



AGENDA
CITY OF GUSTINE
CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
352 5th STREET GUSTINE, CALIFORNIA
MAY 17, 2016 – 6:30 P.M.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

Please take a moment to silence your cell phones.

ROLL CALL

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

PRESENTATIONS

1. **Proclamation in Recognition of National Public Works Week**
2. **WORKSHOP – The Process of Annexations**
Sean Scully, City Manager

ORAL COMMUNICATIONS

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

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

CONSENT CALENDAR

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

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

3. **Minutes of the May 3, 2016 Regular Meeting**
Recommendation: Review and approve
4. **Warrants**
Recommendation: Review and approve
5. **Treasurer's Report – April 2016**
Recommendation: Review and approve

ADMINISTRATIVE AGENDA

6. **Consider Authorizing Co-Sponsorship and Donation Request for the Annual Fourth of July Fireworks Event**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to authorize co-sponsorship and donation request*

7. **Consider a Resolution Authorizing the City Manager to Accept Federal Grant Funds for Gustine Airport Project**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to approve the resolution*

8. **Consider Approving Limited Term Appointment Agreement between the City of Gustine and Gary Davenport**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to approve the agreement*

9. **Consider Resolution for Exception to the 180-Day Wait Period**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to approve the resolution*

CITY DEPARTMENT REPORTS

CITY MANAGER REPORT

CITY COUNCIL REPORTS

CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATOR- Pursuant to Government Section 54957.6 Agency Negotiator: Mayor: Unrepresented Employee: Public Works Director**

ADJOURNMENT

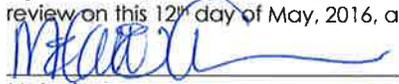
Note:

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 12th day of May, 2016, at or before 5:00 p.m.


Melanie Correa

CITY OF GUSTINE

PROCLAMATION

IN RECOGNITION OF NATIONAL PUBLIC WORKS WEEK

WHEREAS, the Public Works Department provides services for our community and are a vital integral part of our citizens' everyday lives; and

WHEREAS, the support of the community is vital to the efficient operation of public works systems and programs such as water, sewers, streets, building maintenance, wastewater treatment, solid waste collection, and airport operations; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency and effectiveness of the qualified and skilled staff contribute to the quality of life that residents and visitors alike enjoy and rely upon from the City of Gustine;

NOW, THEREFORE, BE IT RESOLVED, that the NATIONAL PUBLIC WORKS WEEK will be proclaimed May 15th through May 21st, 2016;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council requests that all citizens and civic organizations acquaint themselves with the issues involved in providing public works services to our community and to recognize the contributions which our public works employees make every day to our health, safety, comfort and quality of life.

PROCLAIMED this 17th day of May 2016.

Dennis Brazil, Mayor of Gustine

**MINUTES OF
REGULAR MEETING
MAY 3, 2016**

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: Anderson, Hasness, Nagy, Brazil

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

PRESENTATIONS

ORAL COMMUNICATIONS

There was no oral communication.

CONSENT CALENDAR

1. **Minutes of the April 19, 2016 Regular Meeting**
Recommendation: Review and approve
2. **Warrants**
Recommendation: Review and approve
3. **Gustine Employee Salary Schedules**
Recommendation: Review and approve

The Mayor introduced the consent calendar. There was no public comment. Council member Nagy advised his abstention from warrant # 41136. Council member Hasness made a motion to approve the consent calendar. The motion was seconded by Council member Anderson, and carried 4-0 with Mayor Pro Tem Oliveira absent.

ADMINISTRATIVE AGENDA

4. **Consider Resolution Approving the Revised Transportation Expenditure Plan Document and Endorsing Approval**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to approve the resolution approving the revised Transportation Expenditure Plan document and endorsing it's approval to the Citizens of Gustine and Merced County*

City Manager Scully presented the staff report. There was no public comment. Council member Hasness made a motion to approve the resolution approving the revised Transportation Expenditure Plan document and endorsing its approval. The motion was seconded by Council member Nagy, and carried 4-0 with Mayor Pro Tem Oliveira absent.

5. **Consider a Resolution Directing the Filing of Annual Reports for the City's Assessment Districts**
 1. *Receive Staff Report*

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

City Manager Scully presented the staff report. There was no public comment. Council member Nagy made a motion to approve the resolution. The motion was seconded by Council member Anderson, and carried 4-0 with Mayor Pro Tem Oliveira absent.

6. Consider Request from Gustine Unified School District Food Service Department for Use of Henry Miller and Pioneer Parks

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve the use and fee waiver request*

Deputy City Clerk Correa presented the staff report. There was no public comment. Council member Anderson made a motion to approve the request to use both Henry Miller and Pioneer Parks for the eight week food service program. The motion was seconded by Council member Hasness, and carried 4-0 with Mayor Pro Tem Oliveira absent.

7. Consider Request from Gustine Pentecost Society for Use of City Services and Street Closures

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve the use of City services and street closures*

Police Chief Dunford presented the staff report. Mr. Machado, of the Gustine Pentecost Society, requested that staff try to minimize some of the staff costs. There was no public comment. After some discussion, Hasness made a motion to approve the request and asked staff to look into conserving costs as possible. The motion was seconded by Council member Anderson, and carried 4-0 with Mayor Pro Tem Oliveira absent.

8. Consider Authorizing An Expenditure for a Comprehensive Rate Study

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to authorize an expenditure not to exceed \$33,000 for a Comprehensive Rate Study, and to direct the City Manager to contract with a consultant for the service*

City Manager Scully presented the staff report. There was no public comment. After a brief discussion, Council member Hasness made a motion to authorize an expenditure not to exceed \$33,000 and to direct the City Manager to contract with a consultant for a Comprehensive Rate Study. The motion was seconded by Council member Anderson and carried 4-0 with Mayor Pro Tem Oliveira absent.

CITY DEPARTMENT REPORTS

Gustine High School Student Representative Meg Abdallah distributed her report and advised on end of the year academic and extra-curricular activities.

Police Chief Dunford gave an update on several items his department was occupied with.

Recreation Coordinator Vitorino gave an update on the online recreation registration. She announced an upcoming CPR/First Aid training. She briefly updated on the other classes, lessons and activities her department is planning.

Public Works Director Reyes gave an update on park maintenance. She also advised on the upcoming "Love Gustine" event. She gave an update from the Airport Commission Special meeting. She also updated on several planning projects, both residential and commercial.

CITY MANAGER REPORT

City Manager Scully gave an update on a recent upswing in business, residential and commercial permitting. He mentioned the Planning Commission would be holding a workshop on tentative maps at the next regularly scheduled meeting. He also gave a brief update on the egret migration and resulting population.

CITY COUNCIL REPORTS

Council member Anderson thanked Recreation Coordinator Vitorino and Public Works Director Reyes for their hard work to obtain the new scoreboards, she also inquired on watering days.

Council member Hasness expressed her support of the Transportation Expenditure Plan.

Council member Nagy advised on his attendance at the Chamber Beer, Wine and Cheese fundraiser. He advised on upcoming Chamber events. He reminded everyone of the Memorial Day services. He also advised of his upcoming One Voice Washington D.C. trip.

Mayor Brazil advised on his upcoming One Voice Washington D.C. trip. He also updated on the Hunt Rd paving progress.

The Mayor advised that there would be no closed session at tonight's meeting.

CLOSED SESSION

- 1. CONFERENCE WITH LABOR NEGOTIATOR- Pursuant to Government Section 54957.6 Agency Negotiator: Mayor: Unrepresented Employee: Public Works Director**

ADJOURNMENT

Council member Nagy moved to adjourn the meeting. The motion was seconded by Council member Hasness. The meeting adjourned at 7:30 P.M.

ATTEST:

CITY CLERK

MAYOR BRAZIL



Warrant List By Vendor Name

Post Dates 5/4/2016 - 5/17/2016

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
Vendor: A & A PORTABLES INC				
A & A PORTABLES INC	1-650046	41163	OPEN GYM PORTABLES	55.65
Vendor A & A PORTABLES INC Total:				55.65
Vendor: A+ CORDEIRO PLUMBING				
A+ CORDEIRO PLUMBING	2839	41164	SCHMIDT PARK BATHROO	1,436.50
A+ CORDEIRO PLUMBING	2840	41164	SCHMIDT PARK BATHROO	629.50
Vendor A+ CORDEIRO PLUMBING Total:				2,066.00
Vendor: ACE HARDWARE OF GUSTINE				
ACE HARDWARE OF GUSTI	311615	41165	SUPPLIES	2.25
ACE HARDWARE OF GUSTI	311752	41165	PW SUPPLIES	7.00
ACE HARDWARE OF GUSTI	311811	41165	PW SUPPLIES	31.82
ACE HARDWARE OF GUSTI	311824	41165	PD POSTAGE	9.06
ACE HARDWARE OF GUSTI	311882	41165	PD SUPPLIES	13.49
ACE HARDWARE OF GUSTI	311947	41165	GOMAN CENTER SUPPLIES	19.42
ACE HARDWARE OF GUSTI	312291	41165	PW SUPPLIES	19.40
ACE HARDWARE OF GUSTI	312557	41165	POOL SUPPLIES	15.96
ACE HARDWARE OF GUSTI	312573	41165	TOOLS	8.63
ACE HARDWARE OF GUSTI	312598	41165	PW SUPPLIES	10.35
ACE HARDWARE OF GUSTI	312713	41165	PW SUPPLIES	3.77
ACE HARDWARE OF GUSTI	313078	41165	GOMAN SUPPLIES	25.89
ACE HARDWARE OF GUSTI	313225	41165	BATTERIES / CLOCKS	10.78
ACE HARDWARE OF GUSTI	313324	41165	SUPPLIES/ GLOVES	6.47
ACE HARDWARE OF GUSTI	313444	41165	PW SUPPLIES	19.42
ACE HARDWARE OF GUSTI	313449	41165	PW SUPPLIES	18.33
ACE HARDWARE OF GUSTI	313477	41165	PW SUPPLIES	8.09
ACE HARDWARE OF GUSTI	313596	41165	KEY	2.15
ACE HARDWARE OF GUSTI	313843	41165	KEY	4.30
ACE HARDWARE OF GUSTI	314267	41165	PW SUPPLIES	7.74
ACE HARDWARE OF GUSTI	314314	41165	PW SUPPLIES	6.47
ACE HARDWARE OF GUSTI	314388	41165	PW SUPPLIES	36.66
ACE HARDWARE OF GUSTI	314477	41165	PW SUPPLIES	19.40
ACE HARDWARE OF GUSTI	314478	41165	SUPPLIES/ GOMAN	19.40
ACE HARDWARE OF GUSTI	314482	41165	CREDIT SUPPLIES /GOMA	-19.40
Vendor ACE HARDWARE OF GUSTINE Total:				306.85
Vendor: ARAMARK UNIFORM SERVICES INC				
ARAMARK UNIFORM SERV	634528501	41167	PW UNIFORMS	1.11
ARAMARK UNIFORM SERV	634528501	41167	PW UNIFORMS	1.10
ARAMARK UNIFORM SERV	634528501	41167	PW UNIFORMS	2.21
ARAMARK UNIFORM SERV	634528501	41167	PW UNIFORMS	1.99
ARAMARK UNIFORM SERV	634528501	41167	PW UNIFORMS	4.64
ARAMARK UNIFORM SERV	634528501	41167	PW UNIFORMS	9.07
ARAMARK UNIFORM SERV	634528501	41167	PW UNIFORMS	1.99
ARAMARK UNIFORM SERV	634542969	41167	PW UNIFORMS	3.33
ARAMARK UNIFORM SERV	634542969	41167	PW UNIFORMS	3.31
ARAMARK UNIFORM SERV	634542969	41167	PW UNIFORMS	6.65
ARAMARK UNIFORM SERV	634542969	41167	PW UNIFORMS	5.99
ARAMARK UNIFORM SERV	634542969	41167	PW UNIFORMS	13.97
ARAMARK UNIFORM SERV	634542969	41167	PW UNIFORMS	27.27

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
ARAMARK UNIFORM SERV	634542969	41167	PW UNIFORMS	5.99
Vendor ARAMARK UNIFORM SERVICES INC Total:				88.62
Vendor: BAKER SUPPLIES AND REPAIRS				
BAKER SUPPLIES AND REP	19924	41168	EQUIP REPAIR	1,526.21
BAKER SUPPLIES AND REP	20662	41168	REPAIR/ SERVICE EQUIP	214.15
BAKER SUPPLIES AND REP	20756	41168	COOLANT	17.27
BAKER SUPPLIES AND REP	20797	41168	EDGER / TOOLS	340.16
Vendor BAKER SUPPLIES AND REPAIRS Total:				2,097.79
Vendor: BEST BEST & KRIEGER				
BEST BEST & KRIEGER	769730	41169	FEIHE ATTORNEY FEES	448.00
Vendor BEST BEST & KRIEGER Total:				448.00
Vendor: CALIFORNIA STATE DISBURSEMENT UNIT				
CALIFORNIA STATE DISBU	PR-4/30/16	41170	PAYROLL DEDUCTION	8.31
Vendor CALIFORNIA STATE DISBURSEMENT UNIT Total:				8.31
Vendor: CENTRAL VALLEY ELECTRICAL CONSTR INDUSTRY LABOR-MGT COOPERATION TRUST				
CENTRAL VALLEY ELECTRIC	197	41171	SCOREBOARD -REC	4,415.50
Vendor CENTRAL VALLEY ELECTRICAL CONSTR INDUSTRY LABOR-MGT COOPERATION TRUST Total:				4,415.50
Vendor: CITY NATIONAL BANK				
CITY NATIONAL BANK	JUNE 2016	41172	PAYMENT #24 JUNE 2016	50,900.00
CITY NATIONAL BANK	JUNE 2016	41172	PAYMENT #24 JUNE 2016	12,521.03
Vendor CITY NATIONAL BANK Total:				63,421.03
Vendor: CITY OF GUSTINE				
CITY OF GUSTINE	MAY 2016	41173	BORRELLI WATER	46.84
Vendor CITY OF GUSTINE Total:				46.84
Vendor: CITY OF LIVINGSTON				
CITY OF LIVINGSTON	0003438	41174	RADIO IP LICENSE 2012-20	6,336.00
Vendor CITY OF LIVINGSTON Total:				6,336.00
Vendor: DICK FORD'S TRACTOR REPAIR				
DICK FORD'S TRACTOR RE	139750	41175	SEWER	214.75
DICK FORD'S TRACTOR RE	140492	41175	PW PARTS	12.91
DICK FORD'S TRACTOR RE	140493	41175	SUPPLIES / EQUIP	31.47
DICK FORD'S TRACTOR RE	140546	41175	COOLANT	17.01
DICK FORD'S TRACTOR RE	140811	41175	PARTS / SPRAY RIG / WW	53.51
Vendor DICK FORD'S TRACTOR REPAIR Total:				329.65
Vendor: DIVERSIFIED RISK/HUB INTERNATIONAL				
DIVERSIFIED RISK/HUB INT	APRIL 2016	41176	INSURANCE FACILITY REN	522.56
Vendor DIVERSIFIED RISK/HUB INTERNATIONAL Total:				522.56
Vendor: DOMINGOS PONCEANO				
DOMINGOS PONCEANO	1451	41177	JANITORIAL	400.00
DOMINGOS PONCEANO	1451	41177	JANITORIAL	330.00
DOMINGOS PONCEANO	1451	41177	JANITORIAL	450.00
Vendor DOMINGOS PONCEANO Total:				1,180.00
Vendor: E & M ELECTRIC CO.				
E & M ELECTRIC CO.	78993	41178	LIGHTS	19.86
E & M ELECTRIC CO.	78994	41178	WW PLANT / AERATOR IN	340.00
E & M ELECTRIC CO.	78999	41178	WELL 7 REPAIR	320.00
E & M ELECTRIC CO.	79013	41178	STREET LIGHT REPAIR	740.35
Vendor E & M ELECTRIC CO. Total:				1,420.21
Vendor: FASTENAL COMPANY				
FASTENAL COMPANY	CALOB39566	41179	SAFETY SUPPLIES	107.71
FASTENAL COMPANY	CALOB39566	41179	SAFETY SUPPLIES	107.71
FASTENAL COMPANY	CALOB39566	41179	SAFETY SUPPLIES	107.71

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
FASTENAL COMPANY	CALOB39566	41179	SAFETY SUPPLIES	107.71
			Vendor FASTENAL COMPANY Total:	430.84
Vendor: FRANCHISE TAX BOARD				
FRANCHISE TAX BOARD	PR- 5/6/16	41180	PAYROLL DEDUCTION	190.00
			Vendor FRANCHISE TAX BOARD Total:	190.00
Vendor: G&K SERVICES				
G&K SERVICES	1057251275	41181	PW UNIFORMS	2.43
G&K SERVICES	1057251275	41181	PW UNIFORMS	2.44
G&K SERVICES	1057251275	41181	PW UNIFORMS	4.87
G&K SERVICES	1057251275	41181	PW UNIFORMS	4.38
G&K SERVICES	1057251275	41181	PW UNIFORMS	10.22
G&K SERVICES	1057251275	41181	PW UNIFORMS	19.96
G&K SERVICES	1057251275	41181	PW UNIFORMS	4.38
G&K SERVICES	1057259336	41181	PW UNIFORMS	10.44
G&K SERVICES	1057259336	41181	PW UNIFORMS	10.43
G&K SERVICES	1057259336	41181	PW UNIFORMS	20.87
G&K SERVICES	1057259336	41181	PW UNIFORMS	18.78
G&K SERVICES	1057259336	41181	PW UNIFORMS	43.83
G&K SERVICES	1057259336	41181	PW UNIFORMS	85.57
G&K SERVICES	1057259336	41181	PW UNIFORMS	18.78
G&K SERVICES	1057262058	41181	PW UNIFORMS	2.47
G&K SERVICES	1057262058	41181	PW UNIFORMS	2.46
G&K SERVICES	1057262058	41181	PW UNIFORMS	4.94
G&K SERVICES	1057262058	41181	PW UNIFORMS	4.45
G&K SERVICES	1057262058	41181	PW UNIFORMS	10.38
G&K SERVICES	1057262058	41181	PW UNIFORMS	20.26
G&K SERVICES	1057262058	41181	PW UNIFORMS	4.45
			Vendor G&K SERVICES Total:	306.79
Vendor: GEORGE OSNER, AICP URBAN PLANNING				
GEORGE OSNER, AICP URB	043016 KATAKIS	41182	KATAKIS PLANNING	30.00
GEORGE OSNER, AICP URB	APRIL 2016	41182	PLAN REVIEW FEIHE	1,020.00
			Vendor GEORGE OSNER, AICP URBAN PLANNING Total:	1,050.00
Vendor: GILTON SOLID WASTE MANAGEMENT INC				
GILTON SOLID WASTE MA	APRIL 2016 BINS	41183	TRASH BIN	244.76
GILTON SOLID WASTE MA	JUNE 2016	41183	REFUSE SERVICE MAY 201	33,031.93
			Vendor GILTON SOLID WASTE MANAGEMENT INC Total:	33,276.69
Vendor: GUERRERO'S TIRE & AUTO REPAIR				
GUERRERO'S TIRE & AUTO	04142016	41184	TIRE REPAIR	10.00
GUERRERO'S TIRE & AUTO	05042016	41184	TIRE REPAIR	24.00
			Vendor GUERRERO'S TIRE & AUTO REPAIR Total:	34.00
Vendor: IEH AQUATIC RESEARCH				
IEH AQUATIC RESEARCH	132807	41185	WW ANALYSIS	104.00
IEH AQUATIC RESEARCH	132859	41185	WW ANALYSIS	520.00
			Vendor IEH AQUATIC RESEARCH Total:	624.00
Vendor: IEH-JL ANALYTICAL				
IEH-JL ANALYTICAL	367879	41186	WW ANALYSIS	774.00
IEH-JL ANALYTICAL	367950	41186	WW ANALYSIS	144.00
			Vendor IEH-JL ANALYTICAL Total:	918.00
Vendor: INFOSEND BILLING				
INFOSEND BILLING	104989	41187	UTILITY BILLING & STREET	700.57
INFOSEND BILLING	104989	41187	UTILITY BILLING & STREET	24.09
INFOSEND BILLING	104989	41187	UTILITY BILLING & STREET	163.82
INFOSEND BILLING	104989	41187	UTILITY BILLING & STREET	163.82

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
INFOSEND BILLING	104989	41187	UTILITY BILLING & STREET	130.09
INFOSEND BILLING	105568	41187	BULKY PICKUP INSERT	261.20
Vendor INFOSEND BILLING Total:				1,443.59
Vendor: JOE'S LANDSCAPING AND CONCRETE, INC				
JOE'S LANDSCAPING AND	8012	41188	PLANTS FOR GOMAN CEN	47.33
Vendor JOE'S LANDSCAPING AND CONCRETE, INC Total:				47.33
Vendor: MATTOS NEWSPAPERS INC				
MATTOS NEWSPAPERS IN	65635	41189	PRINT FUDRAISING LETTE	1,429.62
MATTOS NEWSPAPERS IN	65636	41189	MAILER ENVELOPES FIRE	293.28
MATTOS NEWSPAPERS IN	65644	41189	FIREWORKS RETURN ENVE	293.28
MATTOS NEWSPAPERS IN	CW0430003	41189	POOL EMPLOYMENT ADS	97.00
MATTOS NEWSPAPERS IN	CW0430004	41189	PW PT EMPLOYMENT AD	19.80
MATTOS NEWSPAPERS IN	CW0430004	41189	PW PT EMPLOYMENT AD	20.40
MATTOS NEWSPAPERS IN	CW0430004	41189	PW PT EMPLOYMENT AD	19.80
MATTOS NEWSPAPERS IN	PI0407038	41189	AD Y-LEAD	42.00
MATTOS NEWSPAPERS IN	PI0414054	41189	ADVERTISEMENT MOVIE	131.50
MATTOS NEWSPAPERS IN	PI0428204	41189	PROPERTY ORDINANCE N	72.00
MATTOS NEWSPAPERS IN	PI0428205	41189	PARCEL MAP AD	80.00
MATTOS NEWSPAPERS IN	TR0405031	41189	Y-LEAD CAPTAIN AD	21.00
MATTOS NEWSPAPERS IN	TR0419021	41189	ADVERTISEMENT MOVIE	65.75
Vendor MATTOS NEWSPAPERS INC Total:				2,585.43
Vendor: MERCED COUNTY ASSESSOR				
MERCED COUNTY ASSESS	MAPS TO 12312015	41190	MAP AUTO UPDATES X 3	4.50
Vendor MERCED COUNTY ASSESSOR Total:				4.50
Vendor: MERCED COUNTY DEPARTMENT OF AG				
MERCED COUNTY DEPART	8057WS	41191	SQUIRREL BAIT	604.80
MERCED COUNTY DEPART	8057WS	41191	SQUIRREL BAIT	151.20
Vendor MERCED COUNTY DEPARTMENT OF AG Total:				756.00
Vendor: MICHAEL KEYES				
MICHAEL KEYES	REC CPR REIMB	41192	REIMB CPR CLASS (REMN	56.00
Vendor MICHAEL KEYES Total:				56.00
Vendor: OPERATING ENGINEERS LOCAL #3				
OPERATING ENGINEERS L	PR- 04/30/16	41193	PAYROLL DEDUCTIONS	192.00
OPERATING ENGINEERS L	PR- 4/30/16	41193	PAYROLL DEDUCTIONS	90.00
Vendor OPERATING ENGINEERS LOCAL #3 Total:				282.00
Vendor: P G & E				
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	1,966.41
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	2,083.43
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	70.94
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	371.56
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	63.51
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	71.55
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	403.82
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	44.20
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	1,570.57
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	6,505.30
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	691.27
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	5,397.50
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	1,123.92
P G & E	MAY 2016	41194	GAS AND ELECTRIC JAN 20	481.05
P G & E	MAY 2016	41194	GAS AND ELECTRIC MAY 2	107.59
Vendor P G & E Total:				20,952.62

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
Vendor: PAUL BLADES				
PAUL BLADES	2699 REISSUE	41195	RE ISSUE CHECK VENDOR	525.00
Vendor PAUL BLADES Total:				525.00
Vendor: POLICE OFFICERS ASSOC				
POLICE OFFICERS ASSOC	PR- 4/30/16	41196	PAYROLL DEDUCTIONS	360.00
Vendor POLICE OFFICERS ASSOC Total:				360.00
Vendor: QPCS, LLC				
QPCS, LLC	11798	41197	I.T. SUPPORT	21.70
QPCS, LLC	11798	41197	I.T. SUPPORT	21.70
QPCS, LLC	11798	41197	I.T. SUPPORT	108.50
QPCS, LLC	11798	41197	I.T. SUPPORT	32.55
QPCS, LLC	11798	41197	I.T. SUPPORT	32.55
QPCS, LLC	11798	41197	I.T. SUPPORT	21.70
QPCS, LLC	11798	41197	I.T. SUPPORT	32.55
QPCS, LLC	11798	41197	I.T. SUPPORT	162.75
QPCS, LLC	11798	41197	I.T. SUPPORT	217.00
QPCS, LLC	11798	41197	I.T. SUPPORT	217.00
QPCS, LLC	11798	41197	I.T. SUPPORT	217.00
Vendor QPCS, LLC Total:				1,085.00
Vendor: R & S ERECTION				
R & S ERECTION	51658	41198	GATE REPAIR	102.00
R & S ERECTION	51658	41198	GATE REPAIR	102.00
R & S ERECTION	51658	41198	GATE REPAIR	102.00
R & S ERECTION	51658	41198	GATE REPAIR	102.00
Vendor R & S ERECTION Total:				408.00
Vendor: SAN JOAQUIN VALLEY UNIFIED AIR POLL				
SAN JOAQUIN VALLEY UNI	N115569	41199	GENERATOR PERMIT WEL	123.00
Vendor SAN JOAQUIN VALLEY UNIFIED AIR POLL Total:				123.00
Vendor: SHELLY DAVIS-KING				
SHELLY DAVIS-KING	16-04-01	41200	RESEARCH/SURVEY WORK	4,493.13
Vendor SHELLY DAVIS-KING Total:				4,493.13
Vendor: SHERYL GOMES				
SHERYL GOMES	ZUMBA APRIL 2016	41201	ZUMBA SESSION E APRIL 2	260.50
Vendor SHERYL GOMES Total:				260.50
Vendor: SIERRA CHEMICAL				
SIERRA CHEMICAL	SLC 10010889	41202	CREDIT - CHLORINE	-300.00
SIERRA CHEMICAL	SLS 10032983	41202	CHLORINE	816.49
Vendor SIERRA CHEMICAL Total:				516.49
Vendor: TERMINIX INTERNATIONAL				
TERMINIX INTERNATIONA	354238648	41203	PEST CONTROL	62.00
TERMINIX INTERNATIONA	354281765	41203	PEST CONTROL	35.00
TERMINIX INTERNATIONA	354408335	41203	PEST CONTROL	10.00
TERMINIX INTERNATIONA	3544538972	41203	PEST CONTROL	34.00
Vendor TERMINIX INTERNATIONAL Total:				141.00
Vendor: TESEI PETROLEUM				
TESEI PETROLEUM	52514	41204	FUEL FD/PD/PW VEHICLE	37.23
TESEI PETROLEUM	52514	41204	FUEL FD/PD/PW VEHICLE	370.28
TESEI PETROLEUM	52514	41204	FUEL FD/PD/PW VEHICLE	35.19
TESEI PETROLEUM	52514	41204	FUEL FD/PD/PW VEHICLE	94.78
TESEI PETROLEUM	52514	41204	FUEL FD/PD/PW VEHICLE	20.31
TESEI PETROLEUM	52514	41204	FUEL FD/PD/PW VEHICLE	99.17

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
TESEI PETROLEUM	52514	41204	FUEL FD/PD/PW VEHICLE	99.52
Vendor TESEI PETROLEUM Total:				756.48
Vendor: UNIVERSAL SYSTEMS AUTOMATION LLC				
UNIVERSAL SYSTEMS AUT	1437	41205	WW INFLUENT REPAIR PA	4,025.00
Vendor UNIVERSAL SYSTEMS AUTOMATION LLC Total:				4,025.00
Vendor: VERIZON WIRELESS				
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	0.89
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	106.18
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	191.73
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	26.31
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	90.99
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	56.42
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	30.33
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	56.43
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	106.18
VERIZON WIRELESS	9764307617	41206	CELL SERVICE	303.34
Vendor VERIZON WIRELESS Total:				968.80
Vendor: WASHINGTON STATE SUPPORT REGISTRY				
WASHINGTON STATE SUP	PR- 4/30/16	41207	PAYROLL DEDUCTION	142.71
Vendor WASHINGTON STATE SUPPORT REGISTRY Total:				142.71
Grand Total:				159,505.91

Report Summary

Fund Summary

Fund	Payment Amount
001 - GENERAL FUND	19,867.73
002 - UTILITY TAX FUND	4,534.92
009 - COMMUNITY CENTER FUND	1,228.58
016 - SWIM POOL FUND	1,761.66
017 - CITY WIDE LIGHTING & LAND	7,411.68
019 - RECREATION FUND	1,293.22
020 - SURFACE TRANS SERV FUND	4,493.13
021 - ST/SIDEWALK MAINT	35.59
047 - FIREWORKS	2,016.18
059 - STORM DRAIN	392.26
060 - WATER FUND	70,937.79
061 - SEWER FUND	9,320.34
062 - REFUSE	33,920.57
063 - AIRPORT FUND	632.25
074 - ASSESS - BORRELLI	154.43
093 - INSURANCE TRUST FUND	522.56
099 - PAYROLL TRUST FUND	983.02
Grand Total:	159,505.91

Account Summary

Account Number	Account Name	Payment Amount
001-0000-430.041-00	PLANNING DEPOSIT (PR	1,498.00
001-0110-530.201-00	OTHER CONTRACT SERVI	21.70
001-0140-530.011-00	TELEPHONE & INTERNET	0.89
001-0140-530.014-00	POSTAGE	700.57
001-0140-530.201-00	OTHER CONTRACT SERVI	45.79
001-0150-520.011-00	UNIFORM ALLOWANCE	19.78
001-0150-520.040-00	FUEL	37.23
001-0150-530.011-00	TELEPHONE & INTERNET	106.18
001-0150-530.060-00	ELECTRIC	1,966.41
001-0150-530.062-00	GAS	2,083.43
001-0150-530.201-00	OTHER CONTRACT SERVI	462.00
001-0210-520.010-00	DEPT OPERATING SUPPL	13.49
001-0210-520.040-00	FUEL	370.28
001-0210-530.011-00	TELEPHONE & INTERNET	191.73
001-0210-530.014-00	POSTAGE	9.06
001-0210-530.060-00	ELECTRIC	70.94
001-0210-530.201-00	OTHER CONTRACT SERVI	6,774.50
001-0220-520.040-00	FUEL	35.19
001-0220-530.060-00	ELECTRIC	371.56
001-0220-530.062-00	GAS	63.51
001-0230-530.011-00	TELEPHONE	26.31
001-0230-530.201-00	OTHER CONTRACT SERVI	45.00
001-0410-530.009-00	OTHER PROFESSIONAL S	4.50
001-0410-530.030-00	ADVERTISING	152.00
001-0610-520.010-00	DEPT OPERATING SUPPL	307.32
001-0610-520.011-00	UNIFORM ALLOWANCE	19.74
001-0610-520.030-00	MOTOR VEHICLE EXPEN	17.01
001-0610-530.011-00	TELEPHONE	90.99
001-0610-530.060-00	ELECTRIC	71.55
001-0610-530.072-00	OTHER EQUIPMENT REP	1,852.36
001-0610-530.201-00	OTHER CONTRACT SERVI	2,098.55
001-0610-540.030-00	MACHINERY & EQUIPME	340.16
002-0000-430.054-00	YOUTH PROGRAMS	21.00
002-0145-520.010-00	DEPT OPERATING SUPPL	4,415.50
002-0147-520.010-00	DEPT OPERATING SUPPL	42.00
002-0147-530.011-00	TELEPHONE	56.42

Account Summary

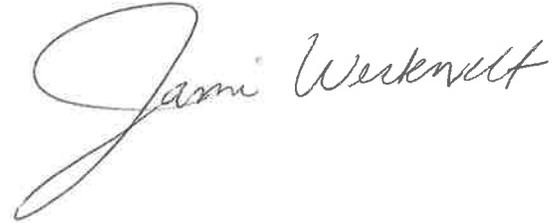
Account Number	Account Name	Payment Amount
009-0150-520.010-00	DEPT OPERATING SUPPL	119.04
009-0150-520.040-00	FUEL	94.78
009-0150-530.011-00	TELEPHONE	30.33
009-0150-530.060-00	ELECTRIC	403.82
009-0150-530.062-00	GAS	44.20
009-0150-530.201-00	OTHER CONTRACT SERVI	516.55
009-0150-540.011-00	BUILDINGS	19.86
016-0613-520.010-00	DEPT OPERATING SUPPL	15.96
016-0613-530.011-00	TELEPHONE	56.43
016-0613-530.030-00	ADVERTISING	97.00
016-0613-530.060-00	ELECTRIC	1,570.57
016-0613-530.201-00	OTHER CONTRACT SERVI	21.70
017-0260-530.060-00	ELECTRIC	6,505.30
017-0270-530.201-00	OTHER CONTRACT SERVI	740.35
017-0610-520.011-00	UNIFORM ALLOWANCE	39.54
017-0610-520.040-00	FUEL	20.31
017-0610-530.011-00	TELEPHONE	106.18
019-0000-430.052-00	RECREATION PROGRAM	56.00
019-0613-520.010-00	DEPT OPERATING SUPPL	260.50
019-0613-530.030-00	ADVERTISING	197.25
019-0613-530.060-00	ELECTRIC	691.27
019-0613-530.201-00	OTHER CONTRACT SERVI	88.20
020-0310-540.020-00	OTHER IMPROVEMENTS	4,493.13
021-0310-520.011-00	UNIFORM ALLOWANCE	35.59
047-0704-530.030-00	ADVERTISING - FIREWO	2,016.18
059-0730-520.010-00	DEPT OPERATING SUPPL	127.51
059-0730-530.072-00	OTHER EQUIPMENT REP	102.00
059-0730-530.201-00	OTHER CONTRACT SERVI	162.75
060-0140-530.201-00	OTHER CONTRACT SERVI	163.82
060-0710-520.010-00	DEPT OPERATING SUPPL	707.89
060-0710-520.011-00	UNIFORM ALLOWANCE	83.04
060-0710-520.040-00	FUEL	99.17
060-0710-530.011-00	TELEPHONE	303.34
060-0710-530.060-00	ELECTRIC	5,397.50
060-0710-530.072-00	OTHER EQUIPMENT REP	422.00
060-0710-530.094-00	LICENSES & PERMIT FEE	123.00
060-0710-530.101-00	BOND PRINCIPAL	50,900.00
060-0710-530.120-00	INTEREST - BOND	12,521.03
060-0710-530.201-00	OTHER CONTRACT SERVI	217.00
061-0140-530.201-00	OTHER CONTRACT SERVI	163.82
061-0520-520.010-00	DEPT OPERATING SUPPL	738.78
061-0520-520.011-00	UNIFORM ALLOWANCE	162.13
061-0520-520.040-00	FUEL	99.52
061-0520-530.060-00	ELECTRIC	1,123.92
061-0520-530.072-00	OTHER EQUIPMENT REP	4,408.17
061-0520-530.201-00	OTHER CONTRACT SERVI	2,624.00
062-0140-530.201-00	OTHER CONTRACT SERVI	391.29
062-0510-520.011-00	UNIFORM ALLOWANCE	35.59
062-0510-530.009-00	OTHER PROFESSIONAL S	33,276.69
062-0510-530.201-00	OTHER CONTRACT SERVI	217.00
063-0340-520.010-00	DEPT OPERATING SUPPL	151.20
063-0340-530.060-00	ELECTRIC	481.05
074-0610-530.059-00	WATER UTILITY	46.84
074-0610-530.060-00	ELECTRIC	107.59
093-0000-220.070	INSURANCE TRUST	522.56
099-0000-220.071	POA DEDUCT PAYABLE	360.00
099-0000-220.081	UNION DUES PAYABLE	282.00
099-0000-220.094	FRANCHISE TAX BOARD	190.00

Account Summary

Account Number	Account Name	Payment Amount
099-0000-220.097	CALIFORNIA STATE DISB	8.31
099-0000-220.098	WASHINGTON SUPPORT	<u>142.71</u>
	Grand Total:	159,505.91

Project Account Summary

Project Account Key	Payment Amount
None	<u>159,505.91</u>
Grand Total:	159,505.91





TREASURER'S REPORT

Period Ending April 30, 2016

The following investment and cash information pertains to the period ending April 30, 2016:

<u>Institution</u>	<u>Acct#</u>	<u>Investment Type</u>	<u>Interest Rate</u>	<u>Balance</u>
Investments				
State of California LAIF	088-200.188	Pooled	0.525%	\$3,828,631.73
Raymond James	001-100.011	Liquid Account	0.010%	\$273,444.36
<i>Subtotal</i>				<i>\$4,102,076.09</i>
Non Interest Bearing Items				
Tri-Counties Bank	099-100.004	Payroll Account		\$160,643.25
Tri-Counties Bank	000-100.100	General Checking		\$459,337.55
<i>Subtotal</i>				<i>\$619,980.80</i>
Total Cash and Investments				\$4,722,056.89

Prepared by:



Jami Westervelt, Finance Manager



COUNCIL AGENDA ITEM

MAY 17, 2015

PREPARED BY: Sean Scully, City Manager

SUBJECT: Consider Authorizing Co-Sponsorship and Donation Request toward the annual Fourth of July Fireworks Event

BACKGROUND/DISCUSSION

In the past Gustine Chamber of Commerce and the City of Gustine have operated under a "Co-Sponsor" arrangement (approved each year by Council) with regard to the yearly Fourth of July fireworks show at Gustine High School.

In past years the City's co-sponsor duties included acquiring the necessary insurance coverage as well as advancing the funds needed provide the upfront payment for the fireworks display (with the Chamber reimbursing the City after it's donations have been fully collected for the event). In 2015 the Fourth of July in the Park Committee (an independent committee which has been responsible for putting on the July 4th park activities) assisted in fund raising for the event and adequate funds were raised for last year's \$20,000 firework show. This was achieved through partnerships with various non profits, service clubs, the City and GUSD.

This year the 4th of the July in the Park Committee will again be coordinating the fund raising for the 4th of July display. The fund raising model will be similar in nature to last year. The City will work on providing GUSD similar liability coverage to last year and will work to obtain approval from GUSD for the use of the High School Track/Football field.

In order for the fireworks company (Pyro Spectacular) to schedule the display, a down payment must be made to Pyro Spectacular and a contractual agreement must be entered into with Pyro Spectacular. In previous years the City has advanced the funds for the event (which this year would be \$20,000). The issue before the Council this evening is a decision on whether or not to authorize the advancement of funds for the cost of the Fireworks show with the expectation that the funding will be reimbursed to the City after the necessary fund raising efforts have been completed by the 4th of July in the park committee.

FISCAL IMPACT

If the City elects to solely act as a Co-Sponsor (aside from any donation that may or may not be authorized) the City would be potentially exposed to a maximum \$20,000 liability should the 4th of July in the Parks committee be unable to fundraise to expected levels. If authorized, any actual donation (separate from the advancing of

funds) authorized by the City would likely need to be funded through the User Utility Tax account as no line item has been budgeted for this as a non reimbursed expense.

RECOMMENDATION

Council consider whether or not to authorize an advance of \$20,000 for the fireworks display and whether to or not to direct the City Manager to enter into an agreement with the fireworks provider for the display (Pyro Spectacular), with the expectation that funds raised through the 4th of July in the Park Committee fund raising efforts will reimburse the City for the fund advance.



COUNCIL AGENDA ITEM

MAY 17, 2016

PREPARED BY: Kathryn Reyes, Director of Public Works

**SUBJECT: Improve Airport Drainage; East Side Project, Design Phase 1-
Acceptance of Grant Funds from Federal Aviation Administration
(Project 3-06-0096-013-2016)**

BACKGROUND/ DISCUSSION:

On March 21, 2016 the City of Gustine submitted to the Federal Aviation Administration (FAA) a Project Application for a federally funded grant for a project at the Gustine Airport. The project is the Design Phase of the Eastside Drainage (Project 3-06-0096-013-2016) which is an identified project from the City of Gustine Airport Capital Improvement Plan. The first phase of this project will include the design of infrastructure to accomplish proper drainage of storm water on the Gustine Airport. The estimated cost for this phase of the project is \$74,500.

The construction phase of this project is slated as the next project for the Airport. A separate grant application will be submitted for that phase.

On May 4, 2016 the City of Gustine received approval for Phase 1, which includes the offer of ninety (90%) percent funding for our project, which totals \$67,500. The remaining ten (10%) percent of the project costs, \$7,000, must be paid with local funds as "matching funds". The matching funds will be a budgeted item in the 2016/2017 Airport Budget.

The FAA requires a resolution by the governing body authorizing the City Manager or Authorized representative to accept and execute the grant offer.

RECOMENDATION:

Council consider and approve the attached resolution authorizing the City Manager to execute and accept the grant offer of \$67,500 for Phase I East side Drainage (project 3-06-0096-013-2016) at the Gustine Airport.

FISCAL IMPACT

Matching funds totaling \$7,000, which will be included in the 2016-2017 Airport budget.

ATTACHMENT:

A) Resolution

APPROVED BY:

SEAN SCULLY, CITY MANAGER

RESOLUTION NO. 2016-XXXX
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE
AUTHORIZING THE CITY MANAGER TO EXECUTE
THE ACCEPTANCE OF THE FEDERAL AVIATION ADMINISTRATION GRANT FOR
PROJECT 3-06-0096-013-2016

WHEREAS, the City of Gustine submitted to the Federal Aviation Administration an application for a grant of Federal funds for the Design Phase I-Improve Airport drainage- East Side project under AIP Grant Number 3-06-0096-013-2016; and

WHEREAS, the Federal Aviation Administration has approved the project and agrees to pay ninety (90) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project; and

WHEREAS, the City of Gustine's governing body must provide authority to the authorized representative signing the grant to accept and execute the acceptance of the grant; and;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Gustine that it does hereby authorize the City Manager to execute said document.

PASSED AND ADOPTED on this 17th Day of May, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Dennis Brazil, Mayor of the City of Gustine

Melanie Correa,
Deputy City Clerk



COUNCIL AGENDA ITEM

MAY 17, 2016

PREPARED BY: City Manager Sean Scully

SUBJECT: **Approval of Limited-Term Appointment Agreement for the Position of Interim Chief Wastewater Operator between the City of Gustine and Gary Davenport effective June 7, 2016**

BACKGROUND/DISCUSSION

As Council is aware, Chief Wastewater Operator Gary Davenport will be retiring on June 1, 2016. This position is of essential need to the operation of the City, and a recruitment to fill the Chief Wastewater Operator is in the preliminary stages.

A recruitment for candidates of the education and certification level that is necessary to properly fill Mr. Davenport's position will need ample time, therefore staff is recommending Council consider approving the limited-term appointment of Mr. Davenport for the part-time position of Interim Chief Wastewater Operator. Staff believes Mr. Davenport's specialized skills, and extensive knowledge and experience in the areas of the daily operation and maintenance of the Wastewater Treatment Plant are necessary to the vital function of the City of Gustine.

For the Council to appoint a CalPERS retiree to a limited-term position, that appointment must comply with the requirements as codified in Government Code Sections 7522.56 and 21221(h). Specifically, an appointment under Sections 7522.56 and 21221(h) is permissible if all of the following requirements are met:

- (1) The appointment must be to a vacant position, in which an open recruitment is in process;
- (2) The appointment shall only be made once, and is of limited duration;
- (3) The compensation received by the retiree is not more than the maximum monthly base salary paid to other employees performing comparable duties as listed on the City's publicly available pay schedule, reflected as an hourly rate by dividing the monthly base pay by 173.333;
- (4) The total hours worked by the retiree in a fiscal year, for all CalPERS employers, cannot exceed 960 hours;
- (5) The compensation paid to the retiree is limited to the hourly rate;
- (6) For any retirees with a retirement effective date on or after January 1, 2013, the appointment must occur at least 180 days following the date of retirement unless the employer certifies that the appointment is necessary to fill a critically needed position before 180 days have expired and the governing body approves the appointment in a public meeting.

Staff believes the appointment of Mr. Davenport meets all of the foregoing requirements as detailed in the attached Appointment Agreement. Requirement #6, the 180 Day Wait Period Exception, is specifically addressed in the subsequent staff report and proposed resolution.

RECOMMENDATION

Council review and approve the attached "Limited-Term Appointment Agreement with CalPERS Retiree for the position of Interim Chief Wastewater Operator" between the City of Gustine and Mr. Gary Davenport effective June 7, 2016.

ATTACHMENTS

- A) The "Limited-Term Appointment Agreement with CalPERS Retiree for the position of Interim Chief Wastewater Operator" between the City of Gustine and Mr. Gary Davenport effective June 7, 2016.

CITY OF GUSTINE

LIMITED-TERM APPOINTMENT AGREEMENT WITH CALPERS RETIREE

FOR THE POSITION OF

INTERIM CHIEF WASTEWATER OPERATOR

Dear Gary:

If accepted by you, this letter represents an agreement for a limited-term appointment as a CalPERS retiree to the limited-term appointment of Interim Chief Wastewater Operator with the City of Gustine ("City").

This agreement is made because we have determined that your specialized skills in the areas of the daily maintenance and operations and special projects related to the Wastewater Treatment Plant are necessary to the essential function of the City's wastewater operations. The City will be actively recruiting for a replacement and permanent Chief Wastewater Operator during the period of which this limited-term agreement is in place.

The terms of this agreement include:

- The term of your appointment will be from June 7, 2016 through no later than June 6, 2018.
- Your rate of pay in the position will be an hourly salary of \$32.14.
- You will not receive any further payments or benefits other than the hourly rate unless otherwise required by state or federal law.
- Your hours **cannot exceed 960 hours** in a fiscal year (inclusive of all hours worked for any CalPERS employer).

The City and you make this agreement with the mutual understanding that the appointment complies with the requirements applicable to the employment of CalPERS retirees, as codified in Government Code Sections 7522.56 and 21221(h). Specifically, an appointment under Sections 7522.56 and 21221(h) is permissible if all of the following requirements are met:

- (1) The appointment must be to a vacant position, in which an open recruitment is in process;
- (2) The appointment shall only be made once, and is of limited duration;
- (3) The compensation received by the retiree is not more than the maximum monthly base salary paid to other employees performing comparable duties as listed on the City's publicly available pay schedule, reflected as an hourly rate by dividing the monthly base pay by 173.333;
- (4) The total hours worked by the retiree in a fiscal year, for all CalPERS employers, cannot exceed 960 hours;
- (5) The compensation paid to the retiree is limited to the hourly rate;
- (6) For any retirees with a retirement effective date on or after January 1, 2013, the appointment must occur at least 180 days following the date of retirement unless the employer certifies that the appointment is necessary to fill a critically needed position before 180 days have expired and the governing body approves the appointment in a public meeting.

The City, in good faith, has determined that your appointment meets (1) – (5) of the foregoing requirements as follows:

- (1) The appointment will be to of an interim nature, while the recruitment for a permanent employee is conducted.
- (2) The appointment is of limited duration because it is anticipated to last no longer than June 6, 2018.
- (3) The compensation you will receive is no more than the maximum monthly base salary paid to other employees performing comparable duties as listed on the City's publicly available pay schedule divided by 173.333 to determine an hourly rate.
- (4) Your hours will not exceed 960 hours in a fiscal year.
- (5) Your compensation consists of the hourly rate only; no further benefits will be provided.

By executing this agreement, you are also, in good faith, determining that your appointment meets each of the eight (6) requirements noted above. It is expressly understood that the requirement set forth in (6) above will be met by City Council's adoption of the "Resolution for Exception to the 180-Day Wait Period" and approval of your appointment as contemplated herein in a public meeting.

The City has no way of monitoring the hours that you work for another CalPERS employer. As such, it is your responsibility to ensure that the total hours worked for the City and any other CalPERS employer do not exceed 960 hours in the aggregate during the fiscal year.

There is no right to public employment expressed by this agreement. All limited-term appointments are subject to the business necessity of the City and are at-will; therefore, the appointment may end with or without cause or advance notice.

Gary, we welcome you to your limited-term appointment with the City and extend our best wishes for your success in this interim position. If you have additional questions or comments feel free to contact me directly.

Sincerely,

Sean Scully, City Manager

Acknowledgment:

I, Gary Davenport, agree to this Limited-Term Appointment Agreement (CalPERS Retiree), and hereby warrant that I understand and agree with all of the terms and conditions of employment as set forth in this letter.

Gary Davenport

Date



COUNCIL AGENDA ITEM

MAY 17, 2016

PREPARED BY: City Manager Sean Scully

SUBJECT: **Approval of a Resolution for Exception to the 180-Day Wait Period – GC Sections 7522.56 & 21221(H)**

BACKGROUND/DISCUSSION

In the prior Administrative Item, staff recommended that Council review and approve a "Limited-Term Appointment Agreement with CalPERS Retiree for the position of Interim Chief Wastewater Operator" (Appointment Agreement) between the City of Gustine and Mr. Gary Davenport effective June 7, 2016.

If Council approved the Appointment Agreement as proposed with an effective date of June 7, 2016, then Council must also approve a resolution that "certifies that the appointment is necessary to fill a critically needed position before 180 days have expired and the governing body approves the appointment in a public meeting". That resolution is attached for Council consideration and approval.

RECOMMENDATION

Council review and approve the attached "Resolution for Exception to the 180-Day Wait Period – GC Sections 7522.56 & 21221(h)".

ATTACHMENTS

- A) The "Resolution for Exception to the 180-Day Wait Period – GC Sections 7522.56 & 21221(h)"

RESOLUTION NO. 2016-XXXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE
APPROVING AN EXCEPTION TO THE CALIFORNIA PUBLIC
EMPLOYEES RETIREMENT SYSTEM 180-DAY WAIT PERIOD
GC SECTIONS 7522.56 & 21221(H)**

WHEREAS, in compliance with Government Code section 7522.56 the City of Gustine must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and,

WHEREAS, Edward Gary Davenport, CalPERS ID 5731164210, will retire from the City of Gustine in the position of Chief Wastewater Operator effective June 1, 2016; and,

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is November 27, 2016, without this certification resolution; and,

WHEREAS, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts and retirement-related incentive; and,

WHEREAS, the Gustine City Council, the City of Gustine and Edward Gary Davenport certify that Edward Gary Davenport has not and will not receive a Golden Handshake or any other retirement-related incentive; and,

WHEREAS, the Gustine City Council hereby appoints Edward Gary Davenport as an interim appointment retired annuitant to the vacant position of Chief Wastewater Operator for the City of Gustine under Government Code Section 21221(h), effective June 7, 2016; and,

WHEREAS, an appointment under Government Code section 21221(h) requires an active, publicly posted recruitment for a permanent replacement; and,

WHEREAS, currently the recruitment of a new Chief Wastewater Operator is in the preliminary stages; and,

WHEREAS, this section 21221(h) appointment shall only be made once and therefore will end on or before June 6, 2018; and,

WHEREAS, the entire employment agreement, contract or appointment document between Edward Gary Davenport and the City of Gustine has been reviewed by this body and is attached herein; and,

WHEREAS, no matters, issues, terms or conditions related to this employment have been or will be placed on a consent calendar; and,

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and,

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and,

WHEREAS, the maximum base salary for this position is \$5,571.25 and the hourly equivalent is \$32.14, and the minimum base salary for this position is \$5,571.25 and the hourly equivalent is \$32.14; and,

WHEREAS, the hourly rate to be paid to Edward Gary Davenport will be \$32.14; and,

WHEREAS, Edward Gary Davenport has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and,

NOW, THEREFORE, the City Council of the City of Gustine hereby certifies the nature of the appointment of Edward Gary Davenport as described herein and detailed in the attached employment agreement document and that this appointment is necessary to fill the critically needed position of Chief Wastewater Operator for the City of Gustine by June 7, 2016 because this position is responsible for the daily operations, maintenance and special projects of the Gustine Wastewater Treatment Plant.

The foregoing resolution was introduced at a noticed regular meeting of the City Council of the City of Gustine held on May 17, 2016 passed and adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Mayor of the City of Gustine

Deputy City Clerk of the City of Gustine