



AGENDA
CITY OF GUSTINE
CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
352 5th STREET GUSTINE, CALIFORNIA
OCTOBER 17, 2017 – 6:30 P.M.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

Please take a moment to silence your cell phones.

ROLL CALL

Council Members: Turner – Hasness – Oliveira – Mayor Pro Tem Nagy - Mayor Oliveira

PRESENTATIONS

- 1. Proclamation in Recognition of the Travelling Library**

PUBLIC COMMENT

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 3, 2017 Regular Meeting**
Recommendation: Review and approve
- 3. Warrants**
Recommendation: Review and approve
- 4. Treasurer's Report – September 2017**
Recommendation: Review and file
- 5. Approve and Waiver Second Reading of an Ordinance Streamlining the Process for Electric Vehicle Charging Stations**
Recommendation: Review, Approve and Waive Second Reading
- 6. Approval of Chief of Police Employment Contract**
Recommendation: Review and approve
- 7. Request from Gustine Chamber of Commerce for Use of City Sidewalks and Fee Waiver**
Recommendation: Review and approve
- 8. Request from Gustine Chamber of Commerce for Use of City Streets and Sidewalks**
Recommendation: Review and approve

9. **Request from Gustine Elementary School for Use of City Streets**
Recommendation: Review and approve

ADMINISTRATIVE AGENDA

10. **Consider Resolution Approving Participation in CSCDA Open PACE Programs**
1. Receive Staff Report
2. Receive Public Comment
3. Consider a motion to approve resolution
11. **PUBLIC HEARING - Introduction and Waiver of the First Reading of an Ordinance Amending Article 6 of Chapter 7 of Title 7 of the Gustine Municipal Code Relating to Marijuana Cultivation**
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
12. **Consider Resolution Authorizing Installation of National Motto in City Council Chambers**
1. Receive Staff Report
2. Receive Public Comment
3. Consider a motion to approve resolution
13. **Consider Request from Gustine High School for Fee Waiver of Goman Community Center**
1. Receive Staff Report
2. Receive Public Comment
3. Consider a motion to approve the fee waiver
14. **Consider Authorizing City Manager to Execute Agreement with Hillview Funeral Chapel for Sidewalk Project**
1. Receive Staff Report
2. Receive Public Comment
3. Consider a motion to authorize City Manager to execute agreement with Hillview Funeral Chapel
15. **Consider Authorizing Expenditure for Egret Mitigation Methods**
1. Receive Staff Report
2. Receive Public Comment
3. Consider a motion to authorize an expenditure not to exceed \$20,000 for egret mitigation methods
16. **PUBLIC HEARING - Consider Resolution Approving the Commitment of CDBG Program Income Funds for Goman Community Center Rehabilitation**
1. Receive Staff Report
2. Open the Public Hearing
3. Close the Public Hearing
4. Consider a motion to approve the resolution

CITY DEPARTMENT REPORTS

CITY MANAGER REPORT

CITY COUNCIL REPORTS

CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATORS- Pursuant to Government Code Section 54957.6 Agency Negotiator: City Manager: Employee organization: City of Gustine Clerks Association.**
2. **CONFERENCE WITH LABOR NEGOTIATORS- Pursuant to Government Code Section 54957.6 Agency Negotiator: City Manager: Employee organization: City of Gustine Public Works Association.**
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9. Name of Case: Ledger v. Steve Dovali Construction, Inc., et al. (Merced Superior Court No. CVM019093).**

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 October, 2017, at or before 5:00 p.m.



Melanie Correa

CITY OF GUSTINE
Proclamation

THE CITY OF GUSTINE ACKNOWLEDGES
THE TRAVELING LIBRARY

WHEREAS, the Traveling Library was founded by Zachery Ramos for the purpose of bringing free literature to children and elderly people who have limited access to books; and

WHEREAS, the Traveling Library is supplied with books donated by Gustine businesses and community members; and

WHEREAS, the Traveling Library has visited and provided free books to many neighborhoods in Merced County; and

WHEREAS, the ultimate goal of the Traveling Library is to promote literacy among people of all walks of life; and

NOW THEREFORE, the City of Gustine extends gratitude to the Traveling Library for its service to the community and hereby declares October 15, 2017 as Traveling Library Day in Gustine.

Melvin H. Oliveira, Mayor
City of Gustine

Pat Nagy, Mayor Pro Tem
City of Gustine

**MINUTES OF
REGULAR MEETING
OCTOBER 3, 2017**

CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mayor Oliveira called the meeting to order at 6:32 P.M. and Westside 4-H conducted the pledge of allegiance.

ROLL CALL

Council Members: Turner, Hasness, Oliveira, Mayor Pro Tem Nagy and Mayor Oliveira

Staff Present: City Manager Doug Dunford, Recreation Coordinator Tiffany Vitorino, Finance Director Jami Westervelt, Community Services Director Kathryn Reyes, City Attorney Josh Nelson, and Deputy City Clerk Melanie Correa

PRESENTATIONS

1. Regional Transportation Plan Update

Patrick Pittenger, Executive Director and Matt Fell, Senior Planner
Merced County Association of Governments

Mr. Pittenger introduced himself, and introduced Mr. Fell. Mr. Fell gave a presentation on the regional transportation plan update.

2. PACE Presentation

Rachel Hobbs, Finance Program Manager

Ms. Hobbs gave a presentation on the CSCDA Open PACE program. There was a brief discussion comparing the CSCDA Open PACE program with the HERO and PACE programs previously adopted by the City.

PUBLIC COMMENT

Craig Christensen, 657 West Ave Gustine, inquired whether funds raised at the Gustine Airport Fly-In would remain within the airport budget fund. He further inquired on the City expenditure amount for the Hillview Funeral sidewalk project.

CONSENT CALENDAR

3. Minutes of the September 19, 2017 Regular Meeting

Recommendation: Review and approve

4. Warrants

Recommendation: Review and approve

5. Request from FFA Boosters for Rental Fee and Insurance Fee Waiver for Fundraiser

Recommendation: Review and approve

6. Resolution Allowing Destruction of Unnecessary Records

Recommendation: Review and approve

The Mayor introduced the consent calendar. Sheri Marsigli, 820 North Ave Gustine, requested that the Council approve the request for waiver from the FFA Boosters. Mayor Pro Tem Nagy made a motion to approve the consent calendar. The motion was seconded by Council member Oliveira, and carried 5-0.

ADMINISTRATIVE AGENDA

7. Consider FY 2017/2018 Budget Adjustment for SB1 Funds Appropriation

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve the adjustment to the FY 2017/2018 Budget for SB1 funds appropriation*

Mayor Oliveira excused himself from the Chamber at 6:59 P.M. due to conflict of interest.

Finance Director Westervelt presented the staff report. There was no public comment. Council member Oliveira made a motion to approve the adjustment to the FY 2017/2018 budget for SB1 funds appropriation. The motion was seconded by Council member Hasness, and carried 4-0 with Mayor Oliveira abstaining. Mayor Oliveira returned to the Chamber at 7:06 P.M.

8. Consider Resolution Approving Policy Relating to Public Comment and Participation at Public Meetings

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

City Manager Dunford presented the staff report. Sherri Marsigli, 820 North Ave Gustine, suggested that Council consider leniency on public comment limits per agenda item, to which City Attorney Nelson, City Manager Dunford and Council provided information. Council member Hasness made a motion to approve the resolution. The motion was seconded by Council member Oliveira, and carried 5-0.

9. Consider Appointment of Delegates for 2018 One Voice Trip

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to nominate delegates for 2018 One Voice trip*

City Manager Dunford presented the staff report. There was no public comment. Council member Oliveira and Mayor Pro Tem Nagy were nominated as delegates for the 2018 One Voice trip. Council member Hasness motion the nomination. The motion was seconded by Council member Turner, and carried 5-0.

Council member Oliveira suggested that a staff member attend as well, if fiscally feasible.

COMMISSION REPORTS

Volunteer Firefighter Bart Garcia reported that the Fire Department would be spreading promoting cancer awareness month.

CITY DEPARTMENT REPORTS

City Manager Dunford advised on behalf of the Police Department that Department of Justice COPS Grant awards were being pushed back to November.

Community Services Director Reyes advised that she had nothing to report.

Recreation Coordinator Vitorino advised that the fishing derby would be held on October 21st. She further called for volunteers and participants in the Halloween Trunk or Treat event.

CITY MANAGER REPORTS

City Manager Dunford advised on the repair of the railroad tracks on Highway 140. He reported on the success of the circus and the Fly-In events. He reported that the Cystic Fibrosis fundraiser walk was a smooth event. He reported to Council that Feihe has sought legal counsel to assist with the stagnancy with the State Water Resources Control Board. He further reported that a Police Chief was being recruited. Lastly, he reported that the Southeast annexation would be heading to the Planning Commission in November for the next stage of the process.

CITY COUNCIL REPORTS

Council member Turner inquired on the status of the Goman Center rehabilitation project to which City Manager Dunford provided information.

Council member Oliveira advised that he had nothing to report.

Council member Hasness commended the Gustine Police Department Citizen Volunteer program and the Citizens Assisting Police Support System. She reported on her attendance at a successful Fly-In event and remarked on a good time at the circus.

Mayor Pro Tem Nagy congratulated the Airport Commission on the successful Fly-In event. He welcomed back Volunteer Firefighter Garcia from his recent travels. He thanked Council for his nomination as a 2018 One Voice delegate.

Mayor Oliveira suggested that the pond at Schmidt park be drained, and the tree pruning begin in a proactive effort to mitigate the egret population return.

CLOSED SESSION

- 1. CONFERENCE WITH LABOR NEGOTIATORS- Pursuant to Government Code Section 54957.6 Agency Negotiator: City Manager; Employee organization: City of Gustine Clerks Association.**
- 2. CONFERENCE WITH LABOR NEGOTIATORS- Pursuant to Government Code Section 54957.6 Agency Negotiator: City Manager; Employee organization: City of Gustine Public Works Association.**
- 3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION- Title: City Manager.**
- 4. PUBLIC EMPLOYMENT Title: Police Sergeant**

Council returned from closed session. The Mayor advised that Council member Oliveira moved to approve the Resolution concerning the industrial disability retirement of Police Sergeant Jim Hamera. The motion was seconded by Council member Hasness and carried 5-0.

ADJOURNMENT

Mayor Pro Tem Nagy made a motion to adjourn the meeting. The motion was seconded by Council member Turner. The meeting adjourned at 8:10 P.M.

ATTEST:

CITY CLERK

MAYOR OLIVEIRA



Warrant List By Vendor Name

Post Dates 10/04/2017 - 10/17/2017

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
Vendor: A & A PORTABLES INC				
A & A PORTABLES INC	1-696500	43231	AIRPORT FLY-IN PORTABLE	392.70
Vendor A & A PORTABLES INC Total:				392.70
Vendor: A PLUS PLUMBING				
A PLUS PLUMBING	5261	43232	HENRY MILLER RESTROO	176.50
A PLUS PLUMBING	5362	43232	PLUMBING REPAIR 750 EA	179.75
A PLUS PLUMBING	5371	43232	BACKFLOW INSTALL	659.45
A PLUS PLUMBING	5372	43232	BACKFLOW INSTALL	510.00
A PLUS PLUMBING	5397	43232	PARK TOILET REPAIR	15.00
Vendor A PLUS PLUMBING Total:				1,540.70
Vendor: ACE HARDWARE OF GUSTINE				
ACE HARDWARE OF GUSTI	362652	43233	CHAIN PROOF COIL	21.54
ACE HARDWARE OF GUSTI	362654	43233	SQUEEGEE/ HANDLE	44.89
ACE HARDWARE OF GUSTI	362656	43233	BAR & CHAIN OIL	24.43
ACE HARDWARE OF GUSTI	362680	43233	SPRAYER / BLEACH	19.45
ACE HARDWARE OF GUSTI	362696	43233	WATER REPAIR PARTS	45.89
ACE HARDWARE OF GUSTI	362703	43233	WATER REPAIR PARTS	21.02
ACE HARDWARE OF GUSTI	362722	43233	IRRIGATION	16.40
ACE HARDWARE OF GUSTI	362758	43233	CONCRETE	24.20
ACE HARDWARE OF GUSTI	362764	43233	LOCKS/ WATER	51.92
ACE HARDWARE OF GUSTI	362844	43233	SPRAYING SUPPLIES	8.65
ACE HARDWARE OF GUSTI	362854	43233	NUTS/ BOLTS	0.24
ACE HARDWARE OF GUSTI	362859	43233	PD POSTAGE	10.81
ACE HARDWARE OF GUSTI	362860	43233	TARP / TIRES	30.82
ACE HARDWARE OF GUSTI	362894	43233	PAINT/ SUPPLIES	31.04
ACE HARDWARE OF GUSTI	362979	43233	NUTS/ BOLTS	1.56
ACE HARDWARE OF GUSTI	362982	43233	UPS	44.25
ACE HARDWARE OF GUSTI	363033	43233	PAINT	15.13
ACE HARDWARE OF GUSTI	363065	43233	BATTERY / IRRIGATION	5.40
ACE HARDWARE OF GUSTI	363229	43233	IRRIGATION	11.66
ACE HARDWARE OF GUSTI	363234	43233	IRRIGATION	2.36
ACE HARDWARE OF GUSTI	363263	43233	BUG SPRAY	30.47
ACE HARDWARE OF GUSTI	363282	43233	HOSE / TAPE DOG KENNEL	14.38
ACE HARDWARE OF GUSTI	363291	43233	SAW BLADE	12.97
ACE HARDWARE OF GUSTI	363330	43233	HEDGE TRIMMERS	27.05
ACE HARDWARE OF GUSTI	363331	43233	CLEANER / BRUSH	18.16
ACE HARDWARE OF GUSTI	363340	43233	PAINT	4.32
ACE HARDWARE OF GUSTI	363363	43233	WATER PARTS	34.62
ACE HARDWARE OF GUSTI	363414	43233	PAINT SUPPLIES / FOGGER	37.81
ACE HARDWARE OF GUSTI	363417	43233	STREET PAINT SUPPLIES	27.05
ACE HARDWARE OF GUSTI	363445	43233	IRRIGATION	21.41
ACE HARDWARE OF GUSTI	363461	43233	KEY	2.15
ACE HARDWARE OF GUSTI	363465	43233	HEARING POTECTOR	19.47
ACE HARDWARE OF GUSTI	363474	43233	STREET PAINT	81.22
ACE HARDWARE OF GUSTI	363538	43233	HOSE /ANIMAL CONTROL	32.46
ACE HARDWARE OF GUSTI	363540	43233	LOCK	21.64
ACE HARDWARE OF GUSTI	363571	43233	TOOLS	30.30
ACE HARDWARE OF GUSTI	363786	43233	GAS CANS	23.80

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
ACE HARDWARE OF GUSTI	363908	43233	FOGGER	19.46
ACE HARDWARE OF GUSTI	363959	43233	GLOVES	34.62
ACE HARDWARE OF GUSTI	364022	43233	AIRFILTER / STRAPS	30.94
ACE HARDWARE OF GUSTI	364064	43233	PD EXT POLE	15.14
ACE HARDWARE OF GUSTI	364068	43233	OIL	48.68
ACE HARDWARE OF GUSTI	364073	43233	RESPIRATOR / BATTERIES	25.96
ACE HARDWARE OF GUSTI	364116	43233	HOSE / DIGGER	6.82
ACE HARDWARE OF GUSTI	364116	43233	HOSE / DIGGER	30.68
ACE HARDWARE OF GUSTI	364116	43233	HOSE / DIGGER	30.68
ACE HARDWARE OF GUSTI	364174	43233	AIRPORT CLEANING SUPPL	48.72
ACE HARDWARE OF GUSTI	364202	43233	LOCK	77.88
ACE HARDWARE OF GUSTI	364217	43233	DEODERIZER/ AIRPORT	12.97
ACE HARDWARE OF GUSTI	364458	43233	BULBS / ELECTRICAL OUTL	113.57
ACE HARDWARE OF GUSTI	364465	43233	OUTLET COVER	3.22
ACE HARDWARE OF GUSTI	364474	43233	PARK SUPPLIES	5.94
ACE HARDWARE OF GUSTI	364490	43233	NUTS/ BOLTS	0.97
ACE HARDWARE OF GUSTI	364492	43233	LOCK / WD40	18.59
ACE HARDWARE OF GUSTI	364500	43233	WATER METERS SUPPLIES	19.23
ACE HARDWARE OF GUSTI	364605	43233	ELECTRONIC CLEANER	8.22
ACE HARDWARE OF GUSTI	364678	43233	NUTS/ BOLTS	1.19
ACE HARDWARE OF GUSTI	364727	43233	TOOL/ TAPE	27.04
ACE HARDWARE OF GUSTI	364741	43233	AIRPORT PAINT	36.74
ACE HARDWARE OF GUSTI	364812	43233	KEY	2.15
ACE HARDWARE OF GUSTI	364837	43233	FOGGER	29.20
ACE HARDWARE OF GUSTI	364873	43233	BULB / SOCKET	27.04
ACE HARDWARE OF GUSTI	364924	43233	TAPE	10.81
ACE HARDWARE OF GUSTI	365044	43233	PVC CUTTER	15.14
ACE HARDWARE OF GUSTI	365074	43233	CLEANER/ IRRIGATION	11.12
ACE HARDWARE OF GUSTI	365112	43233	CLEANING SUPPLIES	3.44
ACE HARDWARE OF GUSTI	365118	43233	IRRIGATION	4.60
Vendor ACE HARDWARE OF GUSTINE Total:				1,591.70
Vendor: ALHAMBRA & SIERRA SPRINGS				
ALHAMBRA & SIERRA SPRI	12652410 092217	43238	WATER / WW PLANT	201.62
Vendor ALHAMBRA & SIERRA SPRINGS Total:				201.62
Vendor: AMERIPRIDE				
AMERIPRIDE	1501981813	43239	FD SUPPLIES	68.87
Vendor AMERIPRIDE Total:				68.87
Vendor: ARAMARK UNIFORM SERVICES INC				
ARAMARK UNIFORM SERV	635545992	43240	PW UNIFORMS	3.16
ARAMARK UNIFORM SERV	635545992	43240	PW UNIFORMS	3.16
ARAMARK UNIFORM SERV	635545992	43240	PW UNIFORMS	6.33
ARAMARK UNIFORM SERV	635545992	43240	PW UNIFORMS	5.70
ARAMARK UNIFORM SERV	635545992	43240	PW UNIFORMS	13.29
ARAMARK UNIFORM SERV	635545992	43240	PW UNIFORMS	25.95
ARAMARK UNIFORM SERV	635545992	43240	PW UNIFORMS	5.70
ARAMARK UNIFORM SERV	635560576	43240	PW UNIFORMS	0.94
ARAMARK UNIFORM SERV	635560576	43240	PW UNIFORMS	0.95
ARAMARK UNIFORM SERV	635560576	43240	PW UNIFORMS	1.89
ARAMARK UNIFORM SERV	635560576	43240	PW UNIFORMS	1.70
ARAMARK UNIFORM SERV	635560576	43240	PW UNIFORMS	3.97
ARAMARK UNIFORM SERV	635560576	43240	PW UNIFORMS	7.74
ARAMARK UNIFORM SERV	635560576	43240	PW UNIFORMS	1.70
ARAMARK UNIFORM SERV	635574724	43240	PW UNIFORMS	3.16

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
ARAMARK UNIFORM SERV	635574724	43240	PW UNIFORMS	3.16
ARAMARK UNIFORM SERV	635574724	43240	PW UNIFORMS	6.33
ARAMARK UNIFORM SERV	635574724	43240	PW UNIFORMS	5.70
ARAMARK UNIFORM SERV	635574724	43240	PW UNIFORMS	13.29
ARAMARK UNIFORM SERV	635574724	43240	PW UNIFORMS	25.95
ARAMARK UNIFORM SERV	635574724	43240	PW UNIFORMS	5.70
Vendor ARAMARK UNIFORM SERVICES INC Total:				145.47
Vendor: B & G AUTO PARTS				
B & G AUTO PARTS	00010243654	43241	HEX BIT / WW PLANT	62.87
B & G AUTO PARTS	00010243859	43241	HEX BITS / WW PLANT TO	7.79
Vendor B & G AUTO PARTS Total:				70.66
Vendor: BAKER SUPPLIES AND REPAIRS				
BAKER SUPPLIES AND REP	29188	43242	MOWER REPAIR / SERVICE	737.23
BAKER SUPPLIES AND REP	29195	43242	SPACER / MOWER	85.30
BAKER SUPPLIES AND REP	29311	43242	EQUIPMENT	27.02
BAKER SUPPLIES AND REP	29403	43242	HEDGE TRIMMER REPAIR	137.01
BAKER SUPPLIES AND REP	29409	43242	CHAIN SHARPENING	17.00
Vendor BAKER SUPPLIES AND REPAIRS Total:				1,003.56
Vendor: BARBARA B. PARKIN				
BARBARA B. PARKIN	SEPTEMBER 2017 YOGA IN	43243	SEPTEMBER 2017 YOGA IN	205.00
Vendor BARBARA B. PARKIN Total:				205.00
Vendor: CALIFORNIA BUILDING STANDARDS COMMI				
CALIFORNIA BUILDING ST	QTR JULY TO SEPT 2017	43244	SB1473 FEE REPORT ENDI	58.50
Vendor CALIFORNIA BUILDING STANDARDS COMMI Total:				58.50
Vendor: CAPITOL ADVOCACY PARTNERS				
CAPITOL ADVOCACY PART	07262017 GRANT SRVCS	43245	GRANT SERVICES COPS	1,500.00
Vendor CAPITOL ADVOCACY PARTNERS Total:				1,500.00
Vendor: CINTAS CORPORATION #3				
CINTAS CORPORATION #3	922634755	43246	PW UNIFORMS	2.88
CINTAS CORPORATION #3	922634755	43246	PW UNIFORMS	2.88
CINTAS CORPORATION #3	922634755	43246	PW UNIFORMS	5.76
CINTAS CORPORATION #3	922634755	43246	PW UNIFORMS	5.19
CINTAS CORPORATION #3	922634755	43246	PW UNIFORMS	12.11
CINTAS CORPORATION #3	922634755	43246	PW UNIFORMS	23.64
CINTAS CORPORATION #3	922634755	43246	PW UNIFORMS	5.19
CINTAS CORPORATION #3	922636274	43246	PW UNIFORMS	2.88
CINTAS CORPORATION #3	922636274	43246	PW UNIFORMS	2.88
CINTAS CORPORATION #3	922636274	43246	PW UNIFORMS	5.76
CINTAS CORPORATION #3	922636274	43246	PW UNIFORMS	5.19
CINTAS CORPORATION #3	922636274	43246	PW UNIFORMS	12.11
CINTAS CORPORATION #3	922636274	43246	PW UNIFORMS	23.64
CINTAS CORPORATION #3	922636274	43246	PW UNIFORMS	5.19
CINTAS CORPORATION #3	922637755	43246	PW UNIFORMS	2.88
CINTAS CORPORATION #3	922637755	43246	PW UNIFORMS	2.88
CINTAS CORPORATION #3	922637755	43246	PW UNIFORMS	5.76
CINTAS CORPORATION #3	922637755	43246	PW UNIFORMS	5.19
CINTAS CORPORATION #3	922637755	43246	PW UNIFORMS	12.11
CINTAS CORPORATION #3	922637755	43246	PW UNIFORMS	23.64
CINTAS CORPORATION #3	922637755	43246	PW UNIFORMS	5.19
Vendor CINTAS CORPORATION #3 Total:				172.95

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
Vendor: CITY OF GUSTINE				
CITY OF GUSTINE	OCTOBER 2017	43247	BORRELLI WATER	24.73
Vendor CITY OF GUSTINE Total:				24.73
Vendor: CSG CONSULTING - PRECISION				
CSG CONSULTING - PRECIS	7183	43248	OCTOBER 2016 BUILDING	1,244.41
CSG CONSULTING - PRECIS	7183	43248	OCTOBER 2016 BUILDING	3,203.52
Vendor CSG CONSULTING - PRECISION Total:				4,447.93
Vendor: DAVID JAMES FRANCIS				
DAVID JAMES FRANCIS	1295	43249	POOL CHLORINE / CHEM P	180.00
DAVID JAMES FRANCIS	1304	43249	750 EAST AV/ ELECTRICAL	360.00
DAVID JAMES FRANCIS	1307	43249	AIRPORT / FUEL EMERGEN	186.22
DAVID JAMES FRANCIS	1317	43249	750 EAST AV/ ELECTRICAL	1,377.55
DAVID JAMES FRANCIS	1319	43249	750 EAST AVE / ELECTRICA	567.01
DAVID JAMES FRANCIS	1322	43249	750 EAST AV / ELECTICAL	474.67
DAVID JAMES FRANCIS	1325	43249	AERATOR WORK / CRANE	1,583.00
DAVID JAMES FRANCIS	1326	43249	WW AERATOR SERVICE CR	1,708.76
Vendor DAVID JAMES FRANCIS Total:				6,437.21
Vendor: DENNIS CASTRO				
DENNIS CASTRO	REIMB ROMEO PHYSICAL	43250	PRE EMPLOY SCREEN PW	33.00
DENNIS CASTRO	REIMB ROMEO PHYSICAL	43250	PRE EMPLOY SCREEN PW	32.99
DENNIS CASTRO	REIMB ROMEO PHYSICAL	43250	PRE EMPLOY SCREEN PW	33.01
Vendor DENNIS CASTRO Total:				99.00
Vendor: DEPT OF CONSERVATION				
DEPT OF CONSERVATION	QTR JULY TO SEPT 2017	43251	STRONG MOTION & SEIS	93.88
Vendor DEPT OF CONSERVATION Total:				93.88
Vendor: DICK FORD'S TRACTOR REPAIR				
DICK FORD'S TRACTOR RE	148934	43252	PACKING	12.10
DICK FORD'S TRACTOR RE	148966	43252	WW PLANT SUPPLIES	114.05
DICK FORD'S TRACTOR RE	149045	43252	SUPPLY PINS	5.33
DICK FORD'S TRACTOR RE	149121	43252	PARTS / PLUMBIMG	70.73
DICK FORD'S TRACTOR RE	149142	43252	OIL / GREASE	933.31
DICK FORD'S TRACTOR RE	149282	43252	PACKING/ WATER	18.15
Vendor DICK FORD'S TRACTOR REPAIR Total:				1,153.67
Vendor: DIVERSIFIED RISK/HUB INTERNATIONAL				
DIVERSIFIED RISK/HUB INT	SEPTEMBER 2017	43253	EVENT INSURANCE SEPTE	463.66
Vendor DIVERSIFIED RISK/HUB INTERNATIONAL Total:				463.66
Vendor: DOMINGOS PONCEANO				
DOMINGOS PONCEANO	1754	43254	JANITORIAL	400.00
DOMINGOS PONCEANO	1754	43254	JANITORIAL	30.00
DOMINGOS PONCEANO	1754	43254	JANITORIAL	300.00
DOMINGOS PONCEANO	1754	43254	JANITORIAL	450.00
Vendor DOMINGOS PONCEANO Total:				1,180.00
Vendor: DOUG DUNFORD				
DOUG DUNFORD	OCTOBER2017	43255	PER DIEM - ECONOMIC DE	256.00
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	38.40
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	12.80
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	12.80
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	5.12
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	89.60
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	71.68
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	12.80
DOUG DUNFORD	OCTOBER2017-1	43255	PER DIEM - NEW & FUTUR	12.80
Vendor DOUG DUNFORD Total:				512.00

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
Vendor: EMPLOYMENT DEVELOPMENT DEPT				
EMPLOYMENT DEVELOPM	2017 SDI QTR 2	5260	PAYROLL TAXES	1.31
Vendor EMPLOYMENT DEVELOPMENT DEPT Total:				1.31
Vendor: FERGUSON ENTERPRISES INC				
FERGUSON ENTERPRISES I	1309874	43256	WATER REPAIR PARTS	811.16
Vendor FERGUSON ENTERPRISES INC Total:				811.16
Vendor: GILTON SOLID WASTE MANAGEMENT INC				
GILTON SOLID WASTE MA	SEPTEMBER 2017 BINS	43257	TRASH BINS	244.76
Vendor GILTON SOLID WASTE MANAGEMENT INC Total:				244.76
Vendor: GOUVEIA ENGINEERING INC				
GOUVEIA ENGINEERING I	6687	43258	PW GENERAL - TRANSPOR	181.13
GOUVEIA ENGINEERING I	6688	43258	STREET SIDEWALK ENG.	181.13
GOUVEIA ENGINEERING I	6689	43258	CONSTRUCT ROUNDABOU	2,126.25
GOUVEIA ENGINEERING I	6690	43258	SCHMIDT PARK CLASS 1 T	57.50
GOUVEIA ENGINEERING I	6691	43258	CONSTRUCT ROUNDABOU	1,651.25
GOUVEIA ENGINEERING I	6692	43258	GREEN ACRES RAMPS - SI	252.00
GOUVEIA ENGINEERING I	6693	43258	HILLVIEW PROJECT	303.19
GOUVEIA ENGINEERING I	6694	43258	SCHMIDT PARK CLASS 1 T	462.00
Vendor GOUVEIA ENGINEERING INC Total:				5,214.45
Vendor: GUERRERO'S TIRE & AUTO REPAIR				
GUERRERO'S TIRE & AUTO	08222017	43259	TIRE REPAIR	61.00
GUERRERO'S TIRE & AUTO	09182017	43259	TIRE - GATOR	31.00
GUERRERO'S TIRE & AUTO	09202017	43259	TIRE REPAIR	15.00
GUERRERO'S TIRE & AUTO	8312017	43259	GATOR TIRE REPAIR	15.00
Vendor GUERRERO'S TIRE & AUTO REPAIR Total:				122.00
Vendor: HILMAR LUMBER INC				
HILMAR LUMBER INC	228270	43260	AIRPORT FENCE REPAIR	507.21
Vendor HILMAR LUMBER INC Total:				507.21
Vendor: IEH AQUATIC RESEARCH				
IEH AQUATIC RESEARCH	138469	43261	WW ANALYSIS	312.00
IEH AQUATIC RESEARCH	138470	43261	WW ANALYSIS	208.00
Vendor IEH AQUATIC RESEARCH Total:				520.00
Vendor: IEH-JL ANALYTICAL				
IEH-JL ANALYTICAL	412357	43262	WW ANALYSIS	463.00
IEH-JL ANALYTICAL	413917	43262	WW ANALYSIS	814.00
IEH-JL ANALYTICAL	415018	43262	WW ANALYSIS	358.00
Vendor IEH-JL ANALYTICAL Total:				1,635.00
Vendor: JOCELYN ROLAND, PHD				
JOCELYN ROLAND, PHD	14363	43263	PD PRE-EMPLOYMENT SC	450.00
Vendor JOCELYN ROLAND, PHD Total:				450.00
Vendor: JONATHAN PECK				
JONATHAN PECK	2165	43264	PD CAR WASH	57.00
Vendor JONATHAN PECK Total:				57.00
Vendor: JONATHAN ROBERT FLANAGAN				
JONATHAN ROBERT FLAN	0900	43265	PW HATS	40.50
JONATHAN ROBERT FLAN	0900	43265	PW HATS	182.25
JONATHAN ROBERT FLAN	0900	43265	PW HATS	182.25
Vendor JONATHAN ROBERT FLANAGAN Total:				405.00
Vendor: JOSE CORONA JR				
JOSE CORONA JR	00273	43266	BEACON LIGHT INSTALL	337.91
Vendor JOSE CORONA JR Total:				337.91

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
Vendor: MARTIN L. CARVER				
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	50.00
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	50.00
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	450.00
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	450.00
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	55.00
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	19.20
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	63.20
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	137.40
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	257.20
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	112.80
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	240.00
MARTIN L. CARVER	1621	43267	HOUSING ELEMENT 16	115.20
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	25.00
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	25.00
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	225.00
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	225.00
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	27.50
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	9.60
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	31.60
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	68.70
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	128.60
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	56.40
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	120.00
MARTIN L. CARVER	1622	43267	HOUSING ELEMENT 8	57.60
Vendor MARTIN L. CARVER Total:				3,000.00
Vendor: MIKE AND LORRAINE O'BRIEN				
MIKE AND LORRAINE O'BR	REIMB SEWER	43268	REIMB SEWER LINE CITY SI	1,278.85
Vendor MIKE AND LORRAINE O'BRIEN Total:				1,278.85
Vendor: OPERATING ENGINEERS LOCAL #3				
OPERATING ENGINEERS L	PR- 09/30/17	43269	PAYROLL DEDUCTIONS	245.00
OPERATING ENGINEERS L	PR- 9/30/17	43269	PAYROLL DEDUCTIONS	92.00
Vendor OPERATING ENGINEERS LOCAL #3 Total:				337.00
Vendor: O'REILLY AUTOMOTIVE STORES, INC.				
O'REILLY AUTOMOTIVE ST	5718-106435	43270	MOWER SUPPLIES	13.62
O'REILLY AUTOMOTIVE ST	5718-106629	43270	OIL / STRAPS	36.73
O'REILLY AUTOMOTIVE ST	5718-107251	43270	VEHICLE SUPPLIES	1.89
O'REILLY AUTOMOTIVE ST	5718-107251	43270	VEHICLE SUPPLIES	1.89
O'REILLY AUTOMOTIVE ST	5718-107251	43270	VEHICLE SUPPLIES	1.89
O'REILLY AUTOMOTIVE ST	5718-107251	43270	VEHICLE SUPPLIES	1.89
Vendor O'REILLY AUTOMOTIVE STORES, INC. Total:				57.91
Vendor: P G & E				
P G & E	09292017	43271	LINDEN & BONTA ELECTRI	11.34
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	3,065.50
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	137.13
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	67.54
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	867.65
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	56.38
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	359.72
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	1,011.69
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	31.37
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	1,657.01
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	5,961.09

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	296.11
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	13,701.38
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	1,929.59
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	595.88
P G & E	OCTOBER 2017	43271	GAS AND ELECTRIC	238.41
Vendor P G & E Total:				29,987.79
Vendor: PARREIRAS AUTO REPAIR				
PARREIRAS AUTO REPAIR	30326	43272	TIRE REPAIR / BACKHOE	156.60
PARREIRAS AUTO REPAIR	30375	43272	TIRE REPAIR	114.92
PARREIRAS AUTO REPAIR	30393	43272	BACKHOE / TIRE REPAIR	100.00
Vendor PARREIRAS AUTO REPAIR Total:				371.52
Vendor: PERLEY SPAULDING				
PERLEY SPAULDING	FISHING DAY SUPPLIES 20	43273	REIMB FISHING DAY SUPP	288.79
Vendor PERLEY SPAULDING Total:				288.79
Vendor: POLICE OFFICERS ASSOC				
POLICE OFFICERS ASSOC	PR- 9/30/17	43274	PAYROLL DEDUCTIONS	420.00
Vendor POLICE OFFICERS ASSOC Total:				420.00
Vendor: PUBLIC EMP RETIREMENT SYSTEM				
PUBLIC EMP RETIREMENT	PR-9/30/17EECLASSICMIS	5310	RETIREMENT CONTRIBUTI	1,434.24
PUBLIC EMP RETIREMENT	PR-9/30/17EECLASSICSA	5311	RETIREMENT CONTRIBUTI	1,184.25
PUBLIC EMP RETIREMENT	PR-9/30/17EEPEPRAMIS	5309	RETIREMENT CONTRIBUTI	238.19
PUBLIC EMP RETIREMENT	PR-9/30/17EEPEPRASAFET	5308	RETIREMENT CONTRIBUTI	864.07
PUBLIC EMP RETIREMENT	PR-9/30/17ERCLASSICMIS	5314	RETIREMENT CONTRIBUTI	1,768.27
PUBLIC EMP RETIREMENT	PR-9/30/17ERCLASSICSAF	5315	RETIREMENT CONTRIBUTI	2,256.04
PUBLIC EMP RETIREMENT	PR-9/30/17ERPEPRAMISC	5313	RETIREMENT CONTRIBUTI	248.89
PUBLIC EMP RETIREMENT	PR-9/30/17ERPEPRASAFET	5312	RETIREMENT CONTRIBUTI	900.92
Vendor PUBLIC EMP RETIREMENT SYSTEM Total:				8,894.87
Vendor: QPCS, LLC				
QPCS, LLC	14491	43275	CC POWER CORDS	0.76
QPCS, LLC	14491	43275	CC POWER CORDS	0.75
QPCS, LLC	14491	43275	CC POWER CORDS	3.79
QPCS, LLC	14491	43275	CC POWER CORDS	1.14
QPCS, LLC	14491	43275	CC POWER CORDS	1.14
QPCS, LLC	14491	43275	CC POWER CORDS	0.76
QPCS, LLC	14491	43275	CC POWER CORDS	1.14
QPCS, LLC	14491	43275	CC POWER CORDS	5.68
QPCS, LLC	14491	43275	CC POWER CORDS	7.57
QPCS, LLC	14491	43275	CC POWER CORDS	7.57
QPCS, LLC	14491	43275	CC POWER CORDS	7.57
QPCS, LLC	14492	43275	PD POWER SUPPLY	32.46
Vendor QPCS, LLC Total:				70.33
Vendor: ROCHA BACKHOE SERVICE INC				
ROCHA BACKHOE SERVICE	1283	43276	SEWER MAIN REPAIR	3,920.00
ROCHA BACKHOE SERVICE	1286	43276	WATER SERVICE REPLACE	2,130.00
ROCHA BACKHOE SERVICE	1288	43276	MATERIALS COLD PATCH	1,285.00
Vendor ROCHA BACKHOE SERVICE INC Total:				7,335.00
Vendor: SAN JOAQUIN VALLEY UNIFIED AIR POLL				
SAN JOAQUIN VALLEY UNI	N124039	43277	GENERATOR PERMIT WEL	264.00
Vendor SAN JOAQUIN VALLEY UNIFIED AIR POLL Total:				264.00
Vendor: SHAPE INC				
SHAPE INC	123450	43278	PUMP REPAIR	1,753.65

Warrant List

Post Dates: 10/04/2017 - 10/17/2017

Vendor Name	Payable Number	Payment Number	Description (Item)	Amount
SHAPE INC	123451	43278	INFLUENT PUMP REPAIR	750.00
Vendor SHAPE INC Total:				2,503.65
Vendor: SIERRA CHEMICAL				
SIERRA CHEMICAL	SLC 10017380	43279	CHLORINE WATER	-90.00
SIERRA CHEMICAL	SLC 10017566	43279	CONTAINER DEPOSIT RET	-210.00
SIERRA CHEMICAL	SLC 10017700	43279	CONTAINER DEPOSIT RET	-510.00
SIERRA CHEMICAL	SLS 10051908	43279	CHLORINE WATER	439.67
SIERRA CHEMICAL	SLS 10052538	43279	CHLORINE WATER	1,683.66
Vendor SIERRA CHEMICAL Total:				1,313.33
Vendor: SOLSTICE INVESTMENTS LLC (SOLAR CITY)				
SOLSTICE INVESTMENTS L	4733639-5070404	43280	WW ELECTRIC	10,893.88
Vendor SOLSTICE INVESTMENTS LLC (SOLAR CITY) Total:				10,893.88
Vendor: TERMINIX INTERNATIONAL				
TERMINIX INTERNATIONA	367922271	43281	PEST CONTROL GOMAN	67.00
TERMINIX INTERNATIONA	368611971	43281	GOMAN / PEST CONTROL	67.00
TERMINIX INTERNATIONA	369038477	43281	PEST CONTROL / ANIMAL	37.00
Vendor TERMINIX INTERNATIONAL Total:				171.00
Vendor: TESEI PETROLEUM				
TESEI PETROLEUM	81357	43282	FUEL FD/PD/PW VEHICLE	73.85
TESEI PETROLEUM	81357	43282	FUEL FD/PD/PW VEHICLE	721.37
TESEI PETROLEUM	81357	43282	FUEL FD/PD/PW VEHICLE	187.99
TESEI PETROLEUM	81357	43282	FUEL FD/PD/PW VEHICLE	40.28
TESEI PETROLEUM	81357	43282	FUEL FD/PD/PW VEHICLE	196.70
TESEI PETROLEUM	81357	43282	FUEL FD/PD/PW VEHICLE	197.40
Vendor TESEI PETROLEUM Total:				1,417.59
Vendor: TRUE BLUE VETERINARY HOSPITAL				
TRUE BLUE VETERINARY H	118513	43283	GAP	100.00
TRUE BLUE VETERINARY H	118514	43283	VET SERVICES	336.60
Vendor TRUE BLUE VETERINARY HOSPITAL Total:				436.60
Vendor: VERIZON WIRELESS				
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	0.46
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	55.39
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	100.02
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	13.72
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	47.47
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	29.44
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	15.82
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	29.44
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	55.39
VERIZON WIRELESS	9793318184	43284	TELEPHONE SERVICE	158.25
Vendor VERIZON WIRELESS Total:				505.40
Vendor: WASHINGTON STATE SUPPORT REGISTRY				
WASHINGTON STATE SUP	PR- 9/30/17	43285	PAYROLL DEDUCTION	142.71
Vendor WASHINGTON STATE SUPPORT REGISTRY Total:				142.71
Vendor: WESTSIDE WELDING & RADIATOR				
WESTSIDE WELDING & RA	10171	43286	METAL WORK / BACKFLO	735.63
Vendor WESTSIDE WELDING & RADIATOR Total:				735.63
Vendor: YOUNG'S AIR CONDITIONING				
YOUNG'S AIR CONDITIONI	306186	43287	A/C REPAIR LIBRARY	1,130.00
Vendor YOUNG'S AIR CONDITIONING Total:				1,130.00
Grand Total:				103,225.46

Report Summary

Fund Summary

Fund	Payment Amount
001 - GENERAL FUND	20,639.00
002 - UTILITY TAX FUND	29.44
009 - COMMUNITY CENTER FUND	1,832.01
016 - SWIM POOL FUND	1,867.21
017 - CITY WIDE LIGHTING & LAND	6,101.39
019 - RECREATION FUND	791.04
020 - SURFACE TRANS SERV FUND	4,297.00
021 - ST/SIDEWALK MAINT	566.73
059 - STORM DRAIN	168.01
060 - WATER FUND	23,431.30
061 - SEWER FUND	28,746.78
062 - REFUSE	293.80
063 - AIRPORT FUND	1,885.18
074 - ASSESS - BORRELLI	263.14
093 - INSURANCE TRUST FUND	463.66
099 - PAYROLL TRUST FUND	9,794.58
101 - GENERAL GOVERNMENT IMPACT FEES	82.50
102 - POLICE IMPACT FEES	28.80
103 - FIRE IMPACT FEES	94.80
104 - PARKS IMPACT FEE	206.10
105 - STORM DRAIN IMPACT FEES	385.80
106 - WATER IMPACT FEES	169.20
107 - SEWER IMPACT FEES	360.00
108 - REGIONAL TRANSPORTATION IMPACT FEES	172.80
203 - SB1 - ROAD REPAIR/LOCAL STREETS 2017 ACT	555.19
Grand Total:	103,225.46

Account Summary

Account Number	Account Name	Payment Amount
001-0000-200.085	SPAY/NEUTER DONATIO	100.00
001-0110-530.201-00	OTHER CONTRACT SERVI	0.76
001-0120-530.091-00	MEETINGS & TRAINING	38.40
001-0140-530.011-00	TELEPHONE & INTERNET	0.46
001-0140-530.014-00	POSTAGE	44.25
001-0140-530.201-00	OTHER CONTRACT SERVI	0.75
001-0150-520.010-00	DEPT OPERATING SUPPL	181.64
001-0150-520.011-00	UNIFORM ALLOWANCE	15.90
001-0150-520.040-00	FUEL	73.85
001-0150-530.011-00	TELEPHONE & INTERNET	55.39
001-0150-530.060-00	ELECTRIC	3,065.50
001-0150-530.062-00	GAS	137.13
001-0150-530.201-00	OTHER CONTRACT SERVI	4,488.98
001-0210-510.012-00	UNEMPLOYMENT INSUR	1.31
001-0210-520.010-00	DEPT OPERATING SUPPL	65.78
001-0210-520.040-00	FUEL	721.37
001-0210-530.009-00	OTHER PROFESSIONAL S	57.00
001-0210-530.011-00	TELEPHONE & INTERNET	100.02
001-0210-530.014-00	POSTAGE	10.81
001-0210-530.060-00	ELECTRIC	67.54
001-0210-530.091-00	MEETINGS & TRAINING	256.00
001-0210-530.201-00	OTHER CONTRACT SERVI	2,622.85
001-0220-520.010-00	DEPT OPERATING SUPPL	68.87
001-0220-530.060-00	ELECTRIC	867.65
001-0220-530.062-00	GAS	56.38
001-0230-520.010-00	DEPT OPERATING SUPPL	46.84
001-0230-530.011-00	TELEPHONE	13.72
001-0230-530.201-00	OTHER CONTRACT SERVI	37.00

Account Summary

Account Number	Account Name	Payment Amount
001-0410-530.009-00	OTHER PROFESSIONAL S	1,377.91
001-0410-530.094-00	PLANNING/CONSTRUCT	3,297.40
001-0610-520.010-00	DEPT OPERATING SUPPL	687.70
001-0610-520.011-00	UNIFORM ALLOWANCE	15.91
001-0610-520.030-00	MOTOR VEHICLE EXPEN	504.56
001-0610-530.011-00	TELEPHONE	47.47
001-0610-530.060-00	ELECTRIC	359.72
001-0610-530.072-00	OTHER EQUIPMENT REP	974.54
001-0610-530.201-00	OTHER CONTRACT SERVI	177.64
002-0147-530.011-00	TELEPHONE	29.44
009-0150-520.040-00	FUEL	187.99
009-0150-530.011-00	TELEPHONE	15.82
009-0150-530.060-00	ELECTRIC	1,011.69
009-0150-530.062-00	GAS	31.37
009-0150-530.201-00	OTHER CONTRACT SERVI	585.14
016-0613-530.011-00	TELEPHONE	29.44
016-0613-530.060-00	ELECTRIC	1,657.01
016-0613-530.201-00	OTHER CONTRACT SERVI	180.76
017-0120-530.091-00	MEETINGS & TRAINING	12.80
017-0260-530.060-00	ELECTRIC	5,961.09
017-0610-520.011-00	UNIFORM ALLOWANCE	31.83
017-0610-520.040-00	FUEL	40.28
017-0610-530.011-00	TELEPHONE	55.39
019-0613-520.010-00	DEPT OPERATING SUPPL	288.79
019-0613-530.060-00	ELECTRIC	296.11
019-0613-530.201-00	OTHER CONTRACT SERVI	206.14
020-0310-530.009-00	OTHER PROFESSIONAL S	4,297.00
021-0120-530.091-00	MEETINGS & TRAINING	12.80
021-0310-520.010-00	DEPT OPERATING SUPPL	163.00
021-0310-520.011-00	UNIFORM ALLOWANCE	28.67
021-0310-530.009-00	OTHER PROFESSIONAL S	362.26
059-0120-530.091-00	MEETINGS & TRAINING	5.12
059-0730-520.010-00	DEPT OPERATING SUPPL	49.21
059-0730-530.009-00	OTHER PROFESSIONAL S	108.00
059-0730-530.201-00	OTHER CONTRACT SERVI	5.68
060-0120-530.091-00	MEETINGS & TRAINING	89.60
060-0710-520.010-00	DEPT OPERATING SUPPL	4,671.54
060-0710-520.011-00	UNIFORM ALLOWANCE	66.88
060-0710-520.040-00	FUEL	196.70
060-0710-530.009-00	OTHER PROFESSIONAL S	707.99
060-0710-530.011-00	TELEPHONE	158.25
060-0710-530.060-00	ELECTRIC	13,712.72
060-0710-530.072-00	OTHER EQUIPMENT REP	256.60
060-0710-530.094-00	LICENSES & PERMIT FEE	264.00
060-0710-530.201-00	OTHER CONTRACT SERVI	3,307.02
061-0120-530.091-00	MEETINGS & TRAINING	71.68
061-0520-520.010-00	DEPT OPERATING SUPPL	1,658.83
061-0520-520.011-00	UNIFORM ALLOWANCE	130.56
061-0520-520.040-00	FUEL	197.40
061-0520-530.009-00	OTHER PROFESSIONAL S	708.01
061-0520-530.060-00	ELECTRIC	12,823.47
061-0520-530.072-00	OTHER EQUIPMENT REP	2,503.65
061-0520-530.201-00	OTHER CONTRACT SERVI	10,653.18
062-0120-530.091-00	MEETINGS & TRAINING	12.80
062-0510-520.011-00	UNIFORM ALLOWANCE	28.67
062-0510-530.009-00	OTHER PROFESSIONAL S	244.76
062-0510-530.201-00	OTHER CONTRACT SERVI	7.57
063-0120-530.091-00	MEETINGS & TRAINING	12.80

Account Summary

Account Number	Account Name	Payment Amount
063-0340-520.010-00	DEPT OPERATING SUPPL	697.58
063-0340-530.060-00	ELECTRIC	595.88
063-0340-530.089-00	COMMUNITY PROMOTI	392.70
063-0340-530.201-00	OTHER CONTRACT SERVI	186.22
074-0610-530.059-00	WATER UTILITY	24.73
074-0610-530.060-00	ELECTRIC	238.41
093-0000-220.070	INSURANCE TRUST	463.66
099-0000-220.050	PERS PAYABLE	8,894.87
099-0000-220.071	POA DEDUCT PAYABLE	420.00
099-0000-220.081	UNION DUES PAYABLE	337.00
099-0000-220.098	WASHINGTON SUPPORT	142.71
101-0140-530.009-00	OTHER PROFESSIONAL S	82.50
102-0210-530.009-00	OTHER PROFESSIONAL S	28.80
103-0220-530.009-00	OTHER PROFESSIONAL S	94.80
104-0610-530.009-00	OTHER PROFESSIONAL S	206.10
105-0730-530.009-00	OTHER PROFESSIONAL S	385.80
106-0710-530.009-00	OTHER PROFESSIONAL S	169.20
107-0520-530.009-00	OTHER PROFESSIONAL S	360.00
108-0310-530.009-00	OTHER PROFESSIONAL S	172.80
203-0310-530.009-00	OTHER PROFESSIONAL S	555.19
	Grand Total:	103,225.46

Project Account Summary

Project Account Key	Payment Amount
None	103,225.46
Grand Total:	103,225.46

Jami Westervelt



TREASURER'S REPORT

Period Ending September 30, 2017

The following investment and cash information pertains to the period ending September 30, 2017:

<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	1.110%	\$5,288,038.11
Non Interest Bearing Items				
Tri-Counties Bank	099-100.004	Payroll Account		\$363,273.48
Tri-Counties Bank	000-100.100	General Checking		\$607,761.39
<i>Subtotal</i>				<i>\$971,034.87</i>
Total Cash and Investments				\$6,259,072.98

Prepared by:



Jami Westervelt, Finance Director



COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

SUBJECT: Council Approval and Waive the Second Reading of the Ordinance Streamlining the Process for Electric Vehicle Charging Stations

BACKGROUND/DISCUSSION

Staff presented to Council at the September 19, 2017 meeting a staff report and ordinance to streamline the permitting process for Electric Vehicle Charging Stations. As is customary, Staff is bringing the ordinance back a second reading and for Council adoption.

Staff was notified that the State of California adopted Assembly Bill No. 1236, codifying Section 65850.7 of the Government Code, which requires cities to adopt an ordinance creating an expedited and streamlined permitting process for electric vehicle charging stations.

Assembly Bill No. 1236 requires cities with populations under 200,000 people to adopt such an ordinance by September 30, 2017. The City seeks to promote and encourage the use of fuel-efficient electric vehicles. This ordinance will provide an expedited, streamlined permitting process for electric vehicle charging stations. It could possibly encourage installation of electric vehicle charging stations, and reduce the City's reliance on fossil fuels.

Under to the proposed ordinance ("Ordinance"), the City Building Official will establish a checklist of requirements ("Checklist") which a permit application for an electric vehicle charging station and will be eligible for expedited review. The Checklist must substantially conform to the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research. Additionally, the City Building Official must accept electric car charging station permit applications online and accept electronic signatures.

As required by Government Code section 65850.7, each application that meets the requirements of the Checklist must be deemed complete and promptly processed. Once the City Building Official determines the application meets the requirements of the Checklist, and applicable health and safety standards, the building permit must be issued. If the City Building Official finds the application does not meet the Checklist requirements, the City Building Official must provide notice of the deficiencies and the additional information required to be eligible for expedited building permit issuance.

A completed application may only be denied upon finding a "specific, adverse

A completed application may only be denied upon finding a "specific, adverse impact" upon the public health or safety, meaning a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards.

FISCAL IMPACT

Outside of staff time to initiate the streamlined permitting process, no fiscal impact is anticipated.

RECOMMENDATION

It is recommended that the City Council consider adoption and waive the second reading of Ordinance No. 2017- , of the City Council of the City of Gustine adding Chapter 4.24, Electric Vehicle Charging Station Permitting Procedures, to Title 4, Building Regulations, of the Gustine Municipal Code.

EXHIBIT(S)

- A) Ordinance 2017 - XXX
- B) Residential EV Charging Checklist
- C) Commercial EV Charging Checklist
- D) Residential Service Load Worksheet

ORDINANCE NO. 2017-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUSTINE ADDING SECTION 4.188, ELECTRIC VEHICLE CHARGING STATIONS PERMITTING PROCEDURES, TO TITLE 4, BUILDING REGULATIONS, OF THE GUSTINE MUNICIPAL CODE.

WHEREAS, the State of California adopted Assembly Bill No. 1236, codifying Section 65850.7 of the Government Code, which requires cities to adopt an ordinance creating an expedited and streamlined permitting process for electric vehicle charging stations; and

WHEREAS, Assembly Bill No. 1236 requires cities with populations under 200,000 people to adopt such an ordinance by September 30, 2017; and

WHEREAS, the City of Gustine ("City") seeks to promote and encourage the use of fuel-efficient electric vehicles; and

WHEREAS, an expedited, streamlined permitting process for electric vehicle charging stations will encourage installation of electric vehicle charging stations, and reduce the City's reliance on fossil fuels.

THE CITY COUNCIL OF THE CITY OF GUSTINE DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 4.24, Electric Vehicle Charging Station Permitting Procedures, of Title 4, Building Regulations, of the Gustine Municipal Code is added to read as follows:

4.24.010 Purpose. The City seeks to encourage the use of fuel-efficient electric vehicles by streamlining the process for obtaining a building permit for electric car charging stations. Section 65850.7 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county, with a population less than 200,000, shall adopt an ordinance creating expedited, streamlined permitting process for electric vehicle charging stations.

4.24.020 Definitions.

"CEC" means California Code of Regulations title 24, part 3, also known as the California Electrical Code.

"Electronic submittal" means the utilization of one or more of the following: e-mail; the internet; facsimile.

"Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the CEC, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

"Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions, as they existed on the date the application, was deemed complete.

424.030. Checklist.

A. The City Building Official shall adopt a checklist of all requirements for an expedited building permit application for electric vehicle charging stations. The checklist shall substantially conform to the checklist and standard plans contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research.

B. The checklist, application form, and any other documents required by the City Building Official shall be published on the City's website.

4.24.040. Expedited building permit process for electric vehicle charging stations.

A. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety, and building occupants. Verification by the applicant includes, but is not limited to: electrical system capacity and loads; electrical system wiring, bonding, and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment; and vehicle parking.

B. A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the City Building Official that the permit application and supporting documents meet the requirements of the City-adopted checklist, and is consistent with all applicable laws, and health and safety standards, the City Building Official shall approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City.

C. If the application for an expedited building permit is incomplete, the City Building Official shall provide a written correction notice of the deficiencies and the additional information required to be eligible for expedited building permit issuance.

D. The City Building Official shall not condition the approval for any electric vehicle charging station permit on the approval by an association, as that term is defined by California Civil Code section 4080.

4.24.050. Electronic Submission. The City Building Official shall allow for electronic submittal of permit applications covered by this Chapter and associated supporting documentation. In accepting permit applications, the City Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

4.24.060. Installation.

A. Electric vehicle charging station equipment shall meet the requirements of the CEC, the Society of Automotive Engineers, Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission regarding safety and reliability.

B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means, and overcurrent protective devices shall meet the requirements of Article 625 of the CEC, and all applicable provisions under California Code of Regulations, title 24, part 3.

C. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the CEC. Electric vehicle charging equipment shall be considered a continuous load.

D. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

4.24.070. Technical Review. This Chapter aims to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations, so long as the action does not supersede the City Building Official's authority to address higher priority life-safety situations. If

the City Building Official finds, based on substantial evidence, that an electric vehicle charging station could have a specific adverse impact upon the public health or safety, the City may require the applicant to apply for a conditional use permit.

SECTION 2. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Council declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 3. This Ordinance shall be published by one insertion in West Side Index, a newspaper of general circulation, printed and published in the City of Gustine, within fifteen (15) days after its final passage and shall take effect, and be in force, thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Gustine, held on the _____ day of _____, 20____, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading and adopted at a meeting of the City Council held on the _____ day of _____, 20____, and said ordinance was thereupon adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Melvin Oliveira, Mayor

ATTEST:

Melanie Correa, Deputy City Clerk

CHECKLIST FOR RESIDENTIAL ELECTRIC VEHICLE CHARGING SYSTEMS

- Completed Building Permit Application
- Completed plans, including floor plan and panel location
- Completed Electrical Load Worksheet, if required below
- Equipment Manufacturer's Installation Instructions

Electronic Submittal Requirements

- PDF files of forms listed above
- Email all PDF files to _____
- Email and all attachments must be less than 30 Mb

General Requirements:

Level of EV charging:

- Level 1 (120V) Level 2 (240V)

Type of equipment being installed:

- NEMA 14-50 NEMA 5-15 NEMA 5-20 Other _____

Equipment Overcurrent Protection Rating:

- 50A 15A 20A Other _____

Existing Electrical Service (If less than 150A, provide (Electrical Load Worksheet):

- 100A 125A 150A 200A

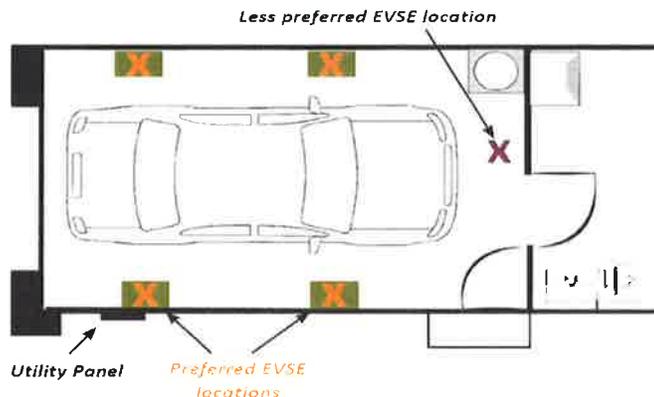
Branch Circuit Distance:

- 100 Feet or less More Than 100 Feet

Conductor Size:

- #14 Cu #12 Cu #6 Cu Other _____

Circle the Approximate Location of Charging System



CHECKLIST FOR COMMERCIAL ELECTRIC VEHICLE CHARGING SYSTEMS

- Completed Building Permit Application
- Three copies of site plan
- Three copies of electrical plan
- Equipment Manufacturer's Installation Instructions

Electronic Submittal Requirements:

PDF files of forms listed above

Email all PDF files to _____

Email and all attachments must be less than 30 Mb

Plan Requirements:

Site Plan:

- Building footprints and landscaped areas
- Parking and circulation areas
- Show locations of any existing and all proposed EV stations, panels, and other service equipment
- Demonstrate compliance with accessibility provisions

Electrical Plan:

- Electrical and equipment layout
- Single line diagram
- Electrical Load Calculations (Existing + New) and Panelschedule
- Demonstrate compliance with accessibility provisions

Total Number Of EVCS At Facility	Minimum Number (by type) Of EVCS Required		
	Van	Standard	Ambulator
1-4	1	0	0
5-	1	1	0
26-	1	1	1
>50	See CBC Table 11B-		

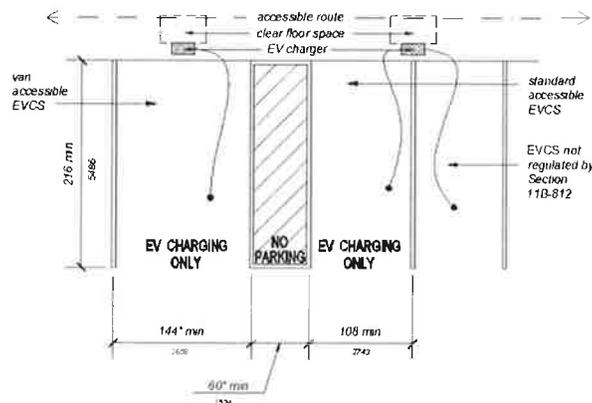


FIGURE 11B-812.9
SURFACE MARKING



ITEM NO. 6

CITY COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

SUBJECT: Chief of Police Employment Contract

BACKGROUND/DISCUSSION

Over the last three months the City Manager has conducted an extensive effort to select a new Chief of Police for Gustine. The process, which included a series of interviews with multiple candidates, has culminated in the selection of a proposed new Chief of Police. Negotiations over proposed salary and benefits have occurred and the results of those efforts are contained in the attached contract document.

FISCAL IMPACT

See contract. The contract will be distributed at the Council meeting and will be available for public review at that time.

RECOMMENDATION

Council authorize the City Manager to execute the Chief of Police Employment Agreement.



COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

SUBJECT: Council Authorize the Use of City Sidewalks for Chamber Mixer

BACKGROUND/DISCUSSION

The Gustine Chamber of Commerce is planning to hold a Downtown Mixer and are requesting the use of City sidewalks. The Downtown Mixer would be November 10, 2017 from 5:00 PM until 8:00 PM. Participating businesses will be asked to provide refreshments for their guests.

The idea of the Mixer is to get people to walk through the downtown Business district of Gustine. The Chamber will hand out raffle tickets to the businesses who in turn will give them to their patrons, who are over 21 years of age. The participants will turn in their tickets to the Chamber and a drawing will be held throughout the program.

The Chamber is encouraging the businesses to have a sidewalk sale if possible. If the business is not on 5th Street, then the business could possibly bring a table and set it up on 5th Street that night.

The Chamber would be responsible for ensuring that any person who is drinking is over the age of 21, by issuing them a wristband for easy identification.

FISCAL IMPACT

The fiscal impact would be the cost of the insurance to have the event. The insurance cost would be approximately \$521.23.

RECOMMENDATION

Council to approve the Chambers request to hold a Downtown Mixer on November 10, 2017 from 5:00 PM until 8:00PM. Council to determine what fees if any are to be waived

EXHIBIT(S)

A) Letter of Request

September 27, 2017

**Gustine City Council
Gustine, CA.**

Attention: Doug Dunford, City Manager

Dear Mayor Oliverira and City Council

The Gustine Chamber of Commerce will be sponsoring a Downtown Mixer on Friday, November 10th, 2017 from 5:00 P.M. to 8:00 P.M.

The object of this mixer is to get people to walk through our businesses downtown. We will have refreshments and raffles. The businesses would have a chance to decorate their business for Christmas and get ready for our Downtown Christmas on November 25th.

On November 25th we will be having a Craft Fair, Santa's Work Shop, Fire Truck Rides, Christmas Tree Entertainment & Lighting and a Lighted Parade.

We are asking the City Council to please waive the fees for our event. The Chamber of Commerce raises money, to donate it back to the City, for projects that will continue to help our businesses.

**Thank You
Judi Gandy
Executive Director
Gustine Chamber of Commerce**



ITEM NO. 8

COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

SUBJECT: **Gustine's Old Fashion Christmas at Home**

BACKGROUND/DISCUSSION

The Gustine Chamber of Commerce has submitted their annual request to have an "Old Fashion Christmas at Home" on November 25, 2017 and have all the fees waived. Community activities are expected to include Fire Truck rides, the lighting of the Christmas Tree, Craft Fair, Petting Zoo and Lighted Christmas Parade. City Council authorization is required to use various City streets, sidewalks, City personnel and additional costs to the City.

The Chamber of Commerce is asking for the use of the following City streets and sidewalks:

- Use of the intersection of Fifth Street and Fourth Avenue for placement of a Christmas tree. The tree will be set up on or about November 15, 2017, and will be removed on or before January 13, 2018.
- Closure of the south side of Fifth Avenue between Fifth Street and the alley for fire truck rides on November 25, 2017, between noon and 3:00 PM.
- Closure of 4th Street between 5th Street and the ally way west of 5th Street for placement of the judges stand at 1:00 PM
- Use of sidewalks and roadway on the 300 block of Fifth Street for the Craft Fair and Petting Zoo on November 25, 2017, between 8:00 AM and 5:00 PM. Parking will be prohibited throughout the event, and remain prohibited until after the parade. Parking will additionally be prohibited on the 400 block of Fifth Street, between 6:00 PM and 9:00 PM.

Use of City Streets for the following parade route:

Parade will begin staging on Sixth and Seventh Street, near Fifth Avenue on November 25, 2017, beginning at approximately 6:00 PM immediately following the tree lighting ceremony.

The parade will begin traveling northbound Fifth Street from Fifth Avenue, to North Avenue. It will then travel westbound on North Avenue to West Avenue, turn left and proceed southbound on West Avenue to Fifth Avenue. The parade will then turn left onto Fifth Avenue and return to Fifth Street travelling northbound, concluding in the 300 and 400 blocks of Fifth Street.

To assist the participants in turning safely onto Fifth Street from Fifth Avenue, parking will be prohibited in approximately 5 parking spaces on the southeast corner of the 500 block of Fifth Street. All roadways are expected to reopen at approximately 9:00 PM.

The Gustine Chamber of Commerce is also requesting the use of the City fire engines for children's rides.

FISCAL IMPACT

One uniformed officer will be required to be present from 8:00 AM-5:00 PM to provide security during the daytime downtown activities. Additional uniformed officers will be required to assist with the parade and related night time events. Total cost for police services is estimated at \$800.00. Public Works will be required to stage and retrieve barricades for this event. Total cost for Public Works assistance is estimated at \$250.00. Total cost for insurance for the event will be \$299.35. The overall total costs will be \$1,349.35.

Staff is having Chief Borelli ensure that every rider for the fire truck rides will sign a waiver before riding the fire truck. All riders under 18 years of age must have a parent or guardian sign the waiver to be allowed to ride.

RECOMMENDATION

City Council to authorize the request from the Chamber of Commerce for the use of City streets/sidewalks and City Personnel for the Old Fashion Christmas at Home events. City Council to determine which fees, if any, are to be waived.

EXHIBIT

- A) Request Letter from the Chamber of Commerce

September 27, 2017

**Gustine City Council
Gustine, CA.**

Attention: Doug Dunford, City Manager

Dear Mayor Oliverira and City Council

The Gustine Chamber of Commerce will be sponsoring a Downtown Mixer on Friday, November 10th, 2017 from 5:00 P.M. to 8:00 P.M.

The object of this mixer is to get people to walk through our businesses downtown. We will have refreshments and raffles. The businesses would have a chance to decorate their business for Christmas and get ready for our Downtown Christmas on November 25th.

On November 25th we will be having a Craft Fair, Santa's Work Shop, Fire Truck Rides, Christmas Tree Entertainment & Lighting and a Lighted Parade.

We are asking the City Council to please waive the fees for our event. The Chamber of Commerce raises money, to donate it back to the City, for projects that will continue to help our businesses.

**Thank You
Judi Gandy
Executive Director
Gustine Chamber of Commerce**



ITEM NO. 9

COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

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 Tuesday, October 31, 2017, beginning at 8:05 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

October 9, 2017

Dear Gustine City Council,

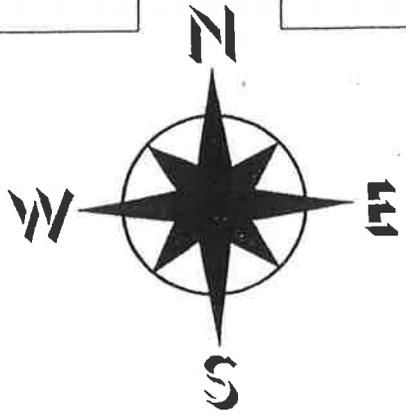
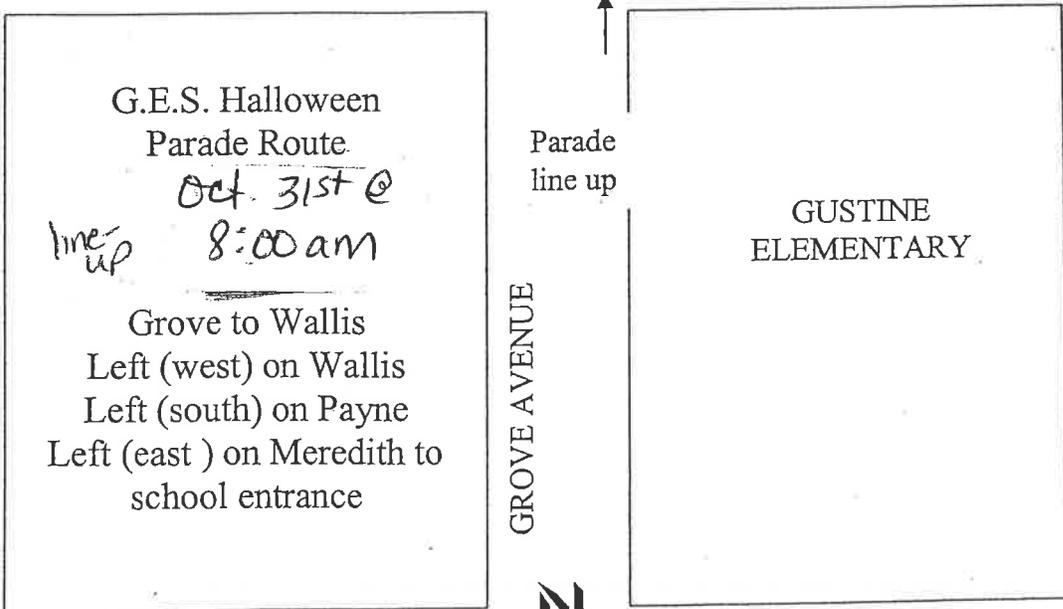
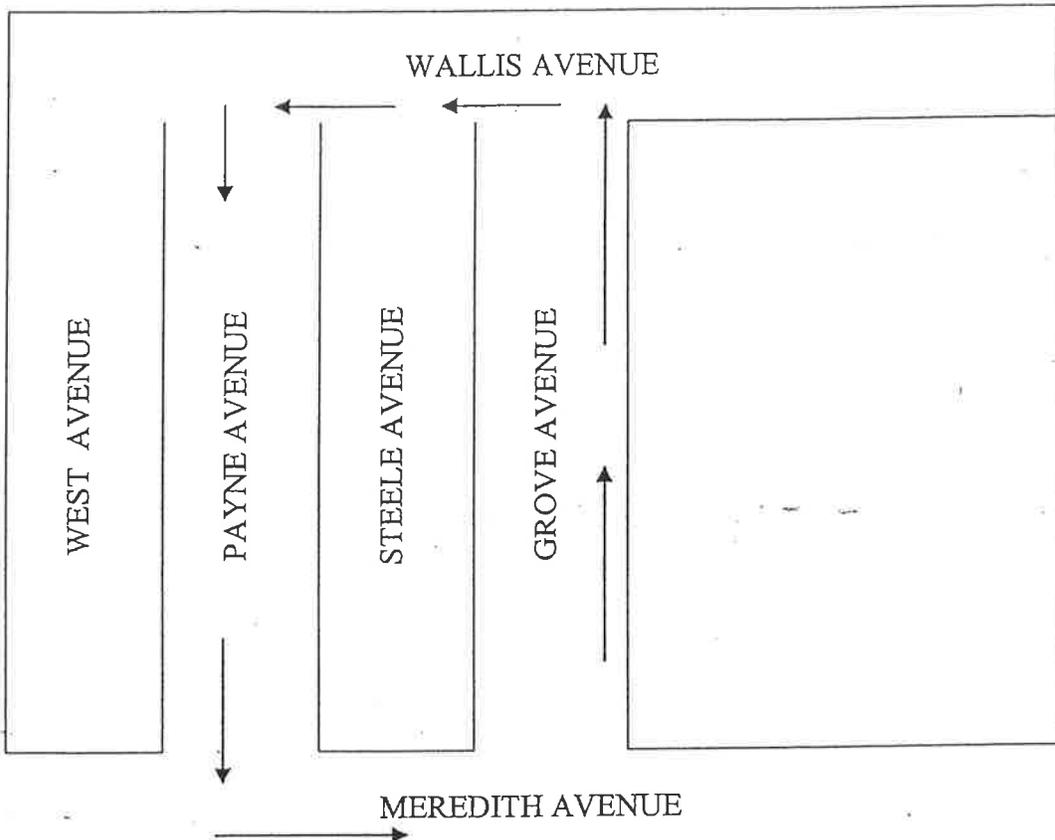
Gustine Elementary School will be having their annual Parade of Costumes on Tuesday, October 31st.

We are requesting a police escort, *from 8:00 am to 9:15 am (apprx)*, to lead us in our parade route (see attached map). We will begin lining up at *8:05 am*, so we would appreciate having a police escort available by 8:00 am. The parade begins at approximately 8:15 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





COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

SUBJECT: Consider Resolution Consenting to Participation in CSCDA Open PACE Programs

BACKGROUND/DISCUSSION

CSCDA, the largest Joint Powers Authority in California, founded and sponsored by the League of California Cities and CSAC, is implementing Property Assessed Clean Energy ("PACE") under the provisions of Chapter 29 of Division 7 of the Streets & Highways Code (commonly referred to as "AB 811") on behalf of its member counties and cities. AB811 authorizes a legislative body to designate an area within which authorized public officials (including a joint powers authority like CSCDA) and free and willing property owners may enter into voluntary contractual assessments to finance the installation of renewable energy, energy efficiency, water efficiency, and seismic strengthening improvements as well as electric vehicle charging infrastructure, in each case affixed to real property (the "Improvements"). PACE has been a very successful financing tool in California. PACE is operating in over 400 jurisdictions throughout the state, and nearly half a billion dollars in energy efficiency, water efficiency and renewable projects have been funded.

CSCDA Open PACE is being offered to allow property owners in participating cities and counties to finance renewable energy, energy water efficiency improvements, seismic improvements and electric vehicle charging infrastructure on their property. Participation in the assessment is 100% voluntary by the property owner. The improvements installed on the owner's property are financed by the issuance of bonds by CSCDA. The bonds are secured by a voluntary contractual assessment levied on the owner's property. Property owners who wish to participate in PACE agree to repay the money through the voluntary contractual assessment collected with property taxes. The voluntary contractual assessments will be levied by CSCDA and collected in annual installments through the applicable county secured property tax bill.

The benefits to the property owner include:

- Competition: CSCDA Open PACE provides five options to property owners: AllianceNRG Program, PACE Funding, CaliforniaFIRST, Clean Fund Commercial PACE Capital and Spruce Finance. Property owners can shop for the best price and service through the availability of the PACE administrators.

- Eligibility: In today's economic environment, alternatives for property owners to finance renewable improvements may not be available. Many property owners do not have financing options available to them to lower their utility bills.
- Savings: Energy prices continue to rise and installing energy efficient, water efficient and renewable energy models lower utility bills.
- 100% voluntary: Only property owners who choose to finance improvements will have assessments placed on their property.
- Payment obligation can stay with the property: Under Chapter 29, a voluntary contractual assessment stays with the property upon transfer of ownership. Most private loans are due on sale of the property. Certain mortgage providers will, however, require the assessment be paid at the time the property is refinanced or sold.
- Prepayment option: The property owner can choose to pay off the assessments at any time, with no residential prepayment penalties.
- Customer oriented: Part of the success of the CSCDA Open PACE is prompt customer service.
- Favorable Terms: The economic terms of PACE financing will often be more favorable than other options.
- Not a personal loan or mortgage: The PACE assessment in effect is not a personal obligation of the property owner through a conventional loan or mortgage but an assessment on the property secured by an assessment lien and collected as part of the regular tax roll on the property.

The benefits to the City include:

- Prequalified PACE Administrators. CSCDA has pre-qualified the PACE Administrators based on their business practices, qualifications, experience, and capital commitment to the PACE market.
- Project Eligibility. The CSCDA Open PACE platform can provide financing for all aspects of PACE including: 1) Residential, 2) Commercial, and 3) Seismic strengthening programs such as Mandatory Soft Story programs,
- Increase local jobs. Property improvements provide jobs in the local economy.
- Increase in housing prices. Updated and higher efficient homes are generally more valuable.

- Increase Revenue to the City. Property improvements result in an increase in sales, payroll and property tax revenue to the City.
- No City Obligation. As in conventional assessment financing, the City is not obligated to repay the bonds or to pay the assessments levied on the participating properties. Unlike conventional assessment financing, the City/County has no administrative duties and its name is not on the bonds, as CSCDA's name is on the bonds.
- No City staff support required. All CSCDA Open PACE and assessment administration, bond issuance and bond administration functions are handled by CSCDA and the Administrators; AllianceNRG Program, PACE Funding Group and Renewable Funding. No City staff time is needed to participate in CSCDA Open PACE.
- No internal management requirements. The City can provide access for its residents to CSCDA Open PACE without the higher staff costs that an independent program established by the City would require.
- Availability of Information on Projects Financed. The City may receive, at its option, periodic updates on CSCDA Open PACE projects that have been completed in their community.
- Demonstration of Community Commitment to the Environment. Participating in CSCDA Open PACE demonstrates the City's commitment to do everything in its power to improve the environment.

The proposed resolution enables CSCDA Open PACE programs to be available to owners of residential and commercial property within the City to finance permanently fixed renewable energy, energy efficiency, water efficiency, and seismic strengthening improvements as well as electric vehicle charging infrastructure.

CSCDA (and not the county or city) will be responsible for entering into voluntary contractual assessment agreements with participating property owners, levying the voluntary contractual assessments, issuing bonds to finance the Improvements and taking remedial actions in the event of delinquent assessment payments. The resolution expressly provides that the county or city will not be responsible for the conduct of any assessment proceedings, the levy of assessments, any required remedial action in the case of delinquencies in assessment payments, or the issuance, sale or administration of any bonds issued in connection with CSCDA Open PACE.

FISCAL IMPACT

There is no negative fiscal impact to the City's general fund by consenting to the inclusion of properties within the City limits in CSCDA Open PACE. All CSCDA Open PACE administrative costs are covered through an initial administrative fee included in the property owner's voluntary contractual assessment and an annual administrative fee, which is also collected on the property owner's tax bill.

RECOMMENDATION

City Council to approve the resolution authorizing the [City's/County's] participation in CSCDA Open PACE, which will enable property owners to finance permanently fixed renewable energy, energy efficiency, water efficiency, and seismic strengthening improvements as well as electric vehicle charging infrastructure.

EXHIBIT

A) Resolution

RESOLUTION NO. 2017-XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF GUSTINE IN THE CSCDA OPEN PACE PROGRAMS;
AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF GUSTINE; AND AUTHORIZING RELATED ACTIONS**

WHEREAS, the California Statewide Communities Development Authority (the "Authority") is a joint exercise of powers authority, the members of which include numerous cities and counties in the State of California, including the City of Gustine; and

WHEREAS, the Authority is implementing Property Assessed Clean Energy (PACE) programs, which it has designated CSCDA Open PACE, consisting of CSCDA Open PACE programs each administered by a separate program administrator (collectively with any successors, assigns, replacements or additions, the "Programs"), to allow the financing or refinancing of renewable energy, energy efficiency, water efficiency and seismic strengthening improvements, electric vehicle charging infrastructure and such other improvements, infrastructure or other work as may be authorized by law from time to time (collectively, the "Improvements") through the levy of contractual assessments pursuant to Chapter 29 of Division 7 of the Streets & Highways Code ("Chapter 29") within counties and cities throughout the State of California that consent to the inclusion of properties within their respective territories in the Programs and the issuance of bonds from time to time; and

WHEREAS, the program administrators currently active in administering Programs are the AllianceNRG Program (CounterPointe Energy Solutions (CA) LLC), PACE Funding Group LLC, CaliforniaFirst (Renew Financial Group LLC), CleanFund Commercial PACE Capital and Spruce Finance and the Authority will notify the [County/City] in advance of any additions or changes; and

WHEREAS, Chapter 29 provides that assessments may be levied under its provisions only with the free and willing consent of the owner or owners of each lot or parcel on which an assessment is levied at the time the assessment is levied; and

WHEREAS, the City of Gustine desires to allow the owners of property ("Participating Property Owners") within its territory to participate in the

Programs and to allow the Authority to conduct assessment proceedings under Chapter 29 within its territory and to issue bonds to finance or refinance Improvements; and

WHEREAS, the territory within which assessments may be levied for the Programs shall include all of the territory within the City of Gustine's official boundaries; and

WHEREAS, the Authority will conduct all assessment proceedings under Chapter 29 for the Programs and issue any bonds issued in connection with the Programs; and

WHEREAS, the City of Gustine will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the Programs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gustine as follows:

Section 1. This City Council hereby finds and declares that properties in the territory of the City of Gustine will benefit from the availability of the Programs within the territory of the City of Gustine and, pursuant thereto, the conduct of special assessment proceedings by the Authority pursuant to Chapter 29 and the issuance of bonds to finance or refinance Improvements.

Section 2. In connection with the Programs, the City of Gustine hereby consents to the conduct of special assessment proceedings by the Authority pursuant to Chapter 29 on any property within the territory of the City of Gustine and the issuance of bonds to finance or refinance Improvements; provided, that

(1) The Participating Property Owners, who shall be the legal owners of such property, execute a contract pursuant to Chapter 29 and comply with other applicable provisions of California law in order to accomplish the valid levy of assessments; and

(2) The City of Gustine will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the Programs.

Section 3. The appropriate officials and staff of the City of Gustine are hereby authorized and directed to make applications for the Programs available to all property owners who wish to finance or refinance Improvements; provided, that the Authority shall be responsible for providing such applications and related materials at its own expense. The following staff persons, together with any other staff persons chosen by the City Manager of the City of Gustine from time to time, are hereby designated as the contact persons for the Authority in connection with the Programs: Finance Department and Building Department.

Section 4. The appropriate officials and staff of the City of Gustine are hereby authorized and directed to execute and deliver such certificates, requisitions, agreements and related documents as are reasonably required by the Authority to implement the Programs.

Section 5. The City Council hereby finds that adoption of this Resolution is not a "project" under the California Environmental Quality Act, because the Resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4).

Section 6. This Resolution shall take effect immediately upon its adoption. The Deputy City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the Secretary of the Authority at: Secretary of the Board, California Statewide Communities Development Authority, 1400 K Street, Sacramento, CA 95814.

PASSED AND ADOPTED this 17th day of October, 2017 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Deputy City Clerk

**COUNCIL AGENDA ITEM****OCTOBER 17, 2017****PREPARED BY:** Doug Dunford, City Manager**SUBJECT: Council to Introduce and Waive the First Reading of an Ordinance Amending the Gustine Municipal Code Relating to Marijuana Cultivation**

BACKGROUND/ DISCUSSION:

In 1996, California voters approved Proposition 215, codified as Health and Safety Code Section 11362.5, et seq., and entitled the Compassionate Use Act of 1996 ("the Act"). Proposition 215 was intended to allow persons who are in need of marijuana for specific medical reasons to purchase and use the substance under limited, specific circumstances as set forth by State Law. Subsequently in 2004 the State Legislature passed SB 420 (codified as Health and Safety Code Section 11362.7 et seq.), which authorized city and county governments to adopt and enforce rules and regulations consistent with SB 420 and "the Act". In 2012 the City of Gustine passed an ordinance prohibiting the establishment of medical marijuana dispensaries within City limits.

More recently the State Legislature has passed the Medical Marijuana Regulation and Safety Act (MMRSA). The intent of the MMRSA was to establish licensing requirements at both a State and Local level. The MMRSA added cultivation as well as transportation as uses that can be regulated at a local level. Transportation with regard to medical marijuana would be described generally as transportation of medical marijuana by delivery services to patients within Gustine city limits. Cultivation would generally be defined into two separate categories. The first category would relate to commercial cultivation which would typically be larger grow operations for commercial sale. The second category would be personal cultivation which relates specifically to the allowances that individual patients have to grow a limited number of marijuana plants on their personal property.

In 2012 the City Council passed an ordinance which establishes rules for personal cultivation. The Ordinance prohibits the consumption of Medical Marijuana in all places except within private residences and notes that no odor or smoke from such activity shall be detected from any neighboring property or residence. The Ordinance also restricts personal cultivation of medical marijuana to enclosed structures and the area dedicated to cultivation can be no greater than 120 square feet in size. The structures are required to meet all applicable zoning and building code requirements and cultivation may not be in conjunction with any type of business.

On November 8, 2016 California voters approved Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA"), which authorizes and regulates the use of marijuana for personal and commercial purposes, including the recreational (non-medical) use of marijuana by adults 21 years of age and older.

AUMA makes it lawful for individuals 21 years of age and older to possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants. Further, AUMA authorizes cities to reasonably regulate without completely prohibiting cultivation of marijuana inside a private residence or inside a fully enclosed and secure accessory structure to a private residence. AUMA authorizes cities to completely prohibit outdoor cultivation on the grounds of a private residence.

AUMA also authorizes cities to completely prohibit the establishment or operation of any marijuana business licensed by its provisions, including marijuana retailers, manufacturers, and commercial cultivators. It also says cities have the authority to regulate or ban outright medical marijuana land uses.

Laws under the Federal Controlled Substances Act, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need. In addition the indoor cultivation of marijuana has potential adverse effects to the health and safety of the occupants, including structural damage to the building due to increased moisture and mold, risk of fire

The purpose of this staff report is for the Council to discuss the following key items:

- Consideration of local regulations on:
 - Transportation
 - Commercial Cultivation
 - Personal Cultivation
 - Any other component of Gustine's existing Medical Marijuana Regulations

Staff presented this report to the Planning Commission on September 13, 2017, where they voted 4-0 to ban the dispensary and commercial growing of marijuana. The current deadline to enact regulations related to the MMRSA and AUMA is January 1, 2018.

RECOMENDATION:

It is recommended that the City Council introduce by title and waive the first reading of an ordinance of the City Council of the City of Gustine amending Article 6 of Chapter 7 of Title 7 of the Gustine Municipal Code regarding marijuana cultivation.

EXHIBIT(S):

- A) Draft Ordinance
- B) Gustine Municipal Code - ARTICLE 6. - PUBLIC USE/CONSUMPTION AND PERSONAL CULTIVATION OF MEDICAL MARIJUANA

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GUSTINE AMENDING ARTICLE 6 OF CHAPTER 7 OF TITLE 7
OF THE GUSTINE MUNICIPAL CODE REGARDING
MARIJUANA CULTIVATION**

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, California Government Code section 65800 et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the City's General Plan; and

WHEREAS, the City currently prohibits any business or land use that cannot be conducted without violating state or federal law, expressly including medical marijuana dispensaries, deliveries and cultivation; and

WHEREAS, on November 8, 2016 California voters approved Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA"), which authorizes and regulates the use of marijuana for personal and commercial purposes, including the recreational (non-medical) use of marijuana by adults 21 years of age and older; and

WHEREAS, the AUMA makes it lawful for individuals 21 years of age and older to possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants; and

WHEREAS, the AUMA authorizes cities to reasonably regulate without completely prohibiting cultivation of marijuana inside a private residence or inside a fully enclosed and secure accessory structure to a private residence; and

WHEREAS, the AUMA authorizes cities to completely prohibit outdoor cultivation on the grounds of a private residence; and

WHEREAS, the AUMA authorizes cities to completely prohibit the establishment or operation of any marijuana business licensed by its provisions, including marijuana retailers, manufacturers, and commercial cultivators;

WHEREAS, in May 2013, the California Supreme Court held in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, (2013) 56

Cal. 4th 729 that cities have the authority to regulate or ban outright medical marijuana land uses; and

WHEREAS, the Medical Cannabis Regulation and Safety Act ("MCRSA"), which took effect January 1, 2016, regulates commercial medical marijuana businesses; and

WHEREAS, the California Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without adequate security may increase the risk that nearby homes or businesses are negatively impacted by nuisance activity such as loitering or crime; and

WHEREAS, under the Federal Controlled Substances Act, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need; and

WHEREAS, the indoor cultivation of marijuana has potential adverse effects to the health and safety of the occupants, including structural damage to the building due to increased moisture and mold, risk of fire and electrocution due to indoor growing equipment, and harmful use of pesticides and fertilizers; and

WHEREAS, in light of changing State law and potential negative effects on the public health, safety, and welfare related to unregulated personal and commercial uses of marijuana, both medical and recreational, the City desires to continue to ban all marijuana dispensaries, cultivation, delivery service land uses and other commercial marijuana uses within City Limits to the extent allowed by California law, and to regulate indoor personal cultivation of marijuana to the extent authorized by California law.

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 of Article 6 of Title 7 of the Gustine Municipal Code is hereby amended to read in full as set forth in the attached 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 ___th day of July, 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Melvin Oliveira, Mayor

ATTEST:

Melanie Correa, Deputy City Clerk

EXHIBIT A

CITY OF GUSTINE

Article 6 - PUBLIC USE/CONSUMPTION AND PERSONAL CULTIVATION OF MARIJUANA

Sec. 7-7-270. - Purpose and intent.

It is the purpose of this chapter to promote the health, safety, morals, general welfare and enjoyment of private property of the residents within the city by restricting the public use and consumption of marijuana and by regulating the individual cultivation of marijuana.

Sec. 7-7-271. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cultivation means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana, conducted by an individual strictly for that individual's personal use, possession, processing, transporting, or giving away without any compensation whatsoever in accordance with this Code and State law, as applicable.

Marijuana means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including marijuana products derived therefrom. Unless otherwise specified, "marijuana" shall mean and include marijuana for medical purposes and non-medical marijuana. "Marijuana" does not include industrial hemp as defined by Health and Safety Code section 11018.5, as may be amended.

Sec. 7-7-272. - Regulations applicable to public use/consumption of marijuana.

No person shall smoke, ingest or otherwise consume marijuana in the city unless the following conditions are met:

- (1) Such smoking, ingesting or consumption occurs entirely inside a private residence;
- (2) No smoke or odor resulting from such smoking, ingesting or consumption may be detected from any neighboring property or residence and

- (3) Such smoking, ingesting or consumption is in compliance with all applicable state law.

Sec. 7-7-273. - Regulations applicable to individual cultivation.

Personal cultivation of marijuana is permitted in all residential zones under the following terms and conditions:

- (1) Secure enclosed structure. The cultivation of marijuana shall at all times only occur within a fully enclosed and adequately secured building having at least four solid walls and roof of masonry, metal, or wood, and standard locks, but not within any portion of a building or structure dedicated to living space.
- (2) The building within which cultivation of marijuana occurs, and any improvements within such building, shall meet all applicable building and zoning requirements (including but not limited to required setbacks, height limitations and fire sprinkler requirements), and the structure and improvements themselves shall have been properly and inspected.
- (3) Not more than six living plants may be planted, cultivated, harvested, dried, or processed at one time.
- (4) The cultivation must be conducted by a person that is 21 years of age or older, and marijuana cultivation areas shall not be readily accessible to persons under 21 years of age.
- (5) No cultivation in conjunction with a business: No sales of goods or services. The cultivation shall not occur in conjunction with any business. No products or services shall be sold from the property where cultivation occurs.
- (6) Cultivation may only be conducted by the property owner of the subject property or a resident of the subject property with written permission of the property owner of the subject property to conduct cultivation.

Sec. 7-7-274. - Penalties.

Any person who violates any provisions of this chapter shall be guilty of a misdemeanor, subject to a penalty of imprisonment in the county jail for a period of time not to exceed six months, or by a fine not to exceed \$1,000.00, or both, for each violation. Notwithstanding the classification of a violation of this chapter as a misdemeanor, at the time an action is commenced to enforce the

provisions of this chapter, the trial court, upon recommendation of the prosecuting attorney, may reduce the charged offense from a misdemeanor to an infraction.

ARTICLE 6. - PUBLIC USE/CONSUMPTION AND PERSONAL CULTIVATION OF MEDICAL MARIJUANA^[3]

Footnotes:

--- (3) ---

Cross reference— Medical marijuana dispensaries, Tit. 5, Ch. 8.

Sec. 7-7-270. - Purpose and intent.

It is the purpose of this chapter to promote the health, safety, morals, general welfare and enjoyment of private property of the residents within the city by restricting the public use and consumption of marijuana for medical purposes and by regulating the individual cultivation of medical marijuana.

(Ord. No. 463, 11-20-2012)

Sec. 7-7-271. - Definitions.

All definitions set forth in California Health and Safety Code §§ 11362.5 and 11362.7 et seq., as may be amended, including but not limited to the terms "person with an identification card," "primary caregiver," "qualified patient," and "identification card," shall apply under this chapter in addition to the definitions set forth as follows:

Cultivation of medical marijuana means the growing of medical marijuana for medical purposes as defined in strict accordance with California Health and Safety Code §§ 11362.5 and 11362.7 et seq.

Medical marijuana. In strict accordance with California Health and Safety Code §§ 11362.5 and 11362.7 et seq.

(Ord. No. 463, 11-20-2012)

Sec. 7-7-272. - Regulations applicable to public use/consumption of medical marijuana.

No person shall smoke, ingest or otherwise consume medical marijuana in the city unless the following conditions are met:

- (1) Such smoking, ingesting or consumption occurs entirely inside a private residence; and
- (2) No smoke or odor resulting from such smoking, ingesting or consumption may be detected from any neighboring property or residence.

(Ord. No. 463, 11-20-2012)

Sec. 7-7-273. - Regulations applicable to individual cultivation.

To the extent that the city is required to allow the cultivation of medical marijuana under state law, the rules set forth in this chapter shall apply. Nothing in this section shall be interpreted to permit medical marijuana dispensaries otherwise prohibited by this chapter.

- (1) Secure enclosed structure. The cultivation of medical marijuana shall at all times only occur within a fully enclosed and adequately secured building having at least four solid walls and roof of masonry, metal, or wood, and standard locks, but not within any portion of a building or structure dedicated to living space.
- (2) The building within which cultivation of medical marijuana occurs, and any improvements within such building, shall meet all applicable building and zoning requirements (including but not limited to required setbacks, height limitations and fire sprinkler requirements), and the structure and improvements themselves shall have been properly and inspected.
- (3) The total area dedicated to cultivation of medical marijuana shall be limited to a total of 120 square feet per parcel.
- (4) Any person responsible for cultivation of medical marijuana shall maintain evidence of qualification to use and cultivate medical marijuana as required by state law.
- (5) No cultivation in conjunction with a business: No sales of goods or services. The cultivation shall not occur in conjunction with any business. No products or services shall be sold from the property where cultivation occurs.
- (6) Cultivation may only be conducted by the property owner of the subject property or a resident of the subject property with written permission of the property owner of the subject property to conduct cultivation.

(Ord. No. 463, 11-20-2012)

Sec. 7-7-274. - Penalties.

- (a) Any person who violates any provisions of this chapter shall be guilty of a misdemeanor, subject to a penalty of imprisonment in the county jail for a period of time not to exceed six months, or by a fine not to exceed \$500.00, or both, for each violation. Notwithstanding the classification of a violation of this chapter as a misdemeanor, at the time an action is commenced to enforce the provisions of this chapter, the trial court, upon recommendation of the prosecuting attorney, may reduce the charged offense from a misdemeanor to an infraction.
- (b) Any person convicted of an infraction under this chapter shall be punished by:
 - (1) A fine not exceeding \$150.00 for a first violation;
 - (2) A fine not exceeding \$250.00 for each additional violation of this chapter within one year.

(Ord. No. 463, 11-20-2012)



COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

SUBJECT: Consider Resolution to Authorize Installation of National Motto in City Council Chambers

BACKGROUND/DISCUSSION:

A Councilmember asked staff to research whether the City could install the national motto, "In God We Trust," in the City Council Chambers. Staff discussed this with the City Attorney and was advised that, so long as certain criteria are met, the City can display the motto in the Council Chambers. This would include painting the motto on a wall or a similar display.

Specifically, courts have held that including the motto in the décor of a local public office does not violate the U.S. Constitution's "Establishment Clause". (*Lambeth v. Board of Commissions of Davidson County* (4th Cir. 2005) 407 F.3d 266.) In order to do so, the City must establish that: (1) there are other (non-religious) purposes for the inscription, (2) the display would not cause a reasonable observer to understand the inscription as impermissibly advancing or endorsing religion, and (3) there is not excessive entanglement of government funds.

The accompanying resolution has been drafted in order to make findings establishing the three requirements set forth above. Specifically, the resolution focuses on the recognition that the phrase, "In God We Trust" has long been recognized as our national motto, and that including this national motto into Council Chambers is intended as a symbol of patriotism in furtherance of the City's commitment to national unity.

FISCAL IMPACT:

Minor costs associated with painting the motto in the Council Chambers.

RECOMMENDATION:

Council consider whether it wishes to include the national motto in the City Council Chambers.

If so, to adopt by vote of the Council members present, attached Resolution which authorizes staff to install the national motto in the City Council Chambers.

EXHIBITS:

A) Resolution 2017-XXXX

RESOLUTION NO. 2017-XXXX
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE
MAKING CERTAIN LEGISLATIVE FINDINGS AND AUTHORIZING
THE PLACEMENT OF THE NATIONAL MOTTO, "IN GOD WE TRUST"
IN CITY COUNCIL CHAMBERS

WHEREAS, the City Council recognizes that the motto, "In God We Trust" is the national motto of the United States of America; and

WHEREAS, the motto, "In God We Trust" first appeared on a United States coin in 1864, became the official U.S. national motto by Act of Congress in 1956 (P.L. 84-140); and

WHEREAS, numerous California cities presently display the phrase "In God We Trust" in some form in their government buildings; and

WHEREAS, the City Council wishes to highlight the patriotic uses, both historical and present, of the phrase "In God We Trust; and

WHEREAS, the City Council wishes to further underscore the use of the motto, "In God We Trust", as a long-used national motto and currency inscription, with all of its accompanying secular and patriotic connotations; and

WHEREAS, the motto, "In God We Trust" represents the national motto and the proposed display is intended as a symbol of patriotism in furtherance of the City's commitment to national unity; and

WHEREAS, the proposed display will not involve entanglement of government funds and will not require continued monitoring; and

WHEREAS, the Federal Court of Appeal for the Fourth Circuit in *Lambeth v. Board of Commissions of Davidson County* (4th Cir. 2005) 407 F.3d 266 upheld the inscription of the motto, "In God We Trust" on the exterior of a local government's administration building.

NOW, THEREFORE, the City Council of the City of Gustine does hereby resolve, determine and order as follows:

Section 1. Recitals. The Council hereby finds and determines that all of the recitals set forth above are true and correct.

Section 2. National Motto. Based on the findings set forth in this Resolution, the City Council hereby authorizes, approves and directs the placement of the national motto, "In God We Trust" in the City Council

Chambers. Such placement may be made by painting or other reasonable method as determined by the City Manager.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption by a majority vote of the City Council.

ADOPTED, SIGNED AND APPROVED this 17th day of October, 2017.

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Deputy City Clerk



COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Melanie Correa, Deputy City Clerk

SUBJECT: Consider Request from Gustine High School for Fee Waiver for Use of Al Goman Center

BACKGROUND/ DISCUSSION:

Gustine High School has contacted the City requesting to use the Al Goman Community Center for two separate upcoming events. The request is for an athletics breakfast for the varsity football team and coaching staff on Friday, November 3rd, 2017, and for winter formal on Saturday, January 27th, 2018.

The athletics breakfast will be prepared by the Gustine Rotary Club, and is being held on the day that Gustine High School plays Orestimba High School in the coveted "Battle of the Chief" game. The school is requesting to use the facility from 5:30 A.M. until 9:30 A.M.

For winter formal, the school is requesting to use the facility from 5:00 P.M. until midnight, to allow for setup and cleanup purposes.

The Gustine Unified School District has already provided liability insurance to cover both events.

FISCAL IMPACT:

According to the City of Gustine's Fee Schedule the charge for Gustine Unified School District sponsored events is \$475.00 per day, and \$300 deposit. The cost for a dance permit for the winter formal is \$40.00. Total amount requested for waiver is \$1,590.00.

RECOMENDATION:

City Council consider the request from Gustine High School to waive the rental deposit, rental fees and dance permit fee for use of the Al Goman Community Center for the varsity football athletic breakfast and winter formal.

EXHIBITS:

- A) Letter from Gustine High School
- B) Certificate of Liability Coverage from Gustine Unified School District

APPROVED BY:

DOUGLAS DUNFORD, CITY MANAGER



Gustine High School
501 North Ave., Gustine, CA 95322
Phone: 854-6414 Fax: 854-1955

Dr. John Petrone, Principal Adam Cano, Assistant Principal Mary Lee Hellner, Director Student Services

September 21, 2017

Gustine City Hall
352 Fifth Street
Gustine, CA 95322

To whom it may concern:

I am writing you in regards to a "fee waiver" for two separate events that high school is putting on. As the ASB Advisor, we have planned two events that we would like to hold at the Al Gomen Center. The first is on Friday, November 3, 2017. It is a breakfast that will be cooked by the Rotary Club for our varsity football players and coaches. This is the day we play Orestimba High in the "Battle for the Chief". We would like to start cooking at 5:30 am and clean up by 9:30 am. The next date I would like to request is Saturday, January 27, 2018. This our Winter Formal date. The dance is from 8-11 pm but we are requesting 5:00 pm - 12:00 midnight. It would be greatly appreciated if the fees could be waived for both these high school events.

Sincerely,

Adam Cano
Assistant Principal
ASB Advisor

CERTIFICATE OF LIABILITY COVERAGE

<p>COVERAGE PROVIDER:</p> <p>BAY AREA SCHOOLS INSURANCE COOPERATIVE (BASIC) (a California Joint Powers Authority) 1750 Creekside Oaks Drive, Suite 200 Sacramento, CA 95833</p>	<p>NAMED COVERED MEMBER:</p> <p>Central Region School Insurance Group Gustine Unified School District 1500 Meredith Avenue Gustine, CA 95322</p>
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THE REFERENCED MEMORANDUM OF COVERAGE(S) ("MOC") AND/OR INSURANCE POLICY(IES) EXTEND INDEMNITY PROTECTION TO THE NAMED COVERED MEMBER, IN KEEPING WITH THE TERMS AND CONDITIONS OF THE COVERAGE AGREEMENTS/ POLICIES, FOR THE EFFECTIVE COVERAGE DATES, AND WITH THE STATED COVERAGE LIMITS. COVERAGE PROVIDED BY MOCS IS EXTENDED PURSUANT TO THE RIGHTS AND LIMITATIONS OF CALIFORNIA GOV'T CODE § 990 & 6500, ET SEQ.

TYPE OF COVERAGE	COVERAGE AFFORDED	MOC/POLICY NUMBER	EFFECTIVE DATE(S)	EXPIRATION DATE(S)	LIMITS	LIABILITY SELF INSURED RETENTION
GENERAL LIABILITY	General Liability Employment Practices Educators' Legal Liability Products Liability Completed Operations Liability	2017MOELC	07/01/2017	07/01/2018	\$ 1,000,000	\$500,000
AUTOMOBILE LIABILITY	Automobile Liability (All Owned, Hired, Leased, and Borrowed)				\$	

THIS CERTIFICATE CONFERS NO RIGHT, BENEFIT, OR INTEREST IN THE REFERENCED MEMORANDUM(S) OF COVERAGE OR INSURANCE POLICY(IES), NOR DOES IT AMEND, MODIFY, ENLARGE OR ALTER THE COVERAGE AFFORDED BY SUCH DOCUMENTS. IF THE CERTIFICATE HOLDER IS CONTRACTUALLY ENTITLED TO BE NAMED AS AN ADDITIONAL COVERED MEMBER ("ACM") UNDER ANY COVERAGE AGREEMENT OR POLICY, THE CONTRACT IMPOSING THE OBLIGATION MUST BE PROVIDED TO THE NAMED COVERED MEMBER LISTED ABOVE FOR REVIEW AND APPROVAL BEFORE SUCH AN ENDORSEMENT WILL BE ISSUED; ACM COVERAGE IS NOT AUTOMATICALLY GRANTED.

Description and Date (s) of Event/Operations/Locations/Vehicle:
 Additional remarks/schedule may be attached if more space is needed.

RE: Students participating in school activities at Goman Community Center, 745 Linden Ave., Gustine, CA 95322.
 Proof of coverage.

<p>CERTIFICATE HOLDER:</p> <p>City of Gustine 352 Fifth Street Gustine, CA 95322</p>	<p>Cancellation of Coverage: If any of the policies described herein be cancelled before their expiration dates, notice will be delivered in accordance with policy provisions.</p> <p>Issuer of this Certificate:</p> <p>Commercial Lines - (707) 769-2900 Wells Fargo Insurance Services USA, Inc. - CA Lic#: 0D08408 1039 N. McDowell Blvd. Petaluma, CA 94954-1173</p>
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COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Doug Dunford, City Manager

SUBJECT: Council to Authorize the City Manager to Execute the Agreement with Hillview Funeral Chapel

BACKGROUND/DISCUSSION:

Staff presented to Council at the October 3, 2017 meeting a joint project with Hillview Funeral Chapels (Hillview) and the City. The project scope is complete removal and replacement of the sidewalks on the North, East and South side of Hillview. There are two ADA non compliant ramps at the northeast and southeast corners of Hillview.

The City must bring both ramps into compliance since we are replacing the sidewalks around them. The cost to bring the ramps into compliance has raised the total cost of the project by roughly \$10,000.

The overall cost of the project will be roughly \$70,000. This project as stated in the October 3, 2017 Council meeting will be paid through the use of SB1 and Measure V funds.

FISCAL IMPACT

Staff is asking to use Measure V or SB1 funds to complete the project that are not exceed \$75,000.

RECOMMENDATION

Council to authorize the City Manager to execute the attached agreement between the City and Hillview Funeral Chapels to use Measure V and SB1 funds to complete the sidewalk rehabilitation project.

EXHIBIT(S)

A) Agreement

**FUNDING AGREEMENT
BETWEEN
THE CITY OF GUSTINE
AND
MARK KUHN
FOR HILLVIEW SIDEWALK PROJECT**

This Funding Agreement (“Agreement”) is made and entered into this 17th day of October, 2017 by and between the City of Gustine (“City”) and Mark Kuhn, an individual (“Owner”) of Hillview Funeral Chapel. City and Owner are sometimes referred to herein individually as “Party” and collectively as “Parties”.

RECITALS

WHEREAS, Owner is the owner of the real property located at 515 First Ave., Gustine, CA (“Property”) on which Owner owns and operates the Hillview Funeral Chapel.

WHEREAS, Owner wishes to install certain landscaping and related improvements on the Property.

WHEREAS, various improvements to the sidewalk and right-of-way adjacent to the Property are necessary and advisable (“City Project”). Owner and City are willing to cooperatively conduct the improvements at the Property and the City Project, collectively the “Project.”

WHEREAS, City will fund a portion of the City Project in an amount not to exceed \$65,000.

WHEREAS, Owner will advertise, award and administer the contracts for construction of the Project.

WHEREAS, it is the intent of the Parties to enter into this Agreement to establish and coordinate the responsibilities of the Parties with respect to the Project, all as further set forth herein.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, it is mutually understood and agreed by the City and Owner as follows:

TERMS

1. Incorporation of Recitals. The recitals set forth above are true and correct and are incorporated into this Agreement as though fully set forth herein.
2. Term. This Agreement shall be effective as of the date first set forth above, and shall continue in effect until the Project is complete as determined by City in its sole and absolute discretion.

3. General Agreement to Cooperate. The Parties agree to mutually cooperate in order to help ensure that the Project is successfully completed with minimum impact to both Parties, and the public.

4. Obligations of City.

4.1 City shall reimburse Owner for the construction and administration of the City Project in the following not-to-exceed amount: \$75,000 ("Project Cost"). In the event the actual cost of the City Project exceeds the Project Cost, Owner shall be responsible for any overage.

4.2 City shall remit payment to reimburse Owner for costs associated with the City Project within thirty (30) days of receipt of an invoice from Owner for work performed and services rendered on the City Project.

4.3 City shall review and respond to all requests for information, inspection, change orders and approvals related to the City Project with its, approval, disapproval and/or applicable comments within five (5) working days after submission by Owner.

4.4 City and its consultants shall be responsible for performing design reviews and construction inspection of the City Project to ensure conformance with City standards and the construction contract including, but not limited to, the technical provisions of said contract. Owner shall allow City staff access to the Property and Project site, at reasonable times and upon advance notice, to perform observation of any Project improvements.

5. Obligations of Owner

5.1 Owner shall be responsible for procuring all construction management and construction services necessary to complete the Project in compliance with all applicable local, state and federal laws including, without limitation, the California Public Contract Code and the California Labor Code. Owner shall ensure that the contractor completes the portions of the City Project according to City designs and specifications, identified in and attached as Exhibit A.

5.2 Owner will invoice City on a monthly cycle. Owner shall prepare invoices with a progress report and will provide such invoices to City for reimbursement.

5.3 Owner shall require the contractor on the Project to obtain all required permits and approvals for all Project work.

5.4 Owner shall include, in its contract with the contractor on the Project, a requirement that the contractor include City, its officials, officers, employees and agents as additional insureds and shall cause the contractor to indemnify the City, its officials, officers, employees and agents. The amount of such insurance and indemnity language shall be reviewed and approved by the City Manager.

5.5 Owner shall include, in its contract with the contractor on the Project, a requirement that the contractor pay its employees prevailing wages for all work at the Project as required by applicable law. Owner shall indemnify, defend and hold City harmless from Owner's failure to do so.

5.6 Owner shall allow City staff access to the Project site and Property, at all reasonable times and upon advance notice, to perform observation and construction inspection of any Project improvements.

5.7 Owner shall provide City with as-built record drawings for the City Project improvements after acceptance of the City Project by City.

6. Time is of the Essence. Each Party warrants that it shall make its best efforts to perform all obligations assigned to it related to the Project in such a manner as to allow the Project to progress as scheduled.

7. Indemnification. Owner shall indemnify, defend and hold City, its officials, officers, employees, agents, consultants and contractors free and harmless from any and all claims, demands, causes of action, costs, expenses, liabilities, losses, damages or injuries, in law or in equity, to property or persons, including wrongful death, in any manner arising out of or incident to any negligent acts or omissions or willful misconduct of Owner, his employees, agents, consultants or contractors in the performance of Agreement, including the payment of all reasonable attorneys' fees.

8. Written Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

GUSTINE:
City of Gustine
352 Fifth Street
Gustine, CA 95322
Attn: City Manager

OWNER:
Mark Kuhn
515 First Avenue
Gustine, CA 95322

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

9. Amendments. This Agreement may be amended at any time by the mutual consent of the Parties by an instrument in writing.

10. Assignment of Agreement. Neither Party may assign or transfer its respective rights or obligations under this Agreement without the express written consent of the other Party. Any purported assignment or transfer by one Party without the express written consent of the other Party shall be null and void and of no force or effect.

11. Waiver. No delay or omission in the exercise of any right or remedy of a non-defaulting Party on any default shall impair such right or remedy or be construed as a waiver. No consent

or approval of either Party shall be deemed to waive or render unnecessary such Party's consent to or approval of any subsequent act of the other Party. Any waiver by either Party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

12. Severability. In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement, which shall be interpreted to carry out the intent of the parties hereunder.

13. Survival. All rights and obligations hereunder that by their nature are to continue after any expiration or termination of this Agreement, shall survive any such expiration or termination.

14. Third Party Beneficiaries. There are no third-party beneficiaries to this Agreement.

15. Entire Agreement. This Agreement contains the entire agreement of the Parties relating to the subject matter hereof and supersedes all prior negotiations, agreements or understandings.

16. Attorneys' Fees. The prevailing party in any litigation to enforce or interpret this Agreement shall be entitled to recover its reasonable legal fees.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE
TO
FUNDING AGREEMENT
BETWEEN
THE CITY OF GUSTINE
AND
MARK KUHN**

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first herein above written.

CITY OF GUSTINE

MARK KUHN

By: _____

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

City Clerk

EXHIBIT A
PROJECT DESIGN AND SPECIFICATIONS



COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Kathryn Reyes, Community Services Director

SUBJECT: Cattle Egret Mitigation

HISTORY/DISCUSSION

The City of Gustine is experiencing an extreme migration of cattle egrets. They first appeared in Gustine around 2010. The Federally protected birds have been nesting in the large dense trees in Schmidt Park for the last few years. In about May of 2016 a bird committee was formed to help manage the bird mess and come up with a plan remediate the bird invasion. The city has taken several steps to try encourage the birds to leave the area including:

1. Met with dignitaries from Congressman Costa's office, Assemblyman Grey's office, and City Council members.
2. Met with representatives from Federal and State Fish and Game to get guidance on the best tools to mitigate the problem and make sure the city is acting within the guidelines established regarding protecting the migratory birds.
3. In a coordinated effort by the bird committee, public works, volunteers, and other staff, attempted to stop the nests from being built by tree shaking, propane cannon noise maker, hawk kite, applying grape seed extract to irritate the birds, streamers tied to the trees, lasers and lights, tree pruning and removing old nests, and using a predator noise machine.

In spite of these extensive efforts, birds arrived in early spring of 2017 and started nesting halting the city's efforts. The birds cannot be disturbed during the nesting season but before they arrive next spring the City plans to prune and remove trees to hopefully drive them to the outskirts of the park.

In addition, predator birds are identified as a deterrent for the nesting birds so the bird committee and staff have agreed to install several owl boxes to encourage the nesting of this predator bird.

FISCAL IMPACT

The costs associated with the bird remediation thus far equal several thousand dollars. This year the cost will increase due to the cost of removing and pruning many trees in the park. If volunteers donate time and materials to build the owl boxes those costs could be minimal. If not the purchase of owl boxes will be required with staff installing them. The cost for these items is not in the 2017/18 budget, and although staff is asking

for approval tonight a budget amendment will be brought back to council when staff determines which fund will pay for the mitigation.

RECOMMENDATION

Staff recommends City Council approve an expenditure not to exceed \$20,000 for tree pruning and removal in Schmidt Park along with the purchase of several owl boxes.

APPROVED BY:



DOUG DUNFORD, CITY MANAGER



CITY COUNCIL AGENDA ITEM

OCTOBER 17, 2017

PREPARED BY: Jami Westervelt, Finance Director

SUBJECT: **Public Hearing: Program Income and Waiver Process to Use CDBG Funds for the Al Goman Center; and approval of Resolution**

BACKGROUND/DISCUSSION

The City of Gustine received general allocation grants from the Community Development Block Grant (CDBG) Program in the 1990s and submitted re-use plans for the funds in 2008. The CDBG program is a federal program within the U.S. Housing and Urban Development (HUD) Department.

The plans called for the City to provide loans to homes and small businesses for rehabilitation on properties. The loan re-payments made from the borrowers to the City over the years, called *Program Income* by CDBG, resides in a City fund for CDBG. Those funds can only be used for similar loans until the City submits a re-use plan to HUD that is approved.

In order to submit the plan, the City needed to have both a scope and a general cost of the project. In preparing the cost estimates, the Public Works Director found a great deal of variance in the estimates, which not only added a bit of time to the progress thus far but also points to the need to clarify scope in future steps.

Once approved by HUD, the City must take the project through a competitive bid process for contractors. In this process, the City must insure that all the contractors submitting a proposal are bidding on the same exact specifications. As such, the City must flush out the required specifications precisely. For instance, the number of A/C units required, the specific stove specification, etc, must be spelled out in the Request for Proposals (RFP).

Staff discussed options for the specifications with our project consultant Adams Ashby, the firm which will submit the forms and then oversee compliance on the construction phase. After discussing options and staffing levels for the City, staff recommends the Council include architectural services for the project.

The \$375,000 estimated as the total amount available for the project can fund some significant improvements but does not approach the amount of funding that staff believes will be needed to complete the significant rehabilitation that the Council ultimately hopes to see as the final result on the Center in coming years.

Therefore, this is essentially a first "phase" of the project. The top two priorities of this phase, based upon Council workshops, have consistently been the air conditioning and

roof. Based on the rough estimates for air conditioning and roof, staff believes that additional items can be accomplished with the remaining CDBG funds, even after paying an architect for basic phase one services. An architect will help to draw up specifications of the first phase of the project based upon the funds available in a manner that will provide required consistency for the construction RFP.

The goal is to hire a firm with significant experience that will also be able to find the intersection between the additional funding available, the most desirable projects, and those which will lend themselves best to "phase one" and leave the most options open for the next phase of the project.

It is well understood that the Council is eager to move forward with work on the Center. At the same time, staff also realizes the need to use the funds in the most cost-effective manner and within the requirements of the funder. Contracting with an architect will add to the timeline of the project but will insure the City has complied with the HUD requirements of the bid process, as well as implemented this first step in the most responsible and cost-effective manner.

Staff will develop a Request for Qualifications (RFQ) for Architectural Services immediately and distribute that at the same time as HUD is reviewing the paperwork. Once HUD approves the use of funds, staff would bring back to the Council a recommendation for a contract with a firm, based on the results of that RFQ process and review.

Below is a project timeline based upon discussions with the project consultant and the consultant's experiences working on similar CDBG projects. It represents an aggressive timeline but it provides a good example of the steps and how the project moves forward.

Draft Al Goman Community Center Schedule

- | | |
|--|----------|
| • Conduct Public Hearing / City Council Approve Request | 10/17/17 |
| • Submit Waiver Request and PI Reports to CDBG Department for Review | 10/20/17 |
| • Publish draft RFQ for Architectural Services | 10/25/17 |
| • Approval from CDBG Department / Award Architectural Contract | 11/17/17 |
| • Architectural Design and Scope of work completed | 12/22/17 |
| • Clear General Conditions (CDBG Requirement) | 12/29/17 |
| ○ Includes cost estimate, schedule, environmental, etc. | |
| • Obtain project quotes / bidding process | 1/19/17 |
| • Begin Construction | 2/1/17 |

NEXT STEPS.

In order to take first step in this plan, the City Council must conduct a Public Hearing on the intended reuse of the funds. Following the Public Hearing, the Council also needs to approve a resolution outlining the re-use per the requirements of the CDBG Program (attached).

The amount on the resolution exceeds the fund amount to allow for any variations should any small program funding come in prior to the pending HUD approval of recent reports.

RECOMMENDATION

Staff recommends Council:

- (1) Conduct a Public Hearing
- (2) Consider a motion to approve the attached Resolution, required to move forward with the CDBG project at the Al Goman Center.

EXHIBIT(S):

- A) Resolution to submit to HUD to use CDBG funds for the Al Goman Center.

APPROVED BY: _____



DOUG DUNFORD, CITY MANAGER

RESOLUTION NO. 2017 - XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE APPROVING THE COMMITTEMENT OF CDBG PROGRAM INCOME FUNDS

WHEREAS, the City of Gustine receives funding from the State of California Department of Housing and Community Development (HCD), Community Development Block Grant (CDBG) Program; and,

WHEREAS, activities funded by CDBG have the potential to result in the generation, return or repayment of funds, known as CDBG Program Income; and,

WHEREAS, the City of Gustine is allowed to utilize program income funds for an approved Revolving Loan Account or eligible CDBG project;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Gustine:

SECTION 1

The City Council has reviewed and hereby approves the commitment of \$375,000 in Program Income to the rehabilitation of the Al Goman Community Center which is located at 745 Linden Avenue.

SECTION 2

The City Council has determined that federal Citizen Participation requirements were met during the commitment of these funds.

SECTION 3

The City Manager of the City of Gustine is hereby authorized and directed to act on the City's behalf in all matters pertaining to the use of Program Income and waiver process, except where action by the City Council is expressly required.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Gustine held on October 17, 2017, by the following vote:

AYES:

NOS:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Deputy City Clerk