



# CITY COUNCIL MEETING

January 07, 2025 at 6:00 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

## 6:00 PM REGULAR MEETING

### 1. ROLL CALL

### 2. OATH OF OFFICE

A. ADMINISTER THE OATH, CITY CLERK, ROSE BERISTIANOS

### 3. PLEDGE OF ALLEGIANCE

### 4. APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)

### 5. 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.

### 6. CONSENT AGENDA

A. Approve Draft Minutes of December, 17, 2024, Rose Beristianos, City Clerk

### 7. REGULAR AGENDA

A. Appointment of the City Council and/or Staff to Commissions and Mayoral and Vice Mayor Appointment, Rose Beristianos, City Clerk

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

C. Approve Resolution No. 25-01 Authorizing an Application to the PG&E Resilience Hub Grant Program for the Utica Park Kitchen and Lighting, and Authorizing the City Administrator to Sign and Execute all Associated Documents, Amy Augustine, City Planner

D. Approve Resolution No. 25-02, Change orders for Utica Park / Lightner Mine Expansion including, Amend approved Change Order No. 4 for the Installation of Speed Cushions at Utica Park from \$9,000 to \$9,146.40. Add Change Order No. 5 for Additional Lighting. Add Change Order No. 6 for Landscaping, \$3,000 contingency. **Optional** Change Order 7 for Repaving Entire Parking Lot and Drive Aisles. **Optional** Change Order 8 for Artificial Turf Option for Bocce Courts. Approve Budget Adjustment Request, Amy Augustine, City Planner

### 8. ADMINISTRATION REPORT

A. Monthly Report, Steve Williams, Interim City Administrator

### 9. COUNCIL REPORT

### 10. CALENDAR

### 11. FUTURE AGENDA ITEMS

### CLOSED SESSION

### 12. ADJOURN TO CLOSED SESSION

A. Public Employee Employment (Gov. Code Section 54957) Title: City Administrator, Steve Williams, Interim City Administrator,

### 13. REPORT OUT OF CLOSED SESSION

A. Public Employee Employment (Gov. Code Section 54957) Title: City Administrator, Steve Williams, Interim City Administrator,

## 14. 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).*





# CITY COUNCIL MEETING

December 17, 2024 at 5:00 PM

Angels Fire House – 1404 Vallecito Road

## DRAFT MINUTES

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.

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

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

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

1. 5:00PM CLOSED SESSION
2. ROLL CALL
3. 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)  
City of Angels Camp Police Officers Association
  - C. Liability Claims (Gov. Code § 54956.95)  
Claimant: Genae Keyzers  
Agency Claimed Against: City of Angels Camp

6:00 PM REGULAR MEETING

4. ROLL CALL

- 5. PLEDGE OF ALLEGIANCE
- 6. 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)  
Employee Organization: City of Angels Employee Association (Miscellaneous)  
City of Angels Firefighter Association  
City of Angels Employee's Association (Exempt)  
City of Angels Camp Police Officers Association
  - C. Liability Claims (Gov. Code § 54956.95)  
Claimant: Genae Keyzers  
Agency Claimed Against: City of Angels Camp

**DIRECTION GIVEN TO STAFF ON ALL ITEMS**

- 7. RECOGNITION AND ACKNOWLEDGEMENTS
  - A. Honoring Nathan Pry for 10.5 years of Distinguished Service as the Deputy Fire Chief / Fire Marshall
  - B. Honoring Mark Gonzalez for 3.5 Years of Distinguished Service as the Battalion Chief
- 8. APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)

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

- 9. PUBLIC COMMENT

**CHIEF SCOTT ELLIS, INTRODUCTION OF NEW POLICE OFFICER STOREY**

- 10. CONSENT AGENDA
  - A. Approve Draft Minutes of November 19, 2024, Rose Beristianos, City Clerk
  - B. Approve Draft Minutes of December 3, 2024, Rose Beristianos, City Clerk
  - C. AP Checks and Treasurer Report November, Michelle Gonzalez, Finance Director
  - D. Approve Resolution No. 24-88, Annual Banners Resolution for Caltrans Encroachment, Caytlyn Schaner, Administrative Services Specialist
  - E. Approve Resolution No. 24-99, Accepting the Canvass of the General Election Held on November 5, 2024, Pursuant to Division 15, Chapter 4 of the Elections Code, Rose Beristianos, City Clerk

ITEMS B AND D PULLED

**ACTION: MOTION TO APPROVE ITEMS A, C AND E BY COUNCIL MEMBER BROGLIO, SECONDED BY VICE MAYOR MONCADA, PASSED 5 YES**

ITEM B, DISCUSSION ON CORRECTION OF SPELLING OF LAST NAME

**ACTION: MOTION TO APPROVE BY COUNCIL MEMBER CHIMENTE, SECONDED BY COUNCIL MEMBER SCHIRATO, PASSED 5 YES**

ITEM D, DISCUSSION

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

11. REGULAR AGENDA

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

**UPDATE GIVEN**

- B. Adopt Resolution No. 24-98, Approving the Release of a Request for Proposals to Prepare an Update to the City's 2016, Traffic Impact Mitigation Fees and Authorizing the City Administrator to Sign, Authorize and Execute all Relevant Documents and Agreements for the Update, Amy Augustine, City Planner

**ACTION: MOTION TO APPROVE RESOLUTION NO. 24-98, BY COUNCIL MEMBER CHIMENTE, SECONDED BY COUNCIL MEMBER SCHIRATO, PASSED 5 YES**

- C. Adopt Resolution 24-89, Authorizing the purchase of APN 062-003-041 Expanding Tryon Park to Angels Creek and Authorizing the City Administrator to Sign, Authorize, and have Recorded all Relevant Documents and Agreements, Amy Augustine, City Planner

**ACTION: MOTION TO APPROVE RESOLUTION NO. 24-89, BY COUNCIL MEMBER BROGLIO, SECONDED BY VICE MAYOR MONCADA, PASSED 5 YES**

12. ADMINISTRATION REPORT – **REPORT GIVEN ON ITEMS LISTED BELOW**

- A. 584 S Main St - Former City Hall, Steve Williams, Interim City Administrator
- B. PG&E Spray Fields, Steve Williams, Interim City Administrator

13. COUNCIL REPORT – **ALL REPORTED OUT**

14. CALENDAR – **REVIEWED**

15. FUTURE AGENDA ITEMS – **UTICA BUDGET AND 5YR COMMITMENT**

16. ADJOURNMENT

**STEVE WILLIAMS ASKED TO GO BACK TO CLOSED SESSION FOR CLARIFICATION**

**ACTION: MOTION TO ADJOURN THE MEETING AT 7:11PM BY VICE MAYOR MONCADA, SECONDED BY COUNCIL MEMBER CHIMENTE, PASSED 5 YES**

---

, Mayor

---

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:** January 7, 2024

**TO:** City Council

**FROM:** Rose Beristianos, City Clerk

**RE:** **APPOINTMENTS OF CITY COUNCIL AND/OR STAFF TO COMMISSIONS AND MAYORAL AND VICE MAYOR APPOINTMENT**

**RECOMMENDATION**

Review Commissions and appoint City representation on each in addition to the appointment of Mayor and Vice Mayor.

**BACKGROUND**

City Council is to review and appoint Council and/or staff to represent the City of Angels on various commissions. Council appoints the Mayor.

**DISCUSSION**

This City is represented on various commissions or boards. A review of commissions to determine their purpose and the need for the City to continue the representation as well as appoint Council or staff to ensure no conflicts of schedule or otherwise occurs. Additionally, appointment of Mayor and Vice Mayor is needed.

Commissions, Mayor and Vice Mayor are for terms of one year.

Meeting Name	Meeting Start Date	Current Rep	Day	Current Alt. Contact
Central Sierra Econ Dev Dist	Meets as scheduled, try quarterly 9-11 am	BROGLIO	Thursday	SCHIRATO
COG	Monthly - Evening	MONCADA, SCHIRATO	Wednesday	BROGLIO
CPPA	Quarterly 9-11 am	CHIMENTE	Wednesday	BROGLIO
IRWMA - Intergrated Regional Water Management Authority	Monthly 9-11 am	O'FLINN MONCADA,	Wednesday	WILLIAMS
LAFCO	Quarterly- Evening	HERNDON	Monday	CHIMENTE







CITY HALL

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

Solid Waste Task Force <a href="#">Utica Budget Committee Meeting</a>	Quarterly evening Monthly 8-9:30 am	BROGLIO ALVIN SCHIRATO, HERNDON	Wednesday Tuesday	HERNDON CHIMENTE
UWPA Board Infrastructure/Facilities Subcommittee	Monthly evening			
Finance/Policy Subcommittee	As Needed			

**The Central Sierra Economic Development District:** CSEDD is a five county [Economic Development District](#) that serves the Counties of Alpine, Amador, Calaveras, Mariposa and Tuolumne along with the Cities of Sonora and Angels Camp. Over 6,000 square miles. Located in the central Sierra Nevada Mountain range. Target Industries: *Manufacturing, Construction, Healthcare, Natural Resources, Hospitality*

- CSEDD partners with MLJT (Mother Lode Job Training) and local economic development offices to bring workforce and economic development assistance to businesses and residents throughout the Mother Lode Region. Offering Local & Regional Data, Event / Work Space, Various Business Support

**Calaveras County Council of Governments (CCOG):** Calaveras Council of Governments (CCOG) was formed in January 1998 under a [Joint Powers Agreement](#) as the Regional Transportation Planning Agency (RTPA) for the County of Calaveras and the City of Angels. As an RTPA, the Calaveras COG is the designated planning and administrative agency for transportation projects and programs in the County. Formation of the CCOG was an effort to improve the transportation planning process. The Council is composed of seven members – two County Supervisors, two Council Members from the City of Angels, and three members selected from the public at large. Calaveras COG has taken a dynamic view of planning by encouraging and supporting both the County and the City to initiate and complete a variety of planning efforts. The Council generally meets the first Wednesday of each month, 5:30 p.m. at the Calaveras County Government Center.

**Calaveras Public Power Agency (CPPA):** Power agency utilizing New Melones Entitlement to lower power costs to participating agencies.



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## CITY HALL

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

**Intergrated Regional Water Management Authority (IRWMA), Watershed Advisory Committee:** The Tuolumne-Stanislaus Watershed Advisory Committee (WAC) has been established by the Tuolumne-Stanislaus Integrated Regional Water Management Authority (IRWMA) to advise the T-Stan IRWMA on all facets of the implementation of the Tuolumne-Stanislaus Integrated Regional Water Management Plan (T-Stan IRWMP). The WAC consists of representatives of the members of the IRWMA Board of Directors and representatives of parties designated to represent an interested organization within the T-Stan Region. WAC members and alternates are designated in writing by the respective governing body of each appointing entity. The WAC provides recommendations to the Board of Directors, but has no authority to take action that binds the Authority in any way.

**Local Area Formation Commission (LAFCO):** In addition to LAFCO's regulatory responsibilities, Calaveras LAFCO considers that an important part of its role is to encourage communication and collaborative planning and studies between public agencies.

Calaveras Lafco is funded by the City of Angels, Independent Special Districts and the County of Calaveras. Calaveras LAFCO also receives fee revenue generated by applications for entitlements for actions subject to LAFCO's jurisdiction.

The Commission is composed of seven members: Two from the City of Angels Camp, Two from the Calaveras County Board of Supervisors, Two from Special Districts in the County and one public member at large. Each category of member has one alternate.

- Preserve prime agricultural and open-space lands;
- Encourage orderly growth and development;
- Promote orderly development and discourage urban sprawl;
- Balance competing interests;
- Promote efficient service delivery.

**Solid Waste Task Force:** Our mission is to ensure the availability of safe, responsible, and cost effective waste collection and disposal & recycling services to residents and businesses in Calaveras County. This site is for everyone interested in making smart choices about the waste which is generated in our homes, businesses, and our communities.



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**CITY HALL**

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

**Utica Water and Power Authority Budget Committee (UWPA):** A committee to review financial recommendations to then go before the full UWPA Board, including the annual budget, mid year changes, and financial policy recommendations.

**Utica Water and Power Authority Board (UWPA):** Utica Water and Power Authority is a nonprofit, Joint Powers Authority, which was formed in 1996 as a partnership between the City of Angels Camp and the Union Public Utilities District.

A staff of 10 operate a 27-mile-long water conveyance system consisting of Gold-Rush-era earthen ditches, wooden flumes, penstocks, and five reservoirs to move water from Avery to Angels Camp. That water serves the residential, commercial and agricultural needs of 10,000+ people. Utica also operates two hydroelectric power plants: one in Murphys and one in Angels Camp.

**Infrastructure/Facilities Subcommittee:** As needed subcommittee to discuss all aspects of the City’s current and future facilities that would align with future direction to the full Council. As explained on January 2, 2024, this would include Utica Park, future EV projects, capital infrastructure and expansion/annexations.

**Finance/Policy Subcommittee:** As needed subcommittee, as explained on January 2, 2024 to discuss land use policies, rate studies, fee discussions, city policy for employees, customers, applicants.

**Mayor:** Jennifer Herndon is currently Mayor.

**FINANCIAL IMPACT**

None

**ATTACHMENTS**

Committee History

Council Handbook

Subcommittee Policy

Resolution No. 24-07, Establishing the Infrastructure/Facilities Subcommittee

Resolution No. 24-08, Establishing the Finance/Policy Subcommittee



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		2021 -	2022	2023	2024	2025
CPPA	R: A:	Gretel Jeremy	Alvin Caroline	Caroline Alvin	Chimante Broglio	
CSEDD	R: A:	Jenifer Gretel	Caroline Gretel	Caroline Jennifer	Broglio Schirato	
COG	R: A:	Jennifer and Alvin Isabel	Isabel and Alvin Caroline	Isabel and Alvin Caroline	Moncada & Schirato Broglio	
LAFCO	R: A:	Jennifer and Isabel Alvin	Jennifer and Isabel Alvin	Jennifer and Isabel Alvin	Moncada & Herndon Chimante	
Solid Waste Mgmt	R: A:	Jeremy Jennifer	Caroline Jennifer	Caroline Jennifer	Broglio Herndon	
UWPA	R: A:	Alvin and Isabel Jeremy	Alvin and Jennifer Caroline	Alvin and Jennifer Caroline	Schirato & Herndon Broglio	
All Hazards	R: A:	<del>                    </del>	<del>                    </del>	Alvin Isabel	Chimante Moncada	
Mayor	M:	Broglio	Broglio	Herndon	Herndon	
Vice Mayor	V:	Herndon	Herndon	Moncada	Moncada	
Infrastructure/ Facilities	M: V:	<del>                    </del>	<del>                    </del>	<del>                    </del>	Broglio & Moncada Schirato	
Finance/Budget/ Policy	M: V:	<del>                    </del>	<del>                    </del>	<del>                    </del>	Schirato & Herndon Chimante	

# CITY OF ANGELS



2025

Council Handbook Revised December 3, 2024  
Resolution No. 24-91

Mayor  
City Clerk  
Council Members  
City Manager  
City Attorney

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**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. 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 Councilmember 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.

**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 ceremonial purposes.

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.
- 3. Term:** The Mayor and Vice Mayor are selected by a majority vote of the Council and appointed on an annual basis for a one (1) 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.
- 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.

**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 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 Council Meetings as well as City Committee Meetings 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 consists of the following:

1. The Mayor, who shall be chairperson;
2. The City Administrator as Director of Emergency Services, who shall be vice-chair;
3. The Assistant Director of Emergency Services, appointed by the 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, including Emergency Operations Plans, and Hazard Mitigation Plans, and organize the emergency management and response program of this city, and other duties as may be assigned by the Director.
4. Such deputy directors and chiefs of emergency services as are provided for in the City’s Emergency Operations Plan; and
5. 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, 2.12.060, and 2.12/065’

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 one (1) commission, the Planning Commission. In addition, special purpose citizens’ committees and task forces 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 vacant positions as necessary and will post a notice of term expirations at least sixty (60) days prior to the expiration of any term.

**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)

**A. Requests for Research or Information**

Council member initiated or requested information or research should be directed to the City Administrator. Requests for new information or policy direction, if the information search process is too 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 to the full Council.

**B. Inappropriate Actions**

The Council has delegated the Mayor, the City Administrator and/or the City Attorney jointly, or just the City Attorney, at the discretion of the City Attorney; the responsibility to discuss, on behalf of the full Council, any perceived or inappropriate action by a Councilmember. The Mayor, 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 Mayor, City Administrator or City Attorney will report the concern to the full Council.

**A. Councilmember Compensation**

State law and the City municipal code provide for modest compensation to members of the Council.<sup>viii</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>ix</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>x</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.

**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 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 stationery 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 t  
position.

**D. Confidential Issues**

Confidential issues, 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.

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

1. City Councilmembers should only publicly support or oppose ballot measures in their personal capacity and cannot use public resources to do so.
2. 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.
3. 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.
4. 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.
5. Campaigning must be conducted separately from official city functions.
6. City Councilmembers may contribute their personal or political accounts funds in support or opposition of a ballot measure.
7. 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 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).

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.

**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).

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)).
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, e 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:

1. 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.
2. 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.
3. 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.
4. 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.*

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.

### 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 personal liability for individual City Officials.

### **E. Disqualification and Disclosure**

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**

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**

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.

### **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 the submittal of disclosure forms. These forms require information including income, loans, receipt of gifts, and interest in real property among other items.

### **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>xi</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 action 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.

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 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.

**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. Represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
3. 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
4. Keep City Council and staff apprised of court rulings and legislation affecting the legal interests of the City.
5. 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 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.

#### **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.. The City Administrator is responsible for carrying out and implementing Council policies. The City Attorney also keeps the City Administrator apprised of current relevant court rulings and legislation. 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. 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 is 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. 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.

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

The City is a non-partisan entity. City staff make recommendations consistent with Council policy and for the good of the community and should not be influenced by political factors.

By working for the City, staff members do not surrender their rights to be involved in local election in place to preserve those rights. However, there are limitations to such involvement.

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.
  
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.

**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.

**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>xii</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>xiii</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.



**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>xiv</sup> Violations are also subject to civil action.<sup>xv</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:

1. **Posting the Agenda:** Agendas for regular meetings must be posted seventy-two (72) hours in advance of the meeting and must include the following:
  - a. Time and location of the meeting.
  - b. Description of the agenda items. The description should be reasonably calculated to adequately inform the public and should include the contemplated Council action.
  - c. **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).
  - d. **Agendas in uniform font.** Agendas for all Council meetings shall be in a font as deemed by the City clerk. 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.

**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.

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.

**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>xvi</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>xvii</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>xviii</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>xix</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>xx</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>xxi</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>xxii</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>xxiii</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>xxiv</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>xxv</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>xxvi</sup>

- a. Absence of Mayor - The Vice Mayor shall act as Mayor in the absence or disability of the Mayor.<sup>xxvii</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>xxviii</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>xxix</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>xxx</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>xxxi</sup>
  10. **Recordings of Meetings.** Recordings of proceedings shall be made and shall be retained for record for the City Council and Planning commission by the City Clerk.<sup>xxxii</sup>

## B. Policy Decision Making Process

1. **Ad-Hoc and Standing Committees.** Committees provide a great deal of assistance to the City Council when formulating public policy. The City has the following standing committees:
  - a. CPPA (Calaveras Public Power Agency)
  - b. CSEDD (Central Sierra Economic Development District)
  - c. COG (Council of Governments)
  - d. LAFCO (Local Area Formation Commission)
  - e. SWM (Solid Waste Management)
  - f. UWPA (Utica Water and Power Authority)

In addition, special purpose task forces (ad-hoc committees) are often appointed by the City Council to address specific issues of interest for a limited duration. These ad hoc committees are dissolved upon completion of the intended task. Committees and task forces are purely advisory to the Council and, in some situations, staff. Standing Committees and Ad-Hoc Committees will consist of two (2) Councilmembers, in order to avoid Brown Act violations, and are appointed by the Mayor. Typically, committee appointments are made on an annual basis and are made at the first meeting of each calendar year. The Mayor may solicit interest from Councilmembers to serve on committees but final selection of committee participation is a majority vote of the City Council.

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.

**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.

**1. 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:
  1. 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.
  2. Security or emergencies.
  3. Personnel sessions.
  4. Closed sessions to consider potential or pending litigation in which the City or an officer or employee is or could be a party.
- 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.

**2. REGULAR MEETING****3. ROLL CALL****4. PLEDGE OF ALLEGIANCE****5. ROLL CALL****6. REPORT OUT OF CLOSED SESSION****7. PRESENTATIONS/PROCLAMATIONS/RECOGNITION.**

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

**8. APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)****9. PUBLIC COMMENT (NON-AGENDA ITEMS)****10. 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 t  
member of the public may 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 may request 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.

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

**12. UNFINISHED BUSINESS**

**13. NEW BUSINESS**

**14. ITEMS FROM THE CITY TREASURER**

**15. ITEMS FROM THE CITY ATTORNEY**

**16. ITEMS FROM THE CITY ADMINISTRATOR**

**17. COUNCIL REPORT**

**18. CALENDAR**

**19. FUTURE AGENDA ITEMS.**

**20. 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>xxxiii</sup>

**C. Items Placed on Written Agenda**

Items of business shall be placed 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, business, operations, or projects, and other items of general interest.<sup>xxxiv</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 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 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>xxxv</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 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>xxxvi</sup> A public hearing notice must be published at least ten (10) days prior to the first reading of the ordinance.<sup>xxxvii</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>xxxviii</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.**
1. **Voting.** All resolutions and ordinances require a recorded majority vote of the total membership of the Council.<sup>xxxix</sup> Ordinances shall be signed by the Mayor and attested by the City Clerk.<sup>xl</sup>
  2. **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>xli</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>xlii</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>xliii</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).
  3. **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>xliv</sup>

**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 Mayor, 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 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. 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 the Council by signaling if a Councilmember has been speaking for an excessive time period.

**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 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 debatable). 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>xlv</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>xlvi</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>xlvii</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>xlviii</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>xlix</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.

**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 (5) 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. 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 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.

**E. 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.

**F. 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:

4. Preserve safety and order;
5. Not block the audience or camera from viewing the proceedings;
6. Not engage in disruptive behavior, including but not limited to heckling, whistling, yelling, and other similar demonstrations;
7. Not willfully disrupt the peace and order of the meeting;
8. Listen to others respectfully and not interrupt those who are speaking;

9. Refrain from making comments that personally attack an individual in a way that disrupts, otherwise impedes orderly conduct;
10. Avoid the use of profanity, obscene language, and threats that disrupt, disturb, or otherwise impede orderly conduct;
11. Not using 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;
12. Not harass any other person in any way.
13. 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
14. 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:

15. The Mayor/Presiding Chair can call a point of order;
16. 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;
17. 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;
18. The Chief of Police or other members 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>1</sup>

**PART III: COMMISSIONS AND ADVISORY GROUPS**

*Section 7, Item A.*

## 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 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.
4. All internal references to the Mayor/Presiding Officer in this handbook shall apply to commission chairpersons in chairing commission meetings.

### B. Planning Commission

#### 1. Meetings

##### a. Regular Meetings:

- i. Planning Commission regular meetings shall be held the second Thursday of each month, commencing at 5:00 p.m. in the City Council Chambers.

- b. Quorum: A majority of the full Planning 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. Planning Commission meeting rules are detailed in AMC Sections 17.85.060 and 17.85.070.

**C. Order of Business**

a. The Planning Commission’s Order of Business procedures are detailed in AMC Sections 17.85.060 through 17.85.090.

**D. General Order** - The business of the 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.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES**

**PUBLIC COMMENT (NON-AGENDA ITEMS)**

**PLANNING COMMISSION BUSINESS**

**COMMITTEE REPORTS**

**ADJOURNMENT**

The Planning Commission’s Order of Business is as prescribed in AMC Section 17.85.070.

**E. Administrative Rules**

1. Request for Research or Information: Planning Commissioners may request information or research from Planning staff . Commissioners may request information or research from the 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.
2. 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.
3. 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.

4. Agenda Materials Delivery: Delivery of the agenda materials to the Planning Commission 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.
5. Procedural Guidelines: 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)
6. 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 or Planning staff
7. 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.
8. An “acceptable excuse” shall constitute the following:
  - i. Absence due to illness, with notice to the Secretary of the Commission; or
  - ii. Absence due to unavoidable circumstances and with notice to the Secretary of the Commission before the date of the meeting from which he or she will be absent with a written explanation of the reason for the absence.
9. 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.
10. 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.
11. 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.
12. 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.
13. Appeals: Pursuant to the A.M.C., Section 17.81.010, 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.



14. Continuance of Advisory Items: The following rules relate to advisory items, that is, items on which 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**

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.

## Referenced Code Citations

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- 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 Government Code § 36516.
  - ix A.M.C. §2.01.050(E).
  - x A.M.C. §2.01.050(D).
  - xi Government Code §53235(f).
  - xii A.M.C. §2.01.040.
  - xiii Government Code §87406.3.
  - xiv Government Code §54959.
  - xv Government Code §54960.
  - xvi A.M.C. §§ 2.01.030; 2.08.020; Government Code §§ 36805; 54954(a).
  - xvii Government Code § 54954(b).
  - xviii Government Code § 54954(e).
  - xix A.M.C. §2.01.030.
  - xx Government Code §§ 54956; 54956.5. Special meetings and emergency meetings, respectively.
  - xxi Government Code §§ 36805; 36809; 54955; 54956.
  - xxii Government Code § 54954.5.
  - xxiii A.M.C. § 2.01.030.
  - xxiv Government Code § 36810.
  - xxv Government Code § 36811.
  - xxvi Government Code §§ 36802; 36813; 54957.9.
  - xxvii Government Code § 36802.
  - xxviii *Id.*
  - xxix Government Code § 54954.5.
  - xxx Government Code § 54953.
  - xxxi Government Code § 36814.
  - xxxii 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.*
  - xxxiii Government Code §54954.
  - xxxiv Government Code §54954.2(a).
  - xxxv Government Code § 36936.
  - xxxvi Government Code § 36934.
  - xxxvii Government Code § 65090.
  - xxxviii Government Code § 36934.
  - xxxix Government Code § 36936.
  - xl Government Code § 36932.
  - xli Government Code § 36936.1.
  - xliv Government Code § 36933(c).
  - xliv Government Code § 36933(a).
  - xliv Government Code § 36937.
  - xliv Government Code § 54955.
  - xlvi Government Code § 54955.2(b)(3).

<sup>xlvi</sup> 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.

<sup>xlvi</sup> 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.

<sup>xlvi</sup> *City of Pasadena v. Paine* (1954) 126 Cal.App.2d 93.

<sup>l</sup> Government Code §§ 36813, 54957.9.



CITY OF ANGELS

# CITY COUNCIL SUBCOMMITTEES POLICY

## *Purpose*

The City Council recognizes that use of standing and ad hoc subcommittees is an appropriate way to focus and accomplish the work of the advisory body. The purpose of this policy is to memorialize the City of Angels City Council Subcommittees model, defining the roll of the subcommittees, the process by which to follow for its creation and dissolution, as well as specifying certain requirements of City Council Subcommittees.

## *General Provisions*

- Standing and Ad Hoc Subcommittees may be created and dissolved at the discretion of the City Council to address ongoing and/or specific policy initiatives of the City, on an as-needed basis, to provide input and recommendations. Subcommittees are to return to the full City Council with recommendations for action.
- The size/Council liaisons assigned to a Standing or Ad Hoc Subcommittee must be no more than two Councilmembers (less than a quorum of the governing body).
- Fiscal and workload impacts of staffing will be considered when recommending creation of both Standing and Ad Hoc Subcommittees and when granting approval.

## *City Council Subcommittee Role*

In working cooperatively with City staff, the role of subcommittees is to assist the City Council in carrying out its goals and priorities to meet the changing needs of the community.

- A. Subcommittees develop program and policy recommendations for full City Council consideration at meetings of the City Council. The subcommittees will not make final and binding decisions on behalf of the City, nor will they commit the City’s financial resources.
- B. Subcommittees permit, encourage, and solicit public input from City residents, business owners, employees and others to participate in the city policy-making process at the planning stage of program and policy development.
- C. Subcommittees review, monitor, and regularly report to the full City Council on the condition or progress of work programs during the course of the year.
- D. Subcommittees review and help coordinate program and department activities with other government agencies and community groups.
- E. Subcommittees do not supervise City staff. Subcommittee members may work collaboratively with City staff upon the pre-approval of the City Administrator to accomplish specific tasks.

## *City Council Subcommittee Requirements*

The following requirements apply to subcommittees:

- A. Each subcommittee shall consist of no more than two Councilmembers (less than a quorum of the governing body).

- B. Subcommittee assignments and appointments will be made by the majority of the City Council when it adopts its Council Appointment list, which typically takes place during the first regularly scheduled Council meeting in January each year following the City Council reorganization and as needed. Section 7, Item A.
- C. Each subcommittee shall be supported by the Department Head or other staff member(s) that is designated by the City Administrator as the staff liaison(s). The staff liaison(s) will attend meetings of the subcommittees

#### *Standing Subcommittees*

- A. A Standing Subcommittee is created, irrespective of its composition, when it has either: (1) a continuing subject matter jurisdiction; or (2) a meeting schedule fixed by charter, ordinance, resolution, or formal action of the City Council. (California Government Code Section 54952(b))
- B. Standing Subcommittees must be created and dissolved at a public City Council meeting. It will be reflected on the Council Appointment List accordingly with the appointed Council Liaisons for full transparency.
- C. Standing Subcommittees for purposes of the Ralph M. Brown Act (California Government Code Section 54950 et seq.) will ensure meetings comply with all requirements for standing committees under the Brown Act, as amended from time to time.
- D. Standing Subcommittee membership, staff liaison(s), regular meeting times and places (not required, but encouraged), and subject matter jurisdiction will be specified via City Council resolution.
- E. Every regular meeting of the Standing Subcommittee must be preceded by a posted agenda that advises the public of the meeting and the matters to be transacted or discussed.
- F. Minutes shall be kept of each standing subcommittee meeting by the staff liaison, or as otherwise designated by the City Administrator. Subcommittee minutes will be maintained in accordance with all applicable requirements of the Ralph M. Brown Act and the California Public Records Act (California Government Code Section 6250 et seq.).

#### *Ad Hoc Subcommittees*

- A. Ad Hoc Subcommittees, known as temporary advisory committees, composed solely of less than a quorum of the City Council that serves a limited or single purpose, that is not perpetual, and that will be dissolved once its specific task is completed is not subject to the Brown Act. (California Government Code Section 54952(b))
- B. Ad Hoc Subcommittees may be created and dissolved at a public City Council meeting or in Closed Session. Although not required, it may be reflected on the Council Appointment List if possible for full transparency.
- C. Ad Hoc Subcommittees are tasked with a limited-term assignment and do not have a fixed meeting schedule. They will be created with the intent of scheduling meetings during the business day whenever possible.
- D. Ad Hoc Subcommittees are not required to create and post agendas for their meetings or provide for public comment. While not required, the Ad Hoc Subcommittees are not precluded from providing members of the public the opportunity to attend their meetings and/or offer input if the subcommittee believes that public input is needed.

#### *City Council Subcommittee Review*

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Periodically, the City Council will evaluate the subcommittee model for effectiveness, including but not limited to the number and types of subcommittees, and their membership makeup.

ADOPTED: January 2, 2024 (via Resolution No. 2024-XX)



**CITY OF ANGELS  
CITY COUNCIL  
RESOLUTION No. 24-07**

**A RESOLUTION OF THE CITY OF ANGELS CITY COUNCIL ESTABLISHING THE  
INFRASTRUCTURE/FACILITIES SUBCOMMITTEE**

**WHEREAS,**; the City of Angels is committed to the continuous improvement and development of its infrastructure and facilities to ensure the well-being and prosperity of its residents; and

**WHEREAS,**; the City Council recognizes the need for a dedicated subcommittee to address matters related to infrastructure and facilities planning, maintenance, and development; and

**NOW, THEREFORE, BE IT RESOLVED,** by the City of Angels City Council:

Section 1: Establishment of the Infrastructure/Facilities Subcommittee

- (a) There is hereby established a Infrastructure/Facilities Subcommittee, which shall consist of TWO members appointed by the City Council.
- (b) T The Infrastructure/Facilities Subcommittee shall be tasked with reviewing and providing recommendations on matters related to the city's infrastructure planning, maintenance, and development, as well as collaborating with relevant city departments and agencies.
- (c) The Infrastructure/Facilities Subcommittee shall convene its first meeting in January 2024 with date and time to be determined, and thereafter as needed. The initial meeting shall include the election of a Chair and Vice-Chair to lead the subcommittee's activities.

Section 2: Membership

- (a) The members of the Infrastructure/Facilities Subcommittee shall be appointed by the City Council from among its members.
- (b) The City Council shall consider the expertise and experience of its members in infrastructure planning, maintenance, and development when making appointments to the Infrastructure/Facilities Subcommittee.

Section 3: Reporting

The Infrastructure/Facilities Subcommittee shall provide regular updates and reports to the City Council on its findings, recommendations, and any matters referred to it by the City Council.

Section 4: Duration

The Infrastructure/Facilities Subcommittee shall continue to operate until such time as the City Council determines that its work is complete or that its continuation is no longer necessary.

**PASSED AND ADOPTED** this 2<sup>nd</sup> day of January, 2024, by the following vote:

AYES: Moncada, Broglio, Chimento, Schirato, Herndon

NOES: None

ABSTAIN: None

ABSENT: None



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



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



**HOME OF THE JUMPING FROG**

**CITY OF ANGELS  
CITY COUNCIL  
RESOLUTION No. 24-08**

**A RESOLUTION OF THE CITY OF ANGELS CITY COUNCIL TO ESTABLISH THE FINANCE/POLICY  
SUBCOMMITTEE**

**WHEREAS;** the City of Angels is committed to ensuring transparent and effective governance for the benefit of its residents; and

**WHEREAS;** the City Council recognizes the importance of prudent financial management and the formulation of sound policy to achieve the city's goals and objectives, and

**WHEREAS;** it is deemed necessary to establish a Finance/Policy Subcommittee to focus on financial matters, policy development, and related issues to enhance the overall governance of the City, and

**WHEREAS;** the City Council acknowledges that a dedicated subcommittee can provide in-depth analysis and recommendations on finance and policy matters, thereby contributing to informed decision-making by the City Council

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Angels City Council:

Section 1: Establishment of the Finance/Policy Subcommittee

(a) There is hereby established a Finance/Policy Subcommittee, which shall consist of TWO members appointed by the City Council.

(b) The Finance/Policy Subcommittee shall be tasked with reviewing and providing recommendations on matters related to the city's finances, policy development, and other relevant issues as directed by the City Council.

(c) The Finance/Policy Subcommittee shall convene its first meeting in January 2024 with a meeting date to be determined, and thereafter as needed. The initial meeting shall include the election of a Chair and Vice-Chair to lead the subcommittee's activities.

Section 2: Membership

(a) The members of the Finance/Policy Subcommittee shall be appointed by the City Council from among its members.

(b) The City Council shall consider the expertise and experience of its members in finance, policy development, and related fields when making appointments to the Finance/Policy Subcommittee.

Section 3: Reporting

The Finance/Policy Subcommittee shall provide regular updates and reports to the City Council on its findings, recommendations, and any matters referred to it by the City Council.

Section 4: Duration

The Finance/Policy Subcommittee shall continue to operate until such time as the City Council determines that its work is complete or that its continuation is no longer necessary.

**PASSED AND ADOPTED** this 2<sup>nd</sup> day of January 2024, by the following vote:

**AYES:** Moncada, Broglio, Chimento, Schirato, Herndon

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None



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



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



**HOME OF THE JUMPING FROG**



# MEMORANDUM

## City of Angels City Council

**Date:** January 7, 2025

**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 December 31, 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**

**Landscaping**

The landscaping plan was reviewed by the park committee on December 4, 2024 and approved as per the PowerPoint provided 12/17/24. A notice of all revisions was sent to the park committee. Irrigation plans have been received and reviewed. Installation of irrigation is a time sensitive item for park completion. A requested change order to address additional costs related to installing a new irrigation system are before the City Council.

Three trees have been sold. Fourteen remain for sale at a cost of \$500 each or, for a veteran, \$350.00.

**Lighting and Electric**

A draft lighting plan was received. The Park Planning Committee requested a meeting to review those plans; however, this item was not a topic scheduled for review. Staff will, instead, send the committee an update on the plans. The lighting is not “decorative,” but is instead practical emphasizing safety and reducing glare for the neighbors. The plan includes lighting for the flagpole.

**Mark Twain Statue**

Plans are underway to return Mark Twain to the park after the new stairway is installed from SR 49 (i.e., towards the end of the project).

**Bocce Court**

The bocce courts have been installed. The type of surfacing (oyster shells or, at additional cost, turf), is a question of cost that is being presented to the City Council 1/7/25.

**Hardcourts**

The hardcourts are poured. Fencing is pending after Christmas.

**Outdoor gym**

The outdoor gym equipment is on schedule to be shipped January 15, 2025.

**Parcourse**

The general layout of the parcourse has been established. The course layout and walking/interpretive trail will be refined throughout the coming weeks.

**Benches**

The completed benches made from black walnut trees removed from the park due to rot have been delivered and are in storage at the park (see Attachment C). Approximately six are still available for purchase at a cost of \$1,500 each.

**Timeline**

The approval of the landscaping change order is crucial to the timeline. Weather currently is good for installing new plants, but delays in installing irrigation could delay park opening.

**Other**

Amphitheatre footings are planned for installation as soon as weather permits.

**Rain**

Boyer will continue park construction as weather permits.

**Financial Impact**

See attached budget.

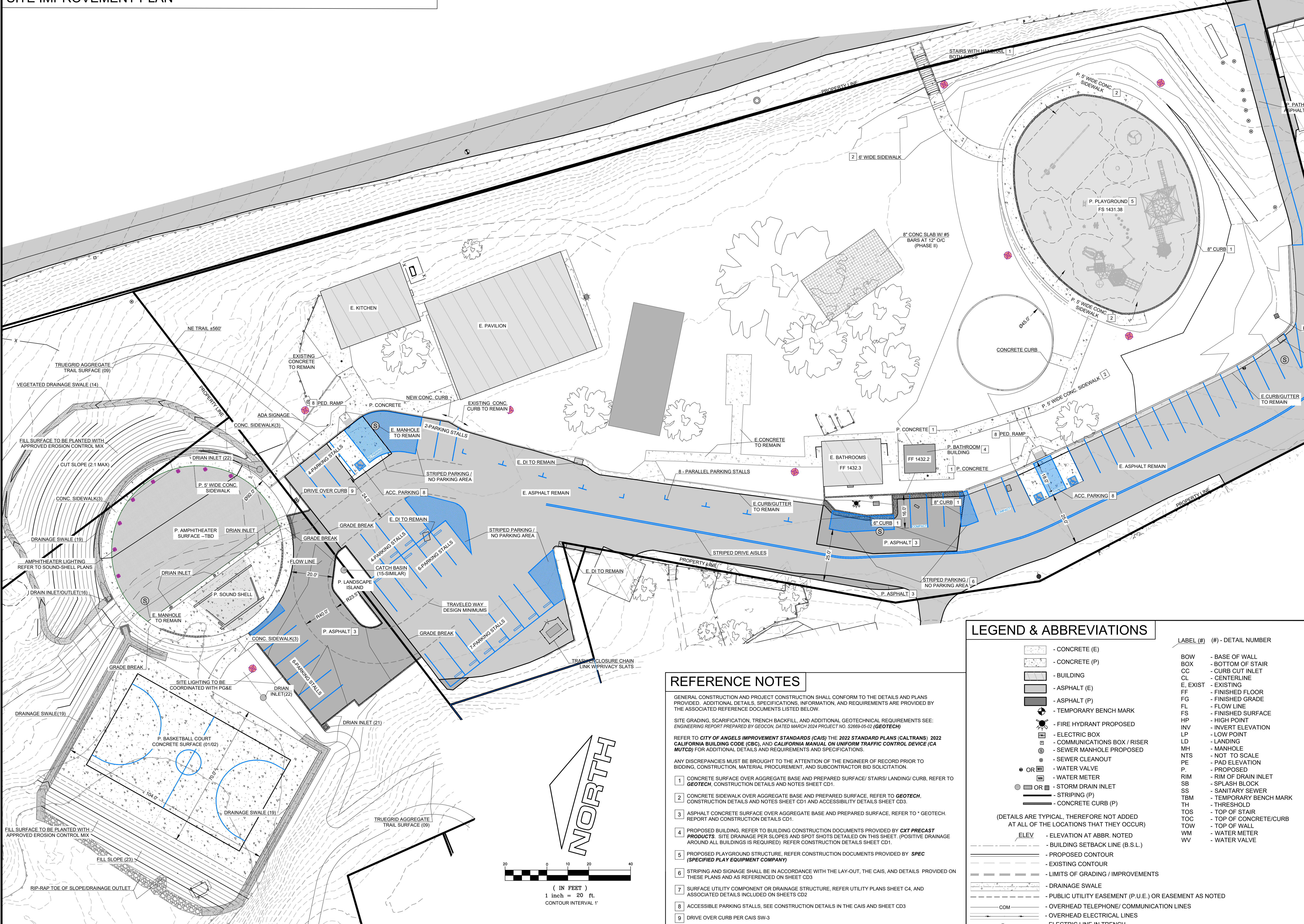
**Attachments**

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

# 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:**

*[Signature]*  
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

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

**PROPOSED CONTOUR** - PROPOSED CONTOUR

**EXISTING CONTOUR** - EXISTING CONTOUR

**LIMITS OF GRADING / IMPROVEMENTS** - LIMITS OF GRADING / IMPROVEMENTS

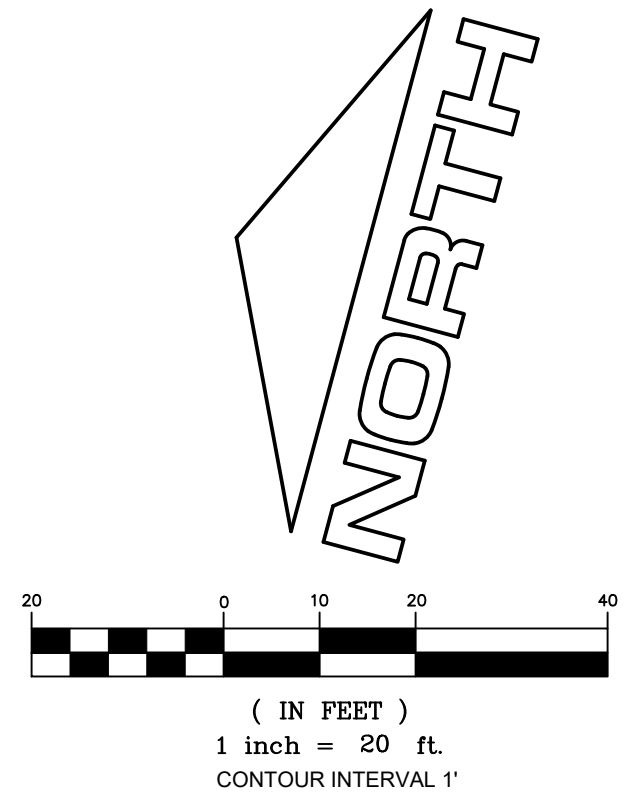
**DRAINAGE SWALE** - DRAINAGE SWALE

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

**OVERHEAD TELEPHONE/ COMMUNICATION LINES** - OVERHEAD TELEPHONE/ COMMUNICATION LINES

**OVERHEAD ELECTRICAL LINES** - OVERHEAD ELECTRICAL LINES

**ELECTRIC LINE IN TRENCH** - ELECTRIC LINE IN TRENCH

















# MEMORANDUM

## City of Angels City Council

**Date:** January 7, 2025

**To:** City Council Members

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

**RE:** Resolution 25-01 authorizing an application to the PG&E Resilience Hub Grant Program for the Utica Park kitchen and lighting and authorizing the city administrator to sign and execute all associated documents

**Recommendation:**

Approve Resolution 25-01 authorizing an application to the PG&E Resilience Hub Grant Program for the Utica Park kitchen and lighting and authorize the city administrator to sign and execute all associated documents.

**Background:**

Pacific Gas and Electric Company (PG&E) is requesting grant proposals to help communities build a network of local resilience hubs. These projects can provide a physical space or set of resources that supports community resilience—such as access to power, shelter, and information—to climate-driven extreme weather events, including wildfires, as well as future Public Safety Power Shutoff (PSPS) events. Once developed, the hubs can also be accessed year-round to build and sustain community adaptive capacity in a trusted location.

During the first (2019) PSPS, Utica Park was used by PG&E as a “resilience” center for the community. When PG&E designated Utica Park as the official PSPS Community Resource Center and popped up its tent in the Utica Park parking lot, it ranked in the top two most used resource centers statewide with 500 people dropping in on day one and 700 more on day two of the power outage. PG&E currently contracts with the city to use Utica Park as a resilience center during PSPS events.

The City is currently renovating and expanding Utica Park. A kitchen generator was added using a Community Development Block Grant to assist in providing food service during emergencies and year-round. The subject PG&E grant could be used to complete renovation of the Utica Park kitchen as a commercial kitchen serving the community during emergency events as well as providing year-round access at a “trusted location.” Re-roofing and repainting would be included. In addition, the Utica Park expansion is providing additional lighting in the park. The grant could also be used in support of the additional lighting and/or to connect lighting to the park generator for use during emergencies.

**Strategic Plan Alignment**

**A3 Conservation and Open Space Protect the health and safety of people and property in the city from natural and man-made hazards.**

**A7 Public Safety Facilitate the provision of an adequate supply of water, and essential utilities and communications for city residents during emergency situations.**

**A8 Public Safety Prepare city staff, agencies, and citizens to respond in a coordinated and cooperative manner to emergency situations.**

***C7: Public Facilities and Services: Maintain or increase the levels of service currently available within Angels Camp for park facilities and infrastructure.***

The grant project would increase the use of Utica Park as a resilience hub during emergency situations and year-round.

**Discussion**

The Utica Park/Lightner Mine grant budget did not allow for completing renovations to the Utica Park kitchen. Boyer provided a cost estimate of \$83,145 to complete requested renovations. Additional lighting is proposed for the park. Additional lighting costs exceed the park’s original budget by approximately \$68,000±.

Both kitchen and lighting improvements, in combination with other park improvements, could assist in expanding the park use as a community resilience hub. Staff recommends pursuing a grant to fund the kitchen renovation and a portion of the cost overrun for lighting.

PG&E’s Resilience Hub program has \$400,000 for design and construction and is, therefore, very competitive. Grants of up to \$100,000 may be requested and are due 1/31/25.

**Financial Impact**

The City could secure up to \$100,000 to assist in upgrading the Utica Park kitchen and lighting expanding the park use as a community resilience hub.

**Attachment**

Resolution 25-01

**CITY OF ANGELS  
CITY COUNCIL  
RESOLUTION No. 25-01**

**A RESOLUTION OF THE CITY OF ANGELS CITY COUNCIL AUTHORIZING AN APPLICATION TO THE PG&E RESILIENCE HUB GRANT PROGRAM FOR THE UTICA PARK KITCHEN AND LIGHTING AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN AND EXECUTE ALL ASSOCIATED DOCUMENTS**

**WHEREAS**, the City of Angels (“City”) in cooperation with PG&E has operated Utica Park as a resilience center during public safety power shutoff (PSPS) events; and

**WHEREAS**, the City has made and is making extensive improvements to the park to increase its use as a resilience and community center; and

**WHEREAS**, additional improvements are necessary for the kitchen and lighting to improve the park as a resilience center;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Angels hereby authorizes an application to the PG&E Resilience Hub Grant Program for the Utica Park kitchen and lighting and authorizes the city administrator to sign and execute all associated documents.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of January 2025, by the following vote:

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

\_\_\_\_\_  
\_\_\_\_\_, Mayor

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

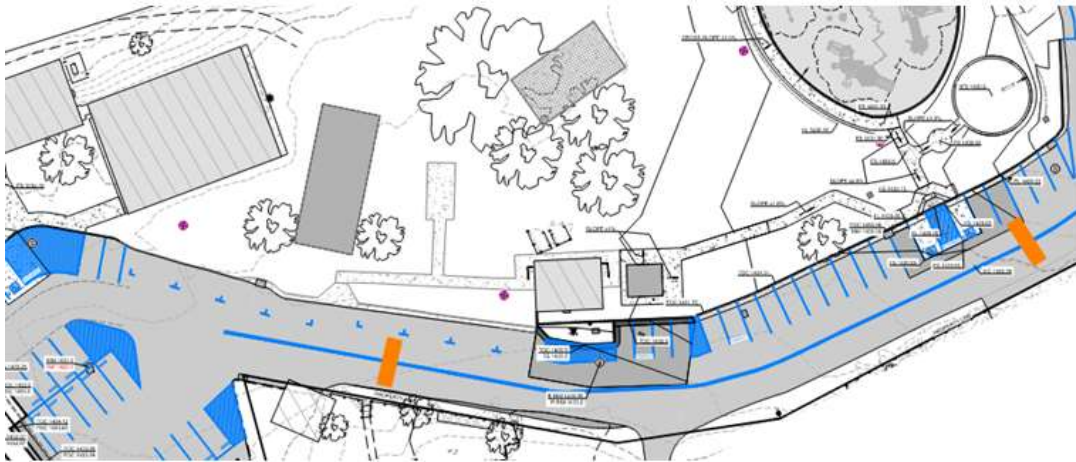


**HOME OF THE JUMPING FROG**

SUMMARY RECOMMENDED CHANGE ORDERS  
Utica Park Lightner Mine



# Speed Bump – Change Order 4 (A) – \$146.40



# Change Order 5 - Lighting - \$67,096.98

- Flag pole light  
\$3,208.00
- Replace recessed lights at  
kitchen exterior \$638.00
- Four dark sky wall packs  
existing bathroom \$2,449.00
  - Four new pole lights  
\$34,430
- Christmas tree outlet  
\$1,644.00
- Rework existing plug at  
existing pad \$1,493.00

Landscaping  
and  
Irrigation  
– Change  
Order 6

---

Section 7, Item D.

\$175,237.77  
(\$110,000± irrigation)



# Landscaping

---

Hydroseeding

Turf

17 trees



# OPTIONAL

- ✓ OPTIONAL Change order 7: Repave entire parking lot and drive aisles: \$147,771.53
- ✓ OPTIONAL Change order 8: Bocce ball court surfacing change from oyster shells to artificial turf: \$37,232

Funding Recommended: **\$245,481.15**

**Resolution 25-02**

**With Grants/Scope Change**

**Gas Tax: \$146.40**

\$146.40 gas tax

**ARPA: \$122,667.38**

\$69,239.88 ARPA

**General Fund: \$122,667.37**

\$69,239.87 General Fund

**\$30,000 CPPA Grant - Lighting**

**\$60,000 Scope Change (second statue)**

**\$16,855 PG&E Resilience**



# MEMORANDUM

## City of Angels City Council

---

**Date:** January 7, 2025

**To:** City Council

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

**Re:** Resolution 25-02 approving change orders for Utica Park / Lightner Mine Expansion including:

- A. Amend approved Change Order No. 4 for the Installation of Speed Cushions at Utica Park from \$9,000 to \$9,146.40
- B. Add Change Order No. 5 for additional lighting
- C. Add Change Order No. 6 for landscaping
- D. \$3,000 contingency
- E. **Optional** Change Order 7 for repaving entire parking lot and drive aisles
- F. **Optional** Change Order 8 for artificial turf option for bocce courts
- G. Budget Adjustment Request

### Recommendation

The City Council may:

1. Approve/Amend all or some change orders in Resolution 25-02
2. Modify all or some change orders in Resolution 25-02; or
3. Deny/Return to Staff all or some change orders in Resolution 25-02

Staff recommends approving Resolution 25-02 A-D and G for a total cost of \$245,481.15:

- A. Amending Change Order No. 4 (speed bumps) adding \$146.40 for a total of \$9,146.40 (Gas Tax)
- B. Adding Change Order #5 (Additional lighting) \$67,096.98
- C. Adding Change Order #6 (Landscaping and Irrigation) \$175,237.77
- D. Approving a contingency of \$3,000
- E. Budget Adjustment Requested

**Please refer to “Financial Impact” for funding options and ways to reduce allocations from ARPA and General Fund.**

**Background**

The City was awarded a \$3,000,000 Rural Recreation and Tourism Grant in late 2022. The City hired Boyer for a design and build contract for the Utica Park Lightner Mine Expansion and Rehabilitation project in March of 2023 with a Notice to Proceed issued May 14, 2024. Boyer was the only bid received in response to the RFP for the expansion and renovation. A separate park contract for the children’s playground was completed by SPEC. A separate contract for new park bathrooms was completed by T&S West. The three contracts were funded all or in part by the \$3,000,000 Rural Recreation and Tourism Grant. Supplemental funding has come from a state Per Capita Grant, ARPA, Angels Camp Community Club, Community Development Block Grants, and donations from Mariposa, Amador, Calaveras & Tuolumne Health Board, Inc. (MACT), Dignity Health Mark Twain Medical Center, Mark Twain Health Care District, Adventist Health, and PG&E. Additional funds are being collected for memorial/community trees and benches.

Some reasons previously discussed with Council resulting in change orders include, but are not limited to:

- Changes in the scope (e.g., requests by City, requests by public)
- Unanticipated discoveries: Waterline not separate between kitchen and landscaping; entire irrigation system required replacement
- Evaluating and remediating mines (anticipated for expansion area, not anticipated for existing park site)
- 16.8% inflation rate for material costs since grant awarded (grant does not adjust for these costs. City has a standing request with the State funding source to apply for any funds remaining at the end of the grant term (2028).
- Request for proposals included a list of incidentals/associated items (e.g., drinking fountains, ADA access, steps from SR 49). However, negotiating and contract review were done by separate groups. The executed contract did not include incidentals.
- Design/build contracting approach. Converting conceptual design to an actual construction design resulted in identification of items necessary, but unanticipated (e.g., additional fire hydrant, need to widen roadways). Budget for construction came after design and increased costs.
- Contracting did not address overlaps between multiple contractors. For example, \$104,000 was required for playground site prep and fencing by Boyer, although SPEC built the playground. Grading and site prep were performed by Boyer for new bathrooms.
- Deferred park maintenance and investment

**A. Original contract:**

Boyer’s original design and build contract included 12 items for \$2,275,000:

Table 1: Original Boyer Contract Deliverables

<b>A.</b>	Construct one new amphitheater
-----------	--------------------------------



<b>B.</b>	Construct one new Lightner Mine Interpretive Hiking Trail with parcourse and gathering areas
<b>C.</b>	Renovate one Mark Twain Statue
<b>D.</b>	Construct one new Mark Twain Statue
<b>E.</b>	Construct one new Angels Creek trailhead kiosk
<b>F.</b>	Renovate one large Pavilion and kitchen ( <del>negotiated cost removed</del> )
<b>G.</b>	Construct two new bocce courts
<b>H.</b>	Construct one new Outdoor gym/exercise area
<b>I.</b>	Construct one new full-size sports hardcourt (lined for basketball and pickleball)
<b>J.</b>	Construct one new bathroom building
<b>K.</b>	Construct new lighting
<b>L.</b>	Construct new landscaping

**B. Added to Boyer Contract:**

After the initial contract, Boyer was asked to add the following items outside the original contract scope (some were anticipated, some were not):

- Playground grading and perimeter concrete curbing
- Playground perimeter fencing
- Concrete slab over Old Lightner Shaft (50' X 50' concrete slab)
- 240 lineal feet of 6' tall wrought-iron fencing at the New Lightner Shaft
- Concrete plug at the Raise portal
- Concrete plug at the vertical shaft portal
- Stairs, railing, and concrete pathway leading from SR 49 to the new playground
- ADA parking between the restrooms and playground
- ADA parking near the kitchen
- Gym equipment grading, concrete curbing, and purchasing equipment
- New ADA concrete pathway from parking to playground, gym equipment, bathrooms and stairs at the east side of the playground
- New ADA concrete pathways from parking to pavilion, kitchen, amphitheater, and hardcourt
- Remove bulb-out at the bathrooms, lower sewer manhole, repour curb and gutter and patch/pave.
- 320 lineal feet of 10' tall chain link fencing at the hardcourt
- New fire hydrant by the kitchen
- New domestic water line to kitchen
- Additional paved parking spots and turnaround bulb for emergency response vehicles
- Storm drain rework to accommodate new parking and ADA pathways
- Speed bumps

As shown in Table 1, Change Orders 1-4 addressed the preceding additions.

**C. Pending Requests (this agenda item)**

Pending City/Community requested items are:

- ✓ **Change order 5: Lighting (including lighting and trenching).** Original budget \$60,000. An additional \$67,096.98 is being requested for the scope in **Attachment C** and is detailed in the Discussion (below). Note: These costs EXCLUDE replacing the two pole lights in Utica Park which are subject to a pending PG&E permit.
- ✓ **Change order 6: Landscaping and Irrigation.** Original budget \$40,000. Total cost \$215,237.77 (\$175,237.77 difference) per **Attachment D** and detailed in the Discussion (below).
- ✓ OPTIONAL Change order 7: Repave entire parking lot and drive aisles: \$147,771.53
- ✓ OPTIONAL Change order 8: Bocce ball court surfacing change from oyster shells to artificial turf: \$37,232

**D. Outstanding (Unknown) Costs pending for Boyer:**

PG&E permitting costs for lighting.

**E. Items rejected by City for Boyer add-ons:**

Item	Cost	Comment
EV charging infrastructure	\$11,500	Calaveras Council of Governments project funds to complete; Boyer adding conduit to proposed location
Drinking Fountains	\$24,000	IRWMP grant application pending
Dogi-Pots	\$5,000	Unfunded
Mining cart entrance repair and/or relocation	\$3,000	Eliminated
Kitchen renovations	\$83,145	PG&E Resilience Grant pending
Renovate existing bathrooms	\$79,350	Unfunded
Additional pavilion/shade structures	@\$117,875	Unfunded

**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**

**Amend Change Order 4(B):**

Staff inadvertently rounded the \$9,146.40 cost to \$9,000. Staff is requesting approval of an amendment to add the \$146.40. City gas tax funds will pay for that amendment.

**Change Order 5: Additional Lighting (Attachment C)**

The current budget is \$60,000 for lighting covers amphitheater lighting (\$39,966) and trenching (\$20,000) for that lighting. Several additions are proposed resulting in a request for an additional \$67,096.98 as per the following:

Item	Cost
Amphitheatre electrical (outlets, lights, panels, controls)	\$39,966.00
Excavation, trenching etc. for amphitheatre lighting	\$20,000.00
<i>Subtotal budgeted (Original budget)</i>	<i>\$59,966.00</i>
Additional site lighting requests (add-ons) <ul style="list-style-type: none"> <li>• Flag pole light - \$3,208.00. Includes high quality in ground light set in concrete and misc. wire and conduit.</li> <li>• Replace existing recessed lights at kitchen exterior - \$638.00</li> <li>• Furnish and install four dark sky wall packs at existing bathroom - \$2,449.00. Includes conduit, wire foundations and poles and lights.</li> <li>• Furnish and install four pole lights. Includes conduit, wire foundations and poles and lights.</li> </ul> Single Light @ \$8,207.00 each = \$16,414 Two Lights @ \$9,008.00 each = \$18,016 (\$34,430) <ul style="list-style-type: none"> <li>• Christmas tree outlet- \$1,644.00</li> <li>• Rework existing plug- \$1,493.00</li> </ul>	\$43,857
Add-ons trenching, sanding, identification tape, backfill compaction for tree light and reworking existing plug	\$15,000.00
<i>Subtotal add-ons</i>	<i>\$58,857.00</i>
Contractor mark-up for add-on items (11%)	\$8,239.98
Contractor insurance for add-on items (3%)	

<b>Total Change Order No. 5</b>	<b>\$67,096.98</b>
---------------------------------	--------------------

These costs excludes PG&E Permit fees and re-installing the two existing pole lights at Utica Park.

It is noted that the flag has never been lit. Gold Electric reviewed multiple options for lighting the flag, including pole-mounted and solar lighting. The durability of these options was far inferior to providing the proposed ground-mounted light which has greater longevity and less maintenance; but carries with it a higher price tag.

The Calaveras Public Power Agency provides grants of up to \$30,000 for certain lighting projects. The City is applying for one of these grants to offset some of the proposed additional costs. In addition, the City is pursuing a PG&E resilience grant. Some of those funds could be used to improve on-site lighting and could, potentially, offset some of the remaining added costs.

### **Change Order 6: Landscaping/Irrigation (Attachment D)**

The Request for Proposals (RFP) for the project addressed the need for new landscaping which is a required element of the City's Rural Recreation and Tourism Grant. No details were provided in the RFP other than the City's desire to exclude shrubs for public safety (i.e., reduce hiding places, increase visibility, and reducing fuel load) and trees for carbon sequestration (i.e., reduce air emissions, eliminate invasive Trees of Heaven). \$40,000 is budgeted in Boyer's contract for "landscaping."

Unfortunately, due to deferred park maintenance over the life of the park, the entire irrigation system at the park was leaking extensively, broke frequently, and barely functioned. It could no longer remain functioning with temporary fixes. Therefore, during park demolition, the entire irrigation system was removed. As a result, a new irrigation system is required that was not part of the original grant scope of work (neither in the original grant nor in the RFP for the project) and was not included in Boyer's contract.

The City's Community Park Committee has approved a landscaping plan with 17 trees, hydroseeding the former grass areas of the park, turf at the amphitheater, and edging surrounding the large trees in the center of the park. The plan will, necessarily, require a new irrigation system.

Boyer's cost proposal for landscaping, including a new irrigation system, totals \$215,237.77. Minus the existing \$40,000 budget, a shortfall of \$175,237.77 remains (i.e., **Task Order 6**). PG&E is donating the trees. Approximately \$31,440 can be shaved from the cost by eliminating soil amendments. Because this decreases the likelihood of survival for new plants, staff does not recommend eliminating this line item. As shown in **Attachment D**, approximately \$110,840 of the cost is the new irrigation system. The remaining cost is site leveling, soil amendments, turf, hydroseeding and planting.

Staff has contacted the California Department of Parks and Recreation grant administrator and requested that the grant scope calling for a second Mark Twain statue be amended to eliminate the second statue and, instead, provide an expanded history of Mark Twain on proposed interpretive signs. This would provide an additional \$60,000 in Boyer's budget that could be re-appropriated for landscaping, reducing the overall shortfall to approximately \$115,237.77.

**Contingency**

Staff requests a \$3,000 contingency. The amount would not be added to any specific contract until or unless needed. This would allow for flexibility, allow for expedited approval of minor costs, and avoid the need to return to City Council to correct errors such as the one associated with Change Order 4A for \$146.40.

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

**Table 2: Utica Park/Lightner Mine Construction and Expansion Contract to Date for Boyer**

Item	Description	Amount	Recommendation	Funding Source for Added Cost
Original Agreement	Current Contract	\$2,275,000.00	Approved by Council	Rural Recreation and Tourism Grant
CO No. 1	Geotechnical – mine remediation (at City request)	\$193,888.00	Approved by Council	American Rescue Plan Act (ARPA) – previously budgeted
CO No. 2	Improve emergency access, fire hydrant, drainage	\$182,645.32	Approved by Council	\$94,645.32 General Fund Water Capital \$88,000 (hydrant and storm drain)
CO No. 3	Purchase outdoor gym equipment and materials (at City request)	\$132,303.62	Approved by Council	Rural Recreation and Tourism Grant plus private donations/a/
CO No. 4	Install Speed Bumps (neighboring landowner request)	\$9,000.00	Approved by Council	City Gas Tax
<i>Subtotal Boyer Contract Change Orders 1-4A as of 1/6/2025</i>		<i>\$2,792,836.94</i>	Approved by Council	See above
<b>CO No. 4A (Added)</b>	Install Speed Bumps – correct error add \$146.40 for total of \$9,146.40	\$146.40	Staff recommends approval	City gas tax fund
<b>CO No. 5</b>	Lighting: Additional lighting for expanded parking area, replace existing lighting at old bathrooms, walkway lighting, upgrade kitchen lighting, light flag/flag pole, lighting for community Christmas tree, repair/replace lighting to old slab	\$67,096.98	Staff recommends approval	General Fund and/or ARPA  Note: CPPA Grant application <i>may</i> provide \$30,000 to offset; PGE resilience grant could offset remainder
<b>CO No. 6</b>	Landscaping/Irrigation: see <b>Attachment D</b> NOTE: \$40,000 already budgeted is excluded from total	\$175,237.77	Staff recommends approval	General Fund and/or ARPA
<b>Subtotal Change Orders No. 4A addition, No. 5 and No. 6</b>		<b>\$242,481.15</b>	See above	See above
<i>Subtotal Boyer Contract Change Orders 1-6</i>		<i>3,035,318.09</i>		
<b>Contingency</b>	Contingency for change orders No. 4 through No. 6	\$3,000.00	Staff recommends approval	General Fund and/or ARPA
<b>Subtotal Staff Recommendation for Resolution #25-02</b>		<b>\$245,481.15</b>	<b>BUDGET ADJUSTMENT REQUEST</b>	
CO No. 7 (Optional)	Re-pave entire parking lot and drive aisles (City council requested)	\$147,771.53	Staff recommends deferral to future after park opening	
CO No. 8 (Optional)	Use artificial turf instead of oyster shells for bocce court surfacing (public request)	\$37,232.00	Staff recommends deferral to future after park opening	
<i>Subtotal CO 7 and CO 8</i>		<i>\$185,003.53</i>		
<i>Grand Total All Change Orders 1-8</i>		<i>\$430,484.68</i>		

/a/ Mariposa, Amador, Calaveras & Tuolumne Health Board, Inc. (MACT), Dignity Health Mark Twain Medical Center, Mark Twain Health Care District

/b/ Staff recommends approving revision to correct staff error adding \$146.40

**Financial Impact**

Table 3: Funding for Change Orders 5 and 6

Item	Funding Source	Additional Amount
Amend Task Order 4A Speed Bumps	City Gas Tax	\$146.40
Task Order 5 Lighting	General Fund and/or ARPA (recommend 50/50)/a/	\$67,096.98
Task Order 6 Landscaping/Irrigation	General Fund and/or ARPA (recommend 50/50)	\$175,237.77
Contingency	General Fund and/or ARPA (recommend 50/50)	\$3,000.00
<b>Subtotal Resolution 25-02 Request (\$146.40 gas tax, \$122,667.38 ARPA, \$122,667.37 General Fund)</b>		<b>\$245,481.15</b>
/a/ Calaveras Public Power Agency (CPPA): Request for \$30,000 grant for lighting		<\$30,000.00>
/a/ PG&E resilience hub grant application – Lighting		<\$16,855.00>
<i>Total applied to change orders if grants are successful</i>		<\$46,855.00>
<i>Eliminate second Mark Twain Statue in park from grant scope/grant (request pending)</i>		<\$60,000.00>
<b>Best Case Scenario (\$146.40 gas tax, \$69,239.88 ARPA, \$69,239.87 General Fund)</b>		<b>\$138,626.15</b>
<b>OPTION: Eliminate soil amendments from landscaping plan (not recommended)</b>		<b>-\$31,440.00</b>

As shown in the preceding table; Staff have identified outside funding sources with potential to offset additional lighting costs. Those funds are not guaranteed. Therefore, Resolution 25-02 would be funded at \$245,481.15 with \$146.40 gas tax plus \$122,667.38 ARPA and 122,667.37 General Fund.

If additoinal grant funding is successful, overall costs to the general fund and ARPA would reduce by up to \$46,844 to 198,626.15 (\$146.40 gas tax plus \$99,239.88 ARPA and \$99,239.87 general fund)

Finally, staff has asked the state to modify the original grant to exclude the addition of a second Mark Twain Statue in favor of expanding information about Mark Twain on one of the interpretive signs. \$60,000 is currently budgeted by Boyer for that and those grant funds could be used to offset landscaping costs. **If approved and grant applications are successful, total would be reduced to \$138,626.15 with \$146.40 gas tax, plus \$69,239.88 ARPA and \$69,239.87 General Fund.**

As of 12/31/24, the balance in the ARPA account is \$360,264.56. Resolution 25-02 would reduce that amount by \$122,667.38 to \$237,597.18. If grant applications are successful and the state approves a change in grant scope; the ARPA account would be reduced by only \$69,239.88 to \$291,024.68.

**Attachments**

- A. Resolution 25-02 with
  - Attachment A Revised Boyer Task Order #4A with Speed Cushion Design Detail
  - Attachment B Boyer Change Order #5 (Lighting)
  - Attachment C Boyer Change Order #6 (Landscaping and Irrigation)
- B. Budget adjustment request



**CITY OF ANGELS  
CITY COUNCIL  
RESOLUTION No. 25-02**

**A RESOLUTION OF THE CITY OF ANGELS CITY COUNCIL**

- A. AMENDING APPROVED CHANGE ORDER NO. 4(A) FOR BOYER FOR THE INSTALLATION OF SPEED CUSHIONS AT UTICA PARK AMENDING THE AMOUNT FROM \$9,000 TO \$9,146.40**
- B. APPROVING CHANGE ORDER NO. 5 FOR BOYER FOR ADDITIONAL LIGHTING AT A COST OF \$67,096.98**
- C. APPROVING CHANGE ORDER NO. 6 FOR BOYER FOR LANDSCAPING AND IRRIGATION AT A COST OF \$175,237.77**
- D. APPROVING A \$3,000 CONTINGENCY FOR STAFF TO APPLY AS AND IF NECESSARY**

WHEREAS, a neighboring landowner requested a speed bump along Utica Lane at Utica Park for safety reasons; and

WHEREAS, the City Engineer reviewed the request and provided a design for the speed bumps per Attachment A; and

WHEREAS, Boyer did provide a cost of \$9,146.40 to install the speed bumps in accordance with the City Engineer’s design; and

WHEREAS, on November 19, 2024, the City Council, at a regularly scheduled meeting, did review and consider and approve the proposal at a cost of \$9,000; however, a minor error was made and is hereby being corrected to recognize the additional \$146.40 for a total of \$9,146.40; and

WHEREAS, park design has required, and the City has made requests to provide, additional lighting and Boyer did provide an additional cost of \$67,096.98 for the additional lighting per Attachment B; and

WHEREAS, due to the deterioration of the existing irrigation system at the park, replacement is required, and Boyer has provided a cost of \$175,237.77 for landscaping and a new irrigation system as described in Attachment C; and

WHEREAS, to facilitate timely completion of the park by allowing for minor cost changes of up to \$3,000 in total in cost to occur at the staff level; a contingency has been considered and approved;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Angels hereby approves Resolution 25-02:

- A. AMENDING APPROVED CHANGE ORDER NO. 4(A) FOR BOYER FOR THE INSTALLATION OF SPEED CUSHIONS AT UTICA PARK AMENDING THE AMOUNT FROM \$9,000 TO \$9,146.40 (Attachment A)**
- B. APPROVING CHANGE ORDER NO. 5 FOR BOYER FOR ADDITIONAL LIGHTING AT A COST OF \$67,096.98 (Attachment B)**
- C. APPROVING CHANGE ORDER NO. 6 FOR BOYER FOR LANDSCAPING AND IRRIGATION AT A COST OF \$175,237.77 (Attachment C)**
- D. APPROVING A \$3,000 CONTINGENCY FOR STAFF TO APPLY AS AND IF NECESSARY**

Passed and adopted this 7<sup>th</sup> day of January 2025, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
\_\_\_\_\_, 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. 4(A)  
Date: November 19, 2024; REVISED January 7, 2025

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:	\$2,275,000.00
Change Order Agreement #1:	\$193,888.00 (mine remediation – outside original scope)
Change Order Agreement # 2:	\$182,645.32 ( Add fire turnout road/hydrant)
Change Order Agreement #3:	\$132,303.62 (purchase gym equipment on behalf of City)
Change Order Agreement # 4:	\$9,146.40 (Speed bumps per neighboring landowner)
Revised Contract Amount:	\$2,792,983.34

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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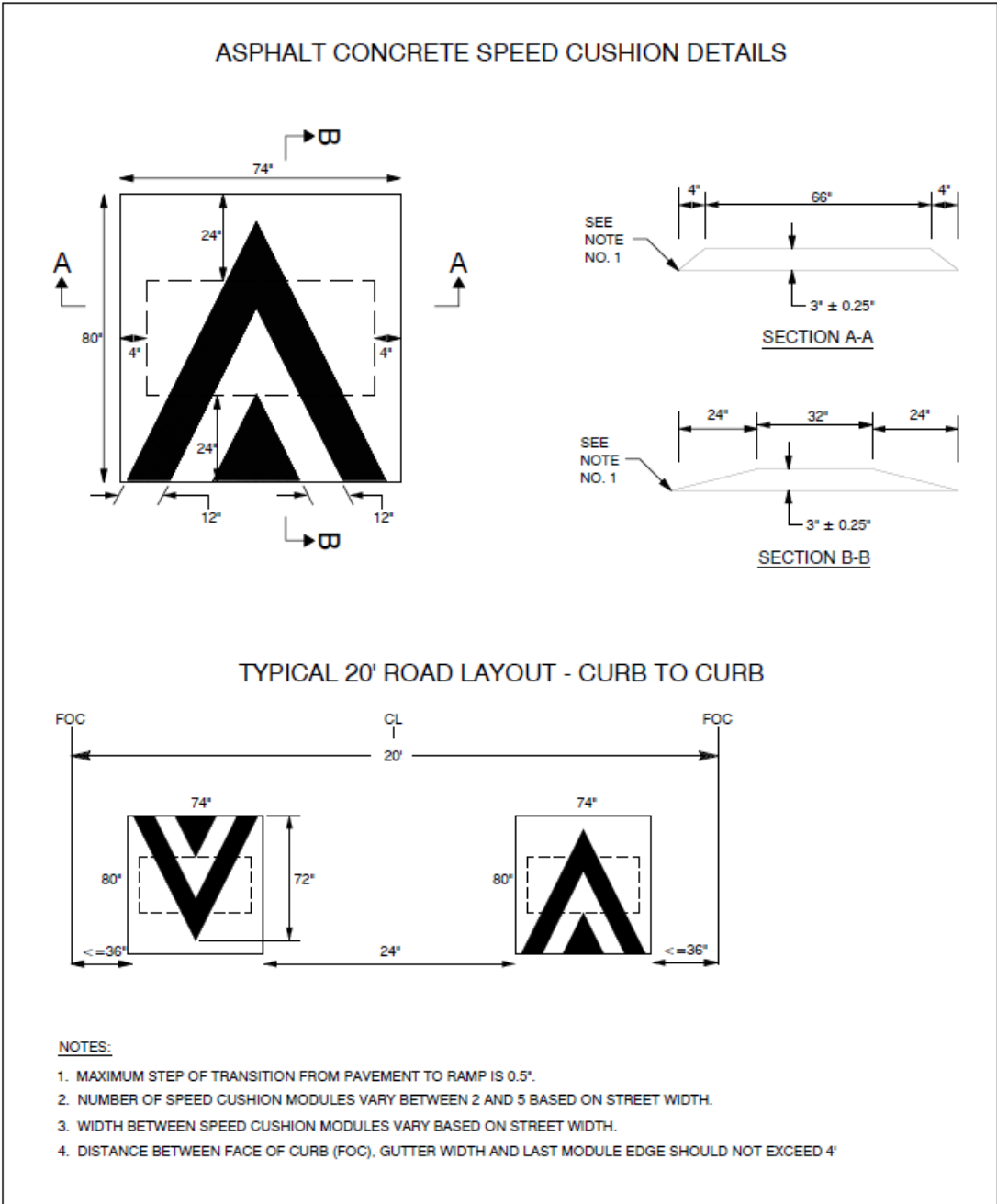


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Authorized Signature: \_\_\_\_\_  
Steve Williams, Interim City Administrator

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

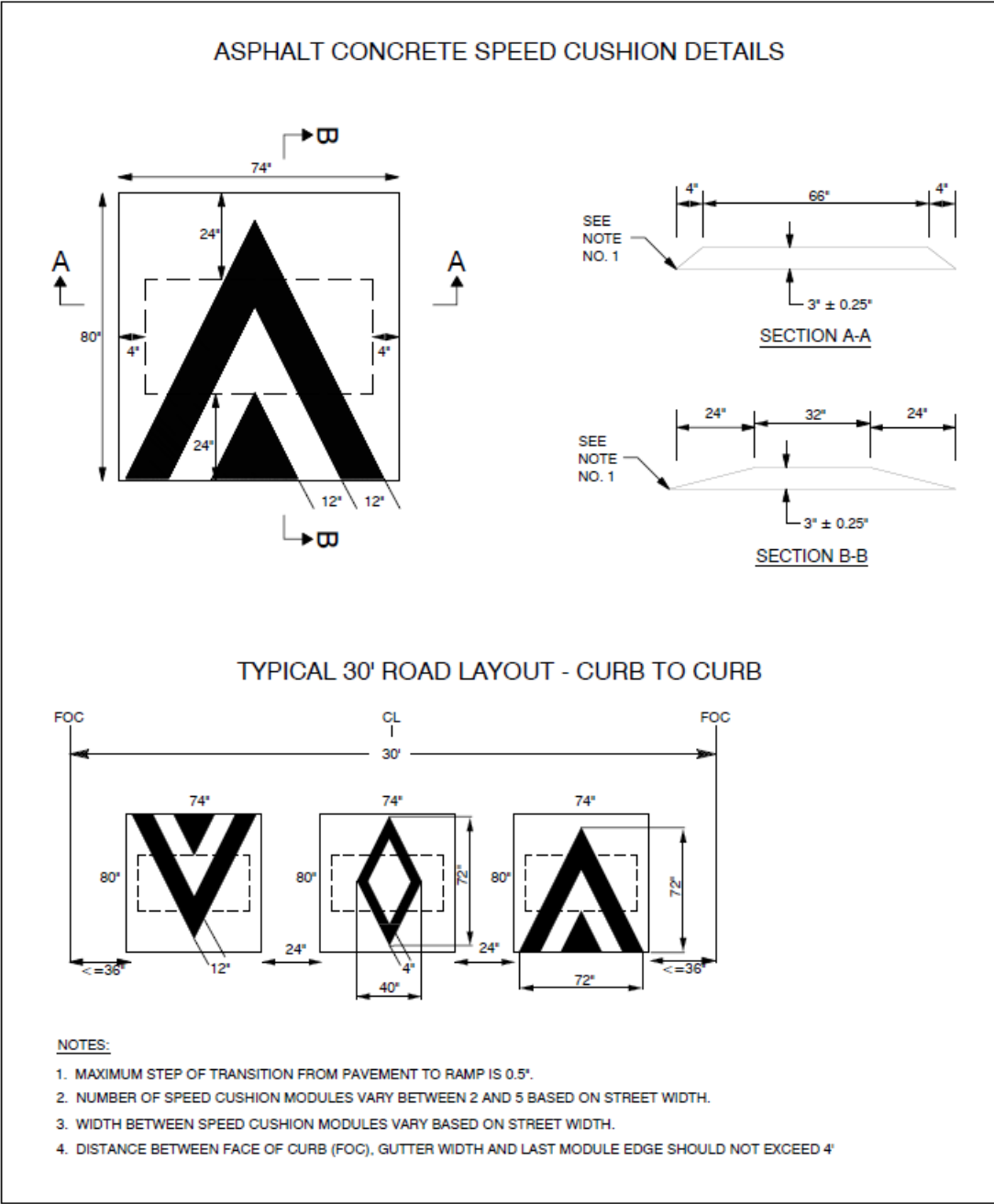
**Attachment A**  
**Speed Cushion Design 20' and 30' road**



N.T.S

**SPEED CUSHION**  
FIGURE A-9c

Oct 12, 2021  
F:\04 - Traffic Calming\Speed Hump Policy - 2017...and beyond\Speed Hump Standards\figA-9c2\_speed\_cushion.dwg

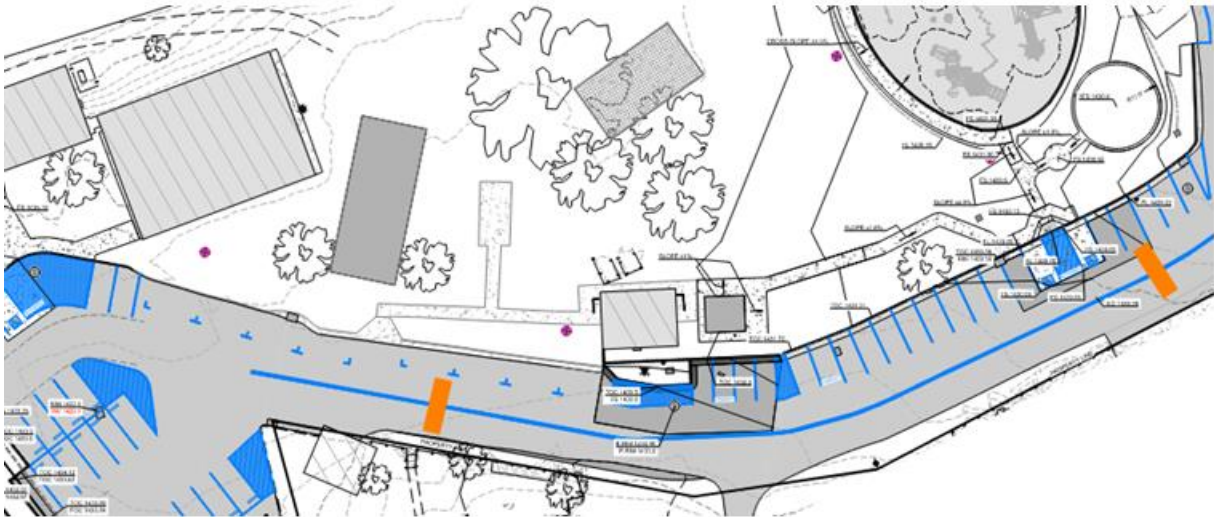


N.T.S

**SPEED CUSHION**  
FIGURE A-95

Oct 06, 2021  
F:\04 - Traffic Calming\Speed Hump Policy - 2017...and beyond\Speed Hump Standards\figA-9b2\_speed\_cushion.dwg

Figure 1: **Approximate** location Speed Cushions



**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. 5  
Date: January 7, 2025

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:	\$2,275,000.00
Change Order Agreement #1:	\$193,888.00 (mine remediation – outside original scope)
Change Order Agreement #2:	\$182,645.32 ( Add fire turnout road/hydrant)
Change Order Agreement #3:	\$132,303.62 (purchase gym equipment on behalf of City)
Change Order Agreement #4:	\$9,146.40 (Speed bumps per neighboring landowner)
Change Oder Agreement #5:	\$67,096.98 (Additional Lighting)
Revised Contract Amount:	\$2,860,080.32

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 B**  
**Additional Lighting**

Item	Cost
<p>Additional site lighting requests (add-ons) – See attached detail</p> <ul style="list-style-type: none"> <li>• Flag pole light - \$3,208.00. Includes high quality in ground light set in concrete and misc. wire and conduit.</li> <li>• Replace existing recessed lights at kitchen exterior - \$638.00</li> <li>• Furnish and install four dark sky wall packs at existing bathroom - \$2,449.00. Includes conduit, wire foundations and poles and lights.</li> <li>• Furnish and install four pole lights. Includes conduit, wire foundations and poles and lights.</li> </ul> <p>Single Light @ \$8,207.00 each = \$16,414            Two Lights @ \$9,008.00 each = \$18,016 (\$34,430)</p> <ul style="list-style-type: none"> <li>• Christmas tree outlet- \$1,644.00</li> <li>• Rework existing plug- \$1,493.00</li> </ul>	<p>\$43,857</p>
<p>Add-ons trenching, sanding, identification tape, backfill compaction for tree light and reworking existing plug</p>	<p>\$15,000.00</p>
<p><i>Subtotal add-ons</i></p>	<p>\$58,857.00</p>
<p>Contractor mark-up for add-on items (11%)</p>	<p>\$8,239.98</p>
<p>Contractor insurance for add-on items (3%)</p>	
<p><b>Total Change Order No. 5</b></p>	<p><b>\$67,096.98</b></p>

Detail – Gold Electric



P.O. Box 1008  
Murphys, CA 95247

Phone: (209) 728-3371  
Fax: (209) 728-3420

**TO: Jesse Oliva & Dante Rich – Boyer Construction, Inc.**  
**PROJECT: Utica Park Outdoor Lighting – Revision 2**  
**EMAIL: [jesse@boyerbuild.com](mailto:jesse@boyerbuild.com) , [dante@boyerbuild.com](mailto:dante@boyerbuild.com)**  
**DATE: 12/31/2024**  
**FROM: Jim Heryford – Gold Electric, Inc.**

Per the above reference project, Gold Electric submits the following scope of work and proposal.

**SCOPE OF WORK:** Based on site visit with Dante and Amy and the stie plan provided to us, GE will perform the following:

- Auger hole, place rebar cage, form and pour four (4) raised foundations for parking area lights.
- Furnish and install four (4) twenty-foot parking area lights. Two with two heads and two with single heads.
- Furnish and install conduit and conductors for approx. 500 feet of site lighting. Install as required pull boxes and conductors. Provide for separate switching at Sound Shell to manually turn off selected parking area lights.
- Furnish and install one (1) ground mounted flagpole light controlled by photo cell.
- Furnish and install four (4) dark sky compliant wall packs on existing restroom building, controlled by photo cel.
- Replace existing recessed trims at kitchen overhang with new LED.
- Furnish and install approximately 160 feet of conduit for Christmas tree outlet. Set weatherproof outlet on pressure treated post and concrete post in place. Tie into existing service at bathroom and install breaker.
- Set pull box near edge of concrete slab by existing bathroom and extend conduit to box. Run approximately 60 feet underground to location of existing receptacles. Demo existing receptacles and replace with weatherproof GFI on pressure treated post and concrete post in place. Pull in conductors and tie to breaker at existing service.

**EXCLUSIONS:**

All trenching and backfill. Gold Electric will place conduit in open trench.  
Any permits, bonds or utility fees.

**REVISED PROPOSAL PRICE: \$ 43,857.00**

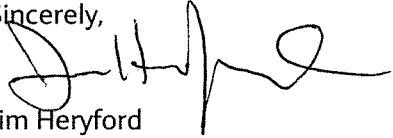
**BREAK DOWN PER ITEM:**

- Flag pole light - \$3,208.00. Includes high quality in ground light set in concrete and misc. wire and conduit.
- Replace existing recessed lights at kitchen exterior - \$638.00
- Furnish and install four dark sky wall packs at existing bathroom - \$2,449.00. Includes conduit, wire foundations and poles and lights.
- Furnish and install four pole lights. Includes conduit, wire foundations and poles and lights.  
Single Light - \$8,207.00 each  
Two Lights - \$9,008.00 each
- Christmas tree outlet - \$1,644.00
- Rework existing plug - \$1,493.00

Each of the above includes labor and all materials needed.

We appreciate the opportunity to offer our scope and proposal for your consideration. Should there be any questions, please feel free to contact us at your earliest convenience. Gold Electric is registered with the Department of Industrial Relations under SB 854. Our registration number is 1000002798.

Sincerely,



Jim Heryford  
President  
Gold Electric, Inc.

**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. 6  
Date: January 7, 2025

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:	\$2,275,000.00
Change Order Agreement #1:	\$193,888.00 (mine remediation – outside original scope)
Change Order Agreement #2:	\$182,645.32 ( Add fire turnout road/hydrant)
Change Order Agreement #3:	\$132,303.62 (purchase gym equipment on behalf of City)
Change Order Agreement #4:	\$9,146.40 (Speed bumps per neighboring landowner)
Change Order Agreement #5:	\$67,096.98 (Additional Lighting)
Change Order Agreement #6:	\$175,237.77 (Landscaping and Irrigation)
Revised Contract Amount:	\$3,035,318.09

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 C**  
**Landscaping and Irrigation**



Boyer Construction
19608 E. Mono Way
Sonora, California 95370
Phone: +12095865010

Project: P0523-UTP - Utica Park Design Build
1055 South Main Street
Angels Camp, California 95222
Phone: (209-743-2323)

Prime Contract Potential Change Order #003: CE #003 - Irrigation, Landscaping & Hydroseeding

Table with 4 columns: Field Name, Value, Field Name, Value. Includes fields like TO, FROM, PCO NUMBER/REVISION, CONTRACT, REQUEST RECEIVED FROM, CREATED BY, STATUS, CREATED DATE, REFERENCE, PRIME CONTRACT CHANGE ORDER, FIELD CHANGE, LOCATION, ACCOUNTING METHOD, SCHEDULE IMPACT, PAID IN FULL, EXECUTED, SIGNED CHANGE ORDER RECEIVED DATE, and TOTAL AMOUNT.

POTENTIAL CHANGE ORDER TITLE: CE #003 - Irrigation, Landscaping & Hydroseeding

CHANGE REASON: Client Request (RFQ)

POTENTIAL CHANGE ORDER DESCRIPTION: (The Contract Is Changed As Follows)

CE #003 - Irrigation, Landscaping & Hydroseeding

Per the provided Landscaping/Irrigation plan, we propose the following:

Add Irrigation/Landscaping per Alley Tree & Landscape Estimate # 22529 - \$173,260.10
Add Hydroseeding - \$15,000 Allowance

ATTACHMENTS:

Alley - Utica Landscape revised price.pdf

Table with 4 columns: #, Budget Code, Description, Amount. Includes items for planting, seeding, contractor markup, and insurance, with a grand total of \$215,237.77.

Minus \$40,000 existng budget Grand Total: \$175,237.77

City of Angels Camp
200 Monte Verda Street
Angels Camp, California 95222

Boyer Construction
19608 E. Mono Way
Sonora, California 95370

SIGNATURE

DATE

SIGNATURE

DATE

SIGNATURE

Jesse Oliva 12/11/2024

DATE





**Alley Tree and Landscape, inc**  
 21985 Sawmill Flat Rd  
 Sonora, CA 95370  
 +12093527920  
 alley.dean@alleytrees.com  
 www.alleytrees.com

# Estimate

**ADDRESS**

Jesse Oliva  
 Boyer Construction  
 Sonora, CA

**ESTIMATE # 22549**

**DATE 11/13/2024**

**ESTIMATOR**

Dean

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
<b>Preparation and Grading</b>	Mobilization and site prep for new irrigation system to be installed: Locate and uncover sleeves. Define and grade outside edges of the proposed irrigated areas and valve locations.  Unknown site preparations / grading / or debris clean-up may not be included in this cost. (Budgetary price dependent upon site conditions on arrival)	1	2,800.00	2,800.00
<b>Installation</b>	Trenching and Installation of approximately 1,345 linear feet of 2" Mainline set at an 18" depth.  Installation of 8 gate valves to isolate separate valve locations.  Installation of an inline 2" Mastervalue near the backflow as well as a Flow Sensor. Valve Box Installed with brick underlayment.	1	19,781.25	19,781.25
<b>Installation</b>	Installation of 20 Inline Valves (1.5")  20 Valve Boxes Installed with brick underlayment.  4 Valves to include a pressure regulator / filter for drip irrigation system. (Drip tubing included for indicated planter area) Plant install not included  Installation of approximately 5,000 linear feet of station wire and 1,400 linear feet of common wire.	1	27,635.00	27,635.00

ACTIVITY	DESCRIPTION	QTY	RATE	
<b>Services</b>	Installation of a 24 Station Rainbird Irrigation Controller with Rain Sensor.		2,877.00	2,877.00
<b>Installation</b>	Installation of Dura-Steel Metal Edging (1/8" black) to create buffer zones between trees and overhead irrigation system.  Approximately 290 linear feet purchased and installed.	1	7,500.00	7,500.00
<b>Installation</b>	Installation of approximately 5,000 linear feet of lateral irrigation line ranging from 1.5" to 1" size.  Approximately 140 Rotors installed with adjustable swing joints	1	57,746.85	57,746.85
<b>Installation</b>	Approximately 2 Tree Bubblers installed at each new tree location for a total of 24 Bubblers Installation of 17 Ornamental Trees provided by the customer.	17	600.00	10,200.00
<b>Installation</b>	Contractor to provide tree stake supports, soil amendment, and slow release fertilizer. Installation of soil amendment throughout all irrigated areas proposed for reseeding.	1	27,500.00	27,500.00
<b>Installation</b>	Approximately 250 cubic yards of amended soil delivered and spread. Preparation of the amphitheater lawn surface.	1	17,220.00	17,220.00
	Deliver and install approximately 22 cubic yards of amended soil.  Deliver and install approximately 3,700 square feet of 90/10 Tall Fescue			

Thank you for your business! If you would like to pay by credit card please know that we must attach a 3% service fee to your transaction. If you would like to mail a check instead it can be sent to 21985 Sawmill Flat Rd. Sonora, CA 95370  
Acceptance of this Proposal: \_\_\_\_\_

**TOTAL** **\$173,260.10**

Contractor is authorized to perform the work stated on this proposal. Payment will be 100% due at the time of billing. If payment has not been received by Alley Tree and Landscape within thirty (30) days after billing, Alley Tree and Landscape shall be entitled to all costs of collection, including reasonable attorneys' fees and it shall be relieved of any obligation to continue performance under this or any other Contract with the Client/Owner. Interest at a rate of 5% per month, or the highest rate permitted by law, will be charged on unpaid balance 45 days after billing.  
Notice: FAILURE TO MAKE PAYMENT WHEN DUE FOR COMPLETED WORK ON CONSTRUCTION JOBS, MAY RESULT IN A MECHANIC'S LIEN ON THE

TITLE OF YOUR PROPERTY.

Notice of cancellation of work must be received in writing before the crew is dispatched to their location or Client/Owner will be liable for minimum travel charge of \$250.00 and billed to Client/Owner.

Accepted By

Accepted Date





# City of Angels City Council Monthly Update January 2025



Vice Mayor Isabel Moncada

Councilmember Alvin Broglio, Councilmember Caroline Schirato, Councilmember Michael Chimente, Councilmember Scott Behiel

## **Significant Ongoing Projects**

### **Major Projects:**

Utica Park – Estimated Completion April 2025

Project Manager: Amy Augustine – Augustine Planning Associates

Eureka Oaks (Habitat) – Estimated Completion ~2027

Project Manager: Dave Richard (Unico) - Dewberry

### **Current CIP Project:**

Mark Twain Road Looping Pipes – Engineering Plans Completed

Estimated Completion: Q3 2025

Project Manager: Dave Richards - Dewberry

### **Next CIP Project:**

Vallecito Sewer Line Upgrade – Engineering Plans Submitted

Project Manager: Dave Richards - Dewberry

## **FY24/25 Noteworthy Accomplishments:**

December – BFCO Michael Clarke  
December – Ratified MOU for Fire/Misc/Exempt  
December – Fulltime Fire Chief  
December – Old City Hall Roof  
December – City Officials Handbook  
December – Angels Creek FEMA Grant

November – General Election  
November – City Administrator Interview Panels  
November – Negotiations Complete

October – First Use of Crack Sealing Machine  
October – Measure “A” Goes into Effect  
October – Downtown Benches/Trash Receptacles

September - Booster Way Sewer Upgrade Complete  
September - Utica Park Playground Equipment Installed  
September - Eureka Oaks (Habitat) Groundbreaking  
September - Angel Creek Trail Environmental Review Completed

August - Received Boom Mower  
August - Stop Signs & Crosswalks at Mark Twain School

July - Citywide Street Sign Replacement Complete

# Administration

Interim City Administrator Steve Williams, City Clerk/HR Rose Beristianos

- Current Vacancies/Recruitments:**
- City Administrator
  - Chief Plant Officer
  - Fire Engineer
  - Firefighter
  - Police Officer
  - Plant Operator in Training

- New Hires in October:**
- Michael Clarke – BFCO
  - Krystina Storey – Police Officer

- Projects:**
- City Administrator Recruitment
  - Fire Department Reorganization
  - Water Rate Update
  - Employee ID Cards
  - Live Scan

## Capital Improvement Projects (CIP) Enterprise Fund

Plans Due By	Person Responsible	CIP Category	Project	Detail	Cost Estimate
10-01-24	Dave Richards	Water	Mark Twain Rd	Looping Pipes	\$ 680,000
11-01-24	Dave Richards	Wastewater	Vallecito Road	Pipe Replacement	\$ 990,000
04-01-25	Dave Richards	Wastewater	East Angels Trunk	Cure in Place	\$1,910,000

Start Date	Person Responsible	CIP Category	Project	Detail	Cost Estimate
10-01-24	Chris Oflinn	Water	Pressure Relief Valves	Replace all PVR	\$ 780,000
11-01-24	Chris Oflinn	Water	Automated Meter Readers	Install AMR's	\$ 400,000
01-01-25	Chris Oflinn	Wastewater	Scope Lines with CCTV	Data to Dewberry	\$ 75,000

# Finance Department

Finance Director Michelle Gonzalez,

**Audits in Progress**

- Annual Financial Audit: We are addressing a few remaining questions. GASB reports have been completed and sent to the CPA for the audit. The CPA firm is still on schedule to submit the audit in January.
- Transportation Projects Audit with CCOG: This audit was completed in December. The audit firm is currently reviewing the data, and the final report should be prepared after the holidays.

**AccuFund Software Implementation**

- This month's focus has been on payroll setup as part of the ongoing system-wide planning phase.
- The chart of accounts has been restructured to enhance reporting clarity and detail.
- Implementation Timeline:
  - January 2025: Payroll mirroring begins, with plans to go live in February.
  - February 2025: General Ledger, Bank Reconciliation, Accounts Payable, Accounts Receivable, and Cash Receipts go live.
  - March 2025: Utility billing mirroring begins.
  - April 2025: Utility billing goes live.
  - May/June 2025: New system features will be rolled out.

**Water/Wastewater Proposition 218**

- Notices to Ratepayers: Mailed on December 20, 2024, to all landlords and tenants.
- Open House Preparation: Finance staff met to plan handouts and displays for the open house scheduled on January 29, 2025.

# Code Enforcement and Building

<b><u>Building – Completed in December</u></b>	
• <b>Number of Permits Issued</b>	<b>20</b>
○ Solar	6
○ Re-Roofs	4
○ HVAC	4
○ Remodel Residential	3
○ Remodel Commercial	1
○ Concrete Slab	1
○ Wood Stove	1
• <b>Number of Inspections</b>	<b>54</b>

<b><u>Code Enforcement – Completed in December</u></b>		
<b>Open cases on December 1</b>		<b>12</b>
	New	Open
Violation Type		
Public Nuisance	2	6
Housing	1	4
Other	4	1
Building Construction		1
Dangerous Building		1
Zoning		
New Cases in December	7	
Cases Closed in December	6	
<b>Open cases on December 31</b>		<b>13</b>

# Water / Wastewater / Public Works

Public Works Superintendent Chris Oflinn

<b><u>Water – Completed in December</u></b>	
• Annual Flow Meter Calibrations	
• Water Service Tie in for the MACT Building	
• Installed New Fire Hydrant for the MACT Building	
• Repaired Service Leak at 1182 Minna St	
• Located Utilities for Eureka Oaks	
• Repaired SC2100 Turbidimeter	
• Received Final Quote for PRV Project	

<b><u>Public Works – Completed in December</u></b>	
• Removed Old “Welcome to Angels Camp” Sign	
• Finished Crack Sealing on Gardner Lane	
• Traffic Control for Christmas Parade	
• Installed Signs at Old City Hall	
• Cleaned up Fallen Tree at Altaville School	
• Cleaned up Fallen Limb at Museum	
• Storm Preparation – Cleaned Drains and Ditches	
• Fixed Railing on Vallecito Bridge	

<b><u>Wastewater – Completed in December</u></b>	
• Quarterly Intermediate Pump Station Cleaning	
• Completed Repairs at Holman Reservoir S/W Side	
• Annual Flow Meter Calibrations	
• Sewer Tie in for MACT Building	
• Hydroflush Problem Sewer Lines	
• Repaired Sewer Plug at 1902 Centennial	
• Replaced Water Pump on the Dodge Truck	

<b><u>Looking Ahead</u></b>	
• Install Radar Feedback Signs	
• Pressure Relief Valve Replacement Project	
• Automated Meter Reader Project	
• Explore Birds Way	
• Speed Tables on Gardner Ln	

# Planning Department

Amy Augustine – Contract City Planner

## Planning – Completed in December

- **Utica Park Project Oversight** - A Planning Committee meeting was held 12/4/24 and approved a draft landscaping plan. A lighting plan was received and reviewed. A final landscaping and irrigation plan was received and reviewed. Park benches made from black walnut trees rotting on site were delivered.
- **Relocate House 79 South Main** – A form AT&T request for an engineer’s estimate was submitted and is pending a response for relocating AT&T facilities for the move.
- **PRICE Grant** – Staff contacted the granting agency. They anticipate announcements by 12/31/24 on the results of the \$11,672,000 grant
- **Foundry Lane** – A Caltrans appraisal is scheduled for completion by the end of January. The item is tentatively scheduled for the California Transportation Commission in May 2025.
- **GIS** –ParcelQuest is expecting to open the city gateway in early January and provide a non-subscription source of online zoning information for the public.
- **All Hazards (Zoning Code Updates)** – A public open house for the project was held 12/12/24 from 3-5 p.m. with no participants. Due to poor attendance and poor outreach, another meeting has been scheduled for 1/16/25.

## Planning – Looking Ahead

- **Utica Park** - Outdoor gym equipment is scheduled to ship to the City on 1/15/25. Change orders for additional costs associated with a new irrigation system and additional lighting is scheduled for the City Council 1/7/25.
- **PG&E Resilience Grant** – Staff will be preparing a grant application for kitchen and lighting improvements at Utica Park. The grant is due 1/31/25 for up to \$100,000.
- **Calaveras Public Power Agency (CPPA) Grant** – Staff is pursuing a grant to assist with park lighting of up to \$30,000 in January, 2025.
- **Conditional Use Permit for a Church School** off Depot Road is scheduled for a February Planning Commission hearing.
- **General Plan Amendment and rezone** for two parcels off Murphys Grade Road from Business Attraction and Expansion to Residential is scheduled for a Planning Commission hearing on 1/9/25.
- **Property purchase** – Staff continued coordination with Zita Johnson to purchase a small parcel adjacent to Tryon Park. In early January, final documents are anticipated.

# Engineering Department

Aaron Brustatori – Contract City Engineer

## Engineering – Completed in December

- **Eureka Oaks (Habitat)** – Correspondence regarding changes in curbs.
- **Foundry Lane Extension** – Participate in Landowner Meeting.
- **Angels Camp Museum** – Pre-storm Inspection and Recommendations for Drainage

## Engineering – Looking Ahead

- **Pickle Porch Public Parking** – Provide Cost Estimate for Improving 14 Spaces
- **Murphys Grade Drainage** – Final review of plans. Preparation for bid for June 2025 construction.
- **Eureka Oaks (Habitat)** – Recommendations Regarding Maintenance Agreements.
- **MACT Museum** – Continue as-needed Support
- **Old Napa Site** – Provide Conceptual Options for Parking Facility



# Fire Department (Not Updated in December)

Chief John Rohrabough

<b>Responses in November 2024</b>	
<b>Total</b>	<b>86</b>
Emergency Medical	51
Cancelled prior to arrival	14
Public Service	11
Other Investigative	4
Structure Fire	3
Vehicle Accident	2
Vegetation Fire	1

- Notable Calls in November 2024:**
- Vehicle Accident w/Extrication 49/Carson Hill
  - Two Structure Fires in Murphys
  - Chimney Fire on Lee Lane
  - Stabbing at Big Horn Mobile Home Park

- Additional Info in November 2024:**
- Started Recruitment for Engineer and Firefighter
  - Participate in City Administrator Interviews
  - Public Education Events Head Start & St. Patrick's Church
  - State Fire Inspection at Bret Harte High School
  - Ordered Personal Protective Equipment
  - Serviced SCBA Fill System

**Scheduled in December 2024:**

Interviews for Fulltime Firefighters and Fire Engineer                      Move Fire Chief Officer to Vallecito Station

# Police Department

Chief Scott Ellis

<b>Activity in December 2024</b>	
Total Incidents	320
Total Reports	36
Total Traffic Stops	37
Total Arrests	12
<b>Types of Calls:</b>	
• Disturbance	21
• Theft	7
• Traffic Collisions	4
• Assault and Battery	2
• DUI	1
• Domestic Violence	1

- Additional Info in December 2024**
- Police Officer Krystine Storey Sworn in and Began Field Training
  - Police Officer Resigned
  - Christmas Parade
  - Maintenance on Two Patrol Vehicles
    - Chevy Tahoe
    - Dodge Charger
  - Volunteers Donated 44.5 Hours

- Looking Ahead**
- Follow up with Flock Safety and Caltrans Regarding ALPR