



**CITY OF HUGHSON**  
**PARKS, RECREATION AND ENTERTAINMENT**  
**COMMISSION MEETING**  
HUGHSON SENIOR COMMUNITY CENTER  
(YOUTUBE LIVE)  
2307 4<sup>TH</sup> Street, Hughson, CA

**AGENDA**  
**TUESDAY, MAY 11, 2021 – 6:00 P.M.**

**SPECIAL NOTICE**  
**Coronavirus COVID-19**

MEMBERS OF THE PUBLIC MAY REMOTELY OBSERVE THE MEETING VIA YOUTUBE LIVE. THIS MEETING WILL NOT INCLUDE IN PERSON PUBLIC ATTENDANCE.

This meeting will be held in accordance with the Governor's Stay at Home Executive Order N-33-20 and will not include in person public attendance. Members of the public may observe the meeting and provide comments to the Council as described below.

**INFORMATION REGARDING ATTENDANCE AT THE COMMISSION MEETING IN RESPONSE TO THE LOCAL PUBLIC HEALTH EMERGENCY:**

**How to observe the Meeting:**

- You can observe the meeting via YouTube Live, by accessing this link:

[https://www.youtube.com/channel/UC-PwkdlrKoMmOJDzBSodu6A?view\\_as=subscriber](https://www.youtube.com/channel/UC-PwkdlrKoMmOJDzBSodu6A?view_as=subscriber)

**How to submit Public Comment:**

- Email will be available prior to 5:00 PM on May 11, 2021, to provide public comment for the Public Comment Period, or for a specific agenda item. Please email [agose@hughson.org](mailto:agose@hughson.org). Written comment will be distributed to the Commission and kept on file as part of official record of the meeting.
- Verbal comment will be available via telephone. If you would like to provide verbal comment, please send a request to [agose@hughson.org](mailto:agose@hughson.org), by 5:00 PM on May 11, 2021. Please be advised that you will need to provide a call back number, which will be used to contact you during the meeting.

**CALL TO ORDER:** Chair Chris Barth

**ROLL CALL:** Chair Chris Barth  
Vice Chair Gina Oltman  
Commissioner Amy Hamill  
Commissioner Donya Nunes

**Staff to be Present:** Rachel Wyse, Community Development Director  
Ashton Gose, Deputy City Clerk  
Jose Vasquez, Public Works Superintendent

**FLAG SALUTE:** Chair Chris Barth

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

Members of the audience may address the 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:**

- 2.1:** **A.** City Clerk to Administer Oath of Office to Newly Appointed Commissioner Alina Combs.
- B.** Roll Call of the new Hughson Parks, Recreation and Entertainment Commissioner.

**3. UNFINISHED BUSINESS:**

- 3.1:** **A.** Recommend that the City Council Adopt Ordinance No. 2021-03, Amending Section 9.24.020 of Chapter 9.24 of Title 9 of the Hughson Municipal Code – Public Peace, Morals, and Welfare, and Section 12.24.150 of Chapter 12.24 of Title 12 of the Hughson Municipal Code – Streets, Sidewalks and Public Places.
- B.** Recommend that the City Council Adopt Ordinance No. 2021-04, Amending Section 12.24.150 of Chapter 12.24 of the Title 12 of the Hughson Municipal Code – Streets, Sidewalks and Public Places.

**4. NEW BUSINESS:**

4.1: Approve the Minutes of the Regular Meeting of February 9, 2021.

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

**6. INFORMATION ITEMS: NONE.**

**7. COMMENTS:**

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

**Community Development Director:**

**Deputy City Clerk:**

**Public Works Superintendent:**

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

**ADJOURNMENT:**

**WAIVER WARNING**

If you challenge a decision/direction of the 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>May 18</b>	▪ Planning Commission Meeting, YouTube Live, 6:00 PM <b>Tentative</b>
<b>May 24</b>	▪ City Council Meeting, YouTube Live, 7:00 PM
<b>May 31</b>	▪ <b>Memorial Day – City Hall Closed</b>

**RULES FOR ADDRESSING THE 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.**

**AFFIDAVIT OF POSTING**

**DATE:** May 7, 2021 **TIME:** 1:30 PM  
**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 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.

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**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:** May 11, 2021  
**Subject:** Recommendations to the City Council Regarding City  
Park Policies and Procedures  
**Presented By:** Ashton Gose, Deputy City Clerk

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#### Staff Recommendations:

1. Recommend that the City Council Adopt Ordinance No. 2021-03, Amending Section 9.24.020 of Chapter 9.24 of Title 9 of the Hughson Municipal Code – Public Peace, Morals, and Welfare, and Section 12-.24.150 of Chapter 12.24 of Title 12 of the Hughson Municipal Code – Streets, Sidewalks and Public Places.
2. Recommend that the City Council Adopt Ordinance No. 2021-04, Amending Section 12.24.150 of Chapter 12.24 of the Title 12 of the Hughson Municipal Code – Streets, Sidewalks and Public Places.

#### Background and Discussion:

At the October 8, 2019 meeting, staff received direction from the Parks, Recreation and Entertainment Commission regarding conflicting Municipal Code sections in the Hughson Municipal Code (HMC) concerning the use of alcohol at city-owned parks. The conflicting sections were: **Chapter 12.24 Use of Public Parks**, which delegates approval of alcohol to the director, and HMC **Chapter 9.24 Consumption and Possession of Alcoholic Beverages**, which delegates approval of alcohol to the City Council.

The direction given by the Commission was to delegate alcohol approval for a city-owned public area, to the Community Development Director when an event is *closed* to the public, and to delegate alcohol approval in any public area, or city-owned public area to the City Council when the event is *open* to the public.

At the same meeting, staff was directed to amend HMC Section 12.24.150 Prohibited Acts C. – 14 to establish a clear definition of “tobacco products,” to include a broad variety of tobacco products.

Staff has drafted both Hughson Municipal Code amendments as ordinances, which are attached to this staff report for review and recommendation of approval to the City Council.

**Fiscal Impact:**

A public hearing publication for these items will be made in the Hughson Chronicle for the June 14, 2021 regular City Council meeting. Fees for this publication will be paid out of the Parks and Recreation Department budget.

**CITY OF HUGHSON  
CITY COUNCIL  
ORDINANCE NO. 2021-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING SECTION 9.24.020 OF CHAPTER 9.24 OF TITLE 9 OF THE HUGHSON MUNICIPAL CODE – PUBLIC PEACE, MORALS, AND WELFARE, AND SECTION 12.24.150 OF CHAPTER 12.24 OF TITLE 12 OF THE HUGHSON MUNICIPAL CODE – STREETS, SIDEWALKS, AND PUBLIC PLACES**

**WHEREAS**, the City of Hughson Municipal Code Chapters 9.24 and 12.24 currently provide regulations regarding possession or consumption (or both) of alcohol in public parks; and

**WHEREAS**, the City desires to amend Chapters 9.24 and 12.24 to clarify exceptions to prohibitions within the City of Hughson Municipal Code regarding the possession or consumption of alcohol in public parks.

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

**Section 1** Section 9.24.020 of Chapter 9.24 of Title 9 of the Hughson Municipal Code is amended to read as follows:

**“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 or, in the case of city owned parks, in accordance with HMC Section 12.24.150.C.12. 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.”

**Section 2** Section 12.24.150.C.12 of Chapter 12.24 of Title 12 of the Hughson Municipal Code is amended to read as follows:

“12. To bring to, or drink in, a park any alcoholic beverage, unless approved in advance in writing by the director for an event not opened to the public or, as to events open to the public, authorized by the city council pursuant to HMC 9.24.020.”

**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 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 5** Within fifteen (15) days after its final passage, the City Clerk shall cause a summary of this Ordinance to be published in accordance with California Government Code section 36933.

**Section 6** This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

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 \_\_\_\_\_, 2021, and by a vote of the Council members present, further reading was waived.

On motion of Councilperson \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Ordinance was passed by the City Council of the City of Hughson at a regular meeting held on \_\_\_\_\_, 2021, by the following votes:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
GEORGE CARR, Mayor

ATTEST:

\_\_\_\_\_  
ASHTON GOSE, Deputy City Clerk

**CITY OF HUGHSON  
CITY COUNCIL  
ORDINANCE NO. 2021-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING  
SECTION 12.24.150 OF CHAPTER 12.24 OF TITLE 12 OF THE HUGHSON MUNICIPAL  
CODE – STREETS, SIDEWALKS, AND PUBLIC PLACES**

**WHEREAS**, the City of Hughson Municipal Code Chapter 12.24 currently provides regulations regarding the use of tobacco products in public parks; and

**WHEREAS**, the City desires to amend Chapter 12.24 to clarify the prohibitions of the use of tobacco products in public parks within the City of Hughson Municipal Code.

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

**Section 1** Section 12.24.150.C.14 of Chapter 12.24 of Title 12 of the Hughson Municipal Code is amended to read as follows:

“14. To use tobacco products of any kind, including, but not limited to, 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, within 50 feet of recreational areas as defined in HMC Section 8.24.020, and/or to discard lighted or unlighted 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, in said areas.”

**Section 2** 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 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.

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AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
GEORGE CARR, Mayor

ATTEST:

\_\_\_\_\_  
ASHTON GOSE, Deputy City Clerk



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

**MINUTES**  
**TUESDAY, FEBRUARY 9, 2021 – 6:02 P.M.**

**CALL TO ORDER:** Vice Chair Chris Barth

**ROLL CALL:** Vice Chair Chris Barth (via videoconference)  
Commissioner Danya Nunes (via videoconference)  
Commissioner Gina Oltman(via videoconference)  
Commissioner Amy Hamill (via videoconference)

**STAFF PRESENT:** Merry Mayhew, City Manager (via videoconference)  
Ashton Gose, Deputy City Clerk (via videoconference)  
Jose Vasquez, Public Works Superintendent (via videoconference)

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**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.

**NONE.**

**2. PRESENTATIONS:**

- 2.1:** City Clerk to administer the Oath of Office to newly re-appointed Commissioner Chris Barth.

**Deputy City Clerk Gose administered the Oath of Office to newly re-appointed Commissioner Chris Barth.**

**3. UNFINISHED BUSINESS: NONE.****4. NEW BUSINESS:**

- 4.1:** Approve the Minutes of the Regular Meeting of December 8, 2020.

**OLTMAN/HAMILL 4-0-0-0 motion passes to approve the minutes of the regular meeting of December 8, 2020, as presented.**

- 4.2:** Nominate a Chair and Vice Chair for 2021.

**OLTMAN/NUNES 4-0-0-0 motion passes to appoint Commissioner Chris Barth as the 2021 Chair to the Parks, Recreation and Entertainment Commission.**

**BARTH/HAMILL 4-0-0-0 motion passes to appoint Commissioner Gina Oltman as the 2021 Vice Chair to the Parks, Recreation and Entertainment Commission.**

**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 Mayhew introduced herself to the Commission and provided an update regarding the recruitment for Community Development Director.**

**Deputy City Clerk Gose congratulated Commissioner Barth on his re-appointment to the Commission. She also reminded the Commission that Conflict of Interest Form 700's are due to the Clerk no later than March 5, 2021.**

**Superintendent Vasquez provided a brief update on the parks within the City.**

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

**NONE.**

**ADJOURNMENT:**

**Vice Chair Barth adjourned this meeting at 6:14 P.M.**

**APPROVED:**

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**CHRIS BARTH, Chair**

**ATTEST:**

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**ASHTON GOSE, Deputy City Clerk**