

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

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 93212

*Monday, September 15, 2014
6:00 P.M.*

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.

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 ext. 235.

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.

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.

ROLL CALL

Mayor:	Jim Wadsworth
Vice Mayor:	Jerry Robertson
Council Member:	Mark Cartwright
Council Member:	Raymond Lerma
Council Member:	Sidonio "Sid" Palmerin

INVOCATION

FLAG SALUTE

1. **PUBLIC DISCUSSION**

2. **CONSENT CALENDAR (VV)**
 - 2-A. Approval of minutes of the City Council meeting of September 2, 2014.
 - 2-B. Authorization to read ordinances and resolutions by title only.
3. **APPROPRIATIONS (VV)**

Approval of Warrant Register dated September 15, 2014. (Ruiz-Nuñez)(VV)
4. **PRESENTATIONS**
 - 4-A. Corcoran Centennial – Sponsor/Committee Recognition
 - 4-B. Council recognition for Joyce Venegas for 34 years of service to the City
 - 4-C. Council recognition for Barbara Hanshew for 31 years of service to the City
5. **PUBLIC HEARINGS**
 - 5-A. Public Hearing to obtain comments to consider Ordinance No. 621 enacting restrictions on medical marijuana dispensaries, mobile dispensaries, cooperatives, collectives, and cultivation. (Tromborg) (VV)
 - A. Open Public hearing
 - B. Staff Report
 - C. Accept written testimony
 - D. Accept oral testimony
 - E. Close/continue hearing
 - F. Council discussion
 - G. By motion, approve/approve with changes/deny recommendation.
6. **WRITTEN COMMUNICATIONS**
 - 6-A. Consider funding request from Kings County Commission on Aging. (Meik)(VV)
 - 6-B. Consider funding request from Veterans Outreach. (Meik)(VV)
7. **STAFF REPORTS - None**
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. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:
Conference with legal counsel – Deciding whether or not basis exists for closed-session for anticipated litigation (Government Code § 54956.9(d)(3)).
 - 9-C. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:
Conference with legal counsel – **EXISTING LITIGATION** (Government Code § 54956.9(d)(1)).

Parties, case/claim no. ___ KCSC Case No. 13-C-0289 _____

Case name unspecified because of jeopardy to settlement negotiations or service of process.

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 September 11, 2014.



Kindon Meik, City Manager

**MINUTES
CORCORAN CITY COUNCIL,
JOINT POWERS FINANCE AUTHORITY,
SUCCESSOR AGENCY FOR CORCORAN RDA
& HOUSING AUTHORITY
REGULAR MEETING
September 2, 2014**

The regular session of the Corcoran City Council was called to order by Mayor Wadsworth, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:58 P.M.

ROLL CALL

Councilmembers present: Mark Cartwright, Sidonio Palmerin, Raymond Lerma, Jerry Robertson, and Jim Wadsworth

Councilmembers absent: None

Staff present: Mike Farley, Steve Kroeker, Kindon Meik, Soledad Ruiz-Núñez, Reuben Shortnacy, and Kevin Tromborg

Press present: Jeanette Todd, "The Corcoran Journal"

INVOCATION

Invocation was presented by Cartwright.

FLAG SALUTE

The flag salute was led by Wadsworth.

1. **PUBLIC DISCUSSION** - None

2. **CONSENT CALENDAR**

Following Council discussion a **motion** was made by Lerma and seconded by Cartwright to approve the consent calendar. Motion carried by the following vote:

AYES: Members: Cartwright, Lerma, Palmerin, Robertson, and Wadsworth

NOES: None

ABSENT: None

2-A. Approval of Minutes of the regular meeting on August 4, 2014.

2-B. Authorization to read ordinances and resolutions by title only.

2-C. Approval of Proclamation naming September as Recovery Month.

2-D. Approval of Proclamation recognizing the Corcoran Community Foundation.

2-E. Approval of Resolution No. 2753 recognizing Joyce Venegas.

2-F. Approval of Resolution No. 2754 recognizing Barbara Hanshew.

3. **APPROPRIATIONS**

Following Council discussion a **motion** was made by Cartwright and seconded by Robertson to approve the Warrant Register dated August 18, 2014 and September 2, 2014. Lerma and Palmerin abstained from voting on the per diem request. Motion carried by the following vote:

AYES: Members: Cartwright, Lerma, Palmerin, Robertson, and Wadsworth

NOES: None

ABSENT: None

4. **PRESENTATIONS** – None

5. **PUBLIC HEARINGS** – None

6. **WRITTEN COMMUNICATIONS**

6-A. Following Council discussion council consensus was to table the funding request made by the Kings County Commission on Aging to September 15, 2014.

6-B. Following Council discussion council consensus was to table the funding request made by the Veterans Outreach to September 15, 2014.

7. **STAFF REPORTS**

7-A. Following Council discussion a **motion** was made by Lerma and seconded by Cartwright to approve Resolution No. 2755 encouraging drought relief legislation. Motion carried by the following vote:

AYES: Members: Cartwright, Lerma, Palmerin, Robertson, and Wadsworth

NOES: None

ABSENT: None

7-B. Following Council discussion a **motion** was made by Robertson and seconded by Palmerin to approve part-time on-call building inspector classification. Motion carried by the following vote:

AYES: Members: Cartwright, Lerma, Palmerin, Robertson, and Wadsworth

NOES: None

ABSENT: None

7-C. Following Council discussion a **motion** was made by Lerma and seconded by Cartwright to authorize staff to purchase two police vehicles. Motion carried by the following vote:

AYES: Members: Cartwright, Lerma, Palmerin, Robertson, and Wadsworth

NOES: None

ABSENT: None

8. **MATTERS FOR MAYOR AND COUNCIL**

8-A. Council received information items.

8-B. Staff received referral items.

8-C. Committee reports.

9. **CLOSED SESSION**

At 6:52 p.m. Council recessed to closed session pursuant to:

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)).

Significant exposure to litigation (Government Code § 54956.9(d)(2)).

Number of potential cases is: 1 .

Facts and circumstances clearly known to potential plaintiff (if any) that might result in litigation (Government Code § 54956.9(e)(2)) : _____

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

Conference with legal counsel – **EXISTING LITIGATION** (Government Code § 54956.9(d)(1)).

Parties, case/claim no. KCSC Case No. 13-C-0289 _____

Case name unspecified because of jeopardy to settlement negotiations or service of process.

The regular meeting was reconvened at 7:33 p.m. Mayor Wadsworth reported direction provided on items 9-A and 9-B.

ADJOURNMENT

7:35 P.M.

Acting City Clerk

Mayor

APPROVED DATE: _____

Accounts Payable

Checks for Approval

User: snunez

Printed: 9/12/2014 - 10:29 AM



Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
56268	08/13/2014	Refuse Fund	Accounts Payable	JAVIER AGUIRRE		41.05
56269	08/13/2014	Refuse Fund	Accounts Payable	DANIELLE DAVIS		8.65
56270	08/13/2014	Water Fund	Accounts Payable	CYNTHIA ELIZALDE		86.93
56271	08/13/2014	Water Fund	Accounts Payable	JJR MANAGEMENT		48.60
56272	08/13/2014	Water Fund	Accounts Payable	DONAL OWENS		3.65
56272	08/13/2014	Wastewater/Sanitary Sewer	Accounts Payable	DONAL OWENS		1.18
56272	08/13/2014	Refuse Fund	Accounts Payable	DONAL OWENS		1.64
56272	08/13/2014	Wastewater/Storm Drain	Accounts Payable	DONAL OWENS		0.44
56273	08/13/2014	Water Fund	Accounts Payable	JUDITH FIRNSTILL		100.00
56274	08/13/2014	Water Fund	Accounts Payable	PRIME PROPERTIES MANAGEMENT		50.93
56275	08/13/2014	Water Fund	Accounts Payable	SOUTHERN COUNTIES FUELS		47.11
56275	08/13/2014	Wastewater/Sanitary Sewer	Accounts Payable	SOUTHERN COUNTIES FUELS		19.61
56275	08/13/2014	Refuse Fund	Accounts Payable	SOUTHERN COUNTIES FUELS		78.93
56275	08/13/2014	Wastewater/Storm Drain	Accounts Payable	SOUTHERN COUNTIES FUELS		11.99
56276	08/13/2014	Water Fund	Accounts Payable	SOUTHERN COUNTIES FUELS		67.91
56277	08/13/2014	Water Fund	Accounts Payable	VIVIAN SWINEY		2.00
56278	08/13/2014	Water Fund	Accounts Payable	BONNIE THOMPSON		5.87
56279	08/13/2014	Water Fund	Accounts Payable	MIRANDA TORRES		43.10
56280	08/13/2014	Water Fund	Accounts Payable	RODDY VELASQUEZ		45.00
				BILLY WALKER		
Report Total:						664.59

Accounts Payable

Manual Check Register

User: snunez
Printed: 09/12/2014 - 10:43AM
Batch: 00001.09.2014 - Manual Checks-Kevin Tromborg



		Amount	Invoice No
Check: 56475	09/02/2014		
Vendor: TROMBKEV	KevinTromborg	368.00	
	Check total:	<u>368.00</u>	
	Total for Accounts Payable Check Run:	<u>368.00</u>	

Accounts Payable

Check Register Totals Only



User: spineda
 Printed: 9/12/2014 - 8:58 AM
 Batch: 00502.09.2014

Check	Date	Vendor No	Vendor Name	Amount	Voucher
56494	09/11/2014	ADESIGNF	A Design for You	3,238.98	56,494
56495	09/11/2014	AMTR	Amtrak	2,215.00	56,495
56496	09/11/2014	AMTR	Amtrak	2,215.00	56,496
56497	09/11/2014	ASPHAREP	Asphalt Repair, Co	2,600.00	56,497
56498	09/11/2014	AT&TMOBI	AT&T Mobility	37.40	56,498
56499	09/11/2014	AUTOZONE	Auto Zone, Inc.	791.07	56,499
56500	09/11/2014	AZAUTO	Az Auto Parts	431.76	56,500
56501	09/11/2014	B&CENTER	B & C Enterprises	4,016.62	56,501
56502	09/11/2014	BANKCARD	BankCard Center	4,168.59	56,502
56503	09/11/2014	BESTDEAL	Best Deal Food Co Inc.	50.53	56,503
56504	09/11/2014	BSKASSOC	BSK Associates	3,198.00	56,504
56505	09/11/2014	CAVESKEN	Caves & Associates	511.88	56,505
56506	09/11/2014	CHEMWAMA	Chemical Waste Management Inc	8,539.17	56,506
56507	09/11/2014	CHEVUSIN	Chevron & Texaco Card Svc	337.48	56,507
56508	09/11/2014	CITYOFAV	City of Avenal	2,869.14	56,508
56509	09/11/2014	CORCCOFO	Corcoran Community Foundation	54,000.00	56,509
56510	09/11/2014	CORCHARD	Corcoran Hardware	2,066.67	56,510
56511	09/11/2014	CORCPUCO	Corcoran Publishing Company	742.00	56,511
56512	09/11/2014	CORCRADI	Corcoran Radiator & Muffler	21.50	56,512
56513	09/11/2014	DELAGELA	De Lage Landen	461.18	56,513
56514	09/11/2014	DELLMAL.	Dell Marketing L.P.	1,164.23	56,514
56515	09/11/2014	DEPAOFJU	Dept of Justice	49.00	56,515
56516	09/11/2014	DEPAOFJU	Dept of Justice	644.00	56,516
56517	09/11/2014	dulcegut	Dulce Gutierrez	10.00	56,517
56518	09/11/2014	FARLLAFI	Farley Law Firm	18,046.81	56,518
56519	09/11/2014	FARMLUCO	Farmers Lumber Co	26.03	56,519
56520	09/11/2014	FELDCOMM	Felder Communications	779.50	56,520
56521	09/11/2014	FERGUEENT	Ferguson Enterprises, Inc	968.15	56,521
56522	09/11/2014	FRESNPIP	Fresno Pipe & Supply	59.81	56,522
56523	09/11/2014	GMS	GMS, Inc.	127.50	56,523
56524	09/11/2014	HANFOSEN	Hanford Sentinel, Inc	195.79	56,524
56525	09/11/2014	HANFVEHO	Hanford Veterinary Hospital	671.04	56,525
56526	09/11/2014	HINDEDELAMAS	Hinderliter, deLlames & Assoc	451.15	56,526
56527	09/11/2014	HUBINTER	HUB International	1,608.21	56,527
56528	09/11/2014	IMAGERAD	Images/RadioShack Dealer	156.86	56,528
56529	09/11/2014	JONESELC	Jones Electric	90.00	56,529
56530	09/11/2014	KEMBHYTE	Kemble Hydro Tech Inc	172.34	56,530
56531	09/11/2014	KICOMOLO	Kings County Mobile Locksmith	123.87	56,531
56532	09/11/2014	KINGCOT1	Kings County Treasurer	1,970.86	56,532
56533	09/11/2014	KINGCOT2	Kings County Treasurer	106,250.00	56,533
56534	09/11/2014	KINGSREH	Kings Rehabilitation Center	7,193.00	56,534
56535	09/11/2014	KWRA	Kings Waste & Recycling	6,636.98	56,535
56536	09/11/2014	LEXISNEX	LexisNexis Risk Data Mngmt	100.00	56,536
56537	09/11/2014	LOWES	Lowe's	152.17	56,537
56538	09/11/2014	MENESES	Miguel Meneses	751.00	56,538
56539	09/11/2014	NOVASTOR	Nova Storm Systems	85.00	56,539
56540	09/11/2014	OFFIDEPO	Office Depot	2,048.01	56,540
56541	09/11/2014	PG&E	PG&E	175,826.74	56,541
56542	09/11/2014	PIZZFACT	Pizza Factory	146.20	56,542
56543	09/11/2014	POLARENG	Polar Engraving	506.00	56,543

Check	Date	Vendor No	Vendor Name	Amount	Voucher
56544	09/11/2014	PROCLEAN	Proclean Supply	924.36	56,544
56547	09/11/2014	PRUDOVSU	Prudential Overall Supply	494.50	56,547
56548	09/11/2014	QUADKNIN	Quad Knopf, Inc.	4,738.57	56,548
56549	09/11/2014	QUALPOSE	Quality Pool Service	3,609.51	56,549
56550	09/11/2014	QUESDIAG	Quest Diagnostics	58.58	56,550
56551	09/11/2014	RESCOM	Res-Com	429.00	56,551
56552	09/11/2014	SRSPEC	S & R Specialty Equipment	232.93	56,552
56553	09/11/2014	SAWROSP	Sawtelle & Rosprim Industrial	892.61	56,553
56554	09/11/2014	SELEBUSY	Select Business Systems	139.84	56,554
56558	09/11/2014	SEHEENHO	Self Help Enterprises	74,101.41	56,558
56559	09/11/2014	SEHEENHO	Self Help Enterprises	2,000.00	56,559
56560	09/11/2014	SEHEENHO	Self Help Enterprises	761.00	56,560
56561	09/11/2014	SHELLFLE	Shell Fleet Plus	12,393.51	56,561
56562	09/11/2014	SJVA	SJVAPCD	586.00	56,562
56563	09/11/2014	TFTI&SE	TF Tire & Service	999.19	56,563
56564	09/11/2014	THEGACO	The Gas Company	126.10	56,564
56565	09/11/2014	THELAMA	The Lawnmower Man	107.83	56,565
56566	09/11/2014	TOSHAMER	Toshiba Financial Services	409.96	56,566
56567	09/11/2014	TRANUNLL	Trans Union LLC	25.40	56,567
56568	09/11/2014	TULARJAI	Industries Engraving Program Tulare (686.34	56,568
56569	09/11/2014	TULETRCO	Tule Trash Company	104,284.98	56,569
56570	09/11/2014	UNIVARUS	Univar USA Inc	14,128.20	56,570
56571	09/11/2014	URBANFUT	Urban Futures Inc	4,250.00	56,571
56572	09/11/2014	USBANKEQ	US Bank Equipment Finance	195.18	56,572
56573	09/11/2014	usps	USPS	3,500.00	56,573
56574	09/11/2014	usps	USPS	867.48	56,574
56575	09/11/2014	VALLEELE	Valley Elevator	330.00	56,575
56576	09/11/2014	VERICALI	Verizon California	181.66	56,576
56577	09/11/2014	WALTAUPA	Walt's Auto Parts	447.96	56,577
			Check Total:	651,424.32	

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

**PUBLIC HEARING
ITEM # 5-A**

MEMORANDUM

TO: Corcoran City Council

FROM: Kevin Tromborg: Assistant Community Development Director

SUBJECT: Public Hearing to obtain comments on Ordinance No. 621 restricting medical marijuana dispensaries, mobile dispensaries, cooperatives, collectives and cultivation.

DATE: September 8, 2014

MEETING DATE: September 15, 2014

Recommendation:

Move to accept and waive first reading of Ordinance No. 621 enacting restriction on medical marijuana dispensaries, mobile dispensaries, cooperatives, collectives, and cultivation.

Discussion:

As part of the update to the City of Corcoran Zoning Ordinance and in response to Council direction, Ordinance No. 621 prohibits the following:

- Construction, maintenance and operation of medical marijuana dispensaries within any zoning district of the City of Corcoran.
- Cultivation or processing of medical marijuana
- Operation of mobile medical marijuana dispensaries

As part of the Zoning Code, individuals that violate Ordinance No. 621 will not be subject to criminal penalties but will be subject to penalties included in the Corcoran Municipal Code.

Budget Impact:

Undetermined.

Attachment:

Ordinance No. 621

ORDINANCE NO. 621

AN ORDINANCE OF THE CITY OF CORCORAN
ENACTING RESTRICTIONS ON MEDICAL
MARIJUANA DISPENSARIES, MOBILE DISPENSARIES,
COOPERATIVES, COLLECTIVES AND CULTIVATION.

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

Section 1. PURPOSE. The provisions of this ordinance are intended in order to promote the public health, safety, comfort and general welfare, 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. CODE REPEAL. The definition of “Medical Marijuana Dispensary” within Title 11 of the Corcoran Municipal Code is hereby repealed.

Section 3. 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:

Development application. An application for any permit or approval to be issued by any City of Corcoran officer, employee, department or other office, including subdivisions, land-use permits, variances, building permits or any other entitlement for use.

Medical marijuana dispensary. A facility where marijuana is made available for medical purposes in accordance with California Health and Safety Code section 11362.5 (Proposition 215). Notwithstanding the foregoing, “medical marijuana dispensary” shall not include the following uses, so long as the location of such land uses are otherwise regulated by the Corcoran Municipal Code or applicable law: (a) a clinic licensed pursuant to chapter 1 of division 2 of the California Health and Safety Code; (b) a healthcare facility licensed pursuant to chapter 2 of division 2 of the California Health and Safety Code; (c) a residential care facility for persons with chronic life threatening illness licensed pursuant to chapter 3.01 of division 2 of the California Health and Safety Code; (d) a

residential care facility for the elderly licensed pursuant to chapter 3.2 of division 2 of the California Health and Safety Code; (e) a licensed residential hospice; and (f) a home health agency licensed pursuant to chapter 8 of division 2 of the California Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, California Health and Safety Code section 11362.5 *et. seq.*

Mobile marijuana dispensary. Any clinic, cooperative, club, business or group which transports or delivers, or arranges the transportation or delivery, of medical marijuana to a person.

Section 4. CODE REPEAL. Section 11-15-4 of Chapter 11-15 of Title 11 of the Corcoran Municipal Code is hereby repealed.

Section 5. CODE ADOPTION. Section 11-15-4 is hereby added to Chapter 11-15 of Title 11 the Corcoran Municipal Code to read in its entirety as follows:

11-15-4 Medical Marijuana Prohibitions

(a) Notwithstanding any other portion of this code, no person shall cause or permit the establishment, development, construction, maintenance, operation or enlargement of a medical marijuana dispensary within any zoning district within the City of Corcoran, nor shall any development application be accepted, filed, processed, issued or approved for such a medical marijuana dispensary.

(b) Notwithstanding any other provision of this code, no person shall cultivate or process medical marijuana nor any derivative thereof within any zoning district within the City of Corcoran.

(c) Notwithstanding any other portion of this code, all permitted land use tables within Title 11 of the Corcoran Municipal Code, including but not limited to Tables 11-5-1, 11-6-1, 11-7-1 and 11-8-1, must be construed to reflect that medical marijuana dispensaries and medical marijuana cultivation are not permitted uses within any zoning district within the City of Corcoran.

(d) Each medical marijuana plant cultivated in violation of this section shall constitute a separate and distinct violation.

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

(f) Each violation of this section may be enforced by any and all lawful remedies available under this code and applicable state statute, including but not limited to civil fines and penalties under Title 1, public nuisance

abatement and civil injunction, and all available remedies shall be cumulative and not preclude other available remedies.

Section 6. CODE AMENDMENT. Subsection C. is hereby added to section 1-4-1 of Chapter 1-4 of Title 1 of the Corcoran Municipal Code, to read in its entirety as follows:

1-4-1: GENERAL PENALTY:

...

C. Notwithstanding any other provision of this code, violation of any provision pertaining to medical marijuana within Corcoran Municipal Code by any qualified patient or any of their primary caregivers, while acting within such capacities, shall not be punishable as a misdemeanor.

Section 7. CODE ADOPTION. Subsection V. is hereby added to section 4-1-1 of the Corcoran Municipal Code 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. Medical Marijuana: A violation of any medical marijuana prohibition within the Corcoran Municipal Code.

Section 8. CODE ADOPTION. Chapter 3-11 of Title 3 is hereby enacted and added to the Corcoran Municipal Code to read in its entirety as follows:

Chapter 3-11
MOBILE MARIJUANA DISPENSARIES

3-11-1 – Definitions.

3-11-2 – Mobile Marijuana Dispensaries Prohibited.

3-11-3 – Marijuana Delivery Prohibited.

3-11-4 – Excluded Operations.

3-11-5 – Public Nuisance Declared.

3-11-6 – Violations.

3-11-1 – Definitions.

Notwithstanding any other provision in this code, the following words and phrases shall, for the purposes of this Chapter, have the meanings

respectively ascribed to them by this section, as follows:

A. "Mobile marijuana dispensary" means any clinic, cooperative, club, business or group which transports or delivers, or arranges the transportation or delivery, of medical marijuana to a person.

B. "Person" means any person, firm, corporation, association, club, society or other organization. The term "person" shall include any owner, manager, proprietor, employee, volunteer or salesperson.

C. "Operation" means any effort to locate, operate, own, lease, supply or allow to be operated a mobile marijuana dispensary, or to aid, abet or assist in the operation of a mobile marijuana dispensary.

3-11-2 – Mobile Marijuana Dispensaries Prohibited.

Mobile marijuana dispensaries are prohibited within the City of Corcoran. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation of any mobile marijuana dispensary within the City.

3-11-3 – Marijuana Delivery Prohibited.

A. No Person shall deliver marijuana to any location within the City from a mobile marijuana dispensary, regardless of where the mobile marijuana dispensary is located, or engage in any operation for this purpose.

B. No Person shall deliver any marijuana-infused product such as tinctures, baked goods or other consumable products, to any location within the City from a mobile marijuana dispensary, regardless of where the mobile marijuana dispensary is located, or engage in any operation for this purpose.

3-11-4 – Public Nuisance Declared.

Operation of any mobile marijuana dispensary within the City in violation of the provisions of this Chapter is hereby declared a public nuisance and may be abated pursuant to all available remedies.

3-11-5 – Violations.

Violations of this Chapter may be enforced by any applicable law. Notwithstanding any other provision of the Code, a violation of this Chapter is not subject to criminal penalties.

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 or contradict, 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 Corcoran Journal, 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 _____, 2014 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

JIM WADSWORTH, Mayor
CITY OF CORCORAN

ATTEST:

██████████, City Clerk Pro Tempore
CITY OF CORCORAN

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

WRITTEN COMMUNICATIONS

ITEM #: 6-A

MEMO

TO: Corcoran City Council

FROM: Kindon Meik City Manager/Acting City Clerk

DATE: August 18, 2014

MEETING DATE: September 15, 2014

SUBJECT: Consider Funding Request by Kings County Commission on Aging

Recommendation:

That council approve, deny or modify the funding request made by the Kings County Commission on Aging and make a finding there is a benefit to the community.

Discussion:

Staff received a written request for funding from the Kings County Commission on Aging (KCCOA). Attached is a completed donation request form and 2013-14 budget sheet from KCCOA. Sharon DeMasters representing Kings County Commission on Aging will be at the meeting to answer questions.

The amount being requested for F/Y 2014-15 from the City of Corcoran is for \$7500 and will be utilized as leverage/match for existing funding for the Congregate and Home delivered meals program. Although any amount the Council can assist with would be appreciated.

In 2013, the City provided \$6,800 to the Kings County Commission on Aging. Of that amount, \$800 was allocated from the Council "Grants and Contributions" budget line and \$6,000 from the Recreation "Senior Nutrition" budget line that was funded out of the 2010 CDBG grant. The 2010 CDBG grant has expired, however, \$6,000 was allocated and approved in the 2014-2015 budget for the Senior Nutrition program.

Staff reviewed the request and recommends there is a relationship to the public agency since this is a "service agency." The nature of the benefit could be, "The Agency is supportive of the Senior Nutrition Program. All citizens of Corcoran benefit from this program since our valued senior residents will receive necessary nutrients to assist them in maintaining a level of productivity. This program provides a service that the City does not offer."

CITY OFFICES:

832 Whitley Avenue * Corcoran, CA 93212 * Phone 559-992-2151 * www.cityofcorcoran.com

Budget Impact:

In 2012-13, the Council Grants & Contributions budget (also known as “Funding Donation Requests”) was reduced from \$5,000 to \$1,000. Due to budget constraints, the FY 2014-15 has remained at \$1,000, limiting eligible contributions for council. The remaining fund balance is \$800.00.

KINGS COUNTY COMMISSION ON AGING COUNCIL

An Independent Non-Profit Corporation 501 (c) (3)

680 N. Campus Drive, Suite D

Hanford, CA 93230

Alzheimer's Day Care Resource Center
(Lic. #160406238)
(559) 582-3211 Ext. 2841

Senior Nutrition Management
(559) 582-3211 Ext. 4848

Senior Information & Assistance
(559) 582-3211 Ext. 2828
Fax: (559) 582-9627

Senior Access For Engagement
(SAFE)

Prevention & Early Intervention
(PEI)

(559) 852-4835

Long Term Care Ombudsman Program

(559) 582-3211 Ext. 2823 or Ext. 4856

(559) 583-0333 or 1-800-293-9714

Fax: (559) 589-0608

April 25, 2014

**City of Corcoran
1033 Chittenden Avenue
Corcoran, CA. 93212**

Dear Council Members:

As the Executive Director of the Commission on Aging, I realize each community in Kings County is going through major financial concerns for the upcoming fiscal year, but we ask not be eliminated from your allocations.

Our funding source is from federal Older American Acts funds. We also need local support. The County of Kings, the Cities of Hanford, Lemoore, Avenal and Kings United Way as well as fund raising from the Commission have provided additional monies. The amount we are requesting for **F/Y 2014-15** from the **City of Corcoran for \$7500 will be utilized as leverage/match for existing funding for the Congregate and Home delivered meals program.**

We have helped elderly county residents in resolving senior related problems for over 40 years. Our services help senior citizens find answers to their concerns and assist them in maintaining a more independent way of living in their homes. We advocate on the individual's behalf as well as for the overall senior population.

We also provide Long Term Care Ombudsman Services for the frail elderly in skilled nursing facilities and residential care homes. We coordinate a variety of senior services through our "one-stop" shopping. The Generations Lemoore Adult Day Services in Lemoore provides respite for families taking care of frail elderly loved ones and those with Alzheimer's disease, 5 days a week, 7 a.m.-5 p.m. Recreation, meals and snacks, as well as social activities to keep the mind and body strong are provided for a very reasonable fee. A free newsletter is published, which provides information to our older residents about the services available to them. KCCOA partners with Kings IHSS Public Authority to provide a wonderful informational web site. www.kings.networkofcare.org.

KCCOA manages the Congregate & Home delivered meals program. The senior center provides Corcoran seniors an atmosphere to socialize with each other. The manager of the center is a resident of your city. Home delivered meals are delivered to vulnerable Corcoran seniors. KCCOA also provides mental health services for seniors who are depressed or who need appropriate mental health diagnosis. A lawyer is available twice a month for those who may have legal concerns.

Our agency strengthens the tie between senior citizens and their community. There is no other service to seniors such as KCCOA. We feel it is important seniors know there is a place where help is available. In turn, the community can feel secure in knowing they are meeting the needs of its' oldest citizens. **Please do not eliminate us from your funding.** Thank you.

Sincerely,

Sharon L.T. DeMasters
Executive Director of Services

DONATION REQUEST FORM

ORGANIZATION INFORMATION



Organization: Kings County Commission On Aging Federal Tax Exempt ID#: 94-1723493
Non-Profit Charitable Education
Address: 680 N. Campus, Suite D
City: Hanford ST: CA Zip: 93230
Phone: (559) 852-2826
Website: _____
Contact Name: Sharon DeMasters Phone: (559) 852-2824
Contact E-mail: sltdemasters@kccoa.org

Organization Mission: (Brief Statement describing purpose and objective of the program)
To provide information & referral service, offer assistance, support & advocate for the senior citizens of Kings County as described in the Older Americans Act.

DONATION REQUEST

Donation requested:
 Funds \$ _____ In-Kind _____
 Volunteers # _____ Other _____

Have City funds been requested in the past?
 Yes No

If yes, please briefly explain: (Amount received and when)
\$7,500 /October 28, 2010

Is this request in association with a particular event?
 Yes No

If yes, please briefly explain: (Event date / Expected Attendance)

PROGRAM INFORMATION

If necessary attach additional sheet.

1) Specifically identify what the funds are going to be used for:

Senior Congregate & Home Delivered in the City of Corcoran(Salary-\$10,608+vacation&sick).

2) When will the funds be used:

Spread over the year.

3) Why are the funds needed from the City:

To use as Match funding for the Senior Programs offered in the City of Corcoran.

4) Total program funding and projected resources: (Please attach a fiscal/calendar year Budget Report with actual beginning balance, income and expenses, and final balance)

5) Describe type of assistance being given and/or number of area residents benefitting from assistance.

Senior Congregate & Home Delivered meals, monthly visits to Senior Center by Community Service.

6) Age group Benefited:

K - 8 High School Adult 60 years & older

7) How will the program's success be determined:

Increase participation to the Senior Congregate & Home Delivered meals.

8) Date the group will report back to the Council on the use of funds: Jul-15

KINGS COUNTY COMMISSION ON AGING COUNCIL

An Independent Non-Profit Corporation 501 (c)(3)

680 N. Campus Drive, Suite D

Hanford, CA 93230

Alzheimer's Day Care Resource Center
(Lic. #160406238)
(559) 924-4419

Senior Nutrition Management
(559) 582-3211 Ext. 4848

Senior Information & Assistance
(559) 582-3211 Ext. 2828
Fax: (559) 582-9627

Senior Access For Engagement
(SAFE)

Prevention & Early Intervention
(PEI)

(559) 582-3211 Ext. 2825 or Ext. 4821

Long Term Care Ombudsman Program

(559) 582-3211 Ext. 2823 or Ext. 4856

(559) 583-0333 or 1-800-293-9714

Fax: (559) 589-0608

2013-2014 Use of funds Report

Name of Contractor: KCCOA
 Address: 680 N. Campus Dr. Suite D.
Hanford
 Contract: City of Corcoran
Senior Nutrition
Program(Congregate & Home
 Program: Delivered)

	2013-2014 Use of Funds Total
Personnel	\$25,126.00
Travel/ Training	
Equipment	
Consultant	
Operating Cost	
Indirect Costs	
Other	
Total	

Cash Non Match	
In Kind Non Match	
Cash Match	
In Kind Match	
Program Income	
Other Funds	
Contract funds	
Total funding	\$25,126.00

Approval of Director: Sharon L. T. DeMasters
 Date: 7/1/14

Corcoran Senior Nutrition Program is 1/3 of the overall KCCOA Senior Nutrition Budget. Actual Salary for the Corcoran Site Manager- \$11,050+ vacation& sick leave per year.

City of

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WRITTEN COMMUNICATIONS ITEM #: 6-B

MEMO

TO: Corcoran City Council

FROM: Kindon Meik, City Manager/Acting City Clerk

DATE: August 18, 2014 **MEETING DATE:** September 15, 2014

SUBJECT: Consider Funding Request made by Corcoran Veterans Outreach.

Recommendation:

That council approve, deny or modify the funding request made by the Veterans Outreach and make a finding there is a benefit to the community.

Discussion:

Staff received a written funding request from Corcoran Veterans Outreach in the amount of \$200.00. Council previously denied a \$1,500 funding request in FY 2013/14 due to funds being expended at time of request.

If the full amount is not possible, any amount the Council can fund to assist with their efforts would be appreciated. Representatives from the group have been invited to attend the meeting to be available for comment and to answer questions.

City Council will need to make a finding to determine the benefit to the community. Staff reviewed the request and recommends there is a relationship since the recipient provides a specialized knowledge of the needs of veterans and others in the community. The nature of the benefit could be this program shares a common goal to provide services to the community and that this program provides a service that the City does not offer. Such programs promote public safety and law abiding citizens in a positive, cost effective manner and all veterans are able to benefit by participation.

Budget Impact:

The 2014/15 budget for contributions is \$1,000; the remaining fund balance is \$800.00.

CITY OFFICES:

832 Whitley Avenue * Corcoran, CA 93212 * Phone 559-992-2151 * www.cityofcorcoran.com

DONATION REQUEST FORM



ORGANIZATION INFORMATION

Organization: Veterans Outreach Federal Tax Exempt ID#: _____
 Non-Profit Charitable Education 201676430
 Address: 1001 Jepsen Avenue
 City: Corcoran ST: CA Zip: 93212
 Phone: 559-992-4037
 Website: N/A
 Contact Name: Art Nolen Phone: 559-759-9775
 Contact E-mail: arthurnolen47@gmail.com

Organization Mission: (Brief Statement describing purpose and objective of the program)
Veterans helping veterans, homeless, disabled, and unemployed.

DONATION REQUEST

Donation requested:
 Funds \$ 200.00 In-Kind _____
 Volunteers # _____ Other _____

Have City funds been requested in the past?
 Yes No

If yes, please briefly explain: (Amount received and when)
Last year requested funds, but non were available at the time.

Is this request in association with a particular event?
 Yes No

If yes, please briefly explain: (Event date / Expected Attendance)
Veterans Saluting Veterans

PROGRAM INFORMATION

- If necessary attach additional sheet.*
- Specifically identify what the funds are going to be used for:
For the dinner at the event.
 - When will the funds be used:
November 8, 2014
 - Why are the funds needed from the City:
This is a non-profit organization helping others, not enough funds.
 - Total program funding and projected resources: (Please attach a fiscal/calendar year Budget Report with actual beginning balance, income and expenses, and final balance)
 - Describe type of assistance being given and/or number of area residents benefitting from assistance.
About 300 Corcoran residents.
 - Age group benefited:
 K - 8 High School Adult
 - How will the program's success be determined:
On how many participate and attend event.
 - Date the group will report back to the Council on the use of funds: To be determined.

MATTERS FOR MAYOR AND COUNCIL

ITEM #: 8

MEMORANDUM

MEETING DATE: September 15, 2014
TO: Corcoran City Council
FROM: Kindon Meik, City Manager
SUBJECT: Matters for Mayor and Council

UPCOMING EVENTS / MEETINGS

- September 17, 2014 (Wednesday) City/County Coordinating Meeting – 6:00 PM, Avenal
- October 6, 2014 (Monday) City Council Meeting – 6:00 PM, Corcoran Council Chamber
- October 20, 2014 (Monday) City Council Meeting – 6:00 PM, Corcoran Council Chamber

A. Information Items

1. Water Conservation Efforts
2. Highway 43 Roundabout

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

Two Year Goals:

1. Safe Crossings on Highway 43
2. Balance Budget
3. Maintain Services
4. Prepare for Centennial Activities

Long Term Goals:

1. Lighted Soccer Field
2. Demolition of Grain Building
3. Police Department Facility



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

DATE Sent to Council/ Request made	REQUEST	STATUS	DEPARTMENT RESPONSIBLE Dept/Division
04/01/13	Council directed staff to explore options to have Wi-Fi hardware and or internet connection in the Council Chambers.		City Manager
04/01/13	Council directed staff to explore options to establish electronic council packets (e-packets) and cost of tablets including funding options.		City Manager
04/01/13	Council directed staff to explore options to upgrade audio visual (AV) equipment, including audio (microphone), video projection and display in the Council Chambers.		City Manager
04/15/13	<p>UPDATE: 11/04/13 Staff provided a draft agreement for review by Council and was authorized to commence review with Kings Estates.</p> <p>08/19/13 Council discussed options to resolve utility and payment issues. Direction provided to legal counsel and staff.</p> <p>06/17/13: Staff noted that this item will return at a future meeting.</p> <p>04/15/13: Council directed staff to identify options for Kings Estates utility services/billing.</p>	Ongoing	City Manager/ Public Works
07/01/13	<p>UPDATE: 09/16/13 Staff presented revenue generating options to Council. Council requested additional information on specific items.</p> <p>Council requested information regarding revenue generating initiatives.</p>	Ongoing	City Manager
11/04/13	Council requested staff explore the possibility of extending streetlights on Whitley Avenue to Hwy 43.		Public Works
01/21/14	<p>UPDATE: 08/04/14 Staff discussed new State mandates on water conservation. Council directed staff to put information on City website, notify residents, and contact water users that may be out of compliance.</p> <p>03/03/14 Staff Provided information on drought and water.</p> <p>Council requested an item for review and update regarding the Drought declared by Governor Brown on 01/17/14.</p>	Ongoing	City Manager/ Public Works