

DOS PALOS CITY COUNCIL

REGULAR MEETING AGENDA

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

Tuesday, November 15, 2022

Closed Session 5:30pm

Open Session 6:00pm

A. CALL TO ORDER:

by Mayor April Hogue

1. Roll Call:

by City Clerk Ysidro Garcia

B. Adjourn to Close Session

1. Conference with Legal Counsel per California Government Code 54954(e),
54957(b)(1): Personnel: Chief of Police.

2. Conference with Legal Counsel per California Government Code 54954(e),
54957(b)(1): Personnel: Utility Operator.

C. Reconvene in Open Session

1. Flag Salute:

by Mayor Pro Tem Debbie Orlando

2. Invocation:

by Councilmember Thomas Pigg

3. Urgency Additions or Deletions:

Requires urgency and four affirmative votes

4. 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.*

D. COMMENDATIONS, PRESENTATIONS, and PROCLAMATIONS.

Proclamation Honoring Larry Bonds, Sr.

Proclamation

SB 1383 Presentation, Joe Heisdorf and Laurie Zaninovich,
Mid-Valley Disposal.

Presentation

E. CONSENT CALENDAR:

Action

1. Approval of the Pre-Paid for October 2022.
2. Approval of the Warrants for November 2022.

F. BUSINESS:

- | | |
|--|--|
| 1. Ordinance 433, Off-Sale and On-Sale of Alcohol. | Waive Second Reading
Second Public Hearing
Adoption |
| 2. Ordinance 434, Adopting by Reference, the 2022 California Building Codes. | Waive Second Reading
Second Public Hearing
Adoption |
| 3. Ordinance 435, Amending Dos Palos Municipal Code Section 6.09, Dangerous Dogs. | Waive First Reading
Public Hearing
Motion to Introduce |
| 4. Rescind Administrative Policy 15, Travel Policies, and Create Administrative Policy 39, Travel Policy. | Report/Discussion
Action |
| 5. Authorization to Surplus, Sale, Trade, or Recycle Vehicles and Equipment. | Report/Discussion
Action |
| 6. Authorize the City Manager to apply the revenue received from surplus items to pay off remaining balance on vehicle assigned to Administration. | Report/Discussion
Action |

G. 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.

H. ADJOURNMENT *in memory of local departed:*

George Ribeiro Goncalves 62

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 #436 and Resolution 2022-11. 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

Pre-Paid OCT 2022

21688 Amazon Capital	10/14/2022	\$	2,071.82
21689 Aramark	10/14/2022	\$	455.45
21689 Aramark	10/14/2022	\$	227.71
21690 Bankcard Center	10/14/2022	\$	1,642.86
21691 Bankcard Center	10/14/2022	\$	442.60
21692 Division of the	10/14/2022	\$	2.80
21693 Germino, Amaral	10/14/2022	\$	540.00
21694 Price Paige & C	10/14/2022	\$	2,850.00
21704 Co Power - Depa	10/17/2022	\$	17.50
21707 Keenan & Associ	10/17/2022	\$	1,395.20
21711 PORAC Membershi	10/18/2022	\$	909.00
21712 Pacific Premier	10/18/2022	\$	118,719.00
21713 Westwind	10/20/2022	\$	2,748.87
Total			\$ 131,795.10

BR-Board Audit (11/09/2022 - 4:23 PM)

Warrant Listing - NOV 2022

21812	Yonkers & Johns	11/09/2022	\$	57.01
21813	Westamerica Ban	11/09/2022	\$	2,245.76
21814	Verizon Wireles	11/09/2022	\$	1,052.26
21815	Utility Service	11/09/2022	\$	3,595.16
21816	USABlue Book	11/09/2022	\$	1,873.41
21817	ULINE	11/09/2022	\$	259.51
21818	The Westside Ex	11/09/2022	\$	275.00
21819	SWRCB	11/09/2022	\$	65.00
21820	Staples	11/09/2022	\$	226.32
21821	Springbrook Hol	11/09/2022	\$	761.00
21822	South Dos Palos	11/09/2022	\$	5,064.59
21823	Manuela Sousa	11/09/2022	\$	119.01
21824	Smile Business	11/09/2022	\$	33.09
21825	SJVAPCD	11/09/2022	\$	290.00
21826	Simpot Grower S	11/09/2022	\$	633.00
21827	Simpot Grower S	11/09/2022	\$	2,577.00
21828	Shirt Shak	11/09/2022	\$	1,593.19
21829	SHI Internation	11/09/2022	\$	1,364.66
21830	Sequoia Equipme	11/09/2022	\$	11,526.68
21831	San Luis & Delt	11/09/2022	\$	4,119.68
21832	Safe T Lite	11/09/2022	\$	344.12
21833	Rick's Smog Sho	11/09/2022	\$	50.00
21834	Quantum FSD, In	11/09/2022	\$	124.95
21835	Quad Knopf	11/09/2022	\$	18,374.98
21836	Pegboard	11/09/2022	\$	1,982.67
21837	Pacific Tire	11/09/2022	\$	262.00
21838	Pacific Gas & E	11/09/2022	\$	21,494.42
21839	Pace Supply Cor	11/09/2022	\$	1,074.24
21840	Orozco Yard Mai	11/09/2022	\$	3,120.00
21841	NTU Technologie	11/09/2022	\$	11,862.48
21842	Nicoletti Oil I	11/09/2022	\$	9,738.34
21843	Navia Benefit S	11/09/2022	\$	100.00

21844	N & S Tractor C	11/09/2022	\$	730.11
21845	Midway Communit	11/09/2022	\$	8,671.39
21846	Mid Valley IT	11/09/2022	\$	13,653.48
21847	Mid Valley Disp	11/09/2022	\$	51,631.54
21848	Merced County A	11/09/2022	\$	970.00
21849	Merced Cancer S	11/09/2022	\$	500.00
21850	Melin Enterpris	11/09/2022	\$	650.00
21851	Marlin Business	11/09/2022	\$	661.64
21852	Sarah Maldonado	11/09/2022	\$	76.49
21853	Los Banos Veter	11/09/2022	\$	175.00
21854	Lawson Products	11/09/2022	\$	665.23
21855	Justin's Tire a	11/09/2022	\$	123.33
21856	Jorgensen Compa	11/09/2022	\$	449.89
21857	Jocelyn E. Rola	11/09/2022	\$	475.00
21858	JG Hardware Sto	11/09/2022	\$	172.85
21859	Jeanette Baker	11/09/2022	\$	148.00
21860	International C	11/09/2022	\$	2,143.96
21861	Ingraham Trophi	11/09/2022	\$	486.49
21862	Home Depot Cred	11/09/2022	\$	2,186.01
21863	HCL Machine Wor	11/09/2022	\$	307.51
21864	Great America F	11/09/2022	\$	337.10
21865	Frontier Commun	11/09/2022	\$	59.62
21866	Fresno Mobile R	11/09/2022	\$	350.00
21867	Fresno City Col	11/09/2022	\$	73.00
21868	Ford Motor Cred	11/09/2022	\$	550.44
21869	Ford Motor Cred	11/09/2022	\$	1,147.58
21870	Elite Uniforms	11/09/2022	\$	194.82
21871	Electric Drives	11/09/2022	\$	3,735.00
21872	Dos Palos Well	11/09/2022	\$	2,381.71
21873	Dos Palos Fire	11/09/2022	\$	225.00
21874	Department of T	11/09/2022	\$	117.46
21875	CSG Consultants	11/09/2022	\$	1,824.00
21876	Comcast	11/09/2022	\$	405.13
21877	City of Dos Pal	11/09/2022	\$	1,500.00

21878	Cintas	11/09/2022	\$	940.35
21879	Central Califor	11/09/2022	\$	7,575.00
21880	Casey Moving Sy	11/09/2022	\$	45.00
21881	Bureau of Recla	11/09/2022	\$	797.04
21882	Blossom Radiato	11/09/2022	\$	68.37
21883	Bankcard Center	11/09/2022	\$	424.55
21884	Bankcard Center	11/09/2022	\$	52.50
21885	Bankcard Center	11/09/2022	\$	466.18
21886	Bankcard Center	11/09/2022	\$	14.99
21887	Bankcard Center	11/09/2022	\$	377.82
21888	AutoZone, Inc.	11/09/2022	\$	414.34
21889	Lozano Smith At	11/09/2022	\$	1,662.00
21890	AT&T	11/09/2022	\$	409.47
21891	Aramark	11/09/2022	\$	239.76
21892	Amazon Capital	11/09/2022	\$	673.58
21893	All Phase Elect	11/09/2022	\$	332.20
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Total			\$	218,531.46

BR-Board Audit (11/09/2022 - 4:13 PM)



CITY HALL -- 2174 BLOSSOM STREET
DOS PALOS, CALIFORNIA 93620
PHONE (209) 392-2174
FAX (209) 392-2801

City of Dos Palos

Pursuant to Government Code section 36933(c), the following constitutes a summary of an ordinance introduced on October 18, 2022, and scheduled for adoption on November 15, 2022, by the City Council for the City of Dos Palos at its regular meeting in Dos Palos, California.

A certified copy of the full text of the ordinance is posted and available for review in the City Clerk's Office at 2174 Blossom Street, Dos Palos, California.

This ordinance shall be in full force and effective on the 31st day following its adoption and after publication and posting as required by law.

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

The proposed ordinance provides a 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. The proposed ordinance adds a bona fide eating place with a limited amount of brewing of beer as place within the City that can obtain a business license. The proposed ordinance also increases to allowable number of business licenses for the sale of on-sale beer and wine at a restaurant from a number not to exceed one location per one thousand inhabitants to a number not to exceed one location per seven hundred and fifty inhabitants.

Published: November __, 2022

Ysidro Garcia, City Clerk

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 _____

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CITY HALL -- 2174 BLOSSOM STREET
DOS PALOS, CALIFORNIA 93620
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City of Dos Palos

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A certified copy of the full text of the ordinance is posted and available for review in the City Clerk's Office at 2174 Blossom Street, Dos Palos, California.

This ordinance shall be in full force and effective on the 31st day following its adoption and after publication and posting as required by law.

ORDINANCE NO. 434

AN ORDINANCE OF THE CITY OF DOS PALOS ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND RELATED 2022 EDITION CODES TO THE CITY OF DOS PALOS' BUILDING CODE ORDINANCE

The proposed ordinance provides a framework for the adoption of the 2022 California Building Code and related editions.

Published: November __, 2022

Ysidro Garcia, City Clerk

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



**CITY OF DOS PALOS
NOTICE OF PUBLIC HEARING**

TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF ADOPTION OF AN AMENDED
DANGEROUS DOG ORDINANCE

NOTICE IS HEREBY GIVEN that the Dos Palos City Council will conduct a Public Hearing on Tuesday, November 15, 2022, in the City Council Chambers, 1554 Golden Gate Avenue, to receive public comment and consider an amendment to the City of Dos Palos Municipal Code Chapter 6.09.

The Dos Palos City Council will consider an Ordinance, which if adopted will revise Chapter 9 of the Dos Palos Municipal Code as it relates to Dangerous Dogs.

The Public Hearing will be held at the regular meeting of the Dos Palos City Council on Tuesday, November 15, 2022 at 6:00 p.m. in the Council Chambers located at 1554 Golden Gate Avenue, or as near as possible thereafter, at which time and place interested persons may appear and be heard. Questions regarding the above referenced item may be directed to City Hall, 2174 Blossom Street or at (209) 392-2174. Copies of the code that are being considered for adoption are on file with the City Clerk and are open for public inspection.

All interested persons will be given an opportunity to comment on this item at the Public Hearing. In addition, written comments may be submitted to the City Council at or prior to the hearing, mailed to 2174 Blossom Street, Dos Palos, CA 93620, or emailed to cityofdp@cityofdp.com. If no comments are received prior to or on the above date, it will be assumed that no comments are being offered.

6.09.060 Hearing.

If the Chief of Police or his/her designee receives a timely written request for a hearing, the chief of police or his/her designee shall immediately request a hearing before the city's designated hearing officer ~~council~~ within ten (10) days of impoundment. ~~at their earliest possible regular council meeting.~~ It shall be the chief of police or his/her designee's responsibility to notify the owner of the animal of the time and place of the hearing as soon as the hearing has been officially scheduled.

The hearing officer ~~city council~~ shall hear and consider any relevant evidence concerning, (a) whether the dog is dangerous or vicious, (b) whether the owners have failed to take the steps to minimize the dog's dangerousness as ordered by the chief of police or his/her designee, and (c) whether there are any courses of action short of destruction of the dog which can be taken which will both allow the dog to live and insure the public safety. (ord. 316 (part), 1993)

6.09.070 Hearing determination.

At the hearing, the chief of police or his/her designee shall bear the burden to prove, by a preponderance of the evidence, that the dog is dangerous and that destruction of the dog is necessary to protect the public safety. However, proof of the failure of the owner to take the steps ordered by the chief of police or his/her designee within the time specified pursuant to Section 6.09.010 of this chapter, or evidence of a prior failure of the owners to comply with any order of the chief of police or his/her designee or of the hearing officer ~~city council~~ involving the same dog, shall constitute prima facie evidence that no alternative short of destruction of the dog exists to protect the public safety. (Ord. 316 (part), 1993)

6.09.080 Hearing officer ~~Council~~ decision.

Following the hearing, the hearing officer ~~city council~~ shall issue a written decision upholding the decision to destroy the dog or ordering that the dog be returned to its owners. If the hearing officer ~~council~~ orders return of the dog, ~~the hearing officer it~~ may stay such return until the owner of the dog takes whatever steps the hearing officer ~~city council~~ deems necessary and feasible to prevent the dog from again becoming a threat to the public safety, provided, however, that the decision of the hearing officer shall be consistent with Chapter 06.08 of the Dos Palos Municipal Code. - (Ord. 316 (part), 1993)

6.09.090 Destruction.

Should the owner not take the preventative measures ordered by the hearing officer ~~city council~~ within fourteen (14) calendar days of ~~the its~~ decision, the dog shall be deemed abandoned and thereafter be humanely destroyed and disposed of by the chief of police ~~or and~~ his/her designee. (Ord. 316 (part), 1993)

ORDINANCE NO. 435

**AN ORDINANCE AMENDING CHAPTER 6.09 OF THE CITY OF DOS PALOS
MUNICIPAL CODE RELATED TO DANGEROUS DOGS**

RECITALS

WHEREAS, Chapter 6.09 of the City of Dos Palos Municipal Code addresses the subject of dangerous dogs, and the City Council desires through the passage of this Ordinance to amend Sections 060, 070, 080, and 090 Chapter 6.09 with respect to administrative hearings.

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 Sections 060, 070, 080, and 090 Chapter 6.09 with respect to administrative hearings related to dangerous dogs.

SECTION 3. AMENDMENTS TO MUNICIPAL CODE

Sections 060, 070, 080, and 090 of Chapter 6.090 of the Municipal Code are hereby amended to read as follows:

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6.09.060 Hearing.

If the Chief of Police or his/her designee receives a timely written request for a hearing, the chief of police or his his/her designee shall immediately request a hearing before the city's designated hearing officer within ten (10) days of impoundment. It shall be the chief of police or his/her designee's responsibility to notify the owner of the animal of the time and place of the hearing as soon as the hearing has been officially scheduled.

The hearing officer shall hear and consider any relevant evidence concerning, (a) whether the dog is dangerous or vicious, (b) whether the owners have failed to take the steps to minimize the dog's dangerousness as ordered by the chief of police or his/her designee, and (c) whether there are any courses of action short of destruction of the dog which can be taken which will both allow the dog to live and insure the public safety.

6.09.070 Hearing determination.

At the hearing, the chief of police or his/her designee shall bear the burden to prove, by a preponderance of the evidence, that the dog is dangerous, and that destruction of the dog is necessary to protect the public safety. However, proof of the failure of the owner to take the steps ordered by the chief of police or his/her designee within the time specified pursuant to Section 6.09.010 of this chapter, or evidence of a prior failure of the owners to comply with any order of the chief of police or his/her designee or of the hearing officer involving the same dog, shall constitute prima facie evidence that no alternative short of destruction of the dog exists to protect the public safety.

6.09.080 Hearing officer decision.

Following the hearing, the hearing officer shall issue a written decision upholding the decision to destroy the dog or ordering that the dog be returned to its owners. If the

hearing officer orders return of the dog, the hearing officer may stay such return until the owner of the dog takes whatever steps the hearing officer deems necessary and feasible to prevent the dog from again becoming a threat to the public safety, provided, however, that the decision of the hearing officer shall be consistent with Chapter 06.08 of the Dos Palos Municipal Code.

6.09.090 Destruction.

Should the owner not take the preventative measures ordered by the hearing officer within fourteen (14) calendar days of the decision, the dog shall be deemed abandoned and thereafter be humanely destroyed and disposed of by the chief of police or his/her designee.

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.

* * * * *

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 _____

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ADMINISTRATION POLICY 15


TO: Department Heads, City Employees
FROM: Greg Applegate, City Manager
DATE: January 19, 1988
SUBJECT: Travel Policies

The following pollicies will be adhered to for any and all employees that travel, representing the City of Dos Palos

1. All air travel shall be by "coach fare," unless the "coach fare" is not available. Any travel should be planned in advance to take advantage of all available discount air fares. Air fares will be chosen that give the best financial alternative for travel.
2. Meals will be reimbursed on the basis of actual cost, not to exceed thirty-six dollars per day. Breakfast-\$7.00, Lunch-\$12.00 and Dinner-\$17.00.
3. All travel by automobile shall be in a City vehicle. If a City vehicle is not available, City employee must have proof of insurance on file, with minimum of \$300,000.00 Comp., before utilizing his/her own vehicle. The City will reimburse mileage at the rate of 27 cents per mile for City business only. (See Administrative Policy No. 5 on vehicle use for cross referencing).
4. Accommodations for City travel will be reimbursed at the level of single occupancy and at the rate established for the host hotel or motel. The room reimbursement shall only include the room rate, including appropriate taxes. Any costs beyond this rate will be paid by the individual to the hotel or motel personally.
5. Parking and taxi fees will be reimbursed as required, as will all registration fees for a meeting or work-shop.
6. All transportation, accommodations, meals and miscellaneous costs shall be reimbursed when accompanied by proper documentation (e.g. receipts, etc.).
7. An individual traveling on City business shall always use the City's credit card, when possible. Receipts with license number must also be turned in for credit card (non-gas) expenditures, before reimbursement. Reimbursement will occur at the end of the travel event, unless specifically approved for an advance by the City Council.
8. The revised travel policies will take effect upon City Council approval.

APPROVED BY DOS PALOS CITY COUNCIL

DATE 19 '88


Greg Applegate, City Manager

To: Department Heads, City Employees

From: Dewayne Jones, City Manager

Subject: Travel Policy

The following policy will be adhered to for any and all employees that travel, representing the City of Dos Palos:

1. All air travel shall be at the lowest rate possible. Any travel should be planned in advance to take advantage of all discounted air fares. Air fares will be chosen that give the best financial alternative for travel.
2. Meals will be reimbursed on the basis of actual cost.
3. All travel by vehicle shall be in a City vehicle. If a City vehicle is not available, City employee must have proof of insurance on file, with minimum \$300,000 Liability, before utilizing his/her own vehicle. The City will reimburse mileage at the current IRS rate for City business only.
4. Accommodations for City travel will be reimbursed at the level of single occupancy and at the rate established for the host hotel or motel. The room reimbursement shall only include the room rate, including appropriate taxes. Any costs beyond this rate will be paid by the individual to the hotel or motel personally.
5. Parking and ground transportation fees will be reimbursed as required, as will all registration fees for a meeting or workshop.
6. All transportation, accommodations, meals, and miscellaneous costs shall be reimbursed when accompanied by proper documentation.
7. An individual, traveling on City business shall always use the City's credit card, when possible. Reimbursement will occur at the end of the travel event, unless specifically approved for in advance by the City Council.
8. The revised travel policy will take effect upon City Council approval.

APPROVED BY DOS PALOS CITY COUNCIL:

Dewayne Jones, City Manager

November 10, 2022

To: Dos Palos City Council

From: Dewayne Jones

Re: Surplus Items

Staff would like for you to consider the following items for Surplus, Sale, Trade, or Recycle:

2016 Ford Focus Electric Vehicle Vin #1FADP3R45GL407136

Washing Machine

Dryer

Television/VHS/DVD Combo