



**CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA**

**AGENDA
MONDAY, JANUARY 11, 2016 – 7:00 P.M.**

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

FLAG SALUTE: Mayor Matt Beekman

INVOCATION: Hughson Ministerial Association

RULES FOR ADDRESSING CITY COUNCIL

Members of the audience who wish to address the City Council are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.**

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the audience may address the City Council on any item of interest to the public pertaining to the City and may step to the podium, state their name and city of residence for the record (requirement of name and city of residence is optional) and make their presentation. Please limit presentations to five minutes. Since the City Council cannot take action on matters not on the agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern, which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PRESENTATIONS:

- 2.1: Mental Health Board Roles and Responsibilities, Stanislaus County Mental Health Board.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1: Approve the Minutes of the Regular Meeting of December 14, 2015.
- 3.2: Approve the Warrants Register.
- 3.3: Reject Claim for Damages – Everett Beckner (Date of Occurrence: 9/7/2015).
- 3.4: Consider re-appointing Julie Strain, Karen Minyard, and Mark Fontana to the Hughson Planning Commission.
- 3.5: Consider re-appointing Commissioners Matt House and Tamara Thomas to the Hughson Parks and Recreation Commission.

4. UNFINISHED BUSINESS: NONE.**5. PUBLIC HEARING TO CONSIDER THE FOLLOWING:**

- 5.1: Introduce and Waive the First Reading of Ordinance No. 2016-01, an Ordinance of the Hughson City Council amending Section 17.02.004.F.3 of the Hughson Municipal Code Chapter 17.02- Zoning Districts.
- 5.2: Introduce and Waive the First Reading of Ordinance No. 2016-02, an Ordinance of the Hughson City Council adding Chapter 9.40 – Prohibiting all Commercial Cannabis Activities, Prohibiting Cannabis Deliveries with the City, Prohibiting All Activities for Which a License is required under the Medical Marijuana Regulation and Safety Act, and Prohibiting Cultivation of Cannabis for Non-Commercial Purposes in the City of Hughson.
- 5.3: Introduce and Waive the First Reading of Ordinance No. 2016-03, amending Section 5.04.190 of the Hughson Municipal Code Chapter 5.04 – Unlawful Business Prohibited to make clear that the cultivation and all commercial medical marijuana (cannabis) activities and uses are prohibited under the City's permissive zoning regulations and such uses are prohibited in all zones, planned developments, specific and master

plan areas throughout the City and thus not entitled to a business license or permit for the City.

- 5.4:** Introduce and Waive the First Reading of Ordinance No. 2016-04, an Ordinance of the Hughson City Council adding Chapter 15.16 to Title 15 “Buildings and Construction” of the Hughson Municipal Code to Create a Streamlined Permitting Process for Small Residential Rooftop Solar Energy Systems.
- 5.5:** Introduce and Waive the First Reading of Ordinance No. 2016-05, an Ordinance of the Hughson City Council Adding Chapter 15.12 – Flood Damage Prevention to Title 15 “Buildings and Construction” to the Hughson Municipal Code.

6. NEW BUSINESS:

- 6.1:** Consider adoption of Resolution No. 2016-01, a Resolution of the City Council of the City of Hughson establishing guidelines for City of Hughson’s Employee Recognition and Appreciation Program.

7. CORRESPONDENCE:

- 7.1:** Planning Commission Agenda from January 5, 2016.
- 7.2:** Economic Development Committee Agenda for January 11, 2016.

8. COMMENTS:

- 8.1:** Staff Reports and Comments: (Information Only – No Action)

City Manager:

City Clerk:

Community Development Director:

Director of Finance:

Police Services:

City Attorney:

- 8.2:** Council Comments: (Information Only – No Action)

- 8.3:** Mayor’s Comments: (Information Only – No Action)

9. CLOSED SESSION TO DISCUSS THE FOLLOWING:

9.1: CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One Case

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

UPCOMING EVENTS:

January 25	▪ Veterans Advisory Committee, Odd Fellows Hall, 5:30 P.M.
January 25	▪ City Council Meeting, City Hall Chambers, 7:00 P.M.
February 8	▪ 2+2 Committee –School District, City Hall Chambers, 5:30 P.M.
February 8	▪ City Council Meeting, City Hall Chambers, 7:00 P.M.
February 9	▪ Parks and Recreation Commission, City Hall Chambers, 6:00 P.M.
February 10	▪ 2+2 Committee – Fire District, Fire District Office, 5:30 P.M.
February 16	▪ Planning Commission, City Hall Chambers, 6:00 P.M.
February 22	▪ Economic Development Committee, City Hall Chambers, 5:30 P.M.
February 22	▪ STATE OF THE CITY ADDRESS - Special City Council Session, Samaritan Village, 7700 Fox Road, 6:00 P.M.

AFFIDAVIT OF POSTING

DATE: January 7, 2016 **TIME:** 7:00 pm
NAME: Dominique Spinale Romo **TITLE:** City Clerk

AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson City Council shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

General Information: The Hughson City Council meets in the Council Chambers on the second and fourth Mondays of each month at 7:00 p.m., unless otherwise noticed.

Council Agendas: The City Council agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054



CITY OF HUGHSON AGENDA ITEM NO. 3.1 SECTION 3: CONSENT CALENDAR

Meeting Date: January 11, 2016
Subject: Approval of the City Council Minutes
Presented By: Dominique Spinale Romo, Assistant to the CM / City Clerk

Approved By: _____

Staff Recommendation:

Approve the Minutes of the Regular Meeting of December 14, 2015.

Background and Overview:

The draft minutes of the December 14, 2015 meeting are prepared for the Council's review.



**CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA**

**MINUTES
MONDAY, DECEMBER 14, 2015 – 7:00 P.M.**

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL:

Present: Mayor Matt Beekman
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

Absent: Mayor Pro Tem Jeramy Young

Staff Present: Raul L. Mendez, City Manager
Daniel J. Schroeder, City Attorney
Larry Seymour, Chief of Police
Jaylen French, Community Development Director
Dominique Spinale Romo, Assistant to the CM/City Clerk
Shannon Esenwein, Finance Director
Lisa Whiteside, Finance Manager
Sam Rush, Public Works Superintendent
Jaime Velazquez, Utilities Superintendent

FLAG SALUTE: Mayor Matt Beekman

A Moment of Silence for Sergeant Jeremy Fielder

INVOCATION: Hughson Ministerial Association

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Alan McFadon thanked the City Council for his appointment to the Planning Commission.

2. PRESENTATIONS:

- 2.1: StanCOG Presentation on the Transportation Development Act and Unmet Transit Needs Process, by Regina Valentine.

Ms. Valentine provided a brief PowerPoint presentation on the Transportation Development Act and Unmet Transit Needs Process.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1: Approve the Minutes of the Regular Meeting of November 23, 2015.
- 3.2: Approve the Warrants Register.
- 3.3: Review and approve the City of Hughson Treasurer's Report: Investment Portfolio Report for September 2015.
- 3.4: Receive the 2016 City Council Meetings Calendar.
- 3.5: Approve the Fiscal Year 2015-2016 Memorandum of Understanding with the Stanislaus Business Alliance.

Mayor Beekman pulled Item 3.1 from the Consent Calendar.

BEEKMAN/HILL 4-0 (YOUNG - ABSENT) motion passes to approve Consent Calendar items 3.2, 3.3, 3.4, and 3.5.

Staff made a correction to the Minutes, and then asked for Council's approval.

BEEKMAN/CARR 4-0 (YOUNG - ABSENT) motion passes to approve item 3.1 (Minutes) as amended.

4. UNFINISHED BUSINESS: NONE.**5. PUBLIC HEARING TO CONSIDER THE FOLLOWING:**

- 5.1: Adopt Resolution No. 2015-33, a Resolution of the City Council approving the 2015-2016 Supplemental Law Enforcement Services (SLESF) Funding Allocation and Expenditure Plan.

Police Chief Seymour presented the staff report on this item.

Mayor Beekman opened and closed the Public Hearing at 7:12 P.M. No public comments were provided.

BEEKMAN/CARR 4-0 (YOUNG – ABSENT) motion passes to Adopt Resolution No. 2015-33, approving the 2015-2016 Supplemental Law Enforcement Services (SLESF) Funding Allocation and Expenditure Plan.

- 5.2: Adopt Resolution No. 2015-34, approving the 2015 Housing Element (5th Cycle) and associated Negative Declaration and amending the Hughson General Plan to incorporate the 2015 Housing Element Update.

Director French presented the staff report on this item.

Mayor Beekman opened and closed the Public Hearing at 7:21 P.M. No public comments were provided.

SILVA/HILL 4-0 (YOUNG – ABSENT) motion passes to Adopt Resolution No. 2015-34, approving the 2015 Housing Element (5th Cycle) and associated Negative Declaration and amending the Hughson General Plan to incorporate the 2015 Housing Element Update.

6. NEW BUSINESS:

- 6.1: Review the 2015 City Council Boards and Committees Appointments List and approve the appointments of selected Council Members to serve on the 2016 City Council Boards and Committees.

Assistant to the City Manager Spinale Romo presented the staff report on this item.

The City Council updated the Hughson Family Resource Center Board's title to "Southeast Stanislaus Hughson Family Resource Center Advisory Board" and then listed Councilmember Hill as the Alternate to Councilmember Carr.

7. CORRESPONDENCE: NONE.

8. COMMENTS:

8.1: Staff Reports and Comments: (Information Only – No Action)

City Manager: Quarterly Grants Program Update

City Manager Mendez introduced Jeff Montgomery, one of the City’s new interns from CSU Stanislaus. He also updated the Council on his participation at the Operation Santa event with the Fire District and the City’s Light Up the Town Event.

City Clerk: City Clerk Spinale Romo reminded the City Council that City Hall would be closed December 24, 2015 through January 1, 2016, open on January 4, 2016.

Community Development Director: Director French updated the City Council on the following ongoing projects: Tully Road Reconstruction, Dollar General and the Hatch and Santa Fe Signal Light.

Director of Finance: Director Esenwein updated the Council on the status of the City’s annual audit.

Police Services: Chief Seymour reviewed the Police Call Log, Case Log, and Traffic Survey Summary reports with the City Council.

City Attorney:

8.2: Council Comments: (Information Only – No Action)

Councilmember Carr thanked City staff and the Public Works Department for their assistance in the Christmas Parade and Festival, Light Up the Town, and Operation Santa events. He wished everyone a happy holiday.

Councilmember Silva asked City staff if the City could recognize and present certificates to the Fire Department for Operation Santa. She also wished everyone a happy holiday.

Councilmember Hill updated the Council on his attendance at the League of California Cities Dinner, the Christmas Parade and Festival, and the 2+2 Fire meeting. He also thanked the Turlock Fire Department for loaning the Hughson Fire District a snow blower for Operation Santa and then wished everyone a happy holiday.

8.3: Mayor's Comments: (Information Only – No Action)

Mayor Beekman updated the Council on his attendance at the 2+2 School meeting, the Christmas Parade and Festival, and the League of California Cities Dinner.

The Mayor also requested that staff resume with listing the other boards and commissions agendas in the City Council Agenda Packets and wished everyone a happy holiday.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.

ADJOURNMENT:

CARR/BEEKMAN motions passes to adjourn the meeting at 7:58 P.M.

MATT BEEKMAN, Mayor

DOMINIQUE SPINALE ROMO, City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: January 11, 2016
Subject: Approval of Warrants Register
Enclosure: Warrants Register
Presented By: Shannon Esenwein, Director of Finance

Approved By: _____

Staff Recommendation:

Approve the Warrants Register as presented.

Background and Overview:

The warrants register presented to the City Council is a listing of all expenditures paid from December 16, 2015 through January 7, 2016.

Fiscal Impact:

There are reductions in various funds for payment of expenses.

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REPORT.: Jan 07 16 Thursday
RUN....: Jan 07 16 Time: 17:01
Run By.: Lisa Whiteside

City of Hughson
Cash Disbursement Detail Report
Check Listing for 12-15 Bank Account.: 0100

PAGE: 001
ID #: PY-DP
CTL.: HUG

Check Number	Check Date	Vendor Number	Vendor Name	Net Amount	Invoice #	Description
47236	12/16/2015	THE03	THE MAGNOLIA FARMHOUSE	\$ 150.00	B51216	10 AWARDS PLAQUES FOR "LIGHT UP THE TOWN"
47237	12/17/2015	EMP01	STATE OF CALIFORNIA	\$ 1,317.48	B51217	PAYROLL TAXES
47238	12/17/2015	HAR02	THE HARTFORD	\$ 379.66	B51217	DEFERRED COMPENSATION
47239	12/17/2015	PER01	P.E.R.S.	\$ 6,678.37	B51217	RETIREMENT
47240	12/17/2015	STA23	CaPERS SUPPLEMENTAL INCO	\$ 710.00	B51217	DEFERRED COMPENSATION
47241	12/17/2015	UNI07	UNITED WAY OF STANISLAUS	\$ 29.00	B51217	UNITED WAY
47242	12/31/2015	EMP01	STATE OF CALIFORNIA	\$ 1,156.59	B60105	PAYROLL TAXES
47243	12/31/2015	HAR02	THE HARTFORD	\$ 379.66	B60105	DEFERRED COMPENSATION
47244	12/31/2015	PER01	P.E.R.S.	\$ 6,671.86	B60105	RETIREMENT
47245	12/31/2015	STA23	CaPERS SUPPLEMENTAL INCO	\$ 710.00	B60105	DEFERRED COMPENSATION
47246	12/31/2015	UNI07	UNITED WAY OF STANISLAUS	\$ 29.00	B60105	UNITED WAY
Cash Account Total:				\$18,211.62		
Total Disbursements:				\$18,211.62		

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REPORT.: Jan 07 16 Thursday
RUN....: Jan 07 16 Time: 17:12
Run By.: Lisa Whiteside

City of Hughson
Cash Disbursement Detail Report
Check Listing for 01-16 Bank Account.: 0100

PAGE: 001
ID #: PY-DP
CTL.: HUG

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
47247	1/7/2016	ABE01	ABE'S PLUMBING	\$ 440.94	E15861	UPGRADE BATHROOMS AT THE CORP. YARD
47248	1/7/2016	ABS00	ABS PRESORT	\$ 691.27	101850	PRINTING OF UTILITY BILLS DEC/2015
47249	1/7/2016	AFL01	AFLAC	\$ 880.70	B60106	AFLAC
47250	1/7/2016	ALL04	ALLIANCE	\$ 3,850.00	3014	2ND PAYMENT FOR FY15-16 B US. ASSISTANCE PROGRAM
47251	1/7/2016	ALL07	ALLEY INSURANCE SERVICE,	\$ 592.00	1013	HEALTH PLAN CONSULTING 1/16
47252	1/7/2016	ARR00	NESTLE WATERS	\$ 60.46	B60106	DRINKING WATER FOR WWTP
47253	1/7/2016	ATT01	AT&T	\$ 3,917.92	B60106	PHONE
47254	1/7/2016	ATT02	AT&T MOBILITY	\$ 191.94	B60106	PHONE
47255	1/7/2016	ATT03	AT&T	\$ 17.85	7527044	PHONE
47256	1/7/2016	AVA00	AVAYA, INC	\$ 112.01	733589250	PHONE
				\$ 87.39	733589278	PHONE
Check Total:				\$ 199.40		
47257	1/7/2016	CAL51	CALIFORNIA PUBLIC ACCOUNT	\$ 50.00	B60106	CPA LICENSE RENEWAL FOR S. ESENWEIN
47258	1/7/2016	CCA02	CCAC	\$ 90.00	1101	2016 RENEWAL APPLICATION
47259	1/7/2016	CEN14	CENTRAL SANITARY SUPPLY	\$ 131.09	663903	PARAMEDIC GLOVES NEEDED FOR SEWER WORK
				\$ 497.39	664363	SANITARY SUPPLIES FOR MULTIPLE DEPARTMENTS
Check Total:				\$ 628.48		
47260	1/7/2016	CEN30	CENTRAL CALIFORNIA GENERA	\$ 387.50	1621	SEMI-ANNUAL INSPECTION-HATCH LIFT STATION
				\$ 412.50	1622	SEMI-ANNUAL INSPECTION-STORAGE TANK
				\$ 537.50	1623	SEMO-ANNUAL INSPECTION-WELL#3
				\$ 412.50	1624	SEMI-ANNUAL INSPECTION-WELL#4
				\$ 437.50	1625	SEMI-ANNUAL INSPECTION-WELL#5
				\$ 437.50	1626	SEMI-ANNUAL INSPECTION-WELL #8
				\$ 710.00	1627	SEMI-ANNUAL INSPECTION-WWTP
Check Total:				\$ 3,335.00		
47261	1/7/2016	CHA01	CHARTER COMMUNICATION	\$ 167.37	B60107	IP ADDRESS-PINE ST
47262	1/7/2016	CON14	CONDOR EARTH TECHNOLOGIES	\$ 11,926.25	72167	MS4 GENERAL PERMIT SUPPORT
				\$ 413.58	72300	2015-2016 GW MONITORING & REPORTING
				\$ 1,701.25	72420	MS4 GENERAL PEMIT SUPPORT

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				\$	2,379.35	72464 MS4 GENERAL PERMIT SUPPORT
			Check Total:	\$	16,420.43	
47263	1/7/2016	CSJ03	CSJVRMA	\$	69,161.00	2016-0140 2015-2016 3RD QUARTER DEPOSITS
47264	1/7/2016	ENV02	ENVIRONMENTAL SYSTEMS	\$	1,788.93	27307 STREET SWEEPING-DECEMBER
47265	1/7/2016	EXP00	EXPRESS PERSONNEL SERVICE	\$	814.72	166292896 EXTRA HELP WEEK OF 11/29/15
				\$	1,529.29	166706754 EXTRA HELP FOR WEEK OF 12/6/2015
				\$	588.26	167007988 EXTRA HELP FOR WEEK OF 12/13/2015
			Check Total:	\$	2,932.27	
47266	1/7/2016	GEO00	GEORGE REED, INC	\$	144,359.15	1983 TULLY RD RECONSTRUCTION PROJ. PMT#2
				\$	4,163.85	2022 TULLY RD RECONSTRUCTION PROJ PMT#3
				\$	36,367.15	2048 TULLY RD RECONSTRUCTION PROJECT PMT#4
			Check Total:	\$	184,890.15	
47267	1/7/2016	GEO01	GEOANALYTICAL LABORATORIE	\$	55.00	B5K0301 LAB TESTING WATER
				\$	150.00	B5K1001 LAB TESTING WATER
				\$	55.00	B5K1701 LAB TESTING WATER
				\$	55.00	B5K2402 LAB TESTING WATER
			Check Total:	\$	315.00	
47268	1/7/2016	GIB00	GIBBS MAINTENANCE CO	\$	1,232.00	18973 DECEMBER JANITOR SERVICES
47269	1/7/2016	GIL01	GILTON SOLID WASTE MANAGE	\$	1,220.44	1115384 DISPOSAL FEE
47270	1/7/2016	GRA01	GRAND FLOW	\$	155.07	134316 OFFICE SUPPLIES-1099'S
				\$	240.67	134317 OFFICE SUPPLIES-BUSINESS LIC.
				\$	240.25	134318 OFFICE SUPPLIES-B/L RENEWAL FORMS
			Check Total:	\$	635.99	
47271	1/7/2016	HUG03	HUGHSON CHRONICLE	\$	119.40	107642 LEGAL #1488 WEEK OF 9/29/15
				\$	139.30	107643 LEGAL#1491 WEEK OF 9/29/15
				\$	179.10	107985 LEGAL #1693 WEEK OF 12/01/15
				\$	109.45	108088 LEGAL #1763 WEEK OF 12/22/15
				\$	99.50	108091 LEGAL #1760 WEEK OF 12/22/15
				\$	179.10	108143 LEGAL #1779 WEEK OF 12/29/15
			Check Total:	\$	825.85	
47272	1/7/2016	HUG11	HUGHSON FARM SUPPLY	\$	98.13	H159466 REPLACEMENT HOSE FOR TEH VAC SEWER DEPT.
				\$	344.06	H159583 REPLACEMENT BATTERIES FOR TRACTOR AND P-4
				\$	38.50	H160336 MISC. TOOLS AND SUPPLIES
				\$	6.44	H160640 MISC TOOLS AND SUPPLIES

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Check Total: \$ 487.13

47273	1/7/2016	HUG28	HUGHSON TIRE	\$	450.95	940115	NEW TIRES FOR PW-12 WATER TRUCK
47274	1/7/2016	HUG34	VALLEY PARTS WAREHOUSE, I	\$	17.30	164095	SMALL MATERIAL NEEDED FOR VEH. MAINT & REPAIR
				\$	16.96	164141	SMALL MATERIAL NEEDED FOR VEHIC. MAINT & REPAIR
				\$	4.18	164257	SMALL MATERIAL NEEDED FOR VEHIC. MAINT & REPAIR
				\$	4.44	164365	SMALL MATERIAL NEEDED FOR VEHIC. MAINT & REPAIR

Check Total: \$ 42.88

47275	1/7/2016	KUB00	KUBWATER RESOURCES, INC	\$	4,897.31	5346	POLYMER
47276	1/7/2016	LEA01	LEAGUE OF CALIF. CITIES	\$	150.00	102616	2016 LOCAL STREETS & ROADS NEEDS ASSESSMENT
47277	1/7/2016	MCR01	MCR ENGINEERING, INC	\$	710.00	11352	HUGHSON AVE CONSTRUCTION ENGINEERING
47278	1/7/2016	MIS01	MISSION UNIFORM SERVICE	\$	78.58	501102393	UNIFORM SERVICE
				\$	82.63	501238271	UNIFORM SERVICE
				\$	90.73	501283500	UNIFORM SERVICE
				\$	82.63	501329237	UNIFORM SERVICE
				\$	86.68	501374591	UNIFORM SERVICE

Check Total: \$ 421.25

47279	1/7/2016	MOD01	THE MODESTO BEE	\$	144.37	B60107	SLESF PH 2015
47280	1/7/2016	MOS01	MOSS, LEVY & HARTZHEIM, L	\$	14,000.00	6412	AUDIT FIELDWORK FISCAL YR END 6/30/15
47281	1/7/2016	NEU01	NEUMILLER & BEARDSLEE	\$	1,600.00	274092	LEGAL SERVICES FOR NOVEMBER
				\$	2,380.84	274093	LEGAL SERVICES FOR NOVEMBER
				\$	1,600.00	274094	LEGAL SERVICES FOR NOVEMBER
				\$	12,146.72	274095	LEGAL SERVICES FOR NOVEMBER

Check Total: \$ 17,727.56

47282	1/7/2016	NOR06	NORTHSTAR CHEMICAL	\$	1,141.22	73760	CHLORINE FOR WELL #8
47283	1/7/2016	PGE01	PG & E	\$	250.54	B60107	UTILITIES-CITY HALL
				\$	192.55	B60108	UTILITIES-SENIOR CENTER
				\$	191.57	B60109	UTILITIES-3RD ST. CENTER
				\$	256.71	B60110	UTILITIES-CNG

Check Total: \$ 891.37

47284	1/7/2016	POS01	POSTAGE BY PHONE	\$	513.38	7062540DC	POSTAGE REFILL
47285	1/7/2016	PUR01	PURCHASE POWER	\$	463.15	B60106	POSTAGE REFILL
47286	1/7/2016	QUI03	QUICK N SAVE	\$	82.43	1-8722	DIESEL
47287	1/7/2016	RIC04	RICOH USA, INC	\$	1,340.15	95986403	COPIER LEASE
47288	1/7/2016	SAF01	SAFETLITE	\$	95.65	321170	SAFETY JACKET FOR CITY MANAGER
				\$	42.99	321281	REPLACEMENT SIGN FOR

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STEEPLECHASE DR.

Check Total: \$ 138.64

47289	1/7/2016	SEC02	SECRETARY OF STATE	\$	40.00	B60106	NOTARY PUBLIC EXAM FOR S. ESENWEIN
47290	1/7/2016	SHR02	SHRED-IT USA LLC	\$	135.81	408481570	SHREDDING
47291	1/7/2016	SPI00	SPINALE, DOMINIQUE	\$	16.40	B60106	REIMB. FOR REFRESHMENTS FOR C.C. MEETING 12/14/15
47292	1/7/2016	STA42	STANISLAUS COUNTY	\$	1,190.00	15-378888	2015-2016 3RD QTR. DEBT SERVICE
				\$	4,622.00	15-378892	2015-2016 3RD QTR. OPERATIONAL COSTS

Check Total: \$ 5,812.00

47293	1/7/2016	STA47	STANISLAUS COUNTY SHERIFF	\$	26,903.63	1516-078	SLESF-DEPUTY JULY, AUG & SEPT
				\$	53,232.65	1516-121	NOVEMBER LAW ENFORCEMENT SERVICES
				\$	23,252.16	1516-124	SLESF- DEPUTY FOR OCT, NOV & DECEMBER

Check Total: \$ 103,388.44

47294	1/7/2016	STA57	STARKEY, CURT	\$	200.00	B60107	DAMAGE DEP. REFUND 12/8/15
47295	1/7/2016	STE07	STEELEY, JARED WATER & WA	\$	1,950.00	6245	CONSULTING SERVICES FOR DECEMBER
47296	1/7/2016	TID01	TURLOCK IRRIGATION DIST.	\$	25,050.76	B60107	ELECTRIC
47297	1/7/2016	UNI12	UNIVERSITY POLICE DEPARTM	\$	57.00	15-1226	LIVE SCAN FINGERPRINT
47298	1/7/2016	UNU01	UNUM LIFE INSURANCE CO.	\$	717.12	B60106	LIFE INSURANCE WITHHOLDIN
47299	1/7/2016	USA01	USA BLUE BOOK	\$	1,062.02	818640	SEWER CONTROL BOX REPLACE MENT
47300	1/7/2016	USH00	US HEALTHWORKS MEDICAL	\$	59.00	2819019CA	PROFESSIONAL SERVICES
				\$	59.00	2829116CA	PROFESSIONAL SERVICES

Check Total: \$ 118.00

47301	1/7/2016	WIL01	CORBIN WILLITS SYSTEM	\$	571.40	B512151	ENHANCEMENT & SERVICE FEE
47302	1/7/2016	WIL05	WILLE ELECTRIC	\$	91.07	S1689564	BACK UP BATTERIES FOR SCADA SYSTEM WELL 3
				\$	244.81	S16894016	BACK UP BATTERIES FOR SCADA SYSTEM AT WELL #8

Check Total: \$ 335.88

47303	1/7/2016	WIL14	WILLDAN ENGINEERING	\$	20,433.75	320649	ENGINEERING SERVICES FOR HUGHSON-FOX IMPROV.
				\$	3,101.50	20151214	ENGINEERING SERVICES NOV .23-25
				\$	4,532.25	20151228	ENGINEERING SERVICES NOV

Check Total: \$ 28,067.50

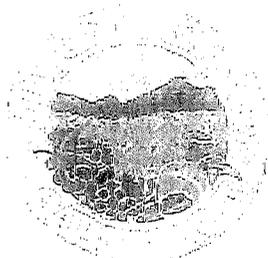
SE

47304	1/7/2016	\C019	CATHCART, CHERYL	\$	61.16	000B60101	MQ CUSTOMER REFUND FOR CAT0004
47305	1/7/2016	\H009	HILL, ALISSA	\$	212.50	000B60101	MQ CUSTOMER REFUND FOR HIL0004
47306	1/7/2016	\N002	NESS, TED AND JANET	\$	121.13	000B60101	MQ CUSTOMER REFUND FOR NES0001
47307	1/7/2016	\O001	ORTEGA, FIDEL	\$	80.00	000B60101	MQ CUSTOMER REFUND FOR ORT0011
47308	1/7/2016	\P004	PAPWORTH, ROBERT	\$	31.04	000B60101	MQ CUSTOMER REFUND FOR PA P0002
47309	1/7/2016	\S005	SANGHERA, KULINDER	\$	9.89	000B60101	MQ CUSTOMER REFUND FOR SAN0040
47310	1/7/2016	\S011	SOUZA-ESCOBAR, CHERYL	\$	41.33	000B60101	MQ CUSTOMER REFUND FOR SOU0013

Cash Account Total: \$ 506,216.56

Total Disbursements: \$ 506,216.56
=====

City of Hughson
7018 Pine Street * PO Box 9
Hughson, CA 95326
(209) 883-4054 Fax (209) 883-2638



RECEIVED

NOV 30 2015

City Clerk's Office
City of Hughson

CLAIM FORM
Form B

CLAIM AGAINST _____ (Name of Entity)

Claimant's name: Everett Backner

SS#: [REDACTED] DOB: [REDACTED] Gender: Male Female

Claimant's address: [REDACTED], Hughson, CA 95326

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: 9-7-15

Date injuries, damages, or losses were discovered: 9-7-15

Location of incident/accident: Tully Rd. Directly across from mailbox 1554

What did entity or employee do to cause this loss, damage, or injury? Tripped on high area of sidewalk (over) I reported this area several months ago when I tripped then and nothing was fixed. I know other people have complained about this also.
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? _____

What specific injuries, damages, or losses did claimant receive? Broken nose, cuts & abrasions on face and both hands
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

\$9543

How was this amount calculated (please itemize)? \$43 copayment at urgent care & doctors & 9500 pain & suffering (also nose is bent)
now have raised area where cut on nose
glasses sit on bump on nose
(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 9-8-15 Signature: Everett W. Backner

If signed by representative:
Representative's Name _____ Address _____
Telephone # _____
Relationship to Claimant _____



CITY OF HUGHSON AGENDA ITEM NO. 3.4

SECTION 3: CONSENT CALENDAR

Meeting Date: January 11, 2016
Subject: Consideration of Planning Commission Re-appointments
Presented By: Dominique Spinale Romo, Assistant to the City Manager

Approved By: _____

Staff Recommendation:

Reappoint Julie Strain, Karen Minyard, and Mark Fontana to the Hughson Planning Commission.

Background and Overview:

In late September 2015, City staff was presented with an unexpected vacancy on the Planning Commission. At the October 12, 2015 meeting, the City Council directed staff to advertise the vacancy for 30 days via the City's website, Facebook, newsletter, and local newspaper. The application period ended on November 12 and staff received only one application for consideration.

The terms of office for Julie Strain, Karen Minyard, and Mark Fontana expired on December 31, 2015. These Commissioners remain interested in serving the City as Planning Commissioners and seek re-appointment. It is past practice that the City opens for applications for 30 days; however staff believes that it is in the best interests of the City that the City Council considers re-appointing all three commissioners to the Planning Commission. Upon closing of the last 30 day period only one application was received and that candidate was later appointed on November 23, 2015 (Alan McFadon). City staff believes that opening another 30 day period is unnecessary at this time for this reason.

If these Commissioners are re-appointed, their terms will be extended two years, expiring on December 31, 2017. The remaining two members of the Planning Commission, Ken Sartain and Alan McFadon, terms will expire on December 31, 2016.

Fiscal Impact:

Planning Commissioners receive a \$50 stipend per meeting, as established in the Hughson Municipal Code.



CITY OF HUGHSON AGENDA ITEM NO. 3.5

SECTION 3: CONSENT CALENDAR

Meeting Date: January 11, 2016
Subject: Consideration of Parks and Recreation Commission Re-appointments
Presented By: Dominique Spinale Romo, Assistant to the City Manager
Approved By: _____

Staff Recommendation:

Reappoint Commissioners Matt House and Tamara Thomas to the Hughson Parks and Recreation Commission.

Background and Overview:

The Commission has had one vacancy since April 2015. The vacancy has been advertised since then and the City has not received any applications for the vacancy. The terms of office for Matt House and Tamara Thomas expired on December 31, 2015. These Commissioners remain interested in serving the City as Parks and Recreation Commissioners and seek re-appointment. City staff believes that it is in the best interest of the City that the City Council considers re-appointing these two commissioners to the Commission. City staff will continue to advertise for the current vacancy until it is filled.

If these Commissioners are re-appointed, their terms will be extended two years, expiring on December 31, 2017. The remaining two members of the Planning Commission, Billy Redding and Hans Picinich, terms will expire on December 31, 2016.

Fiscal Impact:

There is no fiscal impact, as these positions are unpaid.



CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date: January 11, 2016
Subject: Consideration to Adopt Ordinance No. 2016-01, Amending Section 17.02.004.F.3 of Hughson Municipal Code Chapter 17.02 – Zoning District Prohibiting the Cultivation of Cannabis in All Zones, Planned Developments and Specific and Master Plans throughout the City
Presented By: Jaylen French, Community Development Director
Daniel J. Schroeder, City Attorney

Approved By: _____

Staff Recommendation:

Introduce and waive the first reading of Ordinance No. 2016-01, amending Section 17.02.004.F.3 of Hughson Municipal Code Chapter 17.02 – Zoning District prohibiting the cultivation of cannabis in all zones, planned development, specific and master plans throughout the City.

Background and Overview:

Governor Jerry Brown Signs New Medical Marijuana Legislation

In October 2015, Governor Jerry Brown signed three bills that mark the State's first move towards regulating the medical marijuana industry.

In signing AB 243, AB 266, and SB 643 (hereinafter "Marijuana Regulations"), the Governor marked the establishing of "a long-overdue comprehensive regulatory framework for the production, transportation, and sale of medical marijuana," Brown said in his statement on what is being called Medical Marijuana Regulation and Safety Act.

"This new structure will make sure patients have access to medical marijuana, while ensuring a robust tracking system," said Brown. "This sends a clear and certain signal to our federal counterparts that California is implementing robust controls not only on paper, but in practice."

Although Proposition 215, which voters passed in 1996, legalized cannabis for patients in the State of California, Federal laws do not recognize medical marijuana laws in individual states since Federal Law preempts states laws. Next year's State ballot will also likely see at least one measure to legalize recreational use.

Cities across the State have begun efforts to better understand the local impact of the new legislation. A critical component of the recently enacted Marijuana Regulations is that local jurisdictions are still entitled to limit or prohibit cultivation and transportation of marijuana within their jurisdiction as long as they do so by March of 2016. In addition, the League of California Cities has prepared a series of informational forums to help municipalities with this process and to determine what steps, if necessary, to take locally to prepare for the future.

Understanding the Medical Marijuana Regulation and Safety Act

The League of California Cities has hosted a series of informational webinars following the Governor's signing of the Medical Marijuana Regulation and Safety Act. It has also prepared several educational pieces to assist cities (elected officials and staff alike) better understand the new legislation.

The focus of this education and outreach effort has been to review the details of what each bill does, explain how the new legislation protects local control, highlight specific regulatory issues that require immediate attention from local governments and discuss timelines for implementation.

The Medical Marijuana Regulation and Safety Act consists of three discrete pieces of legislation:

- AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey, Wood) – Establishes dual licensing structure requiring state license and a local license or permit. Department of Consumer Affairs heads overall regulatory structure establishing minimum health and safety and testing standards.
- AB 243 (Wood) – Establishes a regulatory and licensing structure for cultivation sites under the Department of Food and Agriculture.
- SB 643 (McGuire) – Establishes criteria for licensing of medical marijuana businesses, regulates physicians, and recognizes local authority to levy taxes and fees.

This legislation protects local control in the following ways:

- Dual licensing: A requirement in statute that all marijuana businesses must have both a state license, and a local license or permit, to operate legally in California. Jurisdictions that regulate or ban medical marijuana will be able to retain their regulations or ban.
- Effect of local revocation of a permit or license: Revocation of a local license or permit terminates the ability of a marijuana business to operate in that jurisdiction under its state license.

- Enforcement: Local governments may enforce state law in addition to local ordinances, if they request that authority and if it is granted by the relevant state agency.
- State law penalties for unauthorized activity: Provides for civil penalties for unlicensed activity, and applicable criminal penalties under existing law will continue to apply. With certain exceptions, expressly protects local licensing practices, zoning ordinances, and local actions taken under the constitutional police power.

There are two areas that require immediate attention from local governments:

- Deliveries and mobile dispensaries: Delivery is permitted with a State license unless a city adopts an express prohibition on delivery (AB 266).
- Cultivation ordinances: Cities must adopt an ordinance prohibiting or regulating cultivation prior to March 1, 2016. Otherwise the State will be sole licensing authority.

Timeline for Implementation

According to the League of California Cities, none of the bills that comprise the Medical Marijuana Regulation and Safety Act explicitly specify a timeline for implementation. This is believed to be partly due to various State departments being at different stages in terms of their readiness. The rough timeline cities have been given for state licensing to begin is January 2018. The more immediate timeline for locals to bear in mind is March 2016 regarding respective cultivation ordinances although recent cleanup legislation has been proposed to remove this deadline (AB 210 – Wood)..

Taking a Look at the City of Hughson Municipal Code

Chapter 17 of the Hughson Municipal Code consists of zoning districts and explicitly states:

"It shall be unlawful for any person or entity to own, manage, conduct or operate any medicinal marijuana dispensary in any zone or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any medical marijuana dispensary in the city of Hughson."

Discussion:

On November 23, 2015, City staff took an informational item to the City Council to seek direction on if and how to proceed with regulating medical marijuana within the City. While the council agreed that those who truly needed medical marijuana should have access, they directed staff to prepare a series of Ordinances, restricting the cultivation, delivery and commercial/retail operations of medical marijuana.

This item—one of three ordinances—seeks to regulate the cultivation of marijuana in the City by amending Section 17.02.004.F.3 of the Hughson Municipal Code

(HMC) to expressly make clear that cultivation of cannabis is prohibited in all zones, planned developments, specific and master plan areas throughout the City and thus not entitled to a business license or permit from the City.

This item was considered by the Hughson Planning Commission on January 5, 2016 during its regular meeting. The Hughson Planning Commission made a finding that the proposed ordinance amendment was consistent with the Hughson General Plan.

Fiscal Impact:

There is no predicted fiscal impact associated with the adoption of this Ordinance. While, the prohibition of cannabis may lead to citations and fines consistent with the Municipal Code, City staff does not believe that the impact will be significant or able to be incorporated into the City's budgeting process.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2016 - 01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON AMENDING
SECTION 17.02.004.F.3 OF THE HUGHSON MUNICIPAL CODE
CHAPTER 17.02 – ZONING DISTRICTS**

WHEREAS, The City Council of the City of Hughson desires to enact this ordinance to expressly make clear that cultivation of cannabis is prohibited in all zones, planned developments, specific and master plan areas throughout the City and thus not entitled to a business license or permit from the City.

WHEREAS, The City Council held a duly noticed public hearing on this Ordinance on January 11, 2016, at which time it considered all evidence presented, both written and oral.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUGHSON DOES
ORDAIN AS FOLLOWS:**

Section 1.

Section 17.02.004.F.3 of Chapter 17.02 of Title 17 of the Hughson Municipal Code is amended to read as follows:

“3. It shall be unlawful for any person or entity to own, manage, conduct or operate any medicinal marijuana dispensary, or cultivate marijuana in any zone or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any of these prohibited marijuana activities in the City of Hughson.”

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 4. This ordinance shall become effective thirty (30) days after its final passage.

Section 5. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on January 11, 2016, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the second reading of the foregoing ordinance was waived and this ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on January 25, 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE ROMO, City Clerk



CITY COUNCIL AGENDA ITEM NO. 5.2

SECTION 5: PUBLIC HEARING

Meeting Date: January 11, 2016

Subject: Consideration to Adopt Ordinance No. 2016-02, Prohibiting All Commercial Cannabis Activities, Cannabis Deliveries within the City, All Activities for which a License is Required under the Medical Marijuana Regulation and Safety Act, and Cultivation of Cannabis for Non-Commercial Purposes in the City of Hughson

Presented By: Raul L. Mendez, City Manager
Daniel J. Schroeder, City Attorney

Approved By: _____

Staff Recommendation:

Introduce and waive the first reading of Ordinance No. 2016-02, an Ordinance of the Hughson City Council adding Chapter 9.40 prohibiting all commercial cannabis activities, prohibiting cannabis deliveries within the City, prohibiting all activities for which a license is required under the Medical Marijuana Regulation and Safety Act, and prohibiting cultivation of cannabis for non-commercial purposes in the City of Hughson.

Background and Overview:

Governor Jerry Brown Signs New Medical Marijuana Legislation

In October 2015, Governor Jerry Brown signed three bills that mark the State's first move towards regulating the medical marijuana industry.

In signing AB 243, AB 266, and SB 643 (hereinafter "Marijuana Regulations"), the Governor marked the establishing of "a long-overdue comprehensive regulatory framework for the production, transportation, and sale of medical marijuana," Brown said in his statement on what is being called Medical Marijuana Regulation and Safety Act.

"This new structure will make sure patients have access to medical marijuana, while ensuring a robust tracking system," said Brown. "This sends a clear and certain signal to our federal counterparts that California is implementing robust controls not only on paper, but in practice."

Although Proposition 215, which voters passed in 1996, legalized cannabis for patients in the State of California, Federal laws do not recognize medical marijuana laws in individual states since Federal Law preempts states laws. Next year's State ballot will also likely see at least one measure to legalize recreational use.

Cities across the State have begun efforts to better understand the local impact of the new legislation. A critical component of the recently enacted Marijuana Regulations is that local jurisdictions are still entitled to limit or prohibit cultivation and transportation of marijuana within their jurisdiction as long as they do so by March of 2016. In addition, the League of California Cities has prepared a series of informational forums to help municipalities with this process and to determine what steps, if necessary, to take locally to prepare for the future.

Understanding the Medical Marijuana Regulation and Safety Act

The League of California Cities has hosted a series of informational webinars following the Governor's signing of the Medical Marijuana Regulation and Safety Act. It has also prepared several educational pieces to assist cities (elected officials and staff alike) better understand the new legislation. The main documents include the following that have been attached for reference.

The focus of this education and outreach effort has been to review the details of what each bill does, explain how the new legislation protects local control, highlight specific regulatory issues that require immediate attention from local governments and discuss timelines for implementation.

The Medical Marijuana Regulation and Safety Act consists of three discrete pieces of legislation:

- AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey, Wood) – Establishes dual licensing structure requiring state license and a local license or permit. Department of Consumer Affairs heads overall regulatory structure establishing minimum health and safety and testing standards.
- AB 243 (Wood) – Establishes a regulatory and licensing structure for cultivation sites under the Department of Food and Agriculture.
- SB 643 (McGuire) – Establishes criteria for licensing of medical marijuana businesses, regulates physicians, and recognizes local authority to levy taxes and fees.

This legislation protects local control in the following ways:

- Dual licensing: A requirement in statute that all marijuana businesses must have both a state license, and a local license or permit, to operate legally in California. Jurisdictions that regulate or ban medical marijuana will be able to retain their regulations or ban.
- Effect of local revocation of a permit or license: Revocation of a local license or permit terminates the ability of a marijuana business to operate in that jurisdiction under its state license.

- Enforcement: Local governments may enforce state law in addition to local ordinances, if they request that authority and if it is granted by the relevant state agency.
- State law penalties for unauthorized activity: Provides for civil penalties for unlicensed activity, and applicable criminal penalties under existing law will continue to apply. With certain exceptions, expressly protects local licensing practices, zoning ordinances, and local actions taken under the constitutional police power.

There are two areas that require immediate attention from local governments:

- Deliveries and mobile dispensaries: Delivery is permitted with a State license unless a city adopts an express prohibition on delivery (AB 266).
- Cultivation ordinances: Cities must adopt an ordinance prohibiting or regulating cultivation prior to March 1, 2016. Otherwise the State will be sole licensing authority.

Timeline for Implementation

According to the League of California Cities, none of the bills that comprise the Medical Marijuana Regulation and Safety Act explicitly specify a timeline for implementation. This is believed to be partly due to various State departments being at different stages in terms of their readiness. The rough timeline cities have been given for state licensing to begin is January 2018. The more immediate timeline for locals to bear in mind is March 2016 regarding respective cultivation ordinances although recent cleanup legislation has been proposed to remove this deadline (AB 210 – Wood).

Taking a Look at the City of Hughson Municipal Code

Chapter 17 of the Hughson Municipal Code consists of zoning districts and explicitly states:

"It shall be unlawful for any person or entity to own, manage, conduct or operate any medicinal marijuana dispensary in any zone or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any medical marijuana dispensary in the city of Hughson."

Discussion:

On November 23, 2015, City staff took an informational item to the City Council to seek direction on if and how to proceed with regulating medical marijuana within the City. While the council agreed that those who truly needed medical marijuana should have access, they directed staff to prepare a series of Ordinances, restricting the cultivation, delivery and commercial/retail operations of medical marijuana.

This item—one of the ordinances—seeks to promote the health, safety, and general welfare, and to prohibit cultivation, delivery, and dispensaries of cannabis within the City of Hughson.

Fiscal Impact:

There is no predicted fiscal impact associated with the adoption of this Ordinance. While, the prohibition of cannabis may lead to citations and fines consistent with the Municipal Code, City staff does not believe that the impact will be significant or able to be incorporated into the City's budgeting process.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2016 - 02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON ADDING
MUNICIPAL CODE CHAPTER 9.40 – PROHIBITING ALL COMMERCIAL CANNABIS
ACTIVITIES, PROHIBITING CANNABIS DELIVERIES WITHIN THE CITY,
PROHIBITING ALL ACTIVITIES FOR WHICH A LICENSE IS REQUIRED UNDER
THE MEDICAL MARIJUANA REGULATION AND SAFETY ACT, AND PROHIBITING
CULTIVATION OF CANNABIS FOR NON-COMMERCIAL PURPOSES IN THE CITY**

WHEREAS, In 1996 the voters of the State of California approved Proposition 215 (codified as California Health and Safety Code § 11362.5 and entitled “The Compassionate Use Act of 1996” or “CUA”).

WHEREAS, The intent of Proposition 215 was to enable persons who are in need of marijuana for medical purposes to use it without fear of criminal prosecution under limited, specified circumstances. The proposition further provides that “nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.” The ballot arguments supporting Proposition 215 expressly acknowledged that “Proposition 215 does not allow unlimited quantities of marijuana to be grown anywhere.”

WHEREAS, In 2004, the Legislature enacted Senate Bill 420 (codified as California Health & Safety Code § 11362.7 et seq. and referred to as the “Medical Marijuana Program” or “MMP”) to clarify the scope of Proposition 215 and to provide qualifying patients and primary caregivers who collectively or cooperatively cultivate marijuana for medical purposes with a limited defense to certain specified State criminal statutes. Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the Medical Marijuana Program to expressly recognize the authority of counties and cities to “[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective” and to civilly and criminally enforce such ordinances.

WHEREAS, In *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.* (2013) 56 Cal.4th 729, the California Supreme Court held that “[n]othing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land. . . .” Additionally, in *Maral v. City of Live Oak* (2013) 221 Cal.App.4th 975, the Court of Appeal held that “there is no right – and certainly no constitutional right – to cultivate medical marijuana. .

. . .” The Court in Maral affirmed the ability of a local governmental entity to prohibit the cultivation of marijuana under its land use authority.

WHEREAS, The Federal Controlled Substances Act, 21 U.S.C. § 801 et seq., classifies marijuana as a Schedule 1 Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision. The Federal Controlled Substances Act makes it unlawful under federal law for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana. The Federal Controlled Substances Act contains no exemption for medical purposes, although there is recent case law that raises a question as to whether the Federal Government may enforce the Act where medical marijuana is allowed.

WHEREAS, On October 9, 2015 Governor Brown signed 3 bills into law (AB 266, AB 243, and SB 643) which collectively are known as the Medical Marijuana Regulation and Safety Act (hereafter “MMRSA”). The MMRSA set up a State licensing scheme for commercial medical marijuana activities while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a State license. The MMRSA allows the City of Hughson (“City”) to completely prohibit commercial medical marijuana activities.

WHEREAS, The City Council (“City Council”) of the City of Hughson finds that commercial medical marijuana (cannabis) activities, as well as cultivation for personal medical use as allowed by the CUA and MMP can adversely affect the health, safety, and well-being of City residents. Citywide prohibition is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, malodorous smells and indoor electrical fire hazards that may result from such activities. Further, as recognized by the Attorney General’s August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, marijuana cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that surrounding homes or businesses may be negatively impacted by nuisance activity such as loitering or crime.

WHEREAS, The limited immunity from specified state marijuana laws provided by the Compassionate Use Act and Medical Marijuana Program does not confer a land use right or the right to create or maintain a public nuisance.

WHEREAS, The MMRSA contains language that requires the city to prohibit cultivation uses by March 1, 2016 either expressly or otherwise under the principles of permissive zoning, or the State will become the sole licensing authority. The MMRSA also contains language that requires delivery services to be expressly prohibited by

local ordinance, if the City wishes to do so. The MMRSA is silent as to how the City must prohibit other type of commercial medical marijuana (cannabis) activities.

WHEREAS, While the City Council believes that cultivation and all commercial medical marijuana (cannabis) uses are prohibited under the City’s permissive zoning regulations, it desires to enact this ordinance to expressly make clear that all such uses are prohibited in all zones, planned developments, specific and master plan areas throughout the City.

WHEREAS, The City Council held a duly noticed public hearing on this Ordinance on January 11, 2016, at which time it considered all evidence presented, both written and oral.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUGHSON DOES ORDAIN AS FOLLOWS:

Section 1. The aforementioned Recitals are the Findings of this Ordinance.

Section 2. Chapter 9.40 is added to Title 9 of the Hughson Municipal Code which read as follows and shall be entitled in the Hughson Municipal Code as “Prohibited Marijuana Activities”:

9.40.010 Statutory Authorization. The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. In addition, the Legislature of the State of California has in AB 266, AB 243, and SB 643, which collectively are known as the Medical Marijuana Regulation and Safety Act, have conferred upon local governments the authority to adopt regulations designed to limit or prohibit activities related to cultivation and delivery of Cannabis also known as Marijuana. Therefore, the City Council of the City of Hughson does hereby adopt the following Cannabis regulations.

9.40.020 Statement of Purpose. The purpose of this ordinance to promote the public health, safety, and general welfare, and to prohibit the cultivation, delivery, and dispensaries of Cannabis within the City of Hughson

9.40.030 Definitions

A. “Cannabis” shall have the same meaning as set forth in Business & Professions Code § 19300.5(f) as the same may be amended from time to time.

B. “Caregiver” or “primary caregiver” shall have the same meaning as set forth in Health & Safety Code § 11362.7 as the same may be amended from time to time.

C. “Commercial cannabis activity” shall have the same meaning as that set forth in Business & Professions Code § 19300.5(k) as the same may be amended from time to time.

D. “Cooperative/Collective” shall mean two or more persons collectively or cooperatively cultivating, distributing, using, transporting, possessing, administering, delivering or making available medical marijuana (cannabis), with or without compensation.

E. “Cultivation” shall have the same meaning as set forth in Business & Professions Code § 19300.5(l) as the same may be amended from time to time.

F. “Cultivation site” shall have the same meaning as set forth in Business & Professions Code § 19300.5(x) as the same may be amended from time to time.

G. “Delivery” shall have the same meaning as set forth in Business & Professions Code § 19300.5(m) as the same may be amended from time to time.

H. “Dispensary” shall have the same meaning as set forth in Business & Professions Code § 19300.5(n) as the same may be amended from time to time. For purposes of this Chapter, “Dispensary” shall also include a cooperative/collective.

I. “Dispensing” shall have the same meaning as set forth in Business & Professions Code § 19300.5(o) as the same may be amended from time to time.

J. “Distribution” shall have the same meaning as set forth in Business & Professions Code § 19300.5(p) as the same may be amended from time to time.

K. “Distributor” shall have the same meaning as set forth in Business & Professions Code § 19300.5(q) as the same may be amended from time to time.

L. “Manufacturer” shall have the same meaning as set forth in Business & Professions Code § 19300.5(y) as the same may be amended from time to time.

M. “Manufacturing site” shall have the same meaning as set forth in Business & Professions Code § 19300.5(af) as the same may be amended from time to time.

N. “Medical cannabis,” “medical cannabis product,” or “cannabis product” shall have the same meanings as set forth in Business & Professions Code § 19300.5(ag) as the same may be amended from time to time.

O. “Medical Marijuana Regulation and Safety Act” or “MMRSA” shall mean the following bills signed into law on October 9, 2015 as the same may be amended from time to time: AB 243, AB 266, and SB 643.

P. "Nursery" shall have the same meaning as set forth in Business & Professions Code § 19300.5(ah) as the same may be amended from time to time.

Q. "Qualifying patient" or "Qualified patient" shall have the same meaning as set forth in Health & Safety Code § 11362.7 as the same may be amended from time to time.

R. "Testing laboratory" shall have the same meaning as set forth in Business & Professions Code § 19300.5(z) as the same may be amended from time to time.

S. "Transport" shall have the same meaning as set forth in Business & Professions Code § 19300.5(am) as the same may be amended from time to time.

T. "Transporter" shall have the same meaning as set forth in Business & Professions Code § 19300.5(aa) as the same may be amended from time to time.

9.40.050 Prohibition.

A. Commercial cannabis (marijuana) activities of all types including, but not limited to, dispensaries, collectives, cooperatives, transportation, distribution, cultivation, manufacturing, delivery, testing, and processing are expressly prohibited in all zones, planned developments, and all specific and master plan areas in the City of Hughson. No person shall establish, operate, conduct or allow any commercial cannabis (marijuana) activity anywhere within the City.

B. To the extent not already covered by subsection A above, all deliveries of medical cannabis (marijuana) are expressly prohibited within the City of Hughson. No person shall conduct any deliveries that either originate or terminate within the City.

C. This section is meant to prohibit all activities for which a State license is required. Accordingly, the City shall not issue any permit, license, authorization or other entitlement for any activity for which a State license is required under the MMRSA.

D. Cultivation of cannabis (marijuana) for non-commercial purposes including, but not limited to, cultivation by a qualified patient or a primary caregiver, is expressly prohibited in all zones, planned developments, and all specific and master plan areas in the City of Hughson. No person including, but not limited to, a qualified patient or primary caregiver, shall cultivate any amount of cannabis (marijuana) in the City, even for medical purposes.

E. In the event that there is future legislation or an initiative that authorizes recreational marijuana (cannabis) use/activities, to the greatest extent permitted by law and to the extent not already prohibited by this Chapter, the prohibitions contained

herein related to medical cannabis (marijuana) shall apply to recreational marijuana (cannabis).

9.40.060 Public Nuisance.

Any use or condition caused, or permitted to exist, in violation of any provision of this Chapter shall be, and hereby is declared to be, a public nuisance and may be summarily abated by the City pursuant to Code of Civil Procedure Section 731 or any other remedy available to the City.

9.40.070 Civil Penalties.

In addition to any other enforcement remedies permitted by this Chapter, the City Attorney may bring a civil action for injunctive relief and civil penalties against any person or entity violating this Chapter. In any civil action brought pursuant to this Chapter, a court of competent jurisdiction may award reasonable attorney's fees and costs to the prevailing party."

Section 3. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 5. This ordinance shall become effective thirty (30) days after its final passage.

Section 6. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on January 11, 2016, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the second reading of the foregoing ordinance was waived and this ordinance was duly

passed by the City Council of the Hughson City Council at a regular meeting thereof held on January 25, 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE ROMO, City Clerk



CITY COUNCIL AGENDA ITEM NO. 5.3

SECTION 5: PUBLIC HEARING

Meeting Date: January 11, 2016
Subject: Consideration to Adopt Ordinance No. 2016-03, Amending Section 5.04.190 of Hughson Municipal Code Chapter 5.04 – Unlawful Business Prohibited
Presented By: Raul L. Mendez, City Manager
Daniel J. Schroeder, City Attorney

Approved By: _____

Staff Recommendation:

Introduce and waive the first reading of Ordinance No. 2016-03, amending Section 5.04.190 of the Hughson Municipal Code Chapter 5.04 – Unlawful Business Prohibited to make clear that the cultivation and all commercial medical marijuana (cannabis) activities and uses are prohibited under the City's permissive zoning regulations and such uses are prohibited in all zones, planned developments, specific and master plan areas throughout the City and thus not entitled to a business license or permit for the City.

Background and Overview:

Governor Jerry Brown Signs New Medical Marijuana Legislation

In October 2015, Governor Jerry Brown signed three bills that mark the State's first move towards regulating the medical marijuana industry.

In signing AB 243, AB 266, and SB 643 (hereinafter "Marijuana Regulations"), the Governor marked the establishing of "a long-overdue comprehensive regulatory framework for the production, transportation, and sale of medical marijuana," Brown said in his statement on what is being called Medical Marijuana Regulation and Safety Act.

"This new structure will make sure patients have access to medical marijuana, while ensuring a robust tracking system," said Brown. "This sends a clear and certain signal to our federal counterparts that California is implementing robust controls not only on paper, but in practice."

Although Proposition 215, which voters passed in 1996, legalized cannabis for patients in the State of California, Federal laws do not recognize medical marijuana

laws in individual states since Federal Law preempts states laws. Next year's State ballot will also likely see at least one measure to legalize recreational use.

Cities across the State have begun efforts to better understand the local impact of the new legislation. A critical component of the recently enacted Marijuana Regulations is that local jurisdictions are still entitled to limit or prohibit cultivation and transportation of marijuana within their jurisdiction as long as they do so by March of 2016. In addition, the League of California Cities has prepared a series of informational forums to help municipalities with this process and to determine what steps, if necessary, to take locally to prepare for the future.

Understanding the Medical Marijuana Regulation and Safety Act

The League of California Cities has hosted a series of informational webinars following the Governor's signing of the Medical Marijuana Regulation and Safety Act. It has also prepared several educational pieces to assist cities (elected officials and staff alike) better understand the new legislation.

The focus of this education and outreach effort has been to review the details of what each bill does, explain how the new legislation protects local control, highlight specific regulatory issues that require immediate attention from local governments and discuss timelines for implementation.

The Medical Marijuana Regulation and Safety Act consists of three discrete pieces of legislation:

- AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey, Wood) – Establishes dual licensing structure requiring state license and a local license or permit. Department of Consumer Affairs heads overall regulatory structure establishing minimum health and safety and testing standards.
- AB 243 (Wood) – Establishes a regulatory and licensing structure for cultivation sites under the Department of Food and Agriculture.
- SB 643 (McGuire) – Establishes criteria for licensing of medical marijuana businesses, regulates physicians, and recognizes local authority to levy taxes and fees.

This legislation protects local control in the following ways:

- Dual licensing: A requirement in statute that all marijuana businesses must have both a state license, and a local license or permit, to operate legally in California. Jurisdictions that regulate or ban medical marijuana will be able to retain their regulations or ban.
- Effect of local revocation of a permit or license: Revocation of a local license or permit terminates the ability of a marijuana business to operate in that jurisdiction under its state license.
- Enforcement: Local governments may enforce state law in addition to local ordinances, if they request that authority and if it is granted by the relevant state agency.

- State law penalties for unauthorized activity: Provides for civil penalties for unlicensed activity, and applicable criminal penalties under existing law will continue to apply. With certain exceptions, expressly protects local licensing practices, zoning ordinances, and local actions taken under the constitutional police power.

There are two areas that require immediate attention from local governments:

- Deliveries and mobile dispensaries: Delivery is permitted with a State license unless a city adopts an express prohibition on delivery (AB 266).
- Cultivation ordinances: Cities must adopt an ordinance prohibiting or regulating cultivation prior to March 1, 2016. Otherwise the State will be sole licensing authority.

Timeline for Implementation

According to the League of California Cities, none of the bills that comprise the Medical Marijuana Regulation and Safety Act explicitly specify a timeline for implementation. This is believed to be partly due to various State departments being at different stages in terms of their readiness. The rough timeline cities have been given for state licensing to begin is January 2018. The more immediate timeline for locals to bear in mind is March 2016 regarding respective cultivation ordinances although recent cleanup legislation has been proposed to remove this deadline (AB 210 – Wood).

Taking a Look at the City of Hughson Municipal Code

Chapter 17 of the Hughson Municipal Code consists of zoning districts and explicitly states:

"It shall be unlawful for any person or entity to own, manage, conduct or operate any medicinal marijuana dispensary in any zone or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any medical marijuana dispensary in the city of Hughson."

Discussion:

On November 23, 2015, City staff took an informational item to the City Council to seek direction on if and how to proceed with regulating medical marijuana within the City. While the council agreed that those who truly needed medical marijuana should have access, they directed staff to prepare a series of Ordinances, restricting the cultivation, delivery and commercial/retail operations of medical marijuana.

This item—one of the ordinances—seeks to make clear, by amending Section 5.04.190 of Hughson Municipal Code Chapter 5.04 – Unlawful Business Prohibited, that the cultivation and all commercial medical marijuana (cannabis) activities and uses are prohibited under the City's permissive zoning regulations and such uses are prohibited in all zones, planned developments, specific and

master plan areas throughout the City and thus not entitled to a business license or permit for the City.

Fiscal Impact:

There is no predicted fiscal impact associated with the adoption of this Ordinance. While, the prohibition of cannabis may lead to citations and fines consistent with the Municipal Code, City staff does not believe that the impact will be significant or able to be incorporated into the City's budgeting process.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2015 - 03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON AMENDING
SECTION 5.04.190 OF MUNICIPAL CODE CHAPTER 5.04 – UNLAWFUL
BUSINESSES PROHIBITED**

WHEREAS, While the City Council of the City of Hughson believes that cultivation and all commercial medical marijuana (cannabis) activities and uses are prohibited under the City's permissive zoning regulations, it desires to enact this ordinance to expressly make clear that all such uses are prohibited in all zones, planned developments, specific and master plan areas throughout the City and thus not entitled to a business license or permit for the City.

WHEREAS, The City Council held a duly noticed public hearing on this Ordinance on January 11, 2016, at which time it considered all evidence presented, both written and oral.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUGHSON DOES ORDAIN AS FOLLOWS:

Section 1.

Section 5-04-190 of Chapter 5.40 of Title 5 of the Hughson Municipal Code is amended to read as follows:

"5.40.190 Unlawful businesses prohibited.

A. No provision of this chapter shall ever be held or construed as licensing or permitting the establishment or carrying on of any unlawful business, game, or other activity. Every such unlawful business, game, or other activity is prohibited and no license shall be authorized or issued therefor.

B. The City shall not approve licenses or uses for medical marijuana (cannabis) activities, including, without limitation, the following:

1. Collectives, cooperatives or dispensaries (as defined in Chapter 9.40 of the Hughson Municipal Code) or any other commercial cannabis (marijuana) activity.

2. The distribution, cultivation, manufacturing, transportation, delivery, testing, or processing of medical marijuana (cannabis).

3. Any activity that requires a license or any other authorization or approval under the Medical Marijuana Regulation and Safety Act.

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 4. This ordinance shall become effective thirty (30) days after its final passage.

Section 5. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on January 11, 2016, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the second reading of the foregoing ordinance was waived and this ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on January 25, 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE ROMO, City Clerk



CITY COUNCIL AGENDA ITEM NO. 5.4

SECTION 5: PUBLIC HEARING

Meeting Date: January 11, 2016
Subject: Consideration to Adopt Ordinance No. 2016-04, Adding Chapter 15.16 – Small Residential Rooftop Solar Energy Systems to Title 15 of the Hughson Municipal Code
Presented By: Jaylen French, Community Development Director
Approved By: _____

Staff Recommendation:

Introduce and waive the first reading of Ordinance No. 2016-04, adding Chapter 15.16 – Small Residential Rooftop Solar Energy Systems to Title 15 of the Hughson Municipal Code.

Background and Overview:

In 2014, the State of California passed a new law, Assembly Bill (AB) 2188, Expedited Solar Permitting Act, which modifies the existing Solar Rights Act and requires each city or county to adopt an ordinance that creates an expedited solar permitting ordinance by September 30, 2015.

While the City is late in adopting this ordinance, the City has met the intent and the specific review time requirements of the bill long before the legislation was passed. The City is looking to now formalize this process through the adoption of an ordinance detailing the requirements per the legislation.

According to the State, solar energy is a key component of California state and local government goals to achieve climate action plans and generate economic development. Generally, current solar permitting requirements create a barrier to low-cost, rapid deployment of solar energy. Streamlined permitting will result in reduced processing times and increased output for local governments and make more efficient use of resources.

Discussion:

The City seeks to implement AB 2188, through the creation of an expedited, streamlined permitting process for small residential rooftop solar energy systems. As previously stated, the City currently has a very timely review turn-around for solar projects. Further, as outlined by the State, the City does not want to hinder the production of low cost, reliable energy, nor the creation of jobs and economic opportunities; the passing of this ordinance is further support of the City's desire to review solar projects—and all projects—in a timely manner and to eliminate the ambiguity and unknowns which are at times associated with the permitting process.

AB 2188 modifies specific statutes that compose the Solar Rights Act. California cities and counties must adopt an ordinance that creates a streamlined, expedited permitting process for small residential rooftop solar energy systems by September 30, 2015. The new law requires cities and counties to substantially conform their expedited, streamlined permitting process to recommendations contained in the current version of the California Solar Permitting Guidebook.

AB 2188 requires:

- Adoption of a checklist of all requirements for a system to be eligible for expedited review.
- Approval of an application where the jurisdiction determines that the application is complete and meets all prescribed requirements.
- The use of electronic signatures on relevant permitting documents unless a jurisdiction is unable to process them.
- Allows for electronic submittal of the expedited permit documents.
- A single inspection, subject to certain exceptions, that must be performed in a timely manner.
- Changes the definition of “significantly” in reference to determining whether a reasonable restriction significantly increases a cost or decreases efficiency for solar water heating systems and photovoltaic systems with regard to covenants, conditions or restrictions imposed by a common interest development (i.e., a homeowners association).

This item was considered by the Hughson Planning Commission on January 5, 2016 and it approved recommending to the City Council adding Chapter 15.16 – Small Residential Rooftop Solar Energy Systems to Title 15 of the Hughson Municipal Code which will formalize the City's permitting process for residential rooftop solar systems.

Fiscal Impact:

There is no fiscal impact associated with the adoption of the subject ordinance, nor in staff's efforts to implement Assembly Bill 2188 or the ordinance.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2016 - 04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON ADDING
CHAPTER 15.16 TO TITLE 15 "BUILDINGS AND CONSTRUCTION" OF THE CITY
OF HUGHSON MUNICIPAL CODE TO CREATE A STREAMLINED PERMITTING
PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS**

WHEREAS, the City Council of the City of Hughson seeks to implement Assembly Bill 2188, Section 65850.5(a) of the California Government Code, through the creation of an expedited, streamlined permitting process for small residential rooftop solar energy systems; and

WHEREAS, the City Council of the City of Hughson recognizes that rooftop solar energy provides reliable energy and pricing for its residents and businesses; and

WHEREAS, solar energy creates local jobs and economic opportunities; and

WHEREAS, on January 11, 2016, the City Council of the City of Hughson held a public hearing on this proposed ordinance for an expedited, streamlined permit process for solar energy systems as set forth in Assembly Bill 2188.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUGHSON DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Chapter 15.16 Added. Chapter 15.16 is added to the City of Hughson Municipal Code to read in full as follows:

“Chapter 15.16

Small Residential Rooftop Solar Energy Systems

Sections:

- 15.16.010 Authority; Purpose; Applicability
- 15.16.020 Definitions
- 15.16.030 Requirements for Expedited Permitting

15.16.010 Authority; Purpose; Applicability

A. **Authority.** This chapter is adopted under the authority of Government Code Section 65850.5.

B. **Purpose.** The purpose of this chapter is to adopt an expedited, streamlined solar permitting process for small residential rooftop solar energy systems.

C. **Applicability.** This chapter applies to the permitting of a small residential rooftop solar energy system.

15.16.020 Definitions

The following words and phrases as used in this section are defined as follows:

"Electronic submittal" means the utilization of one or more of the following:

1. E-mail,
2. The internet,
3. Facsimile.

"Small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
3. A solar energy system that is installed on a single or duplex family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

"Solar Energy System" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time."

15.16.030 Requirements for Expedited Permitting

A. **Application.** An applicant for a small residential rooftop solar energy system shall submit a building permit application on the form provided by the city, accompanied by each item of information listed in the city's small residential rooftop solar energy checklist. Both the application form and the checklist shall be available online.

The applicant may submit the permit application and associated documentation to the City's building division by personal or electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature.

An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the building official shall administratively approve the application and issue all required permits or authorizations within 1 to 3 business days of receipt of application.

Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

B. Inspection. When a building permit is issued for a small residential rooftop solar energy system, the city will require only one inspection (which may be a consolidated inspection by the building official). If a small residential rooftop solar energy system fails inspection, the city may perform one or more subsequent inspections.

Section 2. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

Section 3. This ordinance shall take effect thirty (30) days after passage thereof.

Section 4. Within fifteen (15) days after its passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on January 11, 2016, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the second reading of the foregoing ordinance was waived and this ordinance was duly passed by the City Council of the City of Hughson at a regular meeting thereof held on January 25, 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE ROMO City Clerk



CITY COUNCIL AGENDA ITEM NO. 5.5

SECTION 5: PUBLIC HEARING

Meeting Date: January 11, 2016
Subject: Consideration to Adopt Ordinance No. 2016-05 Adding Chapter 15.12 – Flood Damage Prevention to Title 15 of the Hughson Municipal Code
Presented By: Jaylen French, Community Development Director
Approved By: _____

Staff Recommendation:

Introduce and waive the first reading of Ordinance No. 2016-05, adding Chapter 15.12 – Flood Damage Prevention to Title 15 of the Hughson Municipal Code.

Background and Overview:

The Nation Flood Insurance Program (NFIP) was established with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages.

As of 2005, over 20,000 communities participated in the program.

Discussion:

Participation in the program is completely voluntary. A benefit to those that participate is the ability to purchase flood insurance program. However, communities that are in 'flood prone' areas are required to participate in the program. The City of Hughson is not in a flood prone area.

The Federal Emergency Management Agency (FEMA) is required by law to identify and map the Nation's flood prone areas. The identification of flood hazards serves many important purposes—it creates awareness of the hazard, especially for those who live and work in flood prone areas. Maps provide the State and communities with the information needed for land use planning and to reduce flood risk to floodplain development and implement other health and safety requirements through codes and regulations. State and communities can also use the information for emergency management.

To participate in the NFIP, a community must adopt and enforce floodplain management regulations that meet or exceed the minimum requirements of the Program. These requirements are intended to prevent loss of life and property and reduce tax payer's costs for disaster relief, as well as minimize economic and social hardships that result from flooding.

It should be noted that homeowner's insurance policies generally do not cover the flood losses and while Hughson is not a flood prone area, there are residents that do desire flood insurance.

This item was considered by the Hughson Planning Commission on January 5, 2016 and it approved recommending adding Chapter 15.12 to the Hughson Municipal Code to establish flood plain management regulations that will allow citizens of the City to participate in FEMA's flood insurance program. The ordinance shall act as the City's statement of intent to participate in the National Flood Insurance Program as required by the program.

Fiscal Impact:

Due to the City of Hughson's status outside of a designated flood zone or flood prone areas, there is no fiscal impact associated with the City becoming a participant in the NFIP. Further, the floodplain management regulations that are being adopted as part of this Ordinance are less stringent than the California Building Code, therefore, the City of Hughson has been meeting the requirements for participation in the program for many years.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2016 - 05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON ADDING
MUNICIPAL CODE CHAPTER 15.12 – FLOOD DAMAGE PREVENTION TO TITLE 15
“BUILDINGS AND CONSTRUCTION” OF THE CITY MUNICIPAL CODE**

WHEREAS, the City Council of the City of Hughson desires to establish floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry and to minimize public and private losses due to flood conditions; and

WHEREAS, the City Council of the City of Hughson also desires to adopt floodplain management regulations that will allow citizens of the City of Hughson to participate in the Federal Emergency Management Agency’s flood insurance program to further protect their property from damage caused by certain types of flooding set forth in said program; and

WHEREAS, Title 15 of the Hughson Municipal Code currently does not contain flood management regulations that it desires to enact; and

WHEREAS, the City of Hughson desires to amend Title 15 of the Hughson Municipal Code by adding Chapter 15.12 containing floodplain management regulations.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUGHSON DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 15.12 is added to Title 15 of the Hughson Municipal Code which read as follows:

“Article 1. General Provisions

15.12.010 Statutory Authorization. The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Hughson does hereby adopt the following floodplain management regulations.

15.12.020 Statement of Purpose. It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

Article 2. Definitions

15.12.100. Definitions. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

A. **"Area of special flood hazard"** - means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

B. **"Base flood"** means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this ordinance.

C. **"Building"** - see **"Structure"**.

D. **"Development"** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

E. **"Flood or flooding"** means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; or mudslides (i.e., mudflows) which are proximately caused by flooding as defined herein and are akin to a river of liquid & flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water & deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusual and unforeseeable event which results in flooding as defined in this definition.

F. "**Floodplain or flood-prone area**" means any land area susceptible to being inundated by water from any source - see "**Flooding**".

G. "**Floodplain Administrator**" is the individual appointed to administer and enforce the floodplain management regulations.

H. "**Floodplain management**" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

I. "**Floodplain management regulations**" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

J. "**Governing body**" is the local governing unit, i.e. county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

K. "**Historic structure**" means any structure that is

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a

district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states with approved programs.

L. **"Manufactured home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

M. **"Manufactured home park or subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

N. **"New construction"**, for floodplain management purposes, means structures for which the "start of construction" commenced on or after the effective date of floodplain management regulations adopted by this community, and includes any subsequent improvements to such structures.

O. **"One-hundred-year flood" or "100-year flood"** - see **"Base flood."**

P. **"Recreational vehicle"** means a vehicle which is

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;

3. Designed to be self-propelled or permanently towable by a light-duty truck; and

4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Q. **"Start of construction"** includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of

columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

R. **"Structure"** means a walled and roofed building that is principally above ground: this includes a gas or liquid storage tank or a manufactured home.

S. **"Substantial damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

T. **"Substantial improvement"** means any reconstruction, rehabilitation, addition, or other proposed new development of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Article 3. General Provisions

15.12.200. Lands to which this ordinance applies. This ordinance shall apply to all areas identified as flood-prone within the jurisdiction of the City of Hughson.

15.12.210. Basis for establishing flood prone areas. The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood data available from other Federal or state agencies or other source to identify flood-prone areas within the jurisdiction of City of Hughson. This data will be on file at the City of Hughson, City Hall, 7018 Pine Street, Hughson, California, 95326.

15.12.220. Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the term of this ordinance and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein shall prevent the City Council from taking such lawful action as is necessary to prevent or remedy any violation.

15.12.230. Abrogation and greater restrictions. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

15.12.240. Interpretation. In the interpretation and application of this ordinance, all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under state statutes.

15.12.250. Warning and disclaimer of liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City Council, City of Hughson, any officer or employee thereof, the State of California, or the Federal Insurance Administration, Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

15.12.260 Severability. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

Article 4. Administration

15.12.300. Permit. Prior to issuance of any permit obtained for all proposed construction or other development in the community, including the placement of manufactured homes, a determination shall be made as to whether such construction or other development is within flood-prone areas.

15.12.310. Designation of the Floodplain Administrator. The Community Development Director, as the Floodplain Administrator, is hereby appointed to administer, implement, and enforce this chapter by granting or denying development permits in accord with its provisions.

15.12.320. Duties and responsibilities of the Floodplain Administrator.

The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

A. Permit Review. Review all development permit applications to determine:

1. Permit requirements of this ordinance have been satisfied;
2. All other required state and federal permits have been obtained;
and
3. The site is reasonably safe from flooding.

B. Review and Use of Any Other Base Flood Data. The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood data available from other Federal or state agency or other source.

Article 5. Provisions for Flood Hazard Reduction

15.12.400. Standards of construction. If a proposed building site is in a flood-prone area, all new construction and substantial improvements, including manufactured homes, shall:

A. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

B. Be constructed:

1. With materials and utility equipment resistant to flood damage;
2. Using methods and practices that minimize flood damage;
3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

15.12.410. Standards for subdivisions or other proposed new development. If a subdivision proposal or other proposed new development, including manufactured home parks or subdivisions, is in a flood-prone area, any such proposals shall be reviewed to assure that:

- A. All such proposals are consistent with the need to minimize flood damage within the floodprone area;
- B. All public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
- C. Adequate drainage is provided to reduce exposure to flood hazards.

15.12.420. Standards for utilities.

- A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:
 - 1. Infiltration of flood waters into the systems, and
 - 2. Discharge from the systems into flood waters.
- B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.”

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 4. This ordinance shall become effective thirty (30) days after its final passage.

Section 5. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on January 11, 2016, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson_____, seconded by councilperson _____, the second reading of the foregoing ordinance was waived and this ordinance was duly passed by the City Council of the City of Hughson at a regular meeting thereof held on January 25, 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE ROMO, City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date: January 11, 2016
Subject: Adoption of Resolution No. 2016-01, City of Hughson's Employee Recognition and Appreciation Program
Presented By: Raul Mendez, City Manager
Shannon Esenwein, Finance Director

Approved By: _____

Staff Recommendation:

Adopt Resolution No. 2016-01, a resolution of the City Council of the City of Hughson establishing guidelines for City of Hughson's Employee Recognition and Appreciation Program.

Background and Overview:

The success of City government in providing services to meet the needs of the City of Hughson and its citizens is largely dependent on the efforts of the City employees. It is, therefore, important for the City to involve employees in continuous improvement of City services by recognizing excellent work to:

- Promote innovations that result in productivity and performance improvements.
- Promote teamwork, customer service, safety, cost savings to the City and unity of purpose within the City based on shared achievement.
- Demonstrate commitment to the ideals of respect for individuals and honor of the public trust.

To help ensure the City's continued commitment to its employees, it is appropriate to seek the Council's endorsement of a set of guidelines aimed at identifying budget limits and parameters for an Employee Recognition and Appreciation Program. The effectiveness of any organization rests largely with the productivity and efficiency of its employees. A correlation exists between a high level of employee morale and a highly productive workforce. In recognition of these circumstances, the City's Management Team would like to establish a program and begin to develop activities and events that work to bolster morale, teamwork and productivity in the workplace.

Examples of such programs include recognition awards, employee gatherings,

educational and enrichment activities and celebrations. In the past few years, the expense of these activities has been personally paid for by members of the City's Management Team. Adopting this resolution would formalize a program to recognize and appreciate employees of the City of Hughson to augment existing efforts. An example of programs that would be established and funded includes but is not limited to:

- Quarterly Lunch and Learn Meeting – A quarterly information sharing program for all City staff presented on a rotational basis by the City's Management Team or a third party vendor.
- Employee Appreciation and Recognition Events – lunch or similar activities aimed at recognizing City accomplishments.
- Team Building Activities – A variety of activities designed to develop efficiency and effectiveness in achieving a common goal.
- Star Award Program – Recognizes outstanding employee services in the following areas: customer service, safety, teamwork, cost savings, etc.
- Service Tenure Award Program – Recognizes City employees reaching milestone years of service (5 year, 10 year, 15 year, etc.).
- Retiree Award Program – Recognizes City of Hughson employees who retire with the City.

All of these programs and activities carry some cost, whether direct or indirect. Collectively, however, the budgets for such activities would be a fraction of payroll expenses and would be reasonable for an organization of our size.

City staff recommends adoption of the attached resolution, which is designed to provide City Council support, while simultaneously establishing certain parameters for such expenditures and programs. While the specifics of such programs are left up to the City's Management Team, the City Council's passage of this resolution will establish direction and financial limitations on such activities.

Fiscal Impact:

To initiate the Employee Recognition and Appreciation Program, City staff is proposing \$1,500 for Fiscal Year 2015-2016 which is 0.15% of budgeted salary expense. If approved by the City Council, the budget adjustment will be incorporated into the mid-year process and thereafter as part of the City's annual budget preparation.

CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2016-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
ESTABLISHING GUIDELINES FOR EMPLOYEE RECOGNITION AND
APPRECIATION PROGRAM**

WHEREAS, the effectiveness of any organization rests largely with the retention of productive and efficient employees; and

WHEREAS, a correlation exists between a high level of employee morale and a highly productive workforce; and

WHEREAS, it is recognized that employees may be motivated by a variety of means, including programs that offer recognition, enrichment and appreciation; and

WHEREAS, an organization that supports and motivates its employees also helps to attract and retain qualified employees; and

WHEREAS, the public is well served by a City workforce with high morale which is productive, efficient, motivated and qualified; and

WHEREAS, the governing body of the City of Hughson supports the expenditure of public funds for the purpose of recognizing and appreciating public employees and for attracting and retaining productive, efficient, motivated and qualified employees:

NOW THEREFORE, BE IT RESOLVED:

Programs and practices that support, recognize, and appreciate employees within the organization are embraced and encouraged. Examples of such programs may include, but are not restricted to: service tenure awards, employee appreciation events, education and enrichment activities, team building activities and recognition awards. The City Council empowers and authorizes the City Manager and his/her designee to establish, implement and fund such programs and practices, subject to the following criteria:

1. That programs have a clear relationship to the intent of this resolution in that they recognize and appreciate staff and support the goal of attracting and retaining its employees; and
2. That programs should be available to all employees equally; and
3. That the total public funds budgeted for all such programs shall be approved by the City Council and in no case shall the total amount allocated for such programs exceed 0.25% of total City salary costs in any given fiscal year.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regular meeting held on this 11th day of January, 2016 by the following roll call votes:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE ROMO, City Clerk



CITY OF HUGHSON
REGULARLY SCHEDULED (RESCHEDULED)
PLANNING COMMISSION MEETING
City Hall Council Chambers
7018 Pine Street, Hughson, CA

AGENDA
TUESDAY, JANUARY 5, 2016 – 6:00 P.M.

CALL TO ORDER: Chair Julie Ann Strain

ROLL CALL: Chair Julie Ann Strain
Vice Chair Mark Fontana
Commissioner Karen Minyard
Commissioner Ken Sartain
Commissioner Alan McFadon

Staff to be Present: Jaylen French, Community Development Director
Dominique Spinale Romo, Assistant to the CM/City Clerk
Monica Streeter, Deputy City Attorney

FLAG SALUTE: Chair Julie Ann Strain

RULES FOR ADDRESSING THE PLANNING COMMISSION

*Members of the audience who wish to address the Planning Commission are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.***

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the Audience may address the Planning Commission on any item of interest to the public pertaining to the City and may step to the podium, State their name and City of Residence for the record (requirement of Name and City of Residence is optional) and make their presentation. Please limit presentations to five minutes. Since the Planning Commission cannot take action on matters not on the Agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PRESENTATIONS: NONE.

3. NEW BUSINESS:

- 3.1: Nominate a Chair and Vice Chair from amongst the Commission for the Year 2016.
- 3.2: Approve the Minutes of the Regularly Scheduled Meeting of November 17, 2015.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

- 4.1: Review and Find that Proposed Ordinance No. 2016-01 amending Section 17.02.004.F.3 of Hughson Municipal Chapter 17.02 – Zoning District is consistent with the Hughson General Plan and Recommend that the City Council adopt Ordinance No. 2016-01.
- 4.2: Recommend that the City Council adopt Ordinance No. 2016-02, adding Chapter 15.16 – Small Residential Rooftop Solar Energy Systems to Title 15 of the Hughson Municipal Code.
- 4.3: Recommend that the City Council adopt Ordinance No. 2016-03, adding Chapter 15.12 – Flood Damage Prevention to Title 15 of the Hughson Municipal Code.

5. INFORMATIONAL ITEMS: NONE.

6. CORRESPONDENCE: NONE.

7. COMMENTS:

- 7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director:

City Clerk:

City Attorney:

- 7.2: Commissioner Comments: (Information Only – No Action)

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

UPCOMING EVENTS:

January 11, 2016	▪ City Council Meeting, City Hall Chambers, 7:00pm
January 19, 2016	▪ Planning Commission Meeting, City Hall Chambers, 6:00pm
January 25, 2016	▪ Veterans Advisory Committee, Odd Fellows Hall, 5:30pm
January 25, 2016	▪ Economic Development Committee, City Hall Chambers,
January 25, 2016	▪ City Council Meeting, City Hall Chambers, 7:00pm

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a Planning Commission meeting, please contact the City Clerk's office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson Planning Commission shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

AFFIDAVIT OF POSTING

DATE: December 30, 2015 **TIME:** 6:00pm
NAME: Dominique Spinale Romo **TITLE:** City Clerk

General Information: The Hughson Planning Commission meets in the Council Chambers on the *third Tuesday* of each month at 6:00 p.m., unless otherwise noticed.

PC Agendas: The Planning Commission Agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054.



CITY OF HUGHSON
ECONOMIC DEVELOPMENT COMMITTEE MEETING
 CITY HALL COUNCIL CHAMBERS
 7018 Pine Street, Hughson, CA

AGENDA
MONDAY, JANUARY 11, 2016 - 5:30 P.M.

CALL TO ORDER:

ROLL CALL:

Mayor Matt Beekman
 Councilmember George Carr
 Councilmember Jeramy Young
 Councilmember Harold "Bud" Hill (Alternate)
 Business Member Marie Assali
 Business Member Jim Duarte

Staff to be Present:

Raul L. Mendez, City Manager
 Jaylen French, Community Development Director
 Dominique Spinale Romo, Assistant to the City Manager

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the audience may address the City Council on any item of interest to the public pertaining to the City and may step to the podium, state their name and city of residence for the record (requirement of name and city of residence is optional) and make their presentation. Please limit presentations to five minutes. Since the City Council cannot take action on matters not on the agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern, which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. NEW BUSINESS:

- 2.1:** Approval of Minutes of the November 23, 2015 EDC Regular Meeting.
- 2.2:** Hughson Farmers' Market 2016 Discussion Including Market Manager Options and Proposals.
- 2.3:** Update on City's Business Development/Attraction Efforts.

2.4: Discuss Hughson Chamber of Commerce Retreat and Funding.

3. EDC COMMENTS:

3.1: Mayor Beekman's State of the City Address – February 22, 2015 @ 6pm
Samaritan Village, Hughson, CA

3.2: Date of February Economic Development Committee meeting.

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

RULES FOR ADDRESSING ECONOMIC DEVELOPMENT COMMITTEE

Members of the audience who wish to address the Economic Development Committee are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the Committee. **Filling out the card is voluntary.**

AFFIDAVIT OF POSTING

DATE: January 8, 2016 **TIME:** 5:00pm

NAME: Dominique Spinale Romo **TITLE:** City Clerk

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

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General Information: The Economic Development Committee meets in the Council Chambers on the fourth Monday of each month at 5:30 p.m., unless otherwise noticed.

EDC Agendas: The Economic Development Committee agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054