

DOS PALOS CITY COUNCIL

REGULAR MEETING AGENDA

City-County Building, 1554 Golden Gate Avenue
Dos Palos, California, USA

6:00 pm, Tuesday, October 18, 2022

A. CALL TO ORDER:

by Mayor April Hogue

1. Flag Salute:

by Mayor Pro Tem Debbie Orlando

2. Invocation:

by Councilmember Thomas Pigg

3. Roll Call:

by City Clerk Ysidro Garcia

4. Urgency Additions or Deletions:

Requires urgency and four affirmative votes

5. Public Comment:

At this time, anyone present may comment upon any city-related business item, which is not on this agenda. Please state your name and address for the record. Please be concise and avoid repetition. The mayor may limit you to one presentation not to exceed two minutes in length. State law now requires at least twice as much time be allotted to a member of the public who utilizes a non-English translator. Action, if necessary, is limited to staff referral, or with special conditions, placement on a future agenda.

B. COMMENDATIONS, PRESENTATIONS, and PROCLAMATIONS.

None.

C. CONSENT CALENDAR:

Action

1. Approval of the Minutes of the September 20, 2022 Regular Meeting.
2. Approval of the Pre-Paid for September 2022.
3. Approval of the Warrants for October 2022.
4. Approval of the Treasurer's Report for May 2022.

D. BUSINESS:

- | | |
|--|--|
| 1. Ordinance 433, Off-Sale and On-Sale of Alcohol. | Public Hearing
Waive First Reading
Motion to Introduce |
| 2. Ordinance 434, Adopting by Reference, the 2022 California Building Codes. | Public Hearing
Waive First Reading
Motion to Introduce |
| 3. Authorize the City Manager to enter into an MOU with Merced County Fire for Participation in a FEMA Grant for Self-Contained Breathing Apparatus. | Report
Discussion
Action |
| 4. Transfer \$95,000 from LAIF to the Sewer Capital Fund for the purchase of a Grinder at the Wastewater Treatment Plant. | Report
Discussion
Action |
| 5. Award Bid for Thomas Street Project. | Report
Discussion
Action |

E. CORRESPONDENCE, EVENTS, COUNCIL & STAFF REPORTS:

1. City Engineer.
2. Utilities.
3. Public Works.
4. Police.
5. City Attorney.
6. City Council.
7. Finance and Personnel.
8. City Manager.
9. Mayor.

F. ADJOURNMENT *in memory of local departed:*

Emily Vincent 95
Roberta Rodriguez 62
Michael Truhett 61

Disclosures and Information:

The 96th City Council consists of Mayor April Hogue, Mayor pro Tempore Thomas Pigg, Councilmember Debbie Orlando, Councilmember Armando Bravo, and Councilmember Marcus Porter. The 44th Council Session is now in session and ends on November 15, 2022. The next available numbers of record are Ordinance #435 and Resolution 2022-13. Per 54954.2(a)(1), the City's website cityofdospalos.org may be down intermittently or temporarily for maintenance or repairs.

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2174 Blossom Street, Dos Palos CA 93620, (209) 392-2174, email:
cityofdp@cityofdp.com

Dos Palos City Council Minutes

September 20th, 2022

- A. CALL TO ORDER:** Mayor April Hogue called a regular meeting of the Dos Palos City Council to order at 6:02 pm in the City-County Building at 1546-1554 Golden Gate Avenue in Dos Palos, California on Tuesday, September 20th, 2022.

1. The Pledge of Allegiance was led by Mayor Pro Tem Debbie Orlando.
2. Invocation was led by Councilmember Thomas Pigg.
3. **Roll Call:** City Clerk Ysidro Garcia called Roll finding all City Councilmembers present: Mayor April Hogue, Mayor Pro Tem Debbie Orlando, Councilmember Thomas Pigg, Councilmember Armando Bravo, and Councilmember Marcus Porter. Absent: None.
4. Urgency, Additions or Deletions: None.
5. Public Forum: None

Others Present Included: City Attorney Mike Linden , City Manager Dewayne Jones, Director of Utilities Craig Hackett, Chief of Police Rich McEachin, Director of Finance Manuela Sousa, Public Works Director Gordon Bonds and numerous others.

B. Commendations, Presentations, and Proclamations:

1. A presentation of the Audited Financial Statements for July 1st, 2020 to June 30, 2021 by Price Paige and Company was presented by Anthony Gonzalez.

C. Consent Calendar:

1. It was moved by Councilmember Porter and Seconded by Mayor Pro Tem Orlando to approve the Minutes of the August 16th, 2022 Regular Meeting. The motion passed 5-0 as follows: AYES: Hogue, Orlando, Pigg, Bravo, and Porter. NOES: None. ABSENTATIONS: None. ABSENT: None.
2. It was moved by Councilmember Porter and Seconded by Mayor Pro Tem Orlando to approve the Pre-Paid for August, 2022. The motion passed 5-0 as follows: AYES: Hogue, Orlando, Pigg, Bravo, and Porter. NOES: None. ABSENTATIONS: None. ABSENT: None.

3. It was moved by Councilmember Porter and Seconded by Mayor Pro Tem Orlando to approve the Warrants for September 2022. The motion passed 5-0 as follows: AYES: Hogue, Orlando, Pigg, Bravo, and Porter. NOES: None. ABSENTATIONS: None. ABSENT: None.
4. It was moved by Councilmember Porter and Seconded by Mayor Pro Tem Orlando to approve the Revised Treasurer's Report for February 2022 and March 2022. The motion passed 5-0 as follows: AYES: Hogue, Orlando, Pigg, Bravo, and Porter. NOES: None. ABSENTATIONS: None. ABSENT: None.
5. It was moved by Councilmember Porter and Seconded by Mayor Pro Tem Orlando to approve the Treasures Report for April 2022. The motion passed 5-0 as follows: AYES: Hogue, Orlando, Pigg, Bravo, and Porter. NOES: None. ABSENTATIONS: None. ABSENT: None.
6. It was moved by Councilmember Porter and Seconded by Mayor Pro Tem Orlando to approve the action to accept the 2020-2021 Audit as Presented. The motion passed 5-0 as follows: AYES: Hogue, Orlando, Pigg, Bravo, and Porter. NOES: None. ABSENTATIONS: None. ABSENT: None.

D. Business:

1. City Attorney Mike Linden Introduced Ordinance 433, Off Sale and On Sale of Alcohol to the public. Additions and changes were requested to be brought back to the next meeting.
2. City Engineer Garth A. Pecchenino made updates and reports on City Projects.

E. Correspondence, Events, Council and Staff Reports:

Various Reports were Presented.

H. Adjournment: The meeting was adjourned at 7:35pm in memory of:

Milman Barnes 90

Ray Lee Dehart 88

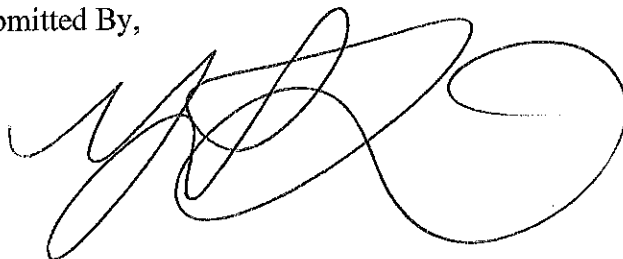
Larry Bonds Sr 81

Margaret Sepulveda 67

James Bryant 65

Respectfully Submitted By,

Ysidro Garcia

A large, stylized handwritten signature in black ink, likely belonging to Ysidro Garcia, is written over the signature line.

Pre-Paid Sept 2022

21582 Co Power - Dept	09/16/2022	\$ 28.80
21584 Keenan & Assoc	09/16/2022	\$ 1,395.20
21588 Water Technolo	09/22/2022	\$ 853.25
21589 Greg Brinkley Con	09/29/2022	\$ 3,500.00
21590 Coleman Electric	09/29/2022	\$ 458.88
21591 Westwind	09/29/2022	\$ 1,121.36
Grand Total		\$ 7,357.49

BR-Board Audit (10/13/2022 - 1:44 PM)

Warrant Listing Oct 2022

21601	Alphabet Signs	10/13/2022	\$	1,020.00
21602	Amazon Capital Service	10/13/2022	\$	597.77
21603	Animal Medical Center	10/13/2022	\$	102.45
21604	Aramark	10/13/2022	\$	530.76
21605	AT&T	10/13/2022	\$	409.47
21606	Lozano Smith Attorneys	10/13/2022	\$	1,606.57
21607	AutoZone, Inc.	10/13/2022	\$	653.12
21608	Baby's First Steps Nut	10/13/2022	\$	97.34
21609	Baker, Manock & Jensen	10/13/2022	\$	2,413.00
21610	Bankcard Center	10/13/2022	\$	518.38
21611	Bankcard Center	10/13/2022	\$	192.60
21612	Bankcard Center	10/13/2022	\$	1,701.09
21613	Bankcard Center	10/13/2022	\$	14.99
21614	Jessica & Jeffery Bank	10/13/2022	\$	9.99
21615	Barton Overhead Door	10/13/2022	\$	710.47
21616	Bob Johnson's Computer	10/13/2022	\$	661.98
21617	Gordon Bonds	10/13/2022	\$	14.62
21618	Bureau of Reclamation	10/13/2022	\$	1,905.12
21619	California Building St	10/13/2022	\$	125.10
21620	Casey Moving Systems	10/13/2022	\$	45.00
21621	Central California Irr	10/13/2022	\$	9,525.00
21622	Cintas	10/13/2022	\$	291.85
21623	City of Dos Palos	10/13/2022	\$	1,500.00
21624	Comcast	10/13/2022	\$	968.09
21625	CSG Consultants, Inc.	10/13/2022	\$	450.33
21626	CSJVRMA - C/O Bickmore	10/13/2022	\$	56,232.00
21627	Department of Justice	10/13/2022	\$	490.00
21628	Dos Palos Fire Dept.	10/13/2022	\$	225.00
21629	Electric Drives, Inc.	10/13/2022	\$	2,945.17
21630	Elite Uniforms	10/13/2022	\$	162.35
21631	Far West Laboratories,	10/13/2022	\$	3,013.00
21632	Ford Motor Credit Comp	10/13/2022	\$	1,147.58
21633	Ford Motor Credit Comp	10/13/2022	\$	550.44
21634	Frasier Irrigation	10/13/2022	\$	20.31
21635	Fresno Mobile Radio In	10/13/2022	\$	350.00
21636	Fresno Truck Center	10/13/2022	\$	219.58

21637	Frontier Communication	10/13/2022	\$	59.62
21638	Gall's , an Aramark Co	10/13/2022	\$	206.65
21639	Great America Financia	10/13/2022	\$	174.69
21640	Hawks & Associates CPA	10/13/2022	\$	4,690.00
21641	HCL Machine Works, Inc	10/13/2022	\$	236.29
21642	Jesus Hernandez Villan	10/13/2022	\$	41.50
21643	Home Depot Credit Serv	10/13/2022	\$	1,442.15
21644	J&G Controls	10/13/2022	\$	1,012.00
21645	Justin's Tire and Auto	10/13/2022	\$	79.84
21646	Marcos Magana	10/13/2022	\$	134.14
21647	Marlin Business Bank	10/13/2022	\$	661.64
21648	Melin Enterprises, INC	10/13/2022	\$	650.00
21649	Merced County Associat	10/13/2022	\$	2,657.00
21650	Merced County Tax Coll	10/13/2022	\$	7,067.44
21651	Mid Valley Disposal	10/13/2022	\$	50,966.00
21652	Mid Valley IT	10/13/2022	\$	7,517.74
21653	Midcal Dredging, Inc.	10/13/2022	\$	3,510.00
21654	Midway Community Water	10/13/2022	\$	9,214.76
21655	N & S Tractor Co.	10/13/2022	\$	5,020.54
21656	Nicoletti Oil Inc.	10/13/2022	\$	6,056.06
21657	Northstar Chemical	10/13/2022	\$	6,360.39
21658	NTU Technologies, Inc.	10/13/2022	\$	19,392.45
21659	Orozco Yard Maintenanc	10/13/2022	\$	2,750.00
21660	Pacific Gas & Electric	10/13/2022	\$	30,240.01
21661	Pacific Tire	10/13/2022	\$	498.00
21662	Paramount Pest Control	10/13/2022	\$	171.01
21663	Pegboard	10/13/2022	\$	2,965.31
21664	Pinnacle Healthcare LB	10/13/2022	\$	80.00
21665	Quad Knopf	10/13/2022	\$	28,106.06
21666	Quantum FSD, Inc.	10/13/2022	\$	124.95
21667	Richard Martorello	10/13/2022	\$	1,150.00
21668	San Joaquin Delta Coll	10/13/2022	\$	457.00
21669	San Luis & Delta Mendo	10/13/2022	\$	4,019.68
21670	Angel Serrano	10/13/2022	\$	146.50
21671	Smile Business Product	10/13/2022	\$	32.65
21672	South Dos Palos Water	10/13/2022	\$	4,974.90
21673	Springbrook Holding Co	10/13/2022	\$	763.00
21674	State Foods Supermarke	10/13/2022	\$	61.30
21675	James M. Stofle	10/13/2022	\$	1,710.00

21676	The Westside Express	10/13/2022	\$	700.00
21677	US Public Safety Group	10/13/2022	\$	106.58
21678	USDA, Service Center R	10/13/2022	\$	18,700.00
21679	Utility Service Co., I	10/13/2022	\$	3,595.16
21680	Bulmaro Vasquez	10/13/2022	\$	30.99
21681	Verizon Wireless	10/13/2022	\$	1,052.26
21682	Water Connection	10/13/2022	\$	2,880.00
21683	Westamerica Bank	10/13/2022	\$	741.92
21684	Westamerica Bank	10/13/2022	\$	1,503.84
21685	J.L. Wingert Co.	10/13/2022	\$	674.01
21686	Yonkers & Johnson	10/13/2022	\$	20.85
21687	Young's Air Conditioni	10/13/2022	\$	592.00
Total			\$	327,419.40

BR-Board Audit (10/13/2022 - 12:54 PM)

**CITY OF DOS PALOS
CASH FLOW REPOT
MAY, 2022**

BEGINNING BALANCE:		667,126.78
REVENUES RECEIVED:		
	GENERAL FUND	836,825.77
	WATER DEPOSIT	450.00
	UTILITIES	262,582.65
TOTAL REVENUES RECEIVED:		1,099,858.42
EXPENDITURES:		
	PAYROLL	692.60
	DIRECT DEPOSIT PAYROLL	103,011.37
	WARRANTS	485,328.29
TOTAL EXPENDITURES:		589,032.26
BEGINNING BALANCE:		667,126.78
TOTAL REVENUES:		1,099,858.42
TOTAL EXPENDITURES:		-589,032.26
CREDIT CARD CHARGES:		-2,129.19
ANALYSIS CHARGE:		-285.09
PERS MONTHLY ACCURAL PMT		-22628.34
BLUEFIN PAYMENT		-9.95
FEE REVERSAL		100.00
LEXISNEXIS POLICE		50.00
COPOWER Payment		-14.95
EDD Payment		-382.33
TOTAL CASH FLOW BALANCE:		1,152,653.09

CITY TREASURER

CITY OF DOS PALOS
WESTAMERICA BANK RECONCILIATION
MAY, 2022

STATEMENT ENDING BALANCE: 1,231,505.46

COMPUTER WARRANTS OUTSTANDING:

17311 ANICETO VALDEZ	25.00
17891 TORIBIO MARTINEZ	143.53
18120 JUAN RODRIGUEZ	8.00
18153 EMPLOYEE CHECK	17.40
18211 BOBBY MARTINEZ	104.39
18246 USDA SERVICE CENTER RURAL	4425.00
18292 GORDON BONDS	14.62
18345 FREDDY SINGH	10.61
18371 NORMA SHEPPARD	82.80
18639 ALMA INFANTE	48.02
18641 LAMEXICANA	16.80
18868 SANDRA GONZALEZ	16.80
18963 JANEEN COLEMAN	35.40
19099 MERCED COUNTY PUBLIC WORKS	850.34
19172 BOWNELLS INC	179.31
19273 FORREST ATKINS	33.00
19305 JG HARDWARE STORE	18.16
19394 BANKCARD CENTER	543.94
19497 RICARDO AGUILAR	4.49
19498 GIOVONNI CASTANEDA	150.00
19575 JOSE PENA	1.97
19581 LUIS ROMO	49.77
19980 JESUS CISNEROS	7.20
20030 INOCENCIA SANTOS	17.39
20108 ANA DELARROCHA VALDEZ	44.59
20171 YOUNGS AIR CONDITIONING	6450.85
20258 STACY & DEAN PECK	31.32
20339 HERIBERTO ESRADA	6.79
20471 JG HARDWARE STORE	5.35
20559 BANKCARD CENTER	1266.60
20569 COLEMAN ELECTRIC	458.88
20707 MISSION COMMUNICATIONS	2169.00
20803 DOS PALOS FIRE DEPT	252.00
20827 LAURA'S FUNKY CITZ & NAILS	85.60
20831 DAYMAN MARRINEZ	24.20
20909 SANTIAGO BANUELOS	5.60

20912 CALIFORNIA BUILDING STANDARDS	35.60
20930 DOS PALOS FIRE DEPT	225.00
21035 CALIFORNINA ASSOCIATION OF ENFOR	2200.00
21045 DOS PALOS FIRE DEPT	225.00
21046 DOS PALOS LIONS CLUB	2527.00
21058 JUANGUERRERO	42.49
21059 HAWKS & ASSOCIATES CPA	1660.00
21063 JG HARDWARE STORE	37.14
21076 PG & E	21077.47
21083 S DOS PALOS WATER DIST	2831.22
21084 S DOS PALOS WATER DIST	3873.66
21086 STAPLES	666.14
21087 STOCKING & COZZI INS	7032.00
21088 SWRCB	65.00
21100 EMPLOYEE CHECK	138.52
21101 EMPLOYEE CHECK	138.52
21108 FRANCHISE TAX BOARD	329.00
21109 KEENAN & ASSOCIATES	23165.24
21114 ELIZABETH SKELSON	125.00

TOTAL COMPUTER WARRANTS:	\$83,998.72
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BEGINNING BALANCE:	1,231,505.46
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TOTAL COMPUTER WARRANTS:	-83,998.72
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OUTSTANDING DEPOSITS:	5146.35
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TOTAL CASH FLOW BALANCE:	1,152,653.09
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ORDINANCE NO. 433

AN ORDINANCE OF THE CITY OF DOS PALOS AMENDING TITLE 17, CHAPTER 60, SECTION 070 OF THE CITY OF DOS PALOS MUNICIPAL CODE

RECITALS

WHEREAS, Section 070 of Chapter 60 of Title 17 of the Municipal Code (entitled “Off-sale and on-sale of alcohol” and hereinafter referred to as “Section 070”) governs licenses within the City for the off-sale and on-sale of alcohol at business establishments within the City; and

WHEREAS, Section 070 currently allows for the distribution of business license that contains the off-sale or on-sale of alcohol within the City based on certain license types of the California’s Department of Alcohol Beverage Control (“ABC”), including Type 20 (sale of beer and wine for consumption off the package store premises where sold), Type 21 (sale of beer, wine, and distilled spirits for consumption off the package store premises where sold), Type 41 (the sale of beer and wine for consumption on the restaurant premises where sold), and Types 47 and 48 (sale of beer, wine, and distilled spirits for consumption on the restaurant, bar, or night club premises where sold); and

WHEREAS, based on the provisions of Section 070, the City currently has three existing business licenses out of the five allowed for Type 20, four existing business licenses out of the five allowed for Type 21, five existing business licenses out of the five allowed for Type 41, and two existing business licenses out of the two allowed for Type 47 or Type 48; and

WHEREAS, the ABC Type 75 license (Brewpub-Restaurant) authorizes the sale of beer, wine, and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer, and Section 070 does not currently allow for such a

premises, which would contribute to the economic vitality of the City.

WHEREAS, there are currently business license holders for the on-sale and off-sale of alcohol within the City that do not have active business establishments, and thus the licenses are not being utilized as intended for the purpose of serving the City's citizens and contributing to the City's economic vitality; and

WHEREAS, the City currently does not have a system for the processing of applications for business license that contains the off-sale or on-sale of alcohol, including the establishment of a priority for such applicants to obtain an alcohol license when one becomes available; and

WHEREAS, the City Council desires through the passage of this Ordinance to amend Section 070 in its entirety, so as to provide the framework for the application, distribution, and maintenance of business licenses that contain the off-sale or on-sale of alcohol at business establishments within the City.

NOW, THEREFORE, the City Council for the City of Dos Palos hereby ordains as follows:

SECTION 1. FINDINGS

The City Council has duly considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. PURPOSE

The purpose of this Ordinance to Ordinance to amend Section 070 of Chapter 60

of Title 17 of the Municipal Code in its entirety, so as to provide the framework for the application, distribution, and maintenance of business licenses that contain the off-sale or on-sale of alcohol at business establishments within the City.

SECTION 3. AMENDMENT TO MUNICIPAL CODE

Section 070 of Chapter 60 of Title 17 of the Municipal Code is hereby amended to read as follows:

17.60.070 Off-sale and on-sale of alcohol.

A. The conditions set forth in this chapter and section shall apply in all districts or zones.

B. No business license within the City that contains the off-sale or on-sale of alcohol shall be issued or maintained without a demonstration to the City's satisfaction that an appropriate license type from the State of California's Department of Alcohol Beverage Control ("ABC") for the off-sale or on-sale of alcohol has been issued and is current.

C. If upon application for a business license that contains the off-sale or on-sale of alcohol at a business establishment, and no such licenses are available based upon the provisions of this section, the applicant shall be placed on a waiting list for such a license, where the order of priority is based upon the date of the application is deemed complete by the City. Upon the availability of a license, the applicant at the top of the waiting list shall be contacted by the City to determine whether that applicant still desires to obtain a license. If this applicant no longer desires to obtain a license or is not able to be contacted by the City, then the next applicant in order on the waiting list shall be contacted.

D. In all calculations of allowable outlets per inhabitants in this chapter, the number of inhabitants shall be that number counted within the City limits in the last federal decennial census, not adjusted or mid-decade figures.

E. In all calculations of allowable outlets per inhabitants in this chapter, a major fraction thereof shall not allow or provoke an additional permit or license.

F. No business license shall be issued for the retail sale of off-sale beer and wine (ABC Type 20) if the total number of licensed locations selling exceeds one location per one thousand inhabitants.

G. No business license shall be issued for the retail sale of off-sale of beer, wine, and distilled spirits (ABC Type 21) if the total number of licensed locations exceeds one location per one thousand inhabitants.

H. No business license shall be issued for the sale of on-sale beer and wine at a restaurant (ABC Type 41) if the total number of licensed meets or exceeds one location per one thousand inhabitants.

I. No business license shall be issued for the sale of on-sale beer, wine, and distilled spirits at restaurant (ABC Type 47) or a bar or night club (ABC Type 48) if the total number of licensed locations meets or exceeds one location per two thousand inhabitants.

J. No business license shall be issued for the sale of on-sale beer, wine, and distilled spirits at a bona fide eating place with a limited amount of brewing of beer (ABC Type 75) if the total number of licensed locations meets or exceeds one location per five thousand inhabitants.

K. The change in ownership, title, or an ABC license renewal shall be cause to require a new business license application for the off-sale or on-sale of alcohol.

L. For any business establishment holding a business license that contains the off-sale or on-sale of alcohol, the entitlement to maintain such a license is contingent upon the active status of that business establishment. Upon actual notice by the City that the holder of such a license no longer has an active business establishment connected to that license, the City Council, at a public hearing and with notice to the license holder, may revoke the license upon a finding that the license is no longer connected to an active business establishment.

SECTION 4. VALIDITY OF ORDINANCE

If any article, section, sub-section, sentence, clause, or phrase of this Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Ordinance.

SECTION 5. SUMMARY OF ORDINANCE

The City Clerk is hereby directed to cause a summary of this Ordinance to be published by one insertion in a newspaper of general circulation in the County at least five (5) days prior to adoption and again fifteen (15) days after its adoption. If a summary of the Ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed Ordinance to be posted in the office of the City Clerk at least five (5) days prior to the City Council meeting at which the Ordinance is adopted, and again after the meeting at which the Ordinance is adopted. The summary shall be approved by the City Attorney.

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The foregoing Ordinance was adopted this _____ day of _____,
2022, by the following vote.

Mayor Hogue voted: _____

Mayor Pro-Tem Pigg voted: _____

Councilmember Bravo voted: _____

Councilmember Orlando voted: _____

Councilmember Porter voted: _____

Mayor, City of Dos Palos

ATTEST:

City Clerk

Approved as to Legal form:
CITY ATTORNEY

By _____

J:\wdocs\03530\001\ORD\01000311.DOCX

ORDINANCE 434
AN ORDINANCE OF THE CITY OF DOS PALOS
ADOPTING BY REFERENCE, THE CALIFORNIA CODE OF REGULATIONS
TITLE 24, 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE
INCLUDING THE FOLLOWING PARTS:

- Part 1- California Administrative Code
- Part 2- California Building Code
- Part 2.5- California Residential Building Code
- Part 3- California Electrical Code
- Part 4- California Mechanical Code
- Part 5- California Plumbing Code
- Part 6- California Energy Code
- Part 7- No longer published in Title 24. See Title 8, CCR
- Part 8- California Historical Code
- Part 9- California Fire Code
- Part 10- California Existing Building Code
- Part 11- California Green Standards Code
- Part 12- California Reference Standards Code

And amending those portions of the California Code of
Regulations Title 24 as identified herein:

The City Council of the City of Dos Palos does ordain as follows:

Section 1: Purpose and Authority: The purpose of this Ordinance is to adopt by reference the 2022 edition of the California Building Standards, Title 24 of the California Code of Regulations subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The purpose of this Ordinance is also to provide minimum requirements and standards for the protection of the public safety, health, property, and welfare of the City of Dos Palos. This Ordinance is adopted under the authority of Government Code Subsection 50022.2 and Health and Safety Code Section 18941.5.

Section 2: Conflicts with other laws, rules, etc: In the event of any conflict between this Code and any law, rule, or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

Section 3: Adoption of International, Uniform, and National Codes: The following publications are hereby adopted by reference and incorporated in the Code, except as expressly amended or superseded by the provisions of this Chapter:

A) **California Administrative Code, 2022 Edition,** as published by the International Code Council for the Building Standards Commission are adopted by reference.

B) **California Building Code, 2022 Edition, Volumes 1 and 2, including Scope and Administration,** based on the 2021 International Building Code as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, together with Appendices Chapter G, Flood-Resistant Construction; Chapter H, Signs; Chapter I, Patio Covers; Chapter J, Grading; Chapter K, Central Valley Flood Protection Plan; and Chapter P, Emergency Housing.

C) **California Residential Building Code, 2022 Edition, including Scope and Administration,**

Based on the 2021 International Residential Building Code as published by The International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations including all Appendices with the exception of Appendix AL, Permit Fees.

D) **California Electrical Code, 2022 Edition,** based on the 2020 National Electrical Code and amended by the California Building Standards Commission are adopted by reference.

E) **California Mechanical Code, 2022 Edition,** based on the 2021 Uniform Mechanical Code and as amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

F) **California Plumbing Code, 2022 Edition,** based on the 2021 Uniform Plumbing Code and as amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

G) **California Energy Code, 2022 Edition**, as published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

H) **California Historical Code, 2022 Edition**, as published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

I) **California Fire Code, 2022 Edition**, including appendix, based on the 2021 International Fire Code as published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

J) **California Green Standards Code, 2022 Edition**, as published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

K) **California Existing Building Code, 2022 Edition**, as published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Standards Code, Title 24 of the California Code of Regulations.

L) **California Reference Standards Code, 2022 Edition**, as published by the International Code Council as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

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Section 4: Liability: The provisions of this Code shall not be construed as imposing upon the City of Dos Palos any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City of Dos Palos, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certificates issued under this Code.

Section 5: Effective Date and Publication: This Ordinance shall take affect on January 1, 2023 after its adoption and published in summary format five (5) days prior to adoption and within fifteen (15) days after its adoption in a newspaper of general circulation published and circulated in the City of Dos Palos. The summary shall be approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Dos Palos by the following vote:

AYES:

NOES:

ABSENT:

April Hogue, Mayor

Ysidro Garcia, City Clerk

MEMORANDUM OF UNDERSTANDING
Between
County of Merced, on behalf of its Fire Department and
City of Dos Palos, on behalf of its Fire Department

Joint Self-Contained Breathing Apparatus Purchase
Through the FEMA Assistance to Firefighters Grant

INTERAGENCY PARTICIPATION PROCESS

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into by and between the County of Merced ("Merced County") and the City of Dos Palos for the purposes set forth below.

WHEREAS, Merced County and the City of Dos Palos are committed to working together in providing high-quality emergency services.

WHEREAS, Merced County shall be the "Lead Agency" for the purpose of applying for an Assistance to Firefighters Grant (AFG) and managing the funds for purchasing Self-Contained Breathing Apparatus (SCBA) and associated supportive equipment for the agencies involved. The City of Dos Palos shall be the "Partner Agency."

WHEREAS, Merced County will provide the funding for the required ten percent (10%) matching cost for the equipment to be purchased using grant funds that may be awarded.

WHEREAS, the City of Dos Palos desires to acquire and place SCBA Equipment on its emergency response vehicles for use by their First Responder personnel; and

WHEREAS, the application prepared and approved by Merced County and the City of Dos Palos is to be submitted to the Federal Emergency Management Agency (FEMA).

OBJECTIVE OF AGREEMENT

The primary objective of this MOU is to establish a purchasing group for the purpose of replacing SCBAs which are at the end of their service life. The group will also be purchasing additional masks. See the table below for specific allocations of equipment.

2022 AFG SCBA Equipment Grant Count		
Fire Department	Pack	Mask
City of Dos Palos	8	8

By forming this purchasing group critical benefits will be achieved; improved interoperability, increased purchasing power which will lower the unit pricing, better

customer support from the manufacturer, and a thorough evaluation of the units in the marketplace. Most importantly, a long-term benefit will be the support each agency will be able to provide to the partner agency in servicing units and reducing duplication.

OBJECTIVE OF REGIONAL AFG SCBA PURCHASE

The primary objective of the Regional AFG SCBA purchase is to increase the Central Valley's regional interoperability and to enhance the local capabilities of each community therefore enhancing national capabilities.

RESPONSIBILITIES OF THE PARTIES

The Lead Agency agrees to apply for the AFG, to manage the funds from the grant award, ensure that a competitive and fair purchasing process is followed, and to initiate the purchase with the vendor.

The Lead Agency agrees to:

- Provide funding for ten percent (10%) (agency match) of the matching cost for equipment to be purchased
- Oversee the grant implementation and coordinate with the grantor
- Act as the fiscal agent for the grant by:
 - Invoicing the Partner Agency for payment of its cost share of equipment
 - Arranging payment to vendor
 - Preparing and submitting fiscal and program reports to grantor
 - Auditing and tracking grant funds and deliverables
- Manage grant activities, including but not limited to, project and fiscal reports for grantor
- Coordinate with the Partner Agency throughout the grant term
- After receiving input from the Partner Agency, make the final determination of the SCBA equipment to be ordered
- Coordinate procurement of the SCBA equipment and make final procurement decisions
- Procure the SCBA equipment in compliance with local and Federal procurement policies and requirements
- Deliver the SCBA equipment to the Partner Agency subject to execution by both parties of an Agreement that governs the ownership and use of the equipment purchased with the funds that may be awarded under the AFG application
- Maintain documentation of any changes to the award and/or distribution, compared to the original application
- Ensure payment and compliance of all partners included in the grant
- Ensure that all activities comply with the terms of the Notice of Funding Opportunity (NOFO), Award, federal regulations, laws, and Executive Orders as applicable

The Partner Agency agrees to:

- The Partner Agency will provide the following assigned liaison(s):
 - Project Lead: Primary point of contact responsible for SCBA equipment

- Promptly provide any additional documentation to Lead Agency as requested which may be necessary in connection with the AFG
- Ensure all documents demonstrating programmatic completion are completed in a timely manner, are accurate, and forwarded to the designated Lead Agency contact
- Maintain all SCBA equipment and grant records, files, and supporting documentation in the event of an audit for three years after the official closeout
- Ensure that all activities comply with the terms of the host/lead agency, Notice of Funding Opportunity (NOFO), Award, federal regulations, laws, and Executive Orders as applicable
- Collaborate with Lead Agency on an Agreement that governs the ownership and use of the equipment purchased with the funds that may be awarded under the AFG application

DURATION OF MOU

The MOU will be in effect from the latest date of signing stated with the Parties' signatures until either of the agencies receive notification that the grant was not successful, or the grant is received, and the units have been distributed to each agency. It is expected that all work can, and will, be completed within one (1) year of the grant award.

TERMINATION

This MOU will be difficult to terminate once the grant has been accepted. Due consideration shall be taken prior to signing the MOU. If an agency wishes to terminate prior to accepting the grant, then the grant could be modified for that agency to be removed. However, after the grant has been accepted it will be difficult and would be dependent on the restrictions and processes set forth and enforced by FEMA. If an agency wishes to withdraw from the MOU, then written notification must be given to all agencies immediately for consideration due to timing constraints.

AMENDMENTS

This MOU may be amended at any time by written agreement of all agencies. Such requests will only be approved if the proposed change(s) is/are consistent with and/or achieve the goals.

HOLD HARMLESS AND INDEMNIFICATION

Each party to this Agreement shall protect, indemnify, and hold harmless every other party and their officers, agents, and employees from and against any and all claims, costs, and/or issues whatsoever arising from actions by such party and/or its subcontractors pursuant to this MOU. Each party shall defend at its own expense and all claims, demands, suits, penalties, losses, damages, or costs of any kind whatsoever (hereinafter "claims") brought forth and arising out of or incident to such party's execution of, performance of failure to perform this MOU.

SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Agreement is, for any reason, found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

NOTICE

Any notice required or permitted under this Agreement shall be deemed sufficiently given or served if sent to the party at the addresses provided:

Dewayne Jones
Dos Palos City Manager
2174 Blossom Street
Dos Palos, CA 93620
(209)-392-2174

All notices mailed by regular post (including first class) shall be deemed to have been given on the second business day following the date of mailing, if properly mailed and addressed. Notices sent via certified or registered mail shall be deemed to have been given on the day next following the date of mailing, if properly mailed and addressed. For all types of mail, the postmark affixed by the United States Postal Service shall be conclusive evidence of the date of mailing.

ENTIRE AGREEMENT

This MOU constitutes the entire Agreement between the parties. There are no terms, obligations, covenants, or conditions other than those contained herein. No modifications or amendments of this MOU shall be valid or effective unless evidenced by an agreement in writing signed by all parties.

COMPLIANCE WITH REGULATIONS AND LAWS

The parties shall comply with all applicable laws, rules, and regulations pertaining to them in connection with the matters covered herein. This MOU shall be deemed to be made and construed in accordance with the laws of the State of California. Jurisdiction and venue for any action arising out of this MOU shall be in Merced County, California.

Signature page to follow

IN WITNESS WHEREOF this Agreement has been executed by each party on November 1, 2022:

Merced County

By: _____

Lloyd Pareira

Chairperson, Board of Supervisors

By: _____

Mark Pimentel

Merced County Fire Department, Chief
(SEAL)

City of Dos Palos

By: _____

City Manager

(SEAL)



September 23, 2022

City of Dos Palos
21145 Swift Road
Dos Palos, CA 93620

QUOTE #: DOS092322-1Q

EMAIL ADDRESS: dputilities@cityofdp.com

ERS is pleased to submit its proposal for our TurnKey Service supply and install (1) grinder into the bypass channel and remove old equipment from main channel at the waste water department in Dos Palos, Ca.

Scope of Supply

- Remove old equipment from main channel and cap off wiring.
- Supply and install new 5hp JWC grinder into bypass channel
- Hook up power and wiring from existing shut of disconnect located adjacent to grit separator

Clarifications:

- Price includes startup training
- Expedited time frame of 4-6 weeks from receipt of order is included in the quote.

Price does not include bonding

Price does not include any valves, instruments, or controls

ERS will also repair or replace existing underdrains as needed, on a time and materials basis

Disposal testing and transport to be executed in compliance with RCRA Subtitles C & D

Standard Provisions:

1. Qualified manpower:
 - a. Onsite Supervisor/Environmental Technician/Hole Watch
 - b. Certifications in Forklift/Reach Lift, Crane Operator, Confined Space & Rescue, and First Aid/CPR/AED
2. Equipment and PPE:
 - a. High-power industrial vacuum system
 - b. Ventilation fan for air circulation
 - c. Four gas monitors for pre-entry and continuous LEL testing
 - d. Air-purifying respirators (supplied air respirators available if required)



3. Safety Regulations:
 - a. Confined Space:
 - i. Tripod/winch for emergency evacuation
 - ii. Fall arrest harnesses with safety lanyards for all men
 - iii. Permit-required confined space entry permits as applicable
 - iv. Daily monitoring log
 - b. 2-Way radios for communication with in-tank personnel
 - c. Cellular phone as an emergency response tool
4. New media as follows:
 - a. None

PRICING: \$95,070.00

Quote Valid for 30 days


Our time and materials work is billed at \$246.00 per man-hour, straight time, plus materials with a 25% margin. Price includes all applicable sales tax.

Please feel free to call me should you need further information or any clarification. My contact information is: phone - cell (510) 552-3285, office (510) 770-0202; email – nradonich@ersfilter.com

Sincerely,

Nik Radonich
Sales/Engineering Manager

City of Dos Palos Thomas Street Reconstruction

				Taylor Backhoe Service dba TBS Contractors 1605 E. Gerard Ave, Merced, CA 95341			Redstone Construction, Inc. PO Box 665, Atwater, CA 95301			Engineer's Estimate	
Item	Approx Qty	Unit	Description	Unit Price	Total \$		Unit Price	Total \$		Unit Price	Total \$
1.	1	LS	MOBILIZATION/DEMOLITION	13,000.00	\$ 13,000.00		12,000.00	\$ 12,000.00			\$ -
2.	1	LS	DEMOLITION/SAWCUTTING	3,681.61	\$ 3,681.61		6,500.00	\$ 6,500.00			\$ -
3.	1	LS	EARTHWORK	37,386.70	\$ 37,386.70		18,200.00	\$ 18,200.00			\$ -
4.	12,150	SF	3"ASPHALT PAVEMENT/8" CLASS 2 AB/ 12" COMPACTED NATIVE	7.80	\$ 94,770.00		11.00	\$ 133,650.00			\$ -
5.	274	LF	VERTICAL CURB & GUTTER	96.20	\$ 26,358.80		40.00	\$ 10,960.00			\$ -
6.	375	LF	ROLLED CURB & GUTTER	85.28	\$ 31,980.00		38.00	\$ 14,250.00			\$ -
7.	1	LS	CATCH BASINS & APPENDENCES	19,306.30	\$ 19,306.30		17,400.00	\$ 17,400.00			\$ -
8.	220	CU YD	EXISTING AB REMOVAL, HAUL & STOCKPILE at CITY PW YARD	18.20	\$ 4,004.00		15.00	\$ 3,300.00			\$ -
9.	1	LS	TRAFFIC CONTROL	4,550.00	\$ 4,550.00		2,500.00	\$ 2,500.00			\$ -
				BASE BID	\$ 235,037.41			\$ 218,760.00			\$ -
ALTERNATIVE BID ITEMS											
A1	1	LS	DEMOLITION/SAWCUTTING	8,474.70	\$ 8,474.70		9,500.00	\$ 9,500.00			\$ -
A2	1	LS	EARTHWORK	12,623.00	\$ 12,623.00		9,400.00	\$ 9,400.00			\$ -
A3	530	LF	VERTICAL CURB & GUTTER	81.90	\$ 43,407.00		40.00	\$ 21,200.00			\$ -
A4	3,510	SF	3"ASPHALT PAVEMENT/8" CLASS 2 AB/ 12" COMPACTED NATIVE	7.80	\$ 27,378.00		12.00	\$ 42,120.00			\$ -
A5	1	LS	TRAFFIC CONTROL	1,950.00	\$ 1,950.00		1,800.00	\$ 1,800.00			\$ -
				ALTERNATIVE BID	\$ 93,832.70			\$ 84,020.00			\$ -
	1	10%	Contingencies								\$ -
			TOTAL BID		\$ 328,870.11			\$ 302,780.00			\$ -



MEMO

Date: October 13, 2022
To: Dwayne Jones, City Manager
From: Garth A. Pecchenino, PE, PLS
Subject: City Project Status

Project No.: 220013 /

The following will provide a brief report on the status of various projects and items being addressed by QK staff or working with City Staff to provide assistance of the last month.

Water Plant replacement project:

Construction Documents – The documents are still being reviewed by the State Water Staff in Fresno office at the time of writing this memo.

Project schedule:

Once the State provides the Notice for the City to Proceed with going to bid on the project, I will provide a schedule for the Bidding phase, Contract award phase and the start of Construction.

I prefer to not again provide a potential schedule to you and be waiting on another agency for their response, I apologize.

The timelines of days for bidding the project and going through the award process would remain the same, once we get the approval to move forward.

Screen at Aqueduct:

The screen installation is overseen by three agencies:

Bureau of Reclamation

Department of Water Resources (DWR) – CA

San Luis Water District (SLWD)

The Bureau of Reclamation has the authority for the construction in the channel

DWR has the authority over the schedule when the work is to be completed

SLWD – authority to allow the installation within their District Boundary

The original project that installed the out take from the aqueduct for the siphon was also completed with the assistance of CCID.

We had a call with the Bureau and DWR staff on their process to make modifications to the existing out take (siphon).

There is a package to provide and we are putting all of the requested information together for the submittal. This includes the plans for the new out take and screen assembly, equipment information, environmental documents, plans for the existing siphon, flow requirements and use of power or solar at the site. The meter that measures the flow for billing will also be replaced as it is older and could not be providing accurate readings, as per the request of the Bureau. We are



working through the existing permit issue and if not found they will issue a new permit for the out take ability to pull water from the Aqueduct.

Rate Study: No Change

The report will be update with the comments from the State Board staff on the Construction Documents to reflect the current cost for the project to establish the proposed rates. Then update rates will be presented for review at a future meeting based on the new estimated project cost. The proposed schedule will be adapted to meet the time available between bid opening and start of construction. -

Valeria Street Project – The environmental document prepared by BSK was delivered to Caltrans, they reviewed and accepted the document. In their response, Caltrans has asked for a Hazardous Materials memo to be completed as well, so QK staff is compiling the information to complete the document. Additionally, QK staff is completing the documents to pull the project off the inactive list; this includes submitting an invoice document that has a proposed timeline for the project completion and budget figures for different tasks.

Thomas Street Project – The project received two bidders, the City Manager has provided the breakdown for the two bids and the recommendation is to award the Base Bid to the lowest Bidder.

Center Street – Warranty Work – The Contractor is going to do the work the week of October 24th and it will be a two day process for the repairs and slurry seal placement

Wastewater – Craig finalized which equipment to purchase for the replacement of the bar screen at the WWTP.

Dora Street Lift Station, Reviewed the plans with Craig and making updates based on his comments, electrical engineer is developing water level control system for pumps and future SCADA controls space in electrical panel.

Drought Planning – No Change

Senate Bill No. 552 – this bill will require water providers serving between 1,000 and 2,999 connections to develop a Water Shortage Contingency Plan, those systems serving less 1,000 connections will also be required to develop an emergency notification and response plan, this will need to be completed by July 1, 2023.

Other items: The State has requested an update to the Sanitary sewer Management Plan, I am working with Craig to provide an update to the report we prepared about ten (10) years back. I worked with legal counsel to prepare a response letter to the Water Board on the water availability through the agreement with the Bureau and JPA.

Any changes or update will be provided at the meeting.

GAP