



**CITY OF HUGHSON  
PARKS, RECREATION AND ENTERTAINMENT  
COMMISSION MEETING  
CITY HALL COUNCIL CHAMBERS  
7018 Pine Street, Hughson, CA**

**AGENDA  
TUESDAY, OCTOBER 8, 2019 – 6:00 P.M.**

**CALL TO ORDER:** Chair Billy Redding

**ROLL CALL:** Chair Billy Redding  
Vice Chair Chris Barth  
Commissioner Gina Oltman  
Commissioner Trenton Whitman  
Commissioner Karen Genzoli

**Staff to be Present:** Raul Mendez, City Manager  
Ashton Gose, Deputy City Clerk

**FLAG SALUTE:** Chair Billy Redding

**RULES FOR ADDRESSING PARKS, RECREATION AND ENTERTAINMENT COMMISSION**

Members of the audience who wish to address the Parks, Recreation & Entertainment 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 Parks, Recreation & Entertainment 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 Parks, Recreation & Entertainment 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.**

Any documents produced by the City and distributed to a majority of the Parks, Recreation & Entertainment Commission regarding any item on this Agenda will be made available at the City Clerk's counter at City Hall located at 7018 Pine Street, Hughson, CA.

**3. UNFINISHED BUSINESS:**

**3.1:** Review and Discuss Current Policies for Use of Public Parks as Defined in the Hughson Municipal Code.

**4. NEW BUSINESS:**

**4.1:** Approve the Minutes of the Regular Meeting of September 10, 2019.

**5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.**

**6. INFORMATION ITEMS: NONE.**

**7. COMMENTS:**

**7.1:** Staff Comments: (Information Only – No Action)

**City Manager:**

**Deputy City Clerk:**

**7.2:** Commissioner Comments: (Information only- No Action)

**ADJOURNMENT:**

**WAIVER WARNING**

If you challenge a decision/direction of the Parks, Recreation and Entertainment 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:**

<b>October 14</b>	▪ Assembly member Heath Flora Mobile District Office, City Hall Chambers, 6:00 P.M.
<b>October 14</b>	▪ City Council Meeting, City Council Chambers, 7:00 P.M.
<b>October 15</b>	▪ Planning Commission Meeting, City Council Chambers, 6:00 P.M.
<b>October 28</b>	▪ City Council Meeting, City Council Chambers, 7:00 P.M.
<b>October 31</b>	▪ Tent, Trunk and Treat, Lebright Park, 5:00 P.M.

**AFFIDAVIT OF POSTING**

**DATE:** October 4, 2019 **TIME:** 2:45 P.M.  
**NAME:** Ashton Gose **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 Parks, Recreation and Entertainment Commission shall be in English and anyone wishing to address the Commission 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 Parks, Recreation & Entertainment Commission meets in the Council Chambers on the second Tuesday of each month at 6:00 p.m., unless otherwise noticed.

**Council Agendas:** The Commission agenda is now available for public review at the City's website at [www.hughson.org](http://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



# PARKS, RECREATION AND ENTERTAINMENT COMMISSION

## AGENDA ITEM NO. 3.1

### SECTION 3: UNFINISHED BUSINESS

**Meeting Date:** October 8, 2019  
**Subject:** Discuss and Provide Direction regarding the Current Policies for Use of Public Parks as Defined in the Hughson Municipal Code.  
**Presented By:** Ashton Gose, Management Analyst  
Raul Mendez, City Manager

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#### **Staff Recommendation:**

Discuss the current policies for use of public parks as defined in the Hughson Municipal Code.

Direct staff to make necessary changes to the current park rental procedures and the current policies for use of public parks as defined in the Hughson Municipal Code.

#### **Background and Discussion:**

Recently, it has been brought to City staff's attention that there are conflicting Municipal Code sections in HMC **Chapter 12.24 Use of Public Parks** and HMC **Chapter 9.24 Consumption and Possession of Alcoholic Beverages** regarding the use of alcohol at a City-owned park. The conflicting code sections are highlighted for review in *Attachment A*. The procedure used currently for approving the use of alcohol for private events at a City-owned park reflects HMC section 12.24.150 C.-12.

Staff recommends changing HMC **Chapter 9.24 Consumption and Possession of Alcoholic Beverages** to comply with the current procedure used to approve the use of alcohol for private events at a City-owned park.

Finding this conflict prompted City staff to request a full review of the current City park policies and rental procedures by the Parks, Recreation and Entertainment Commission. Some items for review and additional discussion include:

- Required liability insurance; (HMC Section 12.24.110 *Attachment B*)
- Use and additional fee of bounce house/water slide; and
- Establishing a Park Rules, Regulations and Fees document for each park.

At the regularly scheduled September 10, 2019 meeting, the Commission directed City staff to research the Equal Restroom Access Act regarding the restrooms at Rolland Starn Park. The Equal Restroom Access Act refers to single-occupancy restrooms in public buildings. The restrooms at Rolland Starn Park are not single occupancy, therefore this law would not apply.

At this same meeting, the Commission reviewed specifically HMC section **12.24.150 Prohibited Acts C. – 14.**

**“14. To use tobacco products of any kind, including, but not limited to, chewing tobacco, cigars, and cigarettes, within 50 feet of children’s play areas (playgrounds/tot lots, wading pools, skate parks) installed and/or built for public use by children and/or to discard lighted or unlighted cigars or cigarettes in said areas.”**

Staff was directed to research the Hughson Municipal Code for a clear definition of tobacco products (to include e-cigarettes), and language that prohibits smoking at a public park in its entirety, not just specifically 50 feet from the children’s play area.

A clear definition of “smoking”, as well as language prohibiting the act at a public park, can be found in HMC **Chapter 8.24 Smoking Pollution**. These code sections are highlighted and provided for review on *Attachment C*.

Staff recommends changing HMC section 12.24.150 C. – 14 to reference specific definitions and language from HMC **Chapter 8.24 Smoking Pollution**.

Should the Parks, Recreation and Entertainment Commission find additional areas in the current park fee schedules or the Hughson Municipal Code in need of revision, City staff would bring the proposed changes back to the Commission requesting a recommendation for City Council approval.

**Fiscal Impact:**

There is no fiscal impact associated with this item at this time.

## **Attachment A**

### **Hughson Municipal Code Chapter 9.24 Consumption and Possession of Alcoholic Beverages**

#### **9.24.020 Drinking and possession – Public areas.**

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)

### **Hughson Municipal Code Chapter 12.24 Use of Public Parks**

#### **12.24.150 Prohibited acts.**

C. Except as otherwise authorized by law, it shall be unlawful and an infraction pursuant to HMC [1.12.010](#) for any person to do or cause or permit to be done any of the acts hereinafter specified within any park owned or operated by the city of Hughson.

12. To bring to, or drink in, a park any alcoholic beverage, unless approved in advance in writing by the director.

**Hughson Municipal Code  
Chapter 12.24 Use of Public Parks**

**12.24.110 Liability insurance required.**

The applicant shall provide the city with certificates of insurance naming the city as an additional insured evidencing coverage for bodily injury liability in the amount of \$1,000,000 for each person, and \$3,000,000 (or, for low hazard function such as seminars, craft shows, and wedding receptions, where no alcohol is involved, these limits may be reduced to \$300,000 per person and \$300,000 for each occurrence), and property damage liability coverage in the amount of \$100,000 for each occurrence. Such certificates of insurance shall be filed with the city clerk prior to the granting of such permit. Such insurance shall be provided in order to have a completed application. (Ord. 08-03 § 1, 2008)

**Hughson Municipal Code  
Chapter 8.24 Smoking Pollution**

**8.24.020 Definitions.**

“Recreational area” means any outdoor area that is publicly owned or operated by the city of Hughson and open to the general public for recreational purposes, regardless of any fee or age requirement. The term “recreational area” includes, but is not limited to, existing or future parks, picnic areas, playgrounds, sports fields, golf courses, walking paths, gardens, hiking trails, bike paths, horseback riding trails, swimming pools, roller- and ice-skating rinks, and skateboard parks. Recreational areas shall also include any parking lot or other designated parking areas for vehicles of persons accessing and using a recreational area.

“Smoking” means lighting , inhaling, exhaling or burning any pipe, cigar, cigarette, weed or plant, tobacco, nicotine product, gases, particles, or vapors, or carrying any lighted pipe, lighted cigar, lighted cigarette, lighted marijuana, lighted plant, electrical ignition or vaporization device used primarily for human inhalation, or other ignited combustible substance in any manner or in any form, including, but not limited to, electronic cigarettes and hookah pipe.

**8.24.040 Smoking prohibited in public places.**

Smoking is prohibited in public places, including, but not limited to the following:

- R. Recreational areas. (Ord. 15-01 § 3, 2015; Ord. 93-02 § 1, 1993)



**CITY OF HUGHSON  
PARKS, RECREATION & ENTERTAINMENT  
COMMISSION MEETING  
CITY HALL COUNCIL CHAMBERS  
7018 Pine Street, Hughson, CA**

**MINUTES  
TUESDAY, SEPTEMBER 10, 2019 – 6:00 P.M.**

**CALL TO ORDER:** Chair Billy Redding

**ROLL CALL:** Vice Chair Chris Barth  
Commissioner Karen Genzoli  
Commissioner Gina Oltman

**ABSENT:** Chair Billy Redding  
Commissioner Trenton Whitman

**STAFF PRESENT:** Raul Mendez, City Manager  
Ashton Gose, Deputy City Clerk

**FLAG SALUTE:** Vice Chair Chris Barth

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

Members of the audience may address the Parks, Recreation & Entertainment 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 Parks & Recreation 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.

**No public business from the floor.**

**2. PRESENTATIONS: NONE.**

**3. UNFINISHED BUSINESS: NONE.**

**4. NEW BUSINESS:**

**4.1:** Approve the Minutes of the Regular Meeting of July 9, 2019.

**GENZOLI/OLTMAN 3-0-0-2 motion passes to approve the minutes of the regular meeting of July 9, 2019.**

**4.2:** Review and Discuss Current Policies for Use of Public Parks as Defined in the Hughson Municipal Code.

**Management Analyst Gose presented the staff report on this item.**

**City staff was directed to bring the item back for further review at the next regularly scheduled meeting.**

**No action was taken.**

**5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.**

**6. INFORMATION ITEMS: NONE.**

**7. COMMENTS:**

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

**City Manager Mendez provided an update on the application for the Statewide Park Development and Community Revitalization Program Grant for Lebright Park.**

**7.2:** Commissioner Comments; (Information only- No Action)

**None.**

**ADJOURNMENT:**

**Vice Chair Barth adjourned this meeting at 6:45 P.M.**

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**CHRIS BARTH, Vice Chair**

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**ASHTON GOSE, Deputy City Clerk**