AGENDA
CITY OF GUSTINE
CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
352 5th STREET GUSTINE, CALIFORNIA
OCTOBER 20, 2015 – 6:30 P.M.

CALL TO ORDER - PLEDGE OF ALLEGIANCE
Please take a moment to silence your cell phone.

ROLL CALL

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

PRESENTATIONS

1. **Westside 4-H Officer Team Presentation**

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?

2. **Minutes of the October 6, 2015 Regular Meeting**
   Recommendation: Review and approve
3. **Warrants**
   Recommendation: Review and approve
4. **Paid Sick Leave Policy for Part-Time, Temporary and Seasonal Employees**
   Recommendation: Review and approve resolution

ADMINISTRATIVE AGENDA

5. **<u>PUBLIC HEARING</u> to Consider Introduction and Waiving of Further Readings of an Ordinance Replacing Title 7 Chapter 6 Article 1 Pertaining to Fireworks**
   1. *Receive Staff Report*
   2. *Open the Public Hearing*
   3. *Close the Public Hearing*
   4. *Consider a motion to introduce and waive the first reading*

6. **WORKSHOP – Downtown Vacant Building Ordinance**
   1. *Receive Staff Report*
   2. *Receive Public Comment*
   3. *Discuss ordinance and provide direction*

7. **Consider Request for Use of City Streets and Services for Gustine Elementary School Halloween Parade**
   1. *Receive Staff Report*
   2. *Receive Public Comment*
   3. *Consider a motion to approve fee waiver request for use of City streets and services*

8. **Consider Resolution to Authorize City Manager to Proceed With Wastewater Improvement Grant**
   1. *Receive Staff Report*
   2. *Receive Public Comment*
   3. *Consider a motion to approve resolution*

9. **Consider Authorizing Expenditures for City Centennial Activities**
   1. *Receive Staff Report*
   2. *Receive Public Comment*
   3. *Consider a motion to approve the expenditures*

CITY DEPARTMENT REPORTS

CITY MANAGER REPORT

CITY COUNCIL REPORTS

CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR- Pursuant to Government Section 54956.8 Agency Negotiator: City Manager; Property: Assessor's Parcel No. 063-160-006 and 063-160-007; Negotiating parties: Elder Pires; Under negotiation: Price and terms of payment**

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 15th day of October, 2015, at or before 5:00 p.m.

Melanie Correa

MINUTES OF
REGULAR MEETING
October 6, 2015

CALL TO ORDER - PLEDGE OF ALLEGIANCE

The Mayor called the meeting to order at 6:30 P.M. and conducted the pledge of allegiance.

ROLL CALL

Council Members: Hasness, Nagy, Oliveira, Brazil

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

PRESENTATIONS

ORAL COMMUNICATIONS

There was no oral communications.

CONSENT CALENDAR

1. **Minutes of the September 15, 2015 Regular Meeting**
   Recommendation: Review and approve
2. **Warrants**
   Recommendation: Review and approve

The Mayor introduced the consent calendar. There was no public comment. Mayor Pro Tem Oliveira made a motion to approve the consent calendar. The motion was seconded by Council member Hasness, and carried 4-0 with Council member Anderson absent.

ADMINISTRATIVE AGENDA

3. **<u>PUBLIC HEARING</u> to Consider Waiving the Second Reading and to Approve an Ordinance Replacing Title 7 Chapter 6 Article 1 Pertaining to Fireworks**
   1. *Receive staff report*
   2. *Open the public hearing to receive public comment*
   3. *Close the public hearing*
   4. *Motion to waive the second reading and to approve an Ordinance amending the Gustine Municipal Code, Title 7, Chapter 6, Article 1 pertaining to fireworks*
      (Roll Call Vote Required)

City Manager Scully presented the staff report. The Mayor opened the public hearing at 6:35 P.M. Anthony Borges, expressed his concern with the social host aspect of the ordinance from a property owner's/landlords perspective. The Mayor closed the public hearing at 6:37 P.M. There was some discussion from Council. Council directed staff to change language in Section 7-6-10(E) to cover both sides of a tenant/landlord relation with regard to the social host aspect. Staff advised that this item would return to Council for a first reading at the next regularly scheduled meeting.

4. Consider Request for Use of City Streets and Services for Police Department Haunted House

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve street closure*

Police Chief Dunford presented the staff report. There was no public comment. Mayor Pro Tem Oliveira made a motion to approve the street closure. The motion was seconded by Council member Nagy, and carried 4-0 with Council member Anderson absent.

5. Consider Request for Use of City Streets and Services for Gustine Chamber of Commerce "Old Fashion Christmas at Home" Events

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve fee waiver request for use of City streets and services*

Police Chief Dunford presented the staff report. There was no public comment. Council member Hasness made a motion to approve the use of City streets and services and to waive all fees. The motion was seconded by Mayor Pro Tem Oliveira, and carried 4-0 with Council member Anderson absent.

6. Consider Request for Use of City Streets and Services for Gustine Chamber of Commerce Antique Faire

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve fee waiver request for use of City streets and services*

Police Chief Dunford presented the staff report. There was no public comment. Council member Nagy made a motion to approve the use of City streets and services and to waive all fees. The motion was seconded by Council member Hasness, and carried 4-0 with Council member Anderson absent.

7. Consider Authorizing an Expenditure for Fire Department Kitchen Remodel

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

Public Works Director Reyes presented the staff report. Mayor Pro Tem Oliveira excused himself from the chambers at 7:03 P.M., due to conflict of interest. City Manager Scully provided additional information. Fire Chief Borrelli provided additional information. There was no public comment. Council member Nagy made a motion to approve the expenditure. The motion was seconded by Council member Hasness, and carried 3-0 with Council member Anderson absent, and Mayor Pro Tem Oliveira abstaining. Mayor Pro Tem Oliveira returned to the chambers at 7:06 P.M.

8. Consider Request for Installment of a Memorial Bench

1. *Receive Staff Report*

2. *Receive Public Comment*
3. *Consider a motion to approve the request*

Public Works Director Reyes provided the staff report. Mr. Jerry Perriera added information about the proposed bench and surrounding bushes. There was no public comment. Mayor Pro Tem Oliveira made a motion to approve the request. The motion was seconded by Council member Nagy, and carried 4-0 with Council member Anderson absent.

9. Consider Authorizing an Expenditure for Wastewater Treatment Plant Aerators

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

Public Works Director Reyes presented the staff report. There was no public comment. After some discussion, Mayor Pro Tem Oliveira made a motion to approve the expenditure. The motion was seconded by Council member Hasness, and carried 4-0 with Council member Anderson absent.

10. Discussion and Direction: Recreation Survey Results

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Discuss and provide direction*

City Manager Scully gave a brief introduction of the administrative item. Recreation Coordinator Vitorino presented the presentation and staff report. Mayor Pro Tem Oliveira suggested that youth basketball and youth soccer be the programs to focus on next. City Manager Scully advised that staff would work on bringing forth program start up costs to Council at a future meeting.

11. Discussion and Direction: Downtown Traffic Circle

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Discuss and provide direction*

City Manager Scully presented the staff report. Danny Reed, of Gouveia Engineering, provided additional detailed information. Tom Gomes, 1065 Brentwood Ave Gustine, requested that the Gustine Traffic Committee have the opportunity to review and discuss the downtown traffic circle project. Craig Christensen, 657 West Ave Gustine, expressed his concern with the traffic circle and the holiday activities that are held at that intersection. Joe Degregori, a Gustine resident, expressed his concern with the traffic circle. There was a lengthy discussion from Council, during which it was recommended that staff take the traffic circle item to the Gustine Traffic Committee for their discussion.

12. Consider Request for Fee Waiver from Gustine Volunteer Fire Department Auxiliary for Goman Center

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve fee waiver request for use of Goman Center*

Deputy City Clerk Correa presented the staff report. There was no public comment. Council member Nagy advised that in 2014, Council and staff had agreed that the Gustine Volunteer Fire Department Auxiliary was determined to be an extension of City staff, and therefore a fee waiver by Council was not necessary. City manager Scully advised that staff would make note for future years. Mayor Pro Tem Oliveira made a motion to approve the fee waiver request. The motion was seconded by Council member Nagy, and carried 4-0 with Council member Anderson absent.

CITY DEPARTMENT REPORTS

Police Chief Dunford advised that his department had recently received the vehicle that was recently painted. He further advised on upcoming events his department would be assisting. Chief Dunford provided an update on the police department's new smart phone application and several community classes his department would be hosting. Lastly, he advised that the Livescan fingerprinting machine was up and running.

Fire Chief Borrelli reported that the California wild fires have slowed significantly. He also advised that he would be holding school fire inspections. Lastly, he reminded everyone of the upcoming Fire Department Trap shoot fundraising event.

Public Works Director Reyes advised that she had nothing to report.

Recreation Coordinator Vitorino advised that she had nothing to report.

City Engineers Representative Danny Reed advised that he had nothing to report.

CITY MANAGER REPORT

City Manager Scully advised that he had nothing to report.

CITY COUNCIL REPORTS

Council member Hasness expressed her excitement about the upcoming Chamber of Commerce activities, she also reminded everyone of the High School's Homecoming game on October 23rd.

Council member Nagy advised on his attendance at the League of California Cities annual conference.

Mayor Pro Tem Oliveira also advised on his attendance at the League of California Cities annual conference. He touched on the various events and activities that would surround Gustine's Centennial.

Mayor Brazil advised on his attendance at the League of California Cities annual conference. He spoke about Assembly Bill 30 (AB30), known as the "Redskin bill", which was sitting on the Governor's desk. Lastly, he advised that both the Varsity and Junior Varsity football teams were undefeated.

CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR- Pursuant to Government Section 54956.8 Agency Negotiator: City Manager; Property: Assessor's Parcel No. 063-160-014; Negotiating parties: Dustin Kuykendall; Under negotiation: Price and terms of payment**

Council returned from closed session, and in open session advised that there was no reportable action.

ADJOURNMENT

Mayor Pro Tem Oliveira moved to adjourn the meeting. The motion was seconded by Council member Hasness. The meeting adjourned at 9:17 P.M.

ATTEST:

CITY CLERK **MAYOR BRAZIL**

City of Gustine, CA

Warrant List
By Vendor Name

Post Dates 10/07/2015 - 10/20/2015

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
Vendor: A & A PORTABLES INC				
A & A PORTABLES INC	40345	1-623194	PORTABLES INDEP DAY IN	371.75
A & A PORTABLES INC	40345	1-631311	REC PORTABLES	55.65
			Vendor A & A PORTABLES INC Total:	**427.40**
Vendor: AMERIPRIDE				
AMERIPRIDE	40346	1501438200	SUPPLIES	58.92
AMERIPRIDE	40346	1501457778	SUPPLIES	61.93
			Vendor AMERIPRIDE Total:	**120.85**
Vendor: APPLEGATE TEEPLES DRILLING CO. INC				
APPLEGATE TEEPLES DRILL	40347	12029	WW PLANT / LIFT STATIO	3,718.78
APPLEGATE TEEPLES DRILL	40347	12049	STORM DRAIN CLEANING	3,400.00
			Vendor APPLEGATE TEEPLES DRILLING CO. INC Total:	**7,118.78**
Vendor: ARAMARK UNIFORM SERVICES INC				
ARAMARK UNIFORM SERV	40348	506-4079908	PW UNIFORMS	3.33
ARAMARK UNIFORM SERV	40348	506-4079908	PW UNIFORMS	3.31
ARAMARK UNIFORM SERV	40348	506-4079908	PW UNIFORMS	6.65
ARAMARK UNIFORM SERV	40348	506-4079908	PW UNIFORMS	5.99
ARAMARK UNIFORM SERV	40348	506-4079908	PW UNIFORMS	13.97
ARAMARK UNIFORM SERV	40348	506-4079908	PW UNIFORMS	27.27
ARAMARK UNIFORM SERV	40348	506-4079908	PW UNIFORMS	5.99
			Vendor ARAMARK UNIFORM SERVICES INC Total:	**66.51**
Vendor: AT & T				
AT & T	40349	1416239209	TELEPHONE SERVICE	76.46
AT & T	40349	1416239209	TELEPHONE SERVICE	764.58
AT & T	40349	1416239209	TELEPHONE SERVICE	305.83
AT & T	40349	1416239209	TELEPHONE SERVICE	305.83
AT & T	40349	1416239209	TELEPHONE SERVICE	76.46
			Vendor AT & T Total:	**1,529.16**
Vendor: AT&T CALNET 2				
AT&T CALNET 2	40350	000007133252	TELEPHONE 23434256965	4.38
AT&T CALNET 2	40350	000007133252	TELEPHONE 23434256965	43.77
AT&T CALNET 2	40350	000007133252	TELEPHONE 23434256965	17.51
AT&T CALNET 2	40350	000007133252	TELEPHONE 23434256965	17.51
AT&T CALNET 2	40350	000007133252	TELEPHONE 23434256965	4.37
AT&T CALNET 2	40350	000007133253	TELEPHONE 23434257036	19.67
AT&T CALNET 2	40350	000007133253	TELEPHONE 23434257036	196.66
AT&T CALNET 2	40350	000007133253	TELEPHONE 23434257036	78.67
AT&T CALNET 2	40350	000007133253	TELEPHONE 23434257036	78.67
AT&T CALNET 2	40350	000007133253	TELEPHONE 23434257036	19.66
AT&T CALNET 2	40350	000007133256	TELEPHONE 20985468310	0.92
AT&T CALNET 2	40350	000007133256	TELEPHONE 20985468310	9.18
AT&T CALNET 2	40350	000007133256	TELEPHONE 20985468310	3.67
AT&T CALNET 2	40350	000007133256	TELEPHONE 20985468310	3.67
AT&T CALNET 2	40350	000007133256	TELEPHONE 20985468310	0.93
			Vendor AT&T CALNET 2 Total:	**499.24**
Vendor: B & G AUTO PARTS				
B & G AUTO PARTS	40351	00010218380	AUTO SUPPLIES	52.68

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
B & G AUTO PARTS	40351	00010218380	AUTO SUPPLIES	52.67
			Vendor B & G AUTO PARTS Total:	**105.35**
Vendor: BAKER SUPPLIES AND REPAIRS				
BAKER SUPPLIES AND REP	40352	17196	EQUIPMENT REPAIR/ MAI	216.69
BAKER SUPPLIES AND REP	40352	17196	EQUIPMENT REPAIR/ MAI	216.69
BAKER SUPPLIES AND REP	40352	17282	FUEL / CHAINSAW	12.96
BAKER SUPPLIES AND REP	40352	17397	EQUIPMENT PARTS	218.46
			Vendor BAKER SUPPLIES AND REPAIRS Total:	**664.80**
Vendor: BYRON FAULDER				
BYRON FAULDER	40343	OCT 2015	LEASE AGREEMENT	83.33
BYRON FAULDER	40343	OCT 2015	LEASE AGREEMENT	83.34
BYRON FAULDER	40343	OCT 2015	LEASE AGREEMENT	83.33
			Vendor BYRON FAULDER Total:	**250.00**
Vendor: CALIFORNIA BUILDING STANDARDS COMMI				
CALIFORNIA BUILDING ST	40353	QTR JULY-SEPT 2015	PERMITS SB1473 REMITTA	61.20
			Vendor CALIFORNIA BUILDING STANDARDS COMMI Total:	**61.20**
Vendor: CALIFORNIA STATE DISBURSEMENT UNIT				
CALIFORNIA STATE DISBU	40354	PR- 10/03/15	PAYROLL DEDUCTION	242.30
			Vendor CALIFORNIA STATE DISBURSEMENT UNIT Total:	**242.30**
Vendor: CASHIER-CDFA Certified Farmers Market 41104				
CASHIER-CDFA Certified F	40355	QTR JULY-SEPT 2015	QTRLY REPORT MARKET#	98.00
			Vendor CASHIER-CDFA Certified Farmers Market 41104 Total:	**98.00**
Vendor: CENTRAL SANITARY SUPPLY				
CENTRAL SANITARY SUPPL	40356	648389	CLEANING SUPPLIES	155.30
			Vendor CENTRAL SANITARY SUPPLY Total:	**155.30**
Vendor: CITY OF GUSTINE				
CITY OF GUSTINE	40357	OCTOBER 2015	BORRELLI WATER	1,869.07
			Vendor CITY OF GUSTINE Total:	**1,869.07**
Vendor: CITY OF NEWMAN				
CITY OF NEWMAN	40358	0001924	LIVESCAN	57.00
			Vendor CITY OF NEWMAN Total:	**57.00**
Vendor: CSG CONSULTING - PRECISION				
CSG CONSULTING - PRECIS	40359	7110	PERMITS	3,072.35
			Vendor CSG CONSULTING - PRECISION Total:	**3,072.35**
Vendor: DAVID JAMES FRANCIS				
DAVID JAMES FRANCIS	40360	1002	ELECTRICAL WORK	346.84
DAVID JAMES FRANCIS	40360	1004	ELECTRICAL WORK	422.26
			Vendor DAVID JAMES FRANCIS Total:	**769.10**
Vendor: DEPT OF CONSERVATION				
DEPT OF CONSERVATION	40361	QTR JULY-SEPT 2015	QTR JULY-SEPT 2015	55.90
			Vendor DEPT OF CONSERVATION Total:	**55.90**
Vendor: DICK FORD'S TRACTOR REPAIR				
DICK FORD'S TRACTOR RE	40362	137305	WATER PROOF BOOTS	107.86
			Vendor DICK FORD'S TRACTOR REPAIR Total:	**107.86**
Vendor: DIVERSIFIED RISK/HUB INTERNATIONAL				
DIVERSIFIED RISK/HUB INT	40363	SEPTEMBER 2015	EVENT INSURANCE SEPT 2	148.68
			Vendor DIVERSIFIED RISK/HUB INTERNATIONAL Total:	**148.68**
Vendor: DOMINGOS PONCEANO				
DOMINGOS PONCEANO	40364	OCT 2015	JANITORIAL	400.00
DOMINGOS PONCEANO	40364	OCT 2015	JANITORIAL	57.00
DOMINGOS PONCEANO	40364	OCT 2015	JANITORIAL	300.00

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
DOMINGOS PONCEANO	40364	OCT 2015	JANITORIAL	450.00
			Vendor DOMINGOS PONCEANO Total:	**1,207.00**
Vendor: E & M ELECTRIC CO.				
E & M ELECTRIC CO.	40365	76854	STREET LIGHT REPAIR	340.00
E & M ELECTRIC CO.	40365	78166	SCOREBOARD ELECTRIC	351.16
E & M ELECTRIC CO.	40365	78376	AIRPORT PUMP/ STORM	160.00
			Vendor E & M ELECTRIC CO. Total:	**851.16**
Vendor: EFTPS				
EFTPS	1857	PR- 10/03/15	PAYROLL TAXES	1,588.38
EFTPS	1856	PR- 10/3/15	PAYROLL TAXES	6,791.76
EFTPS	1858	PR- 10/3/2015	PAYROLL TAXES	6,107.97
			Vendor EFTPS Total:	**14,488.11**
Vendor: EMERGENCY VEHICLE SPECIALISTS				
EMERGENCY VEHICLE SPE	40366	4630	PD EQUIPMNT NEW VEHIC	1,132.68
EMERGENCY VEHICLE SPE	40366	4630	PD EQUIPMNT NEW VEHIC	926.74
EMERGENCY VEHICLE SPE	40366	4630	PD EQUIPMNT NEW VEHIC	3,089.12
			Vendor EMERGENCY VEHICLE SPECIALISTS Total:	**5,148.54**
Vendor: EMPLOYMENT DEVELOPMENT DEPT				
EMPLOYMENT DEVELOPM	1855	PR- 10/03/2015	PAYROLL TAXES	1,901.72
EMPLOYMENT DEVELOPM	1854	PR- 10/3/15	PAYROLL TAXES	448.63
			Vendor EMPLOYMENT DEVELOPMENT DEPT Total:	**2,350.35**
Vendor: FERGUSON ENTERPRISES INC				
FERGUSON ENTERPRISES I	40367	1120886	PARK EQUIPMENT	2,285.05
			Vendor FERGUSON ENTERPRISES INC Total:	**2,285.05**
Vendor: FPDRTC (FRESNO POLICE DEPT REGIONAL TRAINING CENTER)				
FPDRTC (FRESNO POLICE	40368	RTC0001834	REG CLASS 11/2/15 ROSSI	341.00
			Vendor FPDRTC (FRESNO POLICE DEPT REGIONAL TRAINING CENTER) Total:	**341.00**
Vendor: FRANCHISE TAX BOARD				
FRANCHISE TAX BOARD	40369	PR- 10/03/15	PAYROLL DEDUCTION- OR	250.00
			Vendor FRANCHISE TAX BOARD Total:	**250.00**
Vendor: GILTON SOLID WASTE MANAGEMENT INC				
GILTON SOLID WASTE MA	40370	093015	TRASH BIN	244.76
GILTON SOLID WASTE MA	40370	OCTOBER 2015	REFUSE SERVICE	32,581.78
			Vendor GILTON SOLID WASTE MANAGEMENT INC Total:	**32,826.54**
Vendor: GROVER LANDSCAPE SERVICES INC				
GROVER LANDSCAPE SERV	40371	0237285	STUMP GRINDING/ EMER	7,165.00
			Vendor GROVER LANDSCAPE SERVICES INC Total:	**7,165.00**
Vendor: HOLIDAY INN EXPRESS HOTEL & SUITES N FRESNO				
HOLIDAY INN EXPRESS HO	40372	11022015 ARRIV ROSSITE	HOTEL 10/2-5/15 RSV# 67	301.71
			Vendor HOLIDAY INN EXPRESS HOTEL & SUITES N FRESNO Total:	**301.71**
Vendor: IEH-JL ANALYTICAL				
IEH-JL ANALYTICAL	40373	357725	WW ANALYSIS	144.00
			Vendor IEH-JL ANALYTICAL Total:	**144.00**
Vendor: MARYANN VIERRA				
MARYANN VIERRA	40344	OCT 2015	LOAN PAYMENT	523.44
MARYANN VIERRA	40344	OCT 2015	LOAN PAYMENT	755.68
MARYANN VIERRA	40344	OCT 2015	LOAN PAYMENT	523.44
MARYANN VIERRA	40344	OCT 2015	LOAN PAYMENT	755.69
			Vendor MARYANN VIERRA Total:	**2,558.25**
Vendor: MATTOS NEWSPAPERS INC				
MATTOS NEWSPAPERS IN	40374	64651	CENTENNIAL PRINTING	9.15
MATTOS NEWSPAPERS IN	40374	CW0930002	EMPLOYMENT ADS	62.00

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
MATTOS NEWSPAPERS IN	40374	PI0910043	REC SOFTBALL AD	78.90
MATTOS NEWSPAPERS IN	40374	PI0910069	ORDINANCE NOTICE HEIG	80.00
MATTOS NEWSPAPERS IN	40374	PI0924069	PUBLIC NOTICE ORDINAN	112.00
MATTOS NEWSPAPERS IN	40374	PI0924070	FIREWORKS ORDNINANCE	80.00
MATTOS NEWSPAPERS IN	40374	TR0908035	REC SOFTBALL AD	39.45
			Vendor MATTOS NEWSPAPERS INC Total:	**461.50**
Vendor: MERCED SUN STAR				
MERCED SUN STAR	40375	I01943463	PD EMPLOYMENT AD	284.05
MERCED SUN STAR	40375	I01943534	PD EMPLOYMENT AD	465.05
			Vendor MERCED SUN STAR Total:	**749.10**
Vendor: MERCED UNIFORM				
MERCED UNIFORM	40376	46268	PD UNIFORM	11.83
			Vendor MERCED UNIFORM Total:	**11.83**
Vendor: MICHAEL ROSSITER				
MICHAEL ROSSITER	40377	11022015 ROSSITER	PD TRAINING PER DIEM	183.00
			Vendor MICHAEL ROSSITER Total:	**183.00**
Vendor: NATIONAL METER & AUTOMATION				
NATIONAL METER & AUT	40378	S1064134.001	WATER METERS	4,275.91
			Vendor NATIONAL METER & AUTOMATION Total:	**4,275.91**
Vendor: OPERATING ENGINEERS LOCAL #3				
OPERATING ENGINEERS L	40379	PR- 10/03/2015	PAYROLL DEDUCTIONS	188.00
OPERATING ENGINEERS L	40379	PR- 10/3/15	PAYROLL DEDUCTIONS	88.00
			Vendor OPERATING ENGINEERS LOCAL #3 Total:	**276.00**
Vendor: P G & E				
P G & E	40380	2- OCTOBER 2015	GAS AND ELEC CONSOLD	1.76
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	3,481.38
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	137.47
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	58.50
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	987.98
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	35.51
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	519.31
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	1,046.00
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	26.45
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	2,452.31
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	6,154.91
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	302.94
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	15,073.38
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	1,171.50
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	738.00
P G & E	40380	OCTOBER 2015	GAS/ELECTRIC OCTOBER 2	203.46
			Vendor P G & E Total:	**32,390.86**
Vendor: POLICE OFFICERS ASSOC				
POLICE OFFICERS ASSOC	40381	PR- 10/3/15	PAYROLL DEDUCTIONS	480.00
			Vendor POLICE OFFICERS ASSOC Total:	**480.00**
Vendor: PRO FORCE				
PRO FORCE	40382	249952	PD SUPPLIES	216.48
			Vendor PRO FORCE Total:	**216.48**
Vendor: QUICK PC SUPPORT				
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	3.86
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	3.86
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	19.30
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	5.79
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	5.79

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	3.86
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	5.79
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	28.95
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	38.60
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	38.60
QUICK PC SUPPORT	40383	10562	I.T. SUPPORT	38.60
QUICK PC SUPPORT	40383	10633	PD MONTHLY	945.00
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	21.70
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	21.70
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	108.50
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	32.55
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	32.55
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	21.70
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	32.55
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	162.75
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	217.00
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	217.00
QUICK PC SUPPORT	40383	10634	I.T. SUPPORT	217.00
QUICK PC SUPPORT	40383	10635	PD ONLINE SUPPORT	145.00
			Vendor QUICK PC SUPPORT Total:	**2,368.00**
Vendor: ROBERT HALF INTERNATIONAL				
ROBERT HALF INTERNATIO	40384	43979307	PT HRLY HELP	17.48
ROBERT HALF INTERNATIO	40384	43979307	PT HRLY HELP	3.49
ROBERT HALF INTERNATIO	40384	43979307	PT HRLY HELP	118.84
ROBERT HALF INTERNATIO	40384	43979307	PT HRLY HELP	118.84
ROBERT HALF INTERNATIO	40384	43979307	PT HRLY HELP	90.88
ROBERT HALF INTERNATIO	40384	44035828	PT HRLY HELP	25.28
ROBERT HALF INTERNATIO	40384	44035828	PT HRLY HELP	5.05
ROBERT HALF INTERNATIO	40384	44035828	PT HRLY HELP	171.90
ROBERT HALF INTERNATIO	40384	44035828	PT HRLY HELP	171.90
ROBERT HALF INTERNATIO	40384	44035828	PT HRLY HELP	131.45
			Vendor ROBERT HALF INTERNATIONAL Total:	**855.11**
Vendor: SAFARILAND, LLC				
SAFARILAND, LLC	40385	I15-147580	PD SUPPLIES	117.98
			Vendor SAFARILAND, LLC Total:	**117.98**
Vendor: SAN JOAQUIN VALLEY UNIFIED AIR POLL				
SAN JOAQUIN VALLEY UNI	40386	N112779	GENERATOR PERMIT / WE	252.00
			Vendor SAN JOAQUIN VALLEY UNIFIED AIR POLL Total:	**252.00**
Vendor: SHRED-IT				
SHRED-IT	40387	9407668457	SHRED SERVICES	4.66
SHRED-IT	40387	9407668457	SHRED SERVICES	46.60
SHRED-IT	40387	9407668457	SHRED SERVICES	18.64
SHRED-IT	40387	9407668457	SHRED SERVICES	18.63
SHRED-IT	40387	9407668457	SHRED SERVICES	4.66
			Vendor SHRED-IT Total:	**93.19**
Vendor: TENNEY A. NORQUIST				
TENNEY A. NORQUIST	40388	15979	PD A/C MAINT	900.00
TENNEY A. NORQUIST	40388	15980	PW A/C MAINT	140.00
TENNEY A. NORQUIST	40388	15981	A/C MAINT CITY HALL	700.00
TENNEY A. NORQUIST	40388	17675	PD A/C REPAIR	347.68
TENNEY A. NORQUIST	40388	17688	A/C REPAIR -GOMAN	870.10
TENNEY A. NORQUIST	40388	17689	A/C REPAIR CITY HALL	223.38
TENNEY A. NORQUIST	40388	88494	A/C MAINT - GOMAN	900.00

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
TENNEY A. NORQUIST	40388	88500	A/C MAINT WW PLANT	190.00
			Vendor TENNEY A. NORQUIST Total:	**4,271.16**
Vendor: TERMINIX INTERNATIONAL				
TERMINIX INTERNATIONA	40389	348873714	PEST CONTROL / LIBRARY	34.00
			Vendor TERMINIX INTERNATIONAL Total:	**34.00**
Vendor: TESEI PETROLEUM				
TESEI PETROLEUM	40390	40055	FD/PD/PW VEHICLE FUEL	63.51
TESEI PETROLEUM	40390	40055	FD/PD/PW VEHICLE FUEL	586.95
TESEI PETROLEUM	40390	40055	FD/PD/PW VEHICLE FUEL	28.89
TESEI PETROLEUM	40390	40055	FD/PD/PW VEHICLE FUEL	161.66
TESEI PETROLEUM	40390	40055	FD/PD/PW VEHICLE FUEL	34.64
TESEI PETROLEUM	40390	40055	FD/PD/PW VEHICLE FUEL	169.17
TESEI PETROLEUM	40390	40055	FD/PD/PW VEHICLE FUEL	169.74
			Vendor TESEI PETROLEUM Total:	**1,214.56**
Vendor: TIFFANY VITORINO				
TIFFANY VITORINO	40338	REC ADV 10062015	ADVANCE REC MOVIE NIG	200.00
			Vendor TIFFANY VITORINO Total:	**200.00**
Vendor: TRI COUNTIES BANK CARDMEMBER SERVICES				
TRI COUNTIES BANK CARD	40391	10052015 CC DD CARS	VEHICLE MAINT	75.00
TRI COUNTIES BANK CARD	40391	10052015 CC DD HALLOW	PD HALLOWEEN	86.10
TRI COUNTIES BANK CARD	40391	10052015 CC DD PD MEET	PD MEETING	148.93
TRI COUNTIES BANK CARD	40391	10052015 CC DD PD MTG	PD MEETING	37.91
TRI COUNTIES BANK CARD	40391	10052015 CC DD PD SUPP	PD SUPPLIES	5.38
TRI COUNTIES BANK CARD	40391	10052015 CC KR DESK	ADDITIONAL DESKS	2,403.00
TRI COUNTIES BANK CARD	40391	10052015 CC SS MTG PD	PD MEETING	40.41
TRI COUNTIES BANK CARD	40391	10052015 CC SS WEB	CREDIT CARD SS - I.T.	3.00
TRI COUNTIES BANK CARD	40391	10052015 CC SS WEB	CREDIT CARD SS - I.T.	20.40
TRI COUNTIES BANK CARD	40391	10052015 CC SS WEB	CREDIT CARD SS - I.T.	16.20
TRI COUNTIES BANK CARD	40391	10052015 CC SS WEB	CREDIT CARD SS - I.T.	20.40
			Vendor TRI COUNTIES BANK CARDMEMBER SERVICES Total:	**2,856.73**
Vendor: TROPHY CASE				
TROPHY CASE	40392	7301	ADULT SOFTBALL TROPHY	86.40
			Vendor TROPHY CASE Total:	**86.40**
Vendor: U S BANK				
U S BANK	40393	09222015 CC SS PD	PD TRAINING	85.00
U S BANK	40393	09222015 CC SS PODIUM	PODIUM PURCHASE GOM	235.01
U S BANK	40393	09222015 CC SS REC	REC SURVEY SURVEYMON	26.00
			Vendor U S BANK Total:	**346.01**
Vendor: VERIZON WIRELESS				
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	0.65
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	78.10
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	141.04
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	19.35
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	66.93
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	41.51
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	22.31
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	41.52
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	78.10
VERIZON WIRELESS	40394	9752836486	TELEPHONE SERVICE	223.14
			Vendor VERIZON WIRELESS Total:	**712.65**

Vendor Name	Payment Number	Payable Number	Description (Item)	Amount
Vendor: WASHINGTON STATE SUPPORT REGISTRY				
WASHINGTON STATE SUP	40395	INV0009362	PAYROLL DEDUCTION	142.71
			Vendor WASHINGTON STATE SUPPORT REGISTRY Total:	**142.71**
Vendor: YANCEY LUMBER CO				
YANCEY LUMBER CO	40396	R2015033818	EQUIP RENTAL/ PAVEMEN	55.00
			Vendor YANCEY LUMBER CO Total:	**55.00**
			Grand Total:	**139,985.74**

Report Summary

Fund Summary

Fund	Payment Amount
001 - GENERAL FUND	21,499.21
002 - UTILITY TAX FUND	1,174.19
009 - COMMUNITY CENTER FUND	3,749.87
016 - SWIM POOL FUND	2,519.39
017 - CITY WIDE LIGHTING & LAND	7,049.45
019 - RECREATION FUND	1,285.99
021 - ST/SIDEWALK MAINT	7,183.95
035 - PUBLIC FACILITIES FUND	3,329.74
059 - STORM DRAIN	3,760.24
060 - WATER FUND	18,300.71
061 - SEWER FUND	7,791.00
062 - REFUSE	33,416.54
063 - AIRPORT FUND	738.00
066 - WATER CAPITAL	4,275.91
074 - ASSESS - BORRELLI	2,072.53
093 - INSURANCE TRUST FUND	148.68
094 - SALE OF TOWN PROPERTIES	3,089.12
095 - INDEPENDENCE DAY IN PARK	371.75
099 - PAYROLL TRUST FUND	18,229.47
Grand Total:	**139,985.74**

Account Summary

Account Number	Account Name	Payment Amount
001-0110-530.201-00	OTHER CONTRACT SERVI	25.56
001-0140-530.011-00	TELEPHONE & INTERNET	102.08
001-0140-530.201-00	OTHER CONTRACT SERVI	33.22
001-0150-500.010-00	SALARIES - PART TIME E	42.76
001-0150-520.011-00	UNIFORM ALLOWANCE	3.33
001-0150-520.040-00	FUEL	63.51
001-0150-530.011-00	TELEPHONE & INTERNET	78.10
001-0150-530.060-00	ELECTRIC	3,483.14
001-0150-530.062-00	GAS	137.47
001-0150-530.072-00	OTHER EQUIPMENT REP	2,380.16
001-0150-530.201-00	OTHER CONTRACT SERVI	1,134.00
001-0210-520.010-00	DEPT OPERATING SUPPL	465.67
001-0210-520.030-00	MOTOR VEHICLE EXPEN	75.00
001-0210-520.040-00	FUEL	586.95
001-0210-530.011-00	TELEPHONE & INTERNET	1,155.23
001-0210-530.030-00	ADVERTISING	284.05
001-0210-530.060-00	ELECTRIC	58.50
001-0210-530.089-00	COMMUNITY PROMOTI	86.10
001-0210-530.091-00	MEETINGS & TRAINING	1,137.96
001-0210-530.201-00	OTHER CONTRACT SERVI	1,564.40
001-0220-520.010-00	DEPT OPERATING SUPPL	120.85
001-0220-520.040-00	FUEL	28.89
001-0220-530.030-00	ADVERTISING	527.05
001-0220-530.060-00	ELECTRIC	987.98
001-0220-530.062-00	GAS	35.51
001-0230-530.011-00	TELEPHONE	19.35
001-0410-530.009-00	OTHER PROFESSIONAL S	3,189.45
001-0410-530.030-00	ADVERTISING	272.00
001-0610-520.010-00	DEPT OPERATING SUPPL	155.30
001-0610-520.011-00	UNIFORM ALLOWANCE	3.31
001-0610-520.030-00	MOTOR VEHICLE EXPEN	52.68
001-0610-530.011-00	TELEPHONE	66.93
001-0610-530.060-00	ELECTRIC	519.31
001-0610-530.072-00	OTHER EQUIPMENT REP	216.69

Account Summary

Account Number	Account Name	Payment Amount
001-0610-530.201-00	OTHER CONTRACT SERVI	38.34
001-0610-540.011-00	BUILDINGS	83.33
001-0610-540.030-00	MACHINERY & EQUIPME	2,285.05
002-0145-540.021-00	IMPROV OTHER THAN B	1,132.68
002-0147-530.011-00	TELEPHONE	41.51
009-0150-520.040-00	FUEL	161.66
009-0150-530.011-00	TELEPHONE	22.31
009-0150-530.060-00	ELECTRIC	1,046.00
009-0150-530.062-00	GAS	26.45
009-0150-530.201-00	OTHER CONTRACT SERVI	2,258.44
009-0150-540.020-00	OTHER IMPROVEMENTS	235.01
016-0613-530.011-00	TELEPHONE	41.52
016-0613-530.060-00	ELECTRIC	2,452.31
016-0613-530.201-00	OTHER CONTRACT SERVI	25.56
017-0260-530.060-00	ELECTRIC	6,494.91
017-0610-520.011-00	UNIFORM ALLOWANCE	6.65
017-0610-520.040-00	FUEL	34.64
017-0610-530.011-00	TELEPHONE	78.10
017-0610-530.072-00	OTHER EQUIPMENT REP	435.15
019-0100-530.087-00	CENTENNIAL EXPENSES	9.15
019-0440-520.010-00	DEPT OPERATING SUPPL	98.00
019-0613-520.010-00	DEPT OPERATING SUPPL	281.65
019-0613-530.009-00	OTHER PROFESSIONAL S	86.40
019-0613-530.030-00	ADVERTISING	118.35
019-0613-530.060-00	ELECTRIC	302.94
019-0613-530.201-00	OTHER CONTRACT SERVI	389.50
021-0310-520.010-00	DEPT OPERATING SUPPL	12.96
021-0310-520.011-00	UNIFORM ALLOWANCE	5.99
021-0310-530.201-00	OTHER CONTRACT SERVI	7,165.00
035-0210-540.021-00	IMPROV OTHER THAN B	3,329.74
059-0140-500.010-00	SALARIES - PART TIME E	8.54
059-0730-530.201-00	OTHER CONTRACT SERVI	3,751.70
060-0140-500.010-00	SALARIES - PART TIME E	290.74
060-0140-530.011-00	TELEPHONE & INTERNET	405.68
060-0140-530.201-00	OTHER CONTRACT SERVI	39.04
060-0710-520.010-00	DEPT OPERATING SUPPL	162.86
060-0710-520.011-00	UNIFORM ALLOWANCE	13.97
060-0710-520.030-00	MOTOR VEHICLE EXPEN	52.67
060-0710-520.040-00	FUEL	169.17
060-0710-530.011-00	TELEPHONE	223.14
060-0710-530.060-00	ELECTRIC	15,073.38
060-0710-530.094-00	LICENSES & PERMIT FEE	252.00
060-0710-530.111-00	NOTE	523.44
060-0710-530.122-00	INTEREST	755.68
060-0710-530.201-00	OTHER CONTRACT SERVI	255.60
060-0710-540.011-00	BUILDINGS	83.34
061-0140-500.010-00	SALARIES - PART TIME E	290.74
061-0140-530.011-00	TELEPHONE & INTERNET	405.68
061-0140-530.201-00	OTHER CONTRACT SERVI	55.23
061-0520-520.011-00	UNIFORM ALLOWANCE	27.27
061-0520-520.040-00	FUEL	169.74
061-0520-530.060-00	ELECTRIC	1,171.50
061-0520-530.111-00	NOTE	523.44
061-0520-530.122-00	INTEREST	755.69
061-0520-530.201-00	OTHER CONTRACT SERVI	4,308.38
061-0520-540.011-00	BUILDINGS	83.33
062-0140-500.010-00	SALARIES - PART TIME E	222.33
062-0140-530.011-00	TELEPHONE & INTERNET	101.42

Account Summary

Account Number	Account Name	Payment Amount
062-0140-530.201-00	OTHER CONTRACT SERVI	4.66
062-0510-520.011-00	UNIFORM ALLOWANCE	5.99
062-0510-530.009-00	OTHER PROFESSIONAL S	32,826.54
062-0510-530.201-00	OTHER CONTRACT SERVI	255.60
063-0340-530.060-00	ELECTRIC	738.00
066-0710-540.030-00	MACHINERY & EQUIPME	4,275.91
074-0610-530.059-00	WATER UTILITY	1,869.07
074-0610-530.060-00	ELECTRIC	203.46
093-0000-220.070	INSURANCE TRUST	148.68
094-0210-540.021-00	IMPROV OTHER THAN B	3,089.12
095-0180-530.201-00	OTHER CONTRACT SERVI	371.75
099-0000-220.010	FICA TAXES PAYABLE	8,380.14
099-0000-220.020	FIT W/H PAYABLE	6,107.97
099-0000-220.030	SIT W/H PAYABLE	1,901.72
099-0000-220.071	POA DEDUCT PAYABLE	480.00
099-0000-220.081	UNION DUES PAYABLE	276.00
099-0000-220.090	DISABILITY (SDI) PAYABL	448.63
099-0000-220.094	FRANCHISE TAX BOARD	250.00
099-0000-220.097	CALIFORNIA STATE DISB	242.30
099-0000-220.098	WASHINGTON SUPPORT	142.71
	Grand Total:	**139,985.74**

Project Account Summary

Project Account Key	Payment Amount
None	139,985.74
Grand Total:	**139,985.74**

ITEM NO. 4

COUNCIL AGENDA ITEM

OCTOBER 20, 2015

PREPARED BY: Melanie Correa, Deputy City Clerk

SUBJECT: **Paid Sick Leave Policy for Part-Time, Temporary and Seasonal Employees**

BACKGROUND/DISCUSSION

The Healthy Workplace Healthy Families Act of 2014 (AB1522) was signed into law on September 10, 2014 and became effective on July 1, 2015. The law requires employers to provide paid sick leave to assist employees who miss work due to their own illness or medical appointments or an illness or medical appointment of a qualified family member during their employment.

Staff has compiled a policy establishing regulations for paid sick leave for part-time, temporary and seasonal employees, which adheres to the newly effective law.

RECOMMENDATION

Council review and approve the attached resolution and policy.

ATTACHMENTS

A) Resolution

APPROVED BY:

SEAN SCULLY, CITY MANAGER

RESOLUTION 2015-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE APPROVING A PAID SICK LEAVE POLICY FOR PART-TIME, TEMPORARY AND SEASONAL EMPLOYEES

WHEREAS, on September 10, 2014, the Governor of the State of California signed the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522) providing paid sick leave for covered employees effective July 1, 2015; and

WHEREAS, the AB 1522 paid sick leave provisions are to take effect July 1, 2015; and

WHEREAS, the City of Gustine wishes to establish a paid sick leave policy pursuant to AB 1522 for part-time, temporary and seasonal employees; and

WHEREAS, part-time, temporary and seasonal employees are not covered by any existing collective bargaining agreement, benefits resolution nor any other benefits policy; and

WHEREAS, AB 1522 allows the City to establish the accrual method and the minimum usage increment for paid sick leave; and

WHEREAS, AB1522 provides that City employees who work 30 or more days a year are entitled to paid sick leave to be accrued at a rate of no less than one hour for every 30 hours worked. The City will be utilizing the front-load method, granting employees sick leave amounts on the first day of each fiscal year; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Gustine hereby adopts the provisions under the City of Gustine Paid Sick Leave Policy for Part-Time, Temporary and Seasonal Employees shown as Exhibit A to this resolution.

PASSED AND ADOPTED by the City Council of the City of Gustine on October 20, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

_____

Dennis Brazil, Mayor

ATTEST:

_____

Deputy City Clerk

City of Gustine

Paid Sick Leave Policy
for
Part-Time, Temporary and Seasonal Employees

In accordance with the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522), which was signed into law on September 10, 2014, California employers are required to provide part-time, temporary and seasonal employees with one hour of paid sick leave for every 30 hours worked, beginning on July 1, 2015. The law further allows employers to provide 24 hours (or three days, whichever is greater) of paid sick leave up front as an alternative method of satisfying this new requirement.

The City of Gustine ("Agency") will provide each part-time, temporary and seasonal employee 24 hours (or three days, whichever is greater) at the beginning of each 12-month period. An employee is not eligible to begin using any accrued paid sick leave until after 90 days of employment with the City of Gustine.

Furthermore the following conditions will apply:

- An employee who works 30 or more days in a twelve month period is entitled to paid sick leave.

- An employee can only accrue paid sick leave up to a cap of 6 days or 48 hours, whichever is greater, ongoing. Sick leave does not accrue once the cap is reached, but accrual begins again when accrued sick leave drops below the cap. Any unused accrued sick leave carries over year to year while continuously employed.

- An employee may use the first 3 days or 24 hours of accrued paid sick leave in a 12-month period for one of the following reasons:

    - For the employee's own diagnosis, care, or treatment of an existing health condition or preventative care.
    - For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee's family member, including:
        - Child (including a biological, adopted or foster child, step child, legal ward or a child to whom the employee stands in loco parentis)
        - Spouse or Registered Domestic Partner
        - Parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child)
        - Grandparent
        - Grandchild
        - Sibling

- To obtain relief or services related to being a victim of domestic violence, sexual assault, or stalking, including the following with appropriate certification of the need for such services:
  - A temporary restraining order or restraining order.
  - Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.
  - To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
  - To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
  - To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
  - To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

- An employee shall provide reasonable advance notification of their need to use accrued paid sick leave to their supervisor if the need for paid sick leave is foreseeable (e.g., doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to their supervisor as soon as is practicable.
- An employee who uses paid sick leave must do so with a minimum of one hour of sick leave.
- Paid sick leave will not be considered hours worked for purposes of over-time calculation.
- Paid sick leave will not be considered hours worked for purposes of earning paid sick leave.
- An employee will not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement or other separation from employment from the Agency.
- If an employee separates from Agency employment and is re-hired by the Agency within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated. However, if a rehired employee had not yet met the requisite 90 days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the Agency before paid sick leave can be used.

Employee's name (printed)	Date
Employee's signature	

Copy to: 1) Employee
2) Employee's personnel file (original)

Note to employee: The original of this Agreement will be placed in your personnel file. A copy of this Agreement has been furnished to you and is acknowledged by your signature.

ITEM NO. 5

COUNCIL AGENDA ITEM

OCTOBER 20, 2015

PREPARED BY: Sean Scully, City Manager

SUBJECT: **Consideration of Introducing and Waiving Further Readings of an Ordinance of the City Council of the City of Gustine Replacing Title 7 Chapter 6 Article 1 pertaining to Fireworks Rules and Regulations**

BACKGROUND/DISCUSSION:

On July 21, 2015 Council was presented a staff report on the increase of illegal fireworks within the city limits of Gustine. Staff discussed the feasibility of developing an ordinance outlining the use of legal and illegal fireworks. Staff was further directed to establish a zero tolerance policy toward illegal fireworks and establish the fine limits for violations.

At the September 15th City Council meeting staff presented an amended ordinance, Council voted 4-1 to introduce and waive the first reading of the ordinance. Two requested changes were made; first an amendment to the allowable size of the fireworks stand, and second; an increase to the age at which people can by fireworks (increased to 18 years of age).

At the October 6th, 2015 the City Council considered a second reading of the ordinance with the requested changes. At the time of the meeting, the Council discussed the social host component of the ordinance. Council directed staff to amend the ordinance to make the citation of property owners a last case scenario where no other compliance can be achieved. Council noted that they would consider that language at time of the first reading and decide whether or not to fully delete the social host component. (The remainder of the staff report is an overview from previous staff reports on the fireworks ordinance).

Staff is presenting an ordinance that we believe meets the requirements that Council set forth regarding zero tolerance and establishing the fine limits for violators. The ordinance also cleans up old safe and sane municipal code language so that current practice (and current state law) is reflected in the code. The safe and sane sections include some additions including designating the Fire Chief as the reviewer and issuer of safe and sane sales permits as well as creating an appeal process should any disputes over permitting arise.

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereon, shall be punishable by a fine of not more

than one thousand dollars ($1,000), imprisonment for a term not exceeding six months or both such fine and imprisonment. In addition to any other remedy available at law, any person or entity who possesses, uses, stores, sells and/or displays dangerous fireworks or any person or entity who possesses, uses, sells and/or displays Safe and Sane Fireworks on or at dates, times or locations other than those permitted by this Chapter are subject to an administrative fine of not more than one thousand dollars ($1,000).

If this ordinance is approved the Gustine Police Department will be issuing citations to anyone caught with illegal fireworks as soon as the ordinance becomes active.

FISCAL IMPACT:
None

RECOMMENDATION:

Council consider waiving the first reading and approving the attached ordinance replacing Title 7, Chapter 6, article 1 pertaining to Fireworks rules and regulations.

EXHIBIT:

A) Proposed new ordinance
B) Gustine Municipal Code Title 7, Chapter 6

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUSTINE AMENDING CHAPTER 7-6 OF THE GUSTINE MUNICIPAL CODE REGARDING FIREWORKS

WHEREAS, the City of Gustine ("City"), pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the City may enact an ordinance regulating fireworks within its jurisdiction that is compatible with the State Fireworks Law (Health & Safety Code, § 12500 et seq.); and

WHEREAS, the City currently regulates fireworks pursuant to Chapter 7-6 of the Gustine Municipal Code; and

WHEREAS, the City wishes to strengthen its fireworks ordinance as provided below.

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

Section 1. The above recitals are true and correct and are incorporated into this Ordinance by this reference.

Section 2. Chapter 7-6 of the Gustine Municipal Code is amended to read in full as set forth in Exhibit A, incorporated by this reference.

Section 3. This Ordinance shall take effect thirty (30) days after its adoption.

Section 4. The City Clerk shall publish this Ordinance as required by law.

Section 5. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this 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 and each section, sentence, clause or phrase

thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional

APPROVED AND ADOPTED this 6th day of October, 2015, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Dennis Brazil, Mayor

ATTEST:

_____

Melanie Correa, Deputy City Clerk

EXHIBIT A

CITY OF GUSTINE

Chapter 6 - FIREWORKS

Sec. 7-6-1 - Definitions.

A. "Dangerous Fireworks" means any fireworks classified as such as defined by Sections 12505 and 12561 of the Health and Safety Code and Title 19, Division 1, Subchapter 6 of the California Code of Regulations, pertaining to dangerous fireworks which are hereby incorporated by reference. Dangerous Fireworks are commonly referred to as Illegal Fireworks.

B. "Fireworks" means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment.

The term fireworks includes, but is not limited to, devices designated by the manufacturer as fireworks, the Health and Safety Code both as "Dangerous Fireworks" and as "Safe and Sane Fireworks", and shall include firecrackers, torpedoes, skyrockets, roman candles, bombs, sparklers, chasers, snakes and other fireworks containing any explosives or flammable substance. This definition does not include ammunition used for target shooting or hunting, nor does it include what is ordinarily known as cap pistol caps, party poppers or snap caps.

C. "Fireworks Sales Stand" means any building, counter, or structure of a temporary nature used in the sale, offering for sale, or display for sale of Safe and Sane Fireworks.

D. "Nonprofit Organization" means any nonprofit association, club, or corporation organized for veteran, welfare, religious, civic betterment, youth or charitable purposes as defined by Section 501(c) of the Internal Revenue Code of the United States. The organization must have obtained nonprofit status and have been organized and established in the City for a minimum of one continuous year receding the filing of the application for a permit. The organization must have a bona fide membership of at least twenty (20) members who reside in the City, which will be verified each year.

E. "Public Fireworks Display" means an entertainment feature where the public or private group is admitted or permitted to view the display or discharge of Dangerous Fireworks.

F. "Safe and Sane Fireworks" also known as "State approved fireworks" means any fireworks which do not come within the definition of "dangerous fireworks" or "exempt fireworks" as defined by Section 12505 of the Health and Safety Code and Title 19, Division 1, Subchapter 6 of the California Code of Regulations, pertaining to "Safe and Sane Fireworks" which are hereby incorporated by reference. All Safe and Sane Fireworks shall be labeled with the Safe and Sane Fireworks seal authorized by the State Fire Marshal.

Sec. 7-6-2 – Fireworks prohibited generally.

A. It shall be unlawful for any person to possess, store, offer for sale, expose for sale, at retail, or use or explode any fireworks within the City, except as provided in this Chapter.

B. Notwithstanding subsection (A), the use and discharge of Safe and Sane Fireworks within the City of Gustine is permitted 365 days a year, between the hours of 7:00 a.m. and 10:00 p.m., except for the period of June 28 through July 6 when the use and discharge will be allowed between the hours of 7:00 a.m. and 12:00 a.m.

C. This Chapter does not prohibit the use by railroad or other transportation agencies, for signal purposes or illumination, or torpedoes, flares or fuses; nor the sale or use of blank cartridges for theatrical or ceremonial purposes, athletic events, or military ceremonials or demonstrations.

Sec. 7-6-3 - Public display; permits required.

A. Notwithstanding the prohibitions on Dangerous and Safe and Sane Fireworks set forth in this Chapter, Public Fireworks Displaysare permitted upon issuance of a permit therefore under the provisions of the Health and Safety Code and this Chapter.

B. Applications for a Public Fireworks Display shall be made not less than sixty (60) days prior to the scheduled date of the display. The permit application shall include a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of buildings, highways and other lines of communication; the lines behind which the audiences will be restrained; and the location of nearby overhead obstructions. At the time of permit application, the Fire Chief or his/ her designee shall be consulted regarding reasonable conditions or requirements for standby personnel and fire apparatus. Public Fireworks Display permits shall only be granted to licensed pyrotechnic operators.

C. Before filing with the City, the applicant for a Public Fireworks Display shall obtain a license from the State Fire Marshal as required in Division 11 of the Health and Safety Code. The insurance and other surety requirements therein provided are considered to be the minimum and may be increased by the State Fire Marshal, Fire Chief, or City Council.

D. Public Fireworks Display permits shall be issued by the Fire Chief with the concurrence of the Police Chief. The Fire Chief and Police Chief may deny issuance of such permits, provided such a denial is reasonably based on public health and safety concerns, including, but not limited to, an application for another event to be held on the same date as that requested has been previously filed or approved, and the other event is so close in time and location to the event as to cause undue traffic congestion or to place the City in a position of being unable to meet the needs for Fire, Police or Public Works services for both events. Any decision regarding such permits may be appealed to the City Manager. Appeal requests shall be filed in writing with the City Clerk within ten (10) days of the Fire and Police Chiefs' decision. Any appeal shall be conducted within thirty (30) days of receipt of an appeal request. The City Manager shall not be required to adhere to formal rules of evidence during the appeal, and the City Manager's decision shall be final.

Sec. 7-6-4 – Fireworks sales stand – Permit requirements.

A. It is unlawful for any person, business, firm, or corporation to offer Safe and Sane Fireworks for sale or otherwise operate a Fireworks Sales Stand within the City without having first complied with all the requirements of applicable state law and received a Fireworks Sales Stand permit from the City.

B. The Fire Chief upon written application as provided within this Chapter and subject to the provisions of this Chapter, may grant to any Nonprofit Organization a permit to operate a Fireworks Sales Stand; provided that no more than two permits per 5,000 population shall be granted in a calendar year. When the total number of City residents exceeds 5,000, the City Council may increase the number of permits by resolution.

C. No permit shall be issued to any person except Nonprofit Organizations. No Nonprofit Organization may receive more than one permit during any one calendar year. However, one permit may be issued to two or more qualifying applicants as a joint venture. Permits are valid for a single calendar year.

Sec. 7-6-5 – Application for fireworks sales stand permit.

A. Any person or entity desiring to obtain a Fireworks Sales Stand permit shall file an application between the first business day of March and the last business day of May of each year. The City Council may establish a fee for the permit and application from time to time by resolution.

B. The application shall contain the following information:

1. Names, addresses, phone numbers, business address and federal tax identification number of the applicant (if applicant is a corporation, association or partnership, the application shall set forth a described information for each and every owner, partner and manager);

2. Description of the business organization of the applicant (i.e., sole proprietorship, corporation, partnership, etc.) and in case of a corporation, shall, upon request, include copies of the bylaws;

3. Description of the location of the intended Safe and Sane Fireworks sales;

4. An assurance by the applicant that if the license is issued to the applicant, the applicant shall, at the time of receipt of such license, deliver to the City a one million dollar public liability insurance policy, and products liability insurance of one million dollars with riders attached to the policies designating the City as an additional insured there under;

5. Each application for a Safe and Sane Fireworks retail permit shall contain a description of the desired location and permission of the owner, if applicable.

6. Any other information reasonably requested by the City to demonstrate that the applicant is an eligible Nonprofit Organization;

7. Include a statement that the applicant agrees to comply strictly with the terms of any permit granted it and furnish additional information upon request of the City, including a copy of the license issued in accordance with Health and Safety Code authorizing the applicant to sell Safe and Sane Fireworks immediately upon its issuance.

Sec. 7-6-6- Fireworks sales stand permit issuance.

A. Upon expiration of the application period, the Fire Chief may issue Fireworks Sales Stand permits to qualified applicants. The Fire Chief shall condition the permit on compliance with this Chapter and may impose additional conditions as necessary to protect the general health and safety. The Fire Chief may deny any application if the applicant does meet the qualifications for a Fireworks Sales Stand permit set forth in this Chapter.

B. In addition, in the event that the number of qualified applicants exceeds the number of available permits under Section 7-6-4, the Fire Chief shall give priority to applications as follows: first, to all veterans' organizations as defined in Section 1800 of the Military and Veterans Code with their principal place of business in the City of Gustine; second to other Nonprofit Organizations. If the number of applications in any class exceeds the number of permits to be issued, permits shall be granted on a first come, first served basis within that applicant class. Complete applications shall be date and time stamped by the City upon receipt.

C. Any decision regarding an application may be appealed to the City Manager. Appeal requests shall be filed in writing with the City Clerk within three (3) days of the Fire Chief's decision. Any appeal shall be conducted within ten (10) days of receipt of an appeal request. The City Manager shall not be required to adhere to formal rules of evidence during the appeal, and the City Manager's decision shall be final.

Sec. 7-6-7 - Conditions governing the permit for fireworks sales stand.

Any permit for a Fireworks Sales Stand shall be governed by the following conditions:

A. The sale and/or display of Safe and Sane Fireworks shall be permitted only during that period beginning at noon on June 28 and ending at noon on July 6 of the same year.

B. Permittees shall obtain a temporary sales tax permit from the State Board of Equalization.

C. Permittees shall only sell Safe and Sane Fireworks at one location.

D. Sales shall be permitted only between nine a.m. and ten p.m.

E. Safe and Sane Fireworks shall not be sold to any person under the age of eighteen (18).

F. All retail sales of Safe and Sane Fireworks shall be permitted only from within a temporary stand, and the sale from any other building or structure

is prohibited. The temporary stand shall be subject to the following provisions:

1. All the stands shall be erected under the supervision of the City building inspector who shall require that stands be constructed in compliance with all applicable building and similar codes;

2. No stand shall be located in a manner to impair any clear vision triangle from a public road or highway;

3. No stand shall have a floor area in excess of three hundred square feet;

4. No sign shall be erected or maintained in connection with the stand which shall create a traffic hazard;

5. Storage of fireworks shall be at locations approved by the Fire Chief. Stands used for storage shall be under twenty-four hour supervision of an alert adult. No sleeping inside of a stand will be permitted at any time;

6. Each stand shall be provided with two fire extinguishers, approved for such use by the Fire Chief, in good working order and easily accessible for use in case of fire;

7. No smoking shall be allowed in any stand;

8. "No smoking" signs shall be prominently displayed on the fireworks booth;

9. All weeds and combustible materials shall be cleared from the location of the stand, including a distance of at least twenty feet surrounding the stand;

10. All unsold stock and accompanying litter shall be removed from the location by five p.m. on the 6th day of July;

11. Each stand must have an adult eighteen years of age or over in attendance and in charge thereof when the stand is being used for the sale or dispensing or storage of fireworks;

12. The stand shall be removed from the temporary location by twelve noon on the 11th day of July, and all accompanying litter shall be cleared from said location by the said time and date;

13. The state license and city permit to sell fireworks and the temporary sales tax permit shall be displayed in a prominent place in the stand; and

G. No person other than the permittee Nonprofit Organization shall operate the stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.

H. No person other than the individuals who are members of the permittee organization, or the wives or husbands or adult children of such members, shall sell or otherwise participate in the sale of fireworks at such stand.

I. Any attempt to transfer a permit shall void the permit.

J. The permittee shall obtain and maintain the insurance set forth in Section 7-6-5.

Sec. 7-6-8 – Violation.

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereon, shall be punishable by a fine of not more than one thousand dollars, imprisonment for a term not exceeding six months or both such fine and imprisonment.

Sec. 7-6-9 – Seizure of fireworks.

The Police Chief or designee shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored or held in violation of this Chapter. Such seizure shall be subject to cost reimbursement to the State Fire Marshall in accordance with Section 7-6-10.

Sec. 7-6-10 – Administrative fines.

A. The City may enforce any violation of this Chapter related to: possession, use, storage, sale and/or display of those fireworks classified as Dangerous Fireworks in Health and Safety Code, Section 12505 et seq. or the possession, use, storage, sale and/or display of Safe and Sane Fireworks on or at dates, times and/or locations other than those permitted by this Chapter through the issuance of an administrative citation. Fines for such citations shall not exceed $1,000 per violation. Citations shall be issued and appealed as provided for in Article 2 of Title 2 of this Code, provided that the City Manager and not the Planning Commission shall be the hearing officer in any appeal.

B. The issuance of an administrative citation to any person constitutes, but one remedy of the City to redress violations of this Chapter. By adopting

this Section, the City does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violations of this Section which the City may otherwise pursue.

C. The imposition of administrative fine under this Section shall be limited to persons who possess, use, sell and/or display, or the seizure of 25 pounds or less of dangerous fireworks or persons who possess, use sell, and/or display Safe and Sane Fireworks on or at the dates, times, and/or locations other than those permitted by this Chapter.

D. Administrative fine collected pursuant to this Section shall not be subject to Health and Safety Code Section 12706. The administrative fines collected shall be allocated in compliance with Health and Safety Code Section 12557, which requires the City to provide cost reimbursement to the State Fire Marshal for reimbursement of costs, including, but not limited to transportation, and disposal. Regulations are to be adopted by the State Fire Marshal setting forth this allocation. Unless and until such regulations have been adopted by the State of California, the City shall hold in trust $250.00 from any fine collected to cover the reimbursement to the State Fire Marshal for the cost of transportation and disposal of the dangerous fireworks. Alternatively, the City Council may adopt and amend a fee to cover such disposal and reimbursement costs by resolution.

E. Due to the serious threat of fire or injury posed by the use of dangerous fireworks or Safe and Sane Fireworks on or at dates, times, and/or locations other than those permitted by this chapter, it shall be a violation of this chapter to own or control private real property where a violation of this chapter occurs. However, any violation of this subsection shall not be subject to the enforcement provisions of Section 7-6-8 and shall be remedied through the issuance of an administrative citation or other civil penalty or abatement action. Moreover, in the event that the owner of real property is not present at the property during any violation of this chapter, the City shall provide written notice to the owner of the existence of the violation and this subsection. Any second or further violation of this chapter within the same calendar year of the notice shall be considered the first violation of this subsection.

F. This Section shall not apply to the storage and handling of Safe and Sane Fireworks in accordance with California Building Code for Class 1.4G fireworks.

Sec. 7-6-11 – Enforcement – special provisions.

A. A minor and the parent(s) or guardian(s) having custody and control of said minor, are jointly and severally liable to the City for any administrative citation and/ or penalty issued for failure to appear to comply with the provisions of this Chapter.

B. Provided that the violation occurs at real property owned, leased or otherwise resided in by the violator, any administrative citationfine issued for a violation of this Chapter may become a special assessment or a lien against the property of any person who is issued a citation for a violation of the provisions of this Chapter. This shall include the property of a minor who is issued a citation and/ or and/ or the property of the parent(s) or guardian(s) having custody of the minor or private property owner that allows the illegal use of storage on their property. The procedures set forth in Section 3-2-26 shall be followed for the imposition of a special assessment or lien.

C. Without limiting any other applicable remedies, any Nonprofit Organization which is granted a Fireworks Sales Stand permit, and which for any reason fails to exercise the permit by the operation of the stand in accordance with the conditions of the permit, shall forfeit the right to a permit for the succeeding year. Any Nonprofit Organization may appeal any determination under this subsection in the same manner as a decision related to the issuance of a permit under Section 7-6-6.

Chapter 6 - FIREWORKS

FOOTNOTE(S):

--- (**1**) ---

State Law reference— Fireworks, Health and Safety Code § 12500 et seq.; local regulation of fireworks, Health and Safety Code § 12541.

Sec. 7-6-1. - Prohibited generally.

It shall be unlawful for any person to possess, store, offer for sale, expose for sale, at retail, or use or explode any fireworks within the city limits, except as provided in this chapter.

(Code 1966, § 4-2.01)

Sec. 7-6-2. - Safe and sane fireworks.

(a) No person shall offer for sale any safe and sane fireworks as labeled by the state fire marshal without first applying for and obtaining a permit for the retail sale of such fireworks from the city manager or designee as designated by the city council.

(b) The term "eligible organization," as used in this section, shall mean an organization which has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for the permit, and which continues to do so after issuance of the permit:

(1) The organization must be a duly organized not-for-profit charitable, religious, civic, patriotic, or community service organization;

(2) The organization must be headquartered within and clearly affiliated or identified with the city;

(3) The organization must be one which provides direct and regular community services and benefits to the citizens of the city; and

(4) The organization must hold its regularly scheduled meetings within the city.

(c) The application fee for the permit shall be established by resolution.

(d) Any permit issued shall cover only the period from 12:00 noon on June 28 through 6:00 p.m. on July 4.

(e) The city manager in coordination with the city fire chief is authorized to adopt any and all rules and regulations to implement the retail sale of safe and sane fireworks including, but not limited to, the procedures and conditions on the application, issuance or denial of permits, in accordance with all applicable state laws, rules, and regulations.

(f) The maximum number of permits to sell "safe and sane fireworks," which may be issued pursuant to the provisions of this chapter during any one calendar year shall not exceed two permits for each 5,000 residents of the city, or fraction thereof, based on the most recent figure designated by the state department of finance as the city's population. Permits shall be posted in a conspicuous place in the temporary stand and shall be available when called for by any authorized official or inspector.

(Code 1966, §§ 4-2.02, 4-2.03, 4-2.15; Ord. No. 413, § 1, 4-16-2001)

State law reference— Safe and sane fireworks defined, Health and Safety Code § 12529; permits, Health and Safety Code § 12640 et seq.

Sec. 7-6-3. - Public displays.

(a) The city manager in coordination with the city fire chief may, in his discretion, grant permits for the display of fireworks at fairs, patriotic celebrations or other public exhibitions or gatherings, under such restrictions and measures of safety as he may prescribe, if, in the opinion of such person such display can be held without causing danger to the public or property.

(b) Any such application shall be filed with the city manager not less than 15 days prior to the proposed display by filing a detailed statement of the items to be used. If the permit is granted, no items shall be displayed except as are contained in the statement, and the city manager may, in granting the permit, eliminate such items as he deems hazardous. The display shall be under the supervision of the fire chief and such persons as the fire chief may designate.

(c) The chief of police shall designate the number of officers he deems appropriate at all public displays of fireworks to maintain the public welfare and safety.

(Code 1966, §§ 4-2.04, 4-2.05)

State law reference— Permits, Health and Safety Code § 12640 et seq.

ITEM NO. 6

COUNCIL AGENDA ITEM
OCTOBER 20, 2015

PREPARED BY: Sean Scully, City Manager

SUBJECT: **WORKSHOP - Downtown Vacant Building Ordinance**

BACKGROUND/DISCUSSION:

UPDATE - At the August 18th Council meeting the Council held a workshop on the attached Downtown Vacant Building ordinance, after significant discussion staff was directed to directly notice property owners within the downtown area that could be affected by such an ordinance in order to solicit feedback on the proposal. The notice has been completed and thus the item has been re-agendized for discussion and direction. The following report is a duplicate of the August 18th report which explains the background and specifics of the ordinance.

NOTE: Please keep in mind while reading this staff report that this item is a workshop item only, the Council has not committed to any specific course of action regarding this matter. This is simply an example of an ordinance that has been previously adopted by the City of Galt that was used to encourage and spur rehabilitation of their downtown area. It is intended as an example of one (but by no means the only) scenario which the City could consider for use.

The City Council has established the rehabilitation and economic development of the downtown area as a top priority. Over the past several months staff and Council have discussed a variety of projects, ordinances and programs that each seeks to chip away at that goal. One issue that has been extensively discussed at community and Council meetings has been the role of private property owners in the rehabilitation/economic development process. Staff has looked into a variety of "out of the box" approaches that could be employed to encourage those property owners who have not (or are not interested in) taken necessary steps to get their buildings leased.

The code (attached) is an example used in the City of Galt that has successfully facilitated the rehabilitation and eventual lease of long term boarded and vacant downtown buildings. The premise of the ordinance is that vacant/boarded buildings in commercial districts (like downtowns) discourage economic development for the entire area and also negatively affect property values.

Using this as a premise, the ordinance establishes a maximum time limit that a building can remain boarded or vacant (30 days), if that time limit is exceeded a code enforcement action is initiated and if no corrective action is taken an administrative citation is assessed to the property owner. The code enforcement does not apply - even if the 30 day period is exceeded - if one of the following criteria are met:

1. The building is the subject of an active building permit for repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.

2. The building meets all codes, does not contribute to blight, is ready for occupancy, and is actively being offered for sale, lease, or rent.

3. The building official determines that the building does not contribute to, and is not likely to contribute to, blight because the owner is actively maintaining and monitoring the building so that it does not contribute to blight. Active maintenance and monitoring shall include:

a. Maintenance of landscaping and plant materials in good condition.
b. Maintenance of the exterior of the building, including but not limited to paint and finishes, in good condition.
c. Regular removal of all exterior trash, debris and graffiti.
d. Maintenance of the building in continuing compliance with all applicable codes and regulations.
e. Prevention of criminal activity on the premises, including, but not limited to, use and sale of controlled substances, prostitution and criminal street gang activity.

With these exemptions the ordinance seeks to target only those buildings that remain boarded or vacant and take no measures to remedy the situation. In those cases the ordinance allows for the City to first issue a notice of violation to the property owner giving the property owner 30 days to correct the conditions that lead to the violation.

The ordinance allows for a hearing to be requested if the violation is disputed as well as an extension process if the property owner needs additional time to correct the matter. If the building remains in violation beyond the time limits established for correction in the ordinance the City may impose administrative penalties not to exceed $1000 per violation. This version of the ordinance establishes that each day can be considered a separate violation.

ANALYSIS:
Admittedly this ordinance takes an aggressive approach to cleaning up those properties that are chronically vacant, un-rentable and that contribute to conditions of blight. The techniques are intended to incentivize prompt action on behalf of the property owner to contribute to the prosperity of the downtown by getting their buildings up to code and available for lease.

This ordinance could be used in cooperation with incentive programs that encourage business attraction. If Council was interested in implementing some version of this ordinance staff would recommend providing a grace period for property owners to work towards compliance before any code enforcement commenced.

RECOMMENDATION:
Council to discuss the ordinance and provide direction on whether or not Council is interested in moving forward with the formal consideration of such an ordinance. If so, Council to provide direction to staff on any desires changes to the ordinance.

If Council is not interested in this type of ordinance at this time Council could also provide direction to staff on desired alternatives if any.

EXHIBIT:
A) Copy of Vacant/Boarded Building Ordinance
B) Copy of Notice to Property Owners

Chapter 8.22

LONG-TERM BOARDED AND VACANT BUILDINGS

Sections:

8.22.010	**Findings - vacant and boarded buildings**
8.22.020	**Definitions**
8.22.030	**Long-term boarded and vacant building prohibited**
8.22.040	**Permitted time periods to commence and correct violations**
8.22.050	**Notice of violation**
8.22.060	**Opportunity for a hearing**
8.22.070	**Extension**
8.22.080	**Inspection of premises**
8.22.090	**Administrative penalty**
8.22.100	**Administrative penalty -factors**
8.22.110	**Payment of administrative penalty**

Section 8.22.010 Findings - vacant and boarded buildings.

The city council finds as follows:

A. Vacant buildings are a major cause and source of blight in both residential and nonresidential neighborhoods especially when the owner of the building fails to actively maintain and manage the building to ensure that it does not become a liability to the neighborhood. Vacant buildings which are boarded, substandard or unkempt properties, and long-term vacancies discourage economic development and retard appreciation of property values.

B. It is a responsibility of property ownership to prevent owned property from becoming a burden to the neighborhood and community and a threat to the public health, safety, or welfare.

C. One vacant property which is not actively and well maintained and managed can be the core and cause of spreading blight.

Section 8.22.020 Definitions.

The definitions contained in this section shall govern the construction of this Chapter.

A. "Blight" shall mean a condition of decay, deterioration, disrepair, neglect or inadequate maintenance, including, but not limited to, conditions constituting a public nuisance, contributing to the diminution of the property values of surrounding properties, undermining the economic vitality of a neighborhood or creating health or safety dangers.

B. "Boarded building" or "boarded up" shall mean a building whose doors or windows have been covered with plywood or other material.

C. "Vacant building" or "vacant" shall mean a building which is without a resident or occupant or which is not being put to a lawful commercial or industrial use.

Section 8.22.030 Long-term boarded and vacant building prohibited.

A. The owner of any boarded building, whether boarded by voluntary action of the owner or as a result of enforcement activity by the city, shall cause the boarded building to commence rehabilitation for occupancy within thirty (30) days after the building is boarded.

B. No person shall allow a building designed for human use or occupancy to stand vacant for more than thirty (30) days, unless one of the following applies:

1. The building is the subject of an active building permit for repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.
2. The building meets all codes, does not contribute to blight, is ready for occupancy, and is actively being offered for sale, lease, or rent.
3. The building official determines that the building does not contribute to, and is not likely to contribute to, blight because the owner is actively maintaining and monitoring the building so that it does not contribute to blight. Active maintenance and monitoring shall include:
    a. Maintenance of landscaping and plant materials in good condition.
    b. Maintenance of the exterior of the building, including but not limited to paint and finishes, in good condition.
    c. Regular removal of all exterior trash, debris and graffiti.
    d. Maintenance of the building in continuing compliance with all applicable codes and regulations.
    e. Prevention of criminal activity on the premises, including, but not limited to, use and sale of controlled substances, prostitution and criminal street gang activity.

Section 8.22.040 Permitted time periods to commence and correct violations.

A. Any owner of a boarded building in violation of subsection 8.22.030(A) or any owner of a vacant building in violation of subsection 8.22.030(B) shall commence any corrections or repairs necessary to comply with this Chapter within thirty (30) days of the date of the issuance of the notice of violation. The date of the issuance of the notice of violation shall be the date the notice of violation is mailed to the property owner or posted on the property as provided for in section 8.22.050, whichever is earlier. Provided the property owner diligently pursues corrections or repairs to completion, no administrative penalties shall be imposed. In the event the property owner does not request a hearing or commence corrections within thirty (30) days of the date of the issuance of the notice of violation, the city may impose administrative penalties as provided for in section 8.22.090. In the event the property owner requests a hearing, the thirty (30) day correction commencement period shall be suspended from the date of the request until such time as the hearing officer renders a decision. Upon the issuance of the hearing officer's decision, the property owner shall have the balance of the original thirty (30) day period to commence any necessary corrections or repairs before administrative penalties accrue.

B. Prior to the expiration of the thirty (30) day correction commencement period, the property owner shall submit a rehabilitation plan to the building official. The rehabilitation plan shall include the following:
   1. A statement outlining the property owner's plan for remedying each of the conditions described in the notice of violation as constituting a violation of this Chapter.
   2. The expected timeline for completing any necessary corrections or repairs.

C. Once the property owner commences corrections or repairs, the owner shall work diligently to ensure such corrections or repairs are completed in a timely manner. In no case shall such repairs or corrections take longer than ninety (90) days from the date of the issuance of the notice of violation, sixty (60) days from the end of the thirty (30) day correction commencement period or any extension as provided for in section 8.22.070, whichever is later. In the event a property owner does not comply with this subsection, the city may impose administrative penalties as provided for in section 8.22.090.

Section 8.22.050 Notice of violation.

A. The code enforcement officer or his or her designee shall issue a notice directed to the record owner of the premises. The notice shall contain:
   1. The street address and such other description as is required to identify the premises.
   2. A statement specifying the conditions which constitute a violation of this Chapter.
   3. A statement that administrative penalties may begin to accrue upon the expiration of the thirty (30) day correction commencement period if the property owner does not begin to make corrections or repairs to remedy any violations of this Chapter. The statement shall state that the thirty (30) day correction commencement period begins on the date of the issuance of the notice of violation. The statement shall identify the date of issuance.
   4. A statement that the property owner must submit a rehabilitation plan specifying how the conditions constituting a violation of this Chapter will be remedied and the expected timeline for doing so.
   5. A statement notifying the property owner that he or she may request a hearing within twenty (20) calendar days of the mailing of the notice to dispute the existence of any violation or to show cause why an administrative penalty should not be assessed in accordance with this code. The statement shall notify the property owner that the thirty (30) day correction commencement period shall be suspended from the date of a request for a hearing until such time as the hearing officer renders a decision.
   6. A statement advising the owner that he or she has the option of voluntarily correcting the condition(s) which violate the provisions of this Chapter prior to the imposition of administrative penalties. If the owner chooses to correct the conditions, the corrections must be completed prior to the expiration of the ninety (90) day correction completion period or any applicable extension, whichever is later. The owner must advise the code

enforcement officer in writing that he or she will correct the conditions and the date of completion. The code enforcement officer or his or her designee will inspect the premises on the completion date, and if the conditions have been corrected, no administrative penalties will be assessed.

7. A statement notifying the property owner that he or she may request an extension as provided for in section 8.22.070.

B. The notice of violation, and any amended or supplemental notice, shall be served either by personal delivery or by return receipt mailing upon the record owner at his or her address as it appears on the latest equalized assessment roll of Sacramento County, or as known to the code enforcement officer. A copy of the notice any amended or supplemental notice shall also be posted on the building.

Section 8.22.060 Opportunity for a hearing.

Hearings shall be scheduled and conducted as provided for in Chapter 21.03.

Section 8.22.070 Extension

The building official may, upon request of the owner of the premises grant a thirty (30) day extension from the expiration of the ninety (90) day correction completion period for good cause shown. The building official may grant one (1) extension for each property in violation of this Chapter. Administrative penalties shall not accrue during the extension period.

Section 8.22.080 Inspection of premises.

A. If the property owner requests a hearing, the hearing officer may, with the consent of the owner, inspect the building and premises involved in the hearing prior to, during or after the hearing, provided that:

1. Notice of such inspection shall be given to the parties before the inspection is made;
2. The parties are given an opportunity to be present during the inspection; and
3. The hearing officer shall state for the record during the hearing, if requested, or file a written statement after the hearing for inclusion in the hearing record, upon completion of the inspection, the material facts observed and the conclusion drawn therefrom.

B. The owner shall have a right to rebut or explain the matters stated by the hearing officer pursuant to subsection (A) either for the record during the hearing or by filing a written statement within five (5) days after the hearing for inclusion in the hearing record.

C. An inspection warrant or the owner(s) consent to inspect the building and surrounding properties is required unless such inspection can be made from areas in which the general public has access or with permission of other persons authorized to provide access to the property on which the building is located.

Section 8.22.090 Administrative penalty.

A. Any owner of a boarded building which remains boarded in violation of subsection 8.22.030(A) or any owner of a building which remains vacant in violation of subsection 8.22.030(B) beyond the time period for remediation allowed who fails to commence corrections or repairs within the correction commencement period allowed for in subsection 8.22.040(A) shall be liable for administrative penalties.

B. Any owner of a boarded building which remains boarded in violation of subsection 8.22.030(A) or any owner of a building which remains vacant in violation of subsection 8.22.030(B) beyond the correction completion period allowed for in subsection 8.22.040(C) or any extension as provided for in section 8.22.070, whichever is later, shall be liable for administrative penalties.

C. Any violation of section 8.22.030 shall be a misdemeanor. Any administrative penalty imposed pursuant to this chapter shall be in an amount not to exceed $1,000 per building for each violation. Pursuant to section 21.01.030, each and every day, or portion thereof, of continuing violation shall constitute a separate and distinct offense.

Section 8.22.100 Administrative penalty - factors.

In setting the penalty, the building official shall consider factors including, but not limited to: the severity, extent and length of time in which the blighting conditions have existed on the property; the owner's efforts, or lack thereof, to remedy the problem; staff time and costs incurred in investigating the conditions; and the extent, if any, to which an administrative penalty would impose.

Section 8.22.110 Payment of administrative penalty.

A. Upon the expiration of the thirty (30) day correction commencement period, the ninety (90) day correction completion period or any applicable thirty (30) day extension, whichever is applicable, the city may send the property owner a letter notifying him or her of any administrative penalties being imposed. The city shall send a letter each and every time administrative penalties are imposed. The administrative penalty shall become due and payable within thirty (30) days of the mailing of the letter notifying the property owner of the administrative penalty.

B. If the administrative penalty is not timely paid, the city may initiate action to collect the penalty by the remedies and procedures provided for in section 21.02.100.

C. An administrative penalty shall accrue interest at the same annual rate as any civil judgment. Interest shall accrue commencing on the 31st day following the date the penalty is due and payable as provided for in subsection (A) of this section.

CITY OF GUSTINE

PO BOX 16 - 352 5TH STREET
GUSTINE CA 95322
OFFICE (209) 854-6471 – Fax (209) 854-2127
www.cityofgustine.com

October 7, 2015

Public Notice

Property Owner:

At October 20, 2015 City Council meeting (6:30PM) the Council will be holding a workshop for the consideration of a Downtown Vacant Building Ordinance. The ordinance under consideration would establish a maximum timeline that a downtown commercial buildings could remain vacant and/or boarded up. However, the ordinance also establishes a variety of criteria that would allow for the maximum timeline to be exceeded. The ordinance could also establish code enforcement penalties for violation of the ordinance.

The intent of the ordinance is to encourage chronically vacant and dilapidated properties to take necessary action to become available for commercial activity which in turn would (ideally) contribute to the overall vibrancy of the commercial downtown. It is important to note that the Council has not made a decision on this ordinance at this time, the workshop is intended as a forum to discuss the concept with the downtown property owners / community members who are interested in attending.

The meeting will be held in the City Council chambers at 352 Fifth St at 6:30PM October 20th. If you would like more specifics on the proposed ordinance, the ordinance is available on www.cityofgustine.com, or feel free to contact City Hall at 209-854-6471.

Thank you,

Sean Scully
City Manager
City of Gustine

ITEM NO. 7

COUNCIL AGENDA ITEM

OCTOBER 20, 2015

PREPARED BY: Chief Doug Dunford

SUBJECT: **Gustine Elementary School Halloween Parade**

BACKGROUND/DISCUSSION

The Gustine Elementary Halloween Parade is an annual event of the Gustine Elementary School. City Council authorization is required to use various city streets and Police Personnel to conduct this parade. This year's parade is scheduled to begin forming on Friday, October 30, 2015, beginning at 8:15 AM and will last approximately one hour.

The requested parade route will require the use of the following streets, with police escort:

> Begin forming on Grove Avenue, south of Meredith Avenue. Proceed northbound on Grove to Wallis Avenue. Travel westbound Wallis Avenue to Payne Avenue. Turn southbound Payne Avenue to Meredith Avenue. Travel eastbound Meredith Avenue to southbound Grove Avenue, concluding at the Elementary School Campus.

FISCAL IMPACT

There is no fiscal impact for the Police as a result of this action. On-duty police personnel and on-duty command staff will provide the requested escort.

RECOMMENDATION

City Council to authorize the request by Gustine Elementary School for the use of City streets and police assistance for the annual Halloween Parade.

EXHIBIT(S)

A) Letter of request from Tracy Bedford, Gustine Elementary School.
B) Map of parade route, produced by Tracy Bedford.

APPROVED BY:

SEAN SCULLY, CITY MANAGER

September 25, 2015

Dear Gustine City Council,

Gustine Elementary School will be having their annual Parade of Costumes on Friday, October 30th.

We are requesting a police escort, *from 8:15 am to 9:15 am (apprx)*, to lead us in our parade route (see attached map).* We will begin lining up at *8:20 am,* so we would appreciate having a police escort available by 8:15 am. The parade begins at approximately 8:40 am.

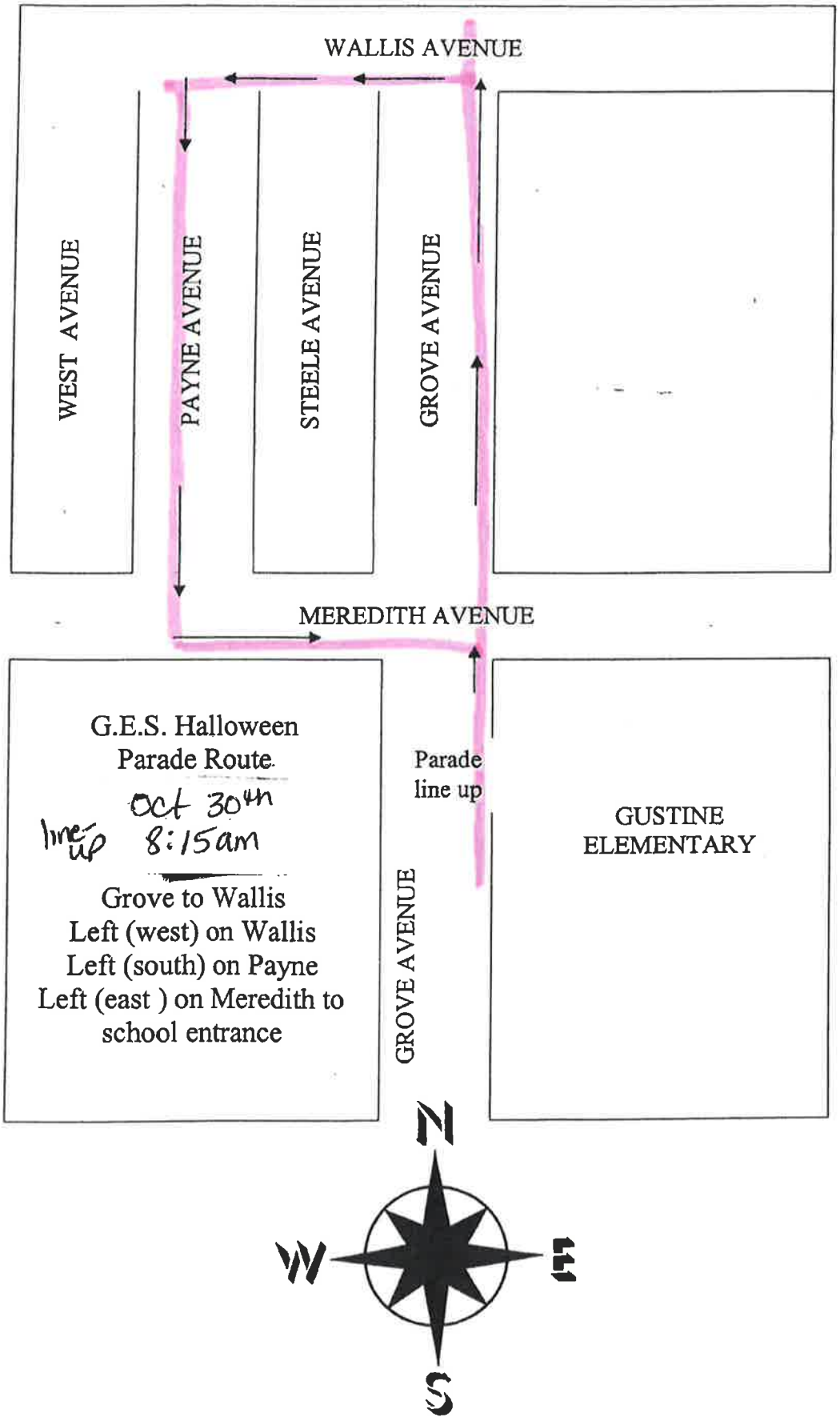
We thank you for your support in our annual parade. If you have any questions, please contact me at 854-6496.

Sincerely,

Tracy Bedford
G.E.S. Parade Representative

* 2 possible options

Option #1


WALLIS AVENUE
WEST AVENUE
PAYNE AVENUE
STEELE AVENUE
GROVE AVENUE
MEREDITH AVENUE
G.E.S. Halloween
Parade Route
Oct 30th
line up 8:15am
Grove to Wallis
Left (west) on Wallis
Left (south) on Payne
Left (east) on Meredith to
school entrance
Parade
line up
GROVE AVENUE
GUSTINE
ELEMENTARY
N
W
E
S

ITEM NO. 8

COUNCIL AGENDA ITEM

OCTOBER 20, 2015

PREPARED BY: Sean Scully, City Manager

SUBJECT: **Authorization to Apply for State Water Resources Control Board - Small Community Wastewater Grant**

BACKGROUND/DISCUSSION:

Over the past handful of years management staff have worked on various strategic planning forecasts specifically relating to future water and wastewater needs. From 2010-2014 the City of Gustine went through the design and construction phases of the USDA Water project. The USDA water project included master planning for future water needs as well as construction of a new well (Well #7). The construction of the well was intended to supplement the current water production system as well as bolster production to aid in capacity for preliminary phases of new development in Gustine and/or any new commercial and industrial activity. The City of Gustine has also recently made a number of investments in equipment at the wastewater treatment plant to address with current operational needs. While important in the short term, these investments do not address addition of future capacity.

The City of Gustine is in the process of current residential development (Borrelli Subdivision), future annexation proposals (currently in formulation) and various commercial and industrial projects. Forecasting using General Plan build out projections as well as residential, commercial and industrial activity being experienced by other west side municipalities it is likely that additional burdens will be placed on the current wastewater treatment system. Although current estimates by the City Engineer and Public Works Director indicate that capacity exists in the short term to meet demand, forecasts looking 5-15 years out indicate that additional capacity will likely be needed.

It is important that the planning and design phases for wastewater treatment expansions begin long before demand is imminent because the process of regulatory approval and construction can be lengthy. Completion of these phases can allow Gustine to meet future wastewater needs and therefore stand ready for whatever commercial, industrial or residential opportunities that may present themselves. In consultation with the City Engineer, city staff have begun researching various options to begin master planning and design phases of a wastewater treatment expansion. The State Water Resources Control Board offers a "Small Communities Wastewater Grant" which can fund preliminary study and engineering, grants are available up to $500,000. Due to the City of Gustine demographic data **no match would be required**

on this grant.

If funded, the City could begin preliminary engineering on a treatment plant expansion which aside from providing sufficient future capacity, could also allow for a more modern and efficient treatment process. The latter is especially important given the rapidly increasing regulatory framework that exists relating to municipal treatment facilities.

In order to proceed with funding the Council must approve the attached resolution which authorizes the City Manager to sign and file an application under this grant program. Once filed staff will begin the work of scoping the project, a process which will include Council input and direction.

FISCAL IMPACT:
There is minimal staff time associated with filing the application, if funded the grant will pay for the preliminary engineering with no match required from the City .

RECOMMENDATION:
Council approve the attached resolution authorizing the City Manager to formulate and file the application for this grant program.

EXHIBIT:
A) Resolution - 2015-XXXX

RESOLUTION NO. 2015-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE AUTHORIZING THE CITY MANAGER TO SIGN AND FILE A FINANCIAL ASSISTANCE APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD FOR THE PLANNING AND DESIGN OF WWTF IMPROVEMENTS

WHEREAS,the City of Gustine (City) has the authority to construct, operate and maintain itssewer system including its wastewater treatment facility (WWTF); and

WHEREAS, the California Regional Water Quality Control Board has issued Waste Discharge Requirements (WDRs) Order No. 98-039 that regulate the City's WWTF discharge; and

WHEREAS, the City needs to complete improvements to its WWTF to comply with waste discharge requirements; and

WHEREAS, the State Water Resources Control Board offers planning and design grants to disadvantaged communities to be used in the preparation of construction documents for recycled water projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gustine hereby resolves as follows:

1. The City Manager (the "Authorized Representative") or designee is hereby authorized and directed to sign and file, for and on behalf of the Entity, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning and design of WWTF improvements (the "Project").
2. This Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.
3. The Authorized Representative, or his/her designee, is designated to represent the Entity in carrying out the Entity's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws.

Passed and adopted this 20th day of October, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Dennis Brazil, Mayor

ATTEST:

Deputy City Clerk

ITEM NO. 9

COUNCIL AGENDA ITEM

OCTOBER 20, 2015

PREPARED BY: Sean Scully, City Manager

SUBJECT: **Authorization for Centennial Expenditures**

BACKGROUND/DISCUSSION:

The City of Gustine will be celebrating 100 years of incorporation on November 11th of 2015. Earlier in the year Council established a subcommittee to direct staff on a limited number of centennial activities for celebration of the historic event. The subcommittee has worked with City staff on establishing a handful of ceremonial and festive events to take place the week of November 11. In celebration of the event various community promotional items have been solicited including; shirts, hats, lapel pins, and a recreation of the original "Dairy Center" sign (to be placed at the Gustine Museum). The events are scheduled as follows:

Thursday November 12 - Dairy Sign Dedication & Open House - Gustine Museum (2:00 PM)

Saturday November 14 - Community Social W/ Hors D'oeuvres and Cocktails at the Goman Center - Includes Historical Exhibit and Guest Speaker - (Doors open at 6:00PM)

Saturday November 21 - Time Capsule Burial Ceremony at Henry Miller Park (11:00AM)

Saturday November 21 - Happy 100th Birthday Gustine Party for Kids and Families w/ Movie Night (6:00PM)

(Note: See attached flyer for specific info on events).

Staff have scoped the estimated expenditures for the various events and have also factored in cost recovery where appropriate. The centennial activities were not specifically budgeted for in the FY 15/16 budget because at the time of budget adoption the various centennial activities were not yet fully formulated. The User Utility Tax fund did have an excess of $10,000 in this year's revenue which was left in the fund balance for the current operating budget in anticipation of centennial activities and other recreation type events that were forecasted to take place this year.

FISCAL IMPACT & RECOMMENDATION:
Preliminary costs both with regard to materials, services and staff time are scoped to sum up to close to $10,000 with some variation depending on the number of tickets purchase to the social as well as the number of apparel purchased by the community.

Staff believes that all of the planned activities can be carried out appropriately with Council authorization of an amount not to exceed $10,000 from the UUT. Staff will take every effort to minimize the costs while still carrying out a quality and memorable event.

Staff would recommend that Council authorize centennial expenditures not to exceed $10,000 from the User Utility Tax.

EXHIBIT:
A) Activities Flyer

GUSTINE, CALIFORNIA
100th
Anniversary
CELEBRATION
1915–2015

GUSTINE
CENTENNIAL CELEBRATION

THURSDAY • 11/12
Dairy Sign Dedication & Open House
Gustine Museum, 397 4th Street
2:00 p.m.

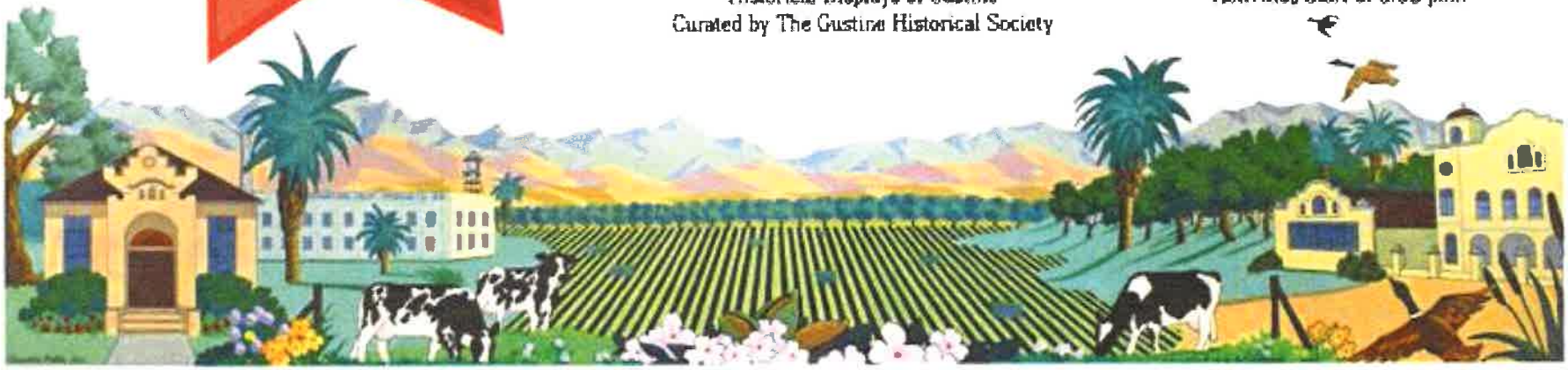
SATURDAY • 11/14
Community Social with Hors d'oeuvres
Celebrating Gustine's 100 Year Centennial
$15 per person

Hors d'oeuvres & Cocktails Start at 6:00 p.m.
Guest Speakers at 7:00 p.m.

Time Capsule Assembly
Historical Displays of Gustine
Curated by The Gustine Historical Society

SATURDAY • 11/21
Time Capsule Burial Ceremony
Henry Miller Park, Corner of 6th Street & 3rd Ave.
11:00 a.m.

Light Refreshments Provided by the
Gustine Chamber of Commerce

SATURDAY • 11/21
Happy 100th Birthday Gustine Party
for Kids and Families with Movie Night
Al Gomon Center

Movie: "Inside Out"
Activities Start at 6:00 p.m.