



AGENDA

HUGHSON CITY COUNCIL

City of Hughson
CITY COUNCIL MEETING
Hughson City Hall – 7018 Pine Street Hughson, California
MONDAY, MARCH 25, 2024 – 6:00 P.M.

How to participate in, or observe the Meeting:

- In person in the City Council Chambers and submit public comment when invited during the meeting.
- **Observe only** via YouTube live, by accessing this link:
https://www.youtube.com/channel/UC-PwkdIrKoMmOJDzBSodu6A?view_as=subscriber

If a technical issue arises with any streaming option, the City Council meeting will continue unless the meeting is being held pursuant to the provisions of Assembly Bill 2449.

- In addition, recorded City Council meetings are posted on the City's website the second business day following the meeting. Recorded videos can be accessed with the following link:
[Upcoming Meetings | Hughson CA](#)

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

CALL TO ORDER: Mayor Pro Tem Randy Crooker

ROLL CALL: Mayor George Carr
Mayor Pro Tem Randy Crooker
Councilmember Samuel Rush
Councilmember Julie Ann Strain
Councilmember Alan McFadon

FLAG SALUTE: Mayor Pro Tem Randy Crooker

INVOCATION: Hughson Ministerial Association

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

Please limit presentations to five minutes. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Council addresses the matter. Pursuant to California Government Code Section 54954.2(a)(3), no action or discussion may be undertaken on any item not appearing on the posted agenda, except that the City Council, or its staff, may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an audience member, or individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1: Approval of the Minutes of the Regular Meeting of March 11, 2024.
- 3.2: Approval of the Warrants Register.
- 3.3: Adopt Resolution No. 2024-07, Making Signatory Changes to the City of Hughson Bank Accounts at BMO.
- 3.4: Accept the Donation of a Refrigerator, Freezer, Removal of a Sink, and the Purchase and Installation of Metal Cabinets and Shelving, Valued at \$5,300.00, by Hughson Youth Baseball and Softball for the Concession Stand at Lebright Fields; and Approve the Donation Agreement.
- 3.5: Approval of Waiving the Fees Pertaining to the Use of Rolland Starn Park (Keith Crabtree Field) for Hughson Youth Baseball and Softball for the 2024 Regular Season.
- 3.6: Appointment of One Candidate to the Parks, Recreation, and Entertainment Commission.
- 3.7: Adopt Resolution No. 2024-08, Accepting the 2023 Annual General Plan Report and the 2023 Annual Housing Element Progress Report.
- 3.8: Approval of the Request by the Hughson Chamber of Commerce to Hold a Public Event and Sell Alcohol at the 2024 Hughson Fruit and Nut Festival Event.

4. UNFINISHED BUSINESS:

- 4.1: Adopt Resolution No. 2024-09, Accepting the Well 7 Replacement Project Phase IV Improvements and Authorizing the City Clerk to File a Notice of Completion.

5. PUBLIC HEARING: NONE.**6. NEW BUSINESS:**

6.1: Adopt Ordinance No. 2024-01, an Urgency Ordinance of the City of Hughson Imposing a Moratorium on All New Smoking Lounges and Smoke Shops Within the City of Hughson.

7. CORRESPONDENCE: NONE.**8. COMMENTS:**

A brief report on notable attendance of a meeting, or conference, or other notable topics of City business shall be made. The Brown Act does not allow for discussion or action of items by the City Council during this time.

8.1: Staff Reports and Comments:

City Clerk
 Director of Finance
 Community Development Director
 Police Services
 City Attorney

8.2: Council Comments:

9. ADJOURNMENT:

The next City Council meeting is scheduled for April 8, 2024, at 6:00 pm.

<u>AFFIDAVIT OF POSTING</u>	
Date: March 22, 2024	Time: 3:00 PM
Name: Ashton Gose	Title: City Clerk

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the office of the City Clerk at Hughson City Hall during normal business hours. If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on the agenda.

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson City Council shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

UPCOMING EVENTS:

April 8	▪ City Council Meeting, YouTube Live Stream/City Council Chambers, 6:00PM
April 9	▪ City/Fire 2+2 Committee Meeting, 5:30 PM
April 9	▪ Parks, Recreation and Entertainment Commission Meeting, City Council Chambers, 6:00 PM
April 10	▪ Hughson has Heart Planning Meeting, City Council Chambers, 6:00PM
April 16	▪ Planning Commission Meeting, City Council Chambers, 6:00PM
April 17	▪ Hughson has Heart Planning Meeting, City Council Chambers, 6:00PM



CITY COUNCIL AGENDA ITEM NO. 3.1 SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024
Subject: Approval of the City Council Minutes
Presented By: Ashton Gose, Executive Assistant/City Clerk

Staff Recommendation:

Approve the Minutes of the regular Meeting of March 11, 2024.



HUGHSON CITY COUNCIL

MINUTES

**City of Hughson
REGULAR CITY COUNCIL MEETING
Hughson City Hall – 7018 Pine Street
Hughson, California
MONDAY, MARCH 11, 2024 – 6:00 P.M.**

CALL TO ORDER:

Mayor George Carr

ROLL CALL:

Present:

Mayor George Carr
Mayor Pro Tem Randy Crooker
Councilmember Julie Ann Strain
Councilmember Alan McFadon
Councilmember Samuel Rush

Staff Present:

Ashton Gose, City Clerk
Tom Terpstra, Deputy City Attorney
Carla Jauregui, Community Development Director
Kim Weimer, Director of Finance and Admin Services
Jose Vasquez, Public Works Superintendent
Sarah Chavarin, Accounting Manager
Lloyd MacKinnon, Chief of Police

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

Turlock Mosquito Abatement District Member Michael Mitchell invited the City Council to the Turlock Mosquito Abatement District Open House on March 23, 2024, and provided a flyer to the Council, which has been attached to be kept on file as part of the official record of this meeting.

2. PRESENTATIONS: NONE.**3. CONSENT CALENDAR:****3.1:** Approval of the Minutes of the Regular Meeting of February 26, 2024.**3.2:** Approval of the Warrants Register.**3.3:** Adoption of Resolution No. 2024-05, Waiving Fees for the City-Wide Yard Sale Scheduled for April 20 – April 21, 2024.**3.4:** Adoption of Resolution No. 2024-06, Approving the City of Hughson 2024 Senate Bill 1, Road Repair and Accountability Act, Local Streets and Road Annual Reporting Program Project List.

City Clerk Gose requested item number 3.4 be pulled from the Consent Calendar to announce an amendment to the Resolution.

STRAIN/CROOKER 5-0-0-0 motion passes to approve the Consent Calendar excluding item number 3.4, as presented, with the following roll call vote:

CROOKER	RUSH	STRAIN	McFADON	CARR
AYE	AYE	AYE	AYE	AYE

CARR/McFADON 5-0-0-0 motion passes to approve item number 3.4, as amended, with the following roll call vote:

CROOKER	RUSH	STRAIN	McFADON	CARR
AYE	AYE	AYE	AYE	AYE

4. UNFINISHED BUSINESS: NONE.**5. PUBLIC HEARING: NONE.****6. NEW BUSINESS: NONE.****7. CORRESPONDENCE: NONE.****8. COMMENTS:****8.1:** Staff Reports and/or Comments:

Director Jauregui provided updates on several Public Works projects.

Director Weimer informed the Council that an insurance check will finally be received for the Senior Center fire.

Chief MacKinnon provided the 2023 Year End Report.

8.2: Council Member Comments:

Councilmember McFadon attended a City/School 2+2 Committee meeting on March 11, 2024.

Councilmember Strain attended a City/School 2+2 Committee meeting on March 11, 2024.

8.3 Mayor's Comments:

Mayor Carr announced that he will be absent for the next two scheduled regular City Council meetings.

9. **CLOSED SESSION TO DISCUSS THE FOLLOWING:** NONE.

10. **ADJOURNMENT:**

STRAIN/CROOKER 5-0-0-0 motion passes to adjourn the March 11, 2024, regular meeting at 6:25PM, with the following roll call vote:

CROOKER	RUSH	STRAIN	McFADON	CARR
AYE	AYE	AYE	AYE	AYE

APPROVED:

RANDY CROOKER, Mayor Pro Tem

ATTEST:

ASHTON GOSE, City Clerk

TURLOCK MOSQUITO ABATEMENT DISTRICT

Invites you to our OPEN HOUSE

MARCH 23RD 11 TO 2PM

4412 N. Washington Rd., Turlock



MEET THE TEAM



LEARN ABOUT THE
TOOLS WE USE



LEARN ABOUT
OUR NEWEST
MOSQUITO



LEARN HOW TO STOP
MOSQUITOES AROUND
YOUR HOME!



MOSQUITOFISH



Prizes



CITY COUNCIL AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024
Subject: Approval of Warrants Register
Presented By: Kim Weimer, Director of Finance

Staff Recommendation:

Approve the Warrants Register as presented.

Background and Overview:

The warrants register presented to the City Council is a listing of all expenditures paid from March 7, 2024, through March 19, 2024.

Fiscal Impact:

There are reductions in various funds for payment of expenses.



Hughson

Check Report

By Check Number

Date Range: 03/07/2024 - 03/19/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: Payable Bank-Payable Bank						
01092	SWRCB ACCOUNTING OFFICE	03/08/2024	Regular	0.00	17,459.68	57821
LW-1046011	Invoice	12/20/2023	7/1/23 - 6/30/24 Connections 2264	0.00	17,459.68	
00886	PIZZA FACTORY	03/11/2024	Regular	0.00	29.13	57822
INV0010800	Invoice	03/11/2024	Food for City/School 2+2 Committee Meet...	0.00	29.13	
01420	CALIFORNIA STATE DISBURSEMENT UNIT	03/14/2024	Regular	0.00	40.12	57823
INV0010831	Invoice	03/13/2024	INCOME WITHHOLDING FOR CHILD SUPP...	0.00	40.12	
01603	Amazon Capital Services, Inc.	03/14/2024	Regular	0.00	69.00	57824
1RXV-3G3M-6CPL	Invoice	02/20/2024	Phone cases and screen protectors	0.00	69.00	
00069	ANDREWS ELECTRIC	03/14/2024	Regular	0.00	3,088.71	57825
84806	Invoice	03/13/2024	WWTP pump	0.00	1,918.71	
84918	Invoice	03/13/2024	WWTP redo pump	0.00	1,170.00	
00094	AT&T MOBILITY	03/14/2024	Regular	0.00	630.92	57826
X03102024	Invoice	03/12/2024	PHONES	0.00	630.92	
01946	Carly Stone	03/14/2024	Regular	0.00	100.00	57827
INV0010847	Invoice	03/13/2024	Damage Deposit - Stone	0.00	100.00	
00284	CHARTER COMMUNICATION	03/14/2024	Regular	0.00	370.93	57828
03012024	Invoice	03/12/2024	IP ADDRESS- 1ST	0.00	106.89	
030124	Invoice	03/12/2024	IP ADDRESS- PINE ST	0.00	264.04	
00305	CITY OF HUGHSON	03/14/2024	Regular	0.00	2,054.83	57829
INV0010844	Invoice	03/12/2024	LLDS & STARN PARK	0.00	2,054.83	
00310	CLARK'S PEST CONTROL	03/14/2024	Regular	0.00	206.00	57830
34965643	Invoice	03/11/2024	PEST CONTROL	0.00	129.00	
34966442	Invoice	03/11/2024	PEST CONTROL	0.00	77.00	
01908	CLS/Cervantes Landscape Services, Inc.	03/14/2024	Regular	0.00	19,695.00	57831
2356	Invoice	03/13/2024	Residential Sidewalk Repairs	0.00	18,540.00	
2356.	Invoice	03/13/2024	sidewalk repairs	0.00	1,155.00	
01570	CSG Consultants	03/14/2024	Regular	0.00	5,445.00	57832
55092	Invoice	02/07/2024	Services performed Dec 30 - Jan 26, 2024	0.00	2,475.00	
55507	Invoice	03/07/2024	Services performed Jan 27 - Feb 23, 2024	0.00	2,970.00	
00464	EZ NETWORK SYSTEMS, INC.	03/14/2024	Regular	0.00	8,594.23	57833
43721	Invoice	03/13/2024	IT scada work	0.00	1,663.38	
43833	Invoice	03/08/2024	IT SERVICES	0.00	1,195.45	
TS43762	Invoice	03/08/2024	IT SERVICES	0.00	5,735.40	
01539	Gateway Pacific Contractors, Inc.	03/14/2024	Regular	0.00	2,510.44	57834
INV0010846	Invoice	03/12/2024	Escrow No. 02-701782	0.00	2,510.44	
01539	Gateway Pacific Contractors, Inc.	03/14/2024	Regular	0.00	47,698.31	57835
INV0010845	Invoice	03/12/2024	Well #7 Replacement Phase IV - 25	0.00	47,698.31	
00522	GEOANALYTICAL LABORATORIE	03/14/2024	Regular	0.00	65.00	57836
K4B2708	Invoice	02/27/2024	Blanket PO geoanalytical	0.00	65.00	
00527	GIBBS MAINTENANCE CO	03/14/2024	Regular	0.00	350.00	57837
14469	Invoice	02/29/2024	JANITOR SERVICES - FEB	0.00	350.00	

Check Report

Date Range: 03/07/2024 - 03/19/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
01612	GreatAmerica Financial Svcs.	03/14/2024	Regular	0.00	358.92	57838
36038055	Invoice	03/12/2024	LEASE	0.00	358.92	
00614	HUGHSON FARM SUPPLY	03/14/2024	Regular	0.00	798.00	57839
CM0000209	Credit Memo	03/14/2024	FARM SUPPLY	0.00	-33.86	
H481842	Invoice	02/01/2024	Water Supplies (Blanket)	0.00	21.97	
H482157	Invoice	02/14/2024	Farm supply blanket PO	0.00	69.22	
H482241	Invoice	02/14/2024	Farm supply blanket PO	0.00	102.47	
H482490	Invoice	02/14/2024	Farm supply blanket PO	0.00	3.01	
H482542	Invoice	02/14/2024	Farm supply blanket PO	0.00	6.03	
H482888	Invoice	02/13/2024	Farm supply blanket PO	0.00	48.32	
H482950	Invoice	02/13/2024	Farm supply blanket PO	0.00	20.24	
H483133	Invoice	02/15/2024	Farm supply blanket PO	0.00	24.10	
H483139	Invoice	02/15/2024	Farm supply blanket PO	0.00	28.02	
H483190	Invoice	02/15/2024	Farm supply blanket PO	0.00	8.39	
H483201	Invoice	02/15/2024	Farm supply blanket PO	0.00	2.80	
H483253	Invoice	02/16/2024	Farm supply blanket PO	0.00	4.95	
H483302	Invoice	02/16/2024	Farm supply blanket PO	0.00	6.03	
H483662	Invoice	02/21/2024	Farm supply blanket PO	0.00	84.37	
H483729	Invoice	02/22/2024	Farm supply blanket PO	0.00	9.58	
H483794	Invoice	02/22/2024	Farm supply blanket PO	0.00	6.49	
H483875	Invoice	02/23/2024	Farm supply blanket PO	0.00	4.81	
H484074	Invoice	02/26/2024	Farm supply blanket PO	0.00	160.44	
H484153	Invoice	02/26/2024	Farm supply blanket PO	0.00	110.94	
H484203	Invoice	02/27/2024	Farm supply blanket PO	0.00	67.01	
H484275	Invoice	02/27/2024	Water Supplies (Blanket)	0.00	42.67	
00627	HUGHSON NAPA AUTO & TRUCK	03/14/2024	Regular	0.00	654.87	57840
378128	Invoice	02/01/2024	parts and supplies (blanket PO)	0.00	12.88	
378412	Invoice	02/06/2024	parts and supplies (blanket PO)	0.00	19.41	
378532	Invoice	02/08/2024	parts and supplies (blanket PO)	0.00	8.99	
378540	Invoice	02/08/2024	parts and supplies (blanket PO)	0.00	29.91	
378556	Invoice	02/08/2024	parts and supplies (blanket PO)	0.00	15.50	
378563	Invoice	02/08/2024	parts and supplies (blanket PO)	0.00	8.94	
378952	Invoice	02/14/2024	parts and supplies (blanket PO)	0.00	97.02	
378971	Invoice	02/14/2024	parts and supplies (blanket PO)	0.00	12.93	
379049	Invoice	02/15/2024	parts and supplies (blanket PO)	0.00	64.71	
379064	Invoice	02/16/2024	parts and supplies (blanket PO)	0.00	3.01	
379100	Invoice	02/16/2024	parts and supplies (blanket PO)	0.00	17.98	
379286	Invoice	02/20/2024	parts and supplies (blanket PO)	0.00	3.01	
379381	Invoice	02/22/2024	parts and supplies (blanket PO)	0.00	156.26	
379404	Invoice	02/22/2024	parts and supplies (blanket PO)	0.00	51.83	
379495	Invoice	02/23/2024	parts and supplies (blanket PO)	0.00	90.55	
379829	Invoice	02/29/2024	parts and supplies (blanket PO)	0.00	14.50	
379883	Invoice	02/29/2024	fleet maintenance (blanket PO)	0.00	47.44	
01596	JHC LLC	03/14/2024	Regular	0.00	1,270.60	57841
2023-1112-H	Invoice	02/24/2024	Services performed Nov 1 - Dec 31 2023	0.00	694.60	
24-0012-H-OWR	Invoice	03/13/2024	Services performed Jan 1 - Feb 28, 2024	0.00	576.00	
01398	Jose Vasquez	03/14/2024	Regular	0.00	95.76	57842
INV0010815	Invoice	03/11/2024	Galvanized Elbow, Tee and Plug	0.00	95.76	
01875	LOZANO SMITH ATTORNEY AT LAW	03/14/2024	Regular	0.00	325.00	57843
2213430	Invoice	03/11/2024	Legal Services Through 2/29/24	0.00	325.00	
00738	LUNA, SAM	03/14/2024	Regular	0.00	210.56	57844
INV0010817	Invoice	03/08/2024	Reimbursement for Seminar, Membership...	0.00	210.56	
00755	MCR ENGINEERING, INC	03/14/2024	Regular	0.00	20,852.62	57845
19249	Invoice	01/23/2024	services rendered through 12/31/23	0.00	2,785.00	
19360	Invoice	02/27/2024	Servives rendered through 1/31/24	0.00	3,780.00	

Check Report

Date Range: 03/07/2024 - 03/19/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
19362	Invoice	02/27/2024	Services rendered through 1/31/24	0.00	14,287.62	
00611	Mid Valley Publications	03/14/2024	Regular	0.00	142.45	57846
342334	Invoice	11/03/2023	Legal # 13032	0.00	142.45	
00775	MISSION UNIFORM SERVICE	03/14/2024	Regular	0.00	1,355.00	57847
520974283	Invoice	02/05/2024	uniform service (blanket PO)	0.00	138.12	
520974284	Invoice	02/05/2024	uniform service (blanket PO)	0.00	192.22	
520974285	Invoice	02/05/2024	uniform service (blanket PO)	0.00	81.98	
521017447	Invoice	02/12/2024	uniform service (blanket PO)	0.00	275.27	
521017448	Invoice	02/12/2024	uniform service (blanket PO)	0.00	83.64	
521017449	Invoice	02/12/2024	uniform service (blanket PO)	0.00	81.98	
521054931	Invoice	02/19/2024	uniform service (blanket PO)	0.00	87.75	
521054932	Invoice	02/19/2024	uniform service (blanket PO)	0.00	83.64	
521054933	Invoice	02/19/2024	uniform service (blanket PO)	0.00	81.98	
521108243	Invoice	02/26/2024	uniform service (blanket PO)	0.00	82.80	
521108244	Invoice	02/26/2024	uniform service (blanket PO)	0.00	83.64	
521108246	Invoice	02/26/2024	uniform service (blanket PO)	0.00	81.98	
00799	MOSS, LEVY & HARTZHEIM, LLP	03/14/2024	Regular	0.00	7,075.00	57848
14955	Invoice	03/13/2024	Audit Fieldwork 6/30/23	0.00	7,075.00	
00824	NEUMILLER & BEARDSLEE	03/14/2024	Regular	0.00	10,873.30	57849
347333	Invoice	03/13/2024	General Admin	0.00	10,873.30	
00855	OPERATING ENGINEERS LOCAL	03/14/2024	Regular	0.00	385.00	57850
2/2024-1	Invoice	03/12/2024	LOCAL UNION DUES #3	0.00	385.00	
00901	PREFERRED ALLIANCE, INC.	03/14/2024	Regular	0.00	974.28	57851
0194128-IN	Invoice	02/26/2024	Workshop	0.00	825.00	
0194226-IN	Invoice	03/12/2024	OFF-SITE PARTICIPANT	0.00	149.28	
00906	PROVOST & PRITCHARD CONSU	03/14/2024	Regular	0.00	7,311.70	57852
107892	Invoice	02/29/2024	Services for Jan 2024	0.00	7,311.70	
01885	RecruitGigs	03/14/2024	Regular	0.00	1,782.00	57853
68635	Invoice	03/01/2024	Extra Help - PW	0.00	792.00	
68704	Invoice	03/08/2024	Extra Help - PW	0.00	990.00	
00966	RUIZ, EDUARDO	03/14/2024	Regular	0.00	54.35	57854
INV0010816	Invoice	03/08/2024	Galvanized Coupling & Elbow	0.00	54.35	
01941	Rumble Tree, Inc.	03/14/2024	Regular	0.00	6,200.00	57855
16260	Invoice	03/13/2024	Remove & Grind 6 Mulberry Trees at Lebri...	0.00	6,200.00	
01493	Salonen Electrical Inc	03/14/2024	Regular	0.00	1,080.00	57856
4440	Invoice	03/13/2024	hatch rd pumps work	0.00	720.00	
4456	Invoice	03/13/2024	WWTP pump install	0.00	360.00	
01455	State Controller Departmental Accounting Offic	03/14/2024	Regular	0.00	26.92	57857
FTB-00005825	Invoice	03/14/2024	2022 Intercept	0.00	26.92	
01089	SUTTER GOULD MEDICAL FOUN	03/14/2024	Regular	0.00	173.00	57858
1002661974-49	Invoice	03/11/2024	Pre-Employment Physical - Tovar	0.00	173.00	
01107	TELSTAR INSTRUMENTS, INC	03/14/2024	Regular	0.00	6,131.50	57859
119314	Invoice	03/13/2024	scada project	0.00	5,598.00	
119906	Invoice	03/13/2024	scada project	0.00	533.50	
00005	United Site Services of California, Inc.	03/14/2024	Regular	0.00	242.34	57860
114-13771613	Invoice	03/12/2024	Fence Rental	0.00	80.78	
114-13791849	Invoice	03/12/2024	Fence Rental	0.00	80.78	
114-13810483	Invoice	03/12/2024	Fence Rental	0.00	80.78	
01264	VERIZON WIRELESS	03/14/2024	Regular	0.00	380.10	57861

Check Report

Date Range: 03/07/2024 - 03/19/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
9957519430	Invoice	03/12/2024	MIFI DEVICES/ CAMERAS	0.00	152.04	
9957519431	Invoice	03/12/2024	MIFI DEVICES/ CAMERAS	0.00	228.06	
01242	YOSEMITE CHAPTER OF ICC	03/14/2024	Regular	0.00	75.00	57862
INV0010818	Invoice	03/06/2024	Join Yosemite Chapter International Code ...	0.00	75.00	

Bank Code Payable Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	107	42	0.00	177,235.57
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	107	42	0.00	177,235.57

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	107	42	0.00	177,235.57
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	107	42	0.00	177,235.57

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH/CONSOLIDATED CASH	3/2024	177,235.57
			177,235.57



CITY COUNCIL AGENDA ITEM NO. 3.3

SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024
Subject: Adopt Resolution No. 2024-07, Making Signatory Changes to the City of Hughson Bank Accounts at BMO
Presented By: Ashton Gose, Executive Assistant/City Clerk

Staff Recommendation:

Adopt Resolution No. 2024-07, removing retired City Manager Merry Mayhew effective April 12, 2024, and adding Dominique Romo effective April 15, 2024, as a signatory of the City of Hughson bank accounts at BMO.

Discussion:

Retired City Manager Merry Mayhew's last official day with the City of Hughson is April 12, 2024. The new City Manager Dominique Romo will start with the City on April 15, 2024.

BMO requires the City of Hughson to provide them with certified copies of the City Council Minutes from which action is taken to remove a designated signatory, and/or, add a new signatory to the bank signature card. Therefore, the change on the signature card will not take effect until the March 25, 2024, regular meeting minutes are approved on April 8, 2024.

Upon approval of this action, the individuals with signature authority will include George Carr (Mayor), Dominique Romo (City Manager), Kim Weimer (Director of Finance), Carla Jauregui (Community Development Director) and Sarah Chavarin (Accounting Manager). The City Clerk will notify BMO and the signatories for the City of Hughson will be updated.

Fiscal Impact:

There is no fiscal impact associated with the approval of this item.

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2024-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON REMOVING
RETIRED CITY MANAGER MERRY MAYHEW EFFECTIVE APRIL 12, 2024, AND
ADDING NEW CITY MANAGER DOMINIQUE ROMO EFFECTIVE APRIL 15, 2024, AS A
SIGNATORY OF THE CITY OF HUGHSON BANK ACCOUNTS AT BMO**

WHEREAS, They City of Hughson has three (3) bank accounts with BMO; and

WHEREAS, Dominique Romo was hired to the position of City Manager effective April 15, 2024; and

WHEREAS, it is necessary to make changes to the City of Hughson bank accounts, by adding new City Manager Dominique Romo, and removing the former City Manager Merry Mayhew as a designated signatory on the signature card for the City of Hughson Bank Accounts with BMO; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson hereby removes Merry Mayhew effective April 12, 2024, and adds Dominique Romo effective April 15, 2024, as a designated signatory on the City bank accounts.

PASSED AND ADOPTED by the Hughson City Council at a regular meeting thereof, held on March 25, 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

GEORGE CARR, Mayor

ATTEST:

ASHTON GOSE, City Clerk



CITY COUNCIL AGENDA ITEM NO. 3.4

SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024

Subject: Accept the Donation of a Refrigerator, Freezer, Removal of a Sink, and the Purchase and Installation of Metal Cabinets and Shelving, Valued at \$5,300.00, by Hughson Youth Baseball and Softball for the Concession Stand at Lebright Fields; and Approve the Donation Agreement

Enclosures: Donation Agreement

Presented By: Ashton Gose, Executive Assistant/City Clerk

Staff Recommendation:

Accept the donation of refrigerator, freezer, removal of a sink, and the purchase and installation of metal cabinets and shelving, valued at \$5,300.00, by Hughson Youth Baseball and Softball for the Concession Stand at Lebright Fields, and approve the donation agreement.

Discussion:

City staff was recently contacted by Hughson Youth Baseball and Softball (HYBS) regarding the purchase of improvements for the new concession stand at Lebright Fields, which was installed on January 9, 2024. The Public Works Superintendent indicated that these items would have been purchased by the City in the near future. The HYBS President indicated that HYBS would like to cover the entire cost of the improvements, and the installation. Detailed specifications, and an estimate of the purchase is attached.

If approved by the City Council. The installation of the improvements will take place prior to the scheduled HYBS Opening Day on March 30, 2024.

Parks, Recreation and Entertainment Commission:

At the March 12, 2024, regular meeting the Commission unanimously voted to recommend approval of the acceptance of the donation, and approving the donation agreement.

Fiscal Impact:

The estimated cost of the project is \$5,300.00. If approved, staff intend to work with HYBS representatives as needed during the installation.



**CITY OF HUGHSON
DONATION ACCEPTANCE FORM**

Name of Donor: Hughson Youth Baseball and Softball (HYBS)

Address: P.O. Box 1654 City: Hughson State: CA Zip: 95326

Description of donation: See attached "Project Proposal"

Donor estimate of current value: \$5,300.00

Potential immediate or initial acquisition or installation cost, any on-going maintenance or replacement cost:
N/A

Intended use: Improvements to the Lebright Fields Concession Stand by HYBS for all future leases.

Conditions of acceptance or donor designation: See attached "Donation Agreement".

Remarks: _____

Please Circle One:

ACCEPTED / DENIED

Date

MARCH 25, 2024

Date Submitted to Council

Merry Mayhew
City Manager's Signature

Date Approved/Denied by Council

Date

Mayor's Signature (if applicable)

cc: City Council, Finance Department, City Clerk

Resolution No. 2022-17 Approved by the Hughson City Council on June 13, 2022



CITY OF HUGHSON STANDARD DONATION AGREEMENT

The undersigned Donor wishes to make a donation to the City of Hughson as described in more detail below.

Donor is (check and complete all that apply):

- ☐ Donating \$ _____ in a lump sum.
- ☐ Donating \$ _____ in _____ (monthly, quarterly, annually, etc.) payments of \$ _____ in _____ installments.
- ☒ Donating the following (describe products, services, real property, etc.):

"Project Proposal" attached.
(Estimated cost \$5,300-)

Check the following boxes if applicable:

- ☐ The City's acceptance of the donation described above is subject to the conditions specified on Attachment 1.
- ☒ This donation is designated to the following use(s):
By all future leasees of Lebright Fields
Concession Stand.
- ☐ This donation is being made at the request of Councilmember/City Staff Member.

Name: _____

In connection with administering this agreement, Donor and City shall work through the following primary representatives:

	City of Hughson	Donor
Primary Representative:	Jose Vasquez	Jenny Wells
Address:		7860 E. Whitmore Hughson CA 95326
Telephone:	209 505 3049	209 606 9279
Email:	jvasquez@hughson.org	Hybs accounting@yahoo.com

Attachment A

In addition to the foregoing, Donor and City understand and agree that:

1. The City will provide Donor with a donation receipt indicating the amount of the donation or estimated value of goods or services donated within 30 days of receiving the donation.
2. Except as provided above, the City may use the donation in any manner at its sole discretion and Donor has no right or obligation to control the City's use of the donation.
3. Donor has not and will not receive any goods or services in exchange for the donation and the City will not grant any extra consideration to the donor in relation to City procurement, regulatory matters, or any other business, services, or operations of the City.
4. Donor confirms that unless indicated otherwise above this donation is not made at the behest of a City Councilmember, or any City staff member.

IN WHITNESS WHEREOF, The parties hereto have executed this agreement.

Donor

[Signature]
Name
Hybs treasurer
Title
3.5.2024
Date

City of Hughson

[Signature]
City Manager
3.6.2024
Date

ATTEST:

[Signature]
Ashton Gose, City Clerk
3.6.2024
Date

AS APPROVED TO FORM:

[Signature]
Andy Pinasco, City Attorney

Date

PROJECT PROPOSAL



Snack Shack

02.23.2024

Overview

Updating and designing the snack shack to run efficiently and successfully for HYBS and any future leasee

Goals

1. Refrigerators and Freezers installed
2. Remove small white sink.
3. Bring in metal cabinets and shelving

Specifications

- Already own and installing commercial beverage refrigerator and two side by side freezers
- Purchasing and installing two metal restaurant cabinets and shelves

<https://cdnimg.webstaurantstore.com/images/products/large/558618/2091460.jpg>

<https://cdnimg.webstaurantstore.com/images/products/large/577497/2144516.jpg>

- Purchasing one work table for registers and storage

<https://cdnimg.webstaurantstore.com/images/products/large/66779/2292580.jpg>

- Purchasing one rollable storage shelf

<https://cdnimg.webstaurantstore.com/images/products/large/624827/2415933.jpg>

- Purchase one stainless steel storage rack

<https://cdnimg.webstaurantstore.com/images/products/large/407185/2649317.jpg>

- Purchasing two rollaway storage racks

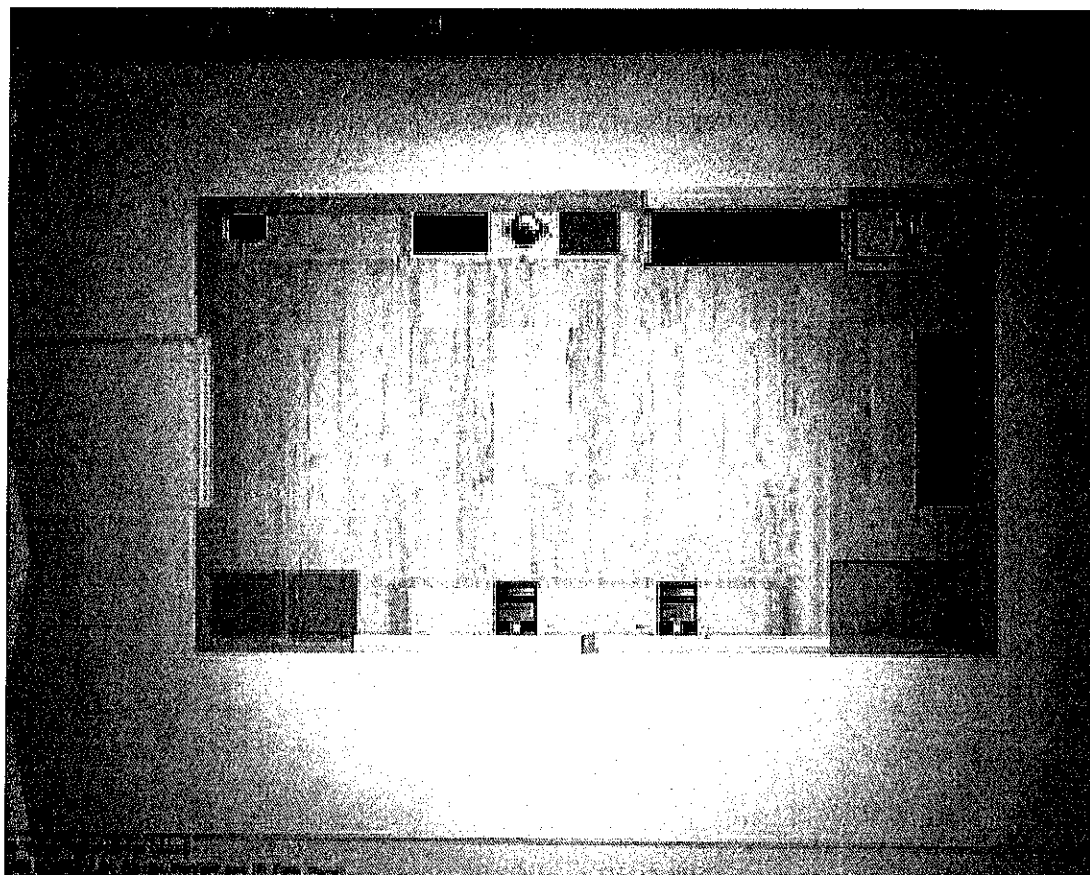
<https://cdnimg.webstaurantstore.com/images/products/large/405769/2612326.jpg>

- Purchase stainless steel wall mounted storage shelf for over sink

<https://cdnimg.webstaurantstore.com/images/products/large/565891/2112131.jpg>

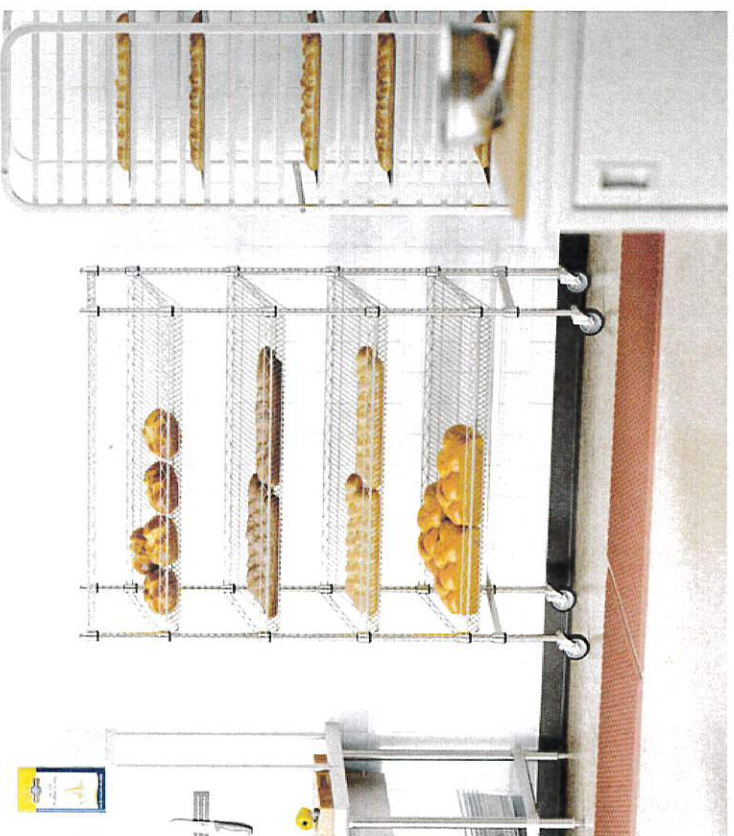
Estimated price \$5,300

0100 11 11 11













CITY COUNCIL AGENDA ITEM NO. 3.5

SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024
Subject: Approval of Waiving the Fees Pertaining to the Use of Rolland Starn Park (Keith Crabtree Field) for Hughson Youth Baseball and Softball for the 2024 Regular Season
Presented By: Ashton Gose, Executive Assistant/City Clerk

Staff Recommendations:

1. Waive the fees pertaining to the use of Rolland Starn Park/Keith Crabtree Field for Hughson Youth Baseball/Softball for the 2024 regular season.
2. Find that the waiver of the fees pertaining to the use of Rolland Starn Park/Keith Crabtree Field for Hughson Youth Baseball/Softball for the 2024 regular season is in the public interest.

Discussion:

Starting in 2014, Hughson Youth Baseball and Softball (HYBS) inquired about the use of Keith Crabtree Field to allow HYBS to better accommodate the number of games planned for the season. HYBS also anticipated using the lights at Keith Crabtree Fields a few times during the season to showcase games at night—a unique experience for local youth.

HYBS requested a waiver for their inaugural use of Keith Crabtree Fields in exchange for improvements to the baseball diamond. The City Council approved the waiver in 2014 and has continued to do so each year based on the public interest served and the fact that the planned improvements exceeded what would be generated in usage fees.

Staff met with HYBS representatives this month to discuss the arrangement details for the 2024 season. This season, HYBS would like to waive fees at Starn Park, in exchange for improvements to the diamonds at Lebright Fields and Starn Park. The improvements to the park are scheduled to be completed on March 16, 2024, and the opening day ceremonies for the 2024 season are scheduled for March 30, 2024.

The list of improvements is below:

Starn Park

Replace dirt as needed for the infield;
Replace wood as needed in the dugouts;
Adjust base pegs

Lebright Fields

Reset base pegs in multiple fields;
Lay concrete next to batting cages (for toolbox container);
Infield leveling (sand/clay mix);
T-ball field improvements

Keith Crabtree Field at Starn Park, and Lebright Fields are maintained by the city. The partnership with HYBS will result in added improvements to the baseball diamonds above and beyond what is typically done with existing City resources. Additionally, the completed improvements will be enjoyed by not only HYBS but other park users throughout the year. The improved condition of the baseball diamonds should help generate additional revenue through expanded use of the park and encourage long standing users to continue to use the fields. The estimated cost of the improvements more than covers the cost of the rental fee for the park. As such, it is in the public's interest to waive the park rental fees in exchange for the completed improvements provided by HYBS.

Parks, Recreation and Entertainment Commission:

At the March 12, 2024, regular meeting, the Commission unanimously voted to approve the recommendation that the City Council waive the fees pertaining to the use of Rolland Starn Park/Keith Crabtree Field for Hughson Youth Baseball/Softball for the 2024 regular season.

Fiscal Impact:

The revenue that would be generated through the use of Keith Crabtree Field by HYBS for the season is approximately \$3,120, not including usage for lights. This year, the proposed improvements and labor are estimated at \$4000, and exceed the revenue the city would have received without the fee waiver.



CITY COUNCIL AGENDA ITEM NO. 3.6

SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024
Subject: Appointing One Candidate to the Parks, Recreation and Entertainment Commission
Enclosure: Commission Application: Patty King
Presented By: Ashton Gose, City Clerk

Staff Recommendation:

Appoint Patty King to the Parks, Recreation and Entertainment Commission.

Discussion:

The Hughson Parks, Recreation and Entertainment Commission provides recommendations to the City Council regarding policies for the acquisition, development, maintenance, and improvement of park facilities. The Commission is also responsible for formulating and recommending appropriate fee schedules, policies, rules and regulations for park sites and other recreation facilities.

The Hughson Parks, Recreation and Entertainment Commission has had two vacancies that have been advertised as "until filled" in the local paper, social media, and the City website/newsletter since December 2023. Staff received one (1) application on March 13, 2024, and conferred with Mayor George Carr regarding the recommendation to appoint an applicant to the Commission. Mayor Carr agreed with the recommendation and asked staff to present the item to the City Council.

At this time, the City Council has the opportunity to interview the applicant (to do so, the item would need to be pulled from the Consent Calendar by a member of the City Council), discuss the application, and ultimately appoint the applicant with a majority vote.

Fiscal Impact:

Per the Hughson Municipal Code, Parks, Recreation and Entertainment Commissioners are not compensated.



RECEIVED MAR 13 2024

APPLICATION
PARKS, RECREATION AND ENTERTAINMENT COMMISSION

NAME: Patty King

HOME ADDRESS: [REDACTED] Street, Hughson

DO YOU LIVE WITHIN CITY LIMITS? YES ☒ NO ☐

EMAIL: [REDACTED]@yahoo HOME PHONE: [REDACTED] CELL PHONE: [REDACTED]

ARE YOU RELATED TO CURRENT CITY EMPLOYEES? YES ☐ NO ☒

IF YES, PLEASE LIST EMPLOYEE'S NAME AND RELATIONSHIP:

OCCUPATION: Retired (Assisted Living Administrator)

BUSINESS ADDRESS: _____

EDUCATION (HIGHEST SCHOOL YEAR, DEGREES, ETC.): AA Degree (Mgt)

*EMPLOYMENT HIGHLIGHTS (*Please submit resume*)

PRIOR PUBLIC SERVICE (IF ANY): _____

Substitute Teacher: Modesto City and Stanislaus County
Eligibility Worker: Stanislaus County Social Services

PRESENT AND PAST COMMUNITY ACTIVITIES (PLEASE DO NOT LIST PARTISAN POLITICAL ACTIVITIES): _____

Chair Person: Strike Against Alzheimers; Facilitator: Support
Group; Hope in Action, Love Hughson, Monthly Grocery Distribution

WHAT DO YOU BELIEVE ARE THE MOST IMPORTANT ISSUES FACING HUGHSON TODAY (Relative to the position being sought)?

Retaining the small town feel while accepting and welcoming
our new Hughson residents. Providing safe, affordable,
convenient recreational activities for all ages.

CANDIDATE'S STATEMENT

As a candidate for the PARKS, RECREATION AND ENTERTAINMENT COMMISSION of the City of Hughson, I submit the following statement on why I am interested in serving as a City Commissioner:

First and foremost, I absolutely love our town! I am so proud to call Hughson "home".

I believe we have tremendous opportunities to continue to provide a safe, welcoming community. With our Fruit and Nut Festival, Hughson has Heart, Taste of Hughson events, youth sports, senior center, parks and walking/biking/riding friendly town we already have so much to offer.

I would greatly appreciate the opportunity to build upon that with the Parks and Recreation Commission and fellow leadership.

Thank You!

SIGNATURE: _____

Fatty King

DATE: _____

March 13, 2024

Deliver/mail or email to:

City Clerk, City Hall
adminservices@hughson.org
7018 Pine Street/ P.O. Box 9
Hughson, CA. 95326

DEADLINE FOR FILING – Until Filled



CITY COUNCIL AGENDA ITEM NO. 3.7

SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024
Subject: Adopt Resolution No. 2024-08, Accepting the 2023 Annual General Plan Report and the 2023 Annual Housing Element Progress Report.
Enclosure: 2023 Annual Report, City of Hughson General Plan
2023 Annual Housing Element Progress Report
Presented By: Carla C. Jauregui, Community Development Director

Staff Recommendation:

Adopt Resolution No. 2024-08, accepting the 2023 Annual General Plan Report and the 2023 Annual Housing Element Progress Report.

Background and Overview:

Pursuant to Government Code Section 65400, the City of Hughson must provide an annual report (Report) by April 1, 2024, to the City Council, the Office of Planning and Research, and the Department of Housing and Community Development on the progress made toward implementing the goals and policies of the General Plan, including the Housing Element during the reporting period. The Hughson Planning Commission has reviewed the 2023 Annual Report on the Hughson General Plan and the 2023 Annual Housing Element Progress Report and recommended adoption at the regularly held meeting on March 19, 2024.

Discussion:

The purpose of the Annual Report is to 1) provide an assessment or status update on the City's progress towards implementing the General Plan and 2) provide an assessment of the progress in meeting the City's share of regional housing needs and must include local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, the degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 as well as, (c) the date of the last revision to the general plan.

This report will serve to assess how the General Plan is being implemented in accordance with adopted goals, policies, and implementation measures; identify any necessary adjustments or modifications to the General Plan as a means to improve local

implementation; provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and to provide information regarding local agency progress in meeting its share of regional housing needs.

Planning Commission:

At the March 19, 2024, regular meeting the Planning Commission unanimously voted to approve the recommendation to adopt this resolution.

Fiscal Impact:

The acceptance of the General Plan Annual Report and the Housing Element Progress Report has no direct fiscal impact.

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2024-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
ACCEPTING THE 2023 ANNUAL GENERAL PLAN REPORT AND THE 2023
HOUSING ELEMENT PROGRESS REPORT**

WHEREAS, the City of Hughson is required by Government Code Section 65400 to provide an Annual Report on the General Plan, by April 1 of each year, for the preceding year; and

WHEREAS, the Annual Report must be transmitted to the City Council, the California Office of Planning and Research (OPR), and Department of Housing and Community Development (HCD); and

WHEREAS, the Annual Report must include the following: a) the status of the General Plan and progress in its implementation, b) the City's progress in meeting its share of the regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, the degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 as well as the date of the last revision to the general plan; and

WHEREAS, the Hughson Planning Commission has reviewed the 2023 Annual Report on the Hughson General Plan and the 2023 Annual Housing Element Progress Report.

NOW THEREFORE BE IT RESOLVED that the Hughson City Council does hereby accept the 2023 Annual Report on the Hughson General Plan and the 2023 Annual Housing Element Progress Report.

PASSED AND ADOPTED by the Hughson City Council at a regular meeting thereof held on March 25, 2024, by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

GEORGE CARR, Mayor

>
>
>

ATTEST:

ASHTON GOSE, City Clerk

2023 ANNUAL REPORT City of Hughson General Plan



INTRODUCTION

California Government Code Section 65400 requires each municipality to present an annual report on its General Plan to its legislative body, i.e. City Council, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) by April 1 of each year.

The purpose of the Annual Report is to: 1) Provide an assessment or status update on the City's progress towards implementing the General Plan; and 2) Provide an assessment of the progress in meeting the City's share of regional housing needs. The report must include local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, the degree to which its approved General Plan complies with the guidelines developed and adopted pursuant to Section 65040.2 as well as the date of the last revision to the general plan.

This report will assess how the General Plan is being implemented in accordance with the adopted goals, policies and implementation measures; identify any necessary adjustments or modifications to the General Plan as a means to improve local implementation; provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and provide information regarding local agency progress in meeting its share of regional housing needs.

GENERAL PLAN

Hughson's General Plan was adopted on December 12, 2005. The General Plan contains the seven State-required elements: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. The latest Housing Element was adopted by the Hughson City Council on December 14, 2015. The State allows the combining of elements or the addition of new elements if the required seven elements are present in some fashion. Hughson's General Plan combines the required Conservation and Open Space elements and adds a Public Services and Facilities element. The Hughson General Plan thus contains the following elements:

- Land Use
- Circulation
- Conservation and Open Space
- Public Services and Facilities
- Safety
- Noise
- Housing

Local governments are required to keep their General Plans current and internally consistent. There is no specific requirement that a local government update its General Plan on a specific timeline, with the exception of the Housing Element, which is required to be updated every eight (8) years. The City will update its Housing Element by the year 2023. The City is anticipating beginning the General Plan update process during the 2020-2021 fiscal year which will include an update to the City's Housing element. The current General Plan covers the years 2005-2025. The new General Plan will focus on the years 2025-2045.

The following represents the progress the City has made toward implementing the goals and guiding policies of the General Plan during this reporting period. The list is organized to correspond with the elements of the Hughson General Plan.

LAND USE

Amendments

No Amendments were made to the General Plan during 2023.

Land Use Progress

- A. A General Plan Amendment, Rezoning Application, and Tentative Map was approved in July 2018 to allow the construction of a 20-unit apartment complex. Building plans were submitted in late 2018 but were put on pause by the developer. The developer reinitiated the building permits and the project was completed in late 2023.
- B. On March 13, 2006, the Hughson City Council adopted Resolution No. 06-35 approving with conditions Vesting Tentative Subdivision Map No. 06-02 for 51 residential lots and one common area lot as submitted by Fitzpatrick Homes for a proposed subdivision known as Euclid North, located within the southwest corner of Euclid Avenue and East Hatch Road. Construction of the homes commenced in 2021 and the homes were completed in 2023
- C. A General Plan Amendment, Rezoning Application, and Tentative Map was approved in 2020 for 299 single family units. 193 of the homes will be courtyard homes on small lots, making a denser, more urban subdivision. The remaining 106 homes will be traditional single-family homes, on smaller lots than the standard R-1 lot size in Hughson. The density of this project is 5.33 DU/acre. Construction of phase I of the project consisting of the first 150 homes commenced in 2023 with model homes as well as 20+ homes in construction to date.

CIRCULATION

Amendments

The City of Hughson did not approve an amendment to the Circulation Element in 2023.

Progress

In November 2016, Measure L, the countywide transportation sales tax measure passed with nearly 72 percent of the vote by residents in Stanislaus County. 65% of these funds

go directly back to cities for local projects. The Measure L Local Streets and Roads tax is currently budgeted to bring \$390,000 annually in road tax dollars to the City of Hughson. The Measure L 3-year plan was approved by Council on September 26, 2022 which consists of surface improvements to city roads including approx. 2,500,00 sf of Type II slurry seal and approx. 52,100 sf of grind and overlay. The project commenced in 2023 but the completion was delayed to spring of 2024 due to weather.

CONSERVATION AND OPEN SPACE

Amendments

The City of Hughson did not approve an amendment to the Conservation and Open Space Element in 2023.

Progress

- A. In November 2018, the City purchased Lebright Fields from the Hughson Unified School District. Lebright Fields is a 7.9 acre ball park that has been used for youth baseball and softball activities for sixty years. The main user of this facility is the non-profit Hughson Youth Baseball Association (HYBA) which utilizes it 9 months out of the year. The facility is also open to the public year around. The City will continue to partner with HYBA and allow this organization and other members of the public a safe and reliable place to play baseball. Improvements to the facility including an ADA walkway and new backstops were completed in 2023, with further improvements scheduled to be completed in 2024 including parking lot and storm drain improvements, a new restroom and snack bar facility and electrical board.

PUBLIC SERVICES AND FACILITIES

Amendments

The City of Hughson did not approve an amendment to the Public Services and Facilities Element in 2023.

Progress

-
-
- A. The City continues to make significant progress in meeting a 2018 compliance order served by the State regarding arsenic levels in the City's municipal water system. On November 9, 2020 the City Council awarded the fourth phase and final phase of the Well No. 7 Replacement Project to Gateway Pacific. The full project includes the construction of a new water well site, which includes a water treatment system, a 1.0 million-gallon concrete storage/blending tank, as well as the re-drilling of a well, currently out of production, in a new location and new water distribution pipeline to connect the well sites. The project is being funded through a California Safe Drinking Water State Revolving Fund. The City continues to provide the State Water Board with quarterly progress reports on the City's efforts to address the arsenic compliance order and the project is set to be completed in early 2024.

In response to a compliance order received in 2018 from the State Water Board for the presence of 1,2,3-Trichloropropane in the city's water, the City continues to work on the design phase of the project to mitigate TCP at the Well 8 facility.

SAFETY

Amendments

The City of Hughson did not approve an amendment to the Safety Element in 2023.

NOISE

Amendments

There were no amendments to the Noise Element in 2023.

Progress

- A. The Planning Commission or City Council did not approve a project in calendar year 2023, which would constitute implementation of the Noise Element of the General Plan.

HOUSING

Amendments

The City of Hughson did not approve an amendment to the Housing Element in 2023. However, the Hughson City Council continues to implement the 2015-2023 Housing Element adopted by the City Council on December 14, 2015 by Resolution No. 2015-34.

Progress

According to the Final Regional Housing Needs Plan (RHNP) for Stanislaus County, 2014-2023, the City of Hughson's share of the total region's allocation is 218 housing units. The City's required Above Moderate RHNA unit requirements have been met with the 119 units constructed at Euclid North and South, as well as 20 of the low unit requirements with the Walker Lane Apartments. However, there are no projects planned that will help the City meet their remaining RHNA numbers specifically in very low to moderate housing units.



CITY COUNCIL AGENDA ITEM 3.8

SECTION 3: CONSENT CALENDAR

Meeting Date: March 25, 2024
Subject: Approval of the Request by the Hughson Chamber of Commerce to Hold a Public Event and Sell Alcohol at the 2024 Hughson Fruit and Nut Festival Event
Enclosures: Conditions of Approval
Event Applications (Street Closure and Event)
Presented By: Carla C. Jauregui, Community Development Director

Staff Recommendation:

Approve the request by the Hughson Chamber of Commerce to hold a public event and sell alcohol at the 2024 Hughson Fruit and Nut Festival event that will be held April 27 and April 28, 2024.

Background and Discussion:

Section 9.24.020 of the Municipal Code (Drinking and possession – Public areas) states that *“It is unlawful for any person to drink any alcoholic beverage or to possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, on any public sidewalk, alley, street or highway, or in any city-owned park or other city-owned public places, unless the consumption of alcoholic beverages in such public place or places has been authorized by the city council or, in the case of city-owned parks, in accordance with HMC [12.24.150\(C\)\(12\)](#). This section shall not be deemed to make punishable any such act or acts which are prohibited by the California Vehicle Code or by any other law of the state. (Ord. 21-03 § 1, 2021; Ord. 86-01 § 1, 1986)”*

The Hughson Chamber of Commerce has requested that the City Council authorize a public event on City property and the selling and serving of alcohol at the upcoming Hughson Fruit and Nut Festival scheduled for Saturday, April 27, 2023, from 10 a.m. – 6 p.m. and Sunday, April 28, 2023, from 10 a.m.– 5 p.m.

Last year, and prior to the pandemic, the Hughson Chamber of Commerce Board of Directors hosted the Beer Garden during the event. The Hughson Chamber of Commerce provides for the sale of cider and beer options for festival goers in a controlled enclosed

area adjacent to the entertainment main stage. The Chamber works with the City of Hughson and Hughson Police Services to ensure adequate private security and safety measures are in place to provide a secure environment. The Chamber decorates the “Beer Garden” in a fenced area with tables, chairs, umbrellas, wine barrels and table-top arrangements. The Hughson Chamber of Commerce secures the appropriate daily licenses for the Hughson Fruit and Nut Festival weekend through the California Department of Alcoholic Beverage Control (ABC) for the Beer Garden.

Following approval by the City Council of this request, the Chamber will submit an application to the State of California for the appropriate licenses for the specified weekend. Per the ABC application requirements, the required form must be received within ten (10) days of the event but should not be submitted more than thirty (30) days in advance to the local office (Stockton).

City staff recommend approving the event subject to the attached Conditions of Approval.

Fiscal Impact:

There is no fiscal impact to the City of Hughson associated with the approval of this item. Net proceeds are utilized by the Hughson Chamber of Commerce to continue providing the annual Hughson Fruit and Nut Festival for the enjoyment of residents and visitors.

Conditions of Approval

Hughson Fruit and Nut Festival

1. The applicant shall comply all Alcohol Beverage Control (ABC) application requirements. The required form must be received within ten (10) days of the event but should not be submitted more than thirty (30) days in advance to the local office (Stockton).
2. The applicant shall work with the City of Hughson and Hughson Police Services to implement the application site plan in Exhibit B of this staff report.
3. An approved copy of the site plan shall be submitted to Hughson Consolidated Fire Department no later than 10 days before the first day of the event.
4. The applicant shall ensure that all equipment and trash is removed from Hughson Avenue and the alley when the event ends and placed in the appropriate City trash receptacles.



ORIGINAL

City of Hughson
7018 Pine Street/PO Box 9
Hughson Ca. 95326
209-883-4054

**STREET CLOSURE PERMIT APPLICATION PROCEDURE
FOR PURPOSES OTHER THAN CONSTRUCTION- RELATED ACTIVITIES**

1. Please complete Items 1-3 on page 2 of this packet, sign, and date the form.
2. Have Page 3 of the Street Closure Permit Application signed by all residents affected on the block of the street closure.
3. Return Pages 2 and 3 of the completed packet to City Hall, 7018 Pine Street. The fully completed application and fee (\$207.00) must be submitted 15 days prior to your event/activity to allow for further processing. You are required to submit proof of Special Event Insurance, naming the City of Hughson as "Additional Insured" in the amount of \$1,000,000. ***If your event/activity requires a Special Event Application, both fully completed applications and fee (\$207.00) must be submitted 30 days prior to your event/activity.**
4. A staff member will contact you regarding questions related to your event.
5. The Public Works Department will review your request and provide you with a traffic control plan specific to your event.
6. The applicant will be responsible for acquiring, installing, and maintaining the signs, barricades and traffic control devices specified in the traffic control plan. Vendors familiar with providing the items needed for a street closure are:

Safe T Lite
1051 N Emerald Ave
Modesto • Ph. 522-8913

United Rentals
5719 McHenry Ave
Modesto • Ph. 572-7470

The vendor names are provided for your convenience. The City of Hughson does not endorse or promote the use of these vendors. You may use any vendor who can supply the items as specified in the current edition of the Manual on Uniform Traffic Control Devices. www.dot.ca.gov/hq/traffops/signtech/mutcdsupp

7. The Street Closure Permit Application will be routed to the Police and Fire Departments for Comments and Approval. Once comments are received from the Police and Fire Department, you will be notified of any problems or will receive an approved permit from the Public Works Department.
8. Please review the attached Applicant's Checklist for completion. Should you have any questions regarding the application procedure, please contact the City of Hughson at 209-883-4054.



JAN 12 2024

City of Hughson
7018 Pine Street/PO Box 9
Hughson Ca. 95326
209-883-4054

STREET CLOSURE PERMIT APPLICATION
FOR PURPOSES OTHER THAN CONSTRUCTION- RELATED ACTIVITIES

1. EVENT/ACTIVITY: Hughson Fruit & Nut Festival
EVENT/ACTIVITY DATE(S): April 27-28 TOTAL DATES FOR CLOSURE: 4/26-4/28
START TIME(S): 4/26/24 12:00 FINISH TIME(S): 4/28/24 6pm
STREET(S) TO BE CLOSED: Hughson Ave. From Santa Fe Ave → 7th Street
MAP INDICATING THE LOCATION OF THE EVENT/ACTIVITY IS REQUIRED WITH THIS APPLICATION
IS THIS EVENT/ACTIVITY OPEN TO THE PUBLIC? ☒ YES ☐ NO
WILL THIS EVENT/ACTIVITY INCLUDE ENTERTAINMENT? ☒ YES ☐ NO
WILL THERE BE ALCOHOL AT THIS EVENT/ACTIVITY? ☒ YES ☐ NO

If you answered "Yes" to any of the above, please complete the attached Special Event Application.

2. SPONSORING ORGANIZATION: City of Hughson / Chamber of Commerce
LOCAL ADDRESS: 7018 Pine St
CITY/STATE/ZIP: Hughson, CA 95326 PHONE: 209-883-0811
3. RESPONSIBLE INDIVIDUAL, IF OTHER THAN ABOVE: Rikki Perez Chair Chamber President
ADDRESS: 7018 Pine St
CITY/STATE/ZIP: Hughson, CA 95326 PHONE: 209-404-6358

The applicant will be responsible for providing, maintaining, and installing traffic control devices necessary for the street closure according to the approved *traffic control plan*. During the hours of darkness, sufficient warning lights or flares shall be maintained at suitable distances to warn the approaching traffic. The applicant hereby agrees to defend, indemnify, and forever holds the City of Hughson, its Officials, Employees, Volunteers or Agents harmless against each and every claim, demand or cause of action that may be made or come against it by reason of or in any way arriving out of the closing or blocking of the right-of-way approved under this permit.

Applicant Signature: [Signature] Date: 2/9/2024

Fire Department Comments: _____

Signature: [Signature] Date: 3-21-24

Police Department Comments: _____

Signature: [Signature] Date: 3/21/24

Approved by Public Works Department: _____

Signature: [Signature] Date: 3/12/2024



City of Hughson
7018 Pine Street/PO Box 9
Hughson Ca. 95326
209-883-4054

STREET CLOSURE PERMIT APPLICATION
CONCURRENCE BY AFFECTED PROPERTY OWNERS
ON THE STREET SEGMENT(S) BEING CLOSED

I am aware of the (proposed event/activity) Hughson Fruit and Nut Festival,
planned for (dates) 4/26/24 ^{12pm} - 4/28/24, and have no objection to the
proposed closure of (event/activity location) Hughson Ave.

Printed Name

Address

Signature

Jim Pearson

7001 HUGHSON AVE NAPA

Shelby Harroder

6934 HUGHSON AVE CURT

Justene Lacy

6913 HUGHSON AVE LACY'S

Derek Ross

6907 HUGHSON AVE PIZZA BERRY

Chris Ayala

68119 HUGHSON AVE CALA ALMOND

Armando Martinez

6800 HUGHSON AVE, HUGHSON, CA 95326

Roberto Gutierrez

6900 HUGHSON AVE Bob's coffee shop (BMO)

Blanca Chavez

6916 HUGHSON AVE COCOS TAPERIA

Leonel Ruiz

La Pesta Tapateria 7005 HUGHSON AVE

Stacy Kopen

6945 HUGHSON AVE JOSEPHINES

Kaylah Sweet

7100 HUGHSON AVE Dollar General

Virginia Sanchez

6940 HUGHSON AVE SUITE B STELLA VILLA

Robin Cox

6940 HUGHSON AVE STE A BRADEN FARMS

Maria Contreras

7030 HUGHSON AVE. BELLA VIVA ORCHARDS.

Teresa Valadez

7024 HUGHSON VALADEZ JEWELRY

Ivette Hernandez

7022 HUGHSON AVE. HUGHSON LAUNDRY

Selena Ortiz

7017 HUGHSON AVE HUGHSON FINES BARBERSHOP

Bobbie Aveni

7115 HUGHSON AVE HUGHSON SIMPLY HAIR

Alissa

7128 HUGHSON AVE HUGHSON SAVOR MARKET

Shirley H. Yau-on

7144 HUGHSON AVE Golden Bowl

Kaelin Wolfe

7206 HUGHSON Dentist Fifth and Blanche HUGHSON



CITY OF HUGHSON

Community Development Department, Building Division

7018 Pine Street • Hughson, California 95326 • Office 209.883.4054 • Fax 209.883.2638

SPECIAL EVENT APPLICATION

Applicant/Organization Information

Applicant Name: Hughson Chamber of Commerce
Name of Business / Organization: Amber Pearson
Address: 7012 Pine St. City: Hughson
Mailing Address: P.O. Box 217 City: Hughson

Phone: _____
Phone: _____
State: _____ Zip Code: _____
State: CA Zip Code: 95326

Event Information

Event Name: FRUIT & NUT FESTIVAL
Description of Event: Street Fair

Event Hours: 10am - 6pm, 10-5pm

Fundraiser: ☒ Yes ☐ No Event Purpose: community event

Event Date: April 27 - 28, 2024

Event Hours: SAT 10-6, SUN 10-5

Event Location: Hughson Ave.

Estimated Attendees: 500

Street Closure: ☒ Yes ☐ No If YES, Please Complete Street Closure Permit Application

Age Group(s) (Youth, Adult, Family, etc): Family

Alcohol at Event: ☒ Yes ☐ No If Yes: ☐ Served

☒ Sold ☐ Guest bringing Alcohol

Food Vendors: ☒ Yes ☐ No

Liquor License Number: _____

Product Vendors: ☒ Yes ☐ No

If Yes, Product/Food Description: Food Court Area

Will your Event include: ☒ Live Music ☐ Amplified Music ☐ DJ

Music Genre: All genre

Check all included items:

☒ Vendors and Booths

☐ Extra Parking

☒ Sound System

☒ Electrical Power Service

☒ Electrical Generators

☒ Comfort Stations (water and first aid)

☒ Portable toilets

☐ Other: _____

Set-up Hours: FRIDAY 12:00PM - 8pm

Clean-up Hours: Sun 6pm - 8pm

The following must be submitted with application:

A. Map indicating location of activity.

B. Flyers describing the event. (If applicable)

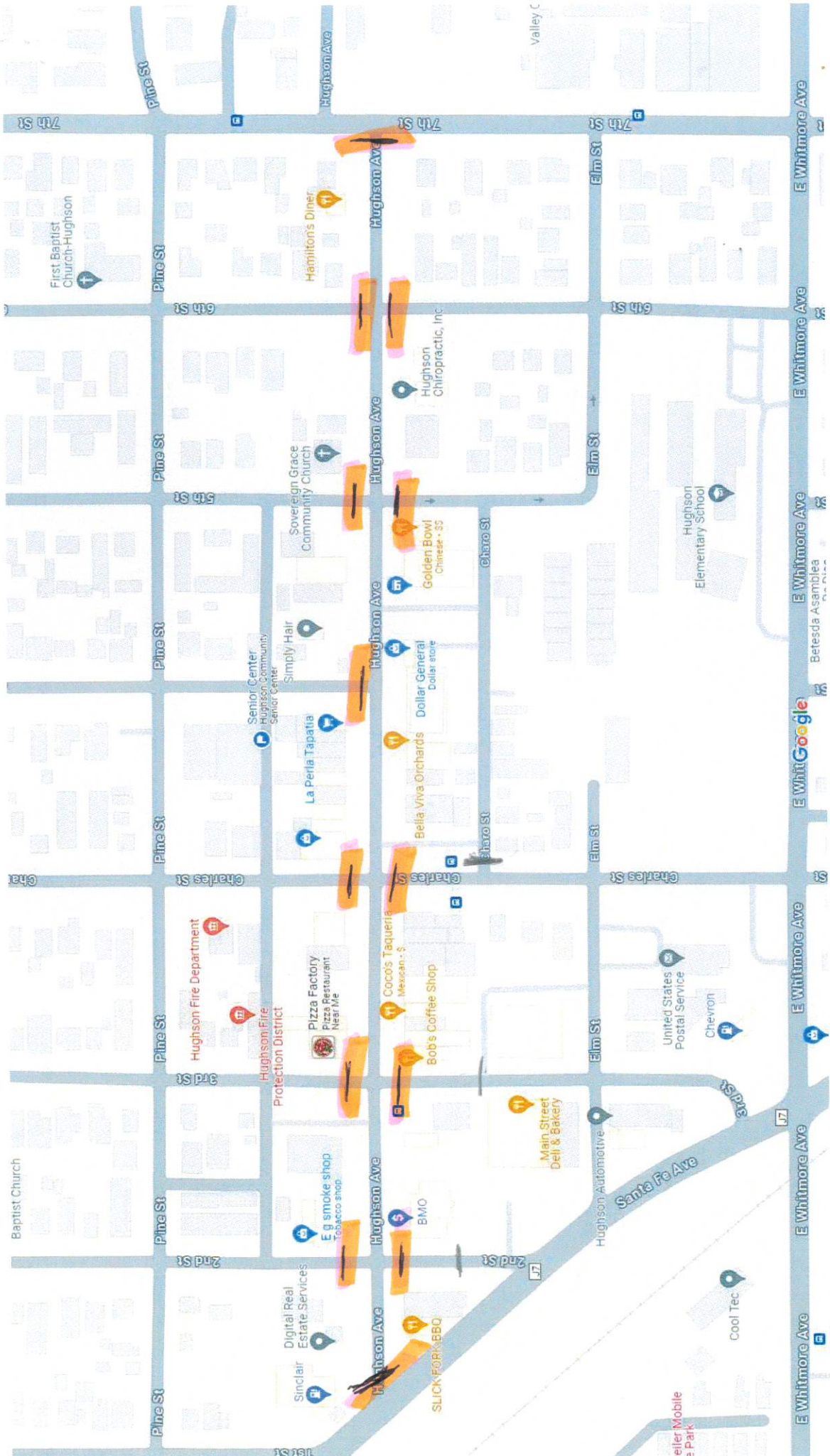
C. Insurance Coverage Documentation

D. If private property is to be used for the event, applicant will provide written authorization from the property owner.

By submitting this Application, the Applicant understands that the City shall review the application under the procedures set forth in the Hughson Municipal Code. If the City approves the application, the Applicant will be notified by the City.

[Signature]
Applicant Signature

2/6/2024
Date



Map data ©2024 100 ft



CITY COUNCIL AGENDA ITEM NO. 4.1

SECTION 4: UNFINISHED BUSINESS

Meeting Date: March 25, 2024
Subject: Adopt Resolution No. 2024-09, Accepting the Well 7 Replacement Project Phase IV Improvements and Authorizing the City Clerk to File a Notice of Completion
Enclosure: Notice of Completion
Presented By: Carla C. Jauregui, Community Development Director

Staff Recommendation:

Adopt Resolution No. 2024-09, accepting the Well 7 Replacement Project Phase IV Improvements and authorizing the City Clerk to file a Notice of Completion (NOC).

Background:

On November 9, 2020, the Hughson City Council awarded a contract for the Well 7 Replacement Project Phase IV Improvements to low bidder Gateway Pacific Construction for \$7,895,716. The City Council authorized a 10% construction contingency and a 10% set-aside for construction management. Funding for this project was provided by the State of California Water Resources Control Board, Division of Financial Assistance.

The purpose of the Well 7 Replacement Project (Project) was to address concerns with the community's drinking water. The source of water for the City's water supply system is local groundwater, and arsenic is commonly present at concentrations that exceed state and federal regulatory limits. The Project included construction of two (2) new wells, a 1.0-million-gallon water storage tank, and a water treatment system to remove arsenic. The wells and storage tank were constructed under separate contracts (Phase I, II, and III). The Phase IV Improvement contract included the final improvements associated with the Project.

The City was issued an operating permit for the Project by the State Waterboard in July 2023, after several weeks of testing and adjusting the treatment system to achieve required arsenic removal. In October, the facility was operated successfully for a continuous 7 day/24-hour period. However, following the continuous test, the facility was not placed into service due to remaining programming and telemetry work required by the City's contract system integrator. As a result, the facility remained off-line until early February, requiring a complete restart effort.

Staff brought this item to the Council for consideration at the regularly scheduled meeting on February 26, 2024. The council requested that staff bring this item back for consideration following further progress restarting the facility. Since then, operations staff have repaired the broken valve that was preventing the system from operating, reconditioned the filters, and conducted several days of water quality testing to ensure the facility is producing water that meets state and federal drinking water requirements. . The Project work is complete, the facility is operational, and available to deliver water to the system. However, problems with the City's SCADA system prevent full automation of the facility.

The Project will enter a 1-year warranty period, whereby the Contractor will be required to repair, replace, modify, and/or adjust equipment and programming should issues with Project work be identified.

Discussion:

The Project's Phase IV improvements included installation of the water treatment system, control building, automated control systems, chemical storage, filter backwash system, booster and well pumps, site improvements, emergency power systems, on and off-site piping, and demolition of Well 5.

An operating permit was issued to the City of Hughson by the State Waterboard to allow use as a drinking water source for the service area, and a permit was issued by the San Joaquin Valley Air Pollution Control District to operate the facility's emergency power system.

A Notice to Proceed was issued on December 8, 2020, and the project was substantially completed on December 5, 2023. Delays in completion of Project construction were primarily due to supply chain shortages of equipment associated with the control systems manufactured abroad.

If approved by the Hughson City Council, the City Clerk will file a Notice of Completion with the Stanislaus County Clerk-Recorder.

Fiscal Impact:

The Phase IV improvements construction cost was \$7,999,396, representing a contract increase of approximately 1.3% due to changes in work during construction. For all phases of the Project, the total cost increase was 1.7% over bid prices. In totality, the entire project, including all phases, came under budget even through the pandemic and its delays.

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2024-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON ACCEPTING
THE WELL 7 REPLACEMENT PROJECT PHASE IV IMPROVEMENTS AND
AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION**

WHEREAS, on November 9, 2020, the Hughson City Council awarded a contract for the Well 7 Replacement Project Phase IV Improvements to low bidder Gateway Pacific Construction for \$7,895,716. The City Council authorized a 10% construction contingency and a 10% set-aside for construction management. Funding for this project was provided by the State of California Water Resources Control Board, Division of Financial Assistance; and

WHEREAS, the Well 7 Replacement Project, Phase IV Improvements consisted of installation of the water treatment system, control building, automated control systems, chemical storage, filter backwash system, booster and well pumps, site improvements, emergency power systems, on and off site piping, and demolition of Well 5; and

WHEREAS, the work performed by Gateway Pacific Construction has been inspected and found to be complete and in compliance with the scope and specifications of the project.

NOW THEREFORE BE IT RESOLVED that the Hughson City Council hereby accepts the Well 7 Replacement Project, Phase IV Improvements and authorizes the City Clerk to File a Notice of Completion with the Stanislaus County Clerk-Recorder.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regular meeting held on this 25th day of March 2024, by the following roll call votes:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

GEORGE CARR, Mayor

ATTEST:

ASHTON GOSE, City Clerk

RECORDED AT THE REQUEST OF:

CITY OF HUGHSON

WHEN RECORDED, MAIL TO:

NAME: Ashton Gose, Hughson City Clerk

ADDRESS: P.O. Box 9

TOWN & STATE: Hughson, CA

ZIP CODE: 95326

Public Entity, Filing Fee Waived

Government Code §§ 6103, 27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the agent of the owner of the Project described below.
2. Owner's full name is City of Hughson ("City")
3. City's address is 7018 Pine Street, Hughson Ca 95326
4. The nature of the City's interest in the Project is: Fee Ownership
5. Construction work on the Project performed on City's behalf is generally described as follows:

Well 7 Replacement Project, Phase IV Improvements

6. The name of the Contractor for the Project is: Gateway Pacific Construction
7. The Project was accepted as complete on: March 25, 2024
8. The Project is located at: 3260 Tully Road, Hughson Ca

Verification: In signing this document, I, the undersigned, declare under penalty of perjury under the laws of the State of California that I have read this notice, and I know and understand the contents of this notice, and that the facts stated in this notice are true and correct.

Date and Place

Signature

Name and Title

ATTEST:

Ashton Gose, City Clerk



CITY COUNCIL AGENDA ITEM NO 6.1

SECTION 6: NEW BUSINESS

Meeting Date: March 25, 2024
Subject: Adopt Ordinance No. 2024-01, an Urgency Ordinance of The City of Hughson Imposing a Moratorium on All New Smoking Lounges and Smoke Shops Within the City of Hughson.
Presented By: Tom Terpstra, Deputy City Attorney

Staff Recommendation:

Adopt Ordinance No. 2024-01, an Urgency Ordinance of The City of Hughson Imposing a Moratorium on All New Smoking Lounges and Smoke Shops Within the City of Hughson.

Discussion:

Over the past few months, there has been growing concern in the community regarding smoke shops and other retailers of tobacco products in the City of Hughson. These establishments primarily sell tobacco products, vaping devices, and related paraphernalia. The presence of such businesses raises concerns regarding public health, safety, and community welfare, particularly regarding minors.

An increased proliferation of smoke shops within the City can contribute to various negative impacts, including:

1. **Public Health Degradation:** The availability of tobacco and vaping products can exacerbate public health issues such as smoking-related illnesses and substance abuse among youth and adults alike.
2. **Youth Exposure:** The proximity of these establishments to schools and recreational areas increases the risk of youth exposure to tobacco and vaping products, potentially leading to addiction and harmful health consequences.
3. **Negative Economic Effects:** Concentration of smoke shops may deter other types of businesses from establishing in the area, impacting the economic diversity and vitality of the community.

Pursuant to the City's police powers under the California Constitution and Government Code Section 65858, the City has the authority to adopt an urgency ordinance prohibiting a use that may be in conflict with contemplated general plan, specific plan, or zoning proposal that the City is considering or studying.

Unlike the regular ordinance adoption process, which requires a first and a second reading and goes into effect 30 days after approval by the City Council, an urgency ordinance can go into effect immediately upon adoption by the City Council. However, urgency ordinances automatically expire after 45 days, unless extended by the City Council in accordance with Government Code Section 65858. Urgency ordinances, and any subsequent extensions thereof, must be adopted by no less than a four-fifths (4/5) vote of the Council.

This temporary Urgency Ordinance would give the City staff an opportunity to conduct the research and, if necessary, engage with stakeholders in order to gather data and insights to inform evidence-based policy decisions regarding future regulations and ordinances to governing smoke shops in the future.

To be clear, this temporary moratorium would only impact the processing of permits for new smoke shops and smoking lounges. Existing businesses within the City that meet the definition of a “smoke shop” or “smoking lounge” set forth in this Urgency Ordinance will not be impacted by this Ordinance and would be allowed to continue to operate as they are currently permitted.

Conclusion:

In light of the growing concerns in the community surrounding the proliferation of smoke shops and smoking lounges and their potential negative impacts on public health, youth, and community well-being, the adoption of an Urgency Ordinance imposing a moratorium is warranted. This temporary measure will allow the City of Hughson to assess the situation comprehensively, engage stakeholders, and develop appropriate regulations to safeguard the health and welfare of its residents. Therefore, staff recommends the City Council's approval of this Urgency Ordinance.

Fiscal Impact:

There is no fiscal impact associated with this item.

ORDINANCE NO. 2024-01

**AN URGENCY ORDINANCE OF THE CITY OF HUGHSON
IMPOSING A MORATORIUM ON ALL NEW SMOKING LOUNGES AND SMOKE
SHOPS WITHIN THE CITY OF HUGHSON**

WHEREAS, smoking and use of tobacco products, particularly by minors, poses a significant health hazard to the user and persons in proximity to the user, including, without limitation, nicotine addiction, disease, and premature death; and

WHEREAS, e-cigarettes are advertised using the same themes and tactics that have been shown to increase youth initiation of other tobacco products, including cigarettes; and

WHEREAS, e-cigarettes have been widely advertised over social media, television, and via other forms of media targeted at minors, increasing their awareness of, curiosity about, and willingness to try e-cigarettes; and

WHEREAS, the City of Hughson has a significant interest in discouraging tobacco use by minors and discouraging the sale or distribution of tobacco products to minors, including vape pens and devices, e-cigarettes, and flavored tobacco products; and

WHEREAS, the City has a significant interest in preserving the health, safety, and welfare of its residents, particularly its minor residents, in considering enactment of additional regulations on the sale and distribution of tobacco products; and

WHEREAS, the City finds that there is a current and immediate threat to the public health, safety, or welfare with respect to the sale and distribution of tobacco products within the City, including access to such products by minors, and the approval of additional permits, licenses, or any other entitlement for new smoking lounges or smoke shops, would result in a further threat to public health, safety, or welfare; and

WHEREAS, the City Council has the authority to adopt this Urgency Ordinance pursuant to California Constitution Article XI, Section 7 and Government Code section 65858 as an urgency measure prohibiting a use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City is considering or studying; and

WHEREAS, the City finds that this Urgency Ordinance is necessary to promote the immediate preservation of the peace, health, and safety of the public, including its minor residents, against the potential detrimental health impacts of tobacco smoking in order to allow the City an opportunity to study this issue and develop and adopt additional appropriate regulations for the sale and distribution of tobacco products.

NOW, THEREFORE, the City Council of the City of Hughson does ordain as follows;

SECTION 1. The above recitals are true and correct and are incorporated herein by reference. The Hughson City Council hereby finds and determines that this Urgency Ordinance is necessary for the immediate protection of the public safety, health and welfare.

SECTION 2. Except as set forth herein, during the term of this ordinance, any new smoking lounge or smoke shop shall be prohibited in all zoning districts and lands within the City of Hughson, and no application for any permit, license, or land use entitlement shall be granted or approved for any new smoking lounge or smoke shop in any zoning districts or lands within the City.

SECTION 3. Notwithstanding any other provision of this ordinance, any person who lawfully holds or held a permit, license, or land use entitlement for an existing and lawfully operating smoking lounge or smoke shop in the City of Hughson as of March 25, 2024, and is otherwise in compliance with applicable laws, may continue to lawfully operate under that permit, license, and/or entitlement, and may apply for the renewal of any such permit, license, or entitlement, which renewal may be approved or denied by the City under the standards governing such permit, license, and/or entitlement under existing law.

SECTION 4. Nothing herein shall limit the authority of the City to revoke or suspend any existing license, permit, or entitlement as authorized under existing law.

SECTION 5. This ordinance shall be in effect from the date of adoption for a period of forty-five (45) days, unless it is extended pursuant to Government Code section 65858(a) or other applicable law, as approved by the City Council.

SECTION 6. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the validity of any particular portion thereof.

SECTION 7. The City Council finds that this Urgency Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim Urgency Ordinance is nonetheless exempt from the requirements of CEQA. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 8. Definitions

As used herein, the following definitions shall apply:

- A. "Person" shall mean any individual natural person, firm, partnership, joint venture, limited liability company, association, social club, fraternal organization, corporation,

estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

- B. "Smoking lounge" means a business establishment that permits the smoking of tobacco or other combustible substances on site, including, but not limited to, establishments commonly known as cigar lounges, hookah bars/cafes, tobacco clubs, or smoking parlors.
- C. "Smoke shop" means a retailer whose main purpose is the sale of smoking and/or tobacco products, including, but not limited to, cigars, pipe tobacco, tobacco paraphernalia, and smoking accessories for off-premises consumption at a retail establishment that devotes more than fifteen (15%) percent of its total floor area to the display and sale of smoking, drug, and/or tobacco paraphernalia. As used within this definition, the term "tobacco paraphernalia" includes electronic cigarettes and electronic vapor devices.

SECTION 9. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 10. This Ordinance is an urgency ordinance adopted pursuant to Government Code section 65858 and shall take effect immediately pursuant to Government Code section 36937(b).

SECTION 11. Within fifteen (15) days after its passage, the City Clerk shall cause this Ordinance to be published in full in accordance with California Government Code section 36933.

On motion of Councilmember _____, seconded by _____, the foregoing Ordinance was passed by a 4/5 vote of the City Council of the City of Hughson at a regular meeting held on March 25th, 2024, by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS: _____

ABSENT: _____

GEORGE CARR, Mayor
City of Hughson

ATTEST:

ASHTON GOSE
City Clerk, City of Hughson