



# CITY COUNCIL MEETING

October 15, 2024 at 5:00 PM

Angels Fire House – 1404 Vallecito Road

## AGENDA

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**In person public attendance will be available with limited seating. Seats are available on a first come, first served basis. Members of the public shall have the right to observe and offer public comment at the appropriate time.**

**CITY COUNCIL** appreciates your interest and encourages your participation. Regularly scheduled meetings are held the 1st and 3rd Tuesday of each month. The Agenda is divided into two sections:

**CONSENT AGENDA:** These matters include routine financial and administration actions and are usually approved by a single majority vote.

**REGULAR AGENDA:** These items include significant financial and administration actions of special interest, hearings and work sessions. The numerical order of the items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Council Members. All questions shall be directed to the Mayor who, at his/her discretion, will refer to Staff.

**Mayor** Jennifer Herndon | **Vice Mayor** Isabel Moncada

**Council Members** Alvin Broglio, Michael Chimente, Caroline Schirato

**Interim City Administrator** Steve Williams | **City Attorney** Doug White

**1. CLOSED SESSION**

**2. ROLL CALL**

**3. ADJOURN TO CLOSED SESSION**

**A.** Conference with Labor Negotiations (Gov't Code Section 54957.6)

Employee Organization: City of Angels Employee Association (Miscellaneous)

City of Angels Firefighter Association

City of Angels Employee's Association (Exempt)

**6:00 PM REGULAR MEETING**

**4. ROLL CALL**

**5. PLEDGE OF ALLEGIANCE**

**6. REPORT OUT OF CLOSED SESSION**

**A.** Conference with Labor Negotiations (Gov't Code Section 54957.6)

Employee Organization: City of Angels Employee Association (Miscellaneous)

City of Angels Firefighter Association

City of Angels Employee's Association (Exempt)

**7. RECOGNITION AND ACKNOWLEDGEMENTS**

**A.** Certificate of Acknowledgement, Honoring 170 Years of Dedication and Excellence, Presented to California Electric Steel, Jennifer Herndon, Mayor

**8. APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)**

**9. PUBLIC COMMENT**

The public may address the Council on any item of public interest not otherwise on the agenda that is within the jurisdiction of the city. No action may be taken. Matters to be addressed may be referred to City Staff or placed on a subsequent meeting Agenda. Speakers are limited to five minutes per person.

**10. CONSENT AGENDA**

**A.** Approve Draft Minutes of October 1, 2024, Rose Beristianos, City Clerk

**B.** AP Checks and Treasurer Report September, Michelle Gonzalez, Finance Director

**C.** Approve Resolution No. 24-84, Road Closure for Christmas Parade

**11. REGULAR AGENDA**

**A.** Utica Park Lightner Mine Expansion Project Update, Amy Augustine, City Planner

**B.** Approve Resolution No. 24-82: Change Order #3 for the Utica Park Lightner Mine Expansion and Rehabilitation Project for Boyer Construction totaling \$132,303.62 to purchase equipment and materials for the outdoor gym, Amy Augustine, City Planner

**C.** Approve Resolution No. 24-77 Approving a General Plan Amendment Removing General Plan 2020 Implementation Program 7.B.m Requiring no Net Increase in Wastewater Connections, Amy Augustine, City Planner.

- D.** Approve Resolution No. 24-81 Authorizing Acquisition of Formula Allocation Permanent Local Housing Allocation (PLHA) Funds and Approving a PLHA 5-year Plan, Amy Augustine, City Planner
- E.** Approve Resolution No. 24-83 Authorizing an Application for a Micro-Enterprise Community Development Block Grant, Amy Augustine, City Planner
- F.** Approve an Agreement, Authorizing PG&E to use Utica Park During a Public Safety Power Shutoff Event, Steve Williams, Interim City Administrator
- G.** Approve Project Completion and Change Order #2 to Booster Way Sewer Upgrade project, Accept the Project, and Authorize the Release of the Retention Funds, Steve Williams, Interim City Administrator
- H.** Discussion on Draft of City Officials Handbook, Steve Williams, Interim City Administrator
- I.** Discussion and Direction on City Owned Building, at 584 South Main Street, Steve Williams, Interim City Administrator

**12. ADMINISTRATION REPORT**

**13. COUNCIL REPORT**

**14. CALENDAR**

- A.** October, November, and December

**15. FUTURE AGENDA ITEMS**

**16. ADJOURNMENT**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at City Hall 209-736-2181. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II) Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection at City Hall at 200 Monte Verda Street Ste. B, Angels Camp, CA 95222 during normal business hours. The Agenda is also available on line at [www.angelscamp.gov](http://www.angelscamp.gov).*

# Certificate of Acknowledgement

## Honoring 170 Years of Dedication and Excellence

### Presented to

## California Electric Steel

In recognition of your unparalleled achievement and commitment to industry and community, this certificate is proudly awarded to California Electric Steel, the longest continually running steel foundry west of the Mississippi.

For 170 years, through the stewardship of the **Helvey** and **Whittle** families, your foundry has stood as a testament to perseverance, innovation, and craftsmanship. Your dedication to quality and tradition has shaped not only your business but also the lives of countless employees, customers, and partners.

We celebrate your legacy of excellence, and with sincere gratitude, acknowledge your significant contributions to the steel industry and the continued impact you have on our community.

May your tradition of success and leadership endure for many more generations to come.

Presented on this day, October 12, 2024

\_\_\_\_\_  
Jennifer Herndon, Mayor  
City of Angels







# CITY COUNCIL MEETING

October 01, 2024 at 5:00 PM

Angels Fire House – 1404 Vallecito Road

## DRAFT MINUTES

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Mayor Jennifer Herndon **(PRESENT)** | Vice Mayor Isabel Moncada **(PRESENT)**

Council Members Alvin Broglio **(PRESENT)**, Michael Chimento **(PRESENT)**, Caroline Schirato **(PRESENT)**

Interim City Administrator Steve Williams **(PRESENT)** | City Attorney **(PRESENT)**

### 5:00PM CLOSED SESSION

1. ROLL CALL – **NOTED ABOVE**
2. ADJOURN TO CLOSED SESSION
  - A. Public Employee Employment (Gov. Code Section 54957) Title: City Administrator, Steve Williams, Interim City Administrator,
  - B. Conference with Labor Negotiations (Gov't Code Section 54957.6)  
Employee Organization: City of Angels Employee Association (Miscellaneous)  
City of Angels Firefighter Association  
City of Angels Employee's Association (Exempt)

### 6:00 PM REGULAR MEETING

3. ROLL CALL – **NOTED ABOVE**
4. PLEDGE OF ALLEGIANCE
5. REPORT OUT OF CLOSED SESSION
  - A. Public Employee Employment (Gov. Code Section 54957) Title: City Administrator,

Steve Williams, Interim City Administrator,

- B. Conference with Labor Negotiations (Gov't Code Section 54957.6)  
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**COUNCIL TO RECONVENE AFTER REGULAR MEETING**

- 6. APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)

**STEVE WILLIAM PULLED ITEM C.**

**ACTION: MOTION TO APPROVE THE AGENDA BY COUNCIL MEMBER CHIMENTE, SECONDED BY COUNCIL MEMBER BROGLIO, PASSED 5 YES**

- 7. PUBLIC COMMENT

**SEAN CONNELLY SPOKE ABOUT POTENTIAL COVID FUNDS TO RECOUP THJE LOSS OF ICE CREAM**

**DEBBIE PONTE STOOD AND SPOKE ABOUT ALTAVILLE CEMETARY – NOW HAS A POLICY BOOK, DESTINATION ANGELS CAMP (DAC) – FARMERS MARKET, ANGELS CAMP BUSINESS ASSOCIATION AND DAC TO DO A CANIDATES NIGHT ON OCTOBER 24, 2024 AND THE MUSEUM TO HOST THE WILD WEST FEST OCTOBER 12, 2024**

- 8. CONSENT AGENDA

- A. Approve Draft Minutes of September 17, 2024, Rose Beristianos, City Clerk
- B. Approve Resolution No. 24-80, Conflict of interest, Rose Beristianos, City Clerk

**ITEM B PULLED BY COUNCIL MEMBER CHIMENTE**

**ACTION: ITEM A, MOTION TO APPROVE BY COUNCIL MEMBER SCHIRATO, SECONDED BY VICE MAYOR MONCADA, PASSED 5 YES**

**DISCUSSION ON ITEM B, ACTION: MOTION TO APPROVE BY COUNCIL MEMBER CHIMENTE, SECONDED BY VICE MAYOR MONCADA, PASSED 5 YES**

- 9. REGULAR AGENDA

- A. Presentation - Bartle Wells Assoc will present updated figures for the Prop 218 Rate Study, Michelle Gonzalez, Finance Director

**PRESENTATION GIVEN, DISCUSSION AND DIRECTION GIVEN SELECT SENERIO 1, 3% ON WATER, 6.22% ON UTICA AND 2% ON WASTEWATER. DISCUSSION ON THE 218 NOTICE AND FOR IT TO BE BROUGH BACK FOR COUNCIL APPROVAL**

- B. Rural Recreation and Tourism Program - Utica Park Lightner Mine Expansion Project Update, Amy Augustine, City Planner

**PARK UPDATED GIVEN AND DISCUSSION ON A SOFT OPENING**

- C. Approve Resolution No. 24-78, Task Order No. 5 for GeoCon, Special Inspection at Utica Park, Amy Augustine, City Planner

**ITEM PULLED**

- D. Preliminary Fiscal Year 2023-24 Financial Performance Report, Michelle Gonzalez, Finance Director

**DISCUSSION ONLY**

- E. Investing options for CD that expires 12/31/2024 and future portfolio for the City, Michelle Gonzalez, Finance Director

**DIRECTION GIVEN TO STAFF TO CONTINUE COMMUNICATION WITH BANK OF STOCKTON**

F. Approve Resolution No. 24-79, Revised Fee Schedule for Fiscal Year 2024-25, Michelle Gonzalez, Finance Director

**DISCUSSION**

**ACTION: MOTION TO APPROVE THE 3.2% FEES, REVIEW THE 9.4% FEES ALONG WITH THE BUILDING COMPARISON REPORT THAT WAS PROVIDED, DIRECTION TO STAFF LOOK INTO THE COST OF A NEW TRAFFIC STUDY AND REVIEW THE ORIGINAL RESOLUTION REGARDING FEE INCREASES, BY COUNCIL MEMBER BROGLIO, SECONDED BY COUNCIL MEMBER CHIMENTE, PASSED 5 YES**

10. ADMINISTRATION REPORT

A. City Council Monthly Update, Steve Williams, Interim City Administrator

**STEVE PROVIDED HIS REPORT, DISCUSSION ON SPACE NEEDS ASSESSMENT, DETERMINED THAT THE SPECIAL MEETING SCHEDULED FOR OCTOBER 23, 2024 TO BE CANCELLED. COUNCIL WOULD LIKE AN UPDATE ONLY ON OLD CITY HALL. DISCUSSION ON PARKING LOT NEXT TO THE PICKLED PORCH**

11. COUNCIL REPORT – ALL REPORTED OUT

12. CALENDAR - REVIEWED

A. October and November

13. FUTURE AGENDA ITEMS - NONE

14. ADJOURNMENT

**BACK IN CLOSED SESSION**

**REPORT OUT OF CLOSED SESSION**

**DIRECTION GIVEN TO STAFF**

**ACTION: MOTION TO ADJOURN THE MEETING AT 9:57 PM BY COUNCIL MEMBER CHIMENTE, SECONDED BY COUNCIL MEMBER BROGLIO, PASSED 5 YES**

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**Jennifer Herndon, Mayor**

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**Rose Beristianos, City Clerk**



**CITY HALL**

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**MEETING DATE:** October 15, 2024

**TO:** City Council

**FROM:** Michelle Gonzalez, Finance Director

**RE:** Monthly Accounts Payable (AP) Checks and Treasury Report

**BACKGROUND**

Accounts Payable and Treasury Reports for Council Review.

**DISCUSSION**

Staff is providing Council with the Accounts Payable and Treasury Report for the month of September, 2024

**FISCAL IMPACT**

No fiscal impact

**ATTACHMENTS**

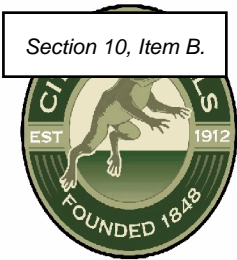
1. Accounts Payable Checks September, 2024
2. Treasury Report September, 2024



# Bank Reconciliation

## Board Audit

User: amata  
 Printed: 10/10/2024 - 12:28PM  
 Date Range: 09/01/2024 - 09/30/2024  
 Systems: 'AP'



Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 010 General Fund				
Department: 0000 No Dept				
0	Hunt & Sons LLC.	FUEL DELIVERY DATE 9-3-24	09/06/2024	1,252.26
0	Hunt & Sons LLC.	FUEL DELIVERY DATE 8-26-24	09/12/2024	2,643.67
0	Hunt & Sons LLC.	FUEL DELIVERY DATE 9-16-24	09/20/2024	1,497.54
0	Hunt & Sons LLC.	FUEL DELIVERY DATE 9-23-24	09/27/2024	1,187.21
93185	Signal Service Inc.	QTRLY BURGLAR ALARM SERVIC	09/27/2024	2,129.67
Total for Department: 0000 No Dept				8,710.35
Department: 1000 City Officials				
0	CONETH SOLUTIONS, INC.	MONTHLY BILLING FOR SEPTEMBER	09/06/2024	183.77
0	CONETH SOLUTIONS, INC.	Services at the fire station	09/20/2024	375.00
0	NEXUS TECHNOLOGIES	Software subscription services fiscal y	09/20/2024	187.07
93115	Calaveras County - Administration	VIDEOGRAPHER FOR COUNCIL MEETING	09/12/2024	536.21
93178	Calaveras County - Administration	VIDEOGRAPHER FOR COUNCIL MEETING	09/27/2024	336.69
Total for Department: 1000 City Officials				1,618.74
Department: 1500 City Attorney				
0	White Brenner, LLP	PROFESSIONAL SERVICES THROUGH	09/06/2024	18,465.00
Total for Department: 1500 City Attorney				18,465.00
Department: 2000 City Engineer				
0	NEXUS TECHNOLOGIES	Software subscription services fiscal y	09/20/2024	34.01
Total for Department: 2000 City Engineer				34.01
Department: 3000 Finance & General Administration				
0	Calaveras Power Agency	Power - City Locations	09/12/2024	565.95
0	CivicPlus, LLC	AGENDA AND MEETING MANAGEMENT	09/06/2024	4,700.00
0	ComputerWorks NFP Solutions		09/24/2024	0.01
0	ComputerWorks NFP Solutions	Software Main & Support	09/27/2024	94,895.05
0	CONETH SOLUTIONS, INC.	MONTHLY BILLING FOR SEPTEMBER	09/06/2024	4,631.02
0	FLOCK GROUP INC.	ACH TEST	09/24/2024	0.01
0	NEXUS TECHNOLOGIES	Software subscription services fiscal y	09/20/2024	250.09
0	Victory Tactical Gear, LLC	ACH TEST	09/24/2024	0.01
93117	COMPHEL HEATING & AIR CONDITIONING	DIAGNOSIS AND QUOTE FOR ANNUAL	09/12/2024	260.00
93132	LEVEL ONE WEB DESIGN, INC	Annual subscription for web hosting and	09/12/2024	1,057.00
93135	Longson Paper Shredding	PICK UP 1 (64 GALLON) SHRED BIN	09/12/2024	60.00
93138	Mountain Oasis Purified Water	WATER REFILLS AT THE CITY HEADQUARTERS	09/12/2024	56.70
93140	No Contract Pest Control, Inc.	GENERAL PEST CONTROL SERVICE	09/12/2024	75.60
93142	Quadient	METER RENTAL, ONLINE-RATE METER	09/12/2024	118.19
93148	Toshiba Financial Services	SERVICES 8/23-9/23/24	09/12/2024	903.89
Total for Department: 3000 Finance & General Administration				107,573.52
Department: 3002 Community Support				
93156	FORMS+SURFACES	SLURB-45SS- 6 Trash cans	09/20/2024	15,722.90

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Total for Department: 3002 Community Support				15,722.90
Department: 4000 Building & Planning Department				
0	Calaveras Power Agency	Power - City Locations	09/12/2024	46.48
0	CONETH SOLUTIONS, INC.	MONTHLY BILLING FOR SEPTEMBER	09/06/2024	73.51
0	NEXUS TECHNOLOGIES	Software subscription services fiscal year	09/20/2024	68.03
93138	Mountain Oasis Purified Water	WATER REFILLS AT THE CITY HEADQUARTERS	09/12/2024	24.30
93140	No Contract Pest Control, Inc.	GENERAL PEST CONTROL SERVICES	09/12/2024	32.40
93148	Toshiba Financial Services	SERVICES 8/23-9/23/24	09/12/2024	387.36
93152	Augustine Planning Associates, Inc	Blanket PO -City Planning Fiscal Year	09/20/2024	18,093.75
93155	CSG Consultants, Inc.	CODE ENFORCEMENT SERVICES	09/20/2024	9,872.50
Total for Department: 4000 Building & Planning Dep				28,598.33
Department: 6000 Fire Department				
0	Calaveras Power Agency	Power - City Locations	09/12/2024	418.48
0	NEXUS TECHNOLOGIES	Software subscription services fiscal year	09/20/2024	374.15
93103	Allstar Fire Equipment, Inc.	SERVICES FOR ANGELS FIRE DEPARTMENT	09/06/2024	59.00
93108	L.N. Curtis & Sons	SALES ORDER NUMBER 925413 -SERVICES	09/06/2024	257.72
93111	Alert- All	BLACK FIRE HAT/ CAPPY FIRE DEPARTMENT	09/12/2024	770.42
93114	Calaveras Lumber Co., Inc.	INV 35167 SUPPLIES FOR FIRE DEPARTMENT	09/12/2024	39.08
93128	Hi-Tech EVS, Inc.	FOOT SWITCH CLAMSHELL	09/12/2024	303.84
93133	JESUS LEYVA	LOT CLEARING FOR ANGELS FIRE DEPARTMENT	09/12/2024	200.00
93134	L.N. Curtis & Sons	SUPPLIES FOR ANGELS CAMP FIRE DEPARTMENT	09/12/2024	119.71
93140	No Contract Pest Control, Inc.	GENERAL PEST CONTROL SERVICES	09/12/2024	108.00
93145	Scott's Distributing	ALUMINUM FOIL	09/12/2024	63.55
93148	Toshiba Financial Services	SERVICES 8/23-9/23/24	09/12/2024	313.92
93161	L.N. Curtis & Sons	SUPPLIES FOR ANGELS FIRE DEPARTMENT	09/20/2024	62.80
93174	AH SONORA HBOC	MEDICAL EXAM -FIRE DEPARTMENT	09/27/2024	205.00
93175	AT&T Mobility	ON-CALL PHONE BILL FOR FIRE DEPARTMENT	09/27/2024	160.96
Total for Department: 6000 Fire Department				3,456.63
Department: 6100 Police Department				
0	Calaveras Power Agency	Power - City Locations	09/12/2024	612.88
0	CONETH SOLUTIONS, INC.	MONTHLY BILLING FOR SEPTEMBER	09/06/2024	882.10
0	FLOCK GROUP INC.	ALPR Cameras and 3 year service agreement	09/27/2024	43,600.00
0	NEXUS TECHNOLOGIES	Software subscription services fiscal year	09/20/2024	374.15
0	Top Dog Police K9 Training & Consult	Maintenance training for Jodi McDear	09/06/2024	250.00
0	Victory Tactical Gear, LLC	BALLISTIC SHIELDS AND TRAUMATISM	09/27/2024	10,308.62
93105	CORE PSYCHOLOGICAL CORPORATION	PEPS - SA (Krystina Storey)	09/06/2024	500.00
93114	Calaveras Lumber Co., Inc.	INV 33720 WASP SPRAY	09/12/2024	15.06
93118	Crescent Supply	LINER BELT	09/12/2024	84.35
93120	Department of Justice	NATHANIEL FRAZIER CCW RENE	09/12/2024	52.00
93131	Laurie Boire	CLEANING POLICE DEPARTMENT FOR AUGUST	09/12/2024	90.00
93136	MCI	LONG DISTANCE SERVICE	09/12/2024	45.20
93139	ANGELS CAMP CHEVRON	PLUG/ PATCH	09/12/2024	358.56
93140	No Contract Pest Control, Inc.	GENERAL PEST CONTROL SERVICES	09/12/2024	108.00
93148	Toshiba Financial Services	SERVICES 8/23-9/23/24	09/12/2024	317.19
93151	AT&T	BILLING SERVICES FOR 9/4/24-10/3/24	09/20/2024	134.82
93154	Cal.net	SERVICES FROM 9/3/24-10/3/24	09/20/2024	133.84
93174	AH SONORA HBOC	SERVICES FOR POLICE DEPARTMENT	09/27/2024	125.00
93183	Jodi Medearmid	PER DIEM FOR ATTENDING A 4-DAY	09/27/2024	200.00
93188	LILLY'S ADVANTAGE	STATEMENT INCLUDES INVOICE FOR	09/27/2024	484.88
Total for Department: 6100 Police Department				58,676.65
Department: 7010 Public Works General				
0	Calaveras Power Agency	Power - City Locations	09/12/2024	995.12
0	CONETH SOLUTIONS, INC.	MONTHLY BILLING FOR SEPTEMBER	09/06/2024	540.29
0	NEXUS TECHNOLOGIES	Software subscription services fiscal year	09/20/2024	199.33

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
93106	Gold Electric, Inc.	BUCKET TRUCK OPERATOR TO R	09/06/2024	202.00
93114	Calaveras Lumber Co., Inc.	INV 33638 REDI MIX CONCRETE	09/12/2024	993.05
93116	Campana Propane Service	RAGGIO CT	09/12/2024	2.71
93122	Froggy's Auto Wash & Lube	MAINT. ON 2023 SILVERADO 1500	09/12/2024	132.53
93137	MotherLode Answering Service, Inc.	BASIC ANSWERING SERVICES, AI	09/12/2024	118.36
93141	O'Reilly Automotive, Inc.	TERRY TOWELS, ANTI FREEZE	09/12/2024	98.01
93154	Cal.net	SERVICES FROM 9/3/24-10/3/24	09/20/2024	133.38
93158	Grainger	KEVER LOCKSET, MECHANICAL,	09/20/2024	140.32
93166	Scott's Distributing	SUPPLIES FOR ANGELS CAMP MU	09/20/2024	214.63
93167	St. Francis Electric	MURPHYS GRADE AND BRET HA	09/20/2024	1,995.00
93169	ULINE	SAFETY GEAR FOR PUBLIC WOR	09/20/2024	372.76
93175	AT&T Mobility	ON-CALL PHONE BILL FOR PUBL	09/27/2024	17.28
93177	PAMELA BERG	WALL REPAIR	09/27/2024	900.00
93181	Javelina Trading Company	CLASS III SAFETY VEST X3, DOZE	09/27/2024	155.93
93184	LANDEN ROBERTS	WORKS BOOTS 24/25	09/27/2024	45.57
9042401	Pacific Gas & Electric Co	8201396299-6	09/04/2024	3,085.06
9242401	Pacific Gas & Electric Co	8938844799-0	09/24/2024	378.45
Total for Department: 7010 Public Works General				10,720.28
Total for Fund:010 General Fund				253,576.41



Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 115 General Fund Projects				Section 10, Item B.
Department: 2011 General GF Grants				
93113	Robert E. Boyer Construction, Inc.	Utica Park Expansion and Renovation	09/12/2024	189,779.28
93123	GEOCON Consultants	Design Level Geotechnical Investigati	09/12/2024	2,135.00
93186	SPECIFIED PLAY EQUIPMENT	Community Enhancement Projects/Uti	09/27/2024	224,945.91
Total for Department: 2011 General GF Grants				416,860.19
Total for Fund:115 General Fund Projects				416,860.19

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 139 Transportation Projects				
Department: 2010				
93162	McGuire-Pacific Contractors	Angels Camp Roadside Sign Replacen	09/20/2024	95,008.00
93187	Stalker Radar	Speed Feeback Radar Sign	09/27/2024	4,429.64
Total for Department: 2010				99,437.64
Total for Fund:139 Transportation Projects				99,437.64

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 245 Lighting/Landscape District				
Department: 9003 Landscape & Lighting District				
0	California Landscaping & Design Inc	LANDSCAPE SERVICES FOR AUG	09/12/2024	8,887.50
0	California Landscaping & Design Inc	LLD Landscaping Greenhorn Creek F	09/27/2024	11,653.23
93165	SCI Consulting Group	ASSESSMENT ADMINISTRATION,	09/20/2024	4,663.58
93179	DARIO'S LANDSCAPING	CUT HIGH WEEDS, RAKE AND PIC	09/27/2024	4,600.00
9042401	Pacific Gas & Electric Co	0109500784-3	09/04/2024	190.08
Total for Department: 9003 Landscape & Lighting Di				29,994.39
Total for Fund:245 Lighting/Landscape District				29,994.39

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 272 TOT-Tourism				
Department: 3002				
0	Calaveras Power Agency	Power - City Locations	09/12/2024	1,087.68
Total for Department: 3002				1,087.68
Total for Fund:272 TOT-Tourism				1,087.68

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 300 Sewer O&M				
Department: 8000 Sewer O&M				
0	Bartle Wells Associates	Professional services for Water/Wastev	09/20/2024	3,785.00
0	Calaveras Power Agency	Power - City Locations	09/12/2024	13,304.12
0	ComputerWorks NFP Solutions	Software Main & Support	09/27/2024	27,112.87
0	CONETH SOLUTIONS, INC.	MONTHLY BILLING FOR SEPTEMBER	09/06/2024	367.54
0	Dakota West	REIMB. FOR WW CERT. BOOKLET	09/20/2024	318.25
0	DataProse LLC	BILL PACKAGING, POSTAGE	09/06/2024	936.69
0	McMaster-Carr	FIXED GALVANIZED STEEL PALL	09/06/2024	1,387.38
0	McMaster-Carr	ZINC-PLATED SUCTION STRAINERS	09/12/2024	64.98
0	NEXUS TECHNOLOGIES	Software subscription services fiscal y	09/20/2024	119.05
0	Northstar Chemical	CHEMICALS FOR WASTEWATER	09/12/2024	4,434.45
0	Northstar Chemical	Water & Wastewater chemicals FY 202	09/27/2024	12,609.47
0	Springbrook Holding Company LLC	CIVICPAY FEE/IVR	09/06/2024	397.50
0	USABlueBook	SUPPLIES FOR WASTEWATER PLANT	09/12/2024	876.82
93104	Alpha Analytical Laboratories, Inc.	WASTEWATER TESTING FOR AUGUST	09/06/2024	1,730.00
93106	Gold Electric, Inc.	WORKED WITH CITY STAFF TO REPAIR	09/06/2024	630.00
93107	Brent Huse	REIMB FOR WEEKEND SUPPLIES	09/06/2024	194.23
93110	Utica Water & Power Authority	S-126 WATER DATA COLLECTION	09/06/2024	400.00
93112	Angels Food Market	CLEANING SUPPLIES	09/12/2024	68.37
93114	Calaveras Lumber Co., Inc.	INV 36256 BOLTS, NUTS AND SCREWS	09/12/2024	341.85
93119	CVCWA	ASSOCIATION DUES STATEMENT	09/12/2024	3,350.00
93122	Froggy's Auto Wash & Lube	MAINT/ ON 2023 SILVERADO 1500	09/12/2024	132.53
93124	H&H Automotive	MAINT. ON 2012 FORD F350 SUPER	09/12/2024	811.81
93129	Industrial Electrical Co. Inc	REMOVED AND INSTALLED NEW	09/12/2024	3,736.27
93136	MCI	LONG DISTANCE SERVICE	09/12/2024	21.43
93137	MotherLode Answering Service, Inc.	BASIC ANSWERING SERVICES, ALL	09/12/2024	82.85
93138	Mountain Oasis Purified Water	WATER REFILLS AT THE WASTEWATER	09/12/2024	120.00
93141	O'Reilly Automotive, Inc.	BELT DRESSING	09/12/2024	25.83
93143	Quill Corporation	TONER X3 AND STAPLES	09/12/2024	709.60
93146	Sonora Airco Gas & Gear	CYLINDER RENTAL	09/12/2024	8.00
93149	SONORA AUTO TECH	Repairs for the 2010 ford f350 utility t	09/18/2024	4,596.39
93150	Angels Food Market	HEALTH SUPPLIES FOR WASTEWATER	09/20/2024	24.10
93151	AT&T	BILLING SERVICES FOR 9/4/24-10/	09/20/2024	674.10
93154	Cal.net	SERVICES FROM 9/3/24-10/3/24	09/20/2024	158.38
93157	Frank A. Olsen Company	Rotork valve repair and installation- in	09/20/2024	8,944.72
93160	Javelina Trading Company	SUPPLIES FOR WASTEWATER	09/20/2024	649.64
93170	XYLEM Water Solutions U.S.A., Inc.	Quote# 2024-WED-1173	09/20/2024	9,877.79
93180	Helix Environmental Solutions	SUPPLIES FOR WASTEWATER	09/27/2024	1,208.31
93184	LANDEN ROBERTS	WORKS BOOTS 24/25	09/27/2024	82.04
Total for Department: 8000 Sewer O&M				104,292.36
Total for Fund:300 Sewer O&M				104,292.36

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 310 Sewer Capital Replacement				
Department: 2022 Sewer Capital Replacement				
93147	R SUTTON ENTERPRISES, LLC	Sewer Replacement Project/Booster W	09/12/2024	356,454.00
Total for Department: 2022 Sewer Capital Replaceme				356,454.00
Total for Fund:310 Sewer Capital Replacement				356,454.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 350 Water O&M				
Department: 8001 Water O&M				
0	Bartle Wells Associates	Professional services for Water/Wastev	09/20/2024	3,785.00
0	Calaveras Power Agency	Power - City Locations	09/12/2024	2,528.80
0	ComputerWorks NFP Solutions	Software Main & Support	09/27/2024	13,556.44
0	CONETH SOLUTIONS, INC.	MONTHLY BILLING FOR SEPTEMBER	09/06/2024	183.77
0	DataProse LLC	BILL PACKAGING, POSTAGE	09/06/2024	650.92
0	NEXUS TECHNOLOGIES	Software subscription services fiscal y	09/20/2024	119.05
0	Northstar Chemical	Water & Wastewater chemicals FY 202	09/27/2024	13,952.65
0	Springbrook Holding Company LLC	CIVICPAY FEE/IVR	09/06/2024	397.50
0	USABlueBook	SUPPLIES FOR WASTEWATER PLANT	09/12/2024	978.22
0	USABlueBook	ZENNER FHZ30 HYDR METER	09/27/2024	1,896.84
93104	Alpha Analytical Laboratories, Inc.	WATER TREATMENT TESTING FOR	09/06/2024	1,265.00
93114	Calaveras Lumber Co., Inc.	INV 36300 BASIC TORCH, EYE BO	09/12/2024	132.24
93121	Foothill-Sierra Pest Control, Inc	RODENT CONTROL, REMOVED W	09/12/2024	149.00
93125	Hach Company	ITEM NUMBER 9201300, SUPPLIES	09/12/2024	1,710.16
93126	HAMMER DOWN REPAIR	LABOR TO REMOVE AND REPLAC	09/12/2024	353.93
93137	MotherLode Answering Service, Inc.	BASIC ANSWERING SERVICES, AI	09/12/2024	35.51
93149	SONORA AUTO TECH	Repairs for the 2010 ford f350 utility t	09/18/2024	4,596.39
93154	Ca.net	SERVICES FROM 9/3/24-10/3/24	09/20/2024	168.38
93159	JEREMY HEISTER	CWEA MEMBERSHIP RENEWAL	09/20/2024	239.00
93163	Pace Supply Corp.	SUPPLIES FOR WATER TREATMEN	09/20/2024	396.92
93164	Rolleri Landscape Products	SUPPLIES FOR PUBLIC WORKS	09/20/2024	340.49
93174	AH SONORA HBOC	MEDICAL EXAM -WATER DEP.	09/27/2024	205.00
93184	LANDEN ROBERTS	WORKS BOOTS 24/25	09/27/2024	54.70
Total for Department: 8001 Water O&M				47,695.91
Total for Fund:350 Water O&M				47,695.91



Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 405 LAFCO Trust Fund				
Department: 9001 LAFCO				
93109	SDRMA	SDRMA LIABILITY INSURANCE F	09/06/2024	2,794.86
93153	John Benoit	STAFF SERVICES FOR AUGUST 20	09/20/2024	2,894.28
93168	STREAMLINE	STREAMLINE WEB MEMBER	09/20/2024	912.00
Total for Department: 9001 LAFCO				6,601.14
Total for Fund:405 LAFCO Trust Fund				6,601.14

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Fund: 417 Retiree Health				
Department: 3000				
0	Anthony Tacheira	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	291.15
0	Billy Brown	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	291.15
0	Faye Perata	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	291.15
0	Gary Burns	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	291.15
0	Judy King	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	67.08
0	Kitchell, Jonathan	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	255.81
0	Mary Kelly	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	46.30
0	Richard Soracco	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	46.30
0	Tinnin, Jennifer	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	46.30
0	William Nuttall	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	249.60
93127	JIM HESS	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	67.08
93130	Joseph Kitchell	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	300.41
93144	Pamela Satterfield	RETIREE BENEFIT FOR SEPTEMB	09/12/2024	46.30
Total for Department: 3000				2,289.78
Total for Fund:417 Retiree Health				2,289.78

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				Section 10, Item B.
Grand Total				1,318,289.50



# CITY OF ANGELS

Section 10, Item B.

## TREASURER'S REPORT For the Month Ended

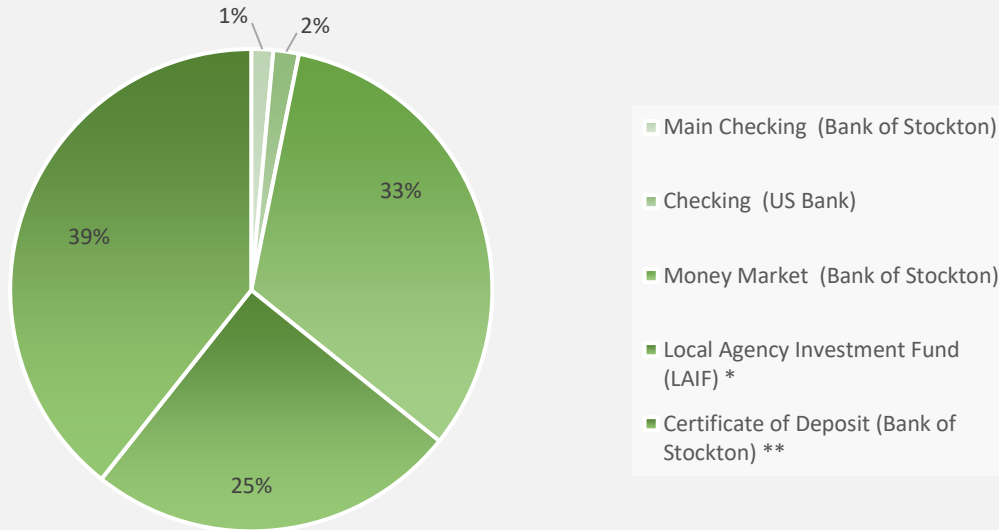
**September 30, 2024**

Operating Portfolios	Beginning Balance	Ending Balance	Accrued Interest	Bank Fees	% of Total
Main Checking (Bank of Stockton)	\$ 817,764	\$ 397,527	\$ 26	\$ 81	1%
Checking (US Bank)	443,421	462,164	-	313	2%
Money Market (Bank of Stockton)	9,042,941	8,825,117	32,176		33%
Local Agency Investment Fund (LAIF) *	6,750,193	6,750,193			25%
Certificate of Deposit (Bank of Stockton) **	10,608,348	10,651,499	43,152		39%
<b>TOTAL OPERATING FUNDS</b>	<b>\$ 27,662,667</b>	<b>\$ 27,086,499</b>	<b>\$ 75,353</b>	<b>\$ 394</b>	<b>100%</b>

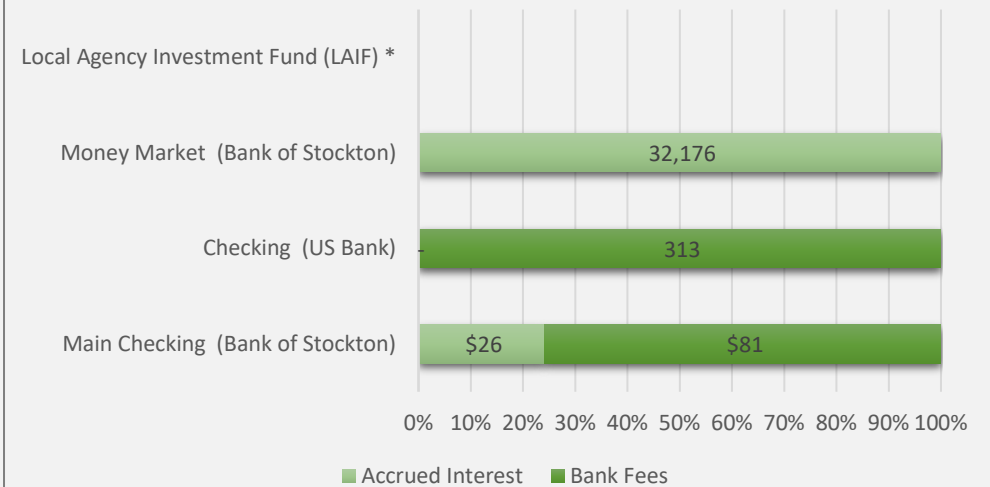
\* Interest recorded Quarterly (June 2024)

\*\* CD opened 6/27/2024 interest rate 5.10% Term 6 months

Composition of Operating Portfolios  
September 30, 2024



Interest Earnings/Bank Fees  
September 30, 2024



Total Interest Earned FY 23/24	\$	1,034,558
Total Interest Earned FY 24/25	\$	228,099



**CITY HALL**

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**DATE:** October 15, 2024

**TO:** City Council

**FROM:** Caytlyn Schaner, Administrative Services Specialist

**RE: RESOLUTION 24-84 AUTHORIZING ROAD CLOSURE OF STATE 49 IN THE CITY OF ANGELS CAMP FOR ANGELS CAMP BUSINESS ASSOCIATION ANNUAL CHRISTMAS PARADE**

**RECOMMENDATION:**

Approve Resolution 24-84

**BACKGROUND:**

Angels Camp Business Association is requesting approval from the City Council to close Highway 49 between Vallecito Road and Bret Harte Drive on December 7, 2024, from 5:00 P.M. until 6:00 P.M for the Christmas Parade.

**DISCUSSION:**

None

**FINANCIAL IMPACT:**

None

**ATTACHMENTS:**

Resolution No. 24-84



**CITY OF ANGELS  
CITY COUNCIL  
RESOLUTION No. 24-84**

**A RESOLUTION APPROVING ROAD CLOSURE OF STATE ROUTE 49 IN THE CITY OF ANGELS HISTORIC DISTRICT FOR ANGELS CAMP BUSINESS ASSOCIATION ANNUAL CHRISTMAS PARADE**

**WHEREAS**,; Angels Camp Business Association is planning their annual Christmas parade for Saturday, December 7th; and

**WHEREAS**,; Angels Camp Business Association has expressed an interest in having a Christmas Parade on December 7, 2024; and

**WHEREAS**,; Angels Camp Business Association is requesting approval from the City Council to close Highway 49 between Vallecito Road and Bret Harte Drive on this date; and

**WHEREAS**,; this closure will temporarily impede and restrict the free passage of traffic over State Highway Route 49 between Vallecito Road and Bret Harte Drive on December 7, 2024 from approximately 5:00 P.M. until 6:00 P.M.; and

**WHEREAS**,; the closure details and route will comply with the California State Department of Transportation Encroachment permit.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Angels City Council consents to the proposed closure of State Highway Route 49 upon terms and conditions deemed appropriate and necessary by the California State Department of Transportation.

**PASSED AND ADOPTED** this 15th day of October,2024 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Jennifer Herndon Mayor

\_\_\_\_\_  
Rose Beristianos, City Clerk



**HOME OF THE JUMPING FROG**



# MEMORANDUM

## City of Angels City Council

**Date:** October 15, 2024

**To:** City Council

**From:** Amy Augustine, AICP – Contract City Planner

**Re:** Rural Recreation and Tourism Program - Utica Park Lightner Mine Expansion Project Update

**Recommendation:**

Acknowledge and accept updates.

**Background:**

Consistent with direction from the City Council, attached is an update on the above-captioned project through October 8, 2024.

**Strategic Plan Alignment**

**A4: Economic Development: Promote a wide variety of economic opportunities consistent with the city's social, cultural, environmental, and aesthetic resources.** The proposed Rural Recreation and Tourism grant park project is intended to increase tourism through park enhancements including a stage, historical (cultural) interpretation trail, and improved pavilion for outdoor events. A new children's playground, adult/teen exercise equipment, bocce courts, hardcourts, improved pavilion and stage are intended to encourage social interactions with local theatre productions, local musical performances, movies in the park and enhanced outdoor spaces for other local events.

**A5: Economic Development: Maintain and enhance the city's economic vitality while conserving the city's social, cultural, environmental, and aesthetic resources.** See above.

**B2 Community Identity: Design new development to be compatible with the natural, scenic, and cultural resources and rural character of Angels Camp.** The Community Stakeholders Design Committee will assist with park design to ensure compatibility with cultural resources and rural character.

**C7: Public Facilities and Services: Maintain or increase the levels of service currently available within Angels Camp for park facilities and infrastructure.** The project will increase the size of Utica Park by 3.8± acres, add or improve numerous park amenities, and upgrade and expand infrastructure increasing the level of park facilities available to all age groups and ability levels for residents and visitors.

**Discussion**

Outdoor gym

The City received a final cost and design for the outdoor gym. A change order has been included in the council agenda packet addressing this item. Grading for the pad for the outdoor gym is in progress.



**Fencing around New Lightner Shaft (adjacent to highway)**

Fencing has been completed.

**Pavilion**

Metal roofing has been completed. Decorative rock has been applied. Skylights and caps on the decorative rock supports are anticipated for completion the week of 10/7.

**Mark Twain Statue**

The final location of the Mark Twain statue was established. It will reside to the north of the new stairway entry into the park from the highway. The front of the statue will face the park with the back facing the highway.

**Utica Mine Disaster Memorial**

The memorial was removed to accommodate road widening adjacent to the bathrooms. It is being relocated to the actual site of the mine collapse – the north shaft (the cement pad in Utica Park).

**Next Steps**

Grading for the interpretive and exercise trail, stage, sidewalks and bocce court is planned over the next two weeks.

**Landscaping**

Steve Williams and Amy Augustine met with the landscaping consultant team on 8/23/24 to review the City’s needs related to irrigation and landscaping. Once a draft landscaping plan is available, it will be presented to the Utica Park Community Design Review Committee for review. Once established, the City will begin taking reservations for memorial trees to be planted at the park. An estimated 15 donated trees will be available. Additional trees may be added. It is anticipated that commemorative trees will cost approximately \$500 for a 15-gallon tree including a plaque. Staff recommends a reduced cost for trees and plaques commemorating veterans, at \$350.00.

**Financial Impact**

See attached budget.

**Attachments**

- A. Approved Site Layout
- B. Timeline
- C. Budget

# Utica Budget



Type	Description	Vendor	Budget Amount	Actuals	Balance	
1	Revenue Agreement	Rural Recreation and Tourism	\$3,000,000.00	\$1,057,234.94	\$1,942,765.06	
2	Revenue Agreement	Per Capita	\$177,952.00	\$177,952.00	\$0.00	
3	Revenue Agreement	CDBG CV (Bathrooms)	\$167,000.00	\$167,000.00	\$0.00	
4	Revenue Agreement	CDBG CV (Generator)	\$30,430.00	\$30,430.00	\$0.00	
5	Revenue Agreement	CDBG CV Additional Funds (Bathrooms)	\$49,355.00	\$49,355.00	\$0.00	
6	Revenue Agreement	CDBG CV Additional Funds (Generator)	\$17,000.00	\$0.00	\$17,000.00	
7	City Contribution	ARPA Funds	\$400,000.00	\$61,878.36	\$338,121.64	
8	Revenue Agreement	Angels Community Club	\$135,000.00	\$135,000.00	\$0.00	
9	City Contribution	Water/Wastewater	\$131,000.00	\$0.00	\$131,000.00	
10	City Contribution	General Fund Match for State Grant	\$57,166.00	\$13,663.50	\$43,502.50	
11	City Contribution	General Fund Contribution	\$60,000.00	\$49,952.50	\$10,047.50	
12		<b>Total Revenue/Contribution Sources</b>	<b>\$4,224,903.00</b>	<b>\$1,742,466.30</b>	<b>\$2,482,436.70</b>	
13						
14	Expense Contract	Land Purchase	Placer Title	\$325,071.00	\$325,071.00	\$0.00
15	Expense Contract	Phase 1 (Haz Materials)	Nelson Environmental	\$2,500.00	\$2,500.00	\$0.00
16	Expense Contract	Appraisal	Schuller Appraisals	\$2,500.00	\$2,500.00	\$0.00
17	Expense Contract	Planning Services	Augustine Planning	\$57,166.00	\$13,663.50	\$43,502.50
18	Expense Contract	Design and Construction	Boyer Construction	\$2,275,000.00	\$288,891.44	\$1,986,108.56
19	Expense Contract	CO #1 Mine Remediation	Boyer Construction	\$193,888.00	\$74,290.00	\$119,598.00
20	Expense Contract	CO #2	Boyer Construction	\$182,645.00	\$0.00	\$182,645.00
21	Expense Contract	Geotechnical Engineering - Original Agreement	Geocon	\$4,900.00	\$4,900.00	\$0.00
22	Expense Contract	Design-Level Investigation CO #1	Geocon	\$30,670.00	\$30,670.00	\$0.00
23	Expense Contract	Preliminary Evaluation CO #2	Geocon	\$4,800.00	\$4,800.00	\$0.00
24	Expense Contract	Design-Level Investigation CO #3	Geocon	\$20,023.00	\$20,023.00	\$0.00
25	Expense Contract	Design and Monitoring Remediation CO #4	Geocon	\$29,380.00	\$9,330.00	\$20,050.00
26	Expense Contract	Arborist Report	California Tree and Landscape	\$2,180.00	\$2,180.00	\$0.00
27	Expense Contract	Demolition	SJOOE	\$171,622.00	\$171,622.00	\$0.00
28	Expense Contract	Tree trimming (per arborist report)	Peffer's Tree Service	\$7,000.00	\$7,000.00	\$0.00
29	Expense Contract	Playground equipment and installation	SPEC	\$460,000.00	\$460,000.00	\$0.00
30	Expense Contract	Bathrooms	T&S West	\$309,000.00	\$293,550.00	\$15,450.00
31	Expense Contract	Generator	Pioneer Electric	\$30,430.00	\$30,430.00	\$0.00
32	Expense Contract	Signs for Park	Gateway Press	\$1,045.36	\$1,045.36	\$0.00
33		<b>Total Expenses</b>	<b>\$4,109,820.36</b>	<b>\$1,742,466.30</b>	<b>\$2,367,354.06</b>	
34		<b>Balance</b>	<b>\$115,082.64</b>	<b>\$0.00</b>	<b>\$115,082.64</b>	

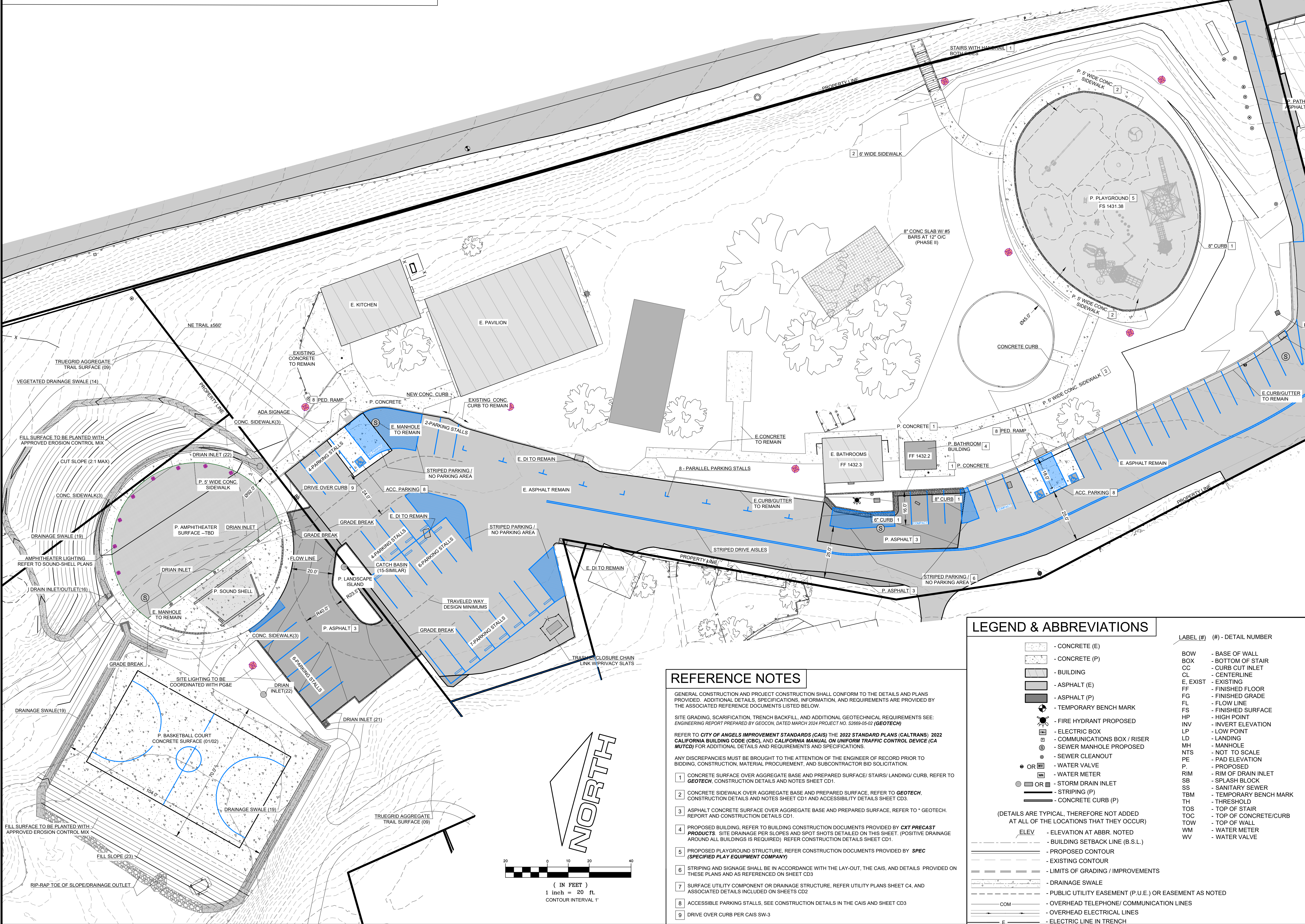
Utica Park Expansion May 2024				Work Breakdown Structure - All Activities															
#	Activity ID	Activity Name	Original Duration	Start	Finish	May	Jun	Jul	Aug	2024	Sep	Oct	Nov	Dec	2025	Jan	Feb	Mar	Apr
1	<b>Utica Park Expansion May 2024</b>			424	23-May-23 A	14-Mar-25													
2	<b>Project Milestones</b>			0															
3	<b>Time Impact Assessment</b>			196	27-Jun-23 A	01-May-24													
4	<b>Time Impact 001 - Geo Tech Analysis</b>			196	27-Jun-23 A	01-May-24													
5	<b>Design Phase</b>			241	23-May-23 A	02-Jul-24													
6	<b>Construction Phase</b>			228	01-May-24	14-Mar-25													
7	M-001	Mobilize	0	01-May-24															
8	M-150	Environmental Pre-con - City training (live oak)	1	01-May-24	01-May-24														
9	M-160	Protect in place/ Plant Protection / Demo Pre-con's	1	02-May-24	02-May-24														
10	<b>Site Work</b>			196	04-Jun-24	04-Mar-25													
11	<b>Civil Mitigation - Mine Closures - Zone C</b>			21	04-Jun-24	02-Jul-24													
12	B123-220	Ground Breaking Ceremony	1	04-Jun-24	04-Jun-24														
13	B123-100	Demo & Safe Off	5	05-Jun-24	11-Jun-24														
14	B123-110	Rough Grading - Playground Area	10	05-Jun-24	18-Jun-24														
15	B123-320	Install mine plugs	15	12-Jun-24	02-Jul-24														
16	<b>Phase I - South End of Site (Playground Area)</b>			95	19-Jun-24	29-Oct-24													
17	<b>Playground Area</b>			70	19-Jun-24	24-Sep-24													
18	B123-120	Playground Contractor to install playground (by others)	35	19-Jun-24	06-Aug-24														
19	G-150	Walls and trail stabilization	15	07-Aug-24	27-Aug-24														
20	B123-190	Entry Stairs	20	28-Aug-24	24-Sep-24														
21	<b>Modular Restroom install</b>			30	28-Aug-24	08-Oct-24													
22	RR1-260	Modular Restroom Installation	30	28-Aug-24	08-Oct-24														
23	<b>Gym</b>			15	09-Oct-24	29-Oct-24													
24	B123-130	Park Gym Installation	15	09-Oct-24	29-Oct-24														
25	<b>Phase II - Remainder of Park</b>			175	03-Jul-24	04-Mar-25													
26	B123-350	Lightner Site - Rough Grading	5	03-Jul-24	09-Jul-24														
27	B123-340	Parking Lot Reconfiguration	25	24-Jul-24	27-Aug-24														
28	B123-200	Pavillion Renovation	30	28-Aug-24	08-Oct-24														
29	B123-360	Lightner Site - Finish Grading	5	28-Aug-24	03-Sep-24														
30	B123-180	Site Concrete	22	09-Oct-24	07-Nov-24														
31	AMP-200	Amphitheater	50	23-Oct-24	31-Dec-24														
32	B123-140	Bocce Court	10	30-Oct-24	12-Nov-24														
33	L-157	Historical equipment & Par-course	12	08-Nov-24	25-Nov-24														
34	BR-360	Sports Court	25	01-Jan-25	04-Feb-25														
35	L-054	Interpretive Trail - Exercise Trails	10	01-Jan-25	14-Jan-25														
36	L-050	Interpretive Trail - ADA trails	10	01-Jan-25	14-Jan-25														
37	L-220	Site Signage	5	15-Jan-25	21-Jan-25														
38	KI-001	Kiosk	5	22-Jan-25	28-Jan-25														
39	<b>Underground Utilities</b>			30	10-Jul-24	20-Aug-24													
40	B123-150	Storm Drain	10	10-Jul-24	23-Jul-24														
41	UG-500	Sanitary Sewer - Tie ins	5	24-Jul-24	30-Jul-24														
42	B123-160	Site Electrical	20	24-Jul-24	20-Aug-24														
43	B123-330	Relocate Bulbout Utilities	10	24-Jul-24	06-Aug-24														
44	B123-170	Domestic Water	5	31-Jul-24	06-Aug-24														
45	<b>Planting and Landscape</b>			20	05-Feb-25	04-Mar-25													
46	L-310	Planting and Hydroseed at DS	10	05-Feb-25	18-Feb-25														
47	L-320	Planting and Hydroseed at RS	10	05-Feb-25	18-Feb-25														
48	L-370	Planting and Hydroseed at MC	5	19-Feb-25	25-Feb-25														
49	L-330	Planting and Hydroseed at OS	10	19-Feb-25	04-Mar-25														
50	<b>Shade Structures (Add AIts)</b>			18	15-Jan-25	07-Feb-25													
51	RS-900	Shade 1 - Add AIt	18	15-Jan-25	01-Feb-25														
52	RS-910	Shade 2 - Add AIt	5	03-Feb-25	07-Feb-25														
53	<b>Completion and Commissioning</b>			13	26-Feb-25	14-Mar-25													
54	COMPL-130	Contractor Completes Buildings	0		26-Feb-25														
55	COMPL-140	Owner Punch-list Creation	5	26-Feb-25	04-Mar-25														
56	COMPL-170	Punch-list Resolution	10	26-Feb-25	11-Mar-25														
57	COMPL-120	Contractor Completes Site Work	0		26-Feb-25														
58	COMPL-100	Record Drawings and closeouts	0	26-Feb-25	26-Feb-25														
59	COMPL-160	De-Mobilization	5	26-Feb-25	04-Mar-25														
60	COMPL-180	Final Clean-up	3	12-Mar-25	14-Mar-25														
61	COMPL-900	Substantial Completion	0		14-Mar-25														
62	COMPL-999	Final Completion	0		14-Mar-25														



# SITE IMPROVEMENT PLAN

**Land & Structure**  
SURVEYING | ENGINEERING | DESIGN

105 SOUTH STEWART STREET, SONOMA, CALIFORNIA, 95370 T: 209.532.5173 F: 209.532.5220



**REVISIONS:**

rev	date	description

**OWNER INFORMATION:**  
City of Angels  
P.O. Box 667  
Angels Camp, Ca 95222  
Ph (209) 736.2181

**SITE INFORMATION:**  
APN 060-006-006/008  
1075 Utica Lane  
Angels Camp, CA 95222

**PROJECT INFORMATION:**

A Site Improvement Plan for:  
**Utica Park**  
1075 Utica Lane  
Angels Camp, CA 95222

**ENGINEER OF RECORD:**

09.24.24

**ISSUE DATE:** 09.24.24

**DRAWN BY:** ZPG

**CHECKED BY:** RC

**SCALE:** 1" = 20'

**DRAWING:** SITE PLAN

**PROJECT NO:** 23-07.06

**SHEET:** C2.1 **OF:** 7

### REFERENCE NOTES

- GENERAL CONSTRUCTION AND PROJECT CONSTRUCTION SHALL CONFORM TO THE DETAILS AND PLANS PROVIDED. ADDITIONAL DETAILS, SPECIFICATIONS, INFORMATION, AND REQUIREMENTS ARE PROVIDED BY THE ASSOCIATED REFERENCE DOCUMENTS LISTED BELOW.
- SITE GRADING, SCARIFICATION, TRENCH BACKFILL, AND ADDITIONAL GEOTECHNICAL REQUIREMENTS SEE: ENGINEERING REPORT PREPARED BY GEOCON, DATED MARCH 2024 PROJECT NO. S2669-05-02 (GEOTECH)
- REFER TO **CITY OF ANGELS IMPROVEMENT STANDARDS (CAIS)** THE **2022 STANDARD PLANS (CALTRANS)** **2022 CALIFORNIA BUILDING CODE (CBC)**, AND **CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICE (CA MUTCD)** FOR ADDITIONAL DETAILS AND REQUIREMENTS AND SPECIFICATIONS.
- ANY DISCREPANCIES MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER OF RECORD PRIOR TO BIDDING, CONSTRUCTION, MATERIAL PROCUREMENT, AND SUBCONTRACTOR BID SOLICITATION.
- CONCRETE SURFACE OVER AGGREGATE BASE AND PREPARED SURFACE/ STAIRS/ LANDING/ CURB. REFER TO **GEOTECH**, CONSTRUCTION DETAILS AND NOTES SHEET CD1.
  - CONCRETE SIDEWALK OVER AGGREGATE BASE AND PREPARED SURFACE. REFER TO **GEOTECH**, CONSTRUCTION DETAILS AND NOTES SHEET CD1 AND ACCESSIBILITY DETAILS SHEET CD3.
  - ASPHALT CONCRETE SURFACE OVER AGGREGATE BASE AND PREPARED SURFACE. REFER TO **GEOTECH**, REPORT AND CONSTRUCTION DETAILS CD1.
  - PROPOSED BUILDING. REFER TO BUILDING CONSTRUCTION DOCUMENTS PROVIDED BY **CXT PRECAST PRODUCTS**. SITE DRAINAGE PER SLOPES AND SPOT SHOTS DETAILED ON THIS SHEET. (POSITIVE DRAINAGE AROUND ALL BUILDINGS IS REQUIRED). REFER CONSTRUCTION DETAILS SHEET CD1.
  - PROPOSED PLAYGROUND STRUCTURE. REFER CONSTRUCTION DOCUMENTS PROVIDED BY **SPEC (SPECIFIED PLAY EQUIPMENT COMPANY)**.
  - STRIPING AND SIGNAGE SHALL BE IN ACCORDANCE WITH THE LAY-OUT, THE CAIS, AND DETAILS PROVIDED ON THESE PLANS AND AS REFERENCED ON SHEET CD3.
  - SURFACE UTILITY COMPONENT OR DRAINAGE STRUCTURE. REFER UTILITY PLANS SHEET C4, AND ASSOCIATED DETAILS INCLUDED ON SHEETS CD2.
  - ACCESSIBLE PARKING STALLS. SEE CONSTRUCTION DETAILS IN THE CAIS AND SHEET CD3.
  - DRIVE OVER CURB PER CAIS SW-3.

### LEGEND & ABBREVIATIONS

	- CONCRETE (E)	<b>LABEL (#) - DETAIL NUMBER</b>
	- CONCRETE (P)	BOW - BASE OF WALL
	- BUILDING	BOX - BOTTOM OF STAIR
	- ASPHALT (E)	CC - CURB CUT INLET
	- ASPHALT (P)	CL - CENTERLINE
	- TEMPORARY BENCH MARK	E, EXIST - EXISTING
	- FIRE HYDRANT PROPOSED	FF - FINISHED FLOOR
	- ELECTRIC BOX	FG - FINISHED GRADE
	- COMMUNICATIONS BOX / RISER	FL - FLOW LINE
	- SEWER MANHOLE PROPOSED	FS - FINISHED SURFACE
	- SEWER CLEANOUT	HP - HIGH POINT
	- WATER VALVE	INV - INVERT ELEVATION
	- WATER METER	LP - LOW POINT
	- STORM DRAIN INLET	LD - LANDING
	- STRIPING (P)	MH - MANHOLE
	- CONCRETE CURB (P)	NTS - NOT TO SCALE
		PE - PAD ELEVATION
		P - PROPOSED
		RIM - RIM OF DRAIN INLET
		SB - SPLASH BLOCK
		SS - SANITARY SEWER
		TBM - TEMPORARY BENCH MARK
		TH - THRESHOLD
		TOS - TOP OF STAIR
		TOC - TOP OF CONCRETE/CURB
		TOW - TOP OF WALL
		WM - WATER METER
		WV - WATER VALVE

(DETAILS ARE TYPICAL, THEREFORE NOT ADDED AT ALL OF THE LOCATIONS THAT THEY OCCUR)

**ELEV** - ELEVATION AT ABBR. NOTED

- BUILDING SETBACK LINE (B.S.L.)

- PROPOSED CONTOUR

- EXISTING CONTOUR

- LIMITS OF GRADING / IMPROVEMENTS

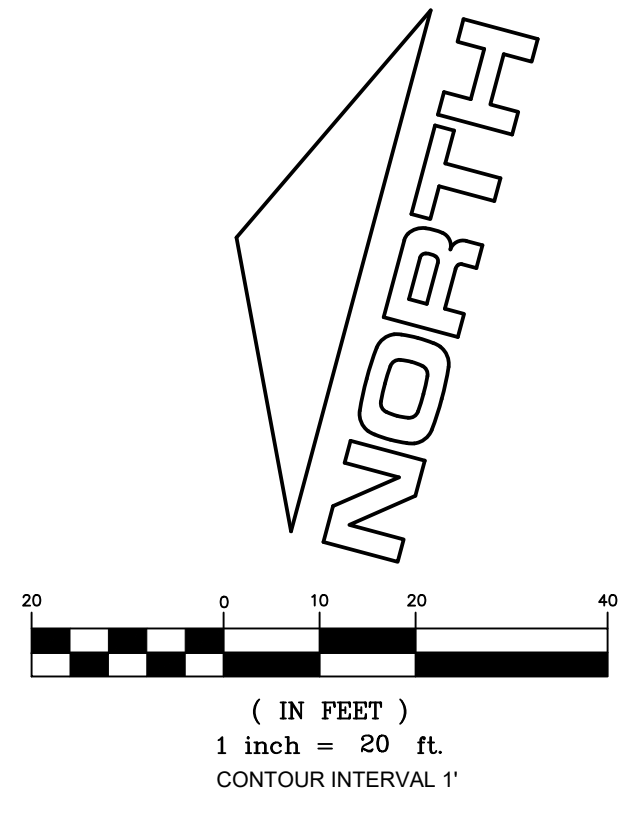
- DRAINAGE SWALE

- PUBLIC UTILITY EASEMENT (P.U.E.) OR EASEMENT AS NOTED

- OVERHEAD TELEPHONE/ COMMUNICATION LINES

- OVERHEAD ELECTRICAL LINES

- ELECTRIC LINE IN TRENCH







# MEMORANDUM

## City of Angels City Council

**Date:** October 15, 2024

**To:** City Council

**From:** Amy Augustine, AICP City Planner

**Re:** Resolution 24-82: Change Order #3 for the Utica Park Lightner Mine Expansion and Rehabilitation Project for Boyer Construction totaling \$132,303.62 to purchase equipment and materials for the outdoor gym

### Recommendation

Approve Resolution 24-82, Change Order #3, for the Utica Park Lightner Mine Expansion and Rehabilitation Project for Boyer Construction totaling \$132,303.62 to purchase outdoor gym equipment and materials.

### Background

The City Park Design Committee selected a HealthBeat Circuit for the outdoor gym. This change order allows Boyer to purchase, receive, and store the equipment and materials for the outdoor gym on behalf of the city. A separate contractor will install the gym equipment. The gym equipment already is included in the park budget. No additional funding is requested.

### Strategic Plan Alignment

**A4: Economic Development: Promote a wide variety of economic opportunities consistent with the city's social, cultural, environmental, and aesthetic resources.** The proposed Rural Recreation and Tourism grant park project is intended to increase tourism through park enhancements including a stage, historical (cultural) interpretation trail, and improved pavilion for outdoor events. A new children's playground, adult/teen exercise equipment, bocce courts, hardcourts, improved pavilion and stage are intended to encourage social interactions with local theatre productions, local musical performances, movies in the park and enhanced outdoor spaces for other local events.

**A5: Economic Development: Maintain and enhance the city's economic vitality while conserving the city's social, cultural, environmental, and aesthetic resources.** See above.

**B2 Community Identity: Design new development to be compatible with the natural, scenic, and cultural resources and rural character of Angels Camp.** The Community Stakeholders Design Committee will assist with park design to ensure compatibility with cultural resources and rural character.

**C7: Public Facilities and Services: Maintain or increase the levels of service currently available within Angels Camp for park facilities and infrastructure.** The project will increase the size of Utica Park by 3.8± acres, add or improve numerous park amenities, and upgrade and expand infrastructure increasing the level of park facilities available to all age groups and ability levels for residents and visitors.

**Discussion**

The City recently received sufficient donations to proceed with purchasing outdoor gym equipment for the park. Detailed outdoor gym equipment design was completed in early October. The outdoor gym equipment has a delivery time of approximately 3 months. The sooner the City orders the equipment, the sooner it can be installed, and the park can be opened to the public (i.e., if ordered in October, delivery would be anticipated in January 2025).

To expedite the process, this resolution will authorize Boyer to purchase outdoor gym equipment under an existing city contract, receive it, and store it on the park site. This will relieve city staff from additional contracting duties, coordinating deliveries, and moving and storing equipment. This option also reduces costs for an off-site contractor to order, receive, store, unload and reload the equipment for transport to the park. A separate contractor will install the equipment.

Boyer task orders previously approved by the City Council are as follows:

Item	Description	Amount
Original Agreement	Current Contract	2,275,000.00
CO No. 1	Geotechnical – mine remediation	193,888.00
CO No. 2	Improve emergency access, fire hydrant	182,645.32
CO No. 3	Purchase outdoor gym equipment and materials	<b>132,303.62</b>
	Total	2,783,836.94

The costs for this task order are detailed as follows:

Ross outdoor gym equipment, freight, taxes and delivery	\$116,314.73
Aggregate base rock	\$8,500.00
<i>Subtotal</i>	<i>\$124,814.73</i>
Boyer 6% mark-up (reduced from Boyer 11% mark-up)/a/	\$7,488.89
<b>Total Change Order Cost</b>	<b>\$132,303.62</b>

/a/ Equipment loading, unloading and storage would be charged by an off-site contractor

**Financial Impact**

Sufficient funds have been included in the park budget to cover this change order. No new funding is requested.

**Attachments**

- A. Resolution 24-82
- B. Boyer Task Order #3 with Cost Detail

**CITY OF ANGELS  
CITY COUNCIL  
RESOLUTION No. 24-82**

**A RESOLUTION OF THE CITY OF ANGELS CITY COUNCIL APPROVING TASK ORDER #3 FOR BOYER FOR \$132,303.62 FOR PURCHASING OUTDOOR GYM EQUIPMENT FOR UTICA PARK AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ALL APPLICABLE DOCUMENTS**

**WHEREAS**, the City’s Park Community Design Committee selected a HealthBeat Circuit for the outdoor gym equipment at Utica Park; and

**WHEREAS**, the City solicited and received community donations to supplement the park budget and purchase the outdoor gym equipment; and

**WHEREAS**, Boyer already is under contract with the City and can order, receive, and store the equipment on behalf of the City; and

**NOW THEREFORE**, the City of Angels City Council does hereby adopt Resolution 24-82 approving Task Order #3 for Boyer totaling \$132,303.62 at Utica Park and authorizing the City Administrator to execute all applicable documents.

**PASSED AND ADOPTED** this 15<sup>th</sup> day of October 2024, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Jennifer Herndon Mayor

\_\_\_\_\_  
Rose Beristianos, City Clerk



**HOME OF THE JUMPING FROG**



**CHANGE ORDER AGREEMENT  
FOR PROFESSIONAL SERVICES**

Contractor: Robert E. Boyer Construction, Inc.  
Contract Date: April 11, 2023  
Project: Utica Park/Lightner Mine Expansion

Change Order No. 3  
Date: October 15, 2024

Client's Name: City of Angels  
Client's Address: P.O. Box 667; 200 Monte Verda St., Bldg B Angels Camp, CA 95222

Attention: Steve Williams, Interim City Administrator  
Telephone: (209) 736-1346

**We hereby agree to make the following changes:**  
Amend the agreement to include **Attachment A**.

Current Contract Amount:	\$2,275,000
Change Order Agreement #1:	\$193,888 (mine remediation)
Change Order Agreement # 2:	\$182,645.32
Change Order Agreement #3:	\$132,303.62
Revised Contract Amount:	\$ 2,783,836.94

Authorized Signature (Boyer) \_\_\_\_\_

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Accepted: The above estimated fees/costs relating to this Change Order are satisfactory and are hereby accepted. All services to be performed under the same terms and conditions as specified in the original contract.

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Authorized Signature: \_\_\_\_\_  
Steve Williams, Interim City Administrator

Date: \_\_\_\_\_

**Attachment A**

The costs for this task order are detailed as follows:

Ross outdoor gym equipment, freight, taxes and delivery	\$116,314.73
Aggregate base rock	\$8,500.00
<i>Subtotal</i>	<i>\$124,814.73</i>
Boyer 6% mark-up (reduced from Boyer 11% mark-up)/a/	\$7,488.89
<b>Total Change Order Cost</b>	<b>\$132,303.62</b>



Opportunity Name    Utica Park HealthBeat  
 Quote Name            Utica Park HealthBeat 1189751-01-01  
 Quote Number        00045442  
 Quote Date            10/3/2024  
 Quote Exp Date       11/4/2024  
 Est Lead Time        12-16 weeks

Bill To Name          Angels Camp, City of  
 Bill To                PO Box 667 Angels Camp  
                           Angels Camp, California 95222  
                           United States

Ship To Name        Sierra Play Partners  
 Ship To                Sierra Play Partners  
                           Attn: Loren Jessop/Utica Park  
                           812 Kieman Ave  
                           Modesto, California 95356  
                           United States

Quantity	Product	Product Description	Sales Price	Total Price
1.00	HealthBeat Design	Landscape Structures HealthBeat Circuit Design #1189751-01-01. Ages 13+. CP032999 - DB version of IP281789A, to be used w/ SkyWays Shade CP031393 6 Columns + HDPE Tops, Direct Bury.  NOTE: The progress drawings accompanied by this quote represent design options and should not be interpreted as final design documents. (Not ready to order).	\$100,335.00	\$100,335.00

Total Quote Amounts			
County/ City Tax	Stanislaus County / Modesto	Materials Amount	\$100,335.00
Tax Rate	8.8750%	Tax Amount	\$8,904.73
Credit Terms	100% On Order	Labor/Fee Amount	\$0.00
		Freight Amount	\$7,075.00
		<b>Total</b>	<b>\$116,314.73</b>

**Notes to Customer**

Thank you for the opportunity to quote your upcoming project. PLEASE NOTE: Unless noted, freight costs are based on semi-truck access and do not include a lift-gate.

Deposits may be required before an order can be placed depending on customer credit terms. Your purchase is subject to the terms and conditions of this quote. Approval of this quote agrees to those terms.

If ordering materials after the quoted Expiration Date, please contact your sales representative for current pricing. Ross Recreation cannot hold pricing past the stated Expiration Date on this quote. To secure current pricing, Ross Recreation will require the following:

- PO, signed quote or contract with approval for the order.
- Deposit if required by credit terms.
- Color selections and/or approved submittals.
- Acceptance of delivery when materials or equipment is ready to ship. Products cannot be held nor stored by Ross Recreation nor the manufacturer.

Sales tax will be based on the current rate at the time of shipping, not the order date. Customer will be required to pay for any changes to sales taxes.

Ross Recreation will provide labor using a subcontractor for all installation and labor quoted. Neither Ross Recreation, nor our subcontractors, are signatory to any unions; however, compliance with prevailing wage rate requirements will occur.

Installation of equipment only, and as outlined and quoted. Installation includes layout of the equipment, footing excavation, assembly of equipment and concrete for footings, unless stated otherwise. Installation quoted includes

Prepared By        Nicole Nowak  
 Email                nicolen@rossrec.com

100 Brush Creek Road, Suite 206, Santa Rosa, California 95404  
 p 855.892.3240 • rossrec.com • Contractors License #520752 • DIR #1000003500 • TaxID #68-0103540



Opportunity Name Utica Park HealthBeat
Quote Name Utica Park HealthBeat 1189751-01-01
Quote Number 00045442
Quote Date 10/3/2024
Quote Exp Date 11/4/2024
Est Lead Time 12-16 weeks

Bill To Name Angels Camp, City of
Bill To PO Box 667 Angels Camp
Angels Camp, California 95222
United States

Ship To Name Sierra Play Partners
Ship To Sierra Play Partners
Attn: Loren Jessop/Utica Park
812 Kieman Ave
Modesto, California 95356
United States

standard manufacturer provided footing details; if different and/or engineered footing details are provided by the contractor/owner/specifier, a change order will be required.

Labor costs quoted and contracted are valid for six months. If the duration and/or timeline of the project and Ross Recreation's start date is extended beyond six months from the time of an executed contract, additional costs may be incurred to reflect current labor costs and pricing. It is the responsibility of the General Contractor to adjust their bid and project pricing to accommodate for the anticipated project's timeline.

Signature \_\_\_\_\_
Name \_\_\_\_\_
Title \_\_\_\_\_
Date \_\_\_\_\_





# MEMORANDUM

## City of Angels City Council

**Date:** October 15, 2024

**To:** City of Angels City Council

**From:** Amy Augustine, AICP – City Planner

**RE:** Resolution 24-77 approving a General Plan Amendment removing General Plan 2020 Implementation Program 7.B.m requiring no net increase in wastewater connections.

**Recommendation:**

Approve Resolution 24-77: a General Plan Amendment removing General Plan 2020 Implementation Program 7.B.m requiring no net increase in wastewater connections.

**Background:**

The City of Angels adopted General Plan 2020 February 3, 2009 and has adopted various updates to the General Plan since. Per California Government Code, Section 65358(b), a jurisdiction may amend a mandatory element of the General Plan up to four times annually. In 2024, the City amended the City’s Circulation Element [City Council Resolution 24-28, March, 2024]. The City’s Public Facilities and Services Element (which includes the subject Implementation Program 7.B.m) is considered a mandatory element herein, because it includes some general plan-required topics required under the Circulation Element (e.g., the extent of existing and proposed public utilities and facilities consistent with the Land Use Element)<sup>1</sup>. Therefore, the proposed amendment to the Public Utilities Element is being treated as a second amendment to a mandatory general plan amendment in the calendar year - - consistent with state law.

The environmental impact report for General Plan 2020 included a mitigation measure restricting new connections to the City’s wastewater system due, primarily, to system delivery constraints related to inflow and infiltration (I/I) and a bottleneck. In response, the following implementation program was adopted as both a mitigation measure and implementation program for General Plan 2020:

***7.B.m At Capacity Wastewater Systems***

*[2020 GENERAL PLAN MITIGATION MEASURE, MM-UTILITY-02]*

<sup>1</sup> Government Code Section 65302



*The city shall implement a process requiring no net increase in wastewater connections in conjunction with adoption of the 2020 General Plan in the areas connecting to the system identified as "at capacity" in 2020 General Plan Appendix 7J) The program will remain effect until the following is completed:*

*A new sewer line is constructed to serve the North End of Angels Camp (north of SR 4) including all sewer lines currently served by the Altaville Lift Station and discharge has been rerouted from the Altaville Lift Station to the new line freeing up capacity in the Altaville Sewer Line (which also has been identified as "at capacity" by the City). The route of the new sewer line shall be evaluated pursuant to a separate environmental evaluation once a route has been determined. The City anticipates securing funding through bonds or alternative financing with creation of a Benefit Basin to recapture costs over time. All parcels connecting to the new line and in areas served by the current Altaville Lift Station shall be included in the Benefit Basin.*

The preceding program was refined through additional system engineering, and it was determined that removing the "bottleneck" along the sewer line serving the north end of Angels Camp would achieve the same effect as constructing a new sewer line. That bottleneck restricting flow/delivery was located at Booster Way. The City completed the Booster Way sewerline improvement project in September, 2024. With completion of the Booster Way sewerline improvement project, the "no net increase" limitation on new sewer connections is no longer required. Therefore, Implementation Program 7.B.m, can be removed from General Plan 2020.

Please note that the following General Plan Implementation Program will remain in the General Plan should the City encounter future wastewater storage, treatment or delivery constraints:

***7.B.j Maintain Sufficient Water and Wastewater Capacity***

***[2020 GENERAL PLAN MITIGATION MEASURE, MM-UTILITY-01]***

*If insufficient wastewater storage, treatment, or delivery capacity exists to serve existing commitments and new development, then the city will implement a policy of no net increase in wastewater connections until sufficient wastewater capacity has been established to service existing commitments and new development.*

*If insufficient water storage, treatment or delivery capacity exists to serve existing commitments and new development, then the city will implement a policy of no net increase in water connections until sufficient water treatment facilities are established to service existing commitments and new development.*

**Strategic Plan Alignment**

*Program A6 – Public Facilities and Services - Continue to improve Angels Camp's capacity to store, treat, and deliver water and to collect and treat wastewater as necessary to achieve the stated goals of the city.*

The general plan program was specifically designed to address this strategic plan goal. Removing that implementation program from the general plan reflects a significant City achievement in achieving this goal and removing a long-time development constraint.

The Planning Commission held a public hearing on October 10, 2024, and took input on this item. The results of that hearing will be reported at the City Council meeting.

**Discussion/Findings**

Pursuant to Angels Municipal Code (AMC) 17.90.040, general plan amendments require the following findings:

- 1. The amendment is consistent with the City of Angels Municipal Code; and
- 2. The proposed change or amendment is consistent with the City of Angels General Plan; and
- 3. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the City.

The purpose of Implementation Program 7.B.m was to protect the City health, safety, and general welfare until the potential risks of overburdening the city’s wastewater system was removed. Consistent with the General Plan Implementation Program (and, therefore consistent with the general plan), the constraint has been removed with completion of the Booster Way sewerline improvement project. This proposed general plan amendment is being completed consistent with AMC Section 17.90.040 and is, therefore, consistent with the City of Angels Municipal Code.

Based on the preceding, the required findings can be made.

**Financial Impact**

No impact.

**Environmental**

Pursuant to the state and City guidelines for implementing the California Environmental Quality Act (CEQA), the proposed amendment is exempt from further review, because the proposed amendment reflects the implementation of a program and mitigation measure identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

**Attachments**

Planning Commission Resolution of Intent 24-13

City Council Resolution 24-77



**CITY OF ANGELS**

**PLANNING COMMISSION**

**RESOLUTION OF INTENT 24-13**

**RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT  
REMOVING GENERAL PLAN 2020 IMPLEMENTATION PROGRAM 7.B.M REQUIRING NO NET  
INCREASE IN WASTEWATER CONNECTIONS**

**WHEREAS**, pursuant to Angels Municipal Code Section 17.90.020, the Planning Commission may initiate a general plan amendment by Resolution of Intent; and

**WHEREAS**, the City completed the Booster Way Sewer Rehabilitation Project in September, 2024; and

**WHEREAS**, that action completed and fulfilled the requirements of the mitigation measure and implementation program identified in General Plan Implementation Program 7.B.m; and

**WHEREAS**, the program requirements prohibiting no net increase in wastewater connections are no longer necessary and can be removed; and

**WHEREAS**, on October 10, 2024, the Planning Commission, at a regularly scheduled meeting, did review and consider the proposed general plan amendment;

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Angels hereby recommends to the City Council approval of a general plan amendment removing General Plan 2020 Implementation Program 7.b.m requiring no net increase in wastewater connections based on the following findings:

1. The amendment is consistent with the City of Angels Municipal Code; and
2. The proposed change or amendment is consistent with the City of Angels General Plan; and
3. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the City.
4. The proposed amendment is exempt from further review pursuant to the state and city CEQA guidelines because the proposed amendment reflects the implementation of a program and mitigation measure identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan

The foregoing resolution was introduced and moved for adoption October 10, 2024, by \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of October, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_

John Broeder, Chair

ATTEST: \_\_\_\_\_

Caytlyn Schaner, Deputy City Clerk



**HOME OF THE JUMPING FROG**

**CITY OF ANGELS  
CITY COUNCIL  
RESOLUTION No. 24-77**

**A RESOLUTION OF THE CITY OF ANGELS CITY COUNCIL APPROVING A GENERAL PLAN AMENDMENT  
REMOVING GENERAL PLAN 2020 IMPLEMENTATION PROGRAM 7.B.m REQUIRING NO NET INCREASE  
IN WASTEWATER CONNECTIONS**

**WHEREAS**, pursuant to Angels Municipal Code Section 17.90.020, the Planning Commission may initiate a general plan amendment by Resolution of Intent; and

**WHEREAS**, the Planning Commission adopted Resolution of Intent 24-13 on October 10, 2024; and

**WHEREAS**, the City completed the Booster Way Sewer Rehabilitation Project in September, 2024; and

**WHEREAS**, that action completed and fulfilled the requirements of the mitigation measure and implementation program identified in General Plan Implementation Program 7.B.m; and

**WHEREAS**, the program requirements prohibiting no net increase in wastewater connections are no longer necessary and can be removed; and

**WHEREAS**, on October 15, 2024, the City Council, at a regularly scheduled meeting, did review and consider the proposed general plan amendment;

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Angels hereby approves Resolution 24-77 approving a general plan amendment removing General Plan 2020 Implementation Program 7.B.m requiring no net increase in wastewater connections based on the following findings:

1. The amendment is consistent with the City of Angels Municipal Code; and
2. The proposed change or amendment is consistent with the City of Angels General Plan; and
3. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the City.
4. The proposed amendment is exempt from further review pursuant to the state and city CEQA guidelines because the proposed amendment reflects the implementation of a program and mitigation measure identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

**PASSED AND ADOPTED** this 15<sup>th</sup> day of October 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Jennifer Herndon Mayor

\_\_\_\_\_

Rose Beristianos, City Clerk



**HOME OF THE JUMPING FROG**



# MEMORANDUM

## City of Angels City Council

**Date:** October 15, 2024

**To:** City Council Members

**From:** Amy Augustine, AICP – City Planner

**RE:** Resolution 24-81 Authorizing acquisition of Formula Allocation Permanent Local Housing Allocation (PLHA) Funds and approving a PLHA 5-year Plan

**Recommendation:**

Approve Resolution 24-81 Authorizing acquisition of Formula Allocation Permanent Local Housing Allocation (PLHA) Funds and approving a PLHA 5-Year Plan.

**Background:**

On September 3, 2024, the City Council authorized staff to pursue PLHA funding. At that meeting, Sierra Hope and Habitat for Humanity asked the city to secure and make available the City’s formula allocation available through California’s Permanent Local Housing Allocation (PLHA) program. Council requested review and approval of the five-year plan. The attached resolution and 5-year plan are provided for Council review and approval to authorize proceeding with acquisition of PLHA funds.

**The City’s available formula allocation is: \$298,855**

\$128,764 is available for Calendar Year (CY) 2021 and \$70,091 for CY 2022. The City missed claiming a 2020 CY allocation of \$127,049.

As previously discussed; to qualify for the remaining PLHA funds, the City must prepare a five-year plan and make funds available for one or more of the following eligible activities:

1. Predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing
2. Predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory dwelling units (ADUs)
3. Capitalized reserves for services connected to the preservation and creation of new Permanent supportive housing.
4. Assisting persons who are experiencing or at-risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.
5. Accessibility modifications in Lower-income Owner-occupied housing.

6. Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.
7. Homeownership opportunities, including, but not limited to, down payment assistance.
8. Fiscal incentives made by a city within the county to incentivize approval of one or more Affordable housing Projects and/or matching funds invested by a city in an Affordable housing development Project. County fiscal incentives shall be in the form of a grant or low-interest loan to an Affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low interest deferred loan to the Affordable housing Project.

Given the limited funding available, the attached five-year plan focuses on the following four programs:

- Predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing
- Predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory dwelling units (ADUs)
- Capitalized reserves for services connected to the preservation and creation of new Permanent supportive housing.
- Assisting persons who are experiencing or at-risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing

Qualified entities will compete for the funds under these programs through a grant application to the City. A selection committee composed of, but not limited to, the following will evaluate and select a grantee or grantees and determine the amount of funding to be allocated to each:

- City Council member
- Planning Commissioner member
- City Finance Director
- City Administrator
- Representative of the Calaveras Continuum of Care
- Local builder
- Representative from The Resource Connection

Recommendations of the committee will be forwarded to the City Council for final approval.

Selection criteria is expected to include, but not be limited to:

- Consistency with Angels Camp General Plan 2020 Goal 2D. How well does the proposed project: Facilitate the provision of decent housing in a suitable environment for all income levels, ethnicities, age levels, sexes and for the disabled and at-risk families consistent with the demographics of the City's population.
- Income levels of those benefitted by the project (extremely low, very low, and low) – score highest
- Income levels of those benefitted by the project (moderate) – scores lower
- Number of people benefitted by the project
- Capacity of the non-profit organization to successfully complete the project
- Likelihood of funds allocated to provide for or contribute to project advancement or completion
- Contribution to meeting other Angels Camp General Plan 2020 goals including, but not limited to:
  - Goal 1A-2: infill development, mixed use, pedestrian friendly, transit oriented, reduces auto-dependency;

Goal 2A-5: Innovative approaches to the provision of housing for extremely low, very low, low- and moderate-income households;

Goal 2A-6: Achieve a balance between housing costs and income levels;

Any organization receiving a grant that is unable to complete expenditures consistent with the grant application will either be required to amend their project subject to reevaluation or return unspent funds.

To qualify for these funds the City must have a certified General Plan Housing Element and be current on all annual housing reports. The City meets both criteria.

**Strategic Plan Alignment**

The City's Strategic Plan does not identify housing programs as current priorities.

**Discussion**

GENERAL PLAN CONSISTENCY

The proposed program is consistent with the following goal and implementation program from General Plan 2020:

**Goal 2D** Facilitate the provision of decent housing in a suitable environment for all income levels, ethnicities, age levels, sexes and for the disabled and at-risk families consistent with the demographics of the City's population.

**Implementation Program**

**2.D.n Pursue Funding**  
Pursue state and federal funding sources to assist in the development of housing for extremely low, very low, low- and moderate-income housing.

**Financial Impact**

The City could secure up to \$298,855 to assist local non-profit organizations in providing housing. The City may use up to 5% of this allocation for administration.

**Attachments**

Resolution 24-81 with Attachment A - PLHA Five-Year Plan

Resolution No. 24-81

City of Angels City Council

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**AUTHORIZING RESOLUTION OF THE CITY OF ANGELS CITY COUNCIL  
AUTHORIZING THE APPLICATION AND ADOPTING THE PLHA PLAN FOR THE  
PERMANENT LOCAL HOUSING ALLOCATION PROGRAM**

All/A necessary quorum and majority of the City Council Members of the City of Angels hereby consents to, adopts, and ratifies the following resolution:

- A. WHEREAS, the Department is authorized to provide up to \$296 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB2))).
- B. WHEREAS the State of California (the “State”), Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated 12/29/2023 under the Permanent Local Housing Allocation (PLHA) Program;
- C. WHEREAS the City of Angels is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation.
- D. WHEREAS the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement, and other contracts between the Department and PLHA grant recipients;

NOW THEREFORE BE IT RESOLVED THAT:

- 1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department.
- 2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix B of the current NOFA. \$298,855 in accordance with all applicable rules and laws.
- 3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules



and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department.

4. **Pursuant to Section 302(c)(4) of the Guidelines, Applicant’s PLHA Plan for the 2019-2023 Allocations is attached to this resolution, and Applicant hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines.**
5. N/A
6. Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), “entity” means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation.
7. Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.
8. Pursuant to Applicant’s certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
9. Applicant certifies that, if funds are used for the acquisition, construction, or rehabilitation of for-sale housing projects or units with for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302(c)(6)(A), (B), and (C).
10. Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.
11. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB2 Guidelines published by the Department.
12. The City Administrator is authorized to execute the PLHA Program Application, the Mayor is authorized to execute the PLHA Standard Agreement and any subsequent amendments or modifications thereto. The City Administrator is authorized to execute any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the City of Angels City Council this 15<sup>th</sup> day of October 2024, by the following vote:

AYES:

ABSTENSIONS:

NOES:

ABSENT:

Signature of Approving Officer: \_\_\_\_\_

Jennifer Herndon, Mayor  
City of Angels City Council

CERTIFICATE OF THE ATTESTING OFFICER:

The undersigned, Officer of the City of Angels, Rose Beristianos, does hereby attest and certify that the foregoing Resolution and **Attachment A**, the PLHA Plan, is a true, full and correct copy of a resolution duly adopted at a meeting of the City of Angels which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is full force and effect as of the date hereof.

ATTEST: \_\_\_\_\_  
Rose Beristianos, City Clerk  
City of Angels

§302(c)(4) Plan

Rev. 07/16/24

§302(c)(4)(A) Describe the manner in which allocated funds will be used for eligible activities.

Funds would be directly allocated, in the form of grants or loans to non-profits that provide housing services and/or support services consistent with the City of Angels Housing Element and General Plan 2020. Grant applications will be solicited and include a scoring criteria. Upon receipt of application(s), a community and support-services-based panel will score grants. It is anticipated that the top scoring applicant(s) will be invited to present their program, in person, to the community panel and answer questions. Panel recommendations will go before the City Council for final approval. The panel will allocate available funds accordingly. Once awarded, grantees will submit quarterly progress reports to the City. Should a project fail to proceed, unspent funds may be reallocated by the community panel, with the consent of the City Council, to an alternative applicant(s).

§302(c)(4)(B) Provide a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI).

The City will use the following criteria to prioritize investments to increase the supply of housing for households with incomes at or below 60 percent of Area Median Income by establishing selection (scoring) criteria for grant/loan applications that includes, but is not limited to:

- Income levels of those benefitted by the project (extremely low, very low, and low) – score highest
- Income levels of those benefitted by the project (moderate) – scores lower
- Number of people benefitted by the project
- Capacity of the non-profit organization to successfully complete the project
- Likelihood of funds allocated to provide for or contribute to project advancement or completion

General Plan 2020 Goal 2D. How well does the proposed project: Facilitate the provision of decent housing in a suitable environment for all income levels, ethnicities, age levels, sexes and for the disabled and at-risk families consistent with the demographics of the City's population. •Consistency with Angels Camp

•Contribution to meeting other

§302(c)(4)(C) Provide a description of how the Plan is consistent with the programs set forth in the Local Government's Housing Element.

Goal 2D: Facilitate the provision of decent housing in a suitable environment for all income levels, ethnicities, age levels, sexes and for the disabled and at-risk families consistent with the demographics of the City's population. Implementation Program 2.D.n: Pursue Funding - Pursue state and federal funding sources to assist in the development of housing for extremely low, very low, low-and moderate-income housing

§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, or moderate-income households, including necessary Operating subsidies.

§302(c)(4)(E)(i) Provide a detailed and complete description of how allocated funds will be used for each proposed Affordable Rental Housing Activity.

Funding would be directly allocated to a non-profit seeking to develop, acquire, and/or rehabilitate or preserve multi-family or residential live-work, rental housing for the identified income categories including necessary operating subsidies. Grants or loans may be made towards planning, identifying partnerships, identifying land, preparing construction plans and applications and/or to construct, purchase and/or rehabilitate a wide variety of housing types located within walking distance of commercial uses and transit. Location within one mile of medical support services is encouraged. Applications for rehab and/or planning for multi-family or residential live-work housing is anticipated, alternatively operating subsidies may be sought.

Complete the table below for each proposed Affordable Rental Housing Activity to be funded with 2020-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2020	2021	2022												
§302(c)(4)(E)(i) Percentage of Funds Allocated for the Proposed Affordable Rental Housing Activity		40%	40%												
§302(c)(4)(E)(ii) Area Median Income Level Served	50%	50%	50%												<b>TOTAL</b>
§302(c)(4)(E)(ii) Unmet share of the RHNA at the AMI Level <b>Note: complete for years 2020, 2021, 2022 only</b>	0	0	4												4
§302(c)(4)(E)(ii) Projected Number of Households Served	0	8	7												15
§302(c)(4)(E)(iv) Period of Affordability for the Proposed Affordable Rental Housing Activity (55 years required for rental housing projects)	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years

§302(c)(4)(E)(iii) A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.

1. Establish final grant and scoring criteria 2. Distribute Notice of Funding Availability to known non-profits in the region that support such activities 3. Score applications 4. City Council makes final award. 5. Contracting with grant recipient. 6. Recipient reports quarterly to City 7. Closeout.

**§301(a)(2)** The predevelopment, development, acquisition, rehabilitation, and preservation of Affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.

<b>§302(c)(4)(E)(i)</b> Provide a detailed and complete description of how allocated funds will be used for each proposed Affordable Rental and Ownership Housing Activity.	<b>Enter Percentage of Funds Allocated for Affordable Owner-occupied Workforce Housing</b>	<b>50%</b>
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Funding would be directly allocated to a non-profit seeking to develop, acquire, and/or rehabilitate or preserve housing for rent or ownership for the identified income categories, including for ADUs. Grants or loans may be made towards planning, identifying partnerships, identifying land, preparing construction plans and applications and/or to directly construct, purchase and/or rehabilitate a wide variety of housing types for rent or ownership to the identified income categories. Applications contributing towards construction of new, for ownership, housing is anticipated.

Complete the table below for each proposed Affordable Rental and Ownership Housing Activity to be funded with 2020-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2020	2021	2022											
Type of Affordable Housing Activity		develop new	develop new											
<b>§302(c)(4)(E)(i)</b> Percentage of Funds Allocated for Each Affordable Housing Activity		45%	45%											
<b>§302(c)(4)(E)(ii)</b> Area Median Income Level Served	80%	80%	80%											<b>TOTAL</b>
<b>§302(c)(4)(E)(ii)</b> Unmet share of the RHNA at AMI Level <b>Note: complete for years 2020, 2021, 2022 only</b>	0	0	12											12
<b>§302(c)(4)(E)(ii)</b> Projected Number of Households Served	0	2	2											4
<b>§302(c)(4)(E)(iv)</b> Period of Affordability for the Proposed Activity ( <b>55 years required for rental housing projects</b> )	55 years (rental), 30 years (owned)	55 years (rental), 30 years (owned)	55 years (rental), 30 years (owned)											

**§302(c)(4)(E)(iii)** A description of major steps/actions and a proposed schedule for the implementation and completion of each Affordable Rental and Ownership Housing project.

1. Establish final grant and scoring criteria
2. Distribute Notice of Funding Availability to known non-profits in the region that support such activities
3. Score applications
4. City Council makes final award.
5. Contracting with grant recipient.
6. Recipient reports quarterly to City
7. Closeout.

**§301(a)(6)** Assisting persons who are experiencing or At risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

<b>§302(c)(4)(E)(i)</b> Provide a detailed and complete description of how allocated funds will be used for the proposed Activity.
Direct grants will be made to non-profits providing services to those at-risk of homelessness including, but not limited to, funding to be used to provide rapid rehousing, rental assistance, and/or supportive/case management services including allowing people to obtain and retain housing. Operating costs and capital costs for new construction, rehabilitation, and preservation of permanent and transitional housing and supportive housing will be available.

Complete the table below for each proposed Activity to be funded with 2020-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2020	2021	2022											
Type of Activity for Persons Experiencing or At Risk of Homelessness	Direct Grant													
<b>§302(c)(4)(E)(i)</b> Percentage of Funds Allocated for the Proposed Activity		10%	10%											





# MEMORANDUM

## City of Angels City Council

**Date:** 10/15/2024

**To:** City Council

**From:** Amy Augustine, AICP and Michelle Gonzales

**Re:** Resolution 24-83 Authorizing an Application for a Micro-Enterprise Community Development Block Grant

**Recommendation:**

Approve Resolution 24-83 Authorizing an Application for a Micro-Enterprise Community Development Block Grant

**Background/Discussion:**

Staff received approval from the City Council on 7/16/24, to pursue an application for a Microenterprise Community Development Block Grant. This resolution formally authorizes submitting that application.

The California Department of Housing and Community Development released a Notice of Funding Availability (NOFA) August 30, 2024, for an “Over the Counter” (OTC) program. OTC applications are first-come first-served (i.e., non-competitive). Therefore, the earlier an application is submitted, the greater the likelihood of receiving funding. Applications are accepted commencing October 29, 2024, at 9:00 a.m.

Applications can be for up to \$1.5 million to assist for-profit small businesses. Most jurisdictions apply for the maximum. A similar grant was secured in the past with implementation planned through Destination Angels Camp. Ultimately, DAC declined to implement that portion of the grant requiring underwriting (making subgrants and loans). The grant term is three years. The grant is intended to encourage jobs for those without college degrees.

Per discussions between staff and the California Department of Housing and Community Development, the state recommended that staff not be tasked with undertaking business/grant underwriting. Therefore, staff proposes hiring a project underwriter to assist in implementing the program. Staff is meeting with the Bank of Stockton to confirm their availability to provide underwriting services. The project would include, but not be limited to:

- Assisting commercial tenants in physically rehabilitating/upgrading a building, securing equipment to run a new business
- Assisting owner/operators in physically rehabilitating/upgrading a building, securing equipment to run a new business
- Providing working capital for start-up businesses
- Assistance in how to run a new business (e.g., the permitting process)
- Other tasks that may be identified

Due to the various guidelines of the CDBG programs, these tasks would be accomplished through either one grant application or two.

To qualify, the City must have documentation of its qualifications for community development block grants. As Council will recall, the city completed an income survey in April 2020<sup>1</sup> to qualify for CDBG funds. These studies have an accepted “lifespan” of five years assuming no major changes in the jurisdiction’s economy. The study is “good” for one more year before a new study will likely be required. Therefore, an application this year rather than next year would be timely and less costly.

**Strategic Plan Alignment**

***A4 Economic Development*** - *Promote a wide variety of economic opportunities consistent with the city's social, cultural, environmental, and aesthetic resources*

***A5 Economic Development*** - *Maintain and enhance the city's economic vitality while conserving the city's social, cultural, environmental, and aesthetic resources*

The grant application will facilitate economic development.

**Financial Impact**

If successful, the City would secure \$1.5± million to assist small businesses in the city through grants and/or loans. A portion of the funds would pay for a contractor to act as an underwriter for the program.

**Attachments**

Resolution 24-83

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<sup>1</sup> In accordance with the Federal Regulation 24 CFR 570.483 (b) (1) (i) guidelines, training published by the California Department of Housing and Community Development and in compliance with HUD CPD Notices 14-013 and 19-02.

## Resolution of the Governing Body

### RESOLUTION NO. 24-83

#### A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2024 FUNDING YEAR OF THE STATE CDBG PROGRAM

BE IT RESOLVED by the City Council of the **City** of Angels as follows:

#### **SECTION 1:**

The City Council has reviewed and hereby approves the submission to the State of California of one or more application(s) in the aggregate amount, not to exceed, of \$1,500,000 for the following CDBG activities, pursuant to the and 2024 CDBG NOFA:

#### **List activities and amounts**

<b>Activity (e.g. Public Services, Infrastructure, etc.)</b>	<b>Dollar Amount Being Requested for the Activity</b>
Assisting commercial tenants to physically rehab/upgrade buildings, securing equipment to run a new business	\$ 500,000
Assisting owner/operators to physically rehab/upgrade a building, securing equipment to run a new business	\$ 500,000
Providing working capital for a start-up business	\$ 120,000
Assistance in how to run a new business (e.g., permitting process, remodeling requirements)	\$ 25,000
Assisting owner/operators to physically rehab/upgrade a building, securing equipment to maintain long-term operations of an existing business	\$ 250,000
General Administration 7%	\$ 105,000
Total	\$ 1,500,000

#### **SECTION 2:**

The **City Council** hereby approves the use of Program Income in an amount not to exceed \$1,500,000 for the CDBG activities described in Section 1.

#### **SECTION 3:**

The **City Council** acknowledges compliance with all state and federal public participation requirements in the development of its application(s).

#### **SECTION 4:**

The **City Council** hereby authorizes and directs the City Administrator or designee\*, to execute and deliver all applications and act on the **City's** behalf in all matters pertaining



to all such applications.

**SECTION 5:**

If an application is approved, the Mayor or designee\*, is authorized to enter into, execute and deliver the grant agreement (*i.e.*, Standard Agreement), any recordable or nonrecordable contract documents, and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

**SECTION 6:**

If an application is approved, the City Administrator or designee\*, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

PASSED AND ADOPTED at a regular meeting of the City Council of the **City** of Angels held on 10/15/2024 by the following vote:

AYES: Enter # of votes or names

ABSENT: Enter # absentees or names

NOES: Enter # of votes or names

ABSTAIN: Enter # of abstains or names

\_\_\_\_\_  
Jennifer Herndon, Mayor  
City Council

**STATE OF CALIFORNIA**  
**City** of Angels

I, Rose Beristianos, **City** Clerk of the **City** of Angels, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council on this 15<sup>th</sup> day of October, 2024 and that said resolution has not been amended, modified, repealed, or rescinded since its date of adoption and is in full force and effect as of the date hereof.

Rose Beristianos, **City** Clerk of the **City** of Angels, State of California

\_\_\_\_\_  
By: Rose Beristianos, City Clerk



**CITY HALL**

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**DATE:** October 15, 2024  
**TO:** City Council  
**FROM:** Steve Williams, Interim City Administrator  
**RE:** Agreement – PG&E Use of Utica Park during Public Safety Power Shutoff

**RECOMMENDATION:**

Approve an agreement between City of Angels and Pacific Gas and Electric (PG&E) for Utica Park to be used by PG&E during a Public Safety Power Shutoff Event.

**BACKGROUND:**

In October of 2019, the City of Angels entered into a five (5) year agreement with PG&E which allowed PG&E to use Utica Park during a Public Safety Power Shutoff event. The 2019 agreement will conclude on October 15, 2024.

**DISCUSSION:**

Utilities may temporarily turn off power to specific areas to reduce the risk of fires caused by electric infrastructure. This action is called a Public Safety Power Shutoff (PSPS).

A PSPS Event means the existence of one or more environmental conditions creating extreme fire danger that results in the shutoff of power for public safety. Examples of PSPS Events include red flag warnings issued by the United States National Weather Service, low humidity levels, high winds, and dry vegetation.

During a PSPS Event, PG&E manages the event by setting up temporary customer resource centers in strategic locations through the region of the PSPS.

PG&E has requested access to and use of Utica Park, 1075 Utica Lane, Angels Camp, California, if necessary, during a PSPS event in the Angels Camp area. PG&E will pay a fee of one hundred dollars per day for each use day.

The term of the agreement is for five years beginning October 25, 2024.

The agreement includes a “Restoration” clause which requires PG&E to restore the use area as nearly as possible to pre-use conditions should any damage occur during PG&E use.

This agreement has been reviewed by the City Attorney.





**CITY HALL**

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CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**FINANCIAL IMPACT:**

None

**ATTACHMENTS:**

1. Agreement



**LICENSE AGREEMENT**  
**(PUBLIC SAFETY POWER SHUTOFF)**

This License Agreement ("**License Agreement**") is made and entered into this 10<sup>th</sup> day of September, (the "**Effective Date**") by ANGELS CAMP, hereinafter called "**LICENSOR**," and PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called "**PG&E**." PG&E and LICENSOR are sometimes hereinafter each singularly referred to as "PARTY" and collectively as "PARTIES".

R E C I T A L S:

A. LICENSOR owns or leases that certain real property commonly known as Utica Park located at 1075 Utica Lane, Assessor's Parcel Number 060-006-008, hereinafter called the "Property," located in the City of Angels Camp, County of Calaveras, State of California.

B. PG&E desires to partner with LICENSOR in connection with a Public Safety Power Shutoff Event ("**PSPS Event**") as defined in Section 3 below.

C. The PARTIES desire to memorialize this mutual understanding and agreement for making the Property available to PG&E in connection with a PSPS Event.

NOW, THEREFORE, for good and valuable consideration, LICENSOR and PG&E agree as follows:

1. License Area. The real property that is the subject of this License Agreement is described in **EXHIBIT A** (the "**License Area**").

2. Grant of License. Subject to the terms and conditions set forth in this License Agreement, LICENSOR grants PG&E, PG&E's Representatives, and PG&E's customers, the right to use the License Area in connection with a PSPS Event, together with rights of ingress and egress to and from the License Area. PG&E shall give LICENSOR at least 24 hours' prior notice of the date and time that PG&E needs to access and use the License Area. If the License Area is not available for access and use by PG&E on the date and time specified in PG&E's notice, LICENSOR must so notify PG&E within 4 hours after receipt of PG&E's notice.

3. Use of License Area. During Use Days (as defined in Section 4 below), PG&E and its employees, contractors, agents, and representatives ("**PG&E's Representatives**") may enter the License Area for purposes of establishing and operating a customer resource center in the case of a PSPS Event. LICENSOR acknowledges that PG&E's Activities may include the following: setting up tents with tables and seating where PG&E customers can obtain water and snacks, charge phones, and get up-to-date information on outages; installing trailers, portable toilets, portable back-up generators, and temporary fencing; parking mobile vehicle units and other vehicles. For purposes of this License Agreement, a "**PSPS Event**" means the existence of one or more environmental conditions creating extreme fire danger that results in the shutoff of power for public safety. Examples of PSPS Events include red flag warnings issued by the United States National Weather Service, low humidity levels, high winds, and dry vegetation.

(a) Personnel. During Use Days PG&E shall have the exclusive right to use the License Area, up to twenty-four (24) hours per day. Hours for use to PG&E customers shall be from 8:00 am to 10:00 pm. On Use Days, the License Area shall be fully staffed by PG&E and its representatives, at PG&E’s sole cost and expense. PG&E shall provide uniformed unarmed security at its cost and expense to ensure the protection of its equipment, the safety of the public and to prevent any damage to the Property.

4. Term. This License Agreement shall be for a term of one (1) year, commencing on October 26, 2024 and expiring October 26, 2025 (the “**Initial Term**”). This License Agreement will automatically renew for four (4) additional one (1)-year term(s) (each additional year term shall be defined as an “Extension Term”), upon the same terms and conditions set forth herein unless either party notifies the other in writing of its intention not to renew this License Agreement at least sixty (60) days prior to the expiration of the Initial Term of the then-existing Extension Term.

5. License Fee. PG&E shall pay a license fee of One Hundred Dollars (\$100.00) per day for each Use Day.

6. Use of License Area.

(a) As Is. To LICENSOR'S current actual knowledge, the Property complies with all laws, including the Americans with Disabilities Act and other accessibility laws. PG&E accepts the License Area "AS-IS," "WHERE-IS" and "WITH ALL-FAULTS," subject to all applicable zoning, municipal, county and state laws, ordinances, and regulations governing and regulating the use of the License Area. PG&E may request LICENSOR to perform alterations, repairs, or improvements to the License Area, but PG&E understands and agrees that LICENSOR shall not be obligated to make any such alterations, repairs or improvements at any time.

(b) Restoration. PG&E shall exercise reasonable care in the conduct of PG&E's Activities in the License Area. Upon PG&E's ceasing to use the License Area in connection with a particular PSPS Event, PG&E shall remove all vehicles and personal property of PG&E and PG&E's Representatives, remove all debris and waste material resulting from PG&E's Activities, and repair and restore the License Area as nearly as possible to the condition that existed prior to PG&E's entry hereunder.

(c) Water Discharge. PG&E’s activities may require potable water-filled equipment, such as barrels or water barriers to weigh down tents or other equipment, or to delineate outside areas on the Property. All potable water-filled equipment shall be cleaned prior to use and filled with water from a potable water source only. Any water discharged from the water-filled equipment shall be discharged to onsite unpaved land (i.e., soil) only. PG&E and PG&E’s representatives shall ensure best management practices are implemented including but not limited to ensuring water is observed for any potential sediments, trash or other contaminants; the discharge area selected is 100 feet from a water body; and the discharge is

done to avoid ponding and erosion. If the water needs to be discharged to a storm drain, PG&E will obtain local stormwater agency approval. This License Agreement authorizes the discharge of potable water from water-filled equipment on to the Property as described above. PG&E shall notify LICENSOR if water discharge is necessary.

(d) Safe Condition. PG&E, at PG&E's sole cost and expense, shall maintain the License Area in a good, clean, safe and sanitary condition during Use Days.

(e) Lawful Use Only. PG&E shall not use the License Area or permit anything to be done in or about the License Area during Use Days that will in any way conflict with any law, statute, zoning restriction, ordinance or governmental rule or regulation or requirement relating to the use or occupancy of the License Area. During Use Days, PG&E shall not allow the License Area to be used for any unlawful or objectionable purpose, nor shall PG&E cause, maintain or permit any nuisance in, on or about the License Area.

(f) Mechanic's Liens. PG&E shall keep the Property free and clear of all mechanic's liens arising, or alleged to arise, in connection with any work performed, labor or materials supplied or delivered, or similar activities performed by PG&E or at PG&E's request or for PG&E's benefit. If any mechanic's liens are placed on the Property in connection with PG&E's use or PG&E's Activities, PG&E shall diligently pursue all necessary actions to remove such liens from title, either by payment or by recording a lien release bond in the manner specified in California Civil Code Section 8424 or any successor statute.

7. Notices. All notices under this License Agreement shall be sent by email to the addresses set forth in **EXHIBIT B**. In addition, LICENSOR will provide PG&E with telephone or cellphone numbers of staff in calling order to contact in an emergency as set forth in **EXHIBIT B**. **EXHIBIT B** shall be updated as needed to reflect current names and contact information.

8. Indemnity. PG&E shall indemnify, defend and hold harmless LICENSOR and its governing body, officers, agents, and employees from and against all claims, losses, actions, demands, damages, costs, expenses (including, but not limited to, reasonable attorneys' fees and court costs) (collectively, "**Claims**") which arise from or are connected with PG&E's Activities, or the entry on, occupancy or use of, the Property by PG&E or PG&E's Representatives under this License Agreement, including, but not limited to, Claims arising out of (i) injury to or death of persons, including, but not limited to, employees of LICENSOR or PG&E; (ii) injury to property or other interest of LICENSOR and (iii) violation of any applicable federal, state, or local laws, statutes, regulations, or ordinances by PG&E or PG&E's Representatives. The indemnification obligations of PG&E under this Section 8 shall survive the expiration or earlier termination of this License Agreement.

9. Insurance. PG&E shall at all times during the Term of this License Agreement self-insure for PG&E's activities pursuant to this License Agreement in accordance with **EXHIBIT C**.

10. Miscellaneous.

(a) Governing Law. This License Agreement shall in all respects be interpreted, enforced, and governed by and under the laws of the State of California.

(b) Attorneys' Fees. Should either party bring an action against the other party, by reason of or alleging the failure of the other party with respect to any or all of its obligations hereunder, whether for declaratory or other relief, and including any appeal thereof, then the party which prevails in such action shall be entitled to its reasonable attorneys' fees and expenses related to such action, in addition to all other recovery or relief.

(c) No Waiver. Any waiver with respect to any provision of this License Agreement shall not be effective unless in writing and signed by the party against whom it is asserted. The waiver of any provision of this License Agreement by a party shall not be construed as a waiver of a subsequent breach or failure of the same term or condition or as a waiver of any other provision of this License Agreement.

(d) Counterparts. This License Agreement may be executed in identical counterpart copies, each of which shall be an original, but all of which taken together shall constitute one and the same agreement.

(e) Authority. Each party to this License Agreement warrants to the other that it has the right and authority to enter into and to perform its obligations under this License Agreement, without the consent of any third party, and that the person signing below is authorized to bind such party.

(f) Exhibits. Exhibits A, B, and C attached to this License Agreement are a part hereof and incorporated herein by this reference.

(g) Electronic Signatures. This License Agreement may be executed by electronic signatures (*e.g.*, using DocuSign or e-SignLive) or signatures transmitted in portable document format ("pdf"), and copies of this License Agreement executed and delivered by means of electronic or pdf signatures shall have the same force and effect as copies hereof executed and delivered with original manually executed signatures. The parties may rely upon electronic and pdf signatures as if such signatures were manually executed originals and agree that an electronic or pdf signature page may be introduced into evidence in any proceeding arising out of or related to this License Agreement as if it were an original manually executed signature page.

(h) Successors and Assigns. This License Agreement shall be binding upon and inure to the benefit of the heirs, personal representatives, successors, and assigns of each party.

(i) Entire Agreement. This License Agreement supersedes all previous oral and written agreements between and representations by or on behalf of the parties and constitutes the entire agreement of the parties with respect to the subject matter hereof. This License Agreement may not be amended, except by a written agreement executed by both parties.

IN WITNESS WHEREOF, the parties have executed this License Agreement as of the date set forth below each signature, effective upon the Effective Date first written above.

“PG&E”

“LICENSOR”

PACIFIC GAS AND ELECTRIC COMPANY,  
a California corporation

ANGELS CAMP

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Donald Kennedy

Name: Steve Williams

Its: Manager, Land Acquisition

Its: Interim City Administrator

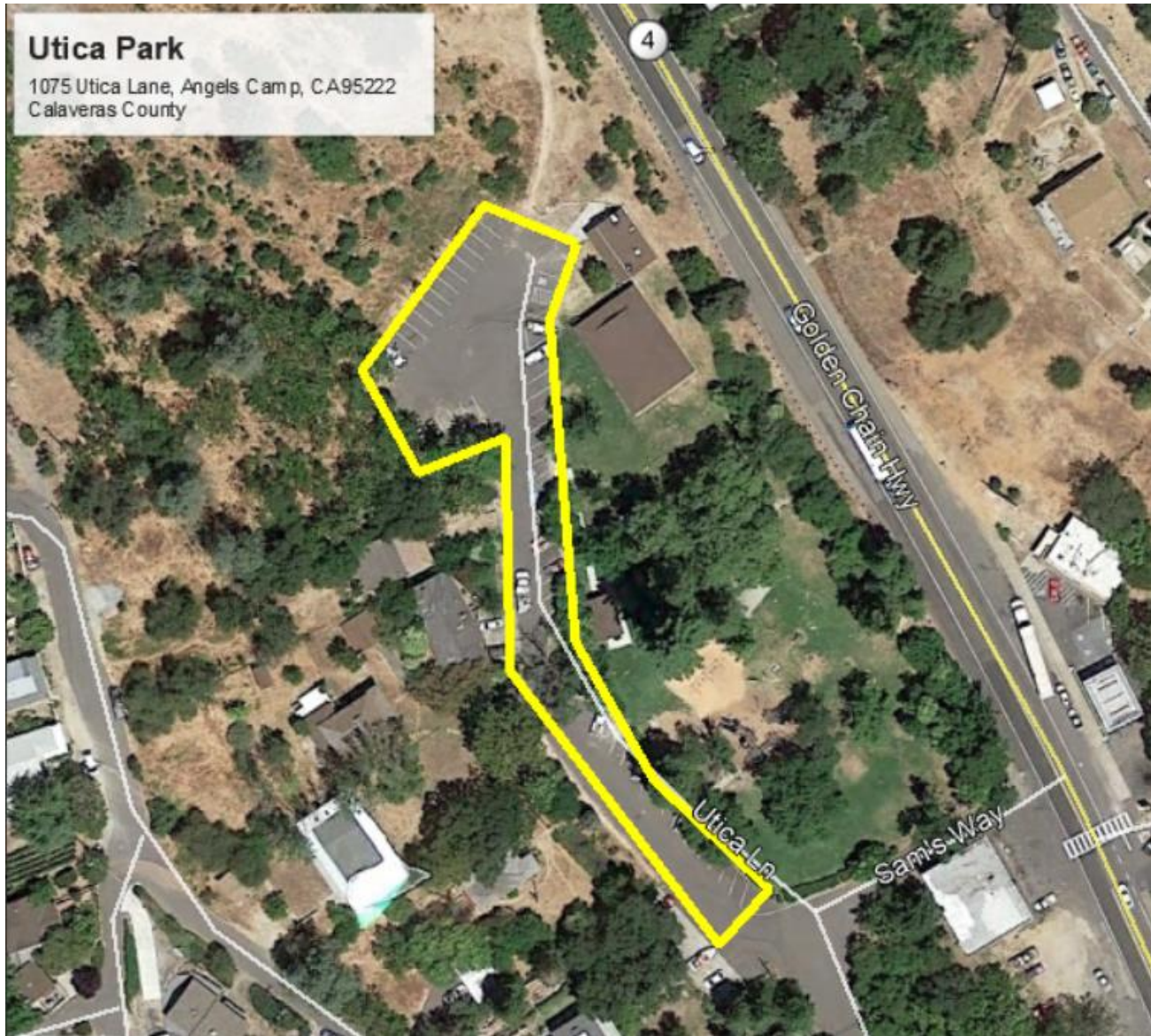
Date: \_\_\_\_\_

Date: \_\_\_\_\_



**EXHIBIT A**

License Area (yellow) = Approximately 0.7 acres





**EXHIBIT B**  
**NOTICES**

TO LICENSOR:

Any notice to Licensor, including the notice to be given pursuant to Section 7 of the License Agreement, shall be sent to City Administrator at the following:

Email address: C O A @ a n g e l s c a m p . g o v

Phone Number: (209) 736-2185

In addition, in the event of an emergency, PG&E shall contact the following persons in the order set forth below:

City Administrator\_\_\_\_\_

Chief of Police\_\_\_\_\_

TO PG&E:

Any notice to PG&E, including the notice pursuant to Section 7 of the License Agreement shall be sent to **Jessica Perez** at the following email address: [Jessica.Perez@pge.com](mailto:Jessica.Perez@pge.com), CCing [CRCHelp@pge.com](mailto:CRCHelp@pge.com). PG&E contacts for use during emergency use and post emergency for claims and reimbursements:

CRC Help Line: **916-760-5369**

**Jessica Melton**, Senior Land Program Manager, PG&E  
**925-655-7085**  
[Jessica.Melton@pge.com](mailto:Jessica.Melton@pge.com)

EXHIBIT C



Insurance Department  
300 Lakeside Drive  
Oakland, CA 94612

THIS STATEMENT OF SELF-INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE STATEMENT OF SELF-INSURANCE HOLDER. THIS STATEMENT DOES NOT CONSTITUTE A CONTRACT BETWEEN PACIFIC GAS & ELECTRIC COMPANY AND THE STATEMENT HOLDER.

STATEMENT OF SELF-INSURANCE PROGRAM

Statement Holder: To Whom It May Concern

June 14, 2024

**Re:** Insurance requirements for Pacific Gas and Electric Company (PG&E) to use property for the purposes of establishing and operating a Community Resource Center and EV Charging Station in the case of a Public Safety Power Shutoff Event (PSPS).

Commercial General Liability: \$5,000,000 each occurrence / \$10,000,000 aggregate  
Employer's Liability: \$1,000,000 each accident  
Business Auto Liability: \$1,000,000 each accident

Further, PG&E has qualified as a self-insurer under the laws of the State of California with respect to Workers' Compensation. Our identification number for this purpose is 2-0012-01-099.

**\*Please note a Certificate of Insurance (COI) is not applicable when an entity such as PG&E is self-insured.**

-----  
Brian Pelham  
Director, Insurance Department



Public

Exhibit C



**CITY HALL**

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**DATE:** October 15, 2024  
**TO:** City Council  
**FROM:** Steve Williams, Interim City Administrator  
**RE:** **APPROVE DEDUCTIVE CONSTRUCTION CHANGE ORDER NO. 002, ACCEPT THE PROJECT, AND AUTHORIZE RELEASE OF RETENTION FOR THE BOOSTER WAY SEWER REPLACEMENT PROJECT**

**RECOMMENDATION:**

Approve Construction Change Order No. 002 for a deductive amount of \$8,990 for completion of the project. We recommend acceptance of the project and authorization to release the retention.

**STRATEGIC PLAN ALIGNMENT:**

The Booster Way sewer crossing of Angels Creek and China Gulch represents a critical element in the East Angels Trunk Sewer system serving large areas within the City. Upgrade of the sewer crossing has been identified as a high priority objective in the City wastewater master plan and would correct a hydraulic bottleneck and historical source of sewer overflows during significant rain events. Increasing the capacity of the sewer crossing would also facilitate approved development in the upstream sewer shed.

**BACKGROUND:**

The Booster Way Sewer Replacement Project was awarded to R Sutton Enterprises (Contractor) for an original contract amount of \$639,575.00. A contract increase was approved as CCO 1 in the amount of \$46,025.30, and the final contract amount including deductive CCO 002 will be of \$676,610.30.

Notice to proceed was issued May 10, 2024. Notice of substantial completion was issued on September 19, 2024. Final completion of the project was October 11, 2024.

**FINANCIAL IMPACT:**

The Booster Way Sewer Replacement Project is funded through the approved wastewater capital improvement program (CIP). Depending on final project costs, an adjustment in project funding through the CIP may be required.

**ATTACHMENTS:**

Construction Change Order No. 002 signed by the City Water/Wastewater Engineer and Contractor.





**CHANGE ORDER**  
**City Of Angels**

Change requested by:  Engineer  Contractor

CHANGE ORDER NO. 002	CONTRACT NUMBER	PROJECT Booster Way Sewer Replacement Project	FEDERAL NUMBER(S)
-------------------------	-----------------	--	-------------------

TO  
**R Sutton Enterprises, LLC, Contractor**

You are directed to make the following changes from the plans and specifications or do the following described work not included in the plans and specifications for this contract. **NOTE: This change order is not effective until approved by the engineer.**

Description of work to be done, estimate of quantities, and prices to be paid.

Contractor shall complete the following tasks:

1. Disconnect existing 4-inch residential lateral from mainline to be abandoned and re-connect to proposed MH-45-A-1 per Design Revision No. 1.
2. Shift location of temporary pump/piping from MH-44-A-1 to MH-44-A-2 to facilitate connection of proposed 10-inch replacement sewer to MH-44-A-1.
3. Cut existing 10-inch sewer to be abandoned 5-ft beyond bank and plug with concrete per Design Revision No. 1.
4. Perform additional subsurface investigation with ground penetrating radar at UWPA property to confirm location of existing utilities.
5. Construct junction manhole and extend 4-inch lateral from UWPA building to proposed manhole per Design Revision No. 2.
6. Grind pavement and provide 2-inch AC overlay over approximately 5,800 sf within UWPA property.
7. Reconnect residential lateral at MH 45.
8. Install 10-inch DIP crossing of Booster Way for future use for temporary bypass pumping.
9. Increase the length of 10-inch sewer to be removed from MH 44-B to MH 45-A by 13 ft.
10. Increase the quantity of 10-inch DIP sewer to be installed from MH 44-B to MH 45-A by 13 ft.

A summary of the costs to complete the above tasks is as follows:

Disconnect and reconnect residential lateral	1 LS	\$7,500/LS	\$7,500
Shift location of temporary pumping	1 LS	\$3,000/LS	\$3,000
Perform additional subsurface investigation	1 LS	\$900/LS	\$900
Construction junction manhole and extend lateral	1 LS	\$15,000/LS	\$15,000
Grind and overlay pavement at UWPA property	1 LS	\$22,500/LS	\$22,500
Reconnect residential lateral at MH 45	1 LS	\$7,500/LS	\$7,500
Install 10-inch DIP crossing of Booster Way	30 LF	\$245/LF	\$7,350
Increase the quantity of 10-inch sewer removed	13 LF	\$125/LF	\$1,625
Increase the quantity of 10-inch sewer installed	13 LF	\$245/LF	<u>\$3,185</u>

Summary of additive costs \$68,560

The following is a summary of credits based on reductions in construction requirements:

1. Reduce the quantity of 10-inch sewer installed between MH 45-A and MH 45-A-1 by 14 ft.
2. Reduce the quantity of 10-inch sewer removed between MH 44-A and MH 45-A-1 by 50 ft.
3. Reduce the quantity of 16-inch sewer installed between MH 44 and MH 45 by 28 ft.
4. Do not remove and replace MH 45 with a new manhole.
5. No requirement to install sheeting, shoring, and bracing.



A summary of cost credits is as follows:

Reduce quantity of 10-inch sewer installed	14 LF	\$600/LF	<\$8,400>
Reduce quantity of 10-inch sewer removed	50 LF	\$245/LF	<\$12,250>
Reduce quantity of 16-inch sewer installed	28 LF	\$800/LF	<\$22,400>
Do not remove and replace MH 45 with new manhole	1 EA	\$19,500/EA	<\$19,500>
No requirement to install sheeting, shoring, and bracing	1 LS	\$15,000/LS	<u>&lt;\$15,000&gt;</u>
Summary of cost credits (deducts)			<u>&lt;\$77,550&gt;</u>
Total Construction Change Order No. 2 Cost, Deduct			<u>&lt;\$8,990&gt;</u>


Estimated Cost:  Increase  Decrease **<\$8,990.00>**

For this order, the time of completion will be adjusted as follows: None

SUBMITTED BY		
SIGNATURE	(PRINT NAME AND TITLE)	DATE
	Dave Richard, Engineer of Record	10/10/2024

CITY APPROVAL BY		
SIGNATURE	(PRINT NAME AND TITLE)	DATE

We, the undersigned contractor, have given careful consideration to the change proposed and agree to provide equipment, furnish materials, and perform the work specified above, and will accept as full payment the prices shown above. **NOTE: If you do not sign this order, you are directed to proceed with the ordered work. You may file a Request for Information within 15 days.**

CONTRACTOR ACCEPTANCE BY		
SIGNATURE	(PRINT NAME AND TITLE)	DATE
	Adam Johnson P.M.	9-30-24



**CITY HALL**

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**DATE:** October 15, 2024  
**TO:** City Council  
**FROM:** Steve Williams, Interim City Administrator  
**RE:** Presentation – Draft City Officials Handbook

**RECOMMENDATION:**

- 1) Receive and review draft City Officials Handbook.
- 2) Recommend changes/modifications by November 5, 2024.
- 3) Receive revised City Official Handbook at November 19, 2024 regular meeting.
- 4) Approve Final version of City Official Handbook at the December 2, 2024, regular meeting.

**BACKGROUND:**

The City of Angels City Officials Handbook was last updated on January 19, 2021.

On April 18, 2024, the Angles City Council held a special meeting to discuss necessary and desirable updates to the City Officials Handbook.

On October 10, 2024, staff received a draft version of the proposed update to the City Officials Handbook.

**DISCUSSION:**

The City of Angels City Officials Handbook is designed to assist Councilmembers and other City Officials by documenting accepted practices and clarifying expectations.

The City Officials Handbook should serve as a reference on adopted practices and procedures pertaining to Angels City Council meetings, meetings of Boards, Commissions, or Advisory Groups, provide an overview of City operations, Council powers and responsibilities, expected behavior and decorum from Councilmembers and other elected or appointed officials, and related matters.

The City Officials Handbook supersedes any other handbooks which govern the Council, Boards, Commissions, or Advisory Groups.

On April 18, 2024, the Angles City Council held a special meeting to discuss necessary and desirable updates to the City Officials Handbook.



The City Attorney's Office took the lead in revising the City Officials Handbook considering input from the City Council during the April 18, 2024, special meeting.

On October 10, 2024, staff received a draft version of the proposed update to the City Officials Handbook. The draft is being presented to the during the October 15, 2024, regular meeting of the City Council for review, comments, and input.

Staff proposes the following timeline to adopt the revised City Officials Handbook:

- 10/15/24 Regular Council Meeting
  - Council receive and review draft Handbook.
  - Council provide comments/recommendations to City Administrator between 10/16/24 and 11/05/24.
  
- 11/05/24 Regular Council Meeting
  - Agendize City Officials Handbook for discussion if necessary.
  - City Administrator provide Council comments/recommendations to City Attorney.
  - City Attorney update draft with Council comments/recommendations
  
- 11/19/24 Regular Council Meeting
  - Agendize City Officials Handbook for discussion if necessary.
  - Council receive and review revised Handbook including updates from comments/recommendations.
  
- 12/02/24 Regular Council Meeting
  - Council approved final version of City Officials Handbook.

**FINANCIAL IMPACT:**

None

**ATTACHMENTS:**

- 1) Draft City Officials Handbook



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6. Resolutions. A resolution is generally adopted by the Council to deal with temporary or special matters, such as when the Council makes only a factual determination or certification that certain necessary conditions or requirements set by statute or ordinance have been met. Resolutions can also express opinions of the legislative body or set temporary standards (i.e. amount of permit processing fees that may be changed again by future resolutions). Resolutions are recorded and kept on file with the City Clerk. A resolution is less formal than an ordinance because it does not become part of the municipal code..... 3227

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7. Ordinances. An ordinance is a law that the Council adopts and in most cases is codified into formal law by means of the published municipal code. An ordinance is the most binding and permanent type of Council action and usually may only be repealed or amended by a subsequent ordinance. Ordinances must be publically read aloud at two (2) Council meetings: introduced at one (1) meeting and adopted at the subsequent meeting (most often at the next meeting). Ordinances may not be passed within five (5) days of introduction unless they are urgency ordinances. A public hearing notice must be published at least ten (10) days prior to the first reading of the ordinance. [3227](#)

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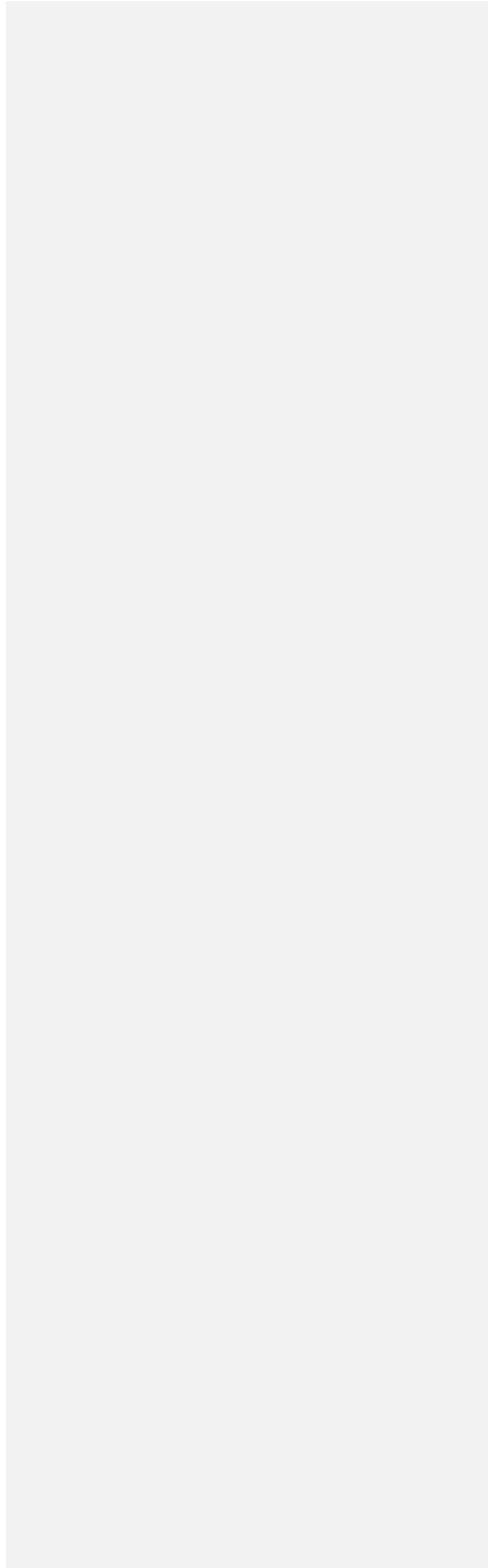
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**PART I: ADMINISTRATIVE GUIDELINES**



Chapter 1: Council—Introduction and Overview

**A. Purpose of Angels Procedures Manual**

The City of Angels (the “City”) has prepared this City Officials’ Handbook (the “Handbook”) to assist Councilmembers and other City Officials (collectively, “City Officials”) by documenting accepted practices and clarifying expectations. This Handbook should serve as a reference on adopted practices and procedures pertaining to Angels City Council (“Council”) meetings, meetings of Boards, Commissions, or Advisory Groups, provide an overview of City operations, Council powers and responsibilities, expected behavior and decorum from Councilmembers and other elected or appointed officials, and related matters.

The Handbook supersedes any other handbooks which govern the Council, Boards, Commissions, or Advisory Groups.

**B. Overview of Basic Documents**

This Handbook is a summary of important aspects of City Officials’ activities. However, it cannot incorporate all materials and information necessary for understanding the business of City Officials. Many other laws, plans and documents exist which bind the City Officials to certain courses of action and practices. A summary of some of the most notable documents which establish City Official direction is provided below.

- 1. **Angels Municipal Code:** The Angels Municipal Code (“A.M.C.”) contains local laws and regulations adopted by ordinances. Title 2 Administration and Personnel, of the A.M.C. addresses the role and relationship of the Council, Mayor and Vice Mayor. It also describes the organization of Council, Board, Commissions, and Advisory Group meetings, and responsibilities and appointment of certain City staff positions and advisory commissions. In addition to these administrative matters, the A.M.C. contains a variety of laws including, but not limited to, zoning standards, traffic and speed regulations, and local tax standards.
- 2. **California Government Code:** The state Government Code contains many requirements for the operation of city government and administration of public meetings throughout the state. Many of these requirements, such as open meeting laws, are also replicated within the A.M.C. to ensure there is broad awareness of such requirements. The City is a “general law” city which means it is organized in accordance with provisions of the Government Code and it is bound by the state’s general law.

Also described within the Government Code is the council-City Administrator form of government which is the form of government utilized in the City. This form of government prescribes that the Council’s role is to establish policies and priorities, while the role of the City Administrator is to administer the affairs of the city government.

- 3. **Annual Budget:** The City’s annual budget provides a description of City services, and the resources used to provide services. The document contains a broad overview of the budget as well as descriptions of programs offered within each division of the organization.
- 4. **General Plan:** Often referred to as a City’s development constitution, a state mandated general plan addresses adopted future land development plans and policies.
- 5. **Emergency Operations Plan:** The City maintains an emergency plan entitled “Emergency Operations Plan” dated August 21, 2021 which describes actions to be taken in periods of extreme emergency. The Emergency Operations Plan may be updated from time-to-time. The Council may be called upon during an emergency to establish policies related to the specific incident.

**C. Orientation of New City Officials**

It is important that new and incoming City Officials gain an understanding of the full range of services and programs provided by the City. As Councilmembers join the Council or other City Officials join their respective Commission or Board, department heads are instructed to provide invitations for members to tour facilities and meet with key staff. At any time, if there are facilities or programs about which Councilmembers would like more information, arrangements will be made to increase awareness of these operations.

**D. Basic Definitions**

1. **Chair** is the individual authorized by law, the A.M.C. or City policy to oversee, direct and preside over the public meeting of the City Council, Planning Commission or any other City board or commission.
2. **City Council** is the governing body of the City of Angels, comprised of four (4) Councilmembers and one (1) Mayor.
3. **City Official** is any elected or appointed member of the Angels City Council or Angels Planning Commission, or any other City board or commission established by ordinance or City Council policy.

Chapter 2: Council—General Powers and Responsibilities

A. Council Functions

The Council is the legislative body of the City; its members are the community’s decision makers. Power is centralized in the elected Council collectively, and not in individual members of the Council. The Council approves the budget and determines the public services to be provided and the taxes, fees and assessments to pay for these public services. It focuses on the community’s goals, major projects and such long-term considerations as community growth, general plan and land use, development standards, capital improvements, financing and strategic planning. The Council appoints a professional City Administrator to carry out the administrative responsibilities and supervises the City Administrator’s performance.

B. Mayor and Vice Mayor Functions

1. **Mayor:** The Mayor is to preside at all meetings of the Council and perform such other duties consistent with the office as may be imposed by the Council, by law, or by vote of the people. At Council meetings, the Mayor assists the Council in focusing on the agenda, discussions and deliberations. The Mayor does not possess any power of veto. As presiding officer of the Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for ~~all~~ ceremonial purposes.

The Mayor is expected to exercise a leadership role with the other members of the City Council. To the extent that time permits, the Mayor generally works more closely with the City Administrator than other Councilmembers, being mindful that all information is shared equally with other Councilmembers. In this regard, the Mayor, working in conjunction with the City Council and the City Administrator, assumes a significant role in establishing the City’s policy direction and priorities.

The Mayor as well as other Councilmembers, may elect to become an active participant in the various League of California Cities groups and meetings for elected officials.

~~4-~~ The Mayor shall make appointments to City advisory boards with the advice and consent of the City Council. (Angels Camp Municipal Code “AMC”, Section 2.44.010.)

2. **Vice Mayor:** In the absence of the Mayor, the Vice Mayor shall possess and perform the power and duties of the Mayor. In that capacity, the Vice Mayor shall sign ordinances and resolutions adopted in his or her presence. The Vice Mayor shall serve in this capacity at the pleasure of the Council.

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3. **Term:** The Mayor and Vice Mayor are selected by a majority vote of the Council and appointed on an annual basis for a ~~two-one (21)~~ year term. Selection of the Mayor and Vice Mayor occurs in December or January to coincide with the general municipal election that occurs every two (2) years.

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4. **Conflict of Interest:** In the event the Mayor has a potential conflict of interest on any item, the Vice Mayor will preside over the agenda item at issue.

Commented [NG1]: This is suggested language in the event the Council desires to go back to an annual appointment schedule.

C. Appointment of City Administrator and City Attorney

The Council appoints two (2) positions within the City organization: City Administrator and City Attorney. Both positions serve at the will of the Council.

1. **City Administrator:** Is an employee of the City and has an employment agreement which specifies terms of employment including an annual evaluation by the Council. City Administrator shall be the administrative head of the City government under the direction of the City Council, except as otherwise provided in the A.M.C. He or she shall be responsible for the efficient administration of all the affairs of the City which are under the City Administrator’s control. In addition to ~~their his~~ general powers as

administrative head, and not as a limitation thereon, it shall be the City Administrator’s duty, and the City Administrator shall have the powers listed in the A.M.C.<sup>i</sup>

- 2. **City Attorney:** City Attorney services will be provided by contract. The City Attorney attends City all Council Meetings as well as City Committee Meetings~~other meetings at the request of the Council~~ as deemed necessary. The City Attorney is appointed and serves at the pleasure of the Council.

**D. Role in Emergency**

Chapter 2.12 of the Angeles Municipal Code governs the preparation, planning and protection of persons and property in the City in the event of an emergency or disaster. The City also has an *Emergency Operations Plan* that assists in governing emergency response.

Per AMC Section 2.12.030, the City’s “Emergency Council” (aka Civil Defense and Disaster Council) consists of the following:

- The Mayor, who shall be chair~~person~~~~man~~;
- The City Administrator as Director of Emergency Services, who shall be vice-chair;
- The Assistant Director of Emergency Services, appointed by the ~~M~~Mayor with the advice and consent of the City Council who, under the supervision of the Director, shall develop emergency response and disaster plans of the City, and other duties as assigned by the Director;
- Such deputy directors and chiefs of emergency services as are provided for in the City’s Emergency Operations Plan; and
- Such representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility as may be appointed by the mayor with the advice and consent of the City Council.<sup>ii</sup>

The Emergency Council shall be responsible for the development of the City emergency plan, which shall provide for the effective mobilization of the City’s resources, both public and private, to meet any condition constituting a local emergency, state of emergency or state of war emergency, and shall provide for the organization, powers and duties, services and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the City Council.<sup>iii</sup> The Council shall meet upon call of the Chairman, or in the Chair’s absence, upon the call of the Vice Chairman [AMC 12.12.040(B)].

In the event of a local emergency or state emergency, the office of the Director of Emergency Services shall be created who shall appoint the Assistant Director of Emergency Services.<sup>iv</sup> The Director of Emergency Services’ power and responsibilities are outlined in the A.M.C. Section 2.12.050 and 2.12.060<sup>v</sup>

Should the Council be unavailable during an emergency, state or federal law, as applicable, specifies a hierarchy of others who may serve in place of the Council

**E. Appointment of Advisory Board and Planning Commissioners**

The City currently has ~~two~~~~one~~ (2) commissions, ~~thes~~ Planning Commission, ~~and the Museum Commission~~. In addition, special purpose citizens’ committees and task forces ~~are often~~may be appointed by the Council to address issues of interest within City limits. The following procedures reflect the policy of the Council regarding the appointment of volunteer citizens to the various advisory bodies and commissions of the City.

**Term<sup>vi</sup>:** All appointees to any other board, commissions, or committee not described below shall be limited to serving two (2) years. If a board, commission, or committee member is appointed to a partial term that partial term is not counted towards the maximum terms that can be served as designated below. City staff will

advertise of vacant positions as necessary and will post a notice of term expirations at least sixty (60) days prior to the expiration of any term.

1. **Planning Commission<sup>vii</sup>:**

- Qualifications: Must be a resident of the City.
- Term: As prescribed in the Angels Municipal Code Section 17.85.030 (3-year terms)
- Appointment: Per Angels Municipal Code Section 17.85.030 (appointed by City Council)

**Commented [BE2]:** Include all other committees and their : Qualifications, Terms, and Appointments

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~~2. **Museum Commission<sup>viii</sup>:**~~

- ~~Qualifications: Must be a Resident of the City with the exception of two (2) Members can non-residents living within Calaveras County~~
- ~~Term: Three (3) years. Terms expire on the last day of June.~~
- ~~Appointment: Made by Mayor with consent of Council.~~

Chapter 3: Council Administrative Support

**A. Requests for Research or Information**

Council\_member ~~initiated or requested~~ requests information or research should be directed to the City Administrator. Requests for new information or policy direction, ~~if the information search process is too~~ ~~will~~ ~~arduous,~~ will be brought to the full Council for consideration at a regular meeting ~~at the discretion of the City Administrator.~~ Any materials, information, or research provided to a Councilmember in response to such a request, including legal questions or conflict of interest inquiries submitted to the City Attorney, shall also be provided. All written products will be copied to the full Council.

**B. Inappropriate Actions**

The Council has delegated the City Administrator ~~and the City Attorney jointly, or just the City Attorney, at the discretionary decision of the City~~ ~~the~~ ~~Attorney;~~ the responsibility to discuss, on behalf of the full Council, any perceived or inappropriate action by a Councilmember. The City Administrator ~~or City Attorney~~ will discuss with the Councilmember the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the City Administrator ~~or City Attorney~~ will report the concern to the full Council.

Chapter 4: City Finances

**A. Councilmember Compensation**

State law and the City municipal code provide for modest compensation to members of the Council.<sup>k</sup> Currently, members receive a salary of \$300 per month.

Councilmembers may waive their monthly salaries as provided by state law; however, they may not elect to assign their salary to any person or entity including a charitable organization.<sup>x</sup>

**B. Expenditure Allowance**

The annual City budget may include an expenditure allowance for expenses necessary for members to undertake official City business. Eligible expenses include travel expenses, including meals for Councilmembers, and mileage reimbursement, which are made for City business.<sup>xl</sup> Donations to organizations are not eligible nor are meals for individuals other than Councilmembers.

**C. Expenditure Guidelines**

[The City Council is subject to the requirements and provisions of the City's Travel Reimbursement Policy.](#) Any expense must be related to City affairs. Public property and funds may not be used for any private or personal purpose. For example, reimbursement is not allowed to pay for meals at a meeting to discuss political or campaign strategies. It is also inappropriate for City funds to pay for a meal or other expenses of a private citizen or spouse attending a meeting.

City budgetary practices and accounting controls apply to expenditures within the Council budget. Councilmembers should plan expenditures, which will allow them to remain within the annual allocation. When exceptional circumstances require that additional amounts be allocated, the request must be made to the City Administrator, and Council action may be necessary. Reimbursement requests should be made through the City Administrator's office with receipts.

Chapter 5: Council Communications

A. Overview

Perhaps the most fundamental role of a Councilmember is communication. Whether through written or oral communications, a Councilmember’s ability to effectively govern is directly tied to their ability to communicate effectively with others. Methods of communication come in various forms, whether it is communication with the public to assess community opinions and needs; communication to share the vision and goals of the City with constituents; and communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives. This chapter provides a general framework for communicating as an individual (a Councilmember’s personal opinions on policies and directives) versus communicating as part of the legislative body.

Since the City Council performs as a body, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

Perhaps the most fundamental role of a Councilmember is communication; communication with the public to assess community options and needs and communication with staff to provide policy directions and to gain an understanding of various policy alternatives. Because the Council performs as a body (that is acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking “for” the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

B. Speaking “for the City”

Because the Council performs as a body, it is important that the public understand when an individual Councilmember is speaking as an individual and when they are speaking on behalf of the entire Council. While the Mayor and Vice Mayor have the additional duties of representing the City at official events, individual Councilmembers can expect to be asked to make statements or comments on City-related business. Councilmembers should refrain from using City letterhead, correspondence, or logos when expressing their opinions as an individual to the public. Councilmembers may clarify that they did or did not support a matter so long as they clearly articulate the Council’s positions as a whole unambiguously. When Councilmembers are requested to speak to groups or are asked about the Council’s position on an issue, the response should reflect the position of the Council as a whole. Of course, a Councilmember may clarify their vote on a matter by stating “While I voted against X, the Council voted in support of it.” When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the Council’s position rather than that of an individual member.

C. Correspondence from Councilmembers

- 1. Members of the Council will often be called upon to write letters to citizens, businesses or other public agencies. Typically, the Mayor will be charged with transmitting the City’s position on policy matters to outside agencies on behalf of the Council. Individual members of Council will often prepare letters for constituents in response to inquiries or to provide requested information.
- 2. The following is the policy of the Angels Council relative to official and non-official correspondence by members of the Council.
  - a. Councilmembers shall not write or send letters on City station~~ary~~ without Council approval.
  - b. The Mayor is authorized to send thank you and acknowledgement letters as they directly pertain to the City in its usual course of business. Such correspondence shall not represent or include City endorsements, positions, etc. In addition, the Mayor may sign correspondence drafted by the City Administrator which the City Administrator believes is more appropriately signed by the City’s chief



elected official. Such correspondence may include public notices, invitations, information, etc. All correspondence signed by the Mayor shall have a copy forwarded to each Councilmember.

- c. Councilmembers may endorse political candidates, initiatives, legislation or positions using their own stationery. They may identify themselves by City position and title, but in no case shall said endorsements infer that the City or Council supports said position or candidate. Members are encouraged to notify or send copies of said endorsement to the full Council.
- d. The Council policy is that it will not support individual political candidates, but may vote to support or take stands on initiatives, measures (i.e. school bonds) or other legislation as appropriate and permissible under state law. The Mayor shall be authorized to sign letters stating the Council's position.

**D. Confidential Issues**

Confidential issues, ~~including anything which has been discussed in a closed session which may arise in closed session or in other conversations or communications with the City Administrator or City Attorney~~, shall not be disclosed to any member of the public, including the press ~~without approval of the City Council~~. Confidential issues include but are not limited to anticipated or existing litigation, personnel matters, or other information relevant to City business that is confidential in nature. The release of any confidential information obtained in closed session may be referred by the City Council to the District Attorney's office as a Brown Act violation.

**E. Local Ballot Measures**

~~At times, initiatives that affect City Council policy may be placed on the ballot. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the City from using its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. What the City can do is distribute informational reports or pamphlets for the purpose of informing the public of the facts of an issue.~~

~~At times ballot measures may be placed on the ballot that affect Council policy. There are restrictions regarding what actions Council or individual members may take on ballot measures under California Law.~~

Political Activities: City Councilmembers, as elected officials, are allowed to participate in political activities, including endorsing candidates and supporting ballot measures.

- City Councilmembers should only publicly support or oppose ballot measures in their personal capacity and cannot use public resources to do so.
- City Councilmembers may campaign for or against local measures and engage in political activities, including attending rallies, making public statements or appearances, and issue personal endorsements.
- City funded communications regarding ballot measures must be informational and neutral. For example, Councilmembers can help explain the fiscal impacts of a ballot measure in a city-sponsored communication but cannot use those communications to advocate for a specific outcome.
- City Councilmembers cannot engage in campaigning or electioneering at public facilities or during official city events. This includes using city hall, council chambers, or any city-owned space for campaign-related activities.
- Campaigning must be conducted separately from official city functions.
- City Councilmembers may contribute their personal or political accounts funds in support or opposition of a ballot measure.
- Government Code Section 8314 prohibits City Councilmembers from using public resources (such as city staff time, equipment, email or funds) for campaign activities or political advocacy. Violations of this provision can result in penalties, including fines and possible legal action.

**F. State Legislation, Propositions**

The Council is frequently requested to take action on pending state legislation. The Council has adopted ~~the a~~ practice of requiring analysis of bills prior to taking any official position. The analysis is to include a summary of the legislation’s purpose and a listing of those entities both in support ~~of~~ and against the proposed legislation. The Council will only take a position on pending state legislation by a majority vote of the City Council.

**G. Proclamations**

Proclamations are issued by the City Council as a ceremonial commemoration of an event or issue. Proclamations are not statements of policy. Proclamations are a manner in which the City can make special recognition of an individual, event, or issue (e.g. Recycling Week).

~~Ceremonial proclamations are often requested of the City in recognition of an event or individual. Proclamations are not statements of policy but a manner in which the City can make special recognition of an event (e.g. Recycling Week).~~ As part of his or her ceremonial responsibilities, the Mayor is charged with administration of Proclamations. The City maintains a list of frequent or routine Proclamations that are issued annually. Individual Councilmembers do not issue proclamations, but may request that the Mayor issue a proclamation. The decision to add or not to add a Proclamation shall be made following consultation between the City Administrator and the Mayor when the Council meeting agenda is being prepared. Requests for new Proclamations should be directed to the City Administrator’s Office staff at least four weeks prior to the meeting at which the requestor would like it read. The Mayor may elect to refer the Proclamation request to the Council for consideration and direction.

**Commented [NG3]:** I am not sure if this revision captures the intent of the Council in asking for revisions to this section.

Chapter 6: City Officials—Conflicts & Liability

**A. Conflict of Interest**

There are numerous sources of conflicts of interest that may require a Councilmember to disqualify himself or herself from participating in decision-making. The Political Reform Act (PRA) controls financial conflicts of interest of public officials. The PRA is one of the most complicated laws affecting local government. This law is implemented and enforced by the Fair Political Practices Commission (FPPC) which has issued comprehensive implementing regulations. To understand the PRA’s impact on a Councilmember’s actions, it is suggested that members discuss the law and potential conflicts with the City Attorney or a private attorney.

In general, under the PRA, public officials are prohibited from making, participating in or in any way attempting to use their official position to influence a governmental decision in which they know or have reason to know they have a financial interest (California Government Code § 87100). A “public official” is defined as including every member, officer, employee or consultant of the state or local government agency (California Government Code § 82048).

State laws are in place that attempt to eliminate any action by a City Official that may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest.

Newly elected officials are required to file a Statement of Economic Interest (Form 700) within thirty (30) days of being sworn into office. Thereafter, elected officials are required to file an annual Form 700. The City Clerk’s Department will notify you of your filing requirements. Written permission must be obtained before posting elected officials’ home addresses or telephone numbers on the Internet.

At any time if a City Official believes that a potential for conflict of interest exists, he or she is encouraged to consult with the City Attorney or private legal counsel for advice. Staff may also request an opinion from the City Attorney regarding a City Official’s potential conflict. Laws which regulate conflicts are very complicated. Violations may result in significant penalties or fines, including criminal prosecution. While not inclusive, a general summary of conflict rules has been prepared and appears below.

There are several laws that govern conflicts of interest for public officials in California – the Political Reform Act, Government Code section 1090, and Government Code section 87105 (<http://leginfo.legislature.ca.gov/faces/codes.xhtml>). In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before the official. Section 1090 prohibits a public official from being interested in government contracts; and section 87105 requires a public official who has a conflict of interest to publicly announce the conflict, recuse himself or herself and leave the room until after the discussion and voting on the matter is complete.

**B. Applicability**

Under the PRA, an official has a financial interest if it is reasonably foreseeable that a decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any of the following:

1. Any business entity in which the public official has a direct or indirect investment worth \$2,000 or more (California Government Code § 87103(a); 2 California Code of Regulations § 18700(c)(6)(A)).
2. Any real property in which the public official has a direct or indirect interest worth \$2,000 or more (California Government Code § 87103(b), 2 California Code of Regulations § 18700(c)(6)(B)).

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- 3. Any source of income other than gifts or certain loans aggregating \$500 or more provided to the public official within 12 months prior to the time of the decision (California Government Code § 87103(c); 2 California Code of Regulations § 18700(c)(6)(C)).
- 4. Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management (California Government Code § 87103(d); 2 California Code of Regulations § 18700(c)(6)(D)).
- 5. Any gift totaling \$470 (adjusted biennially by the FPPC) or more provided to, received by or promised within 12 months prior to the decision (2 California Code of Regulations §§ 18703.4, 18704-18961).

**C. Analysis**

In general, the FPPC suggests that a four-part analysis be followed in applying the conflict-of-interest rules:

- a. Step One: Is it reasonably foreseeable that the governmental decision will have a financial effect on any of the financial interests listed above (2 California Code of Regulations § 18700(d)(1))? If the financial interest is a named party to or the subject of the governmental decision, the financial effect on the public official’s interest is reasonably foreseeable. If not a named party or subject of the decision, the financial effect on the interest will be reasonably foreseeable if there is a realistic probability of a financial effect.
- b. Step Two: Will the reasonably foreseeable financial effect be material (2 California Code of Regulations § 18700(d)(2))? Materiality is determined in reference to the specific financial interest involved.
- c. Step Three: Can the public official demonstrate that the material financial effect on the public official’s financial interest is indistinguishable from the effect on the public generally (2 California Code of Regulations § 18700(d)(3))? This requires establishing that at least 25% of certain population segments are all affected, and that the effect on the governmental official’s interest is not unique compared to the segment.
- d. Step Four: If after applying the three-step analysis and determining that the public official has a conflict of interest, he or she may not make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision.

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**B. Political Reform Act**

The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a disqualifying conflict of interest. Therefore, if a public official has a conflict of interest, the official must disqualify himself or herself from acting on or participating in the decision before the City. During that discussion, the official must leave the Council Chambers or where the discussion is taking place.

An official has a financial interest if “it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from the effect on the public generally” on one or more of the economic interests of the official or a member of the official’s immediate family.

As of 2015, economic interests include interests in businesses worth \$2,000 or more, interests in real property, both ownership and leases, worth \$2,000 or more, a source of income in an amount of \$500 or more, and gifts

~~of \$460 or more provided to or received within one (1) year of the decision. These dollar amounts are subject to annual increases. Please check with the City Attorney to verify the current dollar amounts.~~

~~Often the economic interest involved is real property owned or leased by the City Official. In these cases, a public official is presumed to have a conflict of interest if he or she has a direct or indirect interest worth two thousand dollars (\$2,000) or more in fair market value.<sup>xiii</sup> If a Councilmember has a pro rata share interest in real property, in which the Councilmember or immediately family member owns, and has a ten percent (10%) or greater interest in the property, then that is also a conflict of interest.<sup>xiii</sup>~~

~~Determining whether a Councilmember has a disqualifying conflict of interest is very complicated and fact specific. Please contact the City Attorney if you suspect that you may have a conflict of interest so that a formal four step analysis of the potential conflict can be provided.~~

~~Government Code section 87105 states that a Council or commission member who has a conflict of interest must recuse himself or herself and leave the room, unless the matter is on the Consent Calendar.<sup>xiv</sup> After it has been determined that a conflict of interest exists under the Political Reform Act, the following steps must take place:~~

- ~~1. **Publicly identify the financial interest.** This must be done in enough detail for the public to understand the economic interest that creates the conflict of interest. Residential street addresses do not have to be disclosed.~~
- ~~2. **Recuse yourself from both the discussion and the vote on the matter.** Recusal applies to all proceedings related to the matter.~~
- ~~3. **Leave the room until the matter has been completed.** The matter is considered complete when there is no further discussion, vote, or any other action.<sup>xv</sup>~~

~~**Exceptions:** if the matter is on the consent calendar, recusal is not required. Additionally, if the individual with the conflict wants to speak during public comment, he or she may do so as a private citizen. However, this is the only time he or she may be in the room while the matter is being considered.~~

The Fair Political Practices Commission (“FPPC”) has published lengthy regulations and opinions on conflicts of interest that are useful in determining whether a particular financial interest or decision could give rise to disqualification based on a potential conflict of interest. The FPPC also puts out informational pamphlets to assist public officials in determining what types of situations may give rise to prohibited conflicts of interest.

~~**C.D. Government Code Section 1090**~~

~~Government Code section 1090 is similar to the Political Reform Act, but it applies only to City contracts in which a public official has a financial interest. The financial interests covered by section 1090 are different than those in the Political Reform Act. Having an interest in a contract may preclude the City from entering into the contract at all. In addition, the penalties for violating section 1090 are severe. If a City Official believes that he or she may have any financial interest in a contract that will be before the Council, the member should immediately seek advice from the City Attorney or the City Official’s personal attorney.~~

There are a number of other restrictions placed on Council actions which are highlighted in the League of California Cities Handbook. Such restrictions include prohibitions on secrecy and discrimination, as well as assurance that all City funds are spent for public purposes. Violations of these restrictions may result in a ~~personal~~personal liability for individual City Officials.

**E. Disqualification and Disclosure**

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When the agenda item is called, a City Councilmember who has a conflict of interest is required to publicly state that a conflict of interest exists, describe the nature of the economic interest giving rise to the conflict, disqualify himself or herself, and leave the room. Ideally, Councilmembers will become familiar enough with the sources of conflicts to determine in advance whether disqualification is necessary. However, if a Councilmember becomes aware of a potential conflict only during the meeting, it is perfectly appropriate for the Councilmember to ask for a break in order to discuss the matter with the City Attorney. If any Councilmember questions a potential conflict of interest related to another Councilmember, a recess may be called at the request of the Councilmember who may have a conflict to allow discussion of the issue with the City Attorney to determine if there is a conflict. If the Councilmember decides a conflict exists, that Councilmember may not participate in any aspect of the decision making, including discussing the matter with City staff. When a conflict of interest arises involving a matter on the consent calendar portion of the agenda, the Councilmember is not required to leave the room, unless that item is pulled from the consent agenda for separate discussion.

**F. Legally Required Participation**

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In the event that a decision cannot be made because a majority of the Council is disqualified due to conflicts of interest, the PRA allows the minimum number of Councilmembers necessary to constitute a quorum to return and participate in the decision to the minimum extent required. The Councilmembers permitted to participate must be chosen through a random process (California Government Code § 87101).

**G. Advice on Conflict of Interest**

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The City Attorney may provide advice to a Councilmember about the existence of a conflict of interest. However, advice given by the City Attorney does not protect the Councilmember from an enforcement action by the FPPC. A Councilmember may seek a formal written opinion from the FPPC on a particular set of facts. Such an opinion letter would provide protection from an enforcement action arising under the same set of facts.

**D.H. Conflict of Interest Forms**

Annual disclosure statements are required of all Councilmembers, designated commissioners, and senior staff. These disclosure statements indicate potential conflicts of interest including sources of income, ownership of property and receipt of loans and gifts. Councilmembers often serve on the governing board of other local agencies as a result of appointment or delegation through the Council. These agencies will also require ~~submitta~~the submittal of disclosure forms. These forms require information including income, loans, receipt of gifts, and interest in real property among other items.

**E.— Ex Parte Communications**

~~All Councilmembers may have “ex parte” communications— meaning communications outside the meeting forum. However, such communication should not be encouraged, made, or accepted when such communication is designed to influence the official decision or conduct of the official or other officials in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself or others. This guarantees that all interested parties to any matter shall have equal opportunity to express and represent their interests. The applicable California law, the Brown Act, is discussed in Chapter 10 of this Handbook and provides more detail as to Councilmembers’ obligations under California state law.~~

**F.— Liability**

~~The City is a large institution offering a variety of services and may often find itself subject to legal actions through lawsuits. The City must always approach its responsibilities in a manner which reduces risk to all involved. However, with such a wide variety of high-profile high-profile services (e.g. police, fire) risk cannot be eliminated.~~

~~The City belongs to an agency with other cities in the San Joaquin Valley to manage insurance and risk activities. When claims are filed against the City they are sent to the City's claims examiner to review and make recommendations. Unless there is a clear liability on the part of the City, the claim will normally be recommended for denial. The Claim is placed on the Council agenda for rejection but will only be discussed in closed session if Council desires. Council should be careful discussing details of a claim or lawsuit outside of closed session.~~

~~It is important to note that violations of certain laws and regulations by individual City Officials may result in that official being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment, or fraud.~~

**G-I. AB 1234 Training**

State law requires the City to advise local officials, subject to California's ethics education requirements about their compliance options at least once a year.<sup>xvi</sup> The City will ensure that all local officials will be provided the AB 1234 Ethics Training.

**J. Liability**

~~The City is a large institution offering a variety of services and may often find itself subject to legal actions through lawsuits. The City must always approach its responsibilities in a manner which reduces risk to all involved. However, with such a wide variety of high-profile services (e.g. police, fire) risk cannot be eliminated.~~

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~~It is important to note that violations of certain laws and regulations by individual City Officials may result in that official being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment, or fraud.~~

Chapter 7: City Officials—Interaction with Staff ~~and Officials~~

**A. Overview**

Council policy is implemented through professional staff. Therefore, it is critical that the relationship between the Council and staff be well understood by all parties so policies and programs may be implemented successfully. The City of Angels has a long tradition of positive relationships between members of the Council and staff. To maintain these effective relationships, it is important that roles are clearly recognized.

**B. Council-Manager Form of Government**

Angels governs under a Council-City Manager form of government. This structure reflects that it is the Council’s role to establish City policy and priorities. The Council appoints a City Administrator to implement this policy and undertake the administration of the organization. The Council is to work through the City Administrator in dealing with City staff. Indeed, the A.M.C. requires Councilmembers to work through the City Administrator.

The City Administrator is appointed by the Council to enforce its laws, to direct the daily operations of City government, to prepare and monitor the municipal budget, and to implement the policies and programs initiated by the Council. The City Administrator is responsible to the Council rather than to individual Councilmembers and directs and coordinates the various departments.

**C. Council-Manager Relationship**

- 1. **Employment relationship between the Council and City Administrator:** This relationship honors the fact that the City Administrator is the chief executive officer of the City. The Council should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the Council. Regular communication between the Council and City Administrator is important in maintaining open communications. All dealings with the City Administrator, whether in public or private, should respect the authority of the City Administrator in administrative matters. Disagreements should be expressed in policy terms rather than in terms that question satisfaction with or support of the City Administrator.
- 2. **Evaluation:** The Council is to evaluate the City Administrator on an annual basis and pursuant to the terms of the City Administrator’s contract with the City.
- 3. **Open Communication:** As in any professional relationship, it is important that the City Administrator keeps the Council informed. The City Administrator respects and is sensitive to the political responsibility of the Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the Council. The City Administrator encourages regular one on one meetings with Councilmembers to provide information on various issues before the Council.
- 4. **Staff Roles:** The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council and in keeping the Council informed. Staff is obligated to take guidance and direction only from the Council as a whole through the City Administrator or from the appropriate management supervisors. The Council is discouraged from instructing staff directly but should instead submit any requests to the City Administrator or City Attorney. Further, any comments or concerns from the Council should be communicated to the City Administrator or City Attorney. Staff is directed to reject any attempts by individual members of the Council to unduly direct or otherwise pressure them into making, changing or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests made by individual Councilmembers for information or assistance, provided that, in the judgment of the City Administrator, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full Council.



**D. City Administrator Code of Ethics**

City Administrator is subject to a professional code of ethics from his or her professional association. These standards appear in Appendix A of this Handbook, the ICMA Code of Ethics. It should be noted that this code binds the City Administrator to certain practices which are designed to ensure actions are in support of the City's best interests. Violations of such standards can result in censure by the professional association. This code is posted in the City Administrator's office.

**E. Council-City Attorney Relationship**

The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

1. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
- 2.
3. Represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
- 4.
5. Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
- 6.
7. Keep City Council and staff apprised of court rulings and legislation affecting the legal interests of the City.
- 8.
9. It is important to note that the City Attorney does not represent individual members of the Council, but rather the City Council as a whole. Accordingly, with the exception of ~~conflict of interest~~ **conflict-of-interest** inquiries, in questions involving pending or upcoming matters, or protocol and procedure, the City Attorney's services are engaged and directed through the majority of the Council. Individual Councilmembers may seek advice or assistance from the City Attorney on other matters while exercising their best judgment on the most efficient and appropriate use of his/her resources. The City Attorney's performance is reviewed as provided by the services retention contract.

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- 10.
- ~~1. City Attorney: The City Attorney is the legal advisor for the Council, City Administrator, and department heads.~~
- ~~2. City Attorney Legal Responsibilities. The general legal responsibilities of the City Attorney are to:~~
  - ~~a. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;~~
  - ~~b. Represent the City's interest, as determined by the Council, in litigation, administrative hearings, negotiations and similar proceedings;~~
  - ~~c. Prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and~~
  - ~~d. To keep Council and staff apprised of court rulings and legislation affecting the legal interest of the City~~

~~3. City Attorney Representation: It is important to note that the City Attorney does not represent individual Councilmembers, but the Council as a whole.~~

**F. City Administrator-City Attorney Relationship**

The City Attorney provides legal support and advice to the City Administrator as the chief executive officer of the City, to assist him or her in implementing Council policies and exercising his or her authority. The City Administrator is as the chief executive officer of the City responsible for carrying out and implementing Council policies. The City Attorney also keeps the City Administrator apprised of current relevant court rulings and legislation. ~~It is important to note that the City Attorney represents the Council and the City as a whole, not the City Administrator, Councilmembers, or individual residents of the City.~~ The City Attorney may share confidential information obtained from the City Administrator with the Council if necessary to protect the best interests of the City, and vice versa.

**G. Access to Information and Communications Flow**

**1. Objectives:** It is the responsibility of staff to ensure Councilmembers have access to information from the City and to insure such information is communicated completely and with candor to those making the request. However, Councilmembers must avoid intrusion into those areas that are the responsibility of the staff. Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal.

**2. Council Roles:** The full Council retains power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, workloads and schedules, departmental priorities, and the performance of City business.

Individual members of the Council should not make attempts to pressure or influence staff decisions, recommendations, workloads, schedules, and department priorities without the prior knowledge and approval of the Council as a whole. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

Councilmembers also have a responsibility of the flow of information-flow. It is critical that they make extensive use of staff and commission reports and commission minutes. Councilmembers should come to meetings prepared—having read the council agenda packet materials and supporting documents, as well as any additional information or memoranda provided on city projects or evolving issues. Additional information may be requested from staff, if necessary.

**3. Access to Information:** Individual Councilmembers, as well as the Council as a whole, are permitted complete freedom of access to any information requested of staff and shall receive the full cooperation and candor of staff in being provided with any requested information. The City Administrator or City Attorney will pass critical information to all Councilmembers. The Council will always be informed by the City Administrator or City Attorney when a critical or unusual event occurs about which the public ~~would be~~ concerned.

There are limited restrictions when information cannot be provided. Draft documents (e.g. staff reports in progress, administrative draft EIRs) are under review and not available for release until complete and after review by City management. In addition, there are legal restrictions on the City’s ability to release certain personnel information even to members of the Council. Certain aspects of police department affairs (access to restricted or confidential information related to crimes) may not be available to members of the Council. Confidential personnel information also has restrictions on its ability to be

released. Any concerns Councilmembers may have regarding the release of information, or the refusal of staff to release information, should be discussed with the City Attorney for clarification.

**H. Dissemination of Information**

~~In cases where a staff response to an individual Councilmember request involves written materials which may be of interest to other Councilmembers, the City Administrator will provide copies of the material to all other Councilmembers. In making this judgment, the City Administrator will consider whether the information is significant, new, otherwise not available to the Council, or of interest to the Council.~~

**Commented [NG4]:** This information is already contained in chapter 3.

**H.H. Staff Relationship with Advisory Bodies**

Staff support and assistance may be provided to commissions and task forces, but advisory bodies do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately the City Administrator and Council. The members of the commission or committee are responsible for the functions of the advisory body, and the commission or committee Chair is responsible for committee compliance with the policies outlined in the A.M.C.

Staff support includes preparation of a summary agenda and preparation of reports providing a brief background of the issue, a list of alternatives, recommendations, and appropriate backup materials, if necessary. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues. The assigned staff person serves as secretary, taking minutes as needed.

It is important that advisory bodies wishing to communicate recommendations to the Council do so through adopted or approved Council agenda procedures. In addition, when a commission or committee wishes to correspond with an outside agency, correspondence should be reviewed and approved by the Council. Individuals who would like a commission or committee to review a particular issue must also gain approval for such a request from the full Council. Staff members are to assist the advisory body Presiding Officer to ensure appropriate compliance with state and local laws and regulations.

**H.I. Restrictions on Political Involvement by Staff**

~~The City is a local government and is a non-partisan entity. Professional City staff, as reflected within the principles of Council City Administrator form of government, formulates recommendations in compliance consistent with Council policy and for the good of the community and is should not be influenced by political factors. For this reason, it is very important to understand the restrictions of staff in any level of political involvement through campaigns, fund raisers, or other means.~~

**Staff Members:**

~~1- By working for the City, staff members do not surrender their rights to be involved in local elections. Indeed, laws are in place to preserve those rights. However, there are limitations to such involvement. Different restrictions apply to management and general employees.~~

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**2-1. Management Staff:** The City Administrator strongly discourages any involvement in local campaigns even while on personal time. Such involvement erodes the tenet that staff are to provide an equal level of service to all members of the Council.

**3-2. General Employees:** These employees have no restrictions while off the job; however, no participation in campaigns or other activities may take place while on the job. No City resources may be used by staff in support of any campaign. Even while off the job, no employee may participate in campaigns or other political activities while in City uniform. For example, posing for a promotional photograph for a candidate for local office while in uniform is inappropriate. The support of the Council in these matters is requested. A Councilmember asking staff to sign petitions, or similar items can create an awkward situation.

**K.J. General Conduct Expectations**

Councilmembers are expected to uphold a high standard of civility towards each other and to abide by the City’s Ethics and Civility Code. Civility is expected between Councilmembers, the public, and City staff while in Council meetings and when out in public. Rude behavior and profanity will not be tolerated.

While in public, Councilmembers should be aware that they are still viewed as elected representatives of the citizens of the City. As such, Councilmembers’ behavior in public shall be appropriate and shall not include inappropriate gesturing (including, but not limited to, crude or offensive body language, gyrating, or other inappropriate body movements) or profanity.

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts should model the same professional behavior displayed during Council meetings and community meetings.

Social media sites are not to be used as mechanisms for conducting official City business other than to informally communicate with the public. Examples of business that may not be conducted through social media include making policy decisions, official public noticing and discussing items of legal or fiscal significance that have not been previously released to the public. Officials’ social media site(s) should contain links directing users back to the City’s official website for in-depth information, forms, documents or online services necessary to conduct official City business. Officials will not post or release proprietary, confidential, or sensitive information on social media websites.

Councilmembers must conduct themselves in a respectable manner so as to not damage the prestige of his or her elected title. In the performance of their official duties and in public, they should refrain from any form of conduct which may cause any reasonable person unwarranted offense or embarrassment.

Chapter 8: Leaving Office

**A. Filling Council Vacancies**

A vacancy on the City Council may be filled by appointment or call of a special election in the manner prescribed by law. Alternatively, the City Council may appoint a person to fill a vacancy on the City Council to hold office only until the date of a special election, which shall be immediately called to fill the remainder of the term. The special election may be held on the date of the next regularly established municipal election or other regularly established election to be held in the City more than one hundred fourteen (114) days from the call of the special election.<sup>xvii</sup>

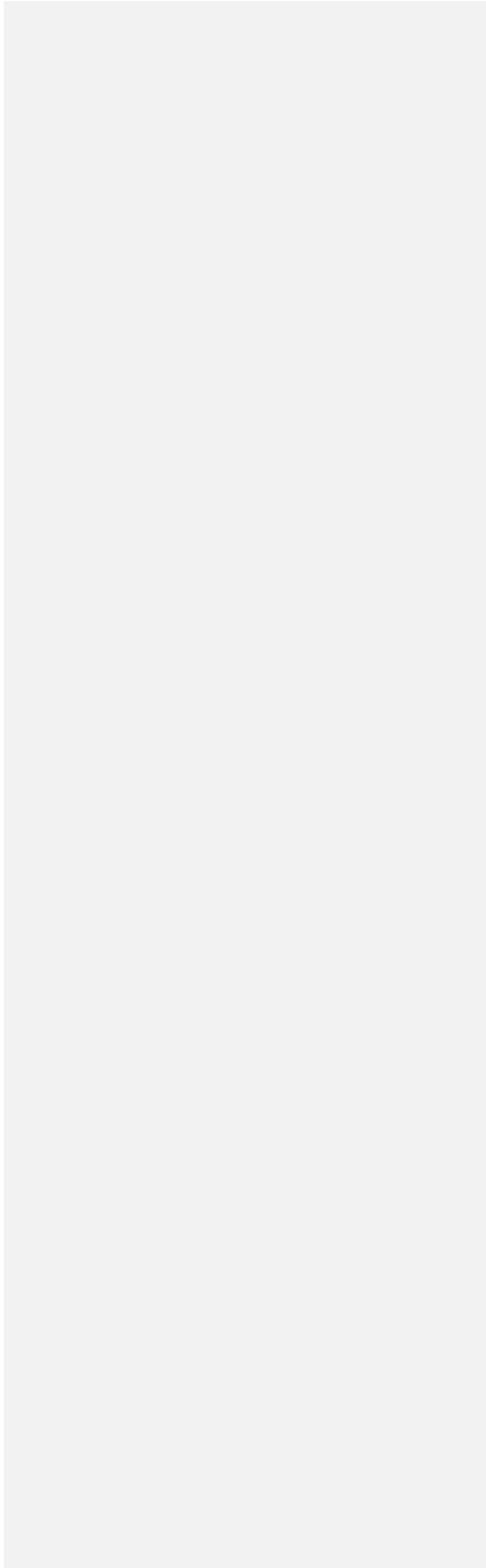
**B. Conflicts of Interest While Leaving Office**

A public official may not use his or her official position to influence prospective employment. California law prohibits elected officials, who held a position with the agency from lobbying the agency, to take any action within one (1) year of official's departure from office or employment.<sup>xviii</sup> However, the individual may appear before the agency with which the official worked if the official is appearing on behalf of another public agency.

**C. Filling Vacancies for Boards, Commissions, or Advisory Groups**

A vacancy on any one of the City's Boards, Commissions, or Advisory Groups may be filled by appointment by the Mayor with consent of the Council. Chapter 2, Section E of this Handbook shall be followed when filling vacancies for any Boards, Commissions, or Advisory Boards.

**PART II: COUNCIL PROCEDURAL GUIDELINES**



Chapter 9: Open Meetings—Brown Act

A. Policy

- 1. **Introduction.** The Council shall comply with the provisions of the Ralph M. Brown Act, the Open and Public Meeting Law (the "Brown Act").
- 2. **Penalties and Applicability.** The intent of the Brown Act is to ensure that deliberation and actions of local public agencies are conducted in open and public at meetings.
  - a. Penalties: The law provides for misdemeanor penalties for members of a body who violate the Brown Act.<sup>xix</sup> Violations are also subject to civil action.<sup>xx</sup>
  - b. Applicability: The Brown Act applies to the Council, all commissions, boards, and task forces that advise the Council. Staff cannot promote actions which would violate the Brown Act.

B. Meetings

- 1. **General.** All meetings shall be open and public. A meeting takes place whenever a quorum (three (3) or more members) is present and information about the business of the body is received; discussions qualify as a meeting. Social functions do not fall under the Brown Act unless City business is discussed.
- 2. **Serial Meetings.** These can take place, and are prohibited by the Brown Act, when any member of the Council or City staff contact more than two (2) Councilmembers for the purpose of deliberating or acting upon an item pending before the Council (does not apply to the public or media). Correspondence that merely takes a position on an issue is acceptable.

C. Procedure

The following procedure shall be followed:

- a. Posting the Agenda: Agendas for regular meetings must be posted seventy-two (72) hours in advance of the meeting and must include the following:
  - i. Time and location of the meeting.
  - ii. Description of the agenda items. The description should be reasonably calculated to adequately inform the ~~public, and public and~~ should include the contemplated Council action.
  - iii. Public Comments Section. A section providing an opportunity for members of the public to address the Council. (The public comments portion of the agenda meets this requirement).
  - iv. Agendas in uniform font. Agendas for all Council meetings shall be in ~~a font as deemed by the City clerk~~Arial font. The City shall comply with provisions of the Brown Act and the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) in making the agenda and documents in the agenda packet available in appropriate alternative formats to persons with a disability.

~~b. Affidavit of Posting. Immediately after posting the agenda, the City Clerk will prepare and sign an affidavit of posting, declaring the date and place where the agenda was posted. These affidavits will be filed in the City Clerk's office for public reference.~~

**Commented [NG5]:** Affidavit is advisable but not required by statute.

**D. Actions**

No action can be taken on any item not appearing on the posted agenda.

**E. Ex Parte Communication**

All Councilmembers may have “ex parte” communications – meaning communications outside the meeting forum. However, such communication should not be encouraged, made, or accepted when such communication is designed to influence the official decision or conduct of the official or other officials in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself or others. As an example, Councilmembers should not communicate with members of the public via text message or other similar methods of electronic communication during Council meetings about City business. This guarantees that all interested parties to any matter shall have equal opportunity to express and represent their interests. The applicable California law, the Brown Act, is discussed in Chapter 10 of this Handbook and provides more detail as to Councilmembers’ obligations under California state law.

~~All Councilmembers may have “ex parte” communications – meaning communications outside the meeting forum. However, such communication should not be encouraged, made, or accepted when such communication is designed to influence the official decision or conduct of the official, or other officials, in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself or others. This guarantees that all interested parties to any matter shall have equal opportunity to express and represent their interests.~~

Councilmembers who have ex parte communications with a party that appears before them at the meeting, should disclose that he or she had ex parte communication with the party. This can be done by stating that the Councilmember had ex parte communication with a party at a time in the meeting when the item is discussed.

Any written ex parte communication received by an official in a matter when all interested parties should have an equal opportunity for a hearing, shall be made a part of the record by the recipient.



Chapter 10: Council Meetings

A. Council Meetings

- 1. **Regular Meetings.** Consistent with the A.M.C., regular meetings of the Council shall be held the first and third Tuesdays of each month, commencing at 6:00 p.m. in the City Council Chambers, Angels City Fire Department, 1404 Vallecito Road, Angels, California 95222.<sup>xxi</sup>
  - a. **Other Locations.** The Council may, from time to time, elect to meet at other locations within the City, and upon such election shall give public notice of the change of location in accordance with provisions of the Government Code.<sup>xxii</sup>
  - b. **Location During Local Emergency.** If, by reason of fire, flood, or other emergency, it shall be unsafe to meet in the City Fire Department, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor, or if the Mayor does not so designate, by the Vice Mayor or City Administrator.<sup>xxiii</sup>
  - c. **Holidays.** When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day shall automatically be held on the next regular business day at the regular time and place unless canceled by the Council.<sup>xxiv</sup>
- 2. **Special Meetings & Emergency Meetings.** Special meetings and emergency meetings of the Council may be called and held from time to time consistent with, and pursuant to, the procedures set forth in the Government Code.<sup>xxv</sup>
- 3. **Adjourned Meetings.** The Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Government Code.<sup>xxvi</sup>
- 4. **Closed Session.** The Council may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law, to consider or hear any matter which is authorized by State law to be heard in closed session. The general subject matter for consideration shall be expressed in open meeting before such session is held.<sup>xxvii</sup>
  - a. **Time Limit: Closed Sessions** may begin earlier than 6:00 p.m., as needed, as long as the closed session items are agendaized and the time for their consideration is specified in the agenda.<sup>xxviii</sup> Closed session must conclude promptly at 6:00 p.m. regardless of whether there is a pending action that must be taken. Closed session may be continued and reconvened after the regular meeting to finish any unfinished agenda items.
- 5. **Cancellation of Regular Meetings.** Any meeting of the Council may be canceled in advance by a majority of the Council.
- 6. **Quorum.** A majority of the Council constitutes a quorum for transaction of business. Less than a majority may adjourn from time to time, and compel attendance of absent members in the manner and under the penalties prescribed by ordinance.<sup>xxix</sup> If all Councilmembers are absent from any regular meeting, the City Clerk shall declare the meeting adjourned to a stated day and hour. The City Clerk shall cause a written notice of the adjournment to be delivered personally to each Councilmember at least three (3) hours before the adjourned meeting.<sup>xxx</sup>
- 7. **Chair.** The Mayor shall preside over all Council meetings. The Mayor shall have the authority to preserve order at all Council meetings, to call for the removal of any person or persons from any meeting of the Council for disorderly conduct, to interpret and enforce the procedural guidelines of the

Council, and to determine the order of business under the guidelines of the Council.<sup>xxxvi</sup>

- a. Absence of Mayor - The Vice Mayor shall act as Mayor in the absence or disability of the Mayor.<sup>xxxvii</sup>
- b. Mayor & Vice Mayor Absence - When the Mayor and Vice Mayor are absent from any meeting of the Council, the Councilmembers present may choose another member to act as Vice Mayor, and that person shall, during that meeting, have the duties of the Mayor.<sup>xxxviii</sup>
- c. Presiding Officer – The Presiding Officer for any City appointed or created commissions, committees and boards shall preside over public meetings of such commissions, committees and boards.

**8. Attendance by the Public.** Except as specifically provided by law for closed sessions,<sup>xxxix</sup> all meetings of the Council shall be open to the public in accordance with the terms, provisions and exceptions consistent with State law.<sup>xxxv</sup>

**9. Action Minutes.** The City Clerk, or his or her designee, will maintain a written record and attest to the proceedings of the Council in the form of action minutes. Action minutes will include final motions with votes of the Council, and reflect the names of public speakers.<sup>xxxvi</sup>

**10. Recordings of Meetings.** ~~Video R~~ recordings of proceedings shall be made and shall be retained for record for the City Council and Planning commission permanently maintained by the City Clerk.<sup>xxxvii</sup>

**B. Policy Decision Making Process**

- 1. Ad-Hoc Committees.** Ad-Hoc Committees are formed on an as needed basis with a clearly defined purpose and term. Ad-Hoc Committees will consist of two (2) Councilmembers appointed by the Mayor.
- 2. Study Session.** Study session items are placed on agendas for the purpose of open discussion. During study sessions, Councilmembers may hear reports from staff or others, ask questions, or invite public input.
- 3. Town Hall or Community Meetings.** Such meetings may be held by an individual Councilmember and are not considered official governmental committees or Council meetings. Town Hall or Community Meetings do not require formation or appointment by the Mayor or Council. The Councilmember shall disclose this fact at their town hall meeting(s). To avoid possible Brown Act violations, only two (2) Councilmembers may participate in the discussion at a Town Hall or Community Meeting.

Chapter 11: Order of Business

**A. General Order**

The business of the Council at its meetings will generally be conducted in accordance with the following order of business unless otherwise specified. A closed session may be held at any time during a meeting consistent with applicable law.

**B. CLOSED SESSION (IF NECESSARY)**

- a. The Council meets from time to time in closed sessions which are duly held meetings or a portion thereof, at which certain actions may be taken and are not open to the public and news media. These are:
  - i. Closed sessions held at such times pursuant to Government Code Section 54957.6 where the Council meets with its designated representatives prior to and during consultation and discussions with representatives of employee organizations.
  - ii. Security or emergencies.
  - iii. Personnel sessions.
  - iv. Closed sessions to consider potential or pending litigation in which the City or an officer or employee is or could be a party.

~~b. Matters discussed in closed sessions are considered confidential:~~

- ~~i. Labor Relations: As a matter of policy, the Council acknowledges that the City and its taxpayers are best served if positions authorized during such sessions are presented as those of the Council as a whole. Members of the Council agree that positions and agreements shall not be divulged.~~
- ~~ii. Personnel Sessions: Matters discussed and reviewed in personnel sessions shall remain confidential in order to protect employees' rights to privacy.~~
- ~~iii. Security — For obvious reasons: Arrangements made to address threats to the City or its property must be kept confidential.~~
- ~~iv. Litigation: Discussion of probable or pending litigation could waive attorney-client privilege to the detriment of the City's position.~~

~~e.b.~~ The Council must adhere to the time limits for closed session in order to begin the regular meeting in a timely manner. If the Council does not conclude the closed session in the required timeframe as set forth in the Agenda, the Council will temporarily continue the closed session meeting until the close of the regular meeting.

**C. REGULAR MEETING**

~~**C.D. CALL TO ORDER/ROLL CALL**~~

~~**D.E. PLEDGE OF ALLEGIANCE**~~

~~**E.F. ROLL CALL**~~

**F.G. CONFLICT OF INTEREST/REPORT OUT OF CLOSED SESSION**

**G. APPROVAL OF AGENDA.**

~~A motion should be made to approve the agenda for the current meeting. Should a Councilmember wish to remove an item from the consent calendar for separate discussion, any Councilmember may do so during the approval of the agenda or during the approval of the consent calendar.~~

**H. PRESENTATIONS/PROCLAMATIONS/RECOGNITION.**

~~All special presentations, proclamations and recognitions will be calendared and coordinated through the Mayor, City Clerk, or City Administrator.~~

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**H. PRESENTATIONS/PROCLAMATIONS/RECOGNITION.**

All special presentations, proclamations and recognitions will be calendared and coordinated through the Mayor, City Clerk, or City Administrator.

**I. APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)**

**H.J. PUBLIC COMMENT (NON-AGENDA/NON-AGENDA ITEMS)**

**J. ITEMS FROM THE CITY COUNCIL**

**K. CONSENT CALENDAR.**

All matters listed under the Consent Calendar are considered by the Council to be routine and will be acted upon in a single motion. Separate discussions of these items may be requested by a Councilmember or staff member prior to the time the Council considers the motion to adopt. A member of the public may not pull an item from the consent calendar.

Agenda items requested for removal from the consent calendar by Councilmembers or staff will be considered at the beginning of the "Unfinished Business" Section of the agenda. Members of the public cannot request ~~for~~ the removal of agenda from the consent calendar. A Councilmember may vote "no" on any consent item without comment or discussion. Any substantive Council comments, questions or discussion on an item will require removal of the item from the consent calendar.

**L. PUBLIC HEARINGS.** The guidelines for conducting public hearings are discussed below ~~at~~in sub-section B of this Chapter.

**M. UNFINISHED BUSINESS**

**N. NEW BUSINESS**

**O. OTHER AGENCY BUSINESS**

**P.O. ITEMS FROM THE CITY TREASURER**

**Q.P. ITEMS FROM THE CITY ATTORNEY**

**R.Q. ITEMS FROM THE CITY ADMINISTRATOR**

**R. COUNCIL REPORT**

**S. CALENDAR**

**S.T. INFORMATIONAL/FUTURE AGENDA ITEMS.** Upcoming Meetings (30-day calendar)

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**T.U. ADJOURNMENT TO NEXT REGULAR MEETING OF (Date)**

**B. Action on Agenda Items**

In accordance with the Ralph M. Brown Act, the Council may not take action on any item that did not appear on the posted Council agenda seventy-two (72) hours prior to the Council meeting unless an exception is made as permitted by the Government Code.<sup>xxxviii</sup>

**C. Items Placed on Written Agenda**

Items of business shall be placed ~~up~~ on the written agenda prior to the deadline announced or observed for the preparation thereof, at the request of the City Administrator or the City Attorney.

Any member of the City Council may place an item on a future agenda by making a formal request to the City Administrator at a meeting of the City Council. The City Administrator will place City Council items on a future City Council agenda when reasonable based on the staff time and research necessary to prepare the item for City Council consideration.

**D. Items from the City Council, City Treasurer, City Administrator, or City Attorney**

These sections of the agenda provide the opportunity for brief comment on [items of interest to the public, which can include City events, City business, City operations, City or](#) projects, and other items of general interest.<sup>xxxix</sup>

**E. Public Hearings:**

**1. General Procedure.** Certain actions of the Council require a public hearing, wherein the community receives an opportunity to provide testimony in front of the Council to adopt a resolution, introduce an ordinance, or approve a document. Zoning ordinances always require a public hearing. Check with the City Attorney if in doubt as to whether a public hearing is required. The Council procedure for the conduct of public hearings is generally as follows:

- a. The Staff Presents its Report. After the Mayor/Presiding Officer announces the item as it appears on the agenda, City staff will give a presentation to the City Council and the public on the staff report prepared for the matter.
- b. Initial Questions to Staff by the Council. Prior to opening ~~up~~ a public hearing on a matter, Councilmembers may ask questions of staff or third-party consultants regarding the staff report and the item.
- c. Mayor/Presiding Officer Opens the Public Hearing:
  - i. Applicant or Appellant Presentation. The applicant or appellant then has the opportunity to present comments, testimony, or argument.
  - ii. Public Testimony. Members of the public are provided with the opportunity to present their comments, testimony, or argument. Members of the public presenting comments, testimony, or argument will follow the following guidelines:
    - 1. Members of the Public Request to Speak. Any person desiring to speak or present evidence shall make his or her presence known to the Mayor/Presiding Officer and upon being recognized by the Mayor/Presiding Officer, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Mayor/Presiding Officer.

- 2. Council Questions of Speakers. Members of the Council who wish to ask questions of the speakers or each other during the public hearing portion may do so but only after first being recognized by the Mayor/Presiding Officer.
- 3. Public Oral Presentations. All Council guidelines pertaining to oral presentation by members of the public apply during public hearings. These guidelines are discussed below in Chapter 13: "Addressing the Council."
- 4. Materials for Public Record. All persons interested in the matter being heard by the Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence.
- 5. Germane Comments. No person will be permitted during the hearing to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the Mayor/Presiding Officer, but may be appealed to the full Council.
  - i. The applicant or appellant is given an opportunity for rebuttal or closing argument.
  - ii. The public input portion of the public hearing is closed.
- d. Questions and discussion from the Council. Councilmembers should not express their opinions on an item prior to the close of the public hearing, as the Councilmembers should not form or express an opinion until after all testimony has been received. Questions and comments from the Council should not be argumentative, and the Council should not engage in debates with staff, or those members of the public testifying to an opinion, until after all testimony has been received.

Any Councilmember shall have the right to express dissent from, or protest to, any action of the Council and have the reason entered ~~into~~ into the minutes. If the dissenting Councilmember desires such dissent or protest to be entered into the minutes, this should be made clear by language such as "I would like the minutes to show that I am opposed to this action for the following reasons..."

- e. Council decision occurs. Once the Council completes its discussion of the matter, a Councilmember may make a motion to take action on the item. A Councilmember may also make a motion to table, amend, substitute, postpone, or continue the matter, pursuant to these Procedures. If the Council is unsuccessful in carrying a motion on the matter before the adjournment of the meeting, the motion shall be deemed to have failed.
  - f. The Mayor/Presiding Officer will announce the final decision of the Council.
- F. Time for Consideration.** Matters noticed to be heard by the Council will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible and will continue until the matter has been completed, or until other disposition of the matter has been made.
- G. Continuance of Hearing.** Any hearing being held, noticed, or ordered to be held by the Council at any meeting of the Council may, by order, notice, or continuance, be continued or re-continued to any subsequent hearing.

- H. Communications and Petitions.** Written communications and petitions concerning the subject matter of the hearing will be noted and summarized by the Mayor/Presiding Officer. A reading in full shall take place where a majority of the Council votes to have that correspondence read into the record.
- I. Ex-Parte Contacts.** Should a Councilmember and one (1) or more members of the public make contact outside of the hearing process regarding a matter which is, or may be, before the Council for a quasi-judicial hearing, as soon as the Council is informed that the matter will come before it as a quasi-judicial hearing, that Councilmember must disclose the substance of the contact and the names of the parties on the record at the beginning of the Council's quasi-judicial hearing. Visits by Councilmembers to sites or properties that are the subject of such pending hearings, shall also be disclosed at the beginning of the Council's quasi-judicial hearing.
- J. Resolutions.** A resolution is generally adopted by the Council to deal with temporary or special matters, such as when the Council makes only a factual determination or certification that certain necessary conditions or requirements set by statute or ordinance have been met. Resolutions can also express opinions of the legislative body or set temporary standards (i.e. amount of permit processing fees that may be changed again by future resolutions). Resolutions are recorded and kept on file with the City Clerk.<sup>xi</sup> A resolution is less formal than an ordinance because it does not become part of the municipal code.
- K. Ordinances.** An ordinance is a law that the Council adopts and in most cases is codified into formal law by means of the published municipal code. An ordinance is the most binding and permanent type of Council action and usually may only be repealed or amended by a subsequent ordinance. Ordinances must be ~~publically~~publicly read aloud at two (2) Council meetings: introduced at one (1) meeting and adopted at the subsequent meeting (most often at the next meeting). Ordinances may not be passed within five (5) days of introduction unless they are urgency ordinances.<sup>xii</sup> A public hearing notice must be published at least ten (10) days prior to the first reading of the ordinance.<sup>xiii</sup>
- L. Urgency Ordinances.** An urgency ordinance is a special type of ordinance that is only brought once before the Council for a vote.<sup>xiii</sup> It does not go on the Consent Calendar and usually cannot be codified into the municipal code.
- M. Voting & Publishing Requirements for Resolutions and Ordinances.**

  - a. Voting. All resolutions and ordinances require a recorded majority vote of the total membership of the Council.<sup>xiv</sup> Ordinances shall be signed by the Mayor and attested by the City Clerk.<sup>xiv</sup>
  - b. Publishing. The rates of taxes to be levied, or the amount of revenue required to be raised by taxation, may be fixed either by ordinance or resolution. Where the tax rate or the amount of revenue required to be raised by taxation is fixed by resolution, such resolution shall be published in the same manner and within the same time as ordinances are required to be published.<sup>xvi</sup> Within fifteen (15) days after the ordinance passes, the City Clerk shall cause each ordinance to be published at least once, with the names of those City Councilmembers voting for and against the ordinance, in a newspaper of general circulation circulated in the City of Angels.<sup>xvii</sup> Ordinances shall not be published in a newspaper if the charge exceeds the customary rate charged by the newspaper for publication of private legal notices, but these ordinances shall be posted in the manner and at the time required by the Government Code.<sup>xviii</sup> Except as provided in Section 36937 of the Government Code, an ordinance shall not take effect or be valid unless it is published

or posted pursuant to Government Code Section 36933 and not until thirty (30) days after the final passage of an ordinance. The publication and posting of ordinances may be satisfied by the actions prescribed in Government Code Sections 36933(c)(1) and 36933(c)(2).

- C. Exceptions to Publishing Requirement. An ordinance takes effect immediately if it is an ordinance: (i) relating to an election; (ii) for the immediate preservation of public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the Council; (iii) relating to street improvement proceedings; (iv) relating to taxes for the usual and current expense of the City; or (v) covered by particular provisions of law prescribing the manner of its passage and adoption.<sup>xix</sup>



Chapter 12: Guidelines of Conduct

**A. General Procedures**

It is the policy of the Council not to become involved in the protracted discussion over parliamentary procedure. Consistent with any City ordinance, statute or other legal requirement, any issue of procedure relating to conduct of a meeting or hearing not otherwise provided for herein may be determined by the Presiding Officer, subject to appeal to the full Council.

**B. Authority of the Mayor/Presiding Officer**

Subject to appeal to the full Council, the Mayor/Presiding Officer shall have the authority to prevent the ~~misuses of~~ ~~misuse of~~ motions, or the abuse of any privilege, or obstruction of the business of the Council by ruling any such matter out of order. In so ruling, the Mayor/Presiding Officer shall be courteous and fair and should presume that the moving party is acting in good faith.

**C. Mayor to Facilitate Council Meetings**

The Council delegates the responsibility and expands the role of Mayor/Presiding Officer to include the facilitation of Council meetings. In the role as facilitator, the Mayor/Presiding Officer will assist the Council to focus on their agenda, discussions and deliberations.

**D. Council Deliberation & Order of Speakers**

The Mayor/Presiding Officer is delegated the responsibility to oversee the debate and the order of speakers. Speakers will generally be called upon in the order they request to speak as recognized by the Mayor/Presiding Officer.

**E. Limit Deliberation to Item at Hand**

Councilmembers will limit their comments to the subject matter, item or motion being currently considered by the Council.

**F. Length of Council Comments**

Council members will govern themselves as to the length of their comments or presentations. The Council delegates to the Chair the responsibility ~~of assisting to assist~~ the Council by signaling if a Councilmember has been speaking for an excessive time period. Comments from Councilmembers are limited to five (5) minutes for each Councilmembers, unless the Council, by concurrence, extend such time. Councilmembers may not yield their speaking time to another Councilmember.

**G. Limitations of Debate**

Councilmembers will be allowed to speak once before the Mayor/Presiding Officer opens the matter for public comment. Councilmembers may speak a second time after the close of public comment if more time is allowed by the Mayor/Presiding Officer or the majority of the Council. Comments from Councilmembers are limited to five (5) minutes for each Councilmember, unless the Council, by concurrence, extend such time.

**H. Obtaining the Floor**

Any member of the Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Councilmember who seeks the floor when appropriately entitled to do so.

**I. Motions**

Motions may be made by any member of the Council, including the Mayor, providing that before a motion is offered by the Mayor, the opportunity for making a motion is offered to the other Councilmembers. Any members of the Council, other than the person offering the motion, may second the motion.

- 1. **Procedure for Motions:** Before a motion can be considered or debated, it must be seconded. Once

the motion has been properly made and seconded, the Mayor shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Mayor. Once the matter has been fully discussed and the vote is called for, no further discussion will be allowed; however, Councilmembers may be allowed to explain their vote.

a. Process to Make and Second a Motion. Councilmembers wanting to make or second a motion may do so through a verbal request to the Mayor.

**2. Precedence of Motions:** When a motion is on the floor, no other motion shall be entertained except the following, which shall have precedence in the following order:

- a. Motion to Adjourn the Meeting (not ~~debateable~~debateable). A motion to adjourn shall be in order at any time, except as follows:
  - i. When repeated after defeat without any intervening business or discussion.
  - ii. When made as an interruption of a Councilmember who is speaking.
  - iii. While a vote is being taken.

A motion to adjourn “to another time” shall be debatable only as to the time which the meeting is adjourned

b. Motion to Fix Hour of Adjournment. Such motion shall be set to a definite time at which to adjourn and shall be undebatable and unamendable except to the time set. Notice of the adjournment and the date of the subsequent meeting shall be conspicuously posted on or near where the meeting was held within twenty-four (24) hours of the adjournment. <sup>i</sup>

If the subsequent meeting occurs within five (5) days of the original meeting, the Council may consider matters placed on the original meeting agenda without posting a new agenda. If the subsequent meeting occurs more than five (5) days from the original meeting, a new agenda must be prepared and posted. <sup>ii</sup>

c. Motion to Table. A motion to table shall be used to temporarily bypass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. The tabled item may be “taken from the table” at any time by a motion made prior to the end of the meeting. If the item is not taken from the table prior to the end of the meeting, it shall be placed on a future agenda as a new matter.

d. Motion to Amend. A motion to amend can be made after a motion is introduced and seconded. A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A motion to amend shall be voted on first, followed by a vote on the original motion, as amended or as originally stated, depending on whether the motion to amend carries.

e. Motion to Substitute. A motion to substitute can be made after a motion is introduced and seconded. A substitute motion on the same subject shall be acceptable, and voted on before a vote on a motion to amend the main motion amendment.

f. Motion to Continue. Motions to continue to a definite time shall be amendable and debatable as to the propriety of postponement and time set. If desired, the Councilmember who initiates the motion to continue may also move to reopen the hearing to receive further testimony.

3. **Motions Introducing Ordinances.**<sup>iii</sup> Ordinances shall not be passed within five (5) days of their introduction unless they are urgency ordinances. Ordinances may only be passed at a regular meeting and must be read in full at the time of introduction and passage except when, after reading the title, further reading is waived. Motions introducing ordinances for adoption at a future meeting are deemed to include a waiver by the Council of the full reading of the text and title of the proposed ordinance unless the motion is otherwise specifically so provided. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular meeting held at least five (5) days after alteration. Corrections of typographical or clerical errors are not considered alterations for purposes of this paragraph.

**J. Voting Procedures**

Any Councilmember present at a meeting when a question comes up for a vote, should vote for or against the measure unless he or she is disqualified from voting and abstains because of such disqualification. All votes shall be roll call votes, except for minute actions. Minute actions may be taken by voice vote. The results reflecting all "ayes" and "noes" and "abstentions" must be clearly set forth for the record. [Raised hands can reflect an "aye", "no", or "abstention" vote but the record shall reflect each raised hand vote.](#)

- 1. **Abstention:** An abstention does not count as a vote for or against a matter. If a Councilmember abstains, he or she is counted as present for quorum purposes but is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those members present and voting." If a Councilmember abstains from voting on the grounds that he or she has or may have a conflict of interest, that abstention shall be made either at the beginning of the Council consideration of the matter, or as soon as the Councilmember recognizes that he or she may have such a conflict or potential conflict. In addition, the Councilmember shall state for the record the precise nature of the interest which he or she may have that creates the conflict or potential conflict and shall leave the Council Chamber during discussion of the item when required to do so by the Political Reform Act.<sup>iii</sup>
- 2. **Tie Votes:** A tie vote results in a lost motion. In such an instance, any member of the Council may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.
- 3. **Motion for Reconsideration:** Motions for reconsideration of a matter may only be made at the same meeting at which the Council takes action on a matter. Such motion may only be made by a Councilmember who voted with the side that prevailed on the matter in question. With regard to a tie vote resulting in a lost motion, the prevailing side will be deemed to be those Councilmembers who voted in the negative. Any member of the Council may second a motion for reconsideration.

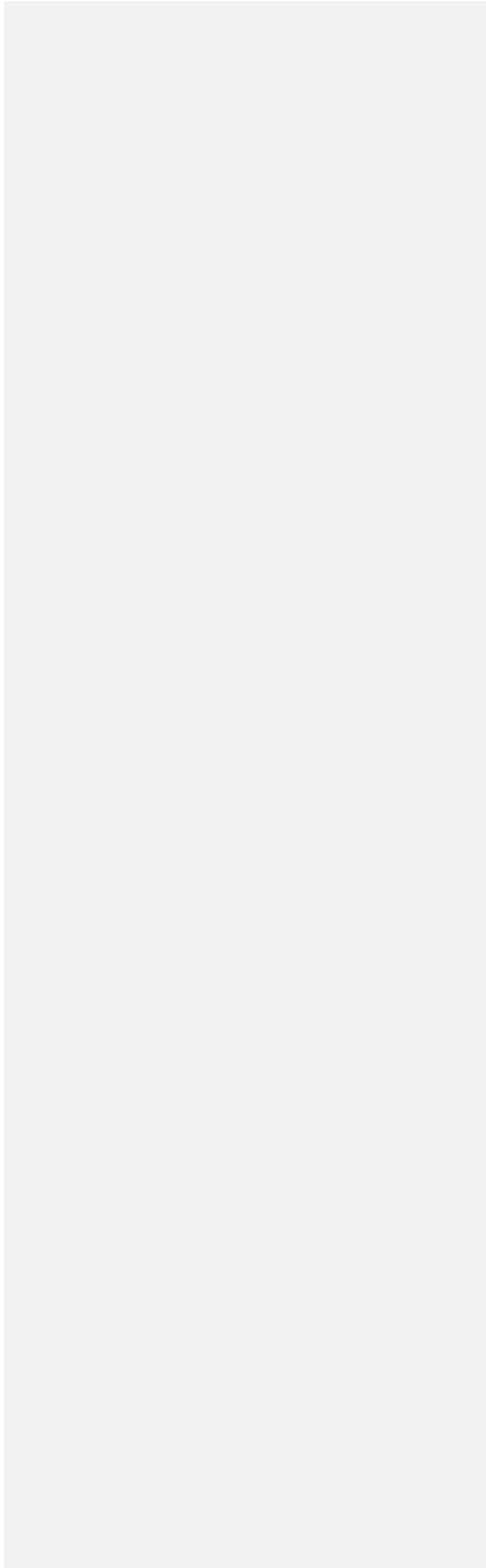
**K. Non-Observance of Guidelines**

The guidelines are adopted to expedite and facilitate the transaction of the business of the Council in an orderly fashion, and shall be deemed to be procedural only. The Council shall not be required to follow formal organizational procedures such as Robert's Rules of Order. Failure to strictly observe the guidelines shall not affect the jurisdiction of, or invalidate any action taken by the Council.<sup>iv</sup>

**L. Non-Exclusive Guidelines**

These guidelines are not exclusive and do not limit the inherent power and general legal authority of the Council, or of the Mayor/Presiding Officer, to govern the conduct of Council meetings as may be considered

appropriate from time to time or in particular circumstances for purposes of orderly and effective conduct of the affairs of the City.



Chapter 13: Addressing the Council

**A. Oral Presentations by Members of the Public**

The rules governing oral presentations by members of the public at Council meetings are as follows:

- 1. The person is requested to come to the podium, state his or her name and address for the record (although not required), and, if speaking for an organization or other group, identify the organization or group represented.
- 2. All remarks should be addressed to the Council as a whole, not to individual members thereof.
- 3. Questions, if any, should be directed to the Mayor/Presiding Officer who will determine whether, or in what manner, an answer will be provided.

**B. Public Comment**

Public Comment is that period set aside at Council meetings for members of the public to address the Council on items of City business other than scheduled agenda items. The Public Comment portion of the Council meeting is the opportunity for members of the public to address the Council in compliance with the Government Code.

- 1. **Timing.** Public Comment for each speaker is limited to ~~five~~<sup>three</sup> (3) minutes, unless the Council, by concurrence, extend such time. [Members of the public may not yield any portion of their individual public comment time to other speakers.](#)
- 2. **City Matters.** Presentations under Public Comment are limited to items within the subject matter jurisdiction of the City.

**C. Agenda Item Oral Presentation**

Any member of the public wishing to address the Council orally on City business matters appearing on the Council agenda, may do so when that item is taken up by the Council, or as otherwise specified by the Council or the Mayor/Presiding Officer.

- 1. **Presentations Submitted in Writing.** Persons who anticipate oral presentations exceeding three (3) minutes are encouraged to submit comments in writing, in advance, to the care of the City Clerk, for prior distribution to the Council and other interested parties. Submission of comments in writing is encouraged in lieu of possible lengthy oral presentations which may not be permitted.
- 2. **Timing.** Comments by the public on City business matters appearing on the agenda may do so once the Mayor/Presiding Officer opens the matter for public comment. Members of the public may speak a second time after the close of public comment only if more time is allowed by the Mayor/Presiding Officer or the majority of the Council.
- 3. **Assigning Time.** Persons wishing to assign their time for oral presentations to other individuals may do so only with authorization of the Mayor/Presiding Officer or a majority of the Council.
- 4. **Reading Written Comments.** Persons wishing to read written comments into the record may do so only with authorization of the Mayor/Presiding Officer or a majority of the Council. Additional procedures for written comments is detailed below.

**D. Comments in Writing Encouraged**

Members of the public may submit, and are encouraged to submit, comments in writing to the Council, care of

the City Clerk, relating to any items of City business, whether on the Council agenda or otherwise. Such comments will be distributed to members of the Council and considered and acted upon, or not acted upon, as the Council, in its judgment, may deem appropriate. All written comments submitted prior to or during the item the comments relate to, will be part of the record on that particular item. Written comments will not be read aloud at the Council meeting.

- 1. **Comment Cards.** Comment cards may be used by members of the public in attendance at the meeting who do not wish to or cannot verbally address the Council during a meeting. A person may indicate his or her brief comments on the card and his or her opposition or support for an item on a comment card. [Written comment cards can be submitted to be read at the meeting or submitted prior to the meeting by email by \[ \] to the City Clerk.](#) During the public testimony on the item, the Mayor indicates that the Council has received comment cards from (name of person) in support of the project or issue and comment cards from (name of person) in opposition of the project or issue.
- 2. **Repetitious Comments Prohibited.** Speakers shall not present the same or substantially the same items or arguments to the Council repeatedly or be repetitious in presenting their oral comments. If a matter has been presented orally before the Council, whether the Council has taken action, or determined to take no action, the same or substantially the same matter may not be presented orally by the same person any further. Nothing in the foregoing precludes submission of comments to the Council in writing for such action or non-action as the Council, in its discretion, may deem appropriate.

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**E. Speaker Time Limits for An Agenda Item**

In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter, the Mayor/Presiding Officer may request that a spokesperson be chosen by the group, and in case additional matters are to be presented by any other member of the group, that there be a limit on the number of such persons addressing the Council. A specific time limit may also be set for the total presentation. No group shall arrange themselves so as to use individual speakers' times in sequential order to circumvent the time limits.

**F. Waiver of Guidelines**

Any of the foregoing guidelines may be waived by majority vote of the Councilmembers present when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.

**G. Decorum**

It is crucial that the public have confidence in the integrity of its local government. Further, to ensure that the City's business is conducted in a manner that is both professional and efficient, it is important that all participants in the process exercise decorum and civility.

The Mayor/Presiding Officer shall maintain order, decorum, and the fair and equitable treatment of all speakers. The Mayor/Presiding Officer shall keep discussions and questions focused on the specific agenda item under consideration.

Councilmembers shall perform their duties in accordance with the City's processes and rules of order governing the deliberation of public policy issues, the involvement of the public, and the implementation of policy decisions of the Council by City staff. They shall work together collaboratively, assisting each other in conducting the affairs of the City. Councilmembers shall fully participate in public meetings, in both the open and closed sessions, while demonstrating respect and courtesy to others. City Officials shall stay focused, stay on topic and act efficiently during public meetings. They shall refrain from interrupting other speakers or otherwise interfering with the orderly conduct of the meetings.

No person shall engage in harassment of another person during a public meeting. Harassment includes but is not limited to:

1. Verbal harassment such as racial epithets, derogatory comments, or slurs;
2. Physical harassment such as assault, impeding or blocking movement, or any other physical interference or threat directed at an individual;
3. Sexual harassment such as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature, such as name calling, suggestive comments, or lewd talks and jokes that unreasonably interferes with an individual's work performance or has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

During public meetings, all present shall:

1. Preserve safety and order;
2. Not block the audience or camera from viewing the proceedings;
3. Not engage in disruptive behavior, including but not limited to: heckling, whistling, yelling, and other similar demonstrations;
4. Not willfully disrupt the peace and order of the meeting;
5. Listen to others respectfully and not interrupt those who are speaking;
6. Refrain from making comments that personally attack an individual in a way that disrupts, disturbs, or otherwise impedes orderly conduct;
7. Avoid the use of profanity, obscene language, and threats that disrupt, disturb, or otherwise impede orderly conduct;
8. Not use unlawful physical force. Physical force includes but is not limited to: grabbing, pushing, slapping, punching, kicking, or otherwise striking the body of another or an object attached to another's body;
9. Not harass any other person in any way, including, but not limited to, types of harassment described in section 2.07.060 of the A.M.C.;
10. Avoid obscene gestures or motions that could be viewed as threatening or an effort to intimidate. Unacceptable gestures include, but are not limited to, those of a sexual nature, finger pointing and fist shaking in an overly aggressive or accusatory manner, miming the use of weapons or other violent acts, and other movements that could be seen as threatening; and
11. Avoid raising voices beyond what is necessary to be heard by the audience.

Unruly conduct that disrupts the meeting such as undue noise, hissing, profanity, inappropriate applause, insults or physical disturbance shall not be permitted.

If these rules are violated, the City has the following recourse:

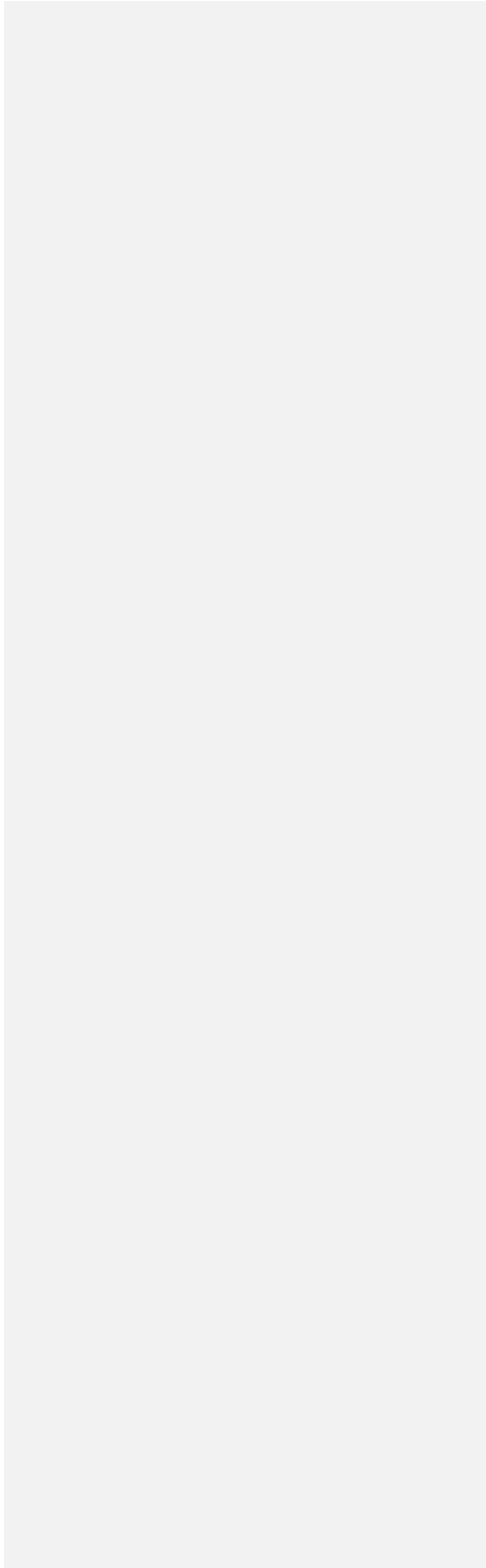
1. The Mayor/Presiding Chair can call a point of order;

2. A Councilmember present at the public meeting may move to require the Mayor/Presiding Chair to enforce the rules and upon majority vote, the Mayor/Presiding Chair shall be required to do so;
3. The Mayor/Presiding Chair may instruct the Chief of Police, or another member of the police department designated by the Chief of Police to enforce the rules;
4. The Chief of Police or other member of the police department designated by the Chief of Police to enforce the rules may order an individual to sit, refrain from addressing the Council, board or commission, or remove the disruptive person from the meeting.

Any person making personal, impertinent, or derogatory remarks, or who shall become boisterous while addressing the Council, shall be barred from further audience before the Council at said meeting by the Mayor/Presiding Officer unless permission to continue is granted by a majority of the Council.<sup>iv</sup>



**PART III: COMMISSIONS AND ADVISORY GROUPS**



Chapter 14: Application of Rules to City Commissions and Other City Sponsored Publicly Held Meetings

A. Applicability of Rules

- 1. All rules regarding the Conduct of City Officials shall apply to individuals serving as Commissioners or Board members in other appointed positions on City commissions and boards. Currently, ~~the City has two (2) standing commissions: Planning Commission, and the Museum Commission~~ the Planning Commission is the City's only standing commission.
- 2. Members of the public shall abide by the rules governing addressing the Council when addressing a City-created board or commission.
- 3. All Public Hearings held by City appointed boards and commissions shall be conducted by the rules contained herein under Chapter 11, Section E: Public Hearings.

B. Planning Commission ~~and Museum Commission~~ Guidelines

1. Meetings

- a. Regular Meetings:
  - i. Planning Commission regular meetings shall be held the second Thursday of each month, commencing at 6:00 p.m. in the City Council Chambers.
  - ~~ii. Museum Commission regular meetings shall be held at least every two (2) months as defined by the Commission.~~
- b. Quorum: A majority of the full ~~Planning-Museum~~ Commission shall constitute a quorum, but a lesser number may adjourn from time to time.

A majority of the voting members of the Planning Commission shall constitute a quorum for the purpose of conducting routine business. The affirmative vote of a majority of the voting members shall be required for the approval of any general plan element or amendment thereto, any rezone, variance, use permit, tentative map or other planning commission action (AMC 17.85.050)

- c. Chairman ("Chair"): the Chair for each Commission shall preside over that Commission's meetings. He or she shall be elected by a majority vote of the Commission to serve for a designated term. The Chair shall have authority to preserve order at that Commission's meetings, to call for the removal of any person(s) from any meeting of the Commission for disorderly conduct, to see that all actions of the Commission are properly taken, to sign documents of the Commission, to interpret and enforce the procedural guidelines of the Commission and to determine the order of business under the guidelines of the Commission. AMC Section 17.85.030 further details the duties of the Planning Commission Chair.
  - i. *Absence of Chair:* the Vice Chairman ("Vice Chair") shall act as Chair in the absence or disability of the Chair. The Vice Chair shall be elected by a majority vote of the Commission in which he or she sits.
  - ii. *Absence of Chair and Vice Chair:* When the Chair and Vice Chair are absent from any meeting of his or her Commission, the members present may choose another member to act as Chairman pro tem, and that person shall, during the meeting, have the duties of the Chair.

- d. ~~Other rules regarding Museum Commission meetings shall be conducted by the rules contained herein under Chapter 10: Council Meetings.~~ Planning Commission meeting rules are detailed in AMC Sections 17.85.060 and 17.85.070.

C. Order of Business

- a. ~~The Museum Commission shall adhere to the Order of Business procedures contained herein under Chapter 11: Order of Business, except for Section A: "General Order". The Museum Commission's specific General Orders are outlined below.~~ The Planning Commission's Order of Business procedures are detailed in AMC Sections 17.85.060 through 17.85.090.

~~b. General Order for Museum Commission~~

- D. **General Order** - The business of the ~~Museum~~ Commission at their meetings will generally be conducted in accordance with the following order of business unless otherwise specified. A closed session may be held at any time during a meeting consistent with applicable law.

~~CALL TO ORDER~~

~~ROLL CALL~~

~~PLEDGE OF ALLEGIANCE~~

~~ROLL CALL~~

~~CORRESPONDENCE APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)~~

~~APPROVAL OF MINUTES~~

~~AUDIENCE/PUBLIC COMMENT (NON-AGENDA ITEMS)~~

~~PLANNING COMMISSION BUSINESS~~

~~COMMITTEE REPORTS~~

~~ADJOURNMENT APPROVAL OF AGENDA~~

~~CONSENT CALENDAR~~

~~All matters listed under the Consent Calendar are considered by the Planning Commission or the Transportation Advisory Commission to be routine and will be acted upon in a single motion. There will not be separate discussions of these items unless a request is made prior to the time the Commission considers the motion to adopt.~~

~~PUBLIC HEARINGS~~

~~PUBLIC HEARINGS (PLANNING COMMISSION ONLY)~~

~~UNFINISHED BUSINESS~~

~~NEW BUSINESS~~

**Commented [NG7]:** This order of business mirrors the agendas as currently reflected online, but varies slightly from the process set out in the municipal code. A recommendation: the agenda should match the language in the municipal code, so one with have to be changed to match the other.

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~~ITEMS FROM THE PLANNING COMMISSION OR TRANSPORTATION ADVISORY COMMISSION~~

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~~ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR OR CITY ENGINEER~~

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~~ADJOURNMENT TO NEXT REGULAR MEETING OF (Date)~~

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The Planning Commission's Order of Business is as prescribed in AMC Section 17.85.099070.

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E. Administrative Rules

- a. Request for Research or Information: Planning Commissioners may request information or research from the Community Development Director. ~~Museum~~ Commissioners may request information or research from the ~~Museum~~ Operations Director. Requests for new information or policy direction will be brought to the full Commission for consideration at a regular meeting. All written products will be copied to the full Commission.
- b. Inappropriate Actions: The Commissions delegate to the Chair the responsibility to discuss, on behalf of the full Commission, any perceived or inappropriate action by a Commissioner. The Chair will discuss with the Commissioner the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the City Administrator will report the concern to the full Commission.
- c. Agendas in Uniform Font: Agendas for all Commission meetings shall comply with provisions of the Brown Act and the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) in making the agenda and documents in the agenda packet available in appropriate alternative formats to persons with a disability.
- d. Agenda Materials Delivery: Delivery of the agenda materials to the Planning Commissioners shall be on or before the evening of the Friday preceding the regular meeting. As necessary, supplemental materials may be delivered subsequent to the preceding Friday.
- e. Procedural Guidelines: ~~The guidelines that the Museum Commission adheres to may be amended at any meeting of the City Council by a majority of a quorum of the City Council, provided that notice of said proposed amendments is given to each member in writing prior to said meeting.~~ The procedural guidelines for the Planning Commission may be amended at any meeting of the Planning Commission by a majority of the full membership (AMC 17.85.190)
- f. Distribution: Each member of the Commission, including new members as they are appointed, shall be provided a copy of these Guidelines by the City Clerk, the Community Development Director for the Planning Commission, or by City Staff.

~~g. Vacancy Caused by Absence: Pursuant to AMC 17.85.060, the secretary of the Planning Commission shall report the absence of any member at three consecutive meetings without an acceptable excuse. This may be grounds for the Planning Commission to recommend the removal of that member from the Commission.~~

~~g.h. If a member of the Museum Commission is absent without cause for more than two successive regular meetings of the Commission, or is absent from more than four regular meetings in a fiscal year, the office becomes vacant automatically. The Commission shall immediately notify the City Council of the vacancy. An "acceptable excuse" shall constitute the following: A member is not absent without cause if his or her absence is:~~

Commented [NG8]: This has been removed as it is internally inconsistent. Subsection (g) sets out the language in the municipal code. If the Council wishes to change the process or procedure it should be done via an ordinance.

- i. ~~Absence~~ due to illness, ~~with notice to the Secretary of the Commission; or ~~or,~~~~
- ii. ~~Absence due to~~ unavoidable ~~circumstances and with notice to~~ ~~and the member gives~~ the Secretary of the Commission ~~notice~~ before the date of the meeting from which he or she will be absent ~~and giving~~ with a written explanation of the reason for the absence.

~~Per AMC 17.85.060, the secretary of the planning commission shall report the absence of any member at three consecutive meetings without an acceptable excuse. This may be grounds for the planning commission to recommend the removal of that member from the commission.~~

~~h.i.~~ Officers-Election: At its regular meeting in July of each year or soon thereafter as possible, the Commission shall elect a Chair and Vice-Chair.

~~h.j.~~ Adjournment Time: Per AMC 17.85.060, No public hearing will commence after ten p.m., and no item of business will commence after eleven p.m. for the Planning Commission. Scheduled items which cannot be heard because of lack of time will be continued to the earliest possible date.

~~j.k.~~ Attendance: Each member of the Commission who has knowledge of the fact that he or she will not be able to attend a scheduled meeting of the Commission shall notify the Secretary of the Commission at the earliest possible opportunity and, in any event, prior to 5:00 p.m. on the date of the meeting. The Secretary shall notify the Chair of the Commission in the event that the projected absences will result in a lack of quorum.

~~k.l.~~ Subcommittees: The Commission may from time to time, at the recommendation of staff, the request of the Council, or of its own volition, determine that a subcommittee should be formed to perform some function on behalf of the Commission. Such subcommittee assignments usually involve some degree of research or analysis with a report back to the full Commission for consideration of the subcommittee’s recommendation(s). Formation of any such subcommittee will require consideration by the Commission as a regular agenda item wherein the Commission will discuss and define the roles and responsibilities of the subcommittee and by consensus name a Commission representative to any such subcommittee.

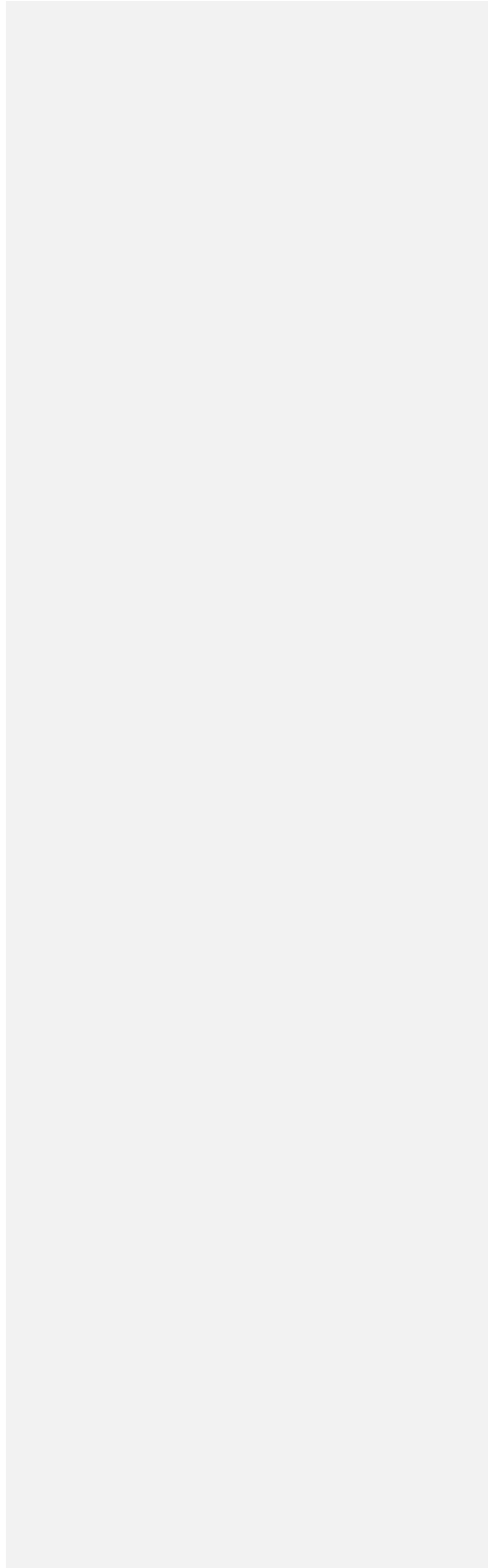
~~l.m.~~ Appeals: Pursuant to the A.M.C., Section 2.04.070, or as amended, the Commissions act as advisory bodies to the City Council. On those rare occasions where a Commission acts as the decision-making body, said decision may be appealed to the City Council.

~~m.n.~~ Continuance of Advisory Items: The following rules relate to advisory items, that is, items where the Commission offers recommendations to the City Council for final action. For example, Planning Commission rulings on zoning amendments or general plan updates are advisory items which go before the City Council for ultimate determination. The following rules serve to ensure advisory items arrive to the City Council for review within a reasonable time:

- i. The Commission may continue or postpone advisory items for further consideration, but the Commission must reconsider the item at its next regular meeting. Therefore, any continuance of the item without an official ruling shall automatically reappear on the agenda for the Commission’s next regular meeting.
- ii. The Commission shall not continue or postpone advisory items for further consideration, without offering final recommendations to the City Council, more than twice (2).

- iii. Where the Commission fails to rule on the advisory item after having continued the item two (2) times, the Commission has forty (40) days from the second continuance to render its official recommendation to the City Council. Failure to render a final ruling on the item at a third consecutive meeting shall constitute an automatic recommendation of the item, as is and without modifications, for adoption by the City Council.

**Appendix A**



**ICMA Code of Ethics**

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

**Tenet 1**

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

**Tenet 2**

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant

**Tenet 3**

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

**Tenet 4**

Recognize that the chief function of local government at all times is to serve the best interests of all people.

**Tenet 5**

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

**Tenet 6**

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

**Tenet 7**

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

**Tenet 8**

Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.



**Tenet 9**

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

**Tenet 10**

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

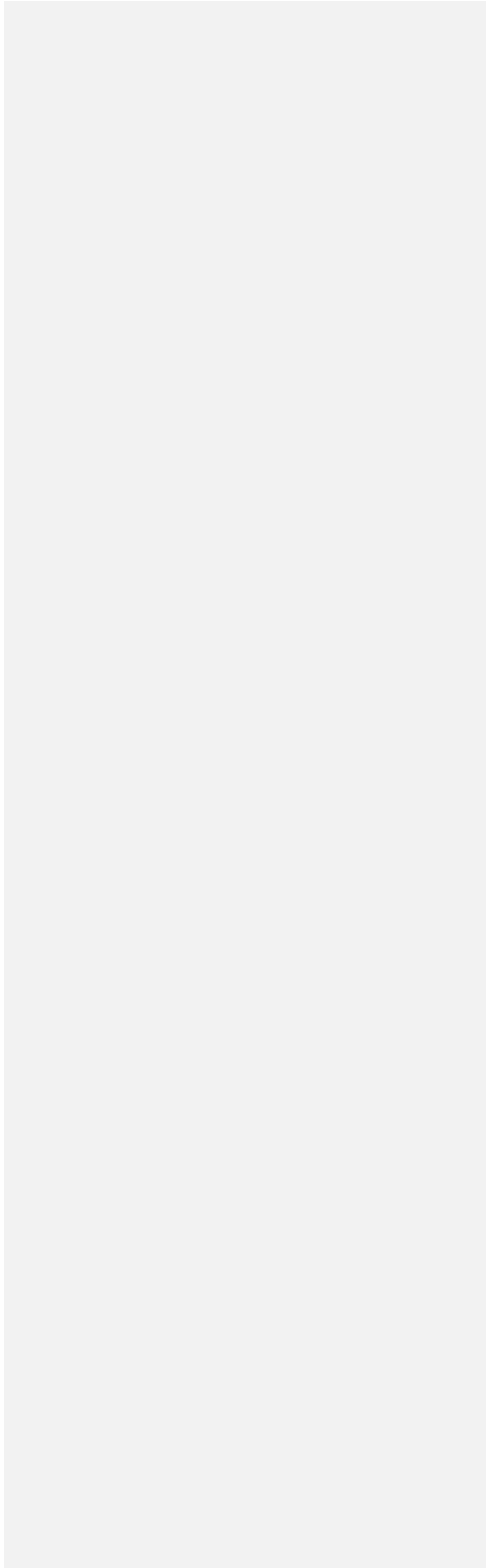
**Tenet 11**

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

**Tenet 12**

Seek no favor; believe that personal aggrandizement or profit secured by confidential information, or by misuse of public time is dishonest.

**Appendix B**  
**Referenced Code Citations**



- i A.M.C. §2.09.040.
- ii A.M.C. §2.12.030
- iii A.M.C. §2.12.040.
- iv A.M.C. §.2.12.050
- v A.M.C. §2.12.060
- vi A.M.C. §2.02.010.
- vii A.M.C. §2.03.
- ~~viii A.M.C. §2.05.~~
- ix Government Code § 36516.
- x A.M.C. §2.01.050(E).
- xi A.M.C. §2.01.050(D).
- ~~xii Government Code §82033.~~
- ~~xiii Id.~~
- ~~xiv Government Code §87105.~~
- ~~xv Government Code §87105(a)(1)-(3).~~
- xvi Government Code §53235(f).
- xvii A.M.C. §2.01.040.
- xviii Government Code §87406.3.
- xix Government Code §54959.
- xx Government Code §54960.
- xxi A.M.C. §§ 2.01.030; 2.08.020; Government Code §§ 36805; 54954(a).
- xxii Government Code § 54954(b).
- xxiii Government Code § 54954(e).
- xxiv A.M.C. §2.01.030.
- xxv Government Code §§ 54956; 54956.5. Special meetings and emergency meetings, respectively.
- xxvi Government Code §§ 36805; 36809; 54955; 54956.
- xxvii Government Code § 54954.5.
- xxviii A.M.C. § 2.01.030.
- xxix Government Code § 36810.
- xxx Government Code § 36811.
- xxxi Government Code §§ 36802; 36813; 54957.9.
- xxxii Government Code § 36802.
- xxxiii Id.
- xxxiv Government Code § 54954.5.
- xxxv Government Code § 54953.
- xxxvi Government Code § 36814.
- xxxvii Government Code § 54953.5. The statute only requires maintenance of the audio or visual recording for thirty (30) days where there are other records of the meeting that are retained according to Government Code § 6250 *et seq.*
- xxxviii Government Code §54954.
- xxxix Government Code §54954.2(a).
- xl Government Code § 36936.
- xli Government Code § 36934.
- xlii Government Code § 65090.
- xliiii Government Code § 36934.
- xliiv Government Code § 36936.
- xliv Government Code § 36932.
- xlvi Government Code § 36936.1.
- xlvii Government Code § 36933(c).
- xlviii Government Code § 36933(a).
- xlix Government Code § 36937.
- l Government Code § 54955.
- li Government Code § 54955.2(b)(3).
- lii Government Code § 36934. The requirements for introducing an ordinance or urgency ordinance are provided in this section of the Government Code and establish the information that follows in this paragraph.
- liii Government Code §87100 *et seq.* A Councilmember should leave the room when he or she identifies that he or she has a financial interest in the decision being discussed. Prior to leaving the room, the Councilmember should publically identify the financial interest at stake and recuse himself or herself from that portion of the meeting.

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<sup>liv</sup> *City of Pasadena v. Paine* (1954) 126 Cal.App.2d 93.  
<sup>lv</sup> Government Code §§ 36813, 54957.9.



**CITY HALL**

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**DATE:** October 15, 2024  
**TO:** City Council  
**FROM:** Steve Williams, Interim City Administrator  
**RE:** Discussion – City Building, 584 South Main Street, Angels Camp, CA

**RECOMMENDATION:**

Discuss options for addressing city owned property at 584 South Main Street.

**BACKGROUND:**

In June of 2020, The City of Angels City Hall moved from 584 South Main Street, Angels Camp to 200 Monte Verda Suite B, Angels Camp. The building which formerly housed City Hall, 584 South Main Street, has remained vacant since June of 2020.

The parcel number for 584 South Main Street is 060-001-008.

The parcel is currently zoned Commercial with a Use Code of Government.

According to the Calaveras County Assessor’s Office, the building was built in 1900, and the lot size is 14,374 square feet (.33 acres).

**DISCUSSION:**

The City of Angels owns several buildings and structures throughout Angels Camp, California.

584 South Main Street served as the City of Angels City Hall until June of 2020.

In June of 2020, City Hall moved to 200 Monte Verda Suite B, Angels Camp, California.

584 South Main Street is still owned by the City of Angels and has remained vacant since June of 2020. The building at 584 South Main Street was in poor condition in June of 2020, and has continued to deteriorate as it has remained uninhabited for more than four (4) years.

In February of 2021, City staff initiated some staff work to determine the approximate cost of rehabilitating 584 South Main Street. Some of the more significant items identified in February of 2021 which were in need of repair/replacement included:

- Accessibility for front ramp, steps, and parking spaces
- New Accessible Restroom
- New HVAC
- New Flooring/Carpet
- Reroof
- Window Repair
- Dryrot Repair

The estimate (in 2021 dollars) to rehabilitate 584 South Main was:

- \$350,000 with prevailing wage
- \$120,000 with no prevailing wage

Staff is unable to locate any additional work that was completed in furtherance of rehabilitating 584 South Main Street beyond the estimate which was acquired in February of 2021.

In January of 2023, a chain-link fence was set in place at 584 South Main Street. The chain-link fence was deemed necessary to secure the vacant property and prevent unauthorized presence. The cost of the chain-link fence is \$1200 for a six-month period from Stockton Fence and Material. The chain-link fence is still in place with the current six-month rental expiring in January of 2025.

In fiscal year 2022-2023, \$200,000 was budgeted for the old City Hall rehabilitation. The money was not spent.

In fiscal year 2023-2024, \$250,000 was budgeted for the old City Hall rehabilitation. The money was not spent.

In fiscal year 2024-2025, no money was budgeted for the old City Hall rehabilitation.

**FINANCIAL IMPACT:**

None

**ATTACHMENTS:**

None



OLD CITY HALL UPGRADE							
	Qty	Mulyip	each	Est Prvt	PW mult	Pw EST	
					3		
Interior							
New ADA restroom				8000		24000	
Break Room						0	
HVAC New				8000		24000	
Carpet				12000		36000	
Paint				3000		9000	
Repair walls				1000		3000	
Repair doors	7		1000	7000		21000	
Door hardware				700		2100	
Window dryrot	9		1000	9000		27000	
Window operation repair	5		1000	5000		15000	
Window paint	26		300	7800		23400	
Electrical Misc				500		1500	
Plumbing Misc				500		1500	
Structural				2000		6000	
Clean				500		1500	
Basement?						0	
						0	
						0	
Exterior						0	
Reroof				13600		40800	
roof dryrot	4		500	2000		6000	
Repair ext walls				500		1500	
Paint ext				500		1500	
Stairs rebuilt				3000		9000	
Accessibility				20000		60000	
Parking Lot				10000		30000	
grounds				1000		3000	
Clean				50		150	
POT street access				0		0	
						0	
Design misc				2000		6000	
Contingency						0	
Subtotal				117650		352950	
contingency/admin, design		15%					
Round numbers				<b>\$ 120,000.00</b>		<b>\$ 350,000.00</b>	

OCTOBER 2024						
SUNDAY	MONDAY	TUESDAY	WEDNESDA	THURSDAY	FRIDAY	SATURDAY
29	30	1 COUNCIL MEETING	2 COG 5:30PM	3	4	5
6	7	8 ALL HAZARDS 1PM	9	10 PLANNING 5PM	11	12
13	14 Columbus Day HOLIDAY	15 COUNCIL MEETING	16 CPPA COG/TAC IRWMA	17	18	19
20	21	22 RIBBON CUTTING COUNTY BOARD OF SUPS UWPA 5:30	23	24	25	26
27	28	29	30	31	1	2



NOVEMBER 2024						
SUNDAY	MONDAY	TUESDAY	WEDNESDA	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	31	1	2
3	4	Election 5 day COUNCIL MEETING	6 COG 5:30PM	7	8	9
10	11 Veterans Day HOLIDAY	12 ALL HAZARDS 1PM	13	CSEDD 14 PLANNING 5PM	15	16
17	18 LAFCO	19 COUNCIL MEETING	20 COG/TAC IRWMA	21	22	23
24	25	26 UWPA 5:30	27	28 Thanksgiving Day HOLIDAY	29 HOLIDAY	30

<b>DECEMBER 2024</b>						
<b>SUNDAY</b>	<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDA</b>	<b>THURSDAY</b>	<b>FRIDAY</b>	<b>SATURDAY</b>
1	2	3 COUNCIL MEETING	4 COG 5:30PM	5	6	7
8	9	10 ALL HAZARDS 1PM	11	12 PLANNING 5PM	13	14
15	16	17 COUNCIL MEETING	18 COG/TAC IRWMA	19	20	21
22	23	24 HOLIDAY	25 Christmas HOLIDAY	26	27	28
29	30	31	1	2	3	4