/or enactment of the ordinance is scheduled for 5:30 P.M. on November 28, 2017, in the City Council Chambers located at 1015 Chittenden Avenue, Corcoran, California 93212.

ATTEST: \_\_\_\_\_  
MARLENE LOPEZ, City Clerk

-----NOTE TO PUBLISHER-----

(Please publish on the following date(s): No later than November 22, 2017)  
(Please provide us with a signed Affidavit of Publication.)

ORDINANCE NO. 635

AN ORDINANCE OF THE CITY OF CORCORAN  
ENACTING REGULATIONS FOR BUILDINGS WHICH  
HAVE REMAINED UNSAFE OR BOARDED UP FOR A  
SUBSTANTIAL PERIOD OF TIME.

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

**Section 1. FINDINGS AND PURPOSE.** The City Council of the City of Corcoran hereby finds and declares the following: There are adverse impacts of buildings which remain unsafe or boarded up for substantial periods of time. These types of buildings are in such often in such condition because they have been deemed unsafe to occupy or are uninhabitable. Such buildings become an attractive nuisance for kids, vandals and criminals who engage in criminal activity on the premises. These properties deteriorate the aesthetics for neighboring properties which are in active use. They also create blight or contribute to an increase in blight and thus have adverse secondary impacts in the form of lowering real property values in the neighborhoods in which they are located. The provisions of this ordinance are intended in order to promote the public safety, health, comfort and general welfare, in order to provide a plan for requiring owners of these types of properties to bring the properties into compliance with State and local laws and building standards so that they may be safely and lawfully occupied.

**Section 2. CODE REPEAL.** Except to the extent expressly indicated otherwise herein, the specific provisions of each and all existing ordinances which are in actual conflict with any provision of this ordinance shall be repealed.

**Section 3. CODE AMENDMENT.** Subsections (A) and (E) of section 4-1-1 of Title 4, Chapter 1 of the Corcoran Municipal Code are hereby amended to read in their entirety as follows:

**4-1-1: NUISANCE; MAINTENANCE OF PROPERTY:**

It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises within this City

the windows and/or doors to any such building or structure, or (2) which is presently the subject of a Notice and Order issued by the Building Official in conjunction with the latter's posting of the building or structure as "Unsafe to Occupy", shall promptly, and in no case later than three (3) calendar months from the date of the Notice and Order or the boarding up, whichever occurred earlier, successfully secure all permits and properly complete all work necessary for either the rehabilitation, correction or demolition of the building or structure. The Building Official shall have authority to grant an additional three (3) months extension when the owner has taken affirmative steps to commence said the rehabilitation, correction or demolition, or otherwise whenever required by law. Upon the expiration of the time provided hereunder to rehabilitate, correct or demolish, each calendar day thereafter in which the building or structure remains boarded up, unsafe to occupy or without each aforementioned permit shall constitute a separate public nuisance and violation hereunder.

F. Unless otherwise expressly prohibited, each violation of this Chapter of the Corcoran Municipal Code may be enforced by each and all lawful remedies available under the Municipal Code and applicable State statute(s), including but not limited to civil fines and penalties, infraction citation, criminal prosecution, public nuisance abatement and civil injunction, as appropriate, and all available remedies shall be cumulative and not preclude other available remedies.  
(Ord. 355, 9-4-1979)

**Section 5. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment] and 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemptions, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

**Section 6. NO LIABILITY.** The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to

and published in the City of Corcoran, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Corcoran, State of California, on \_\_\_\_\_, 2017 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
RAYMOND LERMA, Mayor

ATTEST:

\_\_\_\_\_  
MARLENE LOPEZ, City Clerk

MD/11172017 - Corcoran - Ordinance, Boarded Homes-v2.rtf

#1

# Accounts Payable

## Blanket Voucher Approval Document



User: snunez  
Printed: 11/09/2017 - 4:07PM  
Warrant Request Date: 11/09/2017  
DAC Fund:

Batch: 00523.11.2017 - November 2017 UB refund

| Line | Claimant                | Voucher No. | Amount |
|------|-------------------------|-------------|--------|
| 1    | WHITE HAWK PROPERTIES   | 000064446   | 0.30   |
| 2    | DE SAGRERO, AURORA      | 000064438   | 29.16  |
| 3    | MILLIGAN, MARVIN        | 000064444   | 5.00   |
| 4    | HALE, JONATHAN          | 000064440   | 0.78   |
| 5    | CHAVEZ, DANIEL          | 000064437   | 61.69  |
| 6    | HAROUN, AYUB            | 000064441   | 5.85   |
| 7    | CHAO, ANDREW            | 000064436   | 165.78 |
| 8    | PLATA, JOSE ANTONIO     | 000064445   | 80.34  |
| 9    | GRANITE CONSTRUCTION CO | 000064439   | 238.50 |
| 10   | JONES, KENNETH          | 000064442   | 94.15  |
| 11   | CARMONA, ZANDREA        | 000064435   | 87.19  |
| 12   | LEE'S PAVING, INC       | 000064443   | 204.82 |

Page Total: \$973.56

Grand Total: \$973.56

#2

# Accounts Payable

## Blanket Voucher Approval Document



User: spineda  
 Printed: 11/15/2017 - 12:56PM  
 Warrant Request Date: 11/15/2017  
 DAC Fund:

Batch: 00524.11.2017 - 11/28/17 Mnl Wrt Rgst FY1

| Line | Claimant  | Voucher No. | Amount   |
|------|---|-------------|----------|
| 1    | Amtrak  | 000064449   | 30.00    |
| 2    | Amtrak  | 000064448   | 30.00    |
| 3    | Amtrak  | 000064447   | 30.00    |
| 4    | Auto Zone, Inc.                                   | 000064450   | 24.17    |
| 5    | Az Auto Parts                                     | 000064451   | 8.92     |
| 6    | Corcoran Christmas Tree Committee                 | 000064452   | 200.00   |
| 7    | Corcoran High School                              | 000064453   | 200.00   |
| 8    | Creative Forms & Concepts                         | 000064454   | 640.23   |
| 9    | Cross Creek Flood Control District                | 000064455   | 1,773.34 |
| 10   | Dept of Justice                                   | 000064456   | 656.00   |
| 11   | Fresno Police Department Regional Training Center | 000064457   | 533.00   |
| 12   | Frontier Communications                           | 000064458   | 309.22   |
| 13   | High Desert Wireless Broadband                    | 000064459   | 2,428.66 |
| 14   | Hinderliter, deLlames & Assoc                     | 000064460   | 991.50   |
| 15   | Jacob&Aarons Discing                              | 000064461   | 700.00   |
| 16   | Office Depot                                      | 000064462   | 2,164.59 |
| 17   | PG&E  | 000064463   | 3.33     |
| 18   | Reliable Status Towing                            | 000064464   | 60.00    |
| 19   | Soledad Ruiz-Nunez                                | 000064465   | 145.28   |
| 20   | The Gas Company                                   | 000064466   | 21.10    |
| 21   | The Gas Company                                   | 000064467   | 66.73    |
| 22   | The Gas Company                                   | 000064468   | 24.71    |
| 23   | The Gas Company                                   | 000064469   | 28.89    |
| 24   | Tulare-Kings Veterinary ER Svc                    | 000064470   | 146.00   |
| 25   | Tule Trash Company                                | 000064471   | 4,327.90 |
| 26   | Zoom Imaging Solutions Inc                        | 000064472   | 1.23     |

Page Total: \$15,544.80

Grand Total: \$15,544.80

# Accounts Payable

## Voucher Approval List

User: spineda  
 Printed: 11/15/2017 - 12:58PM  
 Batch: 00524.11.2017 - 11/28/17 Mnl Wrt Rgst FY18



| Voucher No. | Warrant Date | Vendor  | Description                    | Account Number  | Amount          |
|-------------|--------------|---|--------------------------------|-----------------|-----------------|
| 64447       | 11/15/2017   | Amtrak  | TICKETS/ TEN 10-RIDE PASSES    | 145-410-300-292 | 30.00           |
| 64448       | 11/15/2017   | Amtrak  | TICKETS/ TEN 10-RIDE PASSES    | 145-410-300-292 | 30.00           |
| 64449       | 11/15/2017   | Amtrak  | TICKETS/ TEN 10-RIDE PASSES    | 145-410-300-292 | 30.00           |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>90.00</b>    |
| 64450       | 11/15/2017   | Auto Zone, Inc.                                   | VEH SUPPLIES/PD UNIT#197       | 104-421-300-260 | 24.17           |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>24.17</b>    |
| 64451       | 11/15/2017   | Az Auto Parts                                     | MAINT PARTS/PD UNIT            | 104-421-300-260 | 8.92            |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>8.92</b>     |
| 64452       | 11/15/2017   | Corcoran Christmas Tree Committee                 | 2017 CHRISTMAS T-SHIRT SPONSOR | 331-425-300-200 | 200.00          |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>200.00</b>   |
| 64453       | 11/15/2017   | Corcoran High School                              | CAP & GOWN DONATION TO CSF     | 331-425-300-200 | 200.00          |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>200.00</b>   |
| 64454       | 11/15/2017   | Creative Forms & Concepts                         | A/P LASER CHECKS W/SHIPPING    | 104-405-300-150 | 640.23          |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>640.23</b>   |
| 64455       | 11/15/2017   | Cross Creek Flood Control District                | FLOOD CONTROL ASSESSMENT       | 311-408-300-200 | 1,773.34        |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>1,773.34</b> |
| 64456       | 11/15/2017   | Dept of Justice                                   | LIVE SCAN FEE FOR OCT 2017     | 104-421-300-148 | 656.00          |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>656.00</b>   |
| 64457       | 11/15/2017   | Fresno Police Department Regional Training Center | DRIVER TRAINING/M. RAPOZO      | 104-421-300-270 | 533.00          |
|             |              |   | <b>Warrant Total:</b>          |                 | <b>533.00</b>   |
| 64458       | 11/15/2017   | Frontier Communications                           | ACCT#55999222430604085         | 104-432-300-220 | 309.22          |



| Voucher No.           | Warrant Date | Vendor                         | Description                                  | Account Number  | Amount          |
|-----------------------|--------------|--------------------------------|--|-----------------|-----------------|
| 64459                 | 11/15/2017   | High Desert Wireless Broadband | EQUIPT INSTALL/NEW K9 UNIT                   | 114-414-500-540 | 309.22          |
| <b>Warrant Total:</b> |              |                                |  |                 | <b>2,428.66</b> |
| 64460                 | 11/15/2017   | Hinderliter, deLlames & Assoc  | 4TH QTR SALES TAX                            | 104-405-300-200 | 450.00          |
| 64460                 | 11/15/2017   | Hinderliter, deLlames & Assoc  | AUDIT SVCS-SALES TAX                         | 104-405-300-200 | 541.50          |
| <b>Warrant Total:</b> |              |                                |  |                 | <b>991.50</b>   |
| 64461                 | 11/15/2017   | Jacob&Aarons Discing           | PROPERTY CLEAN UP DUE TO BURN 1410 HALL.AVE. | 104-406-300-197 | 700.00          |
| <b>Warrant Total:</b> |              |                                |  |                 | <b>700.00</b>   |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 53.94           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 64.77           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 31.38           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 32.46           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 64.93           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 17.09           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 101.64          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 64.33           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 31.09           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 31.46           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 31.75           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-402-300-210 | 12.97           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 4.09            |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 52.35           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 288.94          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 36.89           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 104.89          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 54.37           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 102.37          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 64.52           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 362.01          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 14.77           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 188.23          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 54.46           |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 110.33          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 128.70          |
| 64462                 | 11/15/2017   | Office Depot                   | DEPT SUPPLIES                                | 104-421-300-150 | 59.86           |

| Voucher No.           | Warrant Date | Vendor                         | Description                                       | Account Number  | Amount          |
|-----------------------|--------------|--------------------------------|---|-----------------|-----------------|
| 64463                 | 11/15/2017   | PG&E                           | ACCT#86707342837                                  | 301-430-300-316 | 3.33            |
| <b>Warrant Total:</b> |              |                                |   |                 | <b>2,164.59</b> |
| 64464                 | 11/15/2017   | Reliable Status Towing         | TOWING OF 2 VEHICLES ON PROPERTY ADDRESS: 1602 OT | 104-406-300-194 | 60.00           |
| <b>Warrant Total:</b> |              |                                |   |                 | <b>60.00</b>    |
| 64465                 | 11/15/2017   | Soledad Ruiz-Nunez             | CALPERS ASSET LIABILITY WORKSHOP 11/12-13/17      | 104-405-300-270 | 145.28          |
| <b>Warrant Total:</b> |              |                                |   |                 | <b>145.28</b>   |
| 64466                 | 11/15/2017   | The Gas Company                | ACCT#00888349024                                  | 145-410-300-242 | 21.10           |
| 64467                 | 11/15/2017   | The Gas Company                | ACCT#00891595001                                  | 104-432-300-242 | 66.73           |
| 64468                 | 11/15/2017   | The Gas Company                | ACCT#20001594009                                  | 104-432-300-242 | 24.71           |
| 64469                 | 11/15/2017   | The Gas Company                | ACCT#06981596833                                  | 104-432-320-242 | 28.89           |
| <b>Warrant Total:</b> |              |                                |   |                 | <b>141.43</b>   |
| 64470                 | 11/15/2017   | Tulare-Kings Veterinary ER Svc | VET SVC/ANIMAL CONTROL                            | 104-421-300-203 | 146.00          |
| <b>Warrant Total:</b> |              |                                |   |                 | <b>146.00</b>   |
| 64471                 | 11/15/2017   | Tule Trash Company             | DUMP FEE TICKET#464001/BX#1 - PRISON#1            | 112-436-300-192 | 141.75          |
| 64471                 | 11/15/2017   | Tule Trash Company             | MONTHLY BIN RENTAL/BX#2- PRISON#1                 | 112-436-300-200 | 130.00          |
| 64471                 | 11/15/2017   | Tule Trash Company             | PULL FEE- PRISON#1                                | 112-436-300-200 | 245.00          |
| 64471                 | 11/15/2017   | Tule Trash Company             | DUMP FEE TICKET#465632-PRISON#2                   | 112-436-300-192 | 69.30           |
| 64471                 | 11/15/2017   | Tule Trash Company             | DUMP FEE TICKET#465632-PRISON#2                   | 112-436-300-192 | 77.85           |
| 64471                 | 11/15/2017   | Tule Trash Company             | DUMP FEE TICKET#464154-PRISON#2                   | 112-436-300-192 | 145.50          |
| 64471                 | 11/15/2017   | Tule Trash Company             | DUMP FEE TICKET#465599-PRISON#2                   | 112-436-300-192 | 465.75          |
| 64471                 | 11/15/2017   | Tule Trash Company             | DUMP FEE TICKET#465277-PRISON#2                   | 112-436-300-192 | 465.00          |
| 64471                 | 11/15/2017   | Tule Trash Company             | DUMP FEE TICKET#464015-PRISON#2                   | 112-436-300-192 | 987.75          |
| 64471                 | 11/15/2017   | Tule Trash Company             | PULL FEE-PRISON#2                                 | 112-436-300-200 | 1,470.00        |
| 64471                 | 11/15/2017   | Tule Trash Company             | MONTHLY BIN RENTAL FEE-OCT 2017 CITY YARD ON NORI | 112-436-300-200 | 130.00          |
| <b>Warrant Total:</b> |              |                                |   |                 | <b>4,327.90</b> |
| 64472                 | 11/15/2017   | Zoom Imaging Solutions Inc     | COPIER RENTAL                                     | 104-421-300-180 | 1.23            |
| <b>Warrant Total:</b> |              |                                |   |                 | <b>1.23</b>     |

#3

# Accounts Payable

## Blanket Voucher Approval Document



User: spineda  
Printed: 11/16/2017 - 1:06PM  
Warrant Request Date: 11/16/2017  
DAC Fund:

Batch: 00525.11.2017 - 11/28/17 Mnl Wrt Rgst FY1

| Line         | Claimant        | Voucher No. | Amount     |
|--------------|-----------------|-------------|------------|
| 1            | Reserve Account | 000064473   | 3,000.00   |
| Page Total:  |                 |             | \$3,000.00 |
| Grand Total: |                 |             | \$3,000.00 |

# Accounts Payable Voucher Approval List

User: spineda  
Printed: 11/16/2017 - 1:07PM  
Batch: 00525.11.2017 - 11/28/17 Mnl Wrt Rgst FY18



| Voucher No. | Warrant Date | Vendor          | Description                       | Account Number  | Amount   |
|-------------|--------------|-----------------|-----------------------------------|-----------------|----------|
| 64473       | 11/16/2017   | Reserve Account | POSTAGE FOR RESERVE ACCT#34574913 | 104-432-300-152 | 3,000.00 |

**Warrant Total:**

**3,000.00**

#4

# Accounts Payable

## Blanket Voucher Approval Document



User: spineda  
 Printed: 11/17/2017 - 4:03PM  
 Warrant Request Date: 11/17/2017  
 DAC Fund:

Batch: 00526.11.2017 - 11/28/17 Mnl Wrt Rgst FY1

| Line         | Claimant                       | Voucher No. | Amount      |
|--------------|--------------------------------|-------------|-------------|
| 1            | High Desert Wireless Broadband | 000634482   | 40,554.03   |
| Page Total:  |                                |             | \$40,554.03 |
| Grand Total: |                                |             | \$40,554.03 |

# Accounts Payable

## Voucher Approval List

User: spineda  
Printed: 11/17/2017 - 4:04PM  
Batch: 00526.11.2017 - 11/28/17 Mnl Wrt Rgst FY18-High Desert Wireless



| Voucher No. | Warrant Date | Vendor                         | Description                         | Account Number  | Amount    |
|-------------|--------------|--------------------------------|-------------------------------------|-----------------|-----------|
| 634482      | 11/17/2017   | High Desert Wireless Broadband | CAMERAS AND ACCESSORIES FOR TRANSIT | 104-406-300-200 | 40,554.03 |

**Warrant Total:**

**40,554.03**

# Accounts Payable

## Blanket Voucher Approval Document



User: spineda  
 Printed: 11/21/2017 - 9:35AM  
 Warrant Request Date: 11/28/2017  
 DAC Fund:

Batch: 00527.11.2017 - 11/28/17 Wrt Rgst FY18

| Line | Claimant                                    | Voucher No. | Amount    |
|------|---|-------------|-----------|
| 1    | 1-800-Radiator                              | 000064483   | 95.26     |
| 2    | American Business Machines                  | 000064484   | 8.00      |
| 3    | Andrea Guterrez                             | 000064485   | 200.00    |
| 4    | Auto Zone, Inc.                             | 000064486   | 61.50     |
| 5    | Az Auto Parts                               | 000064487   | 30.20     |
| 6    | Benjamin Beavers                            | 000064488   | 184.00    |
| 7    | Best Deal Food Co Inc.                      | 000064489   | 8.60      |
| 8    | BSK Associates                              | 000064490   | 1,624.00  |
| 9    | Business Card- Bank of America Credit Cards | 000064491   | 10,096.81 |
| 10   | Cannon Financial Services, Inc.             | 000064492   | 635.31    |
| 11   | Chemical Waste Management Inc               | 000064493   | 45.00     |
| 12   | City of Avenal                              | 000064494   | 8,048.00  |
| 13   | Cleo Barrera                                | 000064495   | 145.50    |
| 14   | Comcast                                     | 000064496   | 229.60    |
| 15   | Corcoran City Petty Cash                    | 000064497   | 109.04    |
| 16   | Corcoran Hardware                           | 000064498   | 1,792.78  |
| 17   | Driskell's Appliance &TV                    | 000064499   | 100.00    |
| 18   | Felder Communications                       | 000064500   | 779.50    |
| 19   | Ferguson Enterprises, Inc                   | 000064501   | 1,641.55  |
| 20   | Hanford Veterinary Hospital                 | 000064502   | 95.17     |
| 21   | Images/RadioShack Dealer                    | 000064503   | 17.22     |
| 22   | Lowe's                                      | 000064504   | 390.65    |
| 23   | Matson Alarm Co. Inc.                       | 000064505   | 852.20    |
| 24   | Max Rapozo                                  | 000064506   | 60.00     |
| 25   | Max Rapozo                                  | 000064507   | 36.00     |
| 26   | Proclean Supply                             | 000064508   | 168.15    |
| 27   | Quality Pool Service                        | 000064510   | 6,773.25  |
| 28   | Quality Pool Service                        | 000064509   | 3,292.09  |
| 29   | Radius Tire Co.                             | 000064511   | 350.25    |
| 30   | T&T Pavement Markings                       | 000064512   | 343.84    |
| 31   | TF Tire & Service                           | 000064513   | 22.00     |
| 32   | Turnupseed Electric Svc Inc                 | 000064514   | 1,222.38  |
| 33   | University of Nebraska-Lincoln              | 000064515   | 1,576.00  |
| 34   | Verizon Wireless                            | 000064516   | 195.09    |

Page Total: \$41,228.94

Grand Total: \$41,228.94

# Accounts Payable Voucher Approval List

User: spineda  
 Printed: 11/21/2017 - 9:36AM  
 Batch: 00527.11.2017 - 11/28/17 Wrt Rgst FY18



| Voucher No.           | Warrant Date | Vendor                     | Description                                | Account Number  | Amount        |
|-----------------------|--------------|----------------------------|--|-----------------|---------------|
| 64483                 | 11/28/2017   | 1-800-Radiator             | RADIATOR UNIT#152                          | 109-434-300-260 | 95.26         |
| <b>Warrant Total:</b> |              |                            |  |                 | <b>95.26</b>  |
| 64484                 | 11/28/2017   | American Business Machines | BLACK TONER FOR CANNON COPIER @ CITY HALL. | 104-432-300-150 | 8.00          |
| <b>Warrant Total:</b> |              |                            |  |                 | <b>8.00</b>   |
| 64485                 | 11/28/2017   | Andrea Guterrez            | VETS HALL REFUND FOR 11/2/17               | 104-000-362-085 | 200.00        |
| <b>Warrant Total:</b> |              |                            |  |                 | <b>200.00</b> |
| 64486                 | 11/28/2017   | Auto Zone, Inc.            | UNIT#152 WATER PUMP                        | 109-434-300-260 | 61.50         |
| <b>Warrant Total:</b> |              |                            |  |                 | <b>61.50</b>  |
| 64487                 | 11/28/2017   | Az Auto Parts              | DEPT SUPPLIES                              | 105-437-300-210 | 30.20         |
| <b>Warrant Total:</b> |              |                            |  |                 | <b>30.20</b>  |
| 64488                 | 11/28/2017   | Benjamin Beavers           | CATO CONF 12/3-7/17                        | 104-421-300-270 | 184.00        |
| <b>Warrant Total:</b> |              |                            |  |                 | <b>184.00</b> |
| 64489                 | 11/28/2017   | Best Deal Food Co Inc.     | COOLER /C1701886                           | 104-421-300-210 | 4.31          |
| 64489                 | 11/28/2017   | Best Deal Food Co Inc.     | DEPT SUPPLIES                              | 104-432-300-210 | 4.29          |
| <b>Warrant Total:</b> |              |                            |  |                 | <b>8.60</b>   |
| 64490                 | 11/28/2017   | BSK Associates             | PLANT INF/EFF/LAGOON                       | 120-435-300-200 | 174.00        |
| 64490                 | 11/28/2017   | BSK Associates             | QUARTERLY LAGOON TESTING                   | 120-435-300-200 | 233.00        |
| 64490                 | 11/28/2017   | BSK Associates             | ARSENIC/COLIFORM//COLOR/IRON/MAG/          | 105-437-300-200 | 102.00        |
| 64490                 | 11/28/2017   | BSK Associates             | ARSENIC/COLIFORMS/NITRATE                  | 105-437-300-200 | 180.00        |
| 64490                 | 11/28/2017   | BSK Associates             | ARSENIC/COLIFORM/NITRATE                   | 105-437-300-200 | 60.00         |
| 64490                 | 11/28/2017   | BSK Associates             | COLIFORM PRESENCE/ABSENCE                  | 105-437-300-200 | 136.00        |
| 64490                 | 11/28/2017   | BSK Associates             | COLIFORM PRESENCE/ABSENCE                  | 105-437-300-200 | 136.00        |
| 64490                 | 11/28/2017   | BSK Associates             | ARSENIC/COLIFORMS/NITRATES                 | 105-437-300-200 | 60.00         |
| 64490                 | 11/28/2017   | BSK Associates             | ARSENIC/COLIFORMS/NITRATES                 | 105-437-300-200 | 60.00         |



| Voucher No.           | Warrant Date | Vendor                                      | Description                            | Account Number  | Amount          |
|-----------------------|--------------|---|--|-----------------|-----------------|
| 64490                 | 11/28/2017   | BSK Associates                              | COLIFORM PRESENCE/ABSENCE              | 105-437-300-200 | 136.00          |
| 64490                 | 11/28/2017   | BSK Associates                              | ARSENIC/COLIFORMS/NITRATES             | 105-437-300-200 | 60.00           |
| 64490                 | 11/28/2017   | BSK Associates                              | ARSENIC/CA DW ICPMS                    | 105-437-300-200 | 15.00           |
| 64490                 | 11/28/2017   | BSK Associates                              | COLIFORM PRESENCE/ABSENCE              | 105-437-300-200 | 136.00          |
| 64490                 | 11/28/2017   | BSK Associates                              | COLIFORM PRESENCE/ABSENCE              | 105-437-300-200 | 136.00          |
| <b>Warrant Total:</b> |              |   |  |                 | <b>1,624.00</b> |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | LEAGUE OF CA CITIES FINANCE CONF       | 104-401-300-271 | 375.00          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | EARTHLINK                              | 104-401-300-157 | 34.95           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | LIEBERT CASSIDY                        | 104-405-300-270 | -70.00          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | LEAGUE OF CA CITIES FINANCE TRNG       | 104-405-300-270 | 375.00          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | CSMFO MEMBERSHIP                       | 104-405-300-270 | 110.00          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | NUTS & BOLTZ WAGE & HOUR LAWSUITS TRNG | 104-405-300-270 | 16.82           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | OFFICE SUPPLIES COMM DEV.              | 104-406-300-210 | 61.10           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | HOTEL ACCOMD-WELL REHAB WKSHP          | 105-437-300-270 | 154.63          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | LUNCH-WATER PLANT INSPECT.             | 105-437-300-270 | 20.13           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | PARTS FOR UNIT#202                     | 104-421-300-260 | 780.84          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | WELL REHAB WRKSH J. FAULKNER           | 105-437-300-270 | 150.00          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | WELL REHAB WRKSH D ZABLE               | 105-437-300-270 | 150.00          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | PESTICIDES LIC RENEWAL -P MCBRIDE      | 104-412-300-160 | 60.00           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | PESTICIDES LIC RENEWAL -R RODRIGUEZ    | 104-412-300-160 | 60.00           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | DEPT SUPPLIES-BRUSHES                  | 105-437-300-210 | 16.28           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | MEMBER DUES-PEST APP. ASSO-R RODRIGUEZ | 104-412-300-160 | 45.00           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | MEMBER DUES-PEST APP. ASSO-P MCBRIDE   | 104-412-300-160 | 45.00           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | DEPT SUPPLIES-REFLECTIVE TAPE          | 109-434-300-210 | 70.80           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | HEADLAMPS UNIT#205                     | 120-435-300-260 | 194.47          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | DEWALT 18V BATTERY                     | 105-437-300-140 | 132.06          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | WHITELY AVE. XMAS TREE SIGNAGE         | 109-434-300-210 | 85.82           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES                 | 104-421-300-150 | -18.64          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES                 | 104-421-300-150 | -165.55         |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES                 | 104-421-300-150 | -18.73          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | PEPPERMILL TRAINING                    | 104-421-300-270 | -625.85         |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | PEPPERMILL TRAINING                    | 104-421-300-270 | -100.00         |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES                 | 104-421-300-150 | -3.99           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | SHERATON TRAINING                      | 104-421-300-270 | -422.70         |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES                 | 104-421-300-150 | 25.70           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | LORDS UNIFORMS SUPPLIES                | 104-421-300-230 | 12.76           |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | ARROWHEAD EVIDENCE SUPPLIES            | 104-421-300-210 | 321.02          |
| 64491                 | 11/28/2017   | Business Card- Bank of America Credit Cards | NARTEC/EVIDENCE SUPPLIES               | 104-421-300-210 | 189.80          |

| Voucher No. | Warrant Date | Vendor                                      | Description                          | Account Number        | Amount           |
|-------------|--------------|---|--------------------------------------|-----------------------|------------------|
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | CPCA TRAINING SHORTNANCY             | 104-421-300-270       | 99.00            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 162.12           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 18.64            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 15.14            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 20.23            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 113.66           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 45.25            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | IMAGES SPECIALITY OFFICE SUPPLIES    | 104-421-300-210       | 32.46            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 29.94            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | POLICE ONE/TRAINING/ AUGUSTUS & CHEE | 104-421-300-270       | 660.00           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 11.90            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | SMART AND FINAL SUPPLIES             | 104-421-300-210       | 30.93            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | WEATHERTEC VEHICLE SUPPLIES          | 104-421-300-260       | 127.95           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 107.17           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-421-300-150       | 280.36           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | MICHAELS EVENT SUPPLIES              | 104-421-300-210       | 19.92            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | DASH EVIDENCE SUPPLIES               | 104-421-300-210       | 70.25            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | DASH EVIDENCE SUPPLIES               | 104-421-300-210       | 281.01           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | DASH EVIDENCE SUPPLIES               | 104-421-300-210       | 30.65            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | SHELL/FUEL PD G. CRAMER              | 104-421-300-250       | 27.73            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | RENAISSANCE HOTEL/TRNG/ T. AUGUSTUS  | 104-421-300-270       | 420.80           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | SHELL/FUEL PD G. CRAMER              | 104-421-300-250       | 42.79            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | RENAISSANCE HOTEL /TRNG/G. CRAMER    | 104-421-300-270       | 456.81           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | RENAISSANCE HOTEL /TRNG/T. AUGUSTUS  | 104-421-300-270       | 36.00            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON OFFICE SUPPLIES               | 104-402-300-210       | 440.63           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | DOMAIN REGISTRY/CITY OF CORCORAN     | 104-432-300-201       | 95.00            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | PRYME RADIO EQUIPT                   | 104-421-300-210       | 391.78           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | CDW-COMPUTER SUPPLIES                | 104-421-300-181       | 87.77            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | AMAZON BATTERY BACKUP                | 104-402-300-210       | 134.24           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | CDW-BARACUDA FIREWALL                | 104-432-300-201       | 720.70           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | HARRAH'S/TRNG K GIBSON               | 104-421-300-270       | 519.84           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | HARRAH'S/TRNG D MCALISTER            | 104-421-300-270       | 519.84           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | CDW-BARACUDA FIREWALL                | 104-432-300-201       | 900.20           |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | SMART & FINAL SUPPLIES               | 104-421-300-210       | 34.38            |
| 64491       | 11/28/2017   | Business Card- Bank of America Credit Cards | UNIVERSAL STUDIOS/EXPLORER TICKETS   | 330-429-300-210       | 1,050.00         |
|             |              |   |                                      | <b>Warrant Total:</b> | <b>10,096.81</b> |
| 64492       | 11/28/2017   | Cannon Financial Services, Inc.             | CONTRACT & INSURANCE CHARGE 12/1/17  | 104-432-300-180       | 635.31           |

| Voucher No. | Warrant Date | Vendor                        | Description                                      | Account Number        | Amount          |
|-------------|--------------|-------------------------------|--|-----------------------|-----------------|
| 64493       | 11/28/2017   | Chemical Waste Management Inc | LDNERS   | 105-437-300-193       | 635.31          |
|             |              |                               |  | <b>Warrant Total:</b> | <b>45.00</b>    |
| 64494       | 11/28/2017   | City of Avenal                | AC SVC AGREEMENT AVENAL/CORCORAN SEPT 2017       | 104-421-300-203       | 3,941.50        |
| 64494       | 11/28/2017   | City of Avenal                | AC SVC AGREEMENT AVENAL/CORCORAN OCT. 2017       | 104-421-300-203       | 4,106.50        |
|             |              |                               |  | <b>Warrant Total:</b> | <b>8,048.00</b> |
| 64495       | 11/28/2017   | Cleo Barrera                  | REFUND FOR PERMIT & WORK NOT PERFORMED (425 NIM) | 104-000-323-011       | 145.50          |
|             |              |                               |  | <b>Warrant Total:</b> | <b>145.50</b>   |
| 64496       | 11/28/2017   | Comcast                       | WWTP INTERNET ACCESS                             | 120-435-300-220       | 229.60          |
|             |              |                               |  | <b>Warrant Total:</b> | <b>229.60</b>   |
| 64497       | 11/28/2017   | Corcoran City Petty Cash      | PSA TKT FEE 21ST ANNUAL PUBLIC SAFETY LUNCHEON   | 104-421-300-170       | 20.00           |
| 64497       | 11/28/2017   | Corcoran City Petty Cash      | INMATE MEALS                                     | 104-421-300-148       | 22.04           |
| 64497       | 11/28/2017   | Corcoran City Petty Cash      | NOTARY FEES/LUNCH/PER DIEM-R. CORTEZ             | 104-421-300-270       | 67.00           |
|             |              |                               |  | <b>Warrant Total:</b> | <b>109.04</b>   |
| 64498       | 11/28/2017   | Corcoran Hardware             | DEPT SUPPLIES                                    | 104-412-300-210       | 115.34          |
| 64498       | 11/28/2017   | Corcoran Hardware             | DEPT SUPPLIES                                    | 104-412-300-210       | 71.54           |
| 64498       | 11/28/2017   | Corcoran Hardware             | DEPT SUPPLIES                                    | 104-433-300-210       | 24.65           |
| 64498       | 11/28/2017   | Corcoran Hardware             | DEPT SUPPLIES                                    | 109-434-300-210       | 104.74          |
| 64498       | 11/28/2017   | Corcoran Hardware             | EQUIPT REPAIR                                    | 109-434-300-140       | 10.48           |
| 64498       | 11/28/2017   | Corcoran Hardware             | DEPT SUPPLIES                                    | 120-435-300-210       | 694.82          |
| 64498       | 11/28/2017   | Corcoran Hardware             | EQUIPT REPAIR                                    | 120-435-300-140       | 4.60            |
| 64498       | 11/28/2017   | Corcoran Hardware             | EQUIPT REPAIR                                    | 105-437-300-210       | 620.33          |
| 64498       | 11/28/2017   | Corcoran Hardware             | EQUIPT REPAIR                                    | 105-437-300-140       | 66.47           |
| 64498       | 11/28/2017   | Corcoran Hardware             | PARKS GRANT-SUPPLIES                             | 104-412-500-540       | 79.81           |
|             |              |                               |  | <b>Warrant Total:</b> | <b>1,792.78</b> |
| 64499       | 11/28/2017   | Driskell's Appliance &TV      | PO# 24490/ CITY HALL MICROWAVE REPAIR            | 104-432-300-140       | 100.00          |
|             |              |                               |  | <b>Warrant Total:</b> | <b>100.00</b>   |
| 64500       | 11/28/2017   | Felder Communications         | RADIO MAINT & REPAIR                             | 145-410-300-141       | 51.50           |
| 64500       | 11/28/2017   | Felder Communications         | RADIO MAINT & REPAIR                             | 104-412-300-141       | 34.00           |
| 64500       | 11/28/2017   | Felder Communications         | RADIO MAINT & REPAIR                             | 104-421-300-141       | 490.00          |

| Voucher No.           | Warrant Date | Vendor                      | Description                          | Account Number  | Amount          |
|-----------------------|--------------|-----------------------------|--------------------------------------|-----------------|-----------------|
| 64500                 | 11/28/2017   | Felder Communications       | RADIO MAINT & REPAIR                 | 104-431-300-141 | 42.50           |
| 64500                 | 11/28/2017   | Felder Communications       | RADIO MAINT & REPAIR                 | 109-434-300-141 | 51.00           |
| 64500                 | 11/28/2017   | Felder Communications       | RADIO MAINT & REPAIR                 | 120-435-300-141 | 34.00           |
| 64500                 | 11/28/2017   | Felder Communications       | RADIO MAINT & REPAIR                 | 105-437-300-141 | 59.50           |
| 64500                 | 11/28/2017   | Felder Communications       | RADIO MAINT & REPAIR                 | 121-439-300-141 | 17.00           |
| <b>Warrant Total:</b> |              |                             |                                      |                 | <b>779.50</b>   |
| 64501                 | 11/28/2017   | Ferguson Enterprises, Inc   | REGISTER X6                          | 105-437-300-210 | 300.00          |
| 64501                 | 11/28/2017   | Ferguson Enterprises, Inc   | REGISTER X4                          | 105-437-300-210 | 200.00          |
| 64501                 | 11/28/2017   | Ferguson Enterprises, Inc   | BALL VALVE/ BIG SCREEN X6            | 105-437-300-210 | 242.13          |
| 64501                 | 11/28/2017   | Ferguson Enterprises, Inc   | BALL VALVE                           | 105-437-300-210 | 329.82          |
| 64501                 | 11/28/2017   | Ferguson Enterprises, Inc   | PARTS FOR REPAIR                     | 105-437-300-140 | 451.35          |
| 64501                 | 11/28/2017   | Ferguson Enterprises, Inc   | PIPE                                 | 105-437-300-210 | 18.25           |
| 64501                 | 11/28/2017   | Ferguson Enterprises, Inc   | REGISTER X2                          | 105-437-300-210 | 100.00          |
| <b>Warrant Total:</b> |              |                             |                                      |                 | <b>1,641.55</b> |
| 64502                 | 11/28/2017   | Hanford Veterinary Hospital | CANINE FOOD-K-9                      | 104-421-300-217 | 95.17           |
| <b>Warrant Total:</b> |              |                             |                                      |                 | <b>95.17</b>    |
| 64503                 | 11/28/2017   | Images/RadioShack Dealer    | MOUSE PAD                            | 120-435-300-210 | 8.61            |
| 64503                 | 11/28/2017   | Images/RadioShack Dealer    | MOUSE PAD                            | 120-435-300-210 | 8.61            |
| <b>Warrant Total:</b> |              |                             |                                      |                 | <b>17.22</b>    |
| 64504                 | 11/28/2017   | Lowe's                      | KOBALT 48" CABINET                   | 105-437-300-210 | 390.65          |
| <b>Warrant Total:</b> |              |                             |                                      |                 | <b>390.65</b>   |
| 64505                 | 11/28/2017   | Matson Alarm Co. Inc.       | RAO ALARM SYSTEM-CELL ROUTER         | 136-415-300-220 | 521.00          |
| 64505                 | 11/28/2017   | Matson Alarm Co. Inc.       | RAO ALARM SYSTEM-OUTPUT MODULE/RELAY | 136-415-300-220 | 250.00          |
| 64505                 | 11/28/2017   | Matson Alarm Co. Inc.       | RAO ALARM SYSTEM-MONITORING          | 136-415-300-220 | 52.20           |
| 64505                 | 11/28/2017   | Matson Alarm Co. Inc.       | RAO ALARM SYSTEM-SVC                 | 136-415-300-220 | 29.00           |
| <b>Warrant Total:</b> |              |                             |                                      |                 | <b>852.20</b>   |
| 64506                 | 11/28/2017   | Max Rapozo                  | DRIVER TRNG INSTRC 12/11-15/17       | 104-421-300-270 | 60.00           |
| 64507                 | 11/28/2017   | Max Rapozo                  | DRIVER AWARENESS INSTRC 12/6-8/17    | 104-421-300-270 | 36.00           |
| <b>Warrant Total:</b> |              |                             |                                      |                 | <b>96.00</b>    |
| 64508                 | 11/28/2017   | Proclean Supply             | JANITORIAL SUPPLIES                  | 104-432-300-210 | 136.21          |
| 64508                 | 11/28/2017   | Proclean Supply             | JANITORIAL SUPPLIES                  | 105-437-300-210 | 15.97           |

| Voucher No. | Warrant Date | Vendor                         | Description                                       | Account Number  | Amount                |
|-------------|--------------|--------------------------------|---|-----------------|-----------------------|
| 64508       | 11/28/2017   | Proclean Supply                | JANITORIAL SUPPLIES                               | 120-435-300-210 | 15.97                 |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>168.15</b>         |
| 64510       | 11/28/2017   | Quality Pool Service           | POOL REPAIRS- 2 CONTROLLERS (1/2 DOWN PAYMENT FOI | 104-411-300-140 | 6,773.25              |
| 64509       | 11/28/2017   | Quality Pool Service           | BULK CHLORINE                                     | 104-411-300-200 | 1,071.31              |
| 64509       | 11/28/2017   | Quality Pool Service           | HYDROCHLORINE ACID                                | 104-411-300-210 | 1,209.55              |
| 64509       | 11/28/2017   | Quality Pool Service           | BULK CHLORINE                                     | 104-411-300-210 | 1,011.23              |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>10,065.34</b>      |
| 64511       | 11/28/2017   | Radius Tire Co.                | TIRE FOR UNIT#134 SWEEPER                         | 112-438-300-140 | 350.25                |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>350.25</b>         |
| 64512       | 11/28/2017   | T&T Pavement Markings          | SIGNS- NO LEFT TURN X4                            | 109-434-300-210 | 343.84                |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>343.84</b>         |
| 64513       | 11/28/2017   | TF Tire & Service              | TIRE REPAIR UNIT#190                              | 105-437-300-260 | 22.00                 |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>22.00</b>          |
| 64514       | 11/28/2017   | Turnupseed Electric Svc Inc    | REPAIRS-LABOR STA. 13                             | 120-435-300-200 | 480.00                |
| 64514       | 11/28/2017   | Turnupseed Electric Svc Inc    | REPAIRS- MATERIALS STA. 13                        | 120-435-300-140 | 742.38                |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>1,222.38</b>       |
| 64515       | 11/28/2017   | University of Nebraska-Lincoln | UNIVERSITY OF NEBRASKA-LINCOLN WATER SCIENCES L   | 105-437-300-200 | 120.00                |
| 64515       | 11/28/2017   | University of Nebraska-Lincoln | MISC TESTING-WTP                                  | 105-437-300-200 | 1,456.00              |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>1,576.00</b>       |
| 64516       | 11/28/2017   | Verizon Wireless               | CELL PHONE SVC                                    | 145-410-300-220 | 107.04                |
| 64516       | 11/28/2017   | Verizon Wireless               | WIRELESS AIRCARDS                                 | 145-410-300-220 | 38.01                 |
| 64516       | 11/28/2017   | Verizon Wireless               | CELL PHONE SVC                                    | 105-437-300-220 | 6.94                  |
| 64516       | 11/28/2017   | Verizon Wireless               | WIRELESS AIR CARDS                                | 105-437-300-220 | 38.01                 |
| 64516       | 11/28/2017   | Verizon Wireless               | CELLPHONE SVCS -RUDY R                            | 104-432-300-220 | 5.09                  |
|             |              |                                |   |                 | <b>Warrant Total:</b> |
|             |              |                                |   |                 | <b>195.09</b>         |

**STAFF REPORT  
ITEM #: 7-A**

**MEMORANDUM**

**TO:** City Council

**FROM:** Kindon Meik, City Manager

**DATE:** November 17, 2017

**MEETING DATE:** November 28, 2017

**SUBJECT:** Presentation of refuse and sewer rate analysis and request for authorization to mail notice of public hearing regarding proposed modification of City refuse and sewer rates.

**Recommendation:**

Authorize the distribution of the notice of public hearing regarding the proposed modification of City refuse and sewer rates.

**Discussion:**

In February 2017, the City entered into an agreement with IGService to conduct an analysis on refuse, sewer, and storm drain rates. The objective of the rate study included the following:

1. Analyze the cost of service for the respective enterprise funds.
2. Determine appropriate rates for refuse, sewer, and storm drain services.
3. Propose rate increases to ensure that future revenues cover operating expenses and necessary capital improvements associated with the wastewater and storm drain system.

IGService has completed the rate study and in accordance with Proposition 218 of the California Constitution Article XIID, the City is required to provide a notice of public hearing to be held on January 23, 2018.

The Proposition 218 notice informs property owners and refuse/sewer customers of the rate modification and future rate increases and provides information on how the public can review the report produced by IGService. The notice will also outline the procedure by which property owners and refuse/sewer customers may contest the proposed rates. Based on the rate analysis, the City is not proposing any changes to the storm drain rates currently in place.

**Budget Impact:**

Costs for the distribution of the Proposition 218 notice will be charged to the refuse and wastewater funds.

**Attachments:**

Cost of Service Report

Proposed refuse and sewer rates



## **Sewer and Refuse Rate Study for City of Corcoran**

**November 22, 2017**

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## Sewer and Refuse Rate Study for City of Corcoran

### Purpose

The purpose of this cost of service sewer and refuse study is to review and modify the existing rate structures such that customers pay rates in proportion to the cost to provide specific services. As a part of this study, overall operating costs, debt, assets, and revenue have been analyzed to evaluate reasonableness of costs, and the need to increase overall revenue. These steps are conducted to be consistent with the requirements of California's Proposition 218.

### Executive Summary

Sewer and refuse rates need to be increased to cover cost of operations. The proposed increases are summarized in the table below.

#### Enterprise Fund Increases for Typical Residential Customers

|                 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|-----------------|------|------|------|------|------|------|
| <b>Water*</b>   | -6%  | 3%   | 3%   | 2%   | 0%   | 0%   |
| <b>Sewer</b>    | 0%   | 12%  | 12%  | 2%   | 2%   | 2%   |
| <b>Refuse**</b> | 0%   | 12%  | 12%  | 2%   | 2%   | 2%   |
| <b>Storm</b>    | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   |

\* Water rate adjustments are from study done in 2016

\*\* Refuse rates are set to recover franchise fee to general government

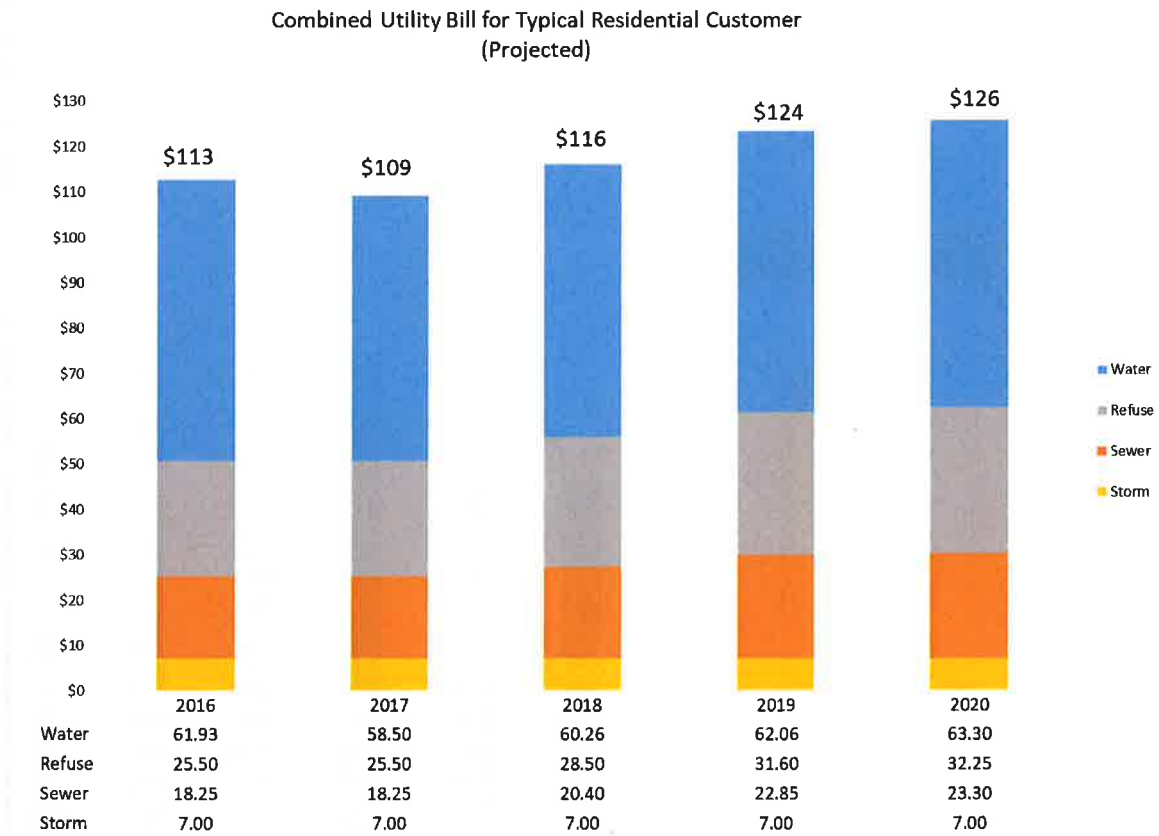
The increases needed for refuse are primarily due to the annual recurring Consumer Price Index (CPI) adjustment contained in the contract with Tule Trash Company. Refuse rates have not been increased since 2007; however, the CPI adjustments have caused fees paid Tule to increase every year. The refuse enterprise has had negative cash flow in recent years, and as of this year the fund balance is negative. Beyond needing increased revenue, refuse rates have been adjusted relative to each other such that the rates assigned are consistent with the cost to provide the service (carts, bins, recycle, etc.).

The increases needed for sewer are primarily for capital improvement projects. Listed projects are \$3,370,000 over five years. The most significant projects include lift station reconstruction, finishing the west lagoon at the treatment plant, and sewer main replacement. Sewer rates have not been increased since 2006. The sewer enterprise fund balance has been relatively stable, but is presently low, just over \$100,000.

Storm drain fees are deemed to be sufficient and are not being increased.



The impact to a typical single-family dwelling is shown in the chart below, including water and storm drain charges. The overall increase in 2018 is three dollars per month over the 2016 total, and in 2020, the increase is \$13 over the 2016 total.



## Refuse Portion of Rate Study

### Existing Rate Structure

The existing rates have been in place since 2007,<sup>1</sup> amended in 2013 to add recycle rates. The existing rates are shown with proposed rates in Attachment 1. From a comparison standpoint, Corcoran's rates are higher than average for the valley, and higher yet than Hanford and Lemoore, all three of which are required to haul to Kings Waste Recycle Authority (KWRA), which is a transfer station as opposed to a land fill site.<sup>2</sup> Tipping fees at KWRA are comparatively high at \$75 per ton for land fill, whereas other transfer facilities are less than \$25 per ton.<sup>3</sup> KWRA is the primary reason that members' fees

<sup>1</sup> Resolution No. 2690, dated July 17, 2013, amending Resolution 2310, dated July 1, 2007.

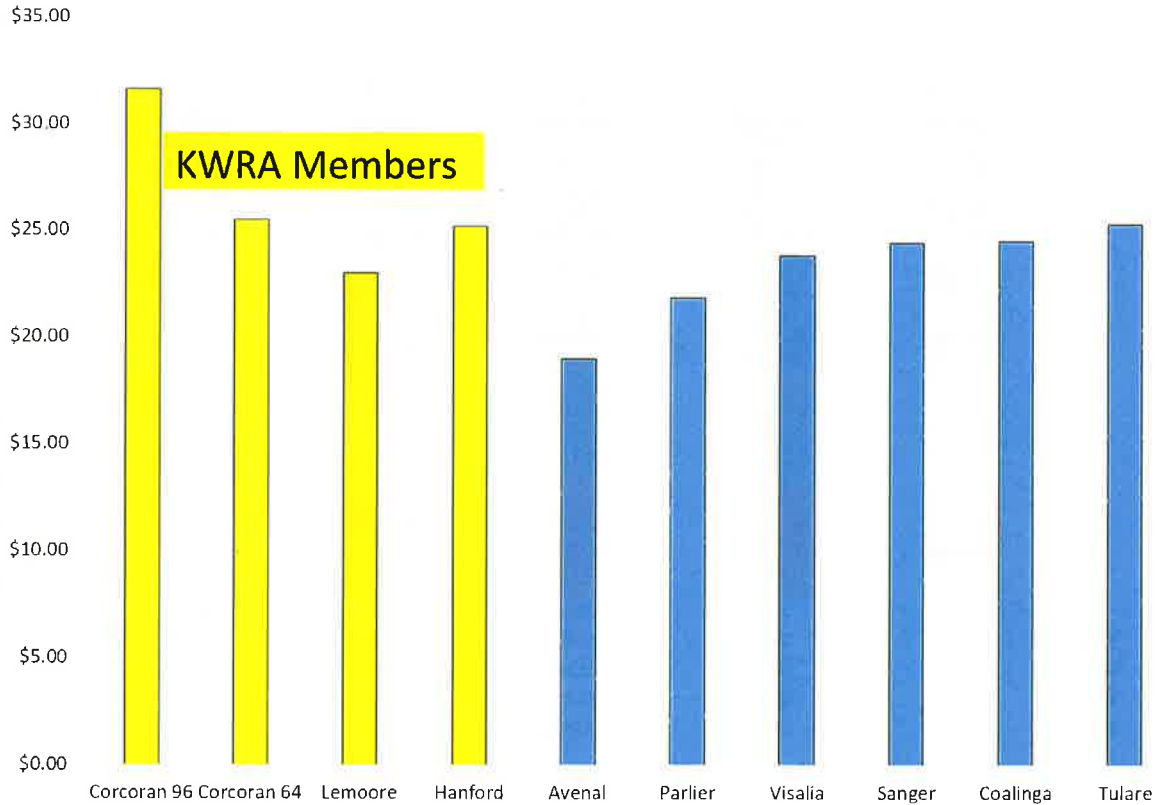
<sup>2</sup> Joint Power Agreement between The County of Kings, and the Cities of Corcoran, Hanford and Lemoore, dated September 12, 1989

<sup>3</sup> For County of Fresno, American Avenue Landfill, the tipping fee for general refuse as of July 1, 2017 is \$23.64 per Ton.



are pushed higher. Additionally for Corcoran, a private hauler is used, Tule Trash Company, whereas Lemoore and Hanford provide their own residential hauling. The embedded operating costs for Tule appear to be higher than embedded costs for Lemoore and Hanford, but Corcoran's service level may also be incrementally higher, and Lemoore and Hanford are also eligible for equipment grant money not available to private haulers.

Residential Refuse Rate Comparison



American Refuse Company is in the process of purchasing Tule Trash Company.<sup>4</sup> In 2015, the existing agreement with Corcoran was extended ten years, and now terminates June 30, 2025. Jeff Martin, owner of American Refuse, worked very closely in this rate study process to provide relative costs for each category of service currently provided by Tule. This has not previously been done in the context of cost of service rates for Corcoran's service. The result of this is substantial adjustments being made to commercial rates to assign rates that are proportional to the cost to provide each service. However, this does not change any of the fees or terms of the contract with Tule Trash Company, only the rates assigned to customers for the various services.

<sup>4</sup> When the purchase is finalized, the Corcoran City Council will be asked to approve the assignment of the existing agreement to American Refuse Company, as required by the terms of the existing agreement.



## Historical and Projected Expense and Revenue

The refuse enterprise has had a negative cash flow since 2013, increasing each year. As of 2017, the refuse enterprise has a negative fund balance. The primary reason for the negative cash flow is the annual CPI adjustment in the contract with Tule Trash Company. The average CPI over the past four years has been 2.3 percent. For 2017, it was 2.7 percent. Thus, the underlying expense to Tule has been increasing while rates to customers have been constant. Additionally, historically, the city has not been transferring the franchise fee payment from Tule to the general fund, but rather using it to cover expenses within the refuse enterprise. Though KWRA fees are high, as discussed above, they have not increased and are not expected to increase further.<sup>5</sup>

Projected revenue and expenses shown in the table below assume payments continue to increase to Tule consistent with the past, and also provide adequate revenue for the franchise fee to be transferred to general government. As an option for rate setting, if the franchise fees are not included, the first two increases are seven percent instead of 12 percent. The difference to a residential customer with 65 gallon service is one dollar per month.

The projected increases below would allow the refuse enterprise to cover expenses and recover the deficit by 2022.

| City of Corcoran Refuse Enterprise Fund |   |                    |                    |                    |                    |                    |                    |                    |
|---|---|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|   | FY16  | FY17               | FY18               | FY19               | FY20               | FY21               | FY22               | FY23               |
|   | Audited   | Preliminary        | Projected          | Projected          | Projected          | Projected          | Projected          | Projected          |
| <b>Revenue</b>                          |   |                    |                    | 12.0%              | 12.0%              | 2.0%               | 2.0%               | 2.0%               |
| Refuse Rates                            | \$1,574,818   | \$1,630,788        | \$1,631,000        | \$1,827,000        | \$2,046,000        | \$2,087,000        | \$2,129,000        | \$2,172,000        |
| Franchise Fees                          | \$123,916   | \$128,624          | \$142,000          | \$159,040          | \$178,000          | \$182,000          | \$186,000          | \$190,000          |
| <b>Total Revenue</b>                    | <b>\$1,698,734</b>  | <b>\$1,759,412</b> | <b>\$1,773,000</b> | <b>\$1,986,040</b> | <b>\$2,224,000</b> | <b>\$2,269,000</b> | <b>\$2,315,000</b> | <b>\$2,362,000</b> |
| <b>Expenses</b>                         |   |                    |                    |                    |                    |                    |                    |                    |
| KWRA Dump Fees                          | \$149,611   | \$141,671          | \$150,000          | \$150,000          | \$150,000          | \$150,000          | \$150,000          | \$150,000          |
| Tule Trash Company                      | \$1,392,333   | \$1,454,763        | \$1,494,000        | \$1,535,000        | \$1,577,000        | \$1,620,000        | \$1,664,000        | \$1,709,000        |
| Street Sweeping / Misc                  | \$30,478  | \$51,000           | \$50,000           | \$51,000           | \$52,000           | \$53,000           | \$54,100           | \$55,200           |
| Franchise Fee to General Government     |   |                    |                    | \$159,040          | \$178,000          | \$182,000          | \$186,000          | \$190,000          |
| Billing / Gen O'Head                    | \$200,004   | \$173,841          | \$175,000          | \$178,500          | \$182,100          | \$185,700          | \$189,400          | \$193,200          |
| <b>Total Expenses</b>                   | <b>\$1,772,426</b>  | <b>\$1,821,275</b> | <b>\$1,869,000</b> | <b>\$2,073,540</b> | <b>\$2,139,100</b> | <b>\$2,190,700</b> | <b>\$2,243,500</b> | <b>\$2,297,400</b> |
| <b>Net Operating Cash Flow</b>          | <b>(\$74,000)</b>   | <b>(\$62,000)</b>  | <b>(\$96,000)</b>  | <b>(\$88,000)</b>  | <b>\$85,000</b>    | <b>\$78,000</b>    | <b>\$72,000</b>    | <b>\$65,000</b>    |
| <b>Fund Balance Year End: Cash</b>      | <b>\$20,630</b>   | <b>(\$41,000)</b>  | <b>(\$137,000)</b> | <b>(\$225,000)</b> | <b>(\$140,000)</b> | <b>(\$62,000)</b>  | <b>\$10,000</b>    | <b>\$75,000</b>    |
| <b>Notes</b>                            | Depreciation expenses not included<br>Tule Trash expense excalated at 2.7% for FY18 forward based on 80% of 3.4% CPI factor for 2017<br>Payment totals to Tule Trash Company shown are before the Franchise Fee is removed<br>Franchise fees include amounts from outside contracts |                    |                    |                    |                    |                    |                    |                    |

<sup>5</sup> Corcoran pays KWRA directly for green waste and recycle. Tule pays KWRA for all residential and commercial land fill, included in the fees paid to Tule by Corcoran.



## Rate Design

Many of the existing rates are not proportional to the cost to provide service. For residential customers, the monthly rate for 65 gallon service is low compared to the rate for 95 gallon service. For commercial customers, the rates for the smaller size bins are too low and the rates for larger bins too high. Rates for recycle bins are too low. Commercial service increases are needed for the smaller bins because the cost of service is weighted more heavily toward the front-loading truck making the pick-ups rather than it is the contents of the bin, regardless of bin size. Similarly for residential, the cost is associated more with the pick-up of the carts and not the contents, such that the rates can be closer together for 65 and 95 gallon service.

Tule Trash Company has provided evidence of residential customers overloading carts, especially the smaller 65s. In addition, KWRA has indicated that Corcoran's recycle content is overly contaminated with landfill, the result of customers placing landfill in the recycle carts.<sup>6</sup> Consequently, the recommendation is to suspend issuance of 65 gallon carts, requiring residential customers to transition to 95 gallon carts. This has already been done by Hanford.<sup>7</sup> All replacement of 65s would be with 95s, and all new residential service would be 95s. Extensive discussions were held with Tule regarding changing all the carts to 95s; however doing so would require an investment by Tule of approximately \$144,000, which is outside the scope of our existing contract.<sup>8</sup> There are approximately 2,400 of the 65 gallon carts, 73 percent of the total. Thus, there are many more 65s than 95s, which is an exception compared to our neighbor cities.

The rate design shown below in the table (and Attachment 1) holds the rate for the 95 gallon service at \$31.60; however, increases the rate for 65 gallon service 12 percent to \$28.50.<sup>9</sup> This reduces the gap between 95 and 65 service to \$3.10, which is more consistent with the cost to provide service. As customers are sent a more accurate price signal, this also provides them the incentive to convert to 95 gallon service if they need more space. The rates for extra carts are reduced in proportion to the cost to provide the service. When the truck is already doing a pickup in front of a home, the cost to pick up an additional container is much less than the average cost charged.

Some residential customers have bin service, mostly one yard bins. From the proposed schedule for bin service, the cost for a one yard bin has been increased from \$46.95 to \$85.00, an 81 percent increase. This is because the cost for the front-loading truck picking up bins is much greater than the cost of the side-loading truck picking up carts. The alternative for residential customers is to replace the one yard bin with regular residential service and an extra 95 gallon cart. Compared to the present rate of \$46.95 for a one yard bin, the new rate would be  $\$31.60 + \$15.00 = \$46.60$ , almost identical.

The primary adjustment to commercial bin rates is to increase the cost for smaller bins and decrease slightly the cost for larger bins. Service for organics (including protein-based mass) has also been added in the rate schedule, applicable to certain restaurants and food handling facilities. Organics will be handled in 95 gallon carts with green waste. Finally, formalized rates for roll-off bins have been added to the rate schedule.

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<sup>6</sup> As of November 2017, Tule is considering doing a weight study to quantify that landfill carts may be overloaded. Additionally, KWRA will likely be doing a study of the contents of its various customers' recycle contents.

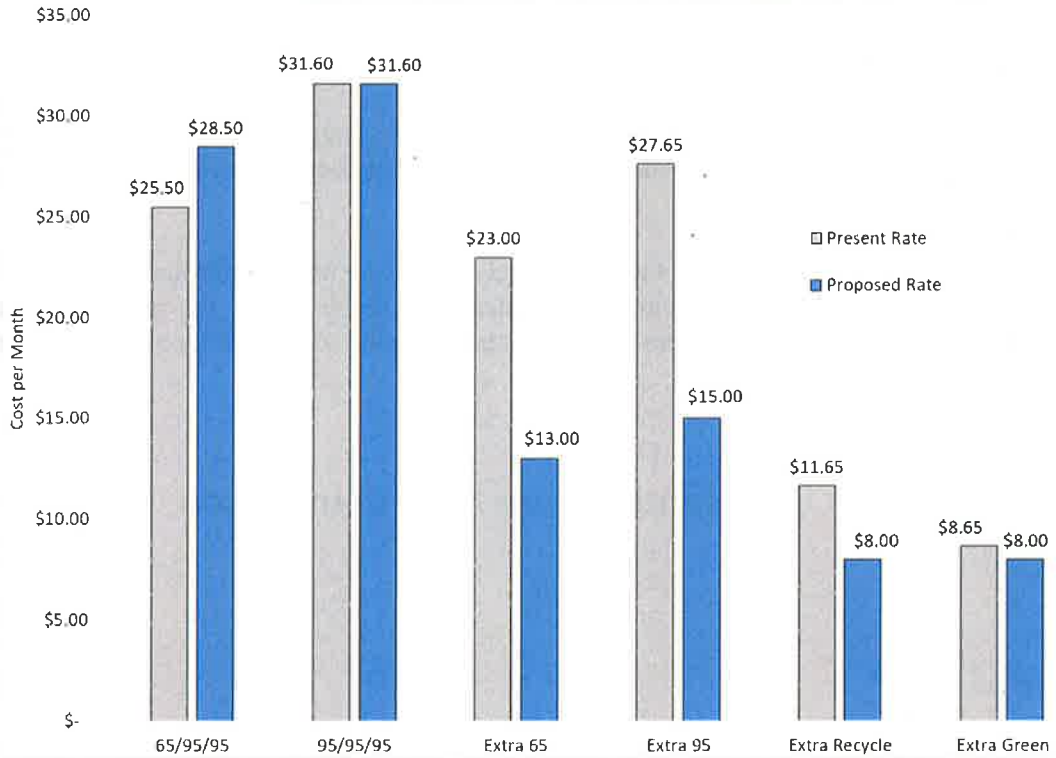
<sup>7</sup> City of Hanford Resolution No. 17-26-R, May 2017

<sup>8</sup>  $2,400 \text{ carts} \times \$60 = \$144,000$ . The 95 gallon carts cost approximately \$50, plus \$10 to assemble and place them.

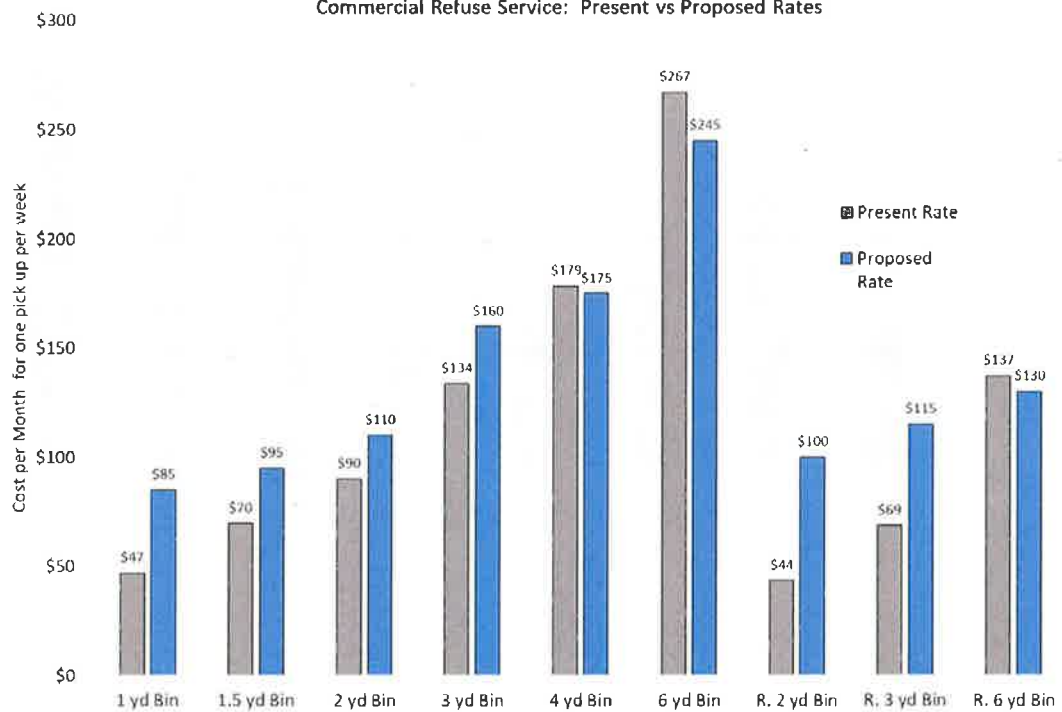
<sup>9</sup> If revenue from the franchise fee paid to Corcoran by Tule continues to be allocated to cover refuse operating costs rather than to the general fund, the rate for a typical residential customer can be lowered from \$28.50 to \$27.50.



Residential Refuse Service: Present vs Proposed Rates



Commercial Refuse Service: Present vs Proposed Rates





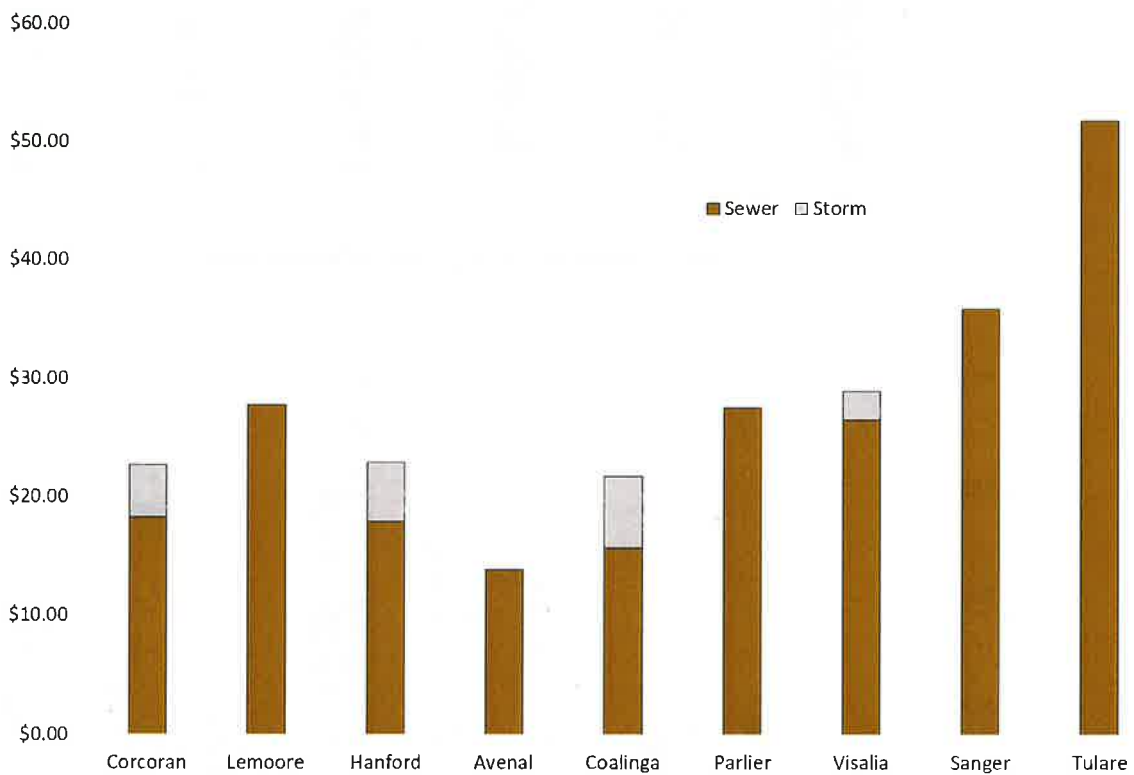
## Sewer Portion of Rate Study

### Existing Rate Structure

The existing sewer rates have been in place since 2006.<sup>10</sup> They are shown with proposed rates in Attachment 2. From a comparison standpoint, Corcoran's residential sewer rates are average for the valley as shown below.

Similar to refuse and water, some of the existing sewer rates are not proportional to the cost of service. These have been adjusted and the various modifications can be seen in the rate table. The primary changes have been to group customers into classes based on the concentration of discharge, and assign the cost of service accordingly.

### Residential Sewer Rate Comparison



<sup>10</sup> Resolution No. 2253, dated May 10, 2006





## Capital Improvement Projects

Capital Improvement Projects (CIP) are the primary reason for proposed sewer rate increases. The cost for the projects is \$3,370,000 over the next five years; however impact fees are expected to reduce the amount needed from rates to approximately \$2,000,000. The most significant projects are lift station reconstruction, finishing the west lagoon at the treatment plant, and sewer main replacement.

### City of Corcoran Sewer Enterprise Major Repair and Capital Project Planning

| Project                                       | Year 1           | Year 2             | Year 3           | Year 4           | Year 5           | Totals             |
|---|------------------|--------------------|------------------|------------------|------------------|--------------------|
|   | FY17/18          | FY18/19            | FY19/20          | FY20/21          | FY21/22          |                    |
| Reconstruction of Lift Station 14             | \$500,000        | \$0                | \$0              | \$0              | \$0              | \$500,000          |
| Rehab of Lift Station at 6 1/2 & Sherman      | 60,000           | 0                  | 0                | 0                | 0                | 60,000             |
| Rehab of Lift Station at 6 1/2 & North        | 25,000           | 25,000             | 0                | 0                | 0                | 50,000             |
| Rehab of Lift Station at North & Dairy        | 15,000           | 15,000             | 20,000           | 0                | 0                | 50,000             |
| Rehab of Lift Station Ottawa                  | 10,000           | 13,000             | 12,000           | 15,000           | 0                | 50,000             |
| Rehab of Lift Station at King & Plymouth      | 10,000           | 10,000             | 10,000           | 10,000           | 10,000           | 50,000             |
| Finish West Lagoon                            | 0                | 500,000            | 500,000          | 0                | 0                | 1,000,000          |
| New Control Panel for Plant Generator         | 20,000           | 0                  | 0                | 0                | 0                | 20,000             |
| Sewer Main Replacement                        | 0                | 350,000            | 350,000          | 350,000          | 350,000          | 1,400,000          |
| Upgrades to Digester Treatment System         | 20,000           | 20,000             | 0                | 0                | 0                | 40,000             |
| Upgrades to System Supervisory Control System | 0                | 100,000            | 0                | 0                | 0                | 100,000            |
| Upgrades to Effluent Building Pumps           | 25,000           | 25,000             | 0                | 0                | 0                | 50,000             |
| <b>Totals</b>                                 | <b>\$685,000</b> | <b>\$1,058,000</b> | <b>\$892,000</b> | <b>\$375,000</b> | <b>\$360,000</b> | <b>\$3,370,000</b> |
| Impact Funds Available                        | -685,000         | -561,000           | -50,000          | -50,000          | -50,000          | -1,396,000         |
| <b>Balance Needed</b>                         | <b>\$0</b>       | <b>\$497,000</b>   | <b>\$842,000</b> | <b>\$325,000</b> | <b>\$310,000</b> | <b>\$1,974,000</b> |

## Historical and Projected Expense and Revenue

The sewer enterprise fund balance has been relatively stable, but is presently low, just over \$100,000. Revenue has covered operating expenses, and there is no debt presently associated with the sewer enterprise fund.

The proposed increases shown in the table below are structured to cover the projects based on debt funding. Specifically, \$2,000,000 is amortized over 15 years at four percent interest, yielding a debt service payment of \$178,000 per year. As with refuse, the increases are spread over two years, followed by smaller increases to keep revenue consistent with inflation of expense costs.





### City of Corcoran Sewer Enterprise Fund

|  | FY16                    | FY17               | FY18               | FY19               | FY20               | FY21               | FY22               |
|--|-------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|  | <i>Audited</i>          | <i>Preliminary</i> | <i>Projected</i>   | <i>Projected</i>   | <i>Projected</i>   | <i>Projected</i>   | <i>Projected</i>   |
|  | <i>Revenue Increase</i> |                    | <i>12%</i>         | <i>12%</i>         | <i>2%</i>          | <i>2%</i>          | <i>2%</i>          |
| <b>Revenue</b>                         |                         |                    |                    |                    |                    |                    |                    |
| Rates                                  | \$999,677               | \$998,512          | \$1,118,000        | \$1,252,000        | \$1,277,000        | \$1,303,000        | \$1,329,000        |
| Rents and Interest                     | \$27,895                | \$9,848            | \$5,000            | \$5,100            | \$5,202            | \$5,306            | \$5,412            |
| <b>Total Revenue</b>                   | <b>\$1,027,572</b>      | <b>\$1,008,360</b> | <b>\$1,123,000</b> | <b>\$1,257,100</b> | <b>\$1,282,202</b> | <b>\$1,308,306</b> | <b>\$1,334,412</b> |
| <b>Expenses</b>                        |                         |                    |                    |                    |                    |                    |                    |
| Personnel                              | \$223,388               | \$250,243          | \$255,248          | \$260,353          | \$265,560          | \$270,871          | \$276,288          |
| Electricity                            | \$259,648               | \$268,832          | \$274,209          | \$279,693          | \$285,287          | \$290,992          | \$296,812          |
| Supplies & Misc                        | \$128,399               | \$195,592          | \$199,504          | \$203,494          | \$207,564          | \$211,715          | \$215,949          |
| Equipment Maint & Repair               | \$65,655                | \$63,619           | \$64,891           | \$66,189           | \$67,513           | \$68,863           | \$70,241           |
| Overhead                               | \$200,004               | \$184,644          | \$188,337          | \$192,104          | \$195,946          | \$199,865          | \$203,862          |
| <b>Total Expenses</b>                  | <b>\$877,094</b>        | <b>\$962,930</b>   | <b>\$982,189</b>   | <b>\$1,001,832</b> | <b>\$1,021,869</b> | <b>\$1,042,306</b> | <b>\$1,063,153</b> |
| <b>Net Operating Cash Flow</b>         | <b>\$150,000</b>        | <b>\$45,000</b>    | <b>\$141,000</b>   | <b>\$255,000</b>   | <b>\$260,000</b>   | <b>\$266,000</b>   | <b>\$271,000</b>   |
| <b>Debt Service (\$2M, 4%, 15 yrs)</b> |                         |                    |                    | <b>(\$178,000)</b> | <b>(\$178,000)</b> | <b>(\$178,000)</b> | <b>(\$178,000)</b> |
| <b>Cash Flow After Debt Service</b>    |                         |                    |                    | <b>\$77,000</b>    | <b>\$82,000</b>    | <b>\$88,000</b>    | <b>\$93,000</b>    |
| <b>Fund Balance Year End</b>           | \$108,515               | \$120,000          | \$261,000          | \$338,000          | \$420,000          | \$508,000          | \$601,000          |
| <b>Notes</b>                           |                         |                    |                    |                    |                    |                    |                    |
| Depreciation not included              |                         |                    |                    |                    |                    |                    |                    |
| Expenses escalated at 2% / year        |                         |                    |                    |                    |                    |                    |                    |

### Rate Design

The most significant change to the existing rate structure is the overlay of wastewater strength classifications on the existing rate categories. The wastewater classifications can be seen in Attachment 3, and are associated closely with the proposed rates. Using the classifications as a guide, customers have either low, medium, or high wastewater discharge as determined by the demand on the treatment plant. This is measured by relative “Biochemical Oxygen Demand” (BOD). When discharge from a customer has higher organic content, the demand for treatment is higher at the treatment plant and therefore more cost is assigned to the rate.

The present rate categories for metered customers have been adjusted to fit the low, medium, and high groups, such that all rates will be consistent. The rate for medium discharge customer is approximately the system average for the cost of wastewater treatment, which is \$1.56 per hundred cubic feet. Revenues from metered commercial customers are presently only seven percent of total revenue, which is disproportionately low. Consequently, increases are weighted slightly more heavily to commercial customers than to residential customers, as can be seen in the rate table. Whereas the increase to the fixed monthly amount is 12 percent in the first year, the increases to the volumetric components are generally higher. The amount of cubic feet included is calculated as a function of the volumetric rate. A lower rate means more volume is included in the \$19.50 minimum cost. A higher rate means less volume is included in the \$19.50 minimum cost.



Rates for residential customers have been increased the amount of the overall increase, 12 percent in the first year, followed by 12 percent, then by the two percent increases.

The flat rates are now defined to be for unmetered non-residential customers only. They have been reset to be \$19.50 per month, which is the base charge for metered customers. These flat rates will end when the customers have water meters installed.

Finally, as some customers such as churches with water meters move to metered sewer rates, a problem is created during times of irrigation in the summer months. It would not be fair to charge volumetric sewer rates for irrigation water because it does not go into the sewer system. Consequently, a provision has been added to allow sewer charges for commercial customers with irrigation to be based on winter baseline usage. This will be calculated manually, which is possible because not many customers are in this category.

The rate table for sewer shows only the first year rate change, accomplishing an overall 12 percent increase. The increases for the following years will be computed on a straight percentage basis across all rates.

## **Conclusion**

As with the water rate study in 2016, the cost of service analysis of refuse and sewer has revealed many opportunities to improve customer rates such that they are proportional to the cost to provide service. With the cooperation of Tule Trash Company and Jeff Martin, cost of service data was obtained for refuse service. Similarly, cost of service methodology was used for sewer service. The overall result is that rates have been adjusted to be in proportion to cost for each type of service, and rates have also been reset to achieve the needed revenue increases in each of the enterprise funds.



# ATTACHMENT 1

## City of Corcoran Refuse Rate Schedule

| Category of Service                      | Present             | Proposed                                     | Change        | Proposed Future Years |               |               |               |
|--|---------------------|--|---------------|-----------------------|---------------|---------------|---------------|
|  |                     |  |               | Year 2                | Year 3        | Year 4        | Year 5        |
| <b>Weekly Cart Service (\$/month)</b>    |                     |  |               | 12.0%                 | 2.0%          | 2.0%          | 2.0%          |
| 65/95/95                                 | \$25.50             | \$28.50                                      | 12%           | \$31.90               | \$32.50       | \$33.20       | \$33.90       |
| 95/95/95                                 | 31.60               | 31.60  | 0%            | 35.40                 | 36.10         | 36.80         | 37.50         |
| Extra 65                                 | 23.00               | 13.00  | -43%          | 14.60                 | 14.90         | 15.20         | 15.50         |
| Extra 95                                 | 27.65               | 15.00  | -46%          | 16.80                 | 17.10         | 17.40         | 17.70         |
| Extra Green                              | 8.65                | 8.00   | -8%           | 9.00                  | 9.20          | 9.40          | 9.60          |
| Additional Pick Up                       | 25% of monthly rate |  |               |                       |               |               |               |
| Senior Residential Discount <sup>1</sup> | \$61.20 per year    |  |               |                       |               |               |               |
| <b>Bin Refuse Service (\$/month)</b>     | <b>Present</b>      | <b>Proposed</b>                              | <b>Change</b> | <b>Year 2</b>         | <b>Year 3</b> | <b>Year 4</b> | <b>Year 5</b> |
| 1 Yard Bin                               | \$46.95             | \$85.00                                      | 81%           | \$95.20               | \$97.10       | \$99.00       | \$101.00      |
| 1.5 Yard Bin                             | 69.65               | 95.00  | 36%           | 106.40                | 108.50        | 110.70        | 112.90        |
| 2 Yard Bin                               | 90.05               | 110.00                                       | 22%           | 123.20                | 125.70        | 128.20        | 130.80        |
| 3 Yard Bin                               | 133.65              | 160.00                                       | 20%           | 179.20                | 182.80        | 186.50        | 190.20        |
| 4 Yard Bin                               | 178.50              | 175.00                                       | -2%           | 196.00                | 199.90        | 203.90        | 208.00        |
| 6 Yard Bin                               | 267.30              | 245.00                                       | -8%           | 274.40                | 279.90        | 285.50        | 291.20        |
| Locking Bin                              | Add \$10/mo         |  |               |                       |               |               |               |
| <b>Cardboard / Recycle (\$/month)</b>    | <b>Present</b>      | <b>Proposed</b>                              | <b>Change</b> | <b>Year 2</b>         | <b>Year 3</b> | <b>Year 4</b> | <b>Year 5</b> |
| 95 Gallon Cart                           | <i>new</i>          | \$30.00                                      | <i>n/a</i>    | \$33.60               | \$34.30       | \$35.00       | \$35.70       |
| 1 Yard Bin                               | 23.44               | <i>Ended</i>                                 |               |                       |               |               |               |
| 1.5 Yard Bin                             | 35.24               | <i>Ended</i>                                 |               |                       |               |               |               |
| 2 Yard Bin                               | 43.55               | 100.00                                       | 130%          | \$112.00              | \$114.20      | \$116.50      | \$118.80      |
| 3 Yard Bin                               | 68.61               | 115.00                                       | 68%           | 128.80                | 131.40        | 134.00        | 136.70        |
| 6 Yard Bin                               | 137.23              | 130.00                                       | -5%           | 145.60                | 148.50        | 151.50        | 154.50        |
| Contaminated Charge                      | 10.00               | Additional 25% of monthly rate               |               |                       |               |               |               |
| <b>Commercial Organics (\$/month)</b>    | <b>Present</b>      | <b>Proposed</b>                              | <b>Change</b> | <b>Year 2</b>         | <b>Year 3</b> | <b>Year 4</b> | <b>Year 5</b> |
| 95 Gallon                                | <i>new</i>          | \$37.00                                      | <i>n/a</i>    | \$41.40               | \$42.20       | \$43.00       | \$43.90       |
| <b>Roll-Off Service (30 &amp; 40 yd)</b> | <b>Present</b>      | <b>Proposed</b>                              | <b>Change</b> | <b>Year 2</b>         | <b>Year 3</b> | <b>Year 4</b> | <b>Year 5</b> |
| Drop off / Pick Up                       | <i>new</i>          | \$225.00                                     | <i>n/a</i>    | \$252.00              | \$257.00      | \$262.10      | \$267.30      |
| Rental per day <sup>2</sup>              | <i>new</i>          | 5.50   | <i>n/a</i>    | 6.20                  | 6.30          | 6.40          | 6.50          |
| Tipping Fee                              | <i>new</i>          | As billed by KWRA, plus City's Franchise Fee |               |                       |               |               |               |

**Notes:**

1. Senior Residential Discount set at 2017 amount
2. Roll-Off rental is \$35 minimum for up to seven days, plus the rental per day beyond seven days
3. For Commercial services, stated rates are for one pick up per week.

Made effective by Resolution No. \_\_\_\_\_



**ATTACHMENT 2**

**City of Corcoran Sewer Rate Schedule**

| Category of Service  | Present             |                   |        | Proposed  |                   |        |            |
|--|---------------------|-------------------|--------|---|-------------------|--------|------------|
|  | Minimum             | Cubic Ft Included | \$/HCF | Minimum   | Cubic Ft Included | \$/HCF | Vol %      |
| <b>Residential Customers</b>   | Per Month           |                   |        | Per Month   |                   | Change |            |
| All Single-Family Residences, Duplexes per unit, Multi-Family per single-family unit | \$18.25             |                   |        | \$20.40   |                   | 12%    |            |
| <b>Flat Rates for Unmetered Customers</b>  | Per Month           |                   |        | Per Month   |                   |        |            |
| Gas stations and garages   | \$12.65             |                   |        | <i>Moved to retail</i>  |                   |        |            |
| Churches   | \$13.80             |                   |        | <i>Moved to churches and meeting halls</i>                                    |                   |        |            |
| Beauty and barber shops  | \$14.35             |                   |        | \$19.50   |                   | 36%    |            |
| Retail and offices   | \$17.30             |                   |        | \$19.50   |                   | 13%    |            |
| Fraternal org., other than Veterans Hall   | \$22.05             |                   |        | <i>Moved to churches and meeting halls</i>                                    |                   |        |            |
| Churches and meeting halls   | <i>new category</i> |                   |        | \$19.50   |                   | 41%    |            |
| Dentists   | \$22.55             |                   |        | <i>Moved to retail</i>  |                   |        |            |
| Bars without dining  | \$29.45             |                   |        | <i>Not in use</i>   |                   |        |            |
| Veterans Hall  | \$42.85             |                   |        | <i>Moved to churches and meeting halls</i>                                    |                   |        |            |
| <b>Schools</b>   | Per Student         |                   |        | Per Student   |                   |        |            |
| Pre-school and elementary  | \$0.60              |                   |        | \$0.67  |                   | 12%    |            |
| High schools   | \$1.10              |                   |        | \$1.23  |                   | 12%    |            |
| <b>Metered Water</b>   | Minimum             | Cubic Ft Included | \$/HCF | Minimum   | Cubic Ft Included | \$/HCF | Vol %      |
| Restaurants  | \$17.35             | 760               | \$1.90 | \$19.50   | 929               | \$2.10 | 11%        |
| Grocery with disposals   | \$17.35             | 780               | \$1.85 | \$19.50   | 929               | \$2.10 | 14%        |
| Grocery without disposals  | \$17.35             | 1,230             | \$1.15 | \$19.50   | 1,250             | \$1.56 | 36%        |
| Laundromats, dry cleaners and car washes   | \$17.40             | 1,230             | \$1.15 | \$19.50   | 1,250             | \$1.56 | 36%        |
| Bakeries   | \$17.35             | 900               | \$1.65 | \$19.50   | 929               | \$2.10 | 27%        |
| Mortuaries   | \$17.35             | 830               | \$1.75 | \$19.50   | 929               | \$2.10 | 20%        |
| Auto/Equipment Steam Cleaners  | \$17.35             | 650               | \$2.20 | \$19.50   | 929               | \$2.10 | -5%        |
| Hospitals  | \$17.30             | 1,160             | \$1.20 | \$19.50   | 1,250             | \$1.56 | 30%        |
| Hotels/Motels  | \$17.55             | 1,230             | \$1.30 | \$19.50   | 1,250             | \$1.56 | 20%        |
| Retail & Offices   | \$17.40             | 1,230             | \$1.15 | \$19.50   | 1,625             | \$1.20 | 4%         |
| Other Facilities classified as <b>Low Strength Discharge</b>                         | <i>new category</i> |                   |        | \$19.50   | 1,625             | \$1.20 | <i>new</i> |
| Other Facilities classified as <b>Medium Strength Discharge</b>                      | <i>new category</i> |                   |        | \$19.50   | 1,250             | \$1.56 | <i>new</i> |
| Other Facilities classified as <b>High Strength Discharge</b>                        | <i>new category</i> |                   |        | \$19.50   | 929               | \$2.10 | <i>new</i> |
| <b>Industrial</b>  |                     |                   |        |   |                   |        |            |
| Flow, per million gallons  | \$1,331.43          |                   |        | Industrial treatment rates to be determined based on actual treatment demand. |                   |        |            |
| BOD, per thousand gallons  | \$89.42             |                   |        |   |                   |        |            |
| Suspended Solids, per thousand gal   | \$63.13             |                   |        |   |                   |        |            |

**Notes:**

1. Per City Council Resolution No. \_\_\_\_\_, dated \_\_\_\_\_, 2018, subsequent rate increases shall follow equal to twelve percent (12%) effective \_\_\_\_\_, 2019, two percent (2%) effective \_\_\_\_\_, 2020, two percent (2%) effective \_\_\_\_\_, 2021, and two percent (2%) effective \_\_\_\_\_, 2022.
2. Metered non-residential water customers with landscape may have sewer charges based on water demand during non-irrigation months.

City Council Resolution \_\_\_\_\_ approved \_\_\_\_\_



## ATTACHMENT 3

### City of Corcoran Wastewater Strength Classification Guide for Rate Setting

|                              |   |
|------------------------------|---|
| Class A<br>(Low Strength)    | Banks & Financial Institutions<br>Barber Shops<br>Post Office<br>Retail Stores<br>Libraries<br>Schools without cafeteria<br>Churches, Halls & Lodges  |
| Class B<br>(Medium Strength) | Beauty Shops<br>Dry Cleaners<br>Nail Salons<br>Pet Groomers<br>Commercial Laundromats<br>Bars & Taverns<br>Hospitals and Clinics- General, Convalescent & Veterinarian<br>Hotels and Motels<br>Offices - Business and Professional<br>Offices - Medical/Dental<br>Pools with Restrooms or clubhouse<br>Theaters<br>Warehouses<br>Car Washes<br>High Tech Medical Manufacturing<br>Light Manufacturing/Industrial<br>Gym or Health Club<br>Machine Shops W/O steam cleaning equipment<br>Gas Stations, Garages, Auto Repair Shops W/O steam cleaning equipment<br>Mini Marts - W/O Dish Washer or Garbage Disposal<br>Mini Mart with Gas Pumps - W/O Dish Washer or Garbage Disposal<br>Spa with Various Beauty Treatments |
| Class C<br>(High Strength)   | Restaurants<br>Coffee Shops<br>Ice Cream Parlors<br>Catering<br>Bakeries<br>Butcher Shops<br>Facilities with steam cleaning equipment<br>Markets - with Dish Washer or Garbage Disposal<br>Markets - with Bakeries or Butcher Shops<br>Mini Marts - with Dish Washer or Garbage Disposal<br>Dairies (milk producers, yogurt, ice cream maker)<br>Specialty Foods Manufacturing (e.g., cheese or olive oil maker)  |

**Notes:**

1. Wastewater users who have Fats, Oils, and Grease (FOG) waste will be put into the High Strength user category
2. Business industries not listed above shall be assigned to the appropriate classification (Low, Medium, or High Strength) based on the Public Work's Director's assessment of their strength of wastewater discharge.
3. These classifications are consistent with the results given in "Revenue Program Guidelines (Appendix G), March 1998 Edition, policy for implementing the state revolving fund for construction of wastewater treatment facilities, State of California Water Resources Control Board."

City of

# CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

**STAFF REPORT  
ITEM #: 7-B**

**MEMO**

**TO:** Corcoran City Council

**FROM:** Kindon Meik, City Manager

**DATE:** November 17, 2017

**MEETING DATE:** November 28, 2017

**SUBJECT:** Discuss and provide direction on a proposed Measure A expenditure plan.

**Recommendation:**

Information and discussion item only. Request for Council direction.

**Discussion:**

In June 2016, voters in Corcoran approved a 1% general transaction and use tax identified on the ballot as Measure A. Measure A was implemented by the Board of Equalization on October 1, 2017.

Initial estimates indicated that Measure A will generate approximately \$1,200,000 per year in additional sales tax revenues for the City of Corcoran.

As outlined in the ballot initiative, Measure A monies will be allocated to public safety (police and fire services), parks and recreation activities, capital projects, and code enforcement activities. Additionally, the expenditure plan will outline a strategy to bolster General Fund reserves to ensure future fiscal sustainability.

**Budget Impact:**

Once approved, the Measure A expenditure plan will dedicate general fund revenues to various city services and activities.

**Attachment:**

A proposed expenditure plan will be presented at the council meeting.

City of

# CORCORAN

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**STAFF REPORT  
ITEM #: 7-C**

**MEMO**

**TO:** Corcoran City Council

**FROM:** Joseph Faulkner, Public Works Director

**DATE:** November 20, 2017      **MEETING DATE:** November 28, 2017

**SUBJECT:** On-Call Engineering Services for Transportation Related Projects

**Recommendation:**

That council authorizes City staff to request proposals for on-call engineering services for transportation related projects.

**Discussion:**

From time to time the City receives state or federal funds to deliver transportation related projects. As part of the procurement process, Caltrans guidance on the selection and use of consultants requires that all consultants be selected by a competitive process. For that reason, staff is requesting authorization to seek proposals for on-call engineering services

**Budget impact:**

No budget impact.

City Offices

City of

# CORCORAN

Police Department

FOUNDED 1914

November 21, 2017

**STAFF REPORT  
ITEM#:7D**

To: Corcoran City Council

From: Kindon Meik, City Manager  
Reuben P. Shortnacy, Chief of Police

Subject: Bid for new police department construction

**Recommendation: VV**

Staff request authorization to solicit construction bids for the new police facility.

**Discussion:**

At the July 25<sup>th</sup>, 2017 meeting, the City Council authorized the design and engineering of the new police department building by Teter Architects. Construction bid documents will be completed by the first week of December. If approved, the City will solicit bids from contractors to perform the work.



City of

# CORCORAN

A MUNICIPAL CORPORATION

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**STAFF REPORT**

**ITEM #: 7-E**

**MEMO**

**TO:** Corcoran City Council

**FROM:** Marlene Lopez, City Clerk/ Assistant to the City Manager

**DATE:** November 22, 2017

**MEETING DATE:** November 28, 2017

**SUBJECT:** Approve advertisement to fill (1) scheduled vacancy for the Corcoran Planning Commission

**Recommendation:**

Advertise to fill (1) scheduled vacancy on the City of Corcoran Planning Commission.

**Discussion:**

Advertise for (1) scheduled vacancy due to an expiring term on the City of Corcoran Planning Commission.

Posting in the City Clerk's Office on December 7, 2017;  
Advertising in the Corcoran Journal on December 7, 2017;  
Application acceptance until December 21, 2017;  
Appointment made at a future council meeting, January 9, 2018.

Staff will also solicit interest and send letters to anyone Council desires be contacted.

**Budget Impact:**

Minimal advertising costs associated with publishing the vacancy

City of

# CORCORAN

FOUNDED 1914

A MUNICIPAL CORPORATION

## MATTERS FOR MAYOR AND COUNCIL

ITEM #: 8-A

### MEMORANDUM

**MEETING DATE:** November 28, 2017  
**TO:** Corcoran City Council  
**FROM:** Kindon Meik, City Manager  
**SUBJECT:** Matters for Mayor and Council

#### UPCOMING EVENTS / MEETINGS

- December 8, 2017 (Friday) San Joaquin Valley Division's 1<sup>st</sup> Annual Holiday Reception, Dinuba Ridge Creek Golf Club
- December 12, 2017 (Tuesday) City Council Meeting – 5:30 PM, Council Chambers
- December 26, 2017 (Tuesday) City Council Meeting – CANCELLED

- A. Information Items
- B. Council Comments – *This is the time for council members to comment on matters of interest.*
  - 1. Staff Referral Items
- C. Committee Reports
- D. Council Goals:

City Offices



**COUNCIL REQUESTS OR REFERRAL ITEMS  
PENDING FURTHER ACTION or RESOLUTION BY STAFF**

| <b>DATE</b><br>Sent to Council/<br>Request made | <b>REQUEST</b>  | <b>STATUS</b>   | <b>DEPARTMENT RESPONSIBLE</b><br>Dept/Division |
|---|---|---|--|
| 09/26/17  | Council requested that staff provide information on the process of council members being able to receive City health insurance benefits.  |   | City Manager/<br>Finance Director              |
| 06/13/17  | <p>Community Workshop/Townhall Meeting with HdL Companies was held on 10/25/17.</p> <p>Workshop conducted by HdL Companies on 9/19/17. Council authorized additional education and outreach.</p> <p>At the 07/25/17 meeting, Council agreed to contract with HdL Companies to conduct a workshop on commercial cannabis. Staff will work with the consultant to determine a possible date.</p> <p>Study session held on 06/27/17 regarding cannabis. Council directed staff to continue discussion on commercial cannabis businesses and local policy options.</p> <p>06/13/17 Council requested a study session and further discussion on commercial cannabis cultivators and other cannabis related businesses interested in operating in Corcoran.</p> | Study session scheduled for June 27 meeting.                  | All  |
| 05/09/17  | City Council requested that Staff present draft finance policies relating to General Fund reserves, balanced budget, etc.   | Draft policies to be presented at subsequent council meetings | City Manager/Finance Director                  |
|   |   |   |  |