

HUGHSON CITY COUNCIL

MINUTES

7:00 P.M.
Council Chambers
City Hall
7018 Pine Street

January 28, 2008
Regular Meeting

CALL TO ORDER: Present Mayor Moore, Council Members, Qualls, Adams, Bawanan, and Ledermann
Absent: None
Staff Present: Joe Donabed, City Manager
Mary Jane Cantrell, CMC, Director of Administrative Services/ City Clerk
Thom Clark, Planning & Building Director
David Chase, Director of Public Works/ City Engineer
Mary Hemminger, Management Analyst/ Deputy City Clerk
Janet Rasmussen, Police Chief
John Stovall, City Attorney
Jenifer Alves, Deputy City Attorney

PLEDGE OF ALLEGIANCE:

INVOCATION: Mayor Moore

AMERICANS WITH DISABILITIES ACT
NOTIFICATION FOR THE CITY OF HUGHSON

The City of Hughson will make all reasonable accommodations for the disabled to participate in the City Council meetings. Should you need auxiliary aids, please notify the City Clerk at (209) 883-4054.

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CALIFORNIA BROWN ACT

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). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the City Clerk at (209) 883-4054, during regular business hours, at least twenty-four hours prior to the time of the meeting.

RULES FOR ADDRESSING CITY COUNCIL

Members of the audience who wish to address the City Council are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk.

PUBLIC COMMENT

Members of the Audience may address the City Council on any item of interest to the public pertaining to the City and may step to the podium, state their name and address and make their presentation. Please limit presentations to five minutes. Since the City Council cannot take action on matters not on the agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

Public Comment:

Ms. Eddy Cash-Dudley delivered a presentation on behalf of the Stanislaus County League of Women Voters.

Mr. Martin Lemire of Hughson commended the City for the addition of signage on Hatch Road.

Council Member Steven Qualls announced his resignation for the Hughson City Council effective at midnight on January 28, 2008 to take a position with the League of California Cities.

The City Attorney advised Council that they must appoint a new Council Member or call a special election within 30 days.

1) Consent Calendar:

- a) Approval of Warrants.
- b) Adopt Uncodified Ordinance 08-01 establishing New Sewer Service Rates.

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- c) Consider Resolution No. 08-16 urging the California Air Resources Board (ARB) to increase the District's share of Proposition 1B, Air Quality Mitigation Funding. (Staff report with agenda) (Motion needed)
- d) Approval of Task Order No. four (4) with Fehr & Peers regarding Fifth and Elm Street safety analysis and circulation plan.

Mayor Moore pulled items 1.(b) and 1. (d).

Moore/ Qualls 5-0-0-0 unan. approve the consent calendar excluding items 1.(b) and 1.(d).

Moore/ Adams 4-1-0-0 majority, approve item 1. (b) Ordinance No. 08-01.

Bawanani/ Adams 5-0-0-0 unan. approve item 1. (d) conditioned on a letter of agreement with the School District to pay for half of the study.

PUBLIC HEARING

The Public Hearing process includes a staff presentation, a presentation by the applicant and public testimony (in favor, opposed & rebuttal). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing.

- 2) Public hearing to consider the following:
 - a) Resolution No. 08-14, Ordering the Levy and Collection of the Assessment for 7030 Hughson Avenue, APN 018-043-004, within the Central Hughson Benefit Assessment District Zone One (1) for Fiscal Year 2008/2009.
 - b) Resolution No. 08-13, Ordering the Levy and Collection of Assessment for 7030 Hughson Avenue, APN 018-043-004, within the Central Hughson Lighting and Landscaping District Zone One (1) for Fiscal Year 2008/2009.(Staff report with agenda) (Motion needed)

The Mayor opened the Public Hearing. There was no public comment and the Hearing was closed.

Moore/ Adams 5-0-0-0 unan. approve Resolution No. 08-14.

Bawanan/ Qualls 5-0-0-0 unan. approve Resolution No. 08-13.

ADJOURN TO REDEVELOPMENT AGENCY MEETING

The Redevelopment Agency Meeting convened at 7:21 P.M.

RECONVENE CITY COUNCIL MEETING

The City Council Meeting reconvened at 7:31 P.M.

- 3) Consider Resolution No. 07-257, Awarding the Bid for the Andrew Fontana Park Project.
(Staff report with agenda) (Motion needed)

No action taken.

- 4) Consider Rental Fee increase for the Hughson Community Center.
(Staff report with agenda) (Motion needed)

Council directed staff to look at new ways to advertise the Hughson Community Center.

- 5) Discussion and direction on Stanislaus County Council of Governments (StanCog) Proposed Transportation Sales Tax Measure.
(Staff report with agenda)

It was the consensus of the Council to support table four (4) of the proposed Transportation Sales tax Measure.

- 6) Consider Resolution No. 08-09 amending the Stanislaus County Council of Government (StanCog) Joint Powers Agreement (JPA) 2008.
(Staff report with agenda) (Motion needed)

The City Attorney, John Stovall excused himself from Item six (6) due to a conflict of interest.

Moore/ Qualls 5-0-0-0 unan. approve Resolution No. 08-09.

CORRESPONDENCE:

CITY MANAGER'S REPORT:

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The City Manager reported on upcoming meetings.

CITY CLERK'S REPORT:

The City Clerk advised Council that the entire agenda packet may be viewed online.

DIRECTOR OF FINANCE REPORT:

Absent due to the Death of her father.

DIRECTOR OF PLANNING AND BUILDING REPORT

Electronically submitted report.

DIRECTOR OF PUBLIC WORKS REPORT:

Electronically submitted report.

POLICE DEPARTMENT REPORT:

Delivered a report to the Council at the meeting.

PARKS AND RECREATION MANAGER REPORT:

Electronically submitted report.

CITY ATTORNEY'S REPORT:

COUNCIL MEMBER COMMENTS:

Council commended Mr. Qualls on his service to the Hughson community.

CLOSED SESSION TO DISCUSS THE FOLLOWING:

- 7) CONFERENCE WITH LABOR NEGOTIATOR pursuant to Section 54957.6 of the Government Code

Agency Negotiator: Joseph E. Donabed, City Manager
Employee Organizations: Management Unit

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The Council unanimously affirmed Administrative Policy No. 08-01 clarifying and interpreting but not changing section 9.09 of the City of Hughson Personnel Manual as a guide of implementation of that section.

- 8) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(c)

One potential case

Approval was given to initiate litigation. The action, the defendants and the other particulars will be disclosed to any person upon inquiry, once the action has been formally commenced.

- 9) CONFERENCE WITH LEAGAL COUNCEL – EXISTING LITIGATION pursuant to Section 54956.9 (a)

RONALD G. BILLINGS and SANDRA M. BILLINGS v. CITY OF HUGHSON (Case No. 613601)

SCOTT RICARDO and JEANETTE RICARDO v. CITY OF HUGHSON (Case No. 617254)

ANSELMO PARRA and VIRGINIA PARRA v. CITY OF HUGHSON (Case No.617597)

ROBERT R. GASCON v. CITY OF HUGHSON (Case No. 617598)

JOANNE M. WALKER – PORTER v. CITY OF HUGHSON (Case No. 617599)

JASON COLEY and AMY COLEY v. CITY OF HUGHSON (Case No. 617600)

No action to report.

ADJOURNMENT:

The Meeting was adjourned at 10:15 P.M.

ATTEST:

MARY HEMMINGER, DEPUTY CITY CLERK