

## HUGHSON CITY COUNCIL

### MINUTES REGULAR MEETING 7:00 P.M.

Council Chambers  
7018 Pine Street, Hughson CA  
City Hall

November 28, 2011  
Regular Scheduled Meeting

#### CALL TO ORDER:

#### ROLL CALL:

Present: Mayor Ramon Bawanan  
Councilmember Jill Silva  
Councilmember Jeramy Young  
Councilmember George Carr

Absent: Mayor Pro Tem Matt Beekman (Excused)

Staff Present: Bryan Whitemyer, City Manager  
Dan Schroeder, City Attorney  
Darin Gharat, Chief of Police Services  
Margaret Souza, Interim Finance Director  
Lisa Whiteside, Acting Finance Manager  
Dominique Spinale, Mgmt. Analyst/Deputy City Clerk  
Sam Rush, Public Works Superintendent

PLEDGE OF ALLEGIANCE: Mayor Bawanan

INVOCATION: Pastor Dave Tomatis

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.

WAIVER WARNING

**Waiver Warning:** If you challenge a decision/direction of the City Council/Redevelopment Agency in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

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. **Filling out the card is voluntary.**

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 City of Residence for the record (requirement of Name and City of Residence is optional) 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.

1) **CONSENT CALENDAR:**

All items are approved by a single action. A member of the Public, Staff, or the City Council may remove any of the items from the Consent Calendar for discussion.

- a) Approval of the Minutes from the November 14, 2011 meeting.  
(Spinale)
- b) Approval of the Warrants for the Months of October and November 2011.  
(Whiteside)

**Mayor Bawanan pulled Consent Calendar Item (a) for discussion.**

**Silva/Carr 4-0-0-1(Beekman-absent) motion passes to approve Consent Calendar Item (b).**

**Attorney Schroeder advised that for Item 1(c) on page 3 of the Minutes of November 14, the motion order will be corrected to "Beekman/Silva (4-0-0)". Attorney Schroeder explained that Mayor Bawanan's abstention does not need to be reflected in the vote because he excused himself due to a conflict of interest and removed himself from the chambers.**

**Bawanan/Silva 4-0-0-1 (Beekman-absent) motion passes to approve the Minutes as amended.**

**PRESENTATIONS:**

- 2) The Central San Joaquin Valley Risk Management Authority (CSJVRMA)  
(Whitemyer – PowerPoint Presentation) (Information Only)

**City Manager Whitemyer presented a power point to the Council and answered any questions asked.**

- 3) The Stanislaus County Library Annual Report for Fiscal Year 2010-2011.  
(County Librarian, Vanessa Czopek; Hughson Branch Manager, Dianna Dulaney; Friends of the Library President, Joan House.)  
(No Motion Needed) (Information Only)

**County Librarian Vanessa Czopek spoke to the Council about the importance of the library and discussed the annual report for fiscal year 2010-2011. Janet Ciccarelli and Joan House also spoke to the Council about the importance of the library and the services it provides to the community and its residents. All speakers encouraged the Council to support the extension of the 1/8 sales tax that will be up for vote in 2012.**

**CITY BUSINESS – CONSIDER THE FOLLOWING:**

- 4) Consider Resolution No. 2011-076, a Resolution of the City Council of the City of Hughson supporting the extension of a 1/8 cent sales tax, which would fund the Stanislaus County Library.  
(County Librarian, Vanessa Czopek; Hughson Branch Manager, Dianna Dulaney; Friends of the Library President, Joan House.)  
(Motion Needed)

**Silva/Young 4-0-0-1 (Beekman-absent) motion passes to approve the adoption of Resolution No. 2011-076, supporting the extension of the 1/8 cent sales tax that would fund the Stanislaus County Library.**

- 5) Consider the appointment of two (2) members from the Local Agribusiness Industry to serve on the City of Hughson's Economic Development Committee.  
(Whitemyer – Staff Report Included) (Motion Needed)

**Bawanan/Silva 4-0-0-1 (Beekman- absent) motion passes to approve Mayor Bawanan's appointment of Marie Assali and Jim Duarte to serve on the City of Hughson's Economic Development Committee.**

- 6) Consider Resolution No. 2011-077, a Resolution of the City Council of the City of Hughson approving the revised Annual Budget for the City Hughson for Fiscal Year 2011-2012 and hereby rescinding Resolution No. 2011-071.  
(Souza – Staff Report Included) (Motion Needed)

**Silva/Carr 4-0-0-1 (Beekman-absent) motion passes to approve the adoption of Resolution No. 2011-077, approving the revised Annual Budget for the City Hughson for Fiscal Year 2011-2012.**

- 7) Consider Resolution No. 2011- 078 authorizing the reimbursement of \$538,794.12 to Turlock Irrigation District pursuant to the First Drinking Water Agreement dated November 28, 2005, for work performed relating to the Regional Surface Water Supply Project.  
(Whitemyer/Schroeder) (Motion Needed)

**City Manager Whitemyer discussed this item with the Council. The Council then deliberated on the item.**

**Councilmember Silva advised that if the City authorized payment of the funds to TID, she would like it to be reflected and recorded in the next meeting of the Regional Surface Water Steering Committee's Minutes.**

**Councilmember Young requested that payment of the funds be reflected in the MOU language currently being drafted for the City's involvement and participation in the project.**

**City Manager Whitemyer agreed with the Council and advised the Council that he will follow up on the actions they requested.**

**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.

**8) PUBLIC HEARING TO CONSIDER THE FOLLOWING:**

No public hearing was scheduled.

**CORRESPONDENCE:**

No Correspondence was scheduled.

**CITY MANAGER REPORT:**

**CITY CLERK REPORT:**

Deputy City Clerk Spinale advised the Council of the upcoming vacancies on the Planning Commission. Applications will be available if anyone is interested in applying and the City will be advertising the two vacancies in the monthly newsletter and the newspaper.

**COMMUNITY DEVELOPMENT DIRECTOR REPORT:**

**DIRECTOR OF FINANCE REPORT:**

**POLICE SERVICES REPORT:**

**CITY ATTORNEY REPORT:**

**CITY COUNCIL MEMBERS REPORTS AND COMMENTS:**

Councilmember Silva updated the Council on the Budget and Finance Subcommittee meeting she attended.

Councilmember Young attended the 20<sup>th</sup> Century Arts and Craft Fair and the 4-H breakfast and said they were great events.

Mayor Bawanani reviewed the upcoming Community Events and thanked the Staff for their work.

**COMMUNITY EVENTS:**

- ± **December 3** – Tree Lighting Ceremony -- Hughson Garden Club – 7<sup>th</sup> St and Hughson Avenue 5:00pm, followed by the Historical Society's Open House at 6:00pm.
- ± **December 9** – Ross Middle School– Annual 6<sup>th</sup> Grade Outdoor Education Dinner Fundraiser, 4:30-8:30pm, Ross Middle School Cafeteria, call Tammy 620-3131

**CLOSED SESSION TO DISCUSS THE FOLLOWING:**      8:13 p.m.

9) **Council Members will meet in Closed Session for the Following scheduled items:**

- a. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code section 54957.6.

Agency Negotiator: Bryan Whitemyer, City Manager

Employee Organizations: Operating Engineers Local No. 3  
(Skilled Trades, Professional and Technical)

Management

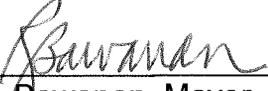
**b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to  
Government Code section 54957.**

Title: City Manager

**The Council returned from closed session at 8:41 p.m. All Council members  
were present except Councilmember Beekman. No reportable action was taken.**

**ADJOURNMENT: Mayor Bawanan adjourned the meeting at 8:42 p.m.**

APPROVED:

  
\_\_\_\_\_  
Ramon Bawanan, Mayor

ATTEST:

  
\_\_\_\_\_  
Dominique Spinale, Deputy City Clerk