

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

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 93212

*Tuesday, May 23, 2023
5:30 P.M*

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

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

ROLL CALL

| | |
|-----------------|------------------------|
| Mayor: | Jeanette Zamora-Bragg |
| Vice Mayor: | Pat Nolen |
| Council Member: | Greg Ojeda |
| Council Member: | Sidonio "Sid" Palmerin |
| Council Member: | Jerry Robertson |

INVOCATION

FLAG SALUTE

1. PUBLIC DISCUSSION (Verbal and Written)

Members of the audience may address the Council or submit written comments on non-agenda items; however, in accordance with government code section 54954.2, the Council may not (except in very specific instances) take action on an item not appearing on the posted agenda.

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

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

2. **CONSENT CALENDAR (VV)**

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

- 2-A. Approval of minutes for the meeting of the City Council on May 9, 2023.
- 2-B. Authorization to read ordinances and resolutions by title only.
- 2-C. Approval of Warrant Register dated May 23, 2023.
- 2-D. AB 481 Military Equipment Annual Report for 2022.

3. **PRESENTATIONS**

Present Proclamation 2023-06 Recognizing May 21- 27, 2023 as National Public Works Week,

4. **PUBLIC HEARINGS** – None

5. **STAFF REPORTS**

- 5-A. Second reading and approval of Ordinance No. 646 regarding Business Regulations Regarding Retail Cannabis. *(Beery) (VV)*

6. **MATTERS FOR MAYOR AND COUNCIL**

- 6-A. Upcoming Events/Meetings
- 6-B. City Manager's Report
- 6-C. Council Comments/Staff Referral Items - *Items of Interest (Non-action items the Council may wish to discuss)*
- 6-D. Committee Reports

7. **CLOSED SESSION** – None

8. **ADJOURNMENT**

I certify that I caused this Agenda of the Corcoran City Council meeting to be posted at the City Council Chambers, 1015 Chittenden Avenue on May 19, 2023.


Marlene Spain, City Clerk

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

Tuesday, May 9, 2023

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

ROLL CALL

Councilmembers present: Patricia Nolen, Greg Ojeda, Sid Palmerin, and Jeanette Zamora-Bragg

Councilmembers absent: Jerry Robertson

Staff present: Joseph Beery, Joe Faulkner, Greg Gatzka, Sandra Pineda, Reuben Shortnacy, Marlene Spain, and Kevin Tromborg

Press present: None

INVOCATION Invocation was presented by Nolen.

FLAG SALUTE The flag salute was led by Palmerin.

1. PUBLIC DISCUSSION

Brandon Sanders with PG&E addressed the council to advise that PG&E is currently updating equipment and has moved their office to Lemoore due to the flooding.

Richard Valle, District 2 Supervisor addressed the council to thank everyone that was involved in the “Five Pillars of Freedom” unveiling. Valle also spoke regarding Governor Newsom’s recent visit to Corcoran due to flooding and thinks it would be a good idea to hold a Town Hall meeting.

Phillip Denton, 1318 Jepsen Ave, addressed the council regarding his opposition of having cannabis dispensaries in the city.

2. CONSENT CALENDAR

Following Council discussion, a **motion** was made by Ojeda and seconded by Nolen to approve Consent Calendar. Motion carried by the following vote:

AYES: Nolen, Palmerin, Ojeda, and Zamora- Bragg
NOES:
ABSENT: Robertson
ABSTAINED:

- 2-A. Approval of minutes for the meeting of the City Council on April 25, 2023.
- 2-B. Authorization to read ordinances and resolutions by title only.
- 2-C. Approval of Warrant Register dated May 9, 2023.
- 2-D. Approval of On-Call Agreement with A&M for State & Federal Projects.
- 2-E. Consider approval of Resolution No. 3989 and Resolution No. 3990, regarding annual update of the existing Landscaping Assessment District No. 07-01, Subdivision Salyer Estates No. 3, Tract Map 853.
- 2-F. Consider approval of Resolution No. 3991 and Resolution No. 3992, regarding annual update of existing Landscaping Assessment District No. 07-02, Subdivision Pheasant Ridge, Tract Map 857.
- 2-G. Consider approval of Resolution No. 3993 and Resolution No. 3994, regarding annual update of existing Landscaping Assessment District No. 08-01, Subdivision Sunrise Villas, Tract Map 856.
- 2-H. Consider approval of Resolution No. 3995 and Resolution No. 3996, regarding annual update of existing Landscaping Assessment District No. 08-02, Subdivision Patterson Avenue, Tract Map 785.
- 2-I. Consider approval of Resolution No. 3997 and Resolution No. 3998, regarding annual update of existing Public Facility Maintenance District (PFMD) Assessment District No. 18-01, Subdivision Sierra Estates 2, Tract 925

3. **PRESENTATIONS** -None

4. **PUBLIC HEARINGS**

- 4-A. Public Hearing to review and approve Resolution No. 3988 Ordering Annexation of Tract 880 into Public Facilities Maintenance District 18-01, Confirming Diagram and Assessment, and Levying of Assessment was declared open at 5:39 P.M. Joseph Beery, City Attorney presented the staff report. There being no written or oral testimony, the public hearing was declared closed at 5:43 P.M.

Following Council discussion, a motion was made by Nolen and seconded by Palmerin to approve Resolution No. 3988 Ordering Annexation of Tract 880 into Public Facilities Maintenance District 18-01, Confirming Diagram and Assessment, and Levying of Assessment. Motion carried by the following vote:

AYES: Nolen, Ojeda, Palmerin, and Zamora- Bragg
NOES:
ABSENT: Robertson

5. STAFF REPORTS

5-A. Following Council discussion, a motion was made by Ojeda seconded by Nolen to award phase two of the construction of wells 8C and F to Steve Dovali Construction Inc. Motion carried by the following vote:

AYES: Nolen, Ojeda, Palmerin, and Zamora- Bragg
NOES:
ABSENT: Robertson

5-B. Following Council discussion, a motion was made by Ojeda and seconded by Palmerin to approve the agreement between the County of Kings and the City of Corcoran, Hanford, Avenal, and Lemoore in cooperation regarding the Multijurisdictional 2024-2032 Housing Element updates. Motion carried by the following vote:

AYES: Nolen, Ojeda, Palmerin, and Zamora- Bragg
NOES:
ABSENT: Robertson

5-C. Following Council discussion, a motion was made by Nolen and seconded by Ojeda to waive the first reading of Ordinance No. 646 and hold the second reading on May 23, 2023, Council meeting. Motion carried by the following vote:

AYES: Nolen, Ojeda, and Zamora- Bragg
NOES: Palmerin
ABSENT: Robertson

6. MATTERS FOR MAYOR AND COUNCIL

6-A. Upcoming Events/Meetings

6-B. City Manager's Report

6-C. Council Comments/Staff Referral Items - *Items of Interest (Non-action items the Council may wish to discuss)*

6-D. Committee Reports

7. **CLOSED SESSION** -None

8. **ADJOURNMENT**

5:57 P.M.

Marlene Spain, City Clerk

Jeanette Zamora-Bragg, Mayor

APPROVED DATE: _____

City of

CORCORAN

FOUNDED 1914

A MUNICIPAL CORPORATION

Consent Calendar
ITEM #: 2-C__

MEMORANDUM

TO: City Council

FROM: Sandra Pineda, Interim Finance Director

DATE: May 23, 2023

MEETING DATE: May 23, 2023

SUBJECT: Warrant Register

Recommendation:

Consider approval of the warrant register(s).

Discussion:

The attached appropriations are for services and supplies utilized by City Departments in order to maintain services for the community. The warrant register(s) will be reviewed at the upcoming meeting and staff can address any questions from Council Members.

Budget Impact:

The warrant register includes expenses approved in the Fiscal Year 2022/2023 Budget and may include items which will be addressed through Budget Amendments.

Attachments:

- Warrant Register #1 for warrant request date: 05/09/2023 FY23

Accounts Payable

Blanket Voucher Approval Document



User: lmustain
Printed: 05/09/2023 - 2:30PM
Warrant Request Date: 5/9/2023
DAC Fund:

Batch: 00502.05.2023 - Wrnt Rgstr 05/23/23 FY23

| Line | Claimant | Amount |
|------|---|------------|
| 1 | A & M Consulting Engineers | 71,412.50 |
| 2 | American Office Solutions, LLC | 300.00 |
| 3 | Auto Zone, Inc. | 301.08 |
| 4 | Az Auto Parts | 36.72 |
| 5 | Borba's Auto Body | 9,050.82 |
| 6 | City of Corcoran | 154.72 |
| 7 | CIVICWELL | 2,551.39 |
| 8 | Cline's Business Equipment, Inc. | 191.49 |
| 9 | Cooks Communications | 600.00 |
| 10 | Corcoran Publishing Company | 72.00 |
| 11 | Frontier Communications | 91.06 |
| 12 | Frontier Communications | 145.00 |
| 13 | Frontier Communications | 112.20 |
| 14 | Frontier Communications | 236.24 |
| 15 | Frontier Communications | 738.59 |
| 16 | Frontier Communications | 224.39 |
| 17 | Frontier Communications | 43.04 |
| 18 | Kings Waste & Recycling | 68,188.22 |
| 19 | Leaf Capital Funding LLC | 171.80 |
| 20 | ODP Business Solutions | 848.82 |
| 21 | PG&E | 4,976.95 |
| 22 | PG&E | 11,476.24 |
| 23 | PG&E | 102,393.80 |
| 24 | SCA of CA, LLC | 6,699.00 |
| 25 | Superior Soil Supplements LLC | 768.58 |
| 26 | The Gas Company | 107.94 |
| 27 | The Gas Company | 134.24 |
| 28 | The Gas Company | 78.38 |
| 29 | The Gas Company | 86.59 |
| 30 | TSA Consulting Group, Inc. | 50.00 |
| 31 | Tulare County Jail-Industries Engraving Program | 339.41 |
| 32 | Tule Trash Company | 97,449.60 |
| 33 | UNIFIRST Corporation | 1,812.16 |
| 34 | USA Blue Book | 187.35 |
| 35 | Vulcan Materials Company | 1,009.91 |
| 36 | WEX BANK | 14,071.75 |

Grand Total: \$397,111.98

Accounts Payable

Voucher Approval List

User: lmustain
Printed: 05/09/2023 - 2:32PM
Batch: 00502.05.2023 - Wrnt Rgstr 05/23/23 FY23



| Warrant Date | Vendor | Description | Account Number | Amount |
|--------------|--------------------------------|--|-----------------|-----------|
| 5/9/2023 | A & M Consulting Engineers | ARC GIC SUBSCRIPTION | 104-406-300-200 | 2,750.00 |
| 5/9/2023 | A & M Consulting Engineers | TPM 2301-2611 GABLE | 104-406-300-200 | 232.50 |
| 5/9/2023 | A & M Consulting Engineers | GATEWAY MEETING | 104-406-300-200 | 130.00 |
| 5/9/2023 | A & M Consulting Engineers | GATEWAY ADDRESS LABELING | 104-406-300-200 | 110.00 |
| 5/9/2023 | A & M Consulting Engineers | GATEWAY DELIVER DOCS TO CH | 104-406-300-200 | 65.00 |
| 5/9/2023 | A & M Consulting Engineers | GATEWAY MISC PARK ITEM | 104-406-300-200 | 195.00 |
| 5/9/2023 | A & M Consulting Engineers | STORM DRAIN IMP NARRATIVE GG | 104-406-300-200 | 140.00 |
| 5/9/2023 | A & M Consulting Engineers | CMACK: GRADING INSPECTION | 104-406-300-200 | 360.00 |
| 5/9/2023 | A & M Consulting Engineers | STARBUCKS PLAN CHECK REC 4/11 | 104-406-300-200 | 555.00 |
| 5/9/2023 | A & M Consulting Engineers | GATEWAY MISC PARK ITEM | 104-406-300-200 | 195.00 |
| 5/9/2023 | A & M Consulting Engineers | ADV HEALTH REVISION CK | 104-406-300-200 | 555.00 |
| 5/9/2023 | A & M Consulting Engineers | STORM DRAIN NARRATIVE GG | 104-406-300-200 | 420.00 |
| 5/9/2023 | A & M Consulting Engineers | SUST. COMMUNITIES GRANT EV CHARGIONG INFRUSTRUC1 | 104-406-300-200 | 45,595.00 |
| 5/9/2023 | A & M Consulting Engineers | STARBUCKS PLAN CHECK REC 4/12 | 104-406-300-200 | 370.00 |
| 5/9/2023 | A & M Consulting Engineers | FOX RUN, CHECK SATURATION | 104-406-300-200 | 520.00 |
| 5/9/2023 | A & M Consulting Engineers | FOX RUN, INSPECTION SHEET & REVIEW | 104-406-300-200 | 390.00 |
| 5/9/2023 | A & M Consulting Engineers | FOX RUN, INSPECTION | 104-406-300-200 | 650.00 |
| 5/9/2023 | A & M Consulting Engineers | SUST. COMMUNITIES GRANT EV CHARGIONG INFRUSTRUC1 | 104-406-300-200 | 18,180.00 |
| 5/9/2023 | American Office Solutions, LLC | SERVICE OUTAGE | 104-421-300-181 | 300.00 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 275 - OIL FILTER | 104-421-300-260 | 3.89 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 216 - FILTERS FOR SERVICE | 145-410-300-260 | 19.25 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 282 ANIMAL CONTROL - FILTERS FOR SERVICE | 104-421-300-203 | 25.63 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 254 - REAR BREAK SHOES | 104-421-300-260 | 53.03 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 247 - TRANS FILTER KIT | 104-421-300-260 | 127.57 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 293 - MOTOR OIL & FILTER | 104-421-300-260 | 37.00 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 254 - FILTERS FOR SERVICE | 104-421-300-260 | 19.25 |
| 5/9/2023 | Auto Zone, Inc. | BATTERY FOR WATER VALVE EXERCISER | 105-437-300-140 | 10.83 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 254 - 1 CAN FREON | 104-421-300-260 | 20.81 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 254 - RETURN ON CAN CORE | 104-421-300-260 | -10.00 |
| 5/9/2023 | Auto Zone, Inc. | UNIT 247 - RETURN KIT | 104-421-300-260 | -23.91 |
| 5/9/2023 | Auto Zone, Inc. | CAR WASH SUPPLIES | 104-421-300-260 | 17.73 |

| | | | | |
|----------|----------------------------------|---|-----------------|-----------|
| 5/9/2023 | Az Auto Parts | UNIT 293 - ANTIFREEZE | 104-421-300-260 | 22.56 |
| 5/9/2023 | Az Auto Parts | SHOP USE | 104-433-300-210 | 14.16 |
| 5/9/2023 | Borba's Auto Body | BODY WORK FOR UNIT 285 DAVID ARREDONDO WORK TRU | 105-437-300-200 | 9,050.82 |
| 5/9/2023 | City of Corcoran | CITY SERVICE 1116 SHERMAN AVE | 301-430-300-316 | 154.72 |
| 5/9/2023 | CIVICWELL | COMMUNITY ENGAGEMENT | 104-406-300-200 | 1,254.13 |
| 5/9/2023 | CIVICWELL | COMMUNITY OUTREACH | 104-406-300-200 | 1,297.26 |
| 5/9/2023 | Cline's Business Equipment, Inc. | USAGE | 104-421-300-180 | 191.49 |
| 5/9/2023 | Cooks Communications | REPAIR BATTERY CABLE # 220 | 104-421-300-260 | 375.00 |
| 5/9/2023 | Cooks Communications | REPAIR RADIO #280 | 104-421-300-260 | 225.00 |
| 5/9/2023 | Corcoran Publishing Company | 3/9/2023 & 3/23/23 - NIXEL | 104-421-300-156 | 72.00 |
| 5/9/2023 | Frontier Communications | PD FAX LINES ACCT# 559-992-1020-073119-5 | 104-421-300-220 | 738.59 |
| 5/9/2023 | Frontier Communications | WWTP ACCT# 559-992-1216-062118-5 | 120-435-300-220 | 224.39 |
| 5/9/2023 | Frontier Communications | WTP ACCT# 559-992-9218-0711065 | 105-437-300-220 | 236.24 |
| 5/9/2023 | Frontier Communications | TRANSIT ACCT# 559-992-1216-062118-5 | 145-410-300-220 | 112.20 |
| 5/9/2023 | Frontier Communications | PW FAX# ACCT# 559-992-1408-091098-5 | 104-432-300-220 | 145.00 |
| 5/9/2023 | Frontier Communications | RAO ACCT# 209-148-1538-030198-5 | 136-415-300-220 | 43.04 |
| 5/9/2023 | Frontier Communications | VETS HALL ACCT# 55999286801122995 | 104-432-320-220 | 91.06 |
| 5/9/2023 | Kings Waste & Recycling | GREEN WASTE - 252.69 UNITS/TONS | 112-436-300-192 | 10,107.60 |
| 5/9/2023 | Kings Waste & Recycling | CLEAN UP 55.16 UNITS/TON | 112-436-300-192 | 26,491.92 |
| 5/9/2023 | Kings Waste & Recycling | BLUE CANS 66.79 UNITS/TON | 112-436-300-192 | 2,671.60 |
| 5/9/2023 | Kings Waste & Recycling | MISC COMMODITY 500.55 UNITS/TON | 112-436-300-192 | 28,917.10 |
| 5/9/2023 | Leaf Capital Funding LLC | COPIER SERVICE RENTAL | 104-421-300-180 | 171.80 |
| 5/9/2023 | ODP Business Solutions | ELECTRIC HOLE PUNCH | 104-405-300-150 | 90.70 |
| 5/9/2023 | ODP Business Solutions | ERGO WORELESS MOUSE | 145-410-300-210 | 47.62 |
| 5/9/2023 | ODP Business Solutions | VERTICAL BACK REST | 145-410-300-210 | 37.88 |
| 5/9/2023 | ODP Business Solutions | INK CATRIDGES, STAPLES & CLOROX WIPES | 104-405-300-150 | 603.74 |
| 5/9/2023 | ODP Business Solutions | CORRECTION TAPE, BINDER DIVIDERS, MOUSE PAD, MESH (| 145-410-300-210 | 68.88 |
| 5/9/2023 | PG&E | POOL | 138-413-300-200 | 3,906.25 |
| 5/9/2023 | PG&E | PARKS | 104-412-300-240 | 1,071.57 |
| 5/9/2023 | PG&E | DEPOT | 145-410-300-240 | 743.87 |
| 5/9/2023 | PG&E | SAYLER LANDSCAPING & LIGHTING DIST | 111-601-300-240 | 9.86 |
| 5/9/2023 | PG&E | UTILITES - STREET LIGHTING APRIL 2023 | 111-603-300-240 | 14.34 |
| 5/9/2023 | PG&E | UTILITES SE NE SW 25 21 22 | 105-437-300-240 | 11,476.24 |
| 5/9/2023 | PG&E | WATER PUMPS | 105-437-300-240 | 72,905.70 |
| 5/9/2023 | PG&E | UTILITES - STREET LIGHTING APRIL 2023 | 104-412-300-240 | 13.19 |
| 5/9/2023 | PG&E | UTILITES - STREET LIGHTING APRIL 2023 | 109-434-300-240 | 4,395.62 |
| 5/9/2023 | PG&E | UTILITES - STREET LIGHTING APRIL 2023 | 111-604-300-240 | 90.94 |
| 5/9/2023 | PG&E | STREET LIGHTS | 109-434-300-240 | 533.08 |
| 5/9/2023 | PG&E | VETS HALL | 104-432-320-240 | 376.68 |

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| 5/9/2023 | PG&E | WWTP | 120-435-300-240 | 7,987.26 |
| 5/9/2023 | PG&E | UTILITES - STREET LIGHTING APRIL 2023 | 111-605-300-200 | 86.56 |
| 5/9/2023 | PG&E | UTILITES - STREET LIGHTING APRIL 2023 | 111-601-300-240 | 81.17 |
| 5/9/2023 | PG&E | STORM DRAIN | 121-439-300-240 | 9,069.03 |
| 5/9/2023 | PG&E | GOVT BUILDING | 104-432-300-240 | 5,790.50 |
| 5/9/2023 | PG&E | UTILITES - STREET LIGHTING APRIL 2023 | 111-602-300-200 | 295.13 |
| 5/9/2023 | SCA of CA, LLC | STREET SWEEPING - MAR 2023 | 112-438-300-200 | 2,233.00 |
| 5/9/2023 | SCA of CA, LLC | STREET SWEEPING - MAR 2023 | 121-439-300-200 | 2,233.00 |
| 5/9/2023 | SCA of CA, LLC | STREET SWEEPING - MAR 2023 | 109-434-300-200 | 2,233.00 |
| 5/9/2023 | Superior Soil Supplements LLC | SB1383 GRANT - MULCH FOR CITY PARKS | 112-436-300-205 | 768.58 |
| 5/9/2023 | The Gas Company | WWTP | 120-435-300-242 | 86.59 |
| 5/9/2023 | The Gas Company | 750 NORTH AVE WATER HEATER | 104-432-300-242 | 107.94 |
| 5/9/2023 | The Gas Company | NEW CITY HALL 832 WHITLEY AVE | 104-432-300-242 | 78.38 |
| 5/9/2023 | The Gas Company | PUBLIC WORKS | 104-432-300-242 | 134.24 |
| 5/9/2023 | TSA Consulting Group, Inc. | APRIL 2023 SERVICES FEE FOR 401 A PLAN ADMINISTRATIO | 104-405-300-200 | 50.00 |
| 5/9/2023 | Tulare County Jail-Industries Engraving Progr | JUNIOR POLICE STICKERS | 104-421-300-210 | 339.41 |
| 5/9/2023 | Tule Trash Company | DUMP FEE | 112-436-300-192 | 210.66 |
| 5/9/2023 | Tule Trash Company | FRANCHISE FEE 12.73% | 104-000-316-024 | -13,930.90 |
| 5/9/2023 | Tule Trash Company | FRANCHISE FEE MARCH 2023 | 112-436-316-023 | -1,062.94 |
| 5/9/2023 | Tule Trash Company | DUMP FEE | 112-436-300-192 | 220.40 |
| 5/9/2023 | Tule Trash Company | PULL FEE | 112-436-300-200 | 672.44 |
| 5/9/2023 | Tule Trash Company | MISC CHARGES : ADDL P/U, CONTAM FEE & OVERAGES APR | 112-436-300-192 | 561.42 |
| 5/9/2023 | Tule Trash Company | PULL FEE | 112-436-300-200 | 793.53 |
| 5/9/2023 | Tule Trash Company | CONTRACT | 112-436-300-200 | 109,433.65 |
| 5/9/2023 | Tule Trash Company | PULL FEE | 112-436-300-200 | 551.34 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X20%) | 121-439-200-125 | 24.69 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X1) | 104-433-200-125 | 52.76 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X80%) | 120-435-200-125 | 98.75 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X5) | 105-437-200-125 | 212.40 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X80%) | 120-435-200-125 | 30.08 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (2X) | 109-434-200-125 | 94.16 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (1X) | 104-433-200-125 | 99.08 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (1X) | 104-433-200-125 | 86.88 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X4) | 145-410-200-125 | 193.88 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X1) | 104-433-200-125 | 37.60 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X20%) | 121-439-200-125 | 10.55 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (1X) | 104-432-200-125 | 28.88 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X1) | 105-437-200-125 | 160.36 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (1X) | 104-412-200-125 | 63.48 |

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|----------|--------------------------|--|-----------------|----------|
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X1) | 105-437-200-125 | 29.80 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X6) | 105-437-200-125 | 176.28 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X80%) | 120-435-200-125 | 79.39 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X4) | 145-410-200-125 | 112.76 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X80%) | 120-435-200-125 | 42.21 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X20%) | 121-439-200-125 | 7.52 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X1) | 109-434-200-125 | 41.00 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (X20%) | 121-439-200-125 | 19.85 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (2X) | 104-412-200-125 | 59.76 |
| 5/9/2023 | UNIFIRST Corporation | UNIFORMS - COST (1X) | 104-432-200-125 | 50.04 |
| 5/9/2023 | USA Blue Book | CASE OF SPRAY PAINT - BLUE FOR WTP | 105-437-300-210 | 187.35 |
| 5/9/2023 | Vulcan Materials Company | PO# 24833 ASPHALT FOR STREETREPAIR | 109-434-300-210 | 570.56 |
| 5/9/2023 | Vulcan Materials Company | PO# 24834 ASPHALT FOR STREETREPAIR | 109-434-300-210 | 439.35 |
| 5/9/2023 | WEX BANK | G. GILBERT MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 351.75 |
| 5/9/2023 | WEX BANK | J. ROARK MAR-APR 2023 FUEL STATEMENT | 104-406-300-250 | 238.61 |
| 5/9/2023 | WEX BANK | KEVIN TROMBORG MAR-APR 2023 FUEL STATEMENT | 104-406-300-250 | 88.71 |
| 5/9/2023 | WEX BANK | S. FRANCO MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 359.75 |
| 5/9/2023 | WEX BANK | S. PFARR MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 255.22 |
| 5/9/2023 | WEX BANK | S. BEWARDER MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 454.07 |
| 5/9/2023 | WEX BANK | MAR-APR FUEL STATEMENT | 104-432-300-250 | 188.31 |
| 5/9/2023 | WEX BANK | R. SHORTNACY MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 168.88 |
| 5/9/2023 | WEX BANK | A. FLORES MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 252.79 |
| 5/9/2023 | WEX BANK | LISA JONES MAR-APR 2023 FUEL STATEMENT | 145-410-300-250 | 1,180.90 |
| 5/9/2023 | WEX BANK | GRACIE MEDINA MAR-APR 2023 FUEL STATEMENT | 145-410-300-250 | 1,045.92 |
| 5/9/2023 | WEX BANK | MAR-APR FUEL STATEMENT | 104-431-300-250 | 678.04 |
| 5/9/2023 | WEX BANK | M. SALAS MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 306.46 |
| 5/9/2023 | WEX BANK | R. AGUIRRE MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 222.48 |
| 5/9/2023 | WEX BANK | M. CARRILLO MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 113.28 |
| 5/9/2023 | WEX BANK | REBATE & PAPER DELIVERY FEE | 104-432-300-250 | -76.61 |
| 5/9/2023 | WEX BANK | J. BONILLA MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 293.80 |
| 5/9/2023 | WEX BANK | T. DANIELS MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 442.24 |
| 5/9/2023 | WEX BANK | G. PADAMA MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 560.80 |
| 5/9/2023 | WEX BANK | NORMA LOPEZ MAR-APR 2023 FUEL STATEMENT | 145-410-300-250 | 509.15 |
| 5/9/2023 | WEX BANK | MAR-APR FUEL STATEMENT | 104-412-300-250 | 794.32 |
| 5/9/2023 | WEX BANK | MAR-APR FUEL STATEMENT | 105-437-300-250 | 2,362.20 |
| 5/9/2023 | WEX BANK | F. CARRASCO MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 336.24 |
| 5/9/2023 | WEX BANK | MAR-APR FUEL STATEMENT | 120-435-300-250 | 978.67 |
| 5/9/2023 | WEX BANK | S. CHEE MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 413.87 |
| 5/9/2023 | WEX BANK | J. HARRIS MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 439.74 |

| | | | | |
|----------|----------|--|-----------------------|-------------------|
| 5/9/2023 | WEX BANK | R. SEVILLA MAR-APR 2023 FUEL STATEMENT | 104-421-300-250 | 376.59 |
| 5/9/2023 | WEX BANK | MAR-APR FUEL STATEMENT | 109-434-300-250 | 735.57 |
| | | | Warrant Total: | 397,111.98 |

City of

CORCORAN

Police Department

FOUNDED 1914

May 23, 2023

CONSENT CALENDAR
ITEM# 2D

TO: Corcoran City Council
FROM: Gary Cramer, Deputy Chief of Police
SUBJECT: Military Equipment Annual Report

RECOMMENDATION:

This report is for informational purposes only.

DISCUSSION:

California Assembly Bill 481, which was signed into law in 2021, requires local law enforcement agencies to obtain approval from their local governing body of a military equipment use policy by ordinance. Assembly Bill 481 provides a list of equipment that is deemed to be military equipment and specifies the equipment does not have to be obtained from the military to meet the definition of military equipment. Last year the Corcoran City Council approved a Military Equipment Ordinance. Assembly Bill 481 also requires an annual report to the governing body related to the use of military equipment for the previous year. Attached to this report is a list of the various uses of this equipment during calendar year 2022.

In addition to the report on the usage of the equipment we are required to report any costs associated with this equipment. The costs related to this equipment for calendar year 2022 were as follows:

1. We send 2 of our personnel to a Diversionary Device Instructor course. The total cost of this training was \$1,523.44, which includes tuition, hotel and per diem. This was paid out of our department budget (Training and Travel Account).
2. During calendar year 2022 the Corcoran Police Department purchased an Autel Robotics Lite+ drone at a cost of \$1,893.29. This cost was paid out of our department budget (Special Department Account).
3. We hosted a Part 107 drone training at the Corcoran Police Department, wherein we trained 4 of our personnel in the use of the drone technology. The cost of the training was \$1,000. This cost was paid out of our department budget (Training and Travel Account).
4. We had one officer take the FAA Part 107 License Test at a cost of \$175, which was paid out of our department budget (Training and Travel Account).

AB 481 reporting for training in the year 2022

| DATE | MRAP | ARV | Command post | GAS | 40 mm launcher | Robot | Drone | Breaching | Rifle | Flashbang |
|------------|-----------|-----|--------------|-----|----------------|-------|-------|-----------|-------|-----------|
| 1/5/2022 | 1 | 1 | | | | | | | | |
| 1/19/2022 | | 1 | | | | | | | 1 | 1 |
| 2/2/2022 | | 1 | | | | | | 1 | | |
| 2/16/2022 | | 1 | | 1 | 1 | | | | | |
| 3/2/2022 | | | | | | | | | 1 | |
| 3/16/2022 | | 1 | 1 | | | | | | | |
| 3/30/2022 | | 1 | | | | | | 1 | | 1 |
| 4/13/2022 | None used | | | | | | | | | |
| 4/27/2022 | | 1 | | | 1 | | 1 | | 1 | |
| 5/11/2022 | | 1 | | | | | | | | |
| 5/25/2022 | None used | | | | | | | | | |
| 6/8/2022 | None used | | | | | | | | | |
| 6/22/2022 | 1 | 1 | | | | | 1 | | | |
| 7/6/2022 | 1 | 1 | | | | | | | | |
| 7/20/2022 | | | | | | | | | 1 | |
| 8/3/2022 | 1 | 1 | | | | | | | | 1 |
| 8/17/2022 | None used | | | | | | | | | |
| 9/7/2022 | | | | | | | | | 1 | |
| 9/21/2022 | | | | | | | 1 | | | |
| 10/5/2022 | | 1 | | | | | 1 | | | |
| 10/19/2022 | None used | | | | | | | | | |
| 11/2/2022 | | 1 | | | | | | | | |
| 11/16/2022 | | | | | | | 1 | 1 | | |
| 12/14/2022 | | 1 | | | | | 1 | | 1 | |
| | 4 | 14 | 1 | 1 | 2 | | 6 | 3 | 6 | 3 |

AB 481 reporting for Call outs in the year 2022

| DATE | Location | MRAP | ARV | Command post | GAS | 40 mm launcher | Robot | Drone | Breaching | Rifles | Flashbang |
|------------|------------------------------------|------|-----|--------------|-----|----------------|-------|-------|-----------|--------|-----------|
| 1/13/2022 | Rd 159 & Heather Ave, Ivanhoe | 1 | 1 | 1 | | | | | | | |
| 4/14/2022 | Oleander Ave & Crystal Ave, Fresno | 1 | 1 | 1 | | | 1 | 1 | | | |
| 4/14/2022 | Cattail Ct & Creek View Ln, Fresno | 1 | 1 | 1 | | | 1 | 1 | | | |
| 5/20/2022 | Ninth St & Brown St, Hanford | 1 | 1 | | | | | | | | |
| 6/16/2022 | Cabrillo Ct & Fargo Ave, Hanford | | | | | | 1 | | | | |
| 6/24/2022 | North Ave & Hale Ave, Corcoran | 1 | 1 | | | | | | | | |
| 7/22/2022 | 18th Ave & Jackson Ave, Lemoore | 1 | 1 | | | | | 1 | | | |
| 10/29/2022 | Laurel Ln & Cypress Ln, Lemoore | | 1 | | | | 1 | | | | |
| | | 6 | 7 | 3 | 0 | 0 | 4 | 3 | 0 | 0 | 0 |

AB 481 reporting for Public Relations in the year 2022

| DATE | Location | MRAP | ARV | Command post | GAS | 40 mm launcher | Robot | Drone | Breaching | Rifles | Flashbang |
|------|-------------------------------|------|-----|--------------|-----|----------------|-------|-------|-----------|--------|-----------|
| PR | Christmas parade Hanford | 1 | 1 | | | | | | | | |
| PR | Nationa night out Corcoran | | 1 | | | | | | | | |
| PR | National night out Lemoore | | 1 | | | | | | | | |
| PR | 5.11 photo shoot | 1 | 1 | | | | | | | | |
| PR | Red ribbon week (Frontier) | | 1 | | | | | | | | |
| PR | Autisum awareness | | 1 | | | | | | | | |
| PR | National night out Hanford | | 1 | | | | | | | | |
| PR | Hanford united youth football | | 1 | | | | | | | | |
| PR | Stuff the swat truck | 1 | 1 | | | | | | | | |
| | | 3 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | | |
|---------------------|-----------|-----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Grand Totals | 13 | 30 | 4 | 1 | 2 | 4 | 9 | 3 | 6 | 3 |
|---------------------|-----------|-----------|----------|----------|----------|----------|----------|----------|----------|----------|

City of

CORCORAN

FOUNDED 1914

A MUNICIPAL CORPORATION

**STAFF REPORT
ITEM #:4-A**

MEMORANDUM

TO: City Council

FROM: Greg Gatzka, City Manager

DATE: May 19, 2023

MEETING DATE: May 23, 2023

SUBJECT: Consider approval of Proclamation 2023-06 proclaiming the week of May 21-27, 2023 as “National Public Works Week”.

Recommendation:

Consider approval of Proclamation 2023-06 proclaiming the week of May 21-27, 2023, as “National Public Works Week”.

Discussion:

Each year, local governments across the nation recognize the third week in May as “National Public Works Week”. At this time, the City of Corcoran recognizes the contribution of its employees in the Public Works Department for the services they provide to the community. The attached Proclamation recognizes May 21-27, 2023 as “National Public Works Week”.

Budget Impact:

No impact to the budget.

Attachments:

Proclamation 2023-06

Proclamation No. 2023-06

**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CORCORAN
RECOGNIZING MAY 21 – MAY 27, 2023 AS NATIONAL PUBLIC WORKS WEEK**

WHEREAS, the Public Works Department provides services for our community and are a vital and integral part of our citizens' everyday lives; and

WHEREAS, the support of the community is vital to the efficient operation of public works systems and programs such as water, sewers, streets, fleet maintenance, building maintenance, wastewater treatment, solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of public works officials; and

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and City Council that we recognize and extend appreciation to our dedicated and skilled staff and hereby proclaim the week of May 21-27, 2023, as

National Public Works Week

AND, BE IT FURTHER PROCLAIMED that the City Council requests that all citizens and civic organizations acquaint themselves with the issues involved in providing public works services to our community and to recognize the contributions which our public works employees make every day to our health, safety, comfort and quality of life.

DATED: May 23, 2023

Jeanette Zamora-Bragg, Mayor

Patricia Nolen, Vice-Mayor

Sidonio "Sid" Palmerin, Council Member

Jerry Robertson, Council Member

Greg Ojeda, Council Member

City of

CORCORAN

FOUNDED 1914

A MUNICIPAL CORPORATION

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Budget Impact:

No impact to the budget.

Attachments:

Proclamation 2023-06

Proclamation No. 2023-06

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RECOGNIZING MAY 21 – MAY 27, 2023 AS NATIONAL PUBLIC WORKS WEEK**

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DATED: May 23, 2023

Jeanette Zamora-Bragg, Mayor

Patricia Nolen, Vice-Mayor

Sidonio "Sid" Palmerin, Council Member

Jerry Robertson, Council Member

Greg Ojeda, Council Member

ORDINANCE NO. 646

AN ORDINANCE OF THE CITY OF CORCORAN ENACTING BUSINESS REGULATIONS FOR RETAIL CANNABIS.

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

Section 1. PURPOSE. It is the purpose and intent of this chapter to accommodate retail cannabis businesses by enacting reasonable business regulations and other requirements to protect the health, safety, and general welfare of the residents of Corcoran, minimize negative impacts of related cannabis activity, and enforce rules and regulations consistent with state law. Establishes annual permit requirements for Retail Cannabis business operation, employees, and delivery services within Corcoran. Nothing in this chapter is intended to authorize the possession, use, or provision of cannabis for purposes which violate state or federal law. The provisions of this chapter are in addition to any other permits, licenses and approvals which may be required to conduct business in the City, and are in addition to any permits, licenses and approval required under state, county, or other law.

Section 2. CODE ADOPTION. Chapter 11 is hereby added to Title 3 of the Corcoran Municipal Code to read in its entirety as stated in **ATTACHMENT 1** hereto, and incorporated herein as if it were set forth verbatim.

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

Section 4. NO LIABILITY. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Corcoran, or any official, employee or agent thereof.

Section 5. PENDING ACTIONS. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Corcoran hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 7. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Corcoran Municipal Code as amended by this ordinance are substantially the same as provisions in the Corcoran Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 8. EFFECTIVE DATE. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the passage hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be

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

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Corcoran, State of California, on May 23, 2023, at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

JEANETTE ZAMORA-BRAGG
Mayor, City of Corcoran

ATTEST:

MARLENE SPAIN
City Clerk, City of Corcoran

TITLE 3 BUSINESS AND LICENSE REGULATIONS

CHAPTER 3-11 RETAIL CANNABIS

| | |
|----------------|--|
| 3-11-01 | Purpose and Intent. |
| 3-11-02 | Definitions. |
| 3-11-03 | Legal Authority. |
| 3-11-04 | Promulgations Of Regulations. |
| 3-11-05 | Retail Cannabis Operating Requirements. |
| 3-11-06 | Retail Cannabis Employee. |
| 3-11-07 | Delivery Service Requirements. |
| 3-11-08 | Permit Procedure. |
| 3-11-09 | Violations and Enforcement. |

3-11-01: Purpose and Intent.

It is the purpose and intent of this chapter to accommodate retail cannabis businesses by enacting reasonable business regulations and other requirements to protect the health, safety, and general welfare of the residents of Corcoran, minimize negative impacts of related cannabis activity, and enforce rules and regulations consistent with state law. Establishes an annual permit requirements for Retail Cannabis business operation, employees, and delivery services within Corcoran. Nothing in this chapter is intended to authorize the possession, use, or provision of cannabis for purposes which violate state or federal law. The provisions of this chapter are in addition to any other permits, licenses and approvals which may be required to conduct business in the City, and are in addition to any permits, licenses and approval required under state, county, or other law.

3-11-02: Definitions.

The following definitions are applicable to the provisions as set forth herein, concerning regulations pertaining to retail cannabis business and related activities and operations. Any reference to California statutes are deemed to include any amended version of the referenced statute or regulatory provision.

APPLICANT: Means a person who is required to file an application for a retail cannabis, delivery, or employee permit under this article.

BUSINESS OWNER: Means the owner(s) of the retail cannabis business.

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

CANNABIS ACCESSORIES: Shall be defined as provided within California Health and Safety Code § 11018.2, or successor statute.

RETAIL CANNABIS: Means a business which holds a valid Retail Cannabis Permit from the City of Corcoran, valid state license required by State law, and authorized to engage in the retail

sale of cannabis or cannabis products, including the delivery of cannabis or cannabis products as part of a retail sale. In addition, and without limiting the foregoing, retail cannabis is also defined in California Business and Professions Code division 10 and any successor statute(s), as may be adopted or amended from time to time.

RETAIL CANNABIS PERMIT: Means a regulatory permit issued by the City of Corcoran pursuant to this chapter that is required to allow the establishment and operation of a retail cannabis business within the City of Corcoran. Permit is subject to annual renewal and contingent upon the business's ongoing compliance with all requirements of this chapter and any other regulations adopted by the State or City pertaining to retail cannabis related activities and operations.

CANNABIS PRODUCTS: Shall be defined as provided within California Health and Safety Code § 11018.1, or successor statute.

CITY: Means the City of Corcoran, a California general law City, and the territorial limits subject to the jurisdictional authority of the City of Corcoran.

CITY COUNCIL OR COUNCIL: Means the City Council of the City of Corcoran.

DELIVERY: Shall be defined as provided within the California Business and Professions Code § 26001(q), or successor statute.

DELIVERY EMPLOYEE: Shall be defined as provide within Title 16 California Code of Regulations § 5000(i), or successor statute.

DISTRIBUTION: Means the procurement, sale, and transport of cannabis or cannabis products between licensees.

EMPLOYEE: Means each and every person engaged in the operation or conduct of any cannabis business, whether as owner, member of the owner's family, partner, associate, agent, manager, or solicitor, and each and every other person employed or working in such cannabis business for a wage, salary, commission, barter or any other form of compensation.

GROSS RECEIPTS: Means the amount a cannabis operation received from all sources during its accounting period, without subtracting any costs or expenses.

MAUCRSA: Means the Medicinal and Adult-Use Cannabis Regulation and Safety Act as codified in division 10 of the California Business and Professions Code, as the same may be amended from time to time.

OPERATOR: Means the business owner and any other person designated by the business owner as responsible for the day to day retail cannabis business operation.

PATIENT OR QUALIFIED PATIENT: Means a person who is entitled to the protections of California Health and Safety Code Section 11362.5, and as defined in California Health and Safety Code Section 11362.7 et seq., as it may be amended.

PERSON WITH AN IDENTIFICATION CARD: Has the same meaning as defined by California Health and Safety Code Section 11362.7.

PREMISES: Means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee.

STATE: Means the State of California.

STATE LAW: Means all regulations and laws pertaining to cannabis business in the State of California.

STATE LICENSE: Means a State license issued by the state of California, or one of its departments or divisions, under MCRSA or AUMA to engage in commercial cannabis activity pursuant to California Business and Professions Code section 26000, et seq., or other applicable State law.

3-11-03: Legal Authority.

Pursuant to Sections 7 of Article XI of the California Constitution, and the provisions of the Medical Cannabis Regulation and Safety Act (hereinafter "MCRSA"), and the Adult Use Cannabis Act (hereinafter "AUMA") the City of Corcoran is authorized to adopt ordinances that establish standards, requirements and regulations for local licenses and permits for cannabis-related activity. Any standards, requirements, and regulations regarding health and safety, security, and worker protections established by the state of California, or any of its departments or divisions, shall be the minimum standards applicable in the City of Corcoran to engage in retail cannabis related business activity.

3-11-04: Promulgation Of Regulations.

In addition to any regulations adopted by the City Council, the City manager or designee(s) is authorized to establish any additional rules, regulations and standards governing the issuance, denial or renewal of retail cannabis permits, employee permits, and/or delivery permits or concerning any other subject determined to be necessary to carry out the purposes of this chapter. Each and all such rules, regulations, or standards established by City manager or designee(s) pursuant to this section must be consistent with this ordinance, and shall only become effective after thirty (30) days from their adoption in writing.

3-11-05: Retail Cannabis Operating Requirements.

A. Maximum Number of Permits.. The maximum number of retail business license permits shall not exceed a concentration in excess of one license for every 10,000 residents, as per the most recent population figures from the U.S. Census Bureau. Notwithstanding the foregoing, no less than two retail permits may be issued by the City pursuant to this Chapter.

B. Minimum Separation. No retail cannabis business shall be located within the minimum distance separation from the following uses:

1. Within 1,000 feet of any school site.

2. Within 500 feet of any recreation center, public library, public park, or church.

C. **City Business License.** Prior to commencing operations, a retail cannabis business shall obtain a City of Corcoran business license and maintain such license to be active, valid, and unexpired while conducting business in the City of Corcoran.

D. **Retail Cannabis Permit.** No person or entity shall operate a retail cannabis business within the City of Corcoran without first obtaining a Retail Cannabis Permit from the City. The Retail Cannabis Permit shall be site specific and shall specifically identify the type of cannabis activity that will be allowed at that business location site.

E. **Fees And Charges.** No person may commence or continue any Retail cannabis business in the City, without timely paying in full all fees and charges required for the operation of a Retail Cannabis business. Fees and charges associated with the operation of a Retail cannabis business shall be established by resolution of the City Council which may be amended from time to time.

F. **Taxes.** All Retail Cannabis businesses authorized to operate under this chapter shall pay all sales, use, business, and other applicable taxes required under federal, state and local law. Each Retail cannabis business shall be subject to audit of the business operation's books and records for the purpose of verifying the amount of taxes required to be paid during any period.

G. **Compliance with Building and Related Codes.** The Premises in which the Retail cannabis business operations occur shall comply with all applicable local, State, and federal laws, rules, and regulations including, but not limited to, building codes and the Americans with Disabilities Act, as certified by the Building Official of the City. The Operator shall obtain all required building permits, and comply with all applicable City standards.

H. **Authorized Sales.** A retail cannabis business shall only sell adult-use cannabis and adult-use cannabis products to individuals who are at least twenty-one (21) years of age. A retailer shall only sell medicinal cannabis or medicinal cannabis products to individuals who are at least eighteen (18) years of age, but not yet twenty-one (21), if those individuals are in possession of a valid physician's recommendation. Medicinal cannabis sales to individuals twenty-one (21) years of age and older are unrestricted.

I. **Cannabis Products.** All cannabis and cannabis products sold, distributed or manufactured shall be cultivated, manufactured, and transported by licensed facilities that maintain operations in full conformance with the state and local regulations.

J. **Sales Activity.** All sales activity of cannabis and/or cannabis products shall be conducted within the permitted retail cannabis business, or at a delivery address when authorized by a retail cannabis delivery permit and subject to the following:

1. All cannabis goods sold by a retail cannabis business shall be contained in child-resistant packaging.
2. Retail cannabis business shall video record on a video surveillance system all areas within the facility that engage in point-of-sale and where cannabis goods are displayed for sale. At each point-of-sale location, camera placement must allow for the recording of

the facial features of any person purchasing or selling cannabis goods, or any person in the retail area, with sufficient clarity to determine identity.

3. Retail cannabis business shall hire or contract for security personnel who are at least twenty-one (21) years of age to provide security services for the permitted facility. All security personnel hired or contracted for by the owner or operator shall be licensed by the Bureau of Security and Investigative Services.
4. The quantity of cannabis and cannabis products visible within the sales area is limited to the amount of product necessary to support typical daily demand of sales for the retail cannabis location. Excessive amounts of product visually displayed is to be avoided. Additional product may be stored in a secured, locked area to which customers, vendors, and visitors shall not have access.

K. Limited Access Areas. A retail cannabis business shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas. Authorized individuals include individuals employed by the retailer as well as any outside vendors, contractors, or other individuals conducting business that requires access to the limited access area. All individuals granted access to the limited access area shall be at least twenty-one (21) years of age, and if not employed by the retailer, shall be escorted at all times by an employee of the permitted owner/operator. A log of all individuals who are not employees and granted access to the limited areas shall be maintained, and made available to the City manager or designee(s) upon request. All restroom facilities shall remain locked and under the control of management.

L. Signage and Notices. The Retail Cannabis operation shall adhere to the following signage requirements:

1. Business identification signage for a retail cannabis business shall conform to the requirements of the City's signage requirements in Title 11, and any other policies or guidelines adopted by the City.
2. No signs placed on the premises of a retail cannabis business shall obstruct any entrance or exit to the building or any window.
3. Each entrance to a retail cannabis business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the retail cannabis business is prohibited.
4. The entrance to the retail cannabis business shall be clearly and legibly posted with a notice that no person under the age of twenty-one (21) years of age is permitted to enter upon the premises of the retail cannabis business.
5. Business identification signage shall be limited to that needed for identification only, and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No retail cannabis business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the

premises of the retail cannabis business or elsewhere including, but not limited to, the public right-of-way.

6. Signage shall not be directly illuminated, internally or externally. No banners, flags, billboards, or other prohibited signs may be used at any time.
7. Holders of retail cannabis business permits agree that, as an express and ongoing condition of permit issuance and subsequent renewal, the holder of the permit shall be prohibited from advertising any retail cannabis business located in the City of Corcoran utilizing a billboard (fixed or mobile), bus shelter, placard, aircraft, or other similar forms of advertising. This paragraph is not intended to place limitations on the ability of a retail cannabis business to advertise in other legally authorized forms, including on the internet, in magazines, or in other similar ways.

M. **Odor Control.** Odor control devices and techniques shall be incorporated in all retail cannabis locations to ensure that odors from cannabis are not detectable off-site. Retail cannabis business shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the retail cannabis business that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area of the building, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the retail cannabis business. As such, retail cannabis businesses must install and maintain the following equipment, or any other equipment which the City manager or designee(s) determine is a more effective method or technology:

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally.
2. An air system that creates negative air pressure between the retail cannabis business's interior and exterior, so that the odors generated inside the retail cannabis business are not detectable on the outside of the retail cannabis business.

N. **State Law and Other State Regulations.** The retail cannabis business shall at all times be in compliance with State Law and the implementing regulations, as they may be amended from time to time, as well as all required State license(s) under State Law, and any other applicable State law or regulation. The Operator shall obtain required licenses under State Law prior to opening for business, or if the State is not ready to issue licenses under State Law prior to the time of opening, within twelve (12) months of the State being ready to issue the required license(s). Provided, however, that the Operator shall at all times be in compliance with all other requirements of State Law and implementing regulations, and any other applicable State law, regardless of the timing of the issuance of a license under State Law. The Operator shall meet or exceed the health and safety requirements of State Law in any operations relating to recreational cannabis.

O. **Labeling.** All cannabis products offered to customers at a retail location must provide testing and labeling at a minimum as required by State law and in compliance with any additional City regulations and as they may be amended.

P. **Display of Permit and City Business License.** The original copy of the retail cannabis permit issued by the City pursuant to this chapter and the City issued business license shall be posted inside the retail cannabis business in a location readily-visible to the public.

Q. Unlawful Consumption. Cannabis shall not be consumed on the premises of any retail cannabis business, and alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises.

R. Transportation. Transportation shall only be conducted according to activity permitted by State law.

S. Age Verification. Retail Cannabis business shall verify the age and all necessary documentation of each individual to ensure the customer is not under the age of eighteen (18) years. If the potential customer is eighteen (18) to twenty (20) years old, retail cannabis business shall confirm the customer's possession of a valid doctor's recommendation and/or identification card (Medical Cannabis Card) pursuant to Health & Safety Code Section 11362.71. For adult-use purchases, retailers shall verify that all customers are twenty-one (21) years of age or older for the purchase of cannabis or cannabis products. It shall be unlawful for any retail cannabis business to employ any person who is not at least twenty- one (21) years of age.

T. Hours of Operation. Retail cannabis business shall be allowed to operate per the requirements of the underlying zone district and subject to the City's noise and nuisance ordinances but in no case shall exceed the minimum State standards. Additionally, retail cannabis business shall not be open before 9:00 a.m., or remain open after 8:00 p.m. Pacific Standard Time or Pacific Daylight Time, whichever is in effect at the time.

U. Cannabis Display. No cannabis or cannabis products or graphics depicting cannabis or cannabis products shall be visible from the exterior of any property issued a retail cannabis permit, or on any of the vehicles owned or used as part of the retail cannabis business. No outdoor storage of cannabis or cannabis products is permitted at any time.

V. Secure Building. All Retail cannabis business operations shall occur entirely inside of a building that shall be secure, locked, and fully enclosed, with a ceiling, roof or top. The building shall include a burglar alarm monitored by an alarm company or private security company. The building, including all walls, doors, and the roof, shall be of solid construction meeting the minimum building code requirements for commercial structures and include material strong enough to prevent entry except through an open door.

W. Background Check. Pursuant to California Penal Code Sections 11105(b)(11) and 13300(b)(11), which authorizes City authorities to access state and local summary criminal history information for employment, licensing, or certification purposes; and authorizes access to federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation, every person listed as an owner, manager, supervisor, employee or volunteer, of the retail cannabis business must submit fingerprints and other information deemed necessary by the Police Chief or designee(s) for a background check by the Corcoran police department. Pursuant to California Penal Code Sections 11105(b)(11) and 13300(b)(11), which requires that there be a requirement or exclusion from employment, licensing or certification based on specific criminal conduct on the part of the subject of the record. No person shall be issued a permit to operate a retail cannabis business or a related retail cannabis employee permit unless they have first cleared the background check, as determined by the Police Chief or designee(s), as required by this section. A fee for the cost of the background investigation, which shall be the actual cost to the City of Corcoran to conduct the background investigation as it deems necessary and appropriate, shall be paid at the time the application for a retain cannabis permit is submitted.

X. Premises Security. The following security conditions shall apply.

1. Uniformed licensed security personnel shall be employed to monitor site activity, control loitering and site access, and to serve as a visual deterrent to unlawful activities. Security personnel may be allowed to carry firearms if authorized by the Police Chief.

2. Preventing individuals from remaining on the premises of the retail cannabis business if they are not engaging in an activity directly related to the permitted operations of the retail cannabis business.

3. Establishing limited access areas accessible only to authorized retail cannabis business personnel. Entrances into the retail cannabis business shall be strictly controlled in a manner approved by the Police Chief or designee(s).

4. All cannabis and cannabis products shall be stored in a secured and locked room, safe, or vault, and displayed for purchase in a manner that prevents diversion, theft, and loss.

5. Installing twenty-four (24) hour security surveillance cameras of at least HD-quality to monitor all entrances and exits to and from the premises, all interior spaces within the retail cannabis business which are open and accessible to the public, all interior spaces where cannabis, cash, or currency, is being stored for any period of time on a regular basis and all interior spaces where diversion of cannabis could reasonably occur. The retail cannabis business shall be responsible for ensuring that the security surveillance camera's footage is capable of being remotely accessible by the Corcoran police department, and that it is compatible with the City's software and hardware. In addition, remote and real-time, live access to the video footage from the cameras shall be capable of being provided to the Corcoran police department in the following situations: 1. Voluntary consent is given by the retail cannabis business to access real-time footage; 2. Probable cause exists and a warrant is obtained by Corcoran police department; or 3. Probable cause exists and a recognized exception to the warrant requirement also exists. Video recordings shall be maintained for a minimum of ninety-six (96) hours or, when special circumstances exist including, without limitation, when reasonable suspicion exists that a crime has occurred on the site of the retail cannabis business, for a longer period of time of not more than forty-five (45) days after being notified by City or Corcoran Police. Video shall be of sufficient quality for effective prosecution of any crime found to have occurred on the site of the retail cannabis business.

6. Sensors shall be installed to detect entry and exit from all secure areas.

7. Panic buttons shall be installed in all retail cannabis businesses.

8. Exterior lighting systems for after-hours security.

9. Have a professionally installed, maintained, and monitored alarm system.

10. Any bars installed on the windows or the doors of the retail cannabis business shall be installed only on the interior of the building.

11. Security personnel shall be on-site twenty-four (24) hours a day or alternative security as authorized by the Police Chief or designee(s). Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the Corcoran police department, with such approval not to be unreasonably withheld.

12. Each retail cannabis business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

13. Each retail cannabis business shall identify a designated security representative or liaison to the City of Corcoran, who shall be reasonably available to meet with the Police Chief or designee(s) regarding any security related measures or any operational issues.

14. Each retail cannabis business shall have a storage and transportation plan, which describes in detail the procedures for safely and securely storing and transporting all cannabis, cannabis products, and any currency.

15. The retail cannabis business shall cooperate with the City whenever the City manager or designee(s) makes a request, upon reasonable notice to the retail cannabis business, to inspect or audit the effectiveness of any security plan or of any other requirement of this chapter.

16. A retail cannabis business shall notify the City manager or designee(s) within twenty-four (24) hours after discovering any of the following:

- a. Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the City manager or designee(s).
- b. Diversion, theft, loss, or any criminal activity involving the retail cannabis business or any agent or employee of the retail cannabis business.
- c. The loss or unauthorized alteration of records related to cannabis, registering qualifying patients, primary caregivers, or employees or agents of the retail cannabis business.
- d. Any other breach of security.

17. Each retail cannabis business shall provide an emergency contact to the City manager or designee(s) with the name, telephone number (both land line and mobile, if available) of an on-site employee or owner to whom emergency notice can be provided at any hour of the day.

18. The delivery and transport of cannabis supplies to the retail cannabis business shall comply with the following:

- a. Deliveries to the premises of supplies shall only occur as provided for in the diagram and floor plan on file with the City as part of the Retail cannabis business permit. Delivery vehicles shall not have any markings indicating that deliveries are being made to a Retail cannabis business.
- b. The transportation of cannabis samples and product to and from the premises shall be in unmarked vehicles with no indication that the vehicles are transporting cannabis samples and products. The retail cannabis business shall stagger transportation times, vary routes from the premises, and take other security measures as requested by the Police Chief.

Y. Record keeping. A retail cannabis business operation shall maintain compliance with all required record keeping, access to records, and review processes including the following:

1. Each owner and operator of a retail cannabis business shall maintain accurate books and records in an electronic format, detailing all revenues and expenses of the business, and all assets and liabilities.

2. Annual statement of sales shall be submitted to the City, or upon any reasonable request of the City. The statement shall detail the number of sales by the retail cannabis business during the previous twelve (12) month period. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid.

3. Annual financial audit of the business's operations shall be submitted to the City and prepared by an independent certified public accountant. Each permittee shall be subject to a regulatory compliance review and financial audit as determined by the City manager or designee(s).

4. Reporting and Tracking of Product and of Gross Sales. Each retail cannabis business shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the retail cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the City. The system must have the capability to produce historical transactional data for review, and be approved and authorized by the City manager or designee(s) prior to being used by the retail cannabis business.

5. The Retail Cannabis business shall maintain a current register of the names of persons required to have Employee Permits. The register shall be available to the Police Chief or designee(s) at all times immediately upon request. All agents, officers, or other persons acting for or employed by a retail cannabis business shall display a laminated identification badge issued by the business operator. The identification badge shall, at a minimum, include the Retail Cannabis business' name and license number, the employee's first and last name, and a color photograph of the employee that shows the full front of the employee's face and that is at least 2 inches by 2 inches in size.

6. Each retail cannabis business shall maintain a record of all persons, patients, collectives, and primary caregivers served by the retail cannabis business, for a period of no less than four (4) years.

7. All retail cannabis businesses shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products stored on site intended for sale or distribution until purchase is made by a qualified patient, primary caregiver for purpose or an adult twenty-one (21) years of age or older who qualifies to purchase cannabis as set forth in AUMA.

8. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA) regulations, each retail cannabis business shall allow the City Manager or designee(s) to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted retail cannabis business activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City. The City may require the materials to be submitted in an electronic format that is compatible with the City's software and hardware.

Z. Indemnification and Liability. To the fullest extent permitted by local, state, and/or federal law, the City shall not assume any liability whatsoever with respect to having issued a retail

cannabis business permit, or otherwise approving the operation of any retail cannabis business or associated activity. The Retail Cannabis permit shall comply with the following:

1. As a condition of retail cannabis business permit approval, the applicant shall be required to execute an indemnification agreement, in a form approved by the City Attorney, agreeing to indemnify, defend at the applicant's sole cost and expense, and hold harmless the City, and its officers, officials, employees, representatives, and agents from any against all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to the City's drafting, adoption and passage of regulations, related resolutions, policies, rules and guidelines, allowing retail cannabis or in the future making any regulatory amendments; the City's issuance of the regulatory permit; the City's approval and execution of a development agreement; the City's decision to approve the operation of the retail cannabis business; the process used by the City in making the decision to issue, approve or deny a permit or a development agreement; and/or the alleged violation of any federal, state or local laws by the retail cannabis business or any of its officers, employees or agents.

2. The retail cannabis business shall maintain insurance at coverage limits and with conditions thereon determined necessary and appropriate from time to time by the City.

3. The retail cannabis business shall reimburse the City for all costs and expenses, including but not limited to attorney fees and court costs, which the City may be required to pay as a result of any legal challenge related to the City's approval of the applicant's retail cannabis business permit, or related to the City's approval of the applicant's cannabis business related activities. The City may, at its sole discretion, participate at its own expense in the defense of such action, but such participation shall not relieve any of the obligations imposed hereunder.

3-11-06: Retail Cannabis Business Employee.

Any person who is an employee or who otherwise works or volunteers within a retail cannabis business must obtain a retail cannabis business employee permit from the City prior to performing any work at any retail cannabis business.

A. Applications for a retail cannabis business employee permit shall be developed and made available by the City manager or designee(s), and shall include, but not be limited to, the following information:

1. Name, address, and phone number of the applicant.
2. Age and verification of applicant. A copy of a birth certificate, driver's license, government issued identification card, passport, or other proof that the applicant is at least twenty-one (21) years of age must be submitted with the application.
3. Name, address of the retail cannabis business where the person will be employed, and the name of the primary manager of that business.
4. A list of any crimes enumerated in California Business and Professions Code Section 26057(b)(4) for which the applicant has been convicted.
5. Name, address, and contact person for any previous employers from which the applicant was fired, resigned, or asked to leave and the reasons for such dismissal or firing.

6. The application shall be accompanied by fingerprints and a recent photograph of the applicant in a form and manner as required by the Police Chief or designee(s).
7. A signed statement under penalty of perjury that the information provided is true and correct.
8. If applicable, verification that the applicant is a qualified patient or primary caregiver.
9. A fee paid in an amount set by resolution of the City Council in an amount necessary to cover the costs of administering the employee work permit programs. The fee is non-refundable and shall not be returned in the event the work permit is denied or revoked.

B. The Police Chief or designee(s) shall conduct a background check to determine whether the applicant was convicted of a crime or left a previous employer for reasons that show the applicant:

1. Has been convicted of a crime involving dishonesty, fraud, or deceit, including but not limited to fraud, forgery, theft, or embezzlement as those offenses are defined in California Penal Code Sections 186.11, 470, 484, and 504a, respectively; or equivalent offenses in other states.
2. Has committed a felony or misdemeanor involving fraud, deceit, or embezzlement.
3. Was convicted of a violent felony, or a crime of moral turpitude.
4. Has illegally used, possessed, transported, distributed or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, except for cannabis related offenses for which the conviction occurred after the passage of the Compassionate Use Act of 1996.

C. Discovery of these facts showing that the applicant has been convicted of a crime involving dishonesty, fraud or deceit are grounds for denial of the permit. Where the applicant's sentence (including any term of probation, incarceration, or supervised release) for possession of, possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance is completed, such underlying conviction shall not be the sole ground for denial of a retail cannabis business employee permit. Furthermore, an applicant shall not be denied a permit if the denial is based solely on any of the following: (a) a conviction for any crime listed in subsection (D)(4) of this section for which the applicant has obtained a certificate of rehabilitation pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the California Penal Code; or (b) a conviction that was subsequently dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the California Penal Code or any other provision of state law allowing for dismissal of a conviction.

D. The City manager or designee(s) shall issue the retail cannabis business employee permit or a written denial to the applicant within ninety (90) days of the date the application was deemed complete. Upon the request of a retail cannabis business and while processing the application for a work permit, the City manager or designee(s) may issue a temporary work

permit for an employee if the business demonstrates to the City manager or designee(s) that the employee is necessary for the operation of the business. The temporary permit may be immediately revoked by the City manager or designee(s) upon determination that the applicant has failed the background check.

E. A retail cannabis business employee permit shall be valid for a twelve (12) month period and must be renewed on an annual basis. Renewal applications shall contain all the information required in this section including the payment of a renewal application fee in an amount to be set by resolution of the City Council.

F. In the event a person changes employment from one retail cannabis business in the City to another, the retail cannabis business employee permit holder shall notify the City manager or designee(s) in writing of the change within ten (10) days, or the employee permit shall be suspended or revoked and such person shall not be permitted to work at any retail cannabis business in the City.

G. The City may immediately revoke the retail cannabis business employee permit should the permit holder be convicted of a crime listed in subsections B and C of this section or if facts become known to the Police Chief or designee(s) that the permit holder has engaged in activities showing that the individual is dishonest.

H. The applicant may appeal the denial or revocation of a retail cannabis business employee permit by filing a notice of appeal with the City Clerk within ten (10) days of the date the applicant received the notice of denial, which appeal shall be conducted as set forth in Section 3-11-8 of this chapter.

I. The City manager or designee(s) shall issue a permit in the form of a personal identification card that can be worn by the employee. The personal identification card shall be worn approximately chest-high on their outermost garment, in a prominent and visible location. The identification card shall be maintained in good and readable condition at all times.

3-11-07: Delivery Service Requirements.

The operation of any cannabis delivery service within the City shall be required to be established in conjunction with a retail cannabis business permitted to operation with the City of Corcoran and in compliance with all provisions of this chapter. The delivery of cannabis or cannabis products to clients located outside of the business premises shall comply with the following additional requirements to ensure adequate measures and protections are in place for the public health, safety, and welfare of those living and working in the City:

A. Obtain a retail cannabis delivery permit from the City that authorizes the delivery of cannabis and cannabis products within the City limits. A copy of this permit shall be retained by all drivers.

B. Provide proof of a valid State license for the retail cannabis business with authorization for delivery service provided to the City manager or designee(s).

C. A licensed retail cannabis business shall not use the services of an independent contractor or courier service to deliver cannabis goods.

D. The retail cannabis business operating the delivery service shall furnish to the City manager or designee(s) the names and driver's license numbers of all the business' delivery drivers, and evidence verifying that criminal background checks have been conducted for all the business's drivers.

E. The retail cannabis business operating the delivery service shall furnish to the City manager or designee(s) the year, make, model, color, license plate number, and numerical Vehicle Identification Number (VIN) for any and all vehicles that will be used to deliver cannabis goods.

F. A delivery employee of a licensed retail cannabis business shall, during deliveries, carry a copy of the retail cannabis business' current license, the employee's government-issued identification, and an employer provided badge containing a picture and the name of the delivery employee.

G. Delivery operations that fail to provide the necessary licenses and permits demonstrating authority to operate with the City, pose greater risk of criminal activity and negative impacts to the City's public health, safety and general welfare, and are therefore deemed a nuisance subject to violation and citation under the provisions of section 3-11-9 of this chapter.

3-11-08: Permit Procedure.

This section establishes the procedure which governs the retail cannabis business, employee, and delivery permit application processes, and manner in which the decision is rendered regarding the issuance of said permit(s).

A. The City manager or designee(s) is hereby authorized to prepare the necessary application procedure, forms, and any necessary rules to review, process, and conduct evaluations of the applicant(s), and determine if the applicant is awarded a permit. An application may be approved, conditionally approved, or rejected at the discretion of the City manager or designee(s). Any correction required for a conditionally approved application must be done in a timely manner as set forth by the City manager or designee(s).

B. Application Fee. At the time of filing, each applicant shall pay an application fee established by resolution of the City Council, to cover all costs incurred by the City in the application process.

C. Retail cannabis business permit. The City Manager shall review the permit application for compliance with all City requirements, conditions, and certify whether the retail cannabis business permit application meets all the requirements of section 3-11-05, including the following:

1. Signed and notarized Property Owner Acknowledgement is included and states they have read, acknowledge, and authorize a retail cannabis business operation on their property, and agree to assume all responsibility for any compliance issues arising on site and in relation to the retail cannabis business operation on their property.

2. Executed Indemnification Agreement, in a form approved by the City Attorney, is included agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the City

of Corcoran, and its officers, officials, employees, representatives, and agents, harmless, from any and all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to the City's issuance of a retail cannabis business permit, the City's decision to approve said business operation, the process used by the City in making its decision, or the alleged violation of any federal, state or local laws by the retail cannabis business, property owner, employees or affiliates.

3. Determination approval from the Police Chief or designee acknowledging that all security measures have been reviewed and approved.

4. Confirmation of insurance coverage limits as determined necessary and appropriate by the City manager.

5. Cost reimbursement agreement approved by the City Manager to reimburse the City of Corcoran for all costs and expenses, including, but not limited to, consultant costs, attorney fees, and/or any other costs related to the City's approval of the applicant's retail cannabis business permit, or related to the City's approval of a retail cannabis business.

6. Official issuance of the retail cannabis business permit is conditioned upon the applicant obtaining all required land use approvals. The applicant shall apply and obtain a Conditional Use Permit approval and any other required land use approvals or entitlements for the retail cannabis business site location, if any. Land use approvals shall include compliance with all applicable provisions of CEQA. The City manager or designee(s) shall formally issue the retail cannabis business permit(s) once it has been affirmed that all of the required land use approvals have been obtained.

7. Issuance of a retail cannabis business permit does not create a land use entitlement, and the permit is valid for a period of twelve (12) months. Permit shall expire at the end of the twelve (12) month period unless it is renewed as provided herein.

D. Retail Cannabis Employee Permit. The City Manager shall review the employee permit application for compliance with all City requirements, conditions, and certify whether the retail cannabis business employee permit application meets all the requirements of section 3-11-06, including the following:

1. Confirmation from the Police Chief or designee that the background checks and investigation are complete and acceptable under the criteria established by this chapter.

2. After the background checks and investigation are complete, the Police Chief or designee shall render a decision within thirty (30) days to either approve or deny an employee permit. At the discretion of the Police Chief, employee permits may be conditionally approved pending the background investigation.

E. Retail Cannabis Delivery Permit. The City Manager shall review the delivery permit application for compliance with all City requirements, conditions, and certify whether the retail cannabis delivery permit application meets all the requirements of section 3-11-07.

F. Grounds for Denial. Nothing in this article shall be construed to require the City to grant a retail cannabis business, employee or delivery permit. Notwithstanding this, applications for a permit are required to be denied for one or more of the following:

1. The applicant is engaging in cannabis related business activities at a particular location that is prohibited by any local or State law, statute, rule, or regulation.

2. The applicant has been issued a local or State permit related to cannabis operations at any other location in California, or another state, and that permit was suspended or revoked, or has resulted in disciplinary action relating to the permit.

3. The applicant has knowingly made a false statement of material fact or has knowingly omitted a material fact in the application.

4. The applicant has been convicted of any of the following:

- a. Convicted of a serious or violent offense as listed under California Penal Code sections 667.5 and 1192.7(c).
- b. Convicted of any of the offenses listed in Business and Professions Code section 19323.
- c. Convicted of a misdemeanor involving moral turpitude as defined under State law (generally crimes relating to theft and dishonesty) within the five (5) years preceding the date of the application.
- d. Convicted of a felony involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, unless the individual has received a Certificate of Rehabilitation as defined in the Act.
- e. Has engaged in misconduct related to the qualifications, functions, or duties of a permittee, such as lying on an application, falsifying legal documents, or anything that would otherwise ban the permittee from obtaining a State license under State law.
- f. Has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.
- g. The applicant is under twenty one (21) years of age, or any older other age set by the State.
- h. The application does not comply with required provisions of this chapter.
- i. The required annual permit and license fees specified in this Code..

5. Any one of the applicant's failure to pay to the City any amount which remains overdue, thirty (30) or more days, in unpaid fines, penalties, fees, charges, taxes, assessments and/or other payments, including contracted payments.
6. The applicant shall have the right to appeal the City's decision and handled according to provisions in section 3-11-08 (M).

G. **Ownership Change.** Any time the property ownership and/or business operation ownership is changed, the retail cannabis business permit must be renewed by the new responsible party of interest prior to assuming operation and approved under the new applicant.

H. **State License Suspension.** Suspension of a license issued by the state of California, or by any of its departments or divisions, shall immediately suspend the ability of a retail cannabis business to operate within the City, until the state of California, or its respective department or division, reinstates or reissues the state license. Should the state of California, or any of its departments or divisions, revoke or terminate the license of a retail cannabis business, such revocation or termination shall also revoke or terminate the ability of a retail cannabis business to operate within the City of Corcoran.

I. **Permit Expiration.** Each retail cannabis business and/or operationally necessary permit issued pursuant to this chapter shall expire twelve (12) months after the date of its issuance. Annual renewal of the Retail cannabis business permits may be renewed as provided in Subsection L below.

J. **Permit Revocation.** Cannabis related permits issued under this chapter may be revoked for any violation of any law and/or any rule, regulation and/or standard adopted pursuant to relevant provision of the Corcoran Municipal Code.

K. **Renewal Applications.** An application for renewal of a cannabis related permit shall be filed at least thirty (30) calendar days prior to the expiration date of the current permit, and shall contain all the required information and be subject to all requirements of new applications.

L. **Appeals.** Unless specifically provided elsewhere to the contrary, an appeal of a City decision or action occurring under this chapter from the City manager or designee(s) shall be conducted as prescribed hereinafter:

1. Written request for appeal.
 - a. Within ten (10) calendar days after the date of a decision or action of the City Manager or designee(s) occurring pursuant to this chapter, an aggrieved party may appeal such action by filing a written appeal with the City Clerk setting forth the reasons why the decision was not proper. The failure to file a timely appeal shall constitute the failure to exhaust administrative remedies.
 - b. At the time of filing the appellant shall pay the designated appeal fee, established by resolution of the City Council from time to time.

2. Appeal hearing process.

- a. Upon receipt of the written appeal, the City Clerk shall set the matter for a hearing before the City Council. The City Council shall hear the matter de novo.
- b. The appeal shall be held within a reasonable time after the filing the appeal, but in no event later than ninety (90) days from the date of such filing, unless mutually agreed and confirmed in writing by the City Manager (or designee) and the appellant. The City shall notify the appellant of the time and location at least ten (10) days prior to the date of the hearing.
- c. At the hearing, the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing.
- d. The failure of an appealing party to appear at the appeal hearing shall constitute a failure to exhaust their administrative remedies.
- e. At the conclusion of the hearing the City Council may affirm, reverse, or modify the decision appealed, or may do so at some later time after taking the matter under submission. The decision of the City Council shall be final.
- f. Following the appeal hearing, an aggrieved party may seek judicial review of the City Council's appeal decision by filing a complaint with the Superior Court of Kings County, California during the period identified by California Code of Civil Procedure Section 1094.6, as may be amended.

3-11-09: Violations And Enforcement.

The authorized representatives of the City, charged with enforcing the provisions of the Corcoran Municipal Code, or any provision thereof, may enter the location of a retail cannabis business at any time, without notice, and inspect the location of any retail cannabis business as well as any recordings and records required to be maintained pursuant to this chapter or under applicable provisions of state law. The following provisions apply to the City's ability to investigate, enforce and remedy any compliance issues arising from a permitted retail cannabis business, operation, and/or associated employees:

A. **Unlawful Activity.** It is unlawful for any person having responsibility over the operation of a retail cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a retail cannabis business under this chapter or under state or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a commercial cannabis business under this chapter or under state or local law.

B. **Public Nuisance.** Each and every violation of the provisions of this chapter is hereby deemed unlawful and a public nuisance. The nuisance abatement remedies and procedures

identified in Title 4, Chapter 1 of this code, which are incorporated herein by reference, shall apply to nuisances existing under this chapter.

C. Separate Violation. Each and every violation of this chapter shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by the Corcoran Municipal Code or by state law. Each day a violation is committed or permitted to continue shall constitute a separate violation. Additionally, as a nuisance, any violation of this chapter shall be subject to injunctive relief, any permit issued pursuant to this chapter being deemed null and void, disgorgement and payment to the City of any monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or in equity. The City of Corcoran may also pursue any and all remedies and actions available and applicable under state and local laws for any violations committed by the retail cannabis business or persons related to, or associated with, the retail cannabis business activity. Additionally, when there is determined to be an imminent threat to public health, safety or welfare, the City manager or designee(s) may take immediate action to temporarily suspend or revoke a retail cannabis business permit issued by the City, pending a hearing before the City Council or its designee.

D. Prosecution. Each and every violation of the provisions of this chapter may be prosecuted as a misdemeanor and upon conviction be subject to a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment in the County Jail for a period of not more than twelve (12) months, or by both such fine and imprisonment. Each day a violation is committed or permitted to continue shall constitute a separate offense.

E. Citation Issuance. In addition to any other remedy available at law, an administrative citation may be issued to any person or entity that violates this chapter.

1. Whenever the City's Police Chief, designee, or a City Code Enforcement Officer determines that a violation of this chapter has occurred, the Police Chief, designee, or a Code Enforcement Officer shall have the authority to issue an administrative citation to any person or entity responsible for the violation.

2. Each administrative citation shall contain the following information:

- a. The date of the violation or, if the date of the violation is unknown, then the date the violation is identified.
- b. The address or a definite description of the location where the violation occurred.
- c. The section of this chapter that was violated and a description of the violation.
- d. The amount of the fine for the violation.
- e. A description of the fine payment process, including a description of the time within which and the place at which the fine shall be paid.

- f. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation.
 - g. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained; and.
 - h. The name and signature of the individual issuing the citation.
- 3. The amounts of the administrative citation fines for violations of this chapter shall be set forth in a schedule of fines established by resolution of the City Council.
 - 4. The schedule of fines shall specify any increased fines for repeat violations of the same code provision by the same person or entity.

F. Payment of Fines. The payment of fines is subject to the following:

- 1. Fines shall be paid to the City within thirty (30) days from the date of the administrative citation.
- 2. Any administrative citation fine paid shall be refunded if it is determined, after an appeal hearing, that a person or entity charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the citation.
- 3. Payment of a fine under this chapter shall not excuse, discharge, or permit any continuation or repeated occurrence of the code violation that is the subject of the administrative citation.

G. Citation Appeal. Any appeal of an administrative citation resulting from violations of this chapter shall be subject to the procedure and processes established under Title 1, Chapter 11 Civil Citations.

H. Late Payment Charges. Any person or entity who fails to pay to the City any fine imposed or amount owed pursuant to the provisions of this chapter on or before the date that the fine or amount is due shall also be liable for a late payment charge equal to ten percent (10%) of the unpaid amount, and interest shall accrue thereafter at a rate of one and one half percent (1.5%) per month on the unpaid fine; provided however, the additional penalty and/or interest shall not apply if collection of the same by the City would violate state law.

I. Penalties. Any retail cannabis business that fails to pay the taxes and/or fees required by this Code within thirty (30) days after the due date shall pay in addition to those taxes and/or fees a penalty for nonpayment in the sum equal to twenty five percent (25%) of the total amount due. Additional penalties will be assessed in the following manner: ten percent (10%) shall be added on the first day of each calendar month following the month of the imposition of the twenty five percent (25%) penalty if the fee remains unpaid - up to a maximum of one hundred percent (100%) of the fee payable on the due date. Receipt of the fee payment by the City shall

govern the determination of whether the fee is delinquent. Postmarks will not be accepted as adequate proof of a timely payment.

J. Recovery of Administrative Citation Fines and Costs. Any person or entity that violates this chapter shall be responsible for the enforcement costs incurred by the City with respect to such violation. The City may collect any past due administrative citation fines, enforcement and collection costs, and late payment charges by use of all available legal means, including, without limitation, the lien procedures identified in Sections 1-11-1, et seq., of this code, which are incorporated herein by reference. Collection costs shall be in addition to any interest and/or late charges imposed upon the delinquent obligation and shall be added to and become a part of the underlying obligation. Any partial payment of an obligation, when a partial payment is permitted, will be applied first to the principal amount of the underlying obligation, then to any penalties, and then to interest.

K. Notices. The administrative citation and all notices required to be given by this chapter shall be served by personal delivery thereof to the person or entity to be notified or by deposit in the United States mail, certified mail with return receipt requested, addressed to such person to be notified at his or her last-known address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the mail.

L. Remedies Cumulative. All remedies prescribed under this chapter shall be cumulative and the use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions hereof.

City of
CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

**MATTERS FOR MAYOR AND COUNCIL
ITEM #:6**

MEMORANDUM

MEETING DATE: May 23, 2023
TO: Corcoran City Council
FROM: Greg Gatzka, City Manager
SUBJECT: Matters for Mayor and Council

6-A. Upcoming Events/Meetings

- May 29, 2023 (Monday) City Offices Closed in Observance of Memorial Day
- June 13, 2023 (Tuesday) Council Meeting-5:30 pm, Council Chambers
- June 27, 2023 (Tuesday) Council Meeting-5:30 pm, Council Chambers
- July 4, 2023 (Tuesday) City Offices Closed in Observance of Independence Day

6-B. City Manager's Report

6-C. Council Comments/Staff Referral Items – *This is the time for council members to comment on matters of interest.*

6-D. Committee Reports

1. Kings Waste and Recycling Agency (KWRA)
2. Kings County Association of Governments (KCAG)
3. Kings Community Action Organization



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

| DATE Sent to Council/ Request made | REQUEST | STATUS | DEPARTMENT RESPONSIBLE Dept/Division |
|---|--|---------------|--|
| 05/16/23 | Homelessness encampments. Council directed staff to explore and evaluate avenues to address homeless issues. | In progress | City Manager City Attorney |
| 05/16/23 | Vacant and blighted commercial properties. Council directed staff to begin preparing an abatement ordinance. | In progress | City Manager |
| 05/16/23 | Expansion of diagonal car parking along Whitley Ave. | In progress | Public Works/Community Development |
| 05/16/23 | Council directed Staff to begin preparing a public nuisance ordinance. | In progress | Community Development/Police Department |