



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

AGENDA
MONDAY, APRIL 24, 2017 – 7:00 P.M.

CALL TO ORDER: Mayor Jeramy Young

ROLL CALL: Mayor Jeramy Young
Mayor Pro Tem George Carr
Councilmember Harold Hill
Councilmember Mark Fontana
Councilmember Ramon Bawan

FLAG SALUTE: Mayor Jeramy Young

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: Proclamation Declaring May as Older Americans Month.
- 2.2: A Proclamation of the Hughson City Council Declaring April 23 through 29, 2017, as Administrative Professionals Week, and recognition of the City of Hughson Administrative Staff.
- 2.3: Demonstration of the City of Hughson's New Website.

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 April 10, 2017.
- 3.2: Approve the Warrants Register.
- 3.3: Approval of the Request by the Hughson High School Sports Club to Host a Live Music Block Party in Downtown Hughson on August 12, 2017 and Have and Sell Alcohol at the Event.
- 3.4: Approval of the Request by the Sierra Vista Child and Family Services to Host a Casino Night Fundraiser "Starry Night" in Downtown Hughson on June 24, 2017 and Have and Sell Alcohol at the Event.

4. UNFINISHED BUSINESS: NONE.**5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.****6. NEW BUSINESS:**

- 6.1: Discussion of Existing Prohibition of Marijuana Activities in the Hughson Municipal Code and Possible Amendments as a Result of the Passage of California Proposition 64, Marijuana Legalization Initiative (2016).

7. CORRESPONDENCE:

- 7.1: Planning Commission Minutes March 21, 2017.

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: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.

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:

April 29th & 30th	▪ Fruit & Nut Festival, Hughson Avenue, 10:00 A.M. – 4:00 P.M.
April 29th & 30th	▪ City Wide Yard Sale
May 6th	▪ City Wide Cleanup, 7:30 A.M. – 2:30 P.M.
May 6th	▪ Hughson Health Fair, 2413 3 rd Street, 10:00 A.M. – 2:00 P.M.
May 8th	▪ City Council Meeting, Council Chambers, 7:00 P.M.
May 9th	▪ Parks, Recreation & Entertainment Commission Meeting, Council Chambers, 6:00 P.M.
May 16	▪ Planning Commission Meeting, City Hall Chambers, 6:00 P.M.
May 18	▪ Hughson Downtown Farmers Market, Hughson Avenue, 5:00 P.M. – 8:00 P.M.
May 22	▪ City Council Meeting, Council Chambers, 7:00 P.M.

AFFIDAVIT OF POSTING**DATE:** April 20, 2017 **TIME:** 5:00 pm**NAME:** Susana Diaz **TITLE:** Deputy 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. 2.1

SECTION 2: PRESENTATIONS

Meeting Date: April 24, 2017
Presented By: Susana Diaz, Management Analyst/City Clerk
Subject: May as Older Americans Month Proclamation

Approved By: _____

Older Americans Month is celebrated each May to honor and recognize older Americans for the contributions they make to our families, communities, and society.

Every year the Hughson City Council proclaims the month of May as Older Americans Month and provides a Proclamation to the Stanislaus County Area Agency on Aging and the Commission on Aging.

Ms. Eileene King, Commission on Aging Member, will be present to accept the Proclamation from the City of Hughson.



*Proclamation
May as Older Americans Month*

WHEREAS, Stanislaus County is a community that includes 97,119 citizens aged 60 and older; and,

WHEREAS, the older adult population in the City of Hughson is one of our most “treasured resources,” united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and,

WHEREAS, increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and,

WHEREAS, the older adults in the City of Hughson deserve recognition for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and,

WHEREAS, our community can provide that recognition and respect by improving the quality of life for older Americans by: increasing their opportunities to remain active and engaged in community life; providing individualized services and support systems to maintain the dignity independence, and self-determination of older Americans as they age; and, combating ageist attitudes by honoring their past, present, and future contributions.

NOW, THEREFORE BE IT RESOLVED, the Hughson City Council proclaims May as Older Americans Month. We urge all residents to recognize and celebrate the many accomplishments of our seniors and their contributions made to our city. We encourage our community to give our older citizens the understanding and respect they are due, and lend them our support and assistance in maintaining their independence, thereby enabling them to continue their contributions to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Hughson to be affixed this 24th day of April, 2017.

JERAMY YOUNG, Mayor



CITY OF HUGHSON AGENDA ITEM NO. 2.2

SECTION 2: PRESENTATIONS

Meeting Date: April 24, 2017
Presented By: Susana Diaz, Management Analyst/City Clerk
Subject: A Proclamation of the Hughson City Council Declaring April 23rd – 29th, 2017, as Administrative Professionals Week, and recognition of the City of Hughson Administrative Staff.

Approved By: _____

Administrative Professionals Week is celebrated each April to honor and recognize administrative professionals. Administrative Professionals play an essential role in coordinating the office operations of businesses, government, educational institutions, and other organizations.

Administrative Professionals are vital contributors in today's team-oriented work environment and are key front-line public relations ambassadors for their organizations

Every year the Hughson City Council proclaims the last week in April as Administrative Professionals Week and provides a Proclamation to a member of the City of Hughson Administrative Staff.



Proclamation
National Administrative Professionals Week
April 23 - 29, 2017

WHEREAS, *administrative professionals play an essential role in coordinating the office operations of businesses, government, educational institutions, and other organizations; and*

WHEREAS, *administrative professionals are vital contributors in today's team-oriented work environment and are key front-line public relations ambassadors for their organizations; and*

WHEREAS, *the work of administrative professionals today requires advanced knowledge and expertise in communications, computer software, office technology, project management, organization, customer service and other vital office management responsibilities, and most importantly, have the willingness to learn and accept new challenges; and*

WHEREAS, *Administrative Professionals Week is observed annually in workplaces around the world to recognize the important contributions of administrative support staff and is sponsored by the International Association of Administrative Professionals; and;*

NOW, THEREFORE, BE IT PROCLAIMED *by the Mayor and City Council that we recognize and extend appreciation to our dedicated and skilled staff and hereby proclaim the week of April 23 - 29, 2017 as "National Administrative Professionals Week".*

AND, BE IT FURTHER PROCLAIMED *that the Hughson City Council does hereby recognize the outstanding service that the City Administrative staff provides to the citizens of the City of Hughson.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Hughson to be affixed this 24th day of April, 2017.

JERAMY YOUNG, Mayor



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

Meeting Date: April 24, 2017
Subject: Approval of the City Council Minutes
Presented By: Susana Diaz, Deputy City Clerk

Approved By: _____

Staff Recommendation:

Approve the Minutes of the Regular Meeting of April 10, 2017

Background and Overview:

The draft minutes of the April 10, 2017 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, APRIL 10, 2017 – 7:00 P.M.**

CALL TO ORDER: Mayor Pro Tem George Carr

ROLL CALL:

Present: Mayor Pro Tem George Carr
Councilmember Harold Hill
Councilmember Mark Fontana
Councilmember Ramon Bawan

Absent: Mayor Jeramy Young

Staff Present: Raul L. Mendez, City Manager
Daniel J. Schroeder, City Attorney
Jaylen French, Community Development Director
Andrew Nikkle, Police Services
Shannon Esenwein, Finance Director
Lisa Whiteside, Finance Manager
Sam Rush, Public Works Superintendent
Jaime Velazquez, Utilities Superintendent

FLAG SALUTE: Mayor Pro Tem George Carr

INVOCATION: Hughson Ministerial Association

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

Lindsey Oliveira, a resident of Hughson, expressed her concern with the potential of a high density housing project near her residence.

Jean Henley, a resident of Hughson, extended an invitation to local law enforcement to attend the 37th Annual May Day Celebration.

2. PRESENTATIONS:

2.1: Proclaim April 9-15, 2017 as National Library Week.

Mayor Pro Tem George Carr presented a Proclamation declaring April 9-15, 2017 as National Library Week to Hughson Library Branch Manager Heather Bailey.

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 March 27, 2017.
- 3.2: Approve the Warrants Register.
- 3.3: Approve the Treasurer's Report for January 2017.
- 3.4: Approval of the Treasurer's Report: Investment Portfolio Report – January 2017.
- 3.5: Approval to Adopt Resolution No. 2017-17, Waiving Fees for the City-Wide Yard Sale scheduled for April 29 – April 30, 2017.

HILL/FONTANA 4-0-0-1 motion passes to approve the Consent Calendar as presented.

4. UNFINISHED BUSINESS:

- 4.1: Approval to Adopt Resolution No. 2017-18, Authorizing the City Manager to Execute the Installation Sale Agreement for Well No. 7 Well Replacement and Arsenic Treatment with the California State Water Resources Control Board Under the Drinking Water State Revolving Fund Project No. 5010008-011C Agreement No. D16-02057 in the Amount of \$8,327,753 and Related Actions.

City Manager Mendez presented the staff report on this item.

FONTANA/BAWANAN 4-0-0-1 motion passes to approve the Resolution No. 2017-18, Authorizing the City Manager to Execute the Installation Sale Agreement for Well No. 7 Well Replacement and Arsenic Treatment with the California State Water Resources Control Board Under the Drinking Water State Revolving Fund

Project No. 5010008-011C Agreement No. D16-02057 in the Amount of \$8,327,753 and Related Actions.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS: NONE.

7. CORRESPONDENCE: No action was taken on these items.

7.1: Planning Commission Minutes January 17, 2017.

7.2: Planning Commission Minutes February 10, 2017.

7.3: Central Valley Regional Water Quality Control Board Agenda.

8. COMMENTS:

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

City Manager:

City Manager Mendez provided Council a summary of the Love Hughson Event on April 8, 2017.

April 18, 2017 the League of California Cities will be hosting Legislative Action Day at the State Capitol in Sacramento.

April 29th & 30th The Fruit and Nut Festival will be taking place in downtown Hughson.

May 5th & 6th Hughson High School will be hosting the Relay for Life.

May 6, 2017 The Hughson Health Fair will be taking place on 3rd Street.

May 6, 2017 The City Wide Cleanup will be taking place.

Community Development Director:

Director French updated the Council on the schedule and status of the Hatch Road/Santa Fe Avenue signalization project.

Director French updated the Council on the Tully Road Reconstruction Project.

Director French updated the Council on the Fox Road Sidewalk Infill Project.

Police Services:

Deputy Andrew Nickkel provided the City Council with the latest Crime Statistic Report.

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

Councilmember Bawanan attended the Special Joint meeting with the City of Hughson and the Hughson Unified School District. Love Hughson provided a good breakfast to approximately 250 people. The Hughson Chamber of Commerce website and the Hughson Chronicle have a variety of activities listed, and encouraged everyone to attend the Hughson Fruit and Nut Festival.

Councilmember Hill said that he attended the Special Joint meeting with the City of Hughson and Hughson Unified School District meeting. Next week he will be attending the Fire 2+2 Meeting. He also reminded the Council and audience that school will be on vacation next week.

Councilmember Fontana attended the Special Joint meeting with the City of Hughson and Hughson Unified School District and provided a brief summary. He also attended a meeting on April 6, 2017 with San Joaquin Valley Air Pollution Control District.

Mayor Pro Tem Carr attended the Special Joint meeting with the City of Hughson and Hughson Unified School District. He attended the Grand Opening of the Hughson Baseball/Softball Season. He attended the Love Hughson Event on April 8, 2017.

8.3: Mayor's Comments: (Information Only – No Action) Absent**9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.****ADJOURNMENT:**

HILL/FONTANA 4-0-0-1 motion passes to adjourn the meeting at 7:37 P.M.

George Carr, Mayor Pro Tem

SUSANA DIAZ, Deputy City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: April 24, 2017
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 April 12, 2017 through April 18, 2017.

Fiscal Impact:

There are reductions in various funds for payment of expenses.

Lw

REPORT.: Apr 20 17 Thursday
RUN....: Apr 20 17 Time: 10:57
Run By.: Lisa Whiteside

City of Hughson
Cash Disbursement Detail Report
Check Listing for 04-17 Bank Account.: 0100

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
49081	4/12/2017	SUT01	SUTTER HEALTH PLUS	\$ 26,437.58	345765	MEDICAL INSURANCE
49082	4/14/2017	ABS00	ABS PRESORT	\$ 1,125.30	108927	UTILITY BILL APRIL AND CLEANUP DAY
49083	4/14/2017	ARR00	NESTLE WATERS	\$ 80.01	B70414	BOTTLED WATER FOR WWTP
49084	4/14/2017	AYE00	AYERA TECHNOLOGIES INC.	\$ 84.00	74885	IP AND INTERNET FOR SCADA
49085	4/14/2017	CHA01	CHARTER COMMUNICATION	\$ 75.07	B70414	IP ADDRESS - PW SHOP
49086	4/14/2017	CON14	CONDOR EARTH TECHNOLOGIES	\$ 5,253.67	75151	PROFESSIONAL SERVICES FOR MS4
				\$ 10,918.75	75155	PROFESSIONAL SERVICES FOR MS4
			Check Total:	\$ 16,172.42		
49087	4/14/2017	DEP08	DEPT. OF CONSERVATION	\$ 454.97	B70414	SMIP FEES FOR JAN-MAR 2017
49088	4/14/2017	EXP00	EXPRESS PERSONNEL SERVICE	\$ 638.40	187277660	EXTRA HELP
49089	4/14/2017	EZN00	EZ NETWORK SOLUTIONS	\$ 18,959.64	32970	SERVER FOR NEW FINANCAL SOFTWARE
49090	4/14/2017	FRA03	FRANTZ WHOLESALE NURSERY	\$ 156.06	552559	PLANTS
49091	4/14/2017	GIL01	GILTON SOLID WASTE MANAGE	\$ 1,803.75	HUGHSS-08	STREET SWEEPING MARCH 2017
49092	4/14/2017	GRA10	GRANITE TELECOMMUNICATION	\$ 1,706.83	386527810	PHONE
49093	4/14/2017	HIN00	HINDERLITER, dELLAMAS &	\$ 477.20	25813-IN	CONTRACT SERVICES
49094	4/14/2017	HOM01	THE HOME DEPOT CRC	\$ 256.67	B70414	SUPPLIES FOR PW
49095	4/14/2017	HUG11	HUGHSON FARM SUPPLY	\$ 5.94	H208212	MISC TOOLS AND SUPPLIES
				\$ 66.50	H208801	MISC TOOLS AND SUPPLIES
				\$ 41.82	H209076	MISC TOOLS AND SUPPLIES
				\$ 17.17	H209715	MISC TOOLS AND SUPPLIES
				\$ 28.30	H209913	MISC TOOLS AND SUPPLIES
				\$ 22.30	H210006	MISC TOOLS AND SUPPLIES
				\$ 224.34	H210028	MISC TOOLS AND SUPPLIES
				\$ 22.49	H210822	MISC TOOLS AND SUPPLIES
				\$ 36.39	H211371	MISC TOOLS AND SUPPLIES
			Check Total:	\$ 465.25		

49096	4/14/2017	IND08	INDUSTRIAL TOOLBOX	\$	180.30	43093B	SUPPLIES FOR THE STREET
49097	4/14/2017	LEG01	LEGAL SHIELD	\$	25.90	B70414	DEPARTMENT LEGAL SVCS
49098	4/14/2017	OFF05	OFFICE TEAM	\$	799.20	48086081	EXTRA HELP
				\$	764.24	48111099	EXTRA HELP
			Check Total:	\$	1,563.44		
49099	4/14/2017	OPE01	OPERATING ENGINEERS LOCAL	\$	300.00	B70414	LOCAL UNION #3 DUES
49100	4/14/2017	PRE07	PREFERRED ALLIANCE, INC.	\$	82.56	129377-IN	OFF SITE PARTICIPANTS
49101	4/14/2017	SEE01	SEEGER'S	\$	560.50	123937-IN	CERTIFICATE HOLDER
49102	4/14/2017	SHR02	SHRED-IT USA LLC	\$	142.60	122122543	SHRED
49103	4/14/2017	STA42	STANISLAUS COUNTY	\$	1,191.00	R17424641	4TH QUARTER DEBT SERVICE
49104	4/14/2017	TUR12	TURLOCK, CITY OF	\$	99.80	2017-0024	CNG FUEL
49105	4/14/2017	WAR00	WARDEN'S OFFICE	\$	222.91	1925919-0	OFFICE SUPPLIES
				\$	329.83	1927937-0	OFFICE SUPPLIES
				\$	118.86	1928371-0	OFFICE SUPPLIES
			Check Total:	\$	671.60		
49106	4/18/2017	DEP16	HUGHSON UNITED SOCCER LEA	\$	300.00	B70418	DEPUTY WALLACE KIDS SOCCER FUND
			Cash Account Total:	\$	74,010.85		
			Total Disbursements:	\$	74,010.85		



CITY OF HUGHSON AGENDA ITEM NO. 3.3

SECTION 3: CONSENT CALENDAR

Meeting Date: April 24, 2017
Subject: Approval of the Request by the Hughson High School Sports Club to Host a Live Music Block Party in Downtown Hughson on August 12, 2017 and Have and Sell Alcohol at the Event
Presented By: Jaylen French, Community Development Director
Approved By: _____

Staff Recommendation:

Approve the request by the Hughson High School Sports Club to host a Live Music Block Part in downtown Hughson on August 12, 2017 and have and sell alcohol at the event.

Background and Overview:

The City of Hughson does not have a codified process to approve such events, which include alcohol and music on a public right-of-way; however, the City has established a formal process based on the Hughson Municipal Code for past events such as the Hughson Chamber of Commerce's Street Dance, the Hughson Sports and Fitness Complex Steering Committee's Italian Nite and others. In short, the City Council shall approve the provision of live music on a public street and approve the use of alcohol at such event.

The following are references with the Hughson Municipal Code applicable for this request:

Section 9.24.020 of the Municipal Code (Drinking and Possession – Public Areas) states that *"It is unlawful for any person to drink any alcoholic beverage or to possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, on any public sidewalk, alley, street or highway, or in any city-owned park or other city-owned public place, unless the consumption of alcoholic beverages in such public place or places has been authorized by the city council. This section shall not be deemed to make punishable any such act or acts which are prohibited by the California Vehicle Code or by any other law of the state. (Ord. 86-01 § 1, 1986)."*

Section 9.030.50 of the Municipal Code (Regulation of Noise - Hours of Enforcement) states that *“The hours for enforcement shall be between the hours of 10:00 p.m. through 7:00 a.m., Monday through Friday and 10:00 p.m. through 8:00 a.m., Saturday and Sunday and legal holidays as that term is defined in California Government Code Section 6700 as it now exists or shall be amended. (Ord. 90-02 § 1, 1990).”*

Furthermore, as part of the City’s road closure permit process; the requesting party must obtain signatures from impacted residents and businesses for notification and coordination purposes. Additionally, per the permit process, signage will be placed 72 hours prior to the event to communicate the scheduled road closure to the public.

In late-2016, City staff was contacted by the Hughson High School (HHS) Sports Club regarding a potential downtown concert (block party) planned for August 2017 as a fundraiser. Hughson High School Sports Club (HHSSC) is a non-profit organization created to help raise funds for the HHS Football program. HHSSC was formed in addition to the HHS Boosters, which was created to raise funds for all athletic programs. The HHS football program intends to purchase new uniforms for next season. This is a costly venture. Therefore, the HHSSC is hosting this fund raiser to help offset cost for the new uniforms.

City staff, in coordination with Hughson Fire Protection District and Stanislaus County Fire Prevention, Hughson Police Services and HHSSC, has coordinated the details of this event.

Discussion:

The HHSSC has a relationship with the band Flying Blind, which is from Hughson. The HHSSC Sports Club has made arrangements for the band to play a Concert (Block Party) on Hughson Avenue on Saturday, August 12, 2017 between 3rd Street and Charles Avenue. Both 3rd Street and Charles Avenue will be closed to through traffic starting mid-day on Saturday. The venue area will also include the dirt lot located mid-block. Alcohol (beer and wine) will be for sale throughout the event, therefore, only those 21 years or over will be admitted. All event areas, including the dirt lot, will be fenced off with one primary entrance gate located at the intersection of Hughson Avenue and Charles Street. This gate will be manned by HHSSC volunteers and hired security.

Stanislaus County Fire Prevention has reviewed the details of the event including total square footage and number of ingress/egress points and has determined that up to 1,500 people could occupy the area. Therefore, the HHSSC will make no more than 1,500 tickets (including all volunteers, security, band, etc.). In coordination with the Hughson Police Chief, the HHSSC will retain six (6) Stanislaus County Sheriff’s Deputies to police the event and up to nine (9) outside security personnel to assist in the effort. Hughson Police Services is requiring one (1) officer/security personnel per 100 attendees.

Additional exits will be located at the 3rd Street intersection and at the dirt lot. The fencing will be up and the gates manned starting at 6:30 pm on Saturday. Ticketholders will be allowed into the Block Party starting at 7:00 pm. The opening band will begin playing at 7:15 pm. Flying Blind, the main attraction, will begin playing just after 8:00 pm and will end just after 11:00 pm. There is one remaining detail: The HHSSC will coordinate with the City on a traffic and parking plan leading up to the event.

Parks, Recreation and Entertainment Commission (PR&EC) Recommendation

The Hughson Parks, Recreation and Entertainment Commission considered this item at their regularly scheduled meeting on April 11, 2017. After the staff report, general discussion and commissioner comments, the PR&EC recommended that the City Council approve the provisions of live music on a public street use of alcohol at the event. It was understood that a road closure permit would also be required.

The Commission had several questions regarding the event which were answered by Mike Ellak representing HHSSC or City staff. While the Commission recommended approval, they did request that one additional ingress/egress (emergency exit) location be provided on the south side of Hughson Avenue at 3rd Street.

Fiscal Impact:

The proposed Block Party is not expected to have a noticeable fiscal impact. All setup, security and other details will be donated, provided by volunteers or paid for by the HHSSC. The event is expected to draw up to 1,500 people to the downtown, therefore, businesses in the area could experience ancillary benefits from the event.



CITY OF HUGHSON AGENDA ITEM NO. 3.4

SECTION 3: CONSENT CALENDAR

Meeting Date: April 24, 2017
Subject: Approval of the Request by the Sierra Vista Child and Family Services to Host a Casino Night Fundraiser "Starry Night" in Downtown Hughson on June 24, 2017 and Have and Sell Alcohol at the Event
Presented By: Raul Mendez, City Manager
Approved By: _____

Staff Recommendation:

Approve the request by the Sierra Vista Child and Family Services to host a Casino Night Fundraiser "Starry Night" in downtown Hughson on June 24, 2017 and have and sell alcohol at the event.

Background and Overview:

In late January, the Southeast Communities Advisory Board Event Committee to Sierra Vista Child and Family Services (Sierra Vista) contacted City staff about its desire to plan a new fundraiser for late spring in downtown Hughson. The event concept was for an outdoor fundraiser that included a BBQ dinner, music and a casino element. It was also indicated that alcohol (wine and beer) would be served. Sierra Vista has hosted other fundraisers in past years such as Lorraine's Tea and Bunco Fiesta.

Downtown Hughson has hosted similar functions outdoors in recent years including the Hughson Chamber of Commerce's Street Dance, the Hughson Sports and Fitness Complex Steering Committee's Italian Nite and others. City staff customarily coordinates such events with Hughson Police Services and the Hughson Fire Protection District to ensure proper safety measures are put in place and to ensure consistency with the Hughson Municipal Code.

The following are references with the Hughson Municipal Code applicable for this request:

Section 9.04.090 of the Hughson Municipal Code (Gambling and Bingo – Permit Required) states that *"No person, firm, corporation, organization, or association shall engage in, carry on, maintain, conduct, or cause to be engaged in, carried on, maintained, or conducted, either game rooms or*

bingo games in the city without first obtaining a permit in accordance with the requirements of this chapter, and without complying with the rules and regulations contained or authorized herein pertaining to the operation of either game rooms or bingo games. Any such permit shall allow either bingo games or a game room, but not both. (Ord. 84-09 § 2, 1984)."

Section 9.040.100 of the Hughson Municipal Code (Gambling and Bingo – Organizations Eligible for Permit) states that *"A permit to conduct game rooms may be issued only to nonprofit organizations. A permit to conduct bingo games may be issued only to nonprofit organizations, mobile home park associations, and senior citizens organizations. (Ord. 84-09 § 2, 1984)."*

Section 9.24.020 of the Hughson Municipal Code (Drinking and Possession – Public Areas) states that *"It is unlawful for any person to drink any alcoholic beverage or to possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, on any public sidewalk, alley, street or highway, or in any city-owned park or other city-owned public place, unless the consumption of alcoholic beverages in such public place or places has been authorized by the city council. This section shall not be deemed to make punishable any such act or acts which are prohibited by the California Vehicle Code or by any other law of the state. (Ord. 86-01 § 1, 1986)."*

Furthermore, as part of the City's road closure permit process; the requesting party must obtain signatures from impacted residents and businesses for notification and coordination purposes. Additionally, per the permit process, signage will be placed 72 hours prior to the event to communicate the scheduled road closure to the public.

Discussion:

Sierra Vista has requested hosting a Casino Night Fundraiser "Starry Night" in downtown Hughson on Saturday, June 24, 2017. As proposed, the event will commence at 7:00pm and end by 10:00pm and the location is Hughson Avenue, in front of the Hughson Family Resource Center Offices, generally between Third Street and Charles Street. It will include an outdoor dinner, music and a casino element (including games) with prize awards. Sierra Vista plans to provide alcohol (wine and beer) for sale at the event and will obtain the necessary permit through the California Department of Alcoholic Beverage Control. The section of Hughson Avenue will be closed just east of Third Street (and the Pizza Factory, Bob's Coffee Shop and Coco's Taqueria) mid block through the Charles Street intersection starting mid-afternoon that Saturday until about an hour after the conclusion of the event to provide ample time for setup and takedown. The event area will be visibly sectioned off by decorative wooden fencing. The event is for 21 and over and the area will be manned by Sierra Vista volunteers and hired security as prescribed by the Hughson Chief of the Police. The security will check identification as necessary. Portable restroom facilities will also be provided. The

event is expected to draw no more than an estimated 250 supporters and only advance tickets sales will be made available.

Proceeds from the event go towards funding programs and services offered by Sierra Vista Child and Family Services at both the Hughson Family Resource Center and the newly opened Waterford Family Resource Center. Fundraising efforts also help fund other Sierra Vista initiatives such as the backpack program, youth field trips, college scholarships, staff appreciation and participation in events and outreach.

Sierra Vista has been helping abused, neglected and emotionally disturbed children and families in crisis in California's Central Valley since 1972. It does this through a series of integrated programs that include mental health services, early childhood services, special education, therapeutic residential treatment, adoption, foster care, clinical and family support in homes and schools, Perinatal Substance Abuse Treatment and community counseling. Its goal is to help children reach their full potential, and provide access to quality programs and services that make a difference to a child, their family, and the entire community. Through its family resource centers, Sierra Vista serves eight communities including Hughson, Denair, Empire, Graton, Hickman, LaGrange, Roberts Ferry, and Waterford.

With assistance by the City Attorney, the City has developed a permitting process for eligible organizations interested in holding fundraisers with a gambling or bingo element consistent with the Hughson Municipal Code. A permit application has been developed, which Sierra Vista will complete, with all relevant information including:

1. The name and mailing address of the applicant organization.
2. Proof that the applicant organization is an eligible nonprofit organization, including a letter or other evidence from the State Franchise Tax Board showing that the applicant is exempted from the payment of the bank and corporation tax by a pertinent section of the California Revenue and Taxation Code.
3. A list of the duly elected officers of the applicant organization supplied by the secretary thereof, if applicable.
4. The signatures of at least two officers, including the presiding officer of the applicant organization.
5. The location, including the street number, of the specific property within the city owned or leased by the applicant organization, or property whose use is donated to the applicant organization, on which casino and/or bingo games will be conducted. Applications shall include the occupancy capacity of the room in which the bingo games will be played, if applicable.
6. Applicant has been advised that a permit granted under Chapter 9.04 of the Hughson Municipal Code may be revoked by the city manager or his authorized representative upon violation of the HMC or provisions of the permit.

7. Statement certified by an authorized agent of the applicant organization that the applicant organization has received and reviewed the following:
 - a. Copies of Chapter 9.04 of the HMC;
 - b. The authorized rules of play for games; and
 - c. Penal Code section 326.5.

8. Location where all records, account books, and ledgers pertaining to the applicant organization's operation of where all games will be placed and an authorization for the city to inspect and audit these records, books, and accounts.

9. Such other information as the city manager or his authorized representative may require. This may include a road closure permit (if the event will take place on a public road), liability coverage, ABC license (security plan) if sale of alcohol is anticipated, City Council approval if alcohol will be consumed on a public street.

Following City Council approval of the request by Sierra Vista, City staff will ensure that all permit requirements are met. At the conclusion of the event, City staff will evaluate the event to ensure all elements were adhered to and to make improvements for future reference to process such requests.

Fiscal Impact:

The proposed Casino Night Fundraiser is not expected to have a significant fiscal impact. All setup, security and other details will be donated, provided by volunteers or paid for by the Sierra Vista. Sierra Vista will adhere to the permit as described herein and will follow other City protocols to ensure that coordination with impacted parties (local businesses) occurs and consistency with the Hughson Municipal Code is attained.



CITY COUNCIL AGENDA ITEM NO. 6.1 SECTION 6: NEW BUSINESS

Meeting Date: April 24, 2017
Subject: Discussion of Existing Prohibition of Marijuana Activities in the Hughson Municipal Code and Possible Amendments as a Result of the Passage of California Proposition 64, Marijuana Legalization Initiative (2016).
Presented By: Raul L. Mendez, City Manager
Daniel J. Schroeder, City Attorney

Approved By: _____

Staff Recommendation:

Discuss and consider direction on possible amendments to the Hughson Municipal Code sections pertaining to the existing prohibition of marijuana activities based on the passage of California Proposition 64, Marijuana Legalization Initiative (2016).

Background and Overview:

California Proposition 64, Marijuana Legalization Initiative

In November 2016, California voters passed the California Proposition 64, Marijuana Legalization 57.13% in support to 42.87% in opposition. For reference purposes only, of the 2,715 ballots cast in Hughson for this initiative, 1,086 were in support and 1,554 in opposition.

Proposition 64 made it legal for individuals to use and grow marijuana for personal use on November 9, 2016. However, the sale and subsequent taxation of recreational marijuana will not go into effect until January 1, 2018.

In California, the possession or use of marijuana for recreational purposes was illegal going into the election. The passage of Proposition 215 in 1996 legalized medical marijuana. Although the Department of Justice under President Obama did not prosecute most individuals and businesses following state and local marijuana laws, both medical and recreational marijuana were illegal under federal law in 2016. Proposition 64 made recreational marijuana legal in California state law

Proposition 64 allowed adults aged 21 years or older to possess and use marijuana for recreational purposes. The measure created two new taxes, one levied on cultivation and the other on retail price. Revenue from the taxes will be spent on drug research, treatment, and enforcement, health and safety grants addressing marijuana, youth programs, and preventing environmental damage resulting from illegal marijuana production.

Marijuana Legalization Initiative Basic Design

Proposition 64 legalized the recreational use of marijuana for adults aged 21 years or older, permitting smoking in a private home or at a business licensed for on-site marijuana consumption. Smoking was to remain illegal while driving a vehicle, anywhere smoking tobacco is, and in all public places. Up to 28.5 grams of marijuana and 8 grams of concentrated marijuana are legal to possess under this measure. However, possession on the grounds of a school, day care center, or youth center while children are present remains illegal. An individual is permitted to grow up to six plants within a private home as long as the area is locked and not visible from a public place.

According to this Proposition, businesses need to acquire a State license to sell marijuana for recreational use. Local governments could also require them to obtain a local license. Businesses were not authorized by the Proposition to sell within 600 feet of a school, day care center, or youth center. The initiative also prevented licenses for large-scale marijuana businesses for five years in order to prevent "unlawful monopoly power."

The Bureau of Medical Cannabis Regulation was renamed the Bureau of Marijuana Control and became responsible for regulating and licensing marijuana businesses.

Counties and municipalities were empowered to restrict where marijuana businesses could be located. Local governments were also allowed to completely ban the sale of marijuana from their jurisdictions. Moreover, local jurisdictions were allowed by the measure to "reasonably regulate" the personal growth, possession, and use of marijuana plants allowed by Proposition 64.

Proposition 64 created two new excise taxes on marijuana:

- A cultivation tax of \$9.25 per ounce for flowers and \$2.75 per ounce for leaves, with exceptions for certain medical marijuana sales and cultivation; and
- A 15 percent tax on the retail price of marijuana.

Taxes will be adjusted for inflation starting in 2020. Local governments were authorized to levy taxes on marijuana as well.

Revenue from the two taxes will be deposited in a new California Marijuana Tax Fund. First, the revenue will be used to cover costs of administrating and enforcing the measure. Next, it will be distributed to drug research, treatment, and enforcement.

With Proposition 64's approval, individuals serving criminal sentences for activities made legal under the measure became eligible for resentencing.

Taking a Look at the City of Hughson Municipal Code

In January 2016, the Hughson City Council adopted amendments to the Hughson Municipal Code prohibiting the cultivation of cannabis in all zones, planned developments and specific and master plans throughout the City. The action by the City Council made it 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.

The change to the Hughson Municipal Code was prompted by Governor Jerry Brown signing three bills in October 2015 that marked 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.

A critical component of the enacted Medical Marijuana Regulation and Safety Act was that local jurisdictions were still entitled to limit or prohibit cultivation and transportation of marijuana within their jurisdiction as long as it was done so by March of 2016. The City of Hughson, like Stanislaus County and other incorporated cities within, took affirmative steps to strictly prohibit cultivation, deliveries, and dispensaries. At that time, it was understood that a statewide initiative was being crafted that would legalize marijuana for recreational purposes. City staff indicated that additional amendments to the Hughson Municipal Code would be required if the initiative (later known as Proposition 64) was passed by California voters.

Regional Proposition 64 Committee/Initial City Staff Work

Prior to the passage of Proposition 64, Stanislaus County, through the leadership of Supervisor Vito Chiesa, convened several meetings of City elected officials and staff to discuss a regional approach to local regulation of marijuana activities in Stanislaus County--unincorporated areas and within incorporated limits. Despite interest by each jurisdiction to discuss and brainstorm a local approach, consensus on a regional plan in preparation was not achieved. Shortly after the passage of Proposition 64, additional meetings were hosted with similar results. At these meetings, it was shared that all jurisdictions had adopted strict prohibitions against marijuana activities. The County questioned whether this was the best approach to mitigate local impacts with the legalization of recreational marijuana in the state and associated costs for enforcement of strict rules and impacts to public safety and social programs. At the writing of this staff report, the discussions between

Stanislaus County and the incorporated cities are still ongoing. Many jurisdictions had begun hosting workshops with their respective City Councils to discuss this issue.

In preparation for this discussion in Hughson, the City Attorney and City staff began working on drafting possible amendments to the Hughson Municipal Code that are necessitated by Proposition 64. The approach to these amendments is to make revisions that are consistent with prior Council direction and the strict prohibition. That said, a discussion with the full Council is appropriate to confirm this approach and seek direction on elements such as enforcement, permitting, etc. At that time, City staff will outline anticipated next steps.

Fiscal Impact:

The impact of Proposition 64 on local governments throughout the State of California is undetermined at this time but anticipated to be significant. Per the "reasonable regulate" authority of the Proposition, municipalities have the opportunity to generate revenue as prescribed to help offset local impacts and associated costs.



**CITY OF HUGHSON
PLANNING COMMISSION MEETING**

**CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA**

**MINUTES
TUESDAY, MARCH 21, 2017 – 6:00 P.M.**

CALL TO ORDER: Chair Alan McFadon

ROLL CALL:

Present: Chair Alan McFadon
Commissioner Brian Evans
Commissioner Kevin Cloherty
Commissioner Ken Sartain

Absent: Commissioner Julie Ann Strain

Staff Present: Jaylen French, Community Development Director
Dan Schroeder, Legal Counsel

FLAG SALUTE: Chair Alan McFadon

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

No Public Comments.

2. PRESENTATIONS: NONE.

3. NEW BUSINESS:

3.1: Approve the Minutes of the Regular Meeting of January 17, 2017.

EVANS/SARTAIN 4-0-0-1 motion passes to approve the Minutes as presented.

3.2: Approve the Minutes of the Special Meeting of February 10, 2017.

EVANS/SARTAIN 4-0-0-1 motion passes to approve the Minutes as presented.

3.3: Consideration of Resolution PC No. 2017-02 accepting the 2016 Annual General Plan Report and the 2016 Annual Housing Element Progress Report.

Director French provided the staff report on this item. The Commission inquired about the groundwater sustainability agency that was formed; the potential repercussions of not meeting the RHNA allocation; and specific items on Table C of the Housing Element Annual Report. Director French provided responses to all inquiries.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

5. INFORMATION ITEMS: NO FORMAL ITEMS.

Director French provided an introduction to the State’s Accessory Dwelling Unit legislation as well as an overview of the Planning Commissions’ discussions and actions from 2015 and 2016 for the new Commissioners. No action was sought or taken.

6. CORRESPONDENCE: NONE.

7. COMMENTS:

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

Community Development Director: Director French provided an update on the Santa Fe Avenue and Hatch Road project.


Director French provided an update on the Fox Road Sidewalk Infill project and the Tully Road Reconstruction Project.

City Clerk: No Report.

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

ADJOURNMENT:

Chair McFadon adjourned the meeting at 7:24 P.M.



ALAN MCFADON, Chair



Susana Diaz, Deputy City Clerk