

HUGHSON CITY COUNCIL

MINUTES

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

March 10, 2008
Regular Meeting

CALL TO ORDER

Present:

Mayor Moore, Council Members, Adams,
Bawanan, Ledermann and Hesling

Absent:

None

Staff Present:

Joe Donabed, City Manager
Thom Clark, Planning & Building Director
David Chase, Director of Public Works/ City
Engineer
Deborah Barone, Finance Director
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.

Mr. Hubert Elsesser of Hughson advised Council of his concerns regarding National Energy crisis and presented the Council with related information.

Mr. Martin Lemire of Hughson advised the Council that the Red Zones in the City were in need of painting and that he would be willing to volunteer and sign a liability release.

George Harcrow of Hughson asked Council to review Section 9.30 of the Hughson Municipal Code.

- 1) Consent Calendar:
 - a) Approval of the Minutes for the Regular and Special Meetings of February 19th and the 25th, 2008.
 - a) Approval of Warrants.
 - b) Adoption of Ordinance No. 08-02, a Development Agreement by and between W. David Hendley Family Limited Partnership and City of Hughson Relating to the Development Known as the Hendley Project (Also Known as the Grossi Project). Project located at the North East corner of Tully Road and Roeding Road APN: 018-048-010. (Staff report with agenda)

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- c) Approval of Resolution No. 08-29 accepting and appropriating \$400,000.00 from the State of California 2007-2008 Proposition 1b Transportation Bond to be used for the 2007-2008 City wide pavement resurfacing project No. SMP 02.
(Staff report with agenda)
- e) Approval of Resolution No. 08-30 removing Stephen Qualls and Mary Jane Cantrell from the bank account and add Ramon Bawan as the Mayor Pro Tem and Mary Hemminger as the Management Analyst/ Deputy City Clerk.
(Staff report with agenda)
- f) Approval by Minute Order to accept public improvements and file Notice of Completion for Starn Park and Authorize the City Manager to Submit a Project Completion package to the California Department of Parks and Recreation Pursuant to the 2000 Bond Act Grant.

Bawan/ Hesling 5-0-0-0 unan. approved the Consent Calendar.

- 2) Presentation of plaque to former Mayor Pro Tem Stephen Qualls for his years of service to the City of Hughson.
- 3) Request from the Hughson Chamber of Commerce to obtain a three day street closure for the Fruit and Nut Festival and present an update to the Council on upcoming events at the festival.

The Chamber advised Council that the Hughson Fruit and Nut Festival will be a paid event this year requiring fencing to control admission. Chamber Staff requested a list of Business Licenses issued by the City. Council direction was to have staff look into providing the Chamber with the requested information.

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.

Public Hearing to consider the following:

- 4) Approval of the following actions for the Central Hughson LLD, BAD and City of Hughson Fire Suppression Assessment District.
 - (a) Hold the Public Hearing and receive testimony.

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- (b) Tally the ballots and declare the results. If confirmed by the ballots adopt the following resolutions:
- (c) Approve Resolution No.08-33 declaring its intention to authorize the City of Hughson Fire Suppression Assessment District, and accept an amended preliminary Engineer's Report authorizing a Ballot Proceeding for the Levy of Proposed Assessments for the Fiscal year 2008-2009.
- (d) Approve Resolution No. 08-34 declaring its intension to Annex territories into the Central Hughson Benefit Assessment District and preliminarily accepting the Engineer's Report, authorizing an Assessment Ballot Proceeding to provide for the Levy of Proposed Assessments for the Fiscal year 2008-2009.
- (e) Approve Resolution No. 08-35 decaling its intention to Annex territories into the Central Hughson Landscape and Lighting District and preliminarily accepting the Engineer's Report authorizing an Assessment Ballot Proceeding for the Levy of Proposed Assessments for the Fiscal year 2008-2009.
(Staff report with agenda) (Motion needed)

The Mayor Opened the Public Hearing at 7:32 P.M. The City Attorney pointed out a minor error that the titles on the Agenda did not match the titles on the Resolutions. The City Attorney read for the record the titles of Resolutions No. 08-33, 08-34 and 08-35 for consideration and advised Council to proceed.

George Harcrow of Hughson spoke in opposition of the Fire Suppression Assessment.

Keith Crabtree of Hughson asked for clarification between the difference in a Fire Suppression Assessment and the current funding mechanism of the Hughson Fire protection District.

The Public Hearing was closed.

The City Attorney advised Council that there were no ballots in opposition or in favor of the Fire Suppression Assessment. Mr. Harcrow of Hughson protested, stating he had hand delivered his ballot to City Hall more than a month ago. The City Attorney advised Council, staff and citizens that Resolution No. 08-33 would be continued to the next meeting pending the location of Mr. Harcrow's ballot.