



AGENDA
CITY OF GUSTINE
CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
352 5th STREET GUSTINE, CALIFORNIA
MAY 19, 2015 – 6:30 P.M.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

ROLL CALL

Council Members: Hasness – Nagy – Anderson - Mayor Pro Tem Oliveira - Mayor Brazil

PRESENTATIONS

1. **4-H Demonstrations**
Peggy O'Rear, 4-H Leader
2. **Proclamation for Lupus Awareness**

ORAL COMMUNICATIONS

At this time, any person may comment on any item which is not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action will not be taken on the topic unless deemed an urgency matter by a 3/5 vote of the City Council. Topics not considered an urgency matter may be referred to City staff and/or placed on a subsequent agenda for consideration, by a 3/5 vote of the City Council.

Members of the public, who have questions regarding a specific agenda item, may comment on that item before consideration of that item, when recognized by the Mayor.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and may be approved by one action of the City Council, unless any member of the City Council wishes to remove an item for separate consideration.

Are there any items on the consent calendar that any member of the public would like to comment on?

3. **Minutes of the May 5, 2015 Regular Meeting**
Recommendation: Review and approve
4. **Warrants**
Recommendation: Review and approve

ADMINISTRATIVE AGENDA

5. **Consider Request from Gustine Farm Watch for Use of the Goman Community Center**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to approve fee waiver request*

6. Consider a Resolution Directing the Filing of Annual Reports for the City's Assessment Districts

1. Receive Staff Report
2. Receive Public Comment
3. Consider a motion to approve the resolution

7. Consider a Request from the Gustine Certified Farmers Market

1. Receive Staff Report
2. Receive Public Comment
3. Consider a motion to approve the request to hold a Farmers Market at Henry Miller Park, use of the restrooms at the same park, to provide seed money not to exceed \$600, and to provide staff assistance as needed

CITY DEPARTMENT REPORTS

CITY MANAGER REPORT

CITY COUNCIL REPORTS

CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATOR. Pursuant to Government Code Section 54957.6. Agency Negotiator: City Manager: Employee organization: City of Gustine Clerks Association.**
2. **CONFERENCE WITH LABOR NEGOTIATOR. Pursuant to Government Code Section 54957.6. Agency Negotiator: City Manager: Employee organization: City of Gustine Public Works Association.**

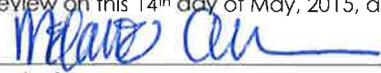
ADJOURNMENT

Note:

1. *In compliance with the Americans with Disabilities Act, a disabled person requesting a disability-related modification or accommodation to participate in this meeting, must contact City Hall at (209) 854-6471 or (209) 854-2127 (fax). Requests must be made as early as possible, preferably one-full business day before the start of the meeting.*
2. *Any document provided to a majority of the City Council regarding any open session item on this agenda is available for public inspection during normal business hours at the front counter of City Hall located at 352 5th Street, Gustine, CA. Documents or writings received after the general distribution of the agenda are also available for inspection.*

CERTIFICATION

I, Melanie Correa, Deputy City Clerk, do hereby declare under penalty of perjury that the foregoing agenda was posted at the Gustine City Hall, 352 5th Street, Gustine CA and made available for public review on this 14th day of May, 2015, at or before 5:00 p.m.


Melanie Correa

CITY OF GUSTINE
Proclamation
IN RECOGNITION OF
LUPUS AWARENESS MONTH

WHEREAS, Lupus is an autoimmune disease that affects more people than AIDS, cerebral palsy, sickle cell anemia and multiple sclerosis COMBINED. Lupus affects approximately 1.5 million Americans; and

WHEREAS, Lupus is an autoimmune disease that can affect any part of the body, including internal organs, the skin, and joints. It also has many different symptoms and, because of that, affects each person differently. Because of its unpredictable nature, people with lupus often have many questions about the disease; and

WHEREAS, Educating the public and the health care community throughout the state about this devastating disease is of paramount importance and is in every respect in the public interest and to the benefit of all residents of Gustine and of the State of California; and

WHEREAS, May has been declared as Lupus Awareness Month; and

Now therefore, I Dennis Brazil, Mayor of the City of Gustine, do hereby proclaim the City's support to finding a cure for Lupus.

Dennis Brazil
Mayor

**MINUTES OF
REGULAR MEETING
MAY 5, 2015**

CALL TO ORDER - PLEDGE OF ALLEGIANCE

The Mayor called the meeting to order at 6:31 P.M. and conducted the pledge of allegiance.

ROLL CALL

Council Members: Anderson, Nagy, Hasness, Oliveira, Brazil

Staff Present: City Manager Sean Scully, Police Chief Doug Dunford, Fire Chief Pat Borrelli, City Engineer Mario Gouveia, Public Works Director Kathryn Reyes, City Attorney Josh Nelson, and Deputy City Clerk Melanie Correa

PRESENTATIONS

1. Economic Development Presentation

Mark Hendrickson, Director, Merced County Economic Development Department

Mark Hendrickson gave a detailed presentation on Merced County's Economic Development Partnership.

2. Design for Downtown Improvement

Gouveia Engineering

City Engineer Gouveia, and Danny Reed of Gouveia Engineering, shared conceptual designs for the pedestrian improvements that could be obtained if Gustine was successful in obtaining the improvement grant.

ORAL COMMUNICATIONS

There was no oral communications.

CONSENT CALENDAR

3. Minutes of the April 21, 2015 Regular Meeting

Recommendation: Review and approve

4. Warrants

Recommendation: Review and approve

The Mayor introduced the consent calendar. There was no public comment. Council member Nagy made a motion to approve the consent calendar. The motion was seconded by Council member Anderson, and carried 5-0.

ADMINISTRATIVE AGENDA

5. PUBLIC HEARING – Confirming a Public Nuisance

1. *Receive Staff Report*
2. *Open the public hearing*
3. *Close the public hearing*
4. *Consider a motion to confirm or overturn the finding of a public nuisance*

Police Chief Dunford presented the staff report. The Mayor opened the public hearing at 7:19 P.M. There was no public comment. The Mayor closed the public hearing at 7:19 P.M. After a brief discussion, Council member Hasness made a motion to confirm the public nuisance. The motion was seconded by Mayor Pro Tem Oliveira, and carried 5-0.

6. Consider Request for Pool Passes from the Friends of the Newman Library

1. *Receive Staff Report*
2. *Receive public comment*
3. *Consider a motion to approve the request and determine how many passes to be donated*

City Manager Scully presented the staff report. Joy Bruss, of the Friends of the Newman Library presented more detail on the summer reading program. There was no public comment. After several Council comments, Council member Nagy made a motion to approve the donation of 20 one-visit pool passes. The motion was seconded by Council member Anderson, and carried 5-0.

7. Consider Authorization of Expenditure for Computer Server and Associated Budget Amendment

1. *Receive Staff Report*
2. *Receive public comment*
3. *Consider a motion to approve the expenditure and budget amendment*

City Manager Scully presented the staff report. There was no public comment. There was some discussion. Council member Anderson made a motion to approve the expenditure and budget amendment. The motion was seconded by Council member Hasness, and carried 5-0.

8. Consider Authorizing Co-Sponsorship and Donation Request for the Annual Fourth of July Fireworks Event

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to authorize co-sponsorship and donation request*

Mayor Pro Tem Oliveira and Mayor Brazil excused themselves from the Council Chambers at 7:34 P.M. due to conflict of interest. City Manager Scully presented the staff report. There was no public comment. Council member Hasness made a motion to authorize co-sponsorship and the donation request. The motion was seconded by Council member Anderson, and carried 3-0-2, with Mayor Pro Tem Oliveira and Mayor Brazil abstaining. Mayor Pro Tem Oliveira and Mayor Brazil returned to the Council Chambers at 7:40 P.M.

CITY DEPARTMENT REPORTS

Gustine High School Student Representative Simranjit Kaur advised on upcoming school events and recent competition results. She also introduced Meg Abdallah, who will be taking over as Student Representative in the fall.

City Engineer Mario Gouveia gave an update on the Hwy 33/140 bike lane project.

Public Works Director Reyes provided updates on the repairs her department has been conducting on various water leaks around town.

Police Chief Dunford advised that he had nothing to report.

Fire Chief Borrelli thanked those who attended the Steve Bell reception. He also provided an update on the automatic aide agreement between Newman and Gustine. He advised that the Fire Department's Annual Fundraising Breakfast would be held on July 12th. He further advised that his department would also be holding a Turkey Shoot Fundraiser on October 10th at Rooster Ranch.

CITY MANAGER REPORT

City Manager Scully advised that the Recreation Coordinator recruitment is open. He also advised on his attendance at the Chamber Wine, Beer and Cheese event.

CITY COUNCIL REPORTS

Council member Anderson advised on her attendance at the Chamber Wine, Beer and Cheese event. She inquired on the status of the egrets in town, to which Public Works Director Reyes provided information.

Council member Hasness relayed how informative she found Mr. Hendrickson's presentation to be. She also relayed her excitement about the collaboration the City had with the County's Economic Development Department.

Council member Nagy thanked Gustine High School Student Representative for her outstanding service, he also welcomed Meg Abdallah. He also advised on his attendance at the Chamber Wine, Beer and Cheese event.

Mayor Pro Tem Oliveira advised on his attendance at the Chamber Wine, Beer and Cheese event. He also advised that he would be attending a meeting at the Gustine Council Chambers on May 11th to discuss a Family Resource Center.

Mayor Brazil extended a sentiment of a job well done to Council member Hasness who organized the Chamber Wine, Beer and Cheese event. He also advised on his recent trip to Sacramento in support of AB1242 and AB 311.

CLOSED SESSION

- 1. CONFERENCE WITH LABOR NEGOTIATOR. Pursuant to Government Code Section 54957.6. Agency Negotiator: City Manager: Employee organization: City of Gustine Clerks Association.**

- 2. CONFERENCE WITH LABOR NEGOTIATOR. Pursuant to Government Code Section 54957.6. Agency Negotiator: City Manager: Employee organization: City of Gustine Public Works Association.**

ADJOURNMENT

Council member Anderson moved to adjourn the meeting. The motion was seconded by Mayor Pro Tem Oliveira. The meeting adjourned at 8:50 P.M.

ATTEST:

CITY CLERK

MAYOR BRAZIL



COUNCIL AGENDA ITEM

MAY 19, 2015

PREPARED BY: Jami Westervelt, Finance Manager

SUBJECT: **Warrant List – May 19, 2015**

BACKGROUND/DISCUSSION

As part of a computer server failure at the time this memo was written, the accounts payable system was not accessible. The system is necessary to enter expenses, generate checks and generate the Warrant Report reviewed by the Council at each meeting.

Although the system is down, there are still obligations requiring payment at this time. Staff recommends making these payments because failure to pay on time can result in interruption of service, late fees, reduction in credit reference rating and breach of obligation by the City.

In lieu of the Warrant Report, staff is providing a list of obligations that it requests the Council approve at its May 19 meeting.

If approved, staff will generate the corresponding checks when the financial system comes back online and have checks signed as required.

Warrant List May 19, 2015 Meeting

Vendor	Amount	Description
A Plus Plumbing	\$ 187.00	Petersen shelter Repair
Accountemps	\$ 112.75	Temp Help
Ace Hardware	\$ 467.45	PW Supplies
Alhambra	\$ 204.45	Water
AmeriPride	\$ 58.92	PW Uniforms
Aramark	\$ 59.01	PW Uniforms
Aramark	\$ 22.11	PW Uniforms
Aramark	\$ 19.11	PW Uniforms
Aramark	\$ 59.01	PW Uniforms
AT&T Calnet 2	\$ 17.33	Telephone
AT&T Calnet 2	\$ 86.29	Telephone
AT&T Calnet 2	\$ 387.50	Telephone
B G Auto Parts	\$ 117.30	Battery -PW
Baker Supplies and Repairs	\$ 601.95	PW
California State Disbursement unit	\$ 242.30	Payroll Deductions
City of Gustine	\$ 844.84	Water Bill
City of Los Banos	\$ 35.00	Inmate Billing
City of Newman	\$ 91.00	Employee Livescan Screening
Cook's Communication	\$ 145.79	Fire Dept Supplies
Cooper Controls	\$ 2,685.50	Calibration Flow Meters
D & A Janitorial Service	\$ 1,250.00	Janitorial Services
DJ Francis Electric	\$ 719.94	Lights Petersen shelter/ well 7 / swimming pool
EDD	\$ 2,151.74	Payroll Taxes
EDD	\$ 399.86	Payroll Taxes
EDD	\$ 3,199.00	Unemployment ins. Qtr. 1 2015
EFTPS	\$ 15,377.44	Payroll Taxes
Elite Uniforms	\$ 616.42	PD Supplies
Emergency Vehicle specialists, Inc.	\$ 557.78	New Vehicle Supplies
Far West Corp	\$ 320.00	Water Analysis
Fastenal	\$ 283.88	Safety Supplies
Ferguson Waterworks	\$ 671.58	Manhole Cover PW
Ferrellgas	\$ 150.77	Weed Burning Fuel WW Plant
G & K Services	\$ 154.23	PW Uniforms
Gilton	\$ 244.76	Bin Rental
IEH JL Analytical	\$ 1,466.00	WW Analysis
InfoSend	\$ 1,218.30	Utility Billing
Joe's Landscaping & Concrete	\$ 50.53	Plants Goman Center PW
Joycelyn Roland, Ph. D.	\$ 425.00	Pre-employment Screening PD
Joycelyn Roland, Ph. D.	\$ 425.00	Pre-employment Screening PD
LA Rue Communications	\$ 150.00	PD Communications
Language Line Service	\$ 47.67	PD Translation Services
Language Line Service	\$ 65.80	PD Translation Services
Lori Ford (Reimbursement)	\$ 92.00	Fireworks Committee PO Box

Warrant List May 19, 2015 Meeting

Vendor	Amount	Description
Mattos Newspapers	\$ 800.38	ADS in Paper
Merced County	\$ 182.00	Farmer Market Permit
Merced County Sheriff	\$ 1,813.61	PD Task Force Secretary
Modern Marketing	\$ 451.12	PD Supplies
Nunes Auto Care	\$ 252.06	Vehicle Repair
Modesto PD (Training)	\$ 90.00	Training Officer BZ
Operating Engineers	\$ 276.00	Payroll Deductions
Parreira's Auto Repair	\$ 349.01	PD Vehicle Repairs
PG & E	\$ 35,303.85	Gas & Electric Service
Police Officers Association	\$ 540.00	Payroll Deductions
Premier Access	\$ 5,533.16	Dental Insurance
Pro Force Law Enforcement	\$ 216.48	PD Supplies
ProForce	\$ 216.48	PD Patrol Supplies
Quick PC	\$ 145.00	PD Backup system
Quick PC	\$ 945.00	PD I.T. Support
Quick PC	\$ 1,085.00	I.T. Support
Rico Pfitzer Pires and Associates	\$ 708.00	Insurance administration
SAN JOAQUIN Valley Insurance Authority	\$ 25,000.00	Health Insurance
Sierra Chemical	\$ 114.24	Chlorine
Terminix	\$ 33.00	Pest Control Animal Control
Terminix	\$ 60.00	Pest Control Gomen Canter
Tesei Petroleum, Inc	\$ 1,423.76	FD/PD/PW Fuel
The Office City	\$ 41.73	PD Office Supplies
Thomas Reuters	\$ 206.17	PD Info Services
Tri County	\$ 1,500.00	PD/Web hosting
Urban Restoration Group	\$ 447.68	Graffiti removal/ street signs
USA Blue Book	\$ 576.03	WW Plant Supplies
Verizon	\$ 228.27	Telephone
VSP	\$ 959.30	Vision Insurance
Washington State Support	\$ 142.71	Payroll Deductions
Work Wellness	\$ 154.00	Employee Screening PD
Yancey Home Center	\$ 552.10	PW Supplies



COUNCIL AGENDA ITEM

MAY 19, 2015

PREPARED BY: Sean Scully, City Manager

SUBJECT: Consider Gustine Farm Watch Request for Fee, Deposit and Insurance Waiver of Al Goman Community Center

BACKGROUND/ DISCUSSION:

The City has received a request from the Gustine Farm Watch Organization requesting a fee waiver for the use of the Al Goman Community Center to hold an informational meeting for anyone interested in their cause. Gustine Farm Watch will be working in conjunction with the Gustine Police Department, the California Highway Patrol and the Merced County Sheriff's Department to organize a farm watch network for residents of rural Gustine. The purpose of the meeting is to bring together those who would benefit from their collaboration.

Gustine Farm Watch would like to hold their meeting on Wednesday, June 10, 2015.

FISCAL IMPACT:

The value for the use of the Al Goman Center is \$100.00, with a \$500.00 damage deposit. The liability insurance fee is \$107.40. The total amount requested for waiver is \$707.40.

RECOMENDATION:

City Council consider the request from Gustine Farm Watch to waive the rental fee, deposit and insurance fee of the Al Goman Community Center for their informational meeting.

EXHIBITS:

A) Email from Tony Marchese with Gustine Farm Watch

From: Tony Marchese [<mailto:urtmmsup@yahoo.com>]

Sent: Friday, May 08, 2015 6:18 AM

To: Sean Scully

Subject: Use of The Goman Center

Good Morning Sean, I would like to affirm the use of the Goman Center at no cost. Also we are looking at 6/10/15. If not we look at what's open. I will be checking with guest speakers to coordinate with that date. I look forward to talking with you soon.

Thanks Tony Marchese . G F W.

Sent from Yahoo Mail on Android



COUNCIL AGENDA ITEM

MAY 19, 2015

PREPARED BY: Sean Scully, City Manager

SUBJECT: Consider a Resolution Directing the Filing of Annual Reports for the City's Assessment Districts

RECOMENDATION:

Adopt a Resolution directing the filing of Annual Report for the City's Assessment Districts

BACKGROUND/DISCUSSION

The attached Resolution is the first step in the yearly process of establishing and levying assessments for assessment districts formed under the Landscaping and Lighting Act of 1972.

By adopting the Initial Resolution, the City Council directs the Engineer of Work for the various assessment districts listed in the Resolution to prepare the required Engineer's Report for each of the Assessment Districts based on operation and maintenance cost data provided by the City. The City of Gustine has three assessment districts: 1. Citywide Lighting and Landscaping Assessment District 2. Southport Assessment District 3. Borelli Assessment District. The process will determine the per parcel rate to be charged for lighting and landscaping for the upcoming budget year. Once the analysis has been completed the reports will be brought back for Council review and approval.

EXHIBIT

A) Resolution 2015-XXXX

RESOLUTION 2015-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE DIRECTING
FILING OF ANNUAL REPORTS**

**CITYWIDE ASSESSMENT DISTRICT NO. 95-1; SOUTHPORT ASSESSMENT DISTRICT;
BORRELLI ASSESSMENT DISTRICT
(Pursuant to the Landscaping and Lighting Act of 1972)**

The City Council of the City of Gustine resolves:

1. Mario Gouveia, the person designated by this Council as the Engineer of Work for the Citywide Assessment District No. 95-1, the Southport Assessment District, and the Borrelli Assessment District, is hereby directed to file annual reports in accordance with the provisions of the Landscaping and Lighting Act of 1972.
2. This resolution is adopted pursuant to section 22622 of the California Streets and Highways Code.

PASSED AND ADOPTED by the City Council of the City of Gustine on May 19, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Dennis Brazil, Mayor

ATTEST:

Deputy City Clerk



COUNCIL AGENDA ITEM

MAY 19, 2015

PREPARED BY: Sean Scully, City Manager
SUBJECT: Request from Gustine Certified Farmers Market

BACKGROUND/DISCUSSION

In Mid May staff was contacted by Cheryl Oliveira of the Gustine Certified Farmers Market regarding accommodations and permissions for the upcoming Farmers Market season. Last year the Farmers Market again experienced a year of great success raising proceeds which are donated to the Gustine Recreation Department. The City has used these funds to go towards specific recreation related activities, a recent example includes the community movie nights, fishing derby and recent contributions toward the replacement of the snack shack roof. Staff will continue to work with the Farmers Market group this year to identify new recreation/parks related projects for the funds to be used toward.

The Gustine Certified Farmers market has decided to request a venue change to Henry Miller Park for this year's market location. Cheryl Oliveira has requested the use of the Eastern side of Henry Miller Park (along the sidewalk south of the Library) for Tuesday evenings (5:00 PM to 8:00 PM) starting June 9, 2015 and ending on September 1, 2015. This would also include the use of the bathrooms at Henry Miller Park.

Last year, Council authorized to fund up to \$600 for seed money for the Farmers Market. This year \$600 is again programmed for advertisement, permits, postage and paper. If approved the funds advanced are typically taken from the running total kept in the farmer market account and when revenues come in are refunded back into that account. The amount requested is a not to exceed amount so it is conceivable less than \$600 will be used. In addition the Farmers Market Group (as was the case last year) will need use of City copier and postage machines. Staff believes this to be a reasonable request and will work with Mrs. Oliveira to keep those costs down.

RECOMMENDATION

Council approve the request to hold a Certified Farmers Market at Henry Miller Park beginning June 9th, authorize the use of the restrooms at Henry Miller Park, provide seed money not to exceed \$600, and provide staff/City Hall copier/postage assistance as needed.