

DOS PALOS CITY COUNCIL

REGULAR MEETING AGENDA

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

6:00 pm, Tuesday, April 19, 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 Forum:

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.

1. National Day of Prayer Thursday, May 5, 2022
2. Dos Palos Police Department Annual Report 2021
3. Oath of Office for Reserve Officer Brittany Ruiz

Proclamation
Presentation
Presentation

C. CONSENT CALENDAR:

Action

1. Approval of the Treasurer's Report for September 2021.
2. Approval of the Treasurer's Report for October 2021.
3. Approval of the Treasurer's Report for November 2021.
4. Approval of the Minutes of the March 15, 2022 Regular Meeting.
5. Approval of the Pre-Paid for March 2022.
6. Approval of the Warrants for April 2022.
7. Approval of the Addition and Deletion of Signatures on the WestAmerica Bank Account.

D. BUSINESS:

- | | |
|--|---|
| 1. Resolution 2022-02 Adopting the Merced County
Multi-Jurisdictional Local Hazard Mitigation Plan. | Report
Discussion
Action |
| 2. Resolution 2022-03 Authorizing staff to submit an application
for the Public Benefits Program that reduce vehicle emissions. | Report
Discussion
Action |
| 3. Report on Fireworks Sales Permit Lottery, awarded to
Dos Palos Bronco Boosters and Dos Palos Girls Softball. | Information
Action to Accept |
| 4. Ordinance 432 Military Equipment Use Policy | Introduction
First Public Hearing
First Reading |
| 5. Resolution 2022-04 Setting Rates for Recycling Program | Report
Discussion
Action |

E. CORRESPONDENCE, EVENTS, COUNCIL & STAFF REPORTS:

1. City Engineer.
2. Water & Wastewater Utilities.
3. Public Works.
4. Police.
5. Finance & Personnel.
6. City Manager.
7. Annual Air Toxics Report from SJV Air Pollution Control District.
8. Council Photos.

F. EXECUTIVE (Closed) SESSION:

Conference regarding Public Employee Appointment and Employment

1. Personnel: City Attorney.....per California Government Code, 54957 (b)(1).

G. NEW BUSINESS

- | | |
|---|--------------------------------|
| 1. Approval of Agreement for City Attorney Services | Report
Discussion
Action |
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H. ADJOURNMENT *in memory of local departed:*

Caroline Garcia 66
Clyde Conley Jr. 48

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 #433 and Resolution 2022-05. 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

PROCLAMATION
OBSERVING THURSDAY, MAY 5, 2022
AS A NATIONAL DAY OF PRAYER



WHEREAS, the tradition of holding a National Day of Prayer was originally set by the Continental Congress in 1775 to help unify our nation; and

WHEREAS, in 1988, Congress designated the first Thursday in May of each year as National Day of Prayer, observed locally this year on May 5, 2022; and

WHEREAS, in light of all the problems our nation may face, including economic stress, unemployment, broken families, crime, drug abuse, gang violence, terrorism, war, and natural disasters such as drought, earthquakes, floods, hurricanes, and tornadoes, America and our people will always need, always seek, and always receive, guidance and inspiration from above; and ***NOW THEREFORE***,

BE IT PROCLAIMED, that I, April Hogue, 28th Mayor of the City of Dos Palos, do hereby call upon our citizens to participate in this year's National Day of Prayer observance.

SIGNED:

Mayor April Hogue

**CITY OF DOS PALOS
CASH FLOW REPOT
SEPTEMBER, 2021**

BEGINNING BALANCE: 2,009,059.29

REVENUES RECEIVED:

GENERAL FUND	129,517.52
WATER DEPOSIT	450.00
UTILITIES	280,460.88


TOTAL REVENUES RECEIVED: 410,428.40

EXPENDITURES:

PAYROLL	3,087.15
DIRECT DEPOSIT	107,989.30
WARRANTS	758,455.57

TOTAL EXPENDITURES: 869,532.02

BEGINNING BALANCE:	2,009,059.29
TOTAL REVENUES:	410,428.40
TOTAL EXPENDITURES:	-869,532.02
CREDIT CARD CHARGES:	-1,940.73
ANALYSIS CHARGE:	-196.85
PERS MONTHLY ACCURAL PMT	-22628.34
BLUEFIN PAYMENT	-9.95
FEE REVERSAL	100.00
VOID CK 19833	2260.00
GASB PERS	-1400.00
DEPOSIT CORRECTION	-20.00
TOTAL CASH FLOW BALANCE:	1,526,119.80


CITY TREASURER

**CITY OF DOS PALOS
WESTAMERICA BANK RECONCILIATION
SEPTEMBER, 2021**

STATEMENT ENDING BALANCE: 1,990,915.81

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	4,425.00
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
19990 DOS PALOS FIRE	225.00
20030 INOCENCIA SANTOS	17.39
20055 ADMINISTRATIVE SOLUTIONS	41.67
20083 EMPLOYEE CHECK	138.52
20086 EMPLOYEE CHECK	138.52
20089 ARAMARK	55.56
20091 AUTO ZONE	112.42
20095 HERMAN BURBACH	122.81
20099 RAMON CASTELLANOS	150.00
20101 CENTRAL VALLEY VET CLINIC	110.00
20105 CSJVRMA-C/O BRICKMORE RISK	49,733.00
20108 ANA DELARROCHA VALDEZ	44.59
20110 DOS PALOS FIRE	225.00

20114 FRESNO MOBILE RADIO INC	350.00
20121 HCL MACHINE WORKS	76.07
20123 IMAGE SALES	22.85
20127 BARBARA MACEDO	125.01
20129 MCRWMA	17,482.17
20137 N&S TRACTOR CO.	109.16
20139 N. DOS PALOS WATER DIST	471.71
20141 NUTRIEN AG SOLUTIONS	0.09
20146 PACIFIC TIRE	70.00
20149 PITNEY BOWES	170.17
20151 QUAD KNOFF	213,351.96
20157 SMILE BUSINESS PRODUCTS	203.39
20164 US PUBLIC SAGETY GROUP	77.95
20166 USDA SERVICE CENTER RURAL	21,578.60
20168 VAUSE PART SOURCE	34.46
20170 YONKERS & JOHNSON	4.47
20171 YOUNGS AIR CONDITIONING	6,450.85
20172 ADMINISTRATIVE SOLUTIONS	41.67
20180 LAW OFFICES OF BENNETT & SHARP	108.00
20184 CENTRAL VALLEY SALINITY COALITION	2,260.00
20185 T & T PAVEMENT MARKINGS & PROD	452.33
20186 PACIFIC PREMIER BANK	133,820.85
20187 WESTWIND	923.45
20-Sep HARTFORD	50.00
9/16/2021 PERS	15,293.07
 TOTAL COMPUTER WARRANTS:	 \$471,429.31
 BEGINNING BALANCE:	 1,990,915.81
TOTAL COMPUTER WARRANTS:	-471,429.31
OUTSTANDING DEPOSITS:	6,633.30
TOTAL CASH FLOW BALANCE:	1,526,119.80

**CITY OF DOS PALOS
CASH FLOW REPORT
OCTOBER, 2021**

BEGINNING BALANCE: 1,526,119.80

REVENUES RECEIVED:

GENERAL FUND	253,017.49
WATER DEPOSIT	750.00
UTILITIES	274,842.21

TOTAL REVENUES RECEIVED: 528,609.70

EXPENDITURES:

PAYROLL	2,023.27
DIRECT DEPOSIT	110,134.60
WARRANTS	511,808.14

TOTAL EXPENDITURES: 623,966.01

BEGINNING BALANCE:	1,526,119.80
TOTAL REVENUES:	528,609.70
TOTAL EXPENDITURES:	-623,966.01
CREDIT CARD CHARGE	-2,009.85
ANALYSIS CHARGE:	-180.34
PERS MONTHLY	-22628.34
LEXISNEXIS POLICE	25.00
FEE REVERSAL	100.00
BLUEFIN	-9.95
DEPOSIT CORRECTION	1.43
PITNEY BOWES	-1000.00
DEBIT MEMO	-661000.00
EMPLOYMENT DEVEL	-179.43
VOID CHECKS(20121&20137)	185.23
TOTAL CASH FLOW BALANCE:	744,067.24


CITY TREASURER

**CITY OF DOS PALOS
WESTAMERICA BANK RECONCILIATION
OCTOBER, 2021**

STATEMENT ENDING BALANCE: 924,030.50

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
19371 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 BROWNELLS.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
19990 DOS PALOS FIRE	225.00
20030 INOCENCIA SANTOS	17.39
20055 ADMINISTRATIVE SOLUTIONS INC	41.67
20099 RAMON CASTELLANOS	150.00
20108 ANA DELARROCHA VALDEZ	44.59
20110 DOS PALOS FIRE	225.00
20127 BARBARA MACEDO	125.01
20171 YOUNGS AIR CONDITIONING	6450.85
20172 ADMINISTRATIVE SOLUTIONS INC	41.67
20204 ARAMARK	345.42
20206 AUTOZONE	721.05
20209 BANKCARD CENTER	3899.60
20222 CREATIVE SERVICES OF NEW ENGLAND	328.95
20225 DOS PALOS FIRE	225.00

20227 FAR WEST LABORATORIES, INC	2305.00
20233 FORONTIER COMMUNICATIONS	59.93
20244 MCRWMA	8586.34
20248 MID VALLEY IT	1600.00
20249 MIDWAY COMMUNITY WATER DIST	8862.58
20250 MARIBEL MORALES	102.00
20258 STACY & DEAN PECK	31.32
20260 PORAC MEMBERSHIP SERVICES	18.00
20261 QUAD KNOFF	93645.50
20270 S. DOS PALOS WATER DIST	4840.18
20273 TARGET SOLUTIONS LEARNING	769.95
20278 USDA, SERVICE ALERTOF NORTHERN	19075.00
20281 VAUSE PART SOURCE	43.07
20288 EMPLOYEE CHECK	138.52
20291 ADMINISTRATIVE SOLUTIONS INC	41.67
20302 PACIFIC GAS & ELECTRIC	26652.36

TOTAL COMPUTER WARRANTS:	186399.17
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BEGINNING BALANCE:	924,030.50
TOTAL COMPUTER WARRANTS:	-186,399.17
OUTSTANDING DEPOSITS:	6,435.91
TOTAL CASH FLOW BALANCE:	744,067.24

**CITY OF DOS PALOS
CASH FLOW REPOT
NOVEMBER,2021**

BEGINNING BALANCE: 744,067.24

REVENUES RECEIVED:

GENERAL FUND	137,616.90
WATER DEPOSIT	1,050.00
UTILITIES	300,622.81

TOTAL REVENUES RECEIVED: 439,289.71

EXPENDITURES:

PAYROLL	692.60
DIRECT DEPOSIT PAYROLL	115,530.75
WARRANTS	307,002.77

TOTAL EXPENDITURES: 423,226.12

BEGINNING BALANCE:	744,067.24
TOTAL REVENUES:	439,289.71
TOTAL EXPENDITURES:	-423,226.12
CREDIT CARD CHARGES:	-2,189.78
ANALYSIS CHARGE:	-221.41
PERS MONTHLY ACCURAL PMT	-22628.34
BLUEFIN PAYMENT	-9.95
FEE REVERSAL	100.00
VOID CHECK 20209	117.66
LEXISNEXIS POLICE	75.00
PERS LATE FEE	-200.00
ONLINE PMT BOA	-1773.71
TOTAL CASH FLOW BALANCE:	733,400.30


CITY TREASURER

**CITY OF DOS PALOS
WESTAMERICA BANK RECONCILIATION
NOVEMBER,2021**

STATEMENT ENDING BALANCE: 795,742.55

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
20099 RAMON CASTELLANOS	150.00
20108 ANA DELARROCHA VALDEZ	44.59
20110 DOS PALOS FIRE	225.00
20127 BARBARA MACEDO	125.01
20171 YOUNGS AIR CONDITIONING	6450.85
20222 CREATIVE SERVICES OF NEW ENGLAND	328.95
20225 DOS PALOS FIRE	225.00
20258 STACY & DEAN PECK	31.32
20260 PORAC MEMBERSHIP SEERVICES	18.00
20324 BAKER, MANOCK & JENSEN	192.50
20337 DELTA WIRELESS, INC	703.00
20338 DOS PALOS FIRE	225.00

20339 HERIBERTO ESRADA	6.79
20344 FRESNO CITY COLLEGE	164.00
20345 FRESNO MOBILE RADIO INC.	350.00
20348 YSIDRO GARCIA	108.74
20352 HCL MACHINE WORKS, INC	2595.00
20355 INGRAHAM TOPHIES	442.69
20362 LOCAL AGENCY FORMATION COMMISION	702.29
20366 MERCED COUNTY TAX COLLECTOR	7075.32
20369 MID-VALLEY DISTRIBUTORS,INC	206.76
20373 NUTRIEN AG SOLUTIONS	450.00
20375 OWEN EQUIPMENT SALES	1239.22
20377 PACIFIC TIRE	396.00
20379 PEGBOARD	1099.61
20386 SOUTH DOS PALOS WATER	4735.75
20387 SPRINGBROOK	708.00
20388 TAYLOR ER VETERINARY EMERG	344.00
20389 THE OFFICE CITY	49.48
20397 YONKERS & JOHNSON	79.00
20403 EMPLOYEE CHECK	138.52
20405 EMPLOYEE CHECK	138.52
20406 ADMINISTRATIVE SOLUTIONS, INC	41.67
20414 LAW OFFICES OF BENNETT & SHARPE	108.00
20418 PG&E	28549.16
20419 CALIFORNIA DEP OF TAX & FEE	3077.52
11/16/2021 HARTFORD LIFE INS	50.00

TOTAL COMPUTER WARRANTS:	\$68,379.20
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BEGINNING BALANCE:	795,742.55
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TOTAL COMPUTER WARRANTS:	-68,379.20
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OUTSTANDING DEPOSITS:	6036.95
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TOTAL CASH FLOW BALANCE:	733,400.30
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Dos Palos City Council Minutes

March 15, 2022

A. CALL TO ORDER: Mayor pro Tem Debbie Orlando called a regular meeting of the Dos Palos City Council to order at 6:00 pm in the City-County Building at 1546-1554 Golden Gate Avenue in Dos Palos, California on Tuesday, March 15, 2022.

1. The **Pledge of Allegiance** was led by Councilmember Marcus Porter.
2. An **Invocation** was led by Councilmember Thomas Pigg.
3. **Roll Call:** City Clerk Ysidro Garcia **Called the Roll** finding four of the five City Councilmembers present: Mayor pro Tem Debbie Orlando, Councilmember Thomas Pigg, Councilmember Armando Bravo, and Councilmember Marcus Porter. Mayor April Hogue was absent due to illness.

Others present included: City Attorney Edward Amaral, Jeanette Baker, Claudia Bretado Bautista, her mother, Public Works Director Gordon Bonds, former Mayor Michael Burns, Nicole Burns, Reserve Officer Stephen Choi, Richard Dechaney, City Manager/CEO/PC Darrell Fonseca, City Clerk Ysidro Garcia, Director of Utilities Craig Hackett, Miranda Lopez, Chief of Police Rich McEachin, DPOLJUSD Trustee Moy Meraz, Lynn Miles, Randy Miles, Janet Miller, Katy Miller, Scott Miller, Tracy Mosby, City Engineer Garth Pecchenino, Maria Pina, Kathy Simmons, and Director of Finance & Personnel Manuela Sousa.

4. Urgency Additions or Deletions: None.
5. **Public Forum:** Randy Miles asked about the new state mandated food waste recycling plan.

B. CONSENT CALENDAR:

1. It was moved by Councilmember Porter and seconded by Councilmember Pigg to approve the **Minutes** of the regular meeting held on February 15, 2022. The motion passed 4-0-1 as follows: AYES: Orlando, Pigg, Bravo, and Porter. NOES: None. ABSTENTIONS: None. ABSENT: Hogue.
2. It was moved by Councilmember Porter and seconded by Councilmember Pigg to approve the **Pre-Paid**s for February 2022. The motion passed 4-0-1 as follows: AYES: Orlando, Pigg, Bravo, and Porter. NOES: None. ABSTENTIONS: None. ABSENT: Hogue.
3. It was moved by Councilmember Porter and seconded by Councilmember Pigg to approve the **Warrants** for March 2022. The motion passed 4-0-1 as follows: AYES: Orlando, Pigg, Bravo, and Porter. NOES: None. ABSTENTIONS: None. ABSENT: Hogue.

D. UNFINISHED BUSINESS:

1. Following a staff report, Mayor pro Tem Orlando reminded the council that most of the legal representations for litigation, liability, or workers comp, are handled through the risk management authority, not by the city attorney. Scott Miller asked the city manager if he is satisfied with current legal counsel's advice to the council. City Manager Fonseca responded "For the limited responsibilities of general Brown Act interpretation, dealing with contracts and agreements, lower cost, and especially for quick responses and access, yes." The council gave direction to staff to arrange in-person-meetings with **Legal Counsel RFP** applicants and councilmembers. The city attorney advised that no more than two councilmembers meet unless a public meeting is held.
2. It was moved by Councilmember Porter and seconded by Councilmember Bravo to Authorize staff to conduct a **Fireworks** Sales Permit Lottery after the 12 noon, Wednesday, March 30, 2022 deadline. The motion passed 4-0-1 as follows: AYES: Orlando, Pigg, Bravo, and Porter. NOES: None. ABSTENTIONS: None. ABSENT: Hogue.

D. NEW BUSINESS:

1. At his last city council meeting, City Manager Darrell Fonseca presented his final **staff report** which included information about the City's Seal, Official Flag and Colors, Mission Statement, Officeholder Visits to Dos Palos, Office Holder History lists of Merced County Supervisors who have represented Dos Palos since its founding, Mayors, CEO's, City Clerks, Chiefs of Police, Police Commissioners, City Attorneys, City Engineers, and City Treasurers, City Assignments, City Debt, a 2021-2022 Balanced Budget Summary, Privatized Contractors, Franchisees, and Suppliers, a Measure V Priority List, a six year Water Usage Report, a Diversity Summary, Largest (Top 35) Employers in the City of Dos Palos, Stocks of Local Interest, Liquor License Allowed, Unemployment Rates for the last 13 years, Crime Stoppers Agency and Crime Tip Reports, information about the Dos Palos Theatre, the most recent Covid Virus Update, and the Organizational Structure of the City, attached as an exhibit at the end of these official minutes. Fonseca reported that new bus shelters will soon be installed across the street at Dos Palos Downtown Station, in Midway in front of the Carver Center, and eventually on Loraine Street near the Del Hale Hall in O'Banion Park. He reported that he will continue to work on bringing a major fast -food franchise to Dos Palos, that Family Dollar will begin a transition to Dollar Tree. At this point City Manager noticed former Mayor Michael Burns in the audience and thanked him for his leadership and contributions to our city saying, "Those were good years and we accomplished a lot!"

Fonseca reported that Congressman Jim Costa called to report that President Biden signed the infrastructure bill which included his application for Community Projects funding in the amount of **\$279,000** from the Department of the Interior to repair the

Water Clarifier and Splitter Box at the water plant. Fonseca reported that work is underway on the **\$1,600,000** construction of the 750,000 gallon water tank funded by the Federal American Rescue Act.

He said he had a special parting gift for the city council and was disappointed that the mayor was not able to attend this meeting. City Manager Fonseca announced that through the significant help of City Engineer Garth Pecchenino and Assemblymember Adam Gray, now a candidate for Congress, and city staff, the Department of Water Resources has determined that due to increased labor and materials costs, acknowledgement that reduced flows in the California Aqueduct have also contributed to increasing levels of algae, which have adversely impacted the City's treatment capabilities, and a request from the City of Dos Palos for additional funding, the City of Dos Palos will now be eligible for a **100% Grant of \$30 million** towards the new water treatment plant and aqueduct intake facility. A standing ovation from the audience occurred at this time.

2. A Proclamation honoring **City Manager Darrell Fonseca** for his 32 years of service was read. It mentioned that City Manager Fonseca is currently the State of California's longest serving city manager in a single city. Mayor pro Tem Orlando presented a city plaque to Fonseca and read a certificate from the Merced County Board of Supervisors. The audience applauded in standing ovation. Councilmember Pigg said "The city, our community, was the better for having you as our city manager, Darrell, a job well done!" Councilmember Porter commended City Manager Fonseca for his service. Councilmember Bravo and Public Works Director Bonds each thanked Fonseca for hiring them earlier in their careers.
3. City Manager Fonseca asked that all members of his **Staff** please stand. He then said, "These are people that made my years successful. Thank you all for your help!"

E. CORRESPONDENCE, EVENTS, & REPORTS: Various reports were presented.

F. EXECUTIVE (CLOSED) SESSION: None.

H. ADJOURNMENT: The meeting was adjourned at 7:00 pm in memory of:

Bertha Manuel 95,
Gary Moore 80,
Ann Huerta 77,
Elena Badillo 76,
Greg Allen 59,
Robert Howard 38,
Carlos Galindo 24
Jose Robledo, Jr. 23,
Elias Flores 17

Pre Paid Listing - March 2022

20884	Washington National Ins	Premium/Replace Ck# 20655/20766	03/28/2022	\$	253.80
20867	USABlue Book	Tests	03/11/2022	\$	52.90
20885	Pacific Premier Bank	Commercial Loan Payment	03/29/2022	\$	15,911.90

Grand Total \$ **16,218.60**

BR-Board Audit (04/14/2022 - 10:20 AM)

Warrant Listing - April 2022

20897	Nicolas Accardo	Reimbursement - Safety Work Bo	04/14/2022	\$	226.75
20898	Amazon Capital	Retirement party decor	04/14/2022	\$	615.12
20899	Aramark	Uniform services acc#156473500	04/14/2022	\$	267.48
20900	Mike Areias	Animal Shelter Maintenance	04/14/2022	\$	400.00
20901	AutoZone, Inc.	Parts	04/14/2022	\$	411.73
20902	Axon Enterpris	Taser 60 year 5 payment	04/14/2022	\$	3,617.06
20903	Baker Supplies	Belt and Blade	04/14/2022	\$	77.20
20904	Baker, Manock	Client 022801 - Client 022800	04/14/2022	\$	2,065.00
20906	Bankcard Cente	Side Steps/Finance Charges	04/14/2022	\$	110.08
20906	Bankcard Cente	Universal Side Steps	04/14/2022	\$	107.65
20908	Bankcard Cente	Posatage/Parts/Subscriptions	04/14/2022	\$	407.46
20909	Santiago Banuel	Refund Check 017451-000, 1802	04/14/2022	\$	5.60
20910	Bob's Howard T	Flat Repair	04/14/2022	\$	76.38
20911	Bureau of Recl	Monthly Estimated Water Usage	04/14/2022	\$	2,993.76
20912	California Bui	CBSC quarterly fees January -	04/14/2022	\$	35.60
20913	Carrot-Top Indu	Custom Double-Sided City of DP	04/14/2022	\$	2,055.82
20914	Casey Moving S	Shredding Services	04/14/2022	\$	45.00
20915	Central Califo	Monthly Water Usage	04/14/2022	\$	9,900.00
20916	Central Califo	Annual Monitoring	04/14/2022	\$	14,000.00
20917	Central Valley	C50	04/14/2022	\$	728.39
20918	Cintas	Building maintenance/Uniforms	04/14/2022	\$	946.96
20919	City of Dos Pa	Sulfide Treatment	04/14/2022	\$	1,500.00
20920	Clears, Inc.	Annual Membership - J Hamerslo	04/14/2022	\$	50.00
20921	Comcast	Internet,Phone,Cable	04/14/2022	\$	907.76
20922	Cooks Communic	Service	04/14/2022	\$	379.99
20923	CSJVRMA - C/O	Liability / Wrk Comp Insurance	04/14/2022	\$	53,513.00
20924	Dash Medical G	Gloves	04/14/2022	\$	184.14
20925	Data Ticket, I	Office Supplies	04/14/2022	\$	967.76
20926	Delta Wireless	Radio replacement	04/14/2022	\$	1,197.93
20927	Department of	SMI Fee payment difference for	04/14/2022	\$	17.70
20928	Division of th	DSA Funds 10%	04/14/2022	\$	35.60
20929	Dooley Enterpr	Ammunition	04/14/2022	\$	620.18
20930	Dos Palos Fire	Monthly Contribution	04/14/2022	\$	225.00
20931	Electric Drive	Parts	04/14/2022	\$	987.21
20932	EMC Planning G	Coping Expenses	04/14/2022	\$	762.24
20933	ERS Industrial	Clarifier Reconstruction	04/14/2022	\$	100,501.79
20934	Carlos Estrada	Refund Check 018200-000, 8706	04/14/2022	\$	95.20
20935	Far West Labor	Testing	04/14/2022	\$	1,710.00
20936	Ford Motor Cre	Qtrly pmt Police /Monthly F-1	04/14/2022	\$	3,855.75
20937	Ford Motor Cre	Monthly Lease pmt	04/14/2022	\$	550.44
20938	Fresno Mobile	Monthly fee	04/14/2022	\$	355.25
20939	Gall's , an Ar	Baton	04/14/2022	\$	967.23
20940	Nathan Garrett	Safety Work boots	04/14/2022	\$	153.85
20941	Germino, Amara	Attorney Salary	04/14/2022	\$	850.00
20942	Martha Gonzalez	Refund for rental Cancellation	04/14/2022	\$	100.00
20943	Great America	Copier agreement #003-1561608-	04/14/2022	\$	114.42
20944	Hach Company	Annual subscriptions	04/14/2022	\$	450.00

20945	Home Depot Cre	Supplies	04/14/2022	\$	1,723.38
20946	Abby R Hunter	Secretarial compensation Jan 2	04/14/2022	\$	300.00
20947	Ingraham Troph	Silver Plate- Darrell/2022 Bas	04/14/2022	\$	762.16
20948	JG Hardware St	Supplies	04/14/2022	\$	37.69
20949	Liebert Cassid	Client Matter DO020-00012/13	04/14/2022	\$	772.00
20950	Marlin Busines	Payment on server	04/14/2022	\$	661.64
20951	MCRWMA	Solid Waste Tipping Fees	04/14/2022	\$	10,301.64
20952	Merced County	B & B District Funds -	04/14/2022	\$	7,833.71
20953	Mid Valley Dis	Refuse/Green Waste Services -	04/14/2022	\$	47,583.00
20954	Mid Valley IT	Monthly IT service	04/14/2022	\$	4,109.00
20955	Midway Communi	Secretarial Comp/Dist Funds	04/14/2022	\$	9,245.75
20956	Navia Benefit	Monthly Fee	04/14/2022	\$	50.00
20957	Nicoletti Oil	Monthly Gas & Oil	04/14/2022	\$	5,019.42
20958	Northstar Chem	Chemicals	04/14/2022	\$	1,469.15
20959	Orozco Yard Ma	Yard Maintenance	04/14/2022	\$	1,780.00
20960	Pace Supply Co	Parts	04/14/2022	\$	469.71
20961	Pacific Gas &	Monthly Gas & Electric Bill	04/14/2022	\$	20,419.83
20962	Pacific Tire	New Tires - F150 (Water)	04/14/2022	\$	1,928.00
20963	Paramount Pest	Pest control	04/14/2022	\$	171.00
20964	Pegboard	Waterbill Statements	04/14/2022	\$	1,144.21
20965	Psg Fencing Co	Chain link replacement	04/14/2022	\$	900.00
20966	Quad Knopf	Project 200058/13	04/14/2022	\$	59,373.35
20967	Quantum FSD, I	Internet Service - 04/01/22 -	04/14/2022	\$	249.90
20968	Richard Martor	Bookkeeping srvc for Water Qu	04/14/2022	\$	1,000.00
20969	San Luis & Del	Estimated Water Usage	04/14/2022	\$	24,989.64
20970	Santos Ford Li	Multi Point Inspection/Diagnos	04/14/2022	\$	175.00
20971	Raymundo Silva	Refund Check 017506-000, 1011	04/14/2022	\$	44.46
20972	Smile Business	Contract rate for City Hall co	04/14/2022	\$	123.11
20973	South Dos Palo	District Funds -	04/14/2022	\$	4,090.32
20974	Springbrook	CivicPay Transaction Fees	04/14/2022	\$	769.00
20975	Staples	Office Supplies	04/14/2022	\$	549.47
20976	James M. Stofle	PFA SCO FTR preparation	04/14/2022	\$	3,500.00
20977	SWRCB	DWOCP // Water Treatment Exam	04/14/2022	\$	160.00
20978	The Office Cit	Office Supplies	04/14/2022	\$	175.71
20979	Trans-Rock Tru	Sand	04/14/2022	\$	1,197.64
20980	United Rotary	Parts	04/14/2022	\$	1,241.36
20981	USABlue Book	Checmicals and beakers	04/14/2022	\$	37.12
20982	USDA, Service	Loan 06 Case # 04-024-09000000	04/14/2022	\$	3,700.00
20983	Utility Servic	Elevated Oliver Street Tank	04/14/2022	\$	3,238.88
20984	Verizon Wirele	Mobile Broadband Acc #34204918	04/14/2022	\$	1,002.96
20985	Water Connecti	Backflow parts and repairs	04/14/2022	\$	2,655.53
20986	Westamerica Ba	Lift Truck payment	04/14/2022	\$	1,503.84
20987	Yonkers & John	Parts	04/14/2022	\$	79.14

Total \$ 436,683.20

RESOLUTION 2022-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOS PALOS ADOPTING THE MERCED COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN

WHEREAS, the County of Merced has historically experienced severe damage from natural and human-caused hazards such as flooding, wildfire, drought, thunderstorms/high winds and hazardous materials incidents on many occasions in the past century, resulting in loss of life and property, economic hardship, and threats to public health and safety; and

WHEREAS, the County of Merced's Multi-Jurisdictional Local Hazard Mitigation Plan (the Plan) has been developed after more than three years of research and work by the planning team in association and cooperation with Howell Consulting for the reduction of hazard risk to the community; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and plan maintenance procedures for County of Merced; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural and human caused hazards that impact the County of Merced, with the effect of protecting people and property from loss associated with those hazards; and

BE IT RESOLVED by the Board of Supervisors of the County of Merced, State of California:

1. Hereby adopts this Plan as the official Multi-Jurisdictional Local Hazard Mitigation Plan for the County of Merced.
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them.
3. Future revisions and plan maintenance required by the Disaster Mitigation Act of 2000 and FEMA, are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution.
4. An annual report on the progress of the implementation elements of the Plan shall be presented to Board of Supervisors of the County of Merced by October 31st of each calendar year.
5. The County of Merced will comply with all applicable Federal Statutes and Regulations in effect with respect to the periods for which it receives grant

funding, in compliance with 44 CFR 13.11 (c); and will amend the Plan whenever necessary to reflect applicable changes in Tribe, State or federal Laws and Statutes as required in 44 CFR 13.11(d).

The foregoing resolution was duly moved by _____ and seconded by _____ and was adopted by the City Council of the City of Dos Palos on April 19, 2022 by the following votes to wit:

AYES:

NOES:

ABSTAIN:

SIGNED:

ATTEST:

April Hogue, Mayor

Ysidro Garcia, City Clerk

Resolution 2022-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOS PALOS AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR THE PUBLIC BENEFITS GRANTS PROGRAM-COMMUNITY IMPROVEMENT PROJECTS THAT REDUCE VEHICLE USE AND EMISSIONS AND IDENTIFYING THE CITY MANAGER AS THE PERSON AUTHORIZED TO IMPLEMENT THE PROJECT

WHEREAS, the San Joaquin Valley Air Pollution Control District is currently accepting applications from agencies requesting funding for land use and community development projects that will reduce vehicle use and emissions through enhanced walkability and increased use of zero and near-zero emission transportation options; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Dos Palos to authorize the submittal of an Application for the Public Benefits Grants Program – Community Improvement Projects that Reduce Vehicle Use and Emissions and Identifies the City Manager of the City of Dos Palos as the person Authorized to Implement the Project, and Authorized to sign all necessary documents on behalf of the City of Dos Palos.

The foregoing resolution was duly moved by _____ and seconded by _____ and was adopted by the City Council of the City of Dos Palos on April 19, 2022 by the following votes to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

APRIL HOGUE

28th Mayor

YSIDRO GARCIA

City Clerk

ORDINANCE NO. 432

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DOS PALOS
ADDING DOS PALOS MUNICIPAL CODE, TITLE 8, CHAPTER 32, "MILITARY
EQUIPMENT USE", BY ORDINANCE ADOPT A POLICY THAT REGULATES THE USE OF
MILITARY EQUIPMENT BY THE DOS PALOS POLICE DEPARTMENT.

WHEREAS, On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies.

WHEREAS, Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body by an ordinance adopting a "military equipment" use policy at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term "military equipment" is defined in California Government Code section 7070.

WHEREAS, The Dos Palos Police Department currently has items in its inventory deemed to be "Military Equipment" under the provisions of Assembly Bill 481, and California Government Code 7070 through 7075.

WHEREAS, the City of Dos Palos Municipal Code ("DPMC") adopts a policy that regulates "Military Equipment Use" by the Dos Palos Police Department.

WHEREAS, the Dos Palos City Council has read and evaluated the proposed policy and finds that it complies with the requirements set forth in the California Government Code (Chapter 12.8, Section 7071).

WHEREAS, Title 8-Health and Safety, Chapter 32 DPMC will be titled as Military Equipment Use.

THE CITY COUNCIL OF THE CITY OF DOS PALOS DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT. Title 10, Chapter 14, Military Equipment Use, of the Dos Palos Municipal Code shall be added to read as follows:

TITLE 8

Health and Safety

8.32

MILITARY EQUIPMENT USE

SECTIONS:

- 8-32-1 Findings
- 8-32-2 Determinations
- 8-32-3 Name of
- 8-32-3 Ordinance
- 8-32-4 Definitions
- 8-32-5 Military Equipment Use Policy Requirement
- 8-32-6 Use in Exigent Circumstances
- 8-32-7 Reports on the Use of Controlled
Equipment

8-32-8 Enforcement
8-32-9 Severability

A. On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies.

B. Assembly Bill 481, codified at California Government Code section 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a "military equipment" use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term "military equipment" is defined in California Government Code section 7070.

C. Assembly Bill 481 allows the governing body of a city to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes specified determinations.

D. The proposed military use policy is found within Dos Palos Police Department Policy and Procedural manual.

E. Dos Palos Police Department Policy was published on the Dos Palos Police Department's internet website on www.dospalospd.org. In addition, the Dos Palos Police Department, Military Equipment Use Policy was presented to City Council on April 19, 2022.

F. The Dos Palos Police Department, Military Equipment Use Policy, meets the requirements of California Government Code section 7070, subdivision (d).

8-32-2 Determinations

Based on the findings above, in addition to the information provided to the City Council at the public meeting, the City Council determines as follows:

8-32-2.1 The military equipment identified in the Dos Palos Police Department, Military Equipment Use Policy, is necessary because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.

8-32-2.2 Dos Palos Police Department, Military Equipment Use Policy, will safeguard the public's welfare, safety, civil rights, and civil liberties.

8-32-2.3 The Military equipment identified in the Dos Palos Police Department, Military Equipment Use Policy, is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

8-32-2.4 Dos Palos Police Department, Military Equipment Use Policy, is approved and adopted.

8-32-3 Name of Ordinance

This Ordinance shall be known as the Military Equipment Use Ordinance.

8-32-4 Definitions

A. "Military Equipment" includes all of the following (Per CA Gov. Code, § 7070):

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to *remove* a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.
13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).

14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.
16. Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

B. "City" means any department, agency, bureau, and/or subordinate division of the City of Dos Palos.

C. "Police Department" means any division, section, bureau, employee, volunteer and/or contractor of the Dos Palos Police Department.

D. "City Council" means the governing body that is the Dos Palos City Council.

E. "Military Equipment Use Policy" means a publicly released, written document that includes, at a minimum, all of the following:

1. A description of each type of Military Equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the Military Equipment.
2. The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of Military Equipment.
3. The fiscal impact of each type of Military Equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
4. The legal and procedural rules that govern each authorized use.
5. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of Military Equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the Military Equipment use policy.
6. The mechanisms to ensure compliance with the Military Equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
7. For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of Military Equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

F. "Exigent Circumstances" means a law enforcement agency's good faith belief that an emergency involving the danger of, or imminent threat of death or serious physical injury to any person is occurring, has occurred, or is about to occur.

G. "State agency" means the law enforcement division of every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

H. "Type" means each item that shares the same manufacturer model number.

8-32-5 Military Equipment Use Policy Requirement

A. The Dos Palos Department shall obtain approval of the City Council, by an ordinance adopting a Military Equipment Use Policy (MEUP) at a regular meeting of the City Council held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable, prior to engaging in any of the following:

1. Requesting Military Equipment made available pursuant to Section 2576a of Title 10 of the United States Code.
2. Seeking funds for Military Equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
3. Acquiring Military Equipment either permanently or temporarily, including by borrowing or leasing.
4. Collaborating with another law enforcement agency in the deployment or other use of Military Equipment within the territorial jurisdiction of the City of Dos Palos.
5. Using any new or existing Military Equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.
6. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, Military Equipment.
7. Acquiring Military Equipment through any means not provided by this section.

B. No later than May 1, 2022, if seeking to continue the use of any Military Equipment that was acquired prior to January 1, 2022, the Dos Palos Police Department shall commence a City Council approval process in accordance with this section. If the City Council does not approve the continuing use of Military Equipment, including by adoption pursuant to a Military Equipment Use Policy submitted pursuant to this code, within 180 days of submission of the proposed Military Equipment Use Policy to City Council, the Dos Palos Police Department shall cease its use of the Military Equipment until it receives the approval of City Council in accordance with this code.

C. In seeking the approval of City Council, the Dos Palos Police Department shall submit a proposed Military Equipment Use Policy to City Council and make those documents available on the Police Department's internet website at least 30 days prior to any public hearing concerning the Military Equipment at issue.

D. The governing body shall consider a proposed Military Equipment Use policy as an agenda item for an open session of a regular meeting and provide for public comment in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

E. The governing body shall only approve a Military Equipment Use Policy pursuant to this chapter if it determines all of the following:

1. The Military Equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. The proposed Military Equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
3. If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
4. Prior Military Equipment use complied with the Military Equipment Use Policy that was in effect at the time, or if prior uses did not comply with the accompanying Military Equipment Use Policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

F. In order to facilitate public participation, any proposed or final Military Equipment Use Policy shall be made publicly available on the internet website of the Police Department for as long as the Military Equipment is available for use.

G. The City Council shall review any ordinance that it has adopted pursuant to this Chapter approving the funding, acquisition, or use of Military Equipment at least annually and vote on whether to renew the ordinance at a regular meeting held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

8-32-6 Use in Exigent Circumstances

A. Notwithstanding the provisions of this Chapter, the Police Department may acquire, borrow and/or use Military Equipment in Exigent Circumstances without following the requirements of this code.

B. If the Police Department acquires, borrows, and/or uses Military Equipment in Exigent Circumstances, in accordance with this section, it must take all of the following actions:

1. Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstance, unless such information is confidential or privileged under local, state or federal law.
2. If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.
3. Include the Military Equipment in the Police Department's next annual Military Equipment Report.

8-32-7 Reports on the Use of Controlled Equipment

A. The Police Department shall submit to City Council an annual Military Equipment Report for each type of Military Equipment approved by the City Council within one year of approval, and annually thereafter for as long as the Military Equipment is available for use.

B. The Police Department shall also make each annual Military Equipment Report required by this section publicly available on its internet website for as long as the Military Equipment is available for use.

C. The annual Military Equipment Report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of Military Equipment:

1. A summary of how the Military Equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the Military Equipment.
3. The results of any internal audits, any information about violations of the Military Equipment Use Policy, and any actions taken in response.
4. The total annual cost for each type of Military Equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the Military Equipment in the calendar year following submission of the annual Military Equipment Report.
5. The quantity possessed for each type of Military Equipment.
6. If the law enforcement agency intends to acquire additional Military Equipment in the next year, the quantity sought for each type of Military Equipment.

D. Within 30 days of submitting and publicly releasing an annual Military Equipment Report pursuant to this section, the Police Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual Military Equipment report and the law enforcement agency's funding, acquisition, or use of Military Equipment.

E. The City Council shall determine, based on the annual Military Equipment Report submitted pursuant to this section, whether each type of Military Equipment identified in that report has complied with the standards for approval set forth in this code and the Military Equipment Use Policy. If the City Council determines that a type of Military Equipment identified in that annual

Military Equipment Report has not complied with the standards for approval, the City Council shall either disapprove a renewal of the authorization for that type of Military Equipment or require modifications to the Military Equipment Use Policy in a manner that will resolve the lack of compliance.

8-32-8 Enforcement

A. Remedies for Violations of this Ordinance

1. This Chapter does not provide a private right of action upon any person or entity to seek injunctive relief against the City or any employee unless that person or entity has first provided written notice to the City Manager by serving the City Clerk, regarding the specific alleged violations of this Chapter.
2. If a specific alleged violation is not remedied within 90 days of that written notice, a person or entity may seek injunctive relief in a court of competent jurisdiction.
3. If the alleged violation is substantiated and subsequently cured, a notice shall be posted in a conspicuous manner on the City's website that describes, to the extent permissible by law, the corrective measures taken to address the violation.
4. If it is shown that the violation is the result of arbitrary or capricious action by the City or an employee or agent thereof in his or her official capacity, the prevailing complainant in an action for relief may collect from the City reasonable attorney's fees in an amount not to exceed \$15,000 if they are personally obligated to pay such fees.

8-32-9 Severability

A. If any section, subsection, sentence, clause, phrase, or word of this Chapter, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Chapter.

B. The City Council hereby declares that it would have passed this Chapter and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this Chapter or application thereof would be subsequently declared invalid or unconstitutional.

SECTION 2. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its final passage and adoption.

Introduced:

Passed and Adopted: ____

April Hogue
Mayor of the City of Dos Palos

Military Equipment

709.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

709.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Dos Palos Police Department

Dos Palos PD Policy Manual

Military Equipment

709.2 POLICY

It is the policy of the Dos Palos Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

709.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Dos Palos Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

709.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

DPPD Military Equipment list.pdf

709.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The

Dos Palos Police Department

Dos Palos PD Policy Manual

Military Equipment

military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

709.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this jurisdiction shall be approved for use in accordance with this policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

709.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

709.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Dos Palos Police Department Military Equipment Inventory 2022

Equipment Type: 12-gauge Less Lethal Shotguns with Drag Stabilized Beanbag rounds-CA Gov't Code §7070(c)(14)
Quantity Owned/Sought: 7 owned
Equipment Capabilities: The Remington 870 12-gauge less-lethal shotgun is used to deploy the less-lethal 12-gauge munitions to assist personnel in de-escalating volatile situations more safely and to enhance officer and community safety.
Manufacturer Product Description: Remington 870 Less-Lethal Shotgun- The Remington 870 less-lethal shotgun is used to deploy the less-lethal 12-gauge munitions up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of de-escalation. All less-lethal shotguns are designed by an orange buttstock and forend. Safariland 12 gauge drag stabilized round- The Drag Stabilized™ 12-Gauge Round is a translucent 12-Gauge shell loaded with a 40-Gram tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails and utilizes smokeless powder as the propellant. The round has a velocity of 270 feet per second with a maximum effective range of 75 feet.
Purpose: The less-lethal shotgun is used to deploy the less-lethal 12-gauge munitions to assist personnel in de-escalating volatile situations more safely and to enhance officer and community safety.
Authorized Uses: Situations for use of less-lethal weapons systems include, but are not limited to: 1. Self-destructive, dangerous and/or combative individuals 2. Potentially vicious animals 3. Training exercises
Expected Lifespan: Shotguns-10-15 years. Less-lethal ammunition expires after 5 years.
Fiscal Impacts: The shotguns do not require any financial commitment other than any repairs/maintenance. The ammunition costs approximately \$7.00 per round, and must be replaced every 5 years, for a total cost of \$350.00 for 50 rounds.
Training required: Officers are trained in the Police Academy on the use of the shotgun, and qualify annually by the Police Department during range training.
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Dos Palos Police Department Policies on Use of Force and Firearms.

RESOLUTION 2022-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOS PALOS
SETTING REFUSE RATES FOR SERVICES NOT PREVIOUSLY PROVIDED**

WHEREAS, Section 8.12.200 of the Dos Palos Municipal Code provides that garbage rates and schedules shall be established by resolution of the City Council; and

WHEREAS, the City previously set and maintains garbage or refuse rates as established in Resolution 1914 and in Exhibit "AA" of Resolution 1914; and

WHEREAS, upon commencement January 1, 2022 of the city's new contract with its refuse collector, several new types of garbage services are now available and rates need to be set for the new services; and

THEREFORE, BE IT RESOLVED by the City Council of the City of Dos Palos that the following incorporates and establishes new rates for services not previously offered, as attached in Exhibit "D" of this resolution:

The foregoing resolution was introduced by Councilmember_____, which motion was duly seconded by Councilmember_____, and said motion was adopted on a ____ voted of the members of the Dos Palos City Council present at a regular meeting held on April 19th, 2022 by the following votes:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

April Hogue, Mayor

Ysidro Garcia, City Clerk

**EXHIBIT D - CONTRACTOR RATES
CITY OF DOS PALOS**

RATES INCLUDE DISPOSAL & PROCESSING	Current Rates	change	SB1383 New Rates
RESIDENTIAL CUSTOMERS			
3-96 CARTS(Blue,Grey, Green)	\$28.00	11%	\$31.00
SENIOR 64GAL			\$27.50
COMMERCIAL TRASH			
96G 1x per week	\$26.00	8%	\$28.00
96G 2x per week	\$37.00	30%	\$48.00
2 yard 1x per week	\$65.00	51%	\$98.00
2 yard 2x per week	\$95.00	84%	\$175.00
3 yard 1x per week	\$69.00	86%	\$128.00
3 yard 2x per week	\$127.00	69%	\$215.00
6 yard 1x per week	\$114.00	93%	\$220.00
6 yard 2x per week	\$160.00	125%	\$360.00
COMMERCIAL RECYCLE			
96G 1x per week	new		\$10.00
96G 2x per week	new		\$20.00
3 yard 1x per week	new		\$59.00
3 yard 2x per week	new		\$109.00
6 yard 1x per week	new		\$97.00
6 yard 2x per week	new		\$181.00
COMMERCIAL ORGANICS			
96G 1x per week	new		\$18.00
96G 2x per week	new		\$35.00
1.5 yard 1x per week	new		\$85.00
1.5 yard 2x per week	new		\$150.00
ADDITIONAL SERVICES			
Cart Replacement fee for carts damaged by customer	\$50.00	30%	\$65.00
Cart delivery fee for carts damaged by customer	\$75.00	-60%	\$30.00
Extra lift fee for container service	\$25.00	0%	\$25.00
Contamination fee per cart - 2nd occurrence	new		\$15.00
Contamination fee per cart - 3rd or more occurrence	new		\$35.00
Extra lift fee per yard for overloaded containers	\$15.00	100%	\$30.00
Contamination Fee per Yard	new		\$35.00
Go-back charge for residents who did not place the cart out on the service day, must be on one of the two service days	\$20.00	0%	\$20.00
Delivery and removal fee of small container for special cleanups	\$25.00	40%	\$35.00
Locking bin monthly charge	\$125.00	8%	\$135.00
Lock purchase (must be provided by collector)	\$20.00	50%	\$30.00
one time locking conversion fee	\$200.00	13%	\$225.00
ROLL OFF			
Delivery	\$50.00	0%	\$50.00
Service/Removal Charge	\$340.00	0%	\$340.00
Rental after 7 days/per day	\$15.00	0%	\$15.00
Tonnage Billed By Mid Valley/Per Ton	\$54.00	0%	\$54.00