



CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

AGENDA
MONDAY, MARCH 23, 2015 – 7:00 P.M.

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

FLAG SALUTE: Mayor Matt Beekman

INVOCATION: Hughson Ministerial Association

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

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.

2. PRESENTATIONS:

2.1: A Proclamation of the Hughson City Council, proclaiming April 12-18, 2015 as National Library Week.

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 individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1: Approve the Minutes of the Regular Meeting of March 9, 2015.
- 3.2: Approve the Warrants Register.
- 3.3: Review and Approve the City of Hughson Treasurer's Report: Investment Portfolio Report for January 2015.
- 3.4: Approve a Fee Waiver for Hughson Youth Baseball/Softball (HYBS) pertaining to the Use of Rolland Starn Park/Keith Crabtree Field for the 2015 Regular Season and find that said Fee Waiver is for a Public Purpose and Necessity since HYBS will be Providing Improvements to the Field Equal or Greater than the Fee Being Waived.
- 3.5: Accept the 2014 Annual General Plan Report and the 2014 Annual Housing Element Progress Report.
- 3.6: Review and Approve Staff's Draft Update to the Land Use Category of the City of Hughson 2015 Goals and Objectives Document.

ADJOURN TO THE CITY OF HUGHSON SUCCESSOR AGENCY TO THE HUGHSON REDEVELOPMENT AGENCY MEETING**RECONVENE TO THE CITY OF HUGHSON CITY COUNCIL MEETING****4. UNFINISHED BUSINESS:**

- 4.1: Discuss and Consider Direction on the City Owned Property Located on Leedom Road Near the Waste Water Treatment Facility.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: **NONE.****6. NEW BUSINESS:**

- 6.1: Review and Discuss LAFCO's Proposed Amendment to Their Agricultural Mitigation Policy Pertaining to In Lieu Fees.
- 6.2: Approve the Regional Solid Waste Disposal Plan Memorandum of Understanding between the City of Hughson and Stanislaus County inclusive of any final edits by the City Attorney and Authorize the Mayor to execute the Regional Solid Waste Disposal Plan Memorandum of Understanding between the City of Hughson and Stanislaus County.

7. CORRESPONDENCE:

- 7.1: Update of the Hatch Road and Santa Fe Avenue Signal Project.
- 7.2: Planning Commission Agenda from March 17, 2015.
- 7.3: Economic Development Committee Agenda for March 23, 2015.

8. COMMENTS:

8.1: Staff Reports and Comments: (Information Only – No Action)

City Manager:

City Clerk:

Community Development Director:

Director of Finance:

Police Services:

City Attorney:

8.2: Council Comments: (Information Only – No Action)

8.3: Mayor’s Comments: (Information Only – No Action)

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.

10. REPORT FROM CLOSED SESSION: NONE.

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the City Council 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).

UPCOMING EVENTS:

March 25	▪ Oversight Board to the RDA Special Meeting, City Hall Chambers, 5:30 P.M.
April 5	▪ Easter Sunday – Holiday
April 13	▪ City Council Meeting, City Hall Chambers, 7:00 P.M.
April 14	▪ Parks and Recreation Commission Meeting, City Hall Chambers, 6:00 P.M.
April 18	▪ LOVE Hughson Event – visit www.lovehughson.org – Breakfast and Rally @ Senior Community Center, 2307 4 th Street, 7:00 A.M.
April 21	▪ Planning Commission Meeting, City Hall Chambers, 6:00 P.M.
April 27	▪ City Council Meeting, City Hall Chambers, 7:00 P.M.

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.**

AFFIDAVIT OF POSTING

DATE: March 19, 2015 **TIME:** 6:00pm
NAME: Dominique Spinale Romo **TITLE:** City Clerk

**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.

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.

General Information: The Hughson City Council meets in the Council Chambers on the second and fourth Mondays of each month at 7:00 p.m., unless otherwise noticed.

Council Agendas: The City Council agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054



CITY OF HUGHSON AGENDA ITEM NO. 2.1

SECTION 2: PRESENTATIONS

Meeting Date: March 23, 2015
Subject: Proclaim April 12-18, 2015 as National Library Week
Presented By: Dominique Spinale Romo, Assistant to the CM / City Clerk

Approved By: _____

Staff Recommendation

Proclaim April 12-18, 2015 as National Library Week.

Background and Overview:

The mission of the Stanislaus County Library is to foster the love of reading and open the door to knowledge.

In an effort to spread the word on the importance of libraries, every April the Stanislaus County Library requests a Proclamation from the City of Hughson and the seven other cities in Stanislaus County, declaring a National Library Week. This year it will take place April 12-18, 2015.

Ms. Heather Bailey, Hughson Library Branch Manager, will be present to accept the Proclamation from the City of Hughson.



*PROCLAMATION
NATIONAL LIBRARY WEEK - APRIL 12-18, 2015*

WHEREAS, reading and literacy are cornerstones of a free and democratic society; and

WHEREAS, libraries support democracy and effect social change through their commitment to providing equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, or socio-economic status; and

WHEREAS, literacy is key to achieving personal success in school, in business and in life; and

WHEREAS, libraries and librarians open up a world of possibilities through innovate programming and through the power of reading; and

WHEREAS, librarians are trained, tech-savvy professionals, providing technology training and access to technologies; and

WHEREAS, libraries offer 24/7 access to library services through online resources such as eBooks, eMagazines, downloadable audiobooks, music, and movies, online language instruction, and research databases; and

WHEREAS, libraries partner with parents and caregivers to empower children with the knowledge and skills necessary for successful participation in school; and

WHEREAS, libraries continually grow and evolve in how they provide for the needs of every member of their communities; and

WHEREAS, librarians are actively building partnerships in the community and reaching out to parents, children and low-literate adults; and

WHEREAS, libraries provide free resources such as employment searches, test preparation materials and computer training classes; and

WHEREAS, libraries, librarians, library workers and supporters in Stanislaus County are celebrating National Library Week.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson does hereby unanimously proclaim April 12-18, 2015, National Library Week in Stanislaus County and urges everyone to visit their local library to take advantage of the wonderful resources available, provided through the voter-approved 1/8-cent sales tax dedicated to the support of libraries.

Presented on this 23rd day of March, 2015

MATT BEEKMAN, Mayor



CITY OF HUGHSON AGENDA ITEM NO. 3.1 SECTION 3: CONSENT CALENDAR

Meeting Date: March 23, 2015
Subject: Approval of the City Council Minutes
Presented By: Dominique Spinale Romo, Assistant to the CM/City Clerk

Approved By: _____

Staff Recommendation:

Approve the Regular Meeting Minutes of the March 9, 2015 session.

Background and Overview:

The draft minutes of the March 9, 2015 meetings are prepared for the Council's review.



**CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA**

**MINUTES
MONDAY, MARCH 9, 2015 – 7:00 P.M.**

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL:

Present: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young
Councilmember George Carr
Councilmember Harold Hill

Absent: Councilmember Jill Silva

Staff Present: Raul L. Mendez, City Manager
Daniel J. Schroeder, City Attorney
Jaylen French, Community Development Director
Darin Gharat, Chief of Police Services
Dominique Spinale Romo, Assistant to the CM/City Clerk
Sam Rush, Public Works Superintendent
Lisa Whiteside, Finance Manager

FLAG SALUTE: Mayor Matt Beekman

INVOCATION: Hughson Ministerial Association

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

No Public Comments.

2. PRESENTATIONS:

- 2.1:** Certificate of Recognition to Chief of Police Services, Darin Gharat and Review and Accept the 2014 Hughson Police Services Year-End Report.

Chief Gharat presented the 2014 Year-End Report to the City Council and advised that the five deputies who are assigned in Hughson continue to work diligently in keeping the City of Hughson the safest City in Stanislaus County. He then reviewed areas in the report, including traffic collisions, burglaries, and traffic enforcement, sharing the partnerships that both he and the deputies have established in the City, which have helped educate and protect the residents and businesses in town.

The City Council thanked Chief Gharat for his service and leadership in City from July 2011 to March 2015 and Mayor Beekman presented him with a Certificate of Recognition from the City.

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 individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1:** Approve the Minutes of the Special Meeting/State of the City Address on February 23, 2015.
- 3.2:** Approve the Warrants Register.
- 3.3:** Approve the Treasurer's Report for January 2015.
- 3.4:** Adopt Resolution No. 2015-04, a Resolution of the Hughson City Council Supporting the Approval of the Draft Fiscal Year 2015-2020 Consolidated Plan and Draft Fiscal Year 2015-2016 Annual Action Plan.
- 3.5:** Approve the First Amendment to the Professional Services Agreement between the City of Hughson and Bartle Wells & Associates for Water Rate Study Services and Authorize the City Manager to Execute the First Amendment to the Professional Services Agreement.
- 3.6:** Adopt Resolution No. 2015-05, a Resolution of the City Council of the City of Hughson Accepting the 5th Street Sidewalk Infill Project and Authorizing the City Clerk to File a Notice of Completion.

BEEKMAN/HILL 4-0 (SILVA- Absent) motion passes to approve the Consent Calendar as presented.

4. UNFINISHED BUSINESS: NONE.**5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.****6. NEW BUSINESS:**

- 6.1:** Consider the Re-appointment of Commissioners Sanjay Patel and Ken Sartain to the Hughson Planning Commission or Provide Direction to Staff to Advertise the Vacancies.

Assistant to the City Manager Spinale presented the Staff Report on this Item.

HILL/BEEKMAN 4-0 (SILVA- Absent) motion passes to re-appoint Commissioners Sanjay Patel and Ken Sartain to the Hughson Planning Commission.

- 6.2:** Authorize Release of Bid Documents for the Reconstruction of Tully Road from Santa Fe Avenue to Whitmore Avenue, the Release of Separate Bid Documents for the Associated Utilities Work on Tully Road Adjacent to and Underneath the Burlington Northern Santa Fe (BNSF) Railroad at Tully Road, and Increase this Project Budget.

Director French presented the Staff Report on this Item. Mayor Beekman asked staff to confirm whether development impact fees can be used to fund this project. Staff would confirm and advise the Council.

HILL/YOUNG 4-0 (Silva- Absent) motion passes to Authorize the Release of Bid Documents for the Reconstruction of Tully Road from Santa Fe Avenue to Whitmore Avenue, the Release of Separate Bid Documents for the Associated Utilities Work on Tully Road Adjacent to and Underneath the Burlington Northern Santa Fe (BNSF) Railroad at Tully Road, and Increase this Project Budget.

7. CORRESPONDENCE:

- 7.1:** Update of the Hatch Road and Santa Fe Avenue Signal Project.
- 7.2:** Parks and Recreation Commission Agenda for March 10, 2015.

8. COMMENTS:

- 8.1:** Staff Reports and Comments: (Information Only – No Action)

City Manager:

City Manager Mendez provided a Quarterly Grants Program Update, as well introduced Marilyn Castaneda, an Intern from CSU, Stanislaus, who will be assisting the City in the area

of social media. He also invited the Council to a fish-fry lunch at City Hall on March 13 in honor of Chief Gharat’s retirement, and advised that the City was in the early stages of pursuing a mentor program with the School district, and would be presenting the idea to the HUSD Board of Trustees that week.

City Clerk: City Clerk Spinale reminded the Council that Form 700s are due by April 1. She also discussed with Council that staff will offer AB 1234/Ethics and Brown Act Training at City Hall this year, and will make it available to other cities and agencies who are interested in participating.

Community Development Director: Director French updated the Council on the Hatch and Santa Fe Signal Project, the Dollar General Design Review going to Planning Commission on March 17, the DFA expansion project, and the Parks and Recreation Commission’s progress with a Smoke-Free Parks Ordinance.

Director of Finance:

Police Services:

City Attorney:

8.2: Council Comments: (Information Only – No Action)

Councilmember Hill shared with the Council that he attended the 4H breakfast and enjoyed it. He also apologized to Councilmember Carr for interrupting him during the Seventh Street Park Acquisition discussion at the February 23 meeting.

8.3: Mayor’s Comments: (Information Only – No Action)

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.

10. REPORT FROM CLOSED SESSION: NONE.

ADJOURNMENT:

CARR/BEEKMAN motion passes to adjourn the meeting at 7:39 P.M.

MATT BEEKMAN, Mayor

DOMINIQUE SPINALE ROMO, City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: March 23, 2015
Subject: Approval of Warrants Register
Enclosure: Warrants Register
Presented By: Lisa Whiteside, Finance Manager

Approved By: _____

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 11, 2015 through March 19, 2015.

Fiscal Impact:

There are reductions in various funds for payment of expenses.

Handwritten initials: *HW*

REPORT.: Mar 19 15 Thursday
RUN.....: Mar 19 15 Time: 15:55
Run By.: Lisa Whiteside

City of Hughson
Cash Disbursement Detail Report
Check Listing for 03-15 Bank Account.: 0100

PAGE: 001
ID #: PY-Df
CTL: HUC

Check Number	Check Date	Vendor Number	Vendor Name	Net Amount	Invoice #	Description
46253	3/11/2015	CIT18	CITY NATIONAL BANK	\$ 238,865.99	B50311	INSTALLMENT SALE AGREEMENT #08-001 WWTP
46254	3/13/2015	EMP01	STATE OF CALIFORNIA	\$ 1,094.37	B50316	PAYROLL TAXES 3/15/15
46255	3/13/2015	HAR02	THE HARTFORD	\$ 429.66	B50316	DEFERRED COMPENSATION
46256	3/13/2015	PER01	P.E.R.S.	\$ 7,911.56	B50316	RETIREMENT
46257	3/13/2015	STA23	CalPERS SUPPLEMENTAL INCO	\$ 370.00	B50316	DEFERRED COMPENSATION
46258	3/13/2015	UNI07	UNITED WAY OF STANISLAUS	\$ 29.00	B50316	UNITED WAY
46259	3/19/2015	ABS00	ABS PRESORT	\$ 670.21	97779	PRINTING UTILITY BILLS
46260	3/19/2015	AFL01	AFLAC	\$ 1,079.72	171138	AFLAC
46261	3/19/2015	ALL07	ALLEY INSURANCE SERVICE,	\$ 592.00	1004	HEALTH PLAN CONSULTING 4/15
46262	3/19/2015	ARR00	ARROWHEAD MOUNTAIN SPRING	\$ 41.62	B50319	BOTTLED WATER
46263	3/19/2015	ATT01	AT&T	\$ 21.53	B50319	PHONE
46264	3/19/2015	ATT02	AT&T MOBILITY	\$ 113.85	B50319	PHONE
46265	3/19/2015	ATT03	AT&T	\$ 13.46	629772	PHONE
46266	3/19/2015	CEN14	CENTRAL JANITOR'S SUPPLY	\$ 255.96	591724	SANITARY SUPPLIES
46267	3/19/2015	CHA01	CHARTER COMMUNICATION	\$ 133.28	B50319	IP ADDRESS- PW SHOP
46268	3/19/2015	CSJ03	CSJVRMA	\$ 20,452.00	2015-0787	14/15 4TH QRT RMA DEPOSIT
46269	3/19/2015	DOJ00	DEPT OF JUSTICE-STATE OF	\$ 32.00	86962	FINGERPRINTING APP
46270	3/19/2015	EXP00	EXPRESS PERSONNEL SERVICE	\$ 1,106.56	154472419	EXTRA HELP
				\$ 1,106.56	154727564	EXTRA HELP
				\$ 668.80	154997217	EXTRA HELP
			Check Total:	\$ 2,881.92		
46271	3/19/2015	GEO01	GEOANALYTICAL LABORATORIE	\$ 30.00	B5B2406	LAB TESTING FOR WATER
				\$ 200.00	B5B2605	LAB TESTING FOR WATER
				\$ 30.00	B5C0301	LAB TESTING FOR WATER
			Check Total:	\$ 260.00		
46272	3/19/2015	GIB00	GIBBS MAINTENANCE CO	\$ 718.00	17533	JANITOR SERVICES FOR 2/15
46273	3/19/2015	KUB00	KUBWATER RESOURCES, INC	\$ 4,897.31	4710	POLYMER
46274	3/19/2015	LEA01	LEAGUE OF CALIF. CITIES	\$ 4,047.87	147310	MEMBERSHIP DUES 2015
46275	3/19/2015	LEG01	LEGAL SHIELD	\$ 25.90	B50319	LEGAL SERVICES
46276	3/19/2015	OFF06	OFFICE TEAM	\$ 748.00	42501079	EXTRA HELP
				\$ 634.44	42516453	EXTRA HELP
				\$ 748.00	42522647	EXTRA HELP
			Check Total:	\$ 2,130.44		
46277	3/19/2015	OPE01	OPERATING ENGINEERS LOCAL	\$ 329.00	B50319	LOCAL UNION #3 DUES

46278	3/19/2015	PIT01	PITNEY BOWES	\$	513.38	7062540	POSTAGE MACHINE LEASE
46279	3/19/2015	REG00	REGIONAL GOVERNMENT SERVI	\$	1,932.81	4790	CONTRACT SERVICES
46280	3/19/2015	RIC04	RICOH USA, INC	\$	1,340.15	94345944	COPIER LEASE
46281	3/19/2015	SEE01	SEEGER'S	\$	236.78	116476	DOORHANGERS - SHUT OFF
46282	3/19/2015	SHR02	SHRED-IT CENTRAL CA	\$	129.34	940488920	SHREDDING
				\$	129.34	940509477	SHREDDING
			Check Total:	\$	258.68		
46283	3/19/2015	STA47	STANISLAUS COUNTY SHERIFF	\$	81,053.32	1415-146	LAW ENFORCEMENT 1/15
46284	3/19/2015	STE07	STEELEY, JARED WATER & WA	\$	2,600.00	5906	CONSULTING SERVICES FOR WATER SYSTEM/SEWER SYSTEM
46285	3/19/2015	UNI11	UNIVAR USA, INC	\$	557.28	SJ66214	SODIUM HYPOCHLORITE
46286	3/19/2015	UNU01	UNUM LIFE INSURANCE CO.	\$	1,241.16	B50319	LIFE INSURANCE WITHHOLDIN
46287	3/19/2015	USA01	USA BLUE BOOK	\$	676.19	577933	WATER DEPT SUPPLIES
46288	3/19/2015	USA02	USA MOBILITY	\$	23.34	B50319	PAGER SERVICE
46289	3/19/2015	USH00	US HEALTHWORKS MEDICAL	\$	66.00	2657465	PROFESSIONAL SERVICES
			Cash Account Total:	\$	377,895.74		
			Total Disbursements:	\$	377,895.74		



CITY OF HUGHSON AGENDA ITEM NO. 3.3 SECTION 3: CONSENT CALENDAR

Meeting Date: March 23, 2015
Subject: Approval of the Treasurer's Report: Investment Portfolio Report – January 2015
Presented By: John Padilla, City Treasurer
Approved By: _____

Staff Recommendation:

Review and Approve the City of Hughson Treasurer's Report: Investment Portfolio Report for January 2015.

Summary:

The City Treasurer is required to review the City's investment practices and approve the monthly Treasurer's report. Enclosed is a summary of the City of Hughson's Investment Portfolio for January 2015 and is provided as a supplementary document to the monthly Treasurer's report. As of January 2015, the City of Hughson's investment total is \$2,533,488.59 and has a total cash and investment balance of \$11,775,197.53. All investment actions executed since the last report have been made in full compliance of the City of Hughson's Investment Policy. The City of Hughson meets its expenditure obligations for the next six months as required by California Government Code Section 53646 (b) (2) and (3) respectively.

Background and Overview:

The Investment Portfolio Report is intended to provide supplementary documentation of the City of Hughson's investment practices. According to the City of Hughson's Investment Policy, the City Treasurer shall submit to the City Council a quarterly investment report containing a complete description of the portfolio, the type of investments, the issuers, maturity dates, par and dollar values, and the current market values of each component of the portfolio. It is the goal of the City Treasurer however, to provide the investment report on a monthly basis as a supplement to the Treasurer's Report. Furthermore, when dealing with investment activities, the City of Hughson primary objectives, in order of priority, are safety, liquidity, and return on investments.

Enclosed is the City of Hughson's Treasurer's Report: Investment Portfolio Report for January 2015 along with supplementary graphs depicting the percentage of the City's portfolio of investments. After review and evaluation of the report, City staff submits the following detailed explanation for investments displaying significant variances:

Multi-Bank WWTP – Doral BK Catano PR & Doral BK San Juan PR

On February 27, 2015 a press release statement was issued by the Federal Deposit Insurance Corporation (FDIC) informing depositors that Doral Bank has closed and has assumed all deposits to Banco Popular De Puerto Rico. As of our January 2015 Multi-Bank Securities (MBS) statement, the City of Hughson has invested \$200,000.00 in certificate deposits (CDs) between the two banks at a combined market value of \$202,275.00, and with \$250.68 of accrued interest. While the FDIC reassures depositors that there is no need for customers to change their banking relationships, City Staff is currently seeking possible options for reinvestment.

L.A.I.F. Investments

The reported Local Agency Investment Fund (L.A.I.F.) investments reflect the City's most current balance statement as of January 15, 2015. The two L.A.I.F. accounts share a combined balance of \$78,667.76, comprising of only 3.11% of the City's total portfolio of investments. L.A.I.F. investments are reported on a quarterly basis. City Staff will continue to report the most recent L.A.I.F. investments and will proceed to update the funds on a quarterly basis.

Fiscal Impact:

As of January 2015, the total investments balance for the City of Hughson is \$2,533,488.59 accounting for 21.52% of the City's total cash and investments. The total cash and investment amount is \$11,775,197.53. Of the amounts invested, 0.17% is invested in Cash, Money, Funds, and Bank Deposits, 3.11% is invested in L.A.I.F. investments, and 96.72% is invested in Certificate Deposits. As the year progresses and market values and interest rates increase, City Staff will continue to monitor and report the City of Hughson's investment practices.

**City of Hughson
Portfolio of Investments
January 2015**

	MONEY MARKET	GENERAL	REDEVELOPMENT*	TOTAL
Bank Statement Totals	\$ 9,057,734.43	\$ 235,059.81	\$ 206,399.18	\$ 9,499,193.42
Adjustment-Direct Deposit Payroll	\$ -			\$ -
Outstanding Deposits +			\$ -	\$ -
Outstanding Checks/transfers -	\$ 32,391.65	\$ (289,876.13)	\$ -	\$ (257,484.48)
ADJUSTED TOTAL	\$ 9,090,126.08	\$ (54,816.32)	\$ 206,399.18	\$ 9,241,708.94
Investments: Various				\$ 1,022,694.56
Multi-Bank WWTP				\$ 1,432,127.27
Investments: L.A.I.F.		\$ 39,396.02	\$ 39,270.74	\$ 78,666.76
Total Investments				\$ 2,533,488.59
Total Cash & Investments				\$ 11,775,197.53

All investment actions executed since the last report have been made in full compliance with the Investment Policy. The City of Hughson will meet its expenditure obligations for the next six months as required by California Government Code Section 53646 (b)(2) and (3) respectively.

Breakdown of Investments

Investments: Various - ***850							
Description	Maturity Dates	Quantity	Opening Balance	Closing Balance	Interest Accrued	% of Portfolio	
Cash, Money, Funds. And Bank Deposits:			\$ 1,971.1900	\$ 1,971.19	\$ -	0.19%	
Total:			\$ 1,971.1900	\$ 1,971.19	\$ -		
Fixed Income (Certificate of Deposits)							
Description	Maturity Dates	Months til Maturity	Quantity	Market Price	Market Value	Interest Accrued	% of Portfolio
GE Money BK Draper Utah INSTL CTF DEP	10/08/10 - 10/08/15	= 7 mo.	\$ 75,000.00	\$ 100.9870	\$ 75,740.25	\$ 472.60	7.41%
BMW BK North Amer Salt Lake City Utah	11/12/10 - 11/12/15	= 8 mo.	\$ 100,000.00	\$ 101.0970	\$ 101,097.00	\$ 438.36	9.89%
Ally Bank Midvalue Utah CTF DEP ACT/365	02/04/11 - 02/04/16	= 11 mo.	\$ 70,000.00	\$ 101.4320	\$ 71,002.40	\$ 690.41	6.94%
GE Cap Finl Inc Retail CTF DEP	09/30/11 - 09/30/16	= 18 mo.	\$ 115,000.00	\$ 101.6840	\$ 116,936.60	\$ 775.07	11.43%
Goldman Sachs BK USA New York CTF DEP DTD	11/16/11 - 11/16/16	= 20 mo.	\$ 53,000.00	\$ 101.8640	\$ 53,987.92	\$ 226.23	5.28%
Discover BK Greenwood Del	05/02/12 - 05/02/17	= 25 mo.	\$ 110,000.00	\$ 100.9300	\$ 111,023.00	\$ 474.66	10.86%
GE Cap Inc Retail CTF Dep Program Book	05/04/12 - 05/04/17	= 25 mo.	\$ 100,000.00	\$ 101.1480	\$ 101,148.00	\$ 417.12	9.89%
American Express Centurion BK CTF DEP	05/09/13 - 05/09/18	= 37 mo.	\$ 100,000.00	\$ 98.8320	\$ 98,832.00	\$ 252.05	9.66%
Belmont SVGS BK Mass	11/13/14 - 11/13/18	= 44 mo.	\$ 27,000.00	\$ 99.5100	\$ 26,867.70	\$ 90.58	2.63%
State BK India York NY	09/11/14 - 09/11/19	= 53 mo.	\$ 55,000.00	\$ 99.3340	\$ 54,633.70	\$ 460.04	5.34%
American Express Fed SVGS BK CTF DEP	10/16/14 - 10/16/19	= 55 mo.	\$ 30,000.00	\$ 99.6120	\$ 29,883.60	\$ 489.08	2.92%
Discover BK Greenwood Del CTF	10/16/14 - 10/16/19	= 55 mo.	\$ 100,000.00	\$ 99.6120	\$ 99,612.00	\$ 360.27	9.74%
American Express Centurion BK CTF DEP	12/04/14 - 12/04/19	= 56 mo.	\$ 80,000.00	\$ 99.9490	\$ 79,959.20	\$ 279.67	7.82%
Total CDs					\$ 1,020,723.37	\$ 5,696.14	99.81%
Total Investments: Various Holdings					\$ 1,022,694.56	\$ 5,696.14	100.00%
Total Portfolio Investment							40.37%

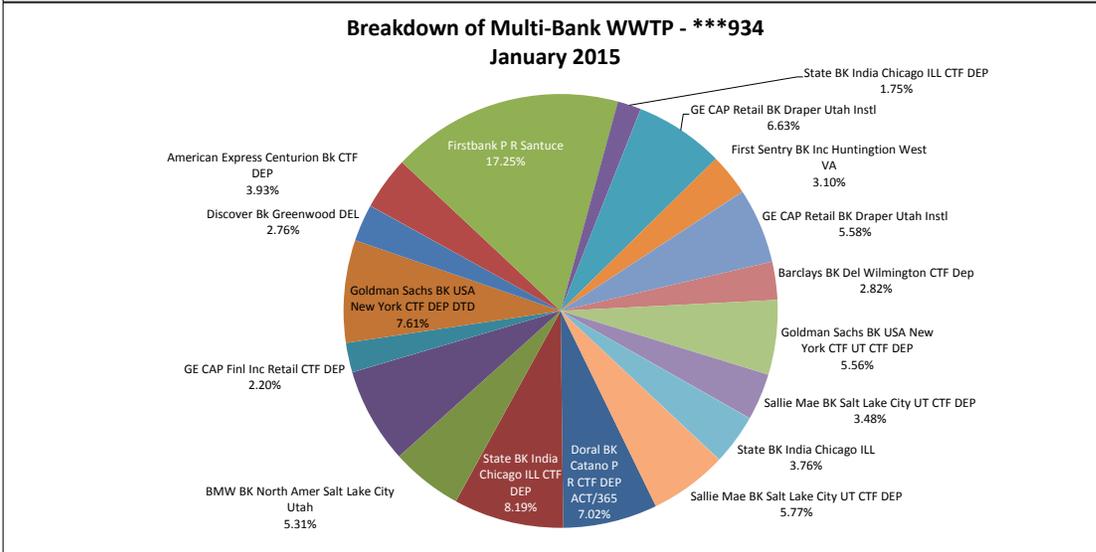
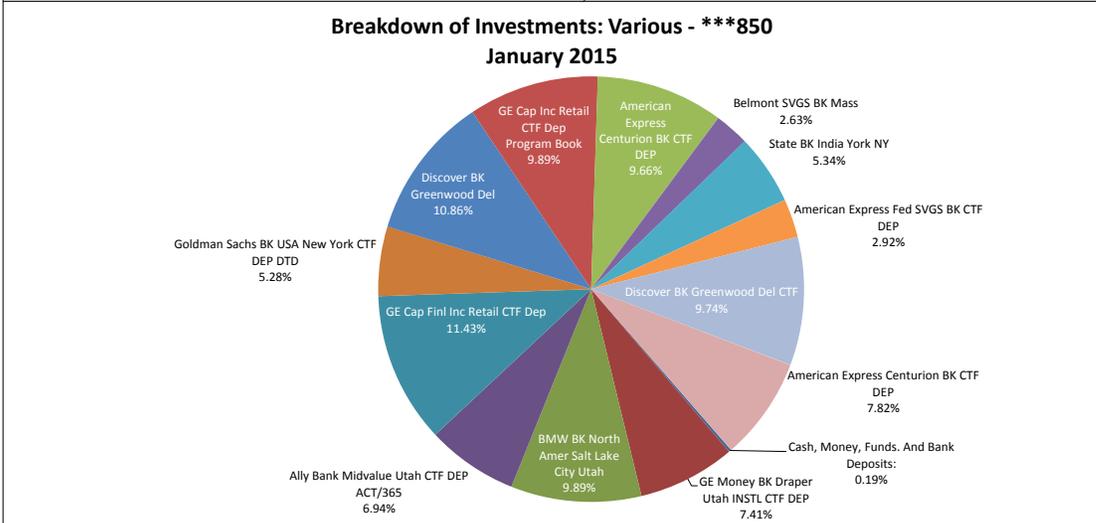
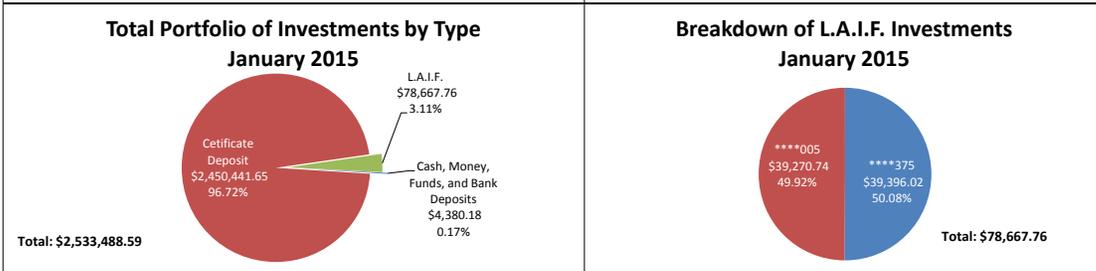
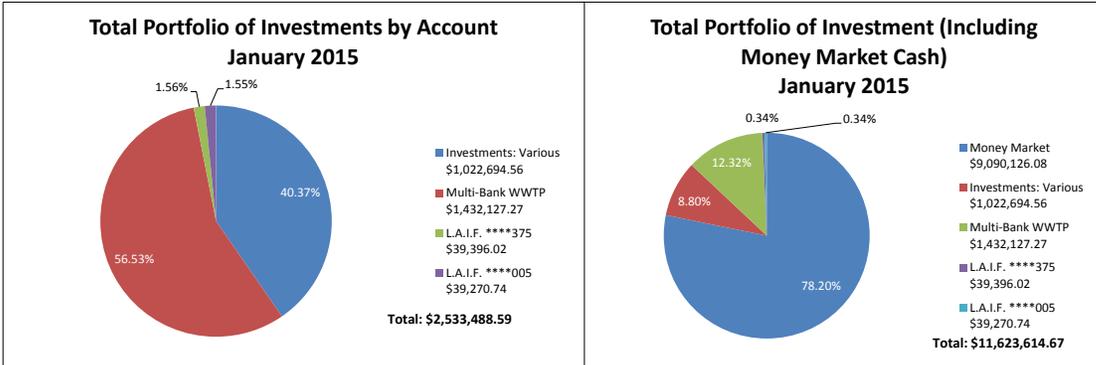
Multi-Bank WWTP - ***934							
Description	Maturity Dates	Quantity	Opening Balance	Closing Balance	Interest Accrued	% of Portfolio	
Cash, Money, Funds. And Bank Deposits:			\$ 764.0800	\$ 2,408.99	\$ -	0.17%	
Total:			\$ 764.0800	\$ 2,408.99	\$ -		
Fixed Income (Certificate of Deposits)							
Description	Maturity Dates	Months til Maturity	Quantity	Market Price	Market Value	Interest Accrued	% of Portfolio
Doral BK Catano P R CTF DEP ACT/365	04/23/10 - 04/23/15	= 1 mo.	\$ 100,000.00	\$ 100.5570	\$ 100,557.00	\$ 65.75	7.02%
State BK India Chicago ILL CTF DEP	09/29/10 - 09/29/15	= 6 mo.	\$ 116,000.00	\$ 101.1130	\$ 117,291.08	\$ 886.68	8.19%
BMW BK North Amer Salt Lake City Utah	11/26/10 - 11/25/15	= 8 mo.	\$ 75,000.00	\$ 101.3060	\$ 75,979.50	\$ 271.23	5.31%
Doral BK San Juan P R CTF DEP ACT/365	03/04/11 - 03/04/16	= 12 mo.	\$ 100,000.00	\$ 101.7180	\$ 101,718.00	\$ 184.93	7.10%
GE CAP Finl Inc Retail CTF DEP	09/30/11 - 03/30/16	= 12 mo.	\$ 31,000.00	\$ 101.6840	\$ 31,522.04	\$ 208.93	2.20%
Goldman Sachs BK USA New York CTF DEP DTD	11/23/11 - 11/23/16	= 20 mo.	\$ 107,000.00	\$ 101.8730	\$ 109,004.11	\$ 414.66	7.61%
Discover BK Greenwood DEL	05/08/13 - 05/08/18	= 38 mo.	\$ 40,000.00	\$ 98.8360	\$ 39,534.40	\$ 105.86	2.76%
American Express Centurion Bk CTF DEP	05/09/13 - 05/09/18	= 38 mo.	\$ 57,000.00	\$ 98.8320	\$ 56,334.24	\$ 143.67	3.93%
Firstbank P R Santuce	05/10/13 - 05/10/18	= 38 mo.	\$ 250,000.00	\$ 98.8200	\$ 247,050.00	\$ 151.03	17.25%
State BK India Chicago ILL CTF DEP	12/18/13 - 12/18/18	= 45 mo.	\$ 25,000.00	\$ 100.1360	\$ 25,034.00	\$ 61.78	1.75%
GE CAP Retail BK Draper Utah Instl	01/10/14 - 01/10/19	= 46 mo.	\$ 95,000.00	\$ 100.0070	\$ 95,006.65	\$ 103.85	6.63%
First Sentry BK Inc Huntington West VA	03/08/13 - 03/08/19	= 48 mo.	\$ 46,000.00	\$ 96.5640	\$ 44,419.44	\$ 33.33	3.10%
GE CAP Retail BK Draper Utah Instl	03/21/14 - 03/21/19	= 48 mo.	\$ 80,000.00	\$ 99.8640	\$ 79,891.20	\$ 559.89	5.58%
Barclays BK Del Wilmington CTF DEP	05/28/14 - 05/28/19	= 50 mo.	\$ 40,000.00	\$ 101.1240	\$ 40,449.60	\$ -	2.82%
Goldman Sachs BK USA New York CTF UT CTF DEP	06/04/14 - 06/04/19	= 51 mo.	\$ 80,000.00	\$ 99.5110	\$ 79,608.80	\$ 254.25	5.56%
Sallie Mae BK Salt Lake City UT CTF DEP	10/08/14 - 10/08/19	= 55 mo.	\$ 50,000.00	\$ 99.6820	\$ 49,841.00	\$ 338.70	3.48%
State BK India Chicago ILL	10/14/14 - 10/15/19	= 55 mo.	\$ 54,000.00	\$ 99.6590	\$ 53,815.86	\$ 338.65	3.76%
Sallie Mae BK Salt Lake City UT CTF DEP	10/22/14 - 10/22/19	= 55 mo.	\$ 83,000.00	\$ 99.5920	\$ 82,661.36	\$ 493.79	5.77%
Total CDs			\$ 1,429,000.00	\$ 1,800.8780	\$ 1,429,718.28	\$ 4,616.98	99.83%
Total Multi-Bank WWTP Holdings					\$ 1,432,127.27	\$ 4,616.98	100.00%
Total Portfolio Investment							56.53%

L.A.I.F. Investments					
Account #	Quarter End Principal Balance as of 01/15/2015	Quarterly Interest Earned as of 01/15/2015	Interest Rate	Total	% of Investment
****375	\$ 39,370.79	\$ 25.23	0.25%	\$ 39,396.02	50.08%
****005	\$ 39,245.59	\$ 25.15	0.25%	\$ 39,270.74	49.92%
Total L.A.I.F Investments Holdings				\$ 78,666.76	100.00%
Total Portfolio Investment					3.11%

John Padilla, Treasurer

Date

Charts and Graphs





CITY OF HUGHSON AGENDA ITEM NO. 3.4

SECTION 3: CONSENT CALENDAR

Meeting Date: March 23, 2015
Subject: Consideration of Fee Waiver for Use of Rolland Starn Park/Keith Crabtree Field by Hughson Youth Baseball/Softball for the 2015 Regular Season
Presented By: Jaylen French, Community Development Director
Approved By: _____

Staff Recommendation:

1. Approve fee waiver for Hughson Youth Baseball/Softball (HYBS) pertaining to the use of Rolland Starn Park/Keith Crabtree Field for the 2015 regular season.
2. Find that said fee waiver is for a public purpose and necessity since HYBS will be providing improvements to the Field equal or greater than the fee being waived.

Background and Overview:

On March 10, 2015, the Hughson Parks and Recreation Commission found that a fee waiver for Hughson Youth Baseball/Softball (HYBS) pertaining to the use of Rolland Starn Park/Keith Crabtree Fields was in the public interest and recommended that the City Council approve said fee waiver.

The City Council previously adopted Resolution No. 2008-42 to establish the fee schedule for use of Rolland Starn Park. This includes use of the baseball diamond named in memoriam of Keith Crabtree, a long standing member of the Hughson Parks and Recreation Commission. The fee for rental and use of Keith Crabtree Field by local nonprofit users is \$20 for three hours. The fee for use of the ball field lights is \$22 per hour. The fee schedule allows for the waiver of such fees through approval by the City Council and a finding that the request is in the public interest. Exclusive use of the ball fields have priority scheduling over other uses including public use on a first come first served basis.

Hughson Youth Football and the Mexican American Baseball League are the predominant users of Rolland Starn Park. General public use of the various amenities (baseball field, large covered picnic area, small covered picnic area and uncovered picnic areas) also occurs.

Discussion:

In preparation for the 2014 season, HYBS inquired about the use of Keith Crabtree Field (Field) to allow HYBS to better accommodate the number of games planned for the season which has expanded over the years. 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. Historically, HYBS has used LeBright fields for their league games.

HYBS requested a fee waiver for their inaugural use of the Keith Crabtree Fields in exchange for improvements to the baseball diamond. The City Council approved the waiver last year on the basis of the public interest served and the fact that the planned improvements exceeded what would be generated in the usage fees collected. Specifically, the value of improvements made and costs incurred by HYBS include clay purchased for the infield and related labor, three base pins welded and inserted, the pitching mound and 20 yards of dirt for the field. In total, said improvements were estimated at over \$2,500.

The waiver request was for the 2014 season only. HYBS has since requested a fee waiver for the upcoming 2015 season. City staff met with HYBS representatives last month to discuss the arrangement details for the 2015 season. Based on the registrations thus far, HYBS anticipates participation by local youth to exceed last year's totals by approximately 100 children. Opening day ceremonies for the 2015 season are scheduled for April 18, 2015.

HYBS is a local nonprofit which through its program teaches skills, mental and physical development, a respect for the rules of the game, and basic ideals of sportsmanship and fair play. HYBS has a long standing history in the City of Hughson and through an arrangement with both Hughson Unified School District and the City of Hughson utilizes LeBright Fields annually through the baseball/softball season (April to June). LeBright Fields is used at a reduced rate in exchange for a commitment by HYBS making annual improvements to the baseball fields.

Keith Crabtree Field at Starn Park is maintained by the City. In exchange for waiving of the fee requirement for the Field, HYBS will make improvements to the Field's baseball diamond during the course of the season similar in nature to what the improvements they installed last season. Staff estimates that the value of the Improvements to the City will equal or exceed the amount of the fees that they are asking the City to waive. The improvements will improve the Field to the benefit of the City and all who use it. The improved condition of the baseball diamond should also help generate additional revenue through expanded usage and also encourage long standing users to continue to utilize the field due to its improved condition.

Fiscal Impact:

The revenue that would be generated through the use of Keith Crabtree Field by HYBS for the season is approximately \$1,400.00 not including light usage. The improvements to be made by HYBS have not yet been determined—staff is currently working with the representatives to determine these improvements—but are expected to exceed the value of the park use fees that would be collected.



HYB

Date: 3-10-15

Regarding: Proposed work at Starn Park

<u>Receipts</u>	2014 <u>Actual</u>	2015 <u>Proposed</u>
Clay purchased at Westcoast for infield	\$1,380.02	\$1,500.00
Labor of 2 men		
- Carl Lout	\$387.50	\$400.00
- Fernando Cardoza	\$310.00	\$300.00
Subtotal	\$2,077.52	\$2,200.00
 <u>No Receipts</u>		
3 base pins (welded and inserted underground)	\$200.00	\$200.00
Girls pitching mound	\$50.00	\$50.00
20 yards of dirt	\$200.00	\$200.00
Tractor Rental/ fuel (2 days)	none	\$500.00
Subtotal	\$450.00	\$950.00
Total	\$2,527.52	\$3150.00

additional base pins and another pitcher mount must be added to allow play by all ages

**Receipts for proposed work will be supplied.....*

**PO BOX 1654
HUGHSON, CA. 95326
HUGHSONYOUTHBASEBALL.INFO**



CITY OF HUGHSON AGENDA ITEM NO. 3.5

SECTION 3: CONSENT CALENDAR

Meeting Date: March 23, 2015
Subject: Accept the 2014 Annual General Plan Report and the 2014 Annual Housing Element Progress Report
Enclosures: 2014 Annual Report, City of Hughson General Plan
2014 Annual Housing Element Progress Report
California Government Code, Section 65400
Presented By: Jaylen French, Community Development Director
Approved By: _____

Staff Recommendation:

Consider Accepting the 2014 Annual General Plan Report and the 2014 Annual Housing Element Progress Report

Background and Overview:

Pursuant to Government Code Section 65400, the City of Hughson must provide an annual report—by April 1 of each year—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 General Plan goals and policies during the reporting period.

The Hughson Planning Commission, at their regularly scheduled meeting on March 17, 2015, adopted Resolution No. PC 2015-02, accepting the 2014 Annual General Plan Progress Report for transmittal to the City Council, the State Office of Planning Research (OPR) and the Department of Housing and Community Development (HCD).

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 serves 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.

Fiscal Impact:

There is no fiscal impact associated with accepting the 2014 Annual General Plan Report and the 2014 Annual Housing Element Progress Report.

2014 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 (H&CD) 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; 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 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 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 Housing Element was adopted separately in 2004 and since updated in June 2009. The State allows the combining of elements or the addition of new elements as long as 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 therefore 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 particular timeline, with the exception of the Housing Element, which is required to be updated every five years. The City is in the process of updating the Housing Element with an expected adoption in late-2015.

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

There were no amendments to the Land Use Element in 2014.

Progress

The Planning Commission or City Council did not approve a project in calendar year 2014, which would constitute implementation of the Land Use Element of the General Plan. Several development/projects are currently underway, which are expected to be approved and/or completed in 2015.

CIRCULATION

Amendments

There were no amendments to the Circulation Element in 2014.

Progress

- A. On November 6, 2014, the Planning Commission recommended amending the Hughson Municipal Code (HMC), Section 17, Zoning Ordinance, to remove current prohibition regarding restaurant related drive-throughs. On November 24, 2014, the City Council approved the amendment to the HMC.

- B. On June 9, 2014, the City Council awarded a construction contract for a sidewalk infill project on 5th Street from Hughson Avenue to Fox Road. The project was constructed (in 2014) to add sidewalks and other pedestrian and ADA amenities, as well as a bike lane to a roadway that did not have these improvements.

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- C. In 2014, the City of Hughson was awarded Active Transportation Program (ATP) funds to construct a sidewalk infill project on Fox Road from Charles Street to Tully Road. This project will be completed in Fiscal Year 2016-2017.

CONSERVATION AND OPEN SPACE

Amendments

There were no amendments to the Conservation and Open Space Element in 2014.

Progress

- A. On January 13, 2014, the City Council adopted the East Stanislaus Integrated Regional Water Management Plan (IRWMP), which was prepared in conjunction with the Cities of Ceres, Modesto and Turlock. The purpose of the IRWMP is to manage water resources in coordinated and collaborative effort with other agencies to improve water quality, quantity and reliability. Further the IRWMP summarizes regional goals and objectives for water resource management and identifies strategies, projects and programs intended to fulfill those goals and objectives.

- B. On March 24, 2014, the City Council adopted a Low Impact Development (LID) Manual for the City of Hughson. The purpose of the LID Manual is to ensure thoughtful and responsible storm water management for future development areas, ensure storm water pollution prevention, to reduce community infrastructure costs, create more aesthetic landscaped areas in neighborhoods and commercial areas and to augment groundwater recharge.

-
-
- C. In July and August 2014, the City Council declared a water 'shortage' emergency and adopted an Ordinance No. 2014-03, amending the Hughson Municipal Code, Chapter 13, Water Conservation and Prohibition on Water Waste, to ensure the City is conserving as much water as possible.
 - D. In 2014, the City formally removed City of Hughson Well #6 from the potable water system and transitioned the well to the non-potable system. This well is now used to irrigate the approximately 15 acre Sports and Fitness Complex, a turf field use in conjunction between the City of Hughson and the Hughson Unified School District for sports and recreation purposes.
 - E. On October 13, 2014, the City Council adopted Resolution No. 2014-13 to allow the California Home Energy Renovation Opportunity (HERO) Program to operate in the City of Hughson. The purpose of the HERO Program is to help finance residential and commercial energy and water efficiency improvements.

PUBLIC SERVICES AND FACILITIES

Amendments

There were no amendments to the Public Services and Facilities Element in 2013.

Progress

- A. In 2014, the City was awarded a State of California Land and Water Conservation Fund (LWCF) grant to help fund the potential acquisition of an approximately 19.65 acre parcel for the purposes of establishing a community park in the City. Throughout the year, the City worked towards acquiring, then developing and

maintaining this proposed park. As identified in the General Plan, the intent of the park acquisition was to fill a recreational and park need in the City, especially in the southern portion of the City. Ultimately, the City Council, decided to not pursue the grant and the acquisition of the parcel at this time, but have since directed Staff to work with the Parks and Recreation Commission to identify potential recreational opportunities in the City in lieu of the 19.65 acre parcel.

- B. In early 2014, the City of Hughson received Notice of Application Acceptance for a State Revolving Loan for the Well #7 Replacement Project. This project is intended to replace City of Hughson Well #7, which recently was removed from the municipal water distribution system due to high arsenic levels. The project includes the drilling of a new City well, Well #9, and the re-drilling of an existing City well, Well #5, as well as central arsenic treatment between the two wells. This project is being implemented to address a cease-and-desist order served by the State regarding arsenic levels in the City's municipal water system.

- C. The City of Hughson prepared a Spill Response Plan for Hazardous/Non-Hazardous Materials and Wastes to provide guidelines for the control and mitigation of non-storm water spills that enter the City's storm water conveyance system. The plan focuses on processes and procedures for responding to non-storm water spills involving hazardous/non-hazardous materials and waste.

SAFETY

Amendments

There were no amendments to the Safety Element in 2014.

Progress

In 2014, the City Council approved allocating City of Hughson community enhancement funds to help the independent Hughson Fire Protection District purchase a fire/emergency response command vehicle. The Command Vehicle Unit was operational in October 2014. The Fire District states that the vehicle will assist in responding to fires and other emergencies, helps to better manage the incident and the safety of paid and volunteer fire fighters and coordinate with other protection agencies at the incident.

NOISE

Amendments

There were no amendments to the Noise Element in 2014.

Progress

The Planning Commission or City Council did not approve a project in calendar year 2014, which would constitute implementation of the Noise Element of the General Plan.

HOUSING

Amendments

There were no amendments to the Housing Element in 2014.

Progress

Pursuant to State law, the Stanislaus County Council of Governments (StanCOG) is responsible for the development of the Regional Housing Needs Allocation (RHNA) within Stanislaus County. According to the Final Regional Housing Needs Plan for Stanislaus County 2014-2023, Hughson's regional housing needs share for the determination years has been established as: 218 total housing units—53 in the very low income category, 34 low income, 38 moderate income and 93 above moderate income or about 23 units per year over the nearly nine and a half year period.

- A. The number of residential building permits issued in 2014 was: 29. The City estimates that it will fully satisfy its fair share of the identified regional housing need over the determination years (2014 – 2023).



**Table A2
2014 Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired
pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	At least two rehabilitation/at-risk unit preservation projects are currently underway and will likely be completed in calendar year 2015.
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary



Table A3

**2014 Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported in Table A)**

	Single Family	2 - 4 Units	5+ Units	Second Unit	Mobile Homes	Total
No. of Units Permitted for Moderate						0
No. of Units Permitted for Above Moderate	29					29

2014 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



Table B
Regional Housing Needs Allocation Progress
 Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2014	2015	2016	2017	2018	2019	2020	2021	2022	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	53	0									
	Non-deed restricted		0									
Low	Deed Restricted	34	0									
	Non-deed restricted		0									
Moderate	Deed Restricted	38	0									
	Non-deed restricted		0									
Above Moderate		93	29									64
Total RHNA by COG. Enter allocation number:		218	29									
Total Units ▶ ▶ ▶												
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶												189

2014 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



**Table C
Program Implementation Status**

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.
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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-1-1	The City staff will coordinate with California Department of Housing and Community Development (HCD) staff to apply for the funding that is made available through Proposition 1C. For example, in partnership with an interested non-profit developer, apply to the MHP program for the development of low-income housing. Finally, as affordable units are developed, apply for the Workforce Housing Rewards Program.	Apply for funding as it becomes available	Staff continues to search for interested developers to build and maintain affordable housing.
Program 1-1-2	The City of Hughson is a member of the Stanislaus County Consortium for CDBG entitlement funds.	Annually, subject to available funds	We receive CDBG funds as a part of the county consortium.
Program 1-2-1	The Redevelopment Agency did set aside 20 percent of the gross tax increment revenues received from the Redevelopment Project into a low-to-moderate income housing fund for affordable housing activities. Those funds were designated for low-to moderate income housing rehabilitation programs including financing, infrastructure improvements, land acquisitions, and construction.	Sunsetting.	Funds are no longer available from this program.
Program 1-3-1	Provide technical assistance to developers, nonprofit organizations, or other qualified private sector interests in the application and development of projects for federal and state financing.	Ongoing as projects are submitted to planning and building department	The City continues to develop strategies to attract affordable housing developers.
Program 1-4-1	Continue to use HOME funds to assist first time homebuyers.	Open	The City does not currently have an open HOME grant to provide down payment assistance.

2014 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-5-1	The city will continue to explore the feasibility of an inclusionary requirement for the development of affordable housing.	Explore inclusionary housing options by 2015	City staff continues to evaluate developing an inclusionary zoning program city-wide.
Program 1-6-1	The City will continue to research and seek out developers to build affordable multifamily housing in Hughson through the Low Income Housing Tax Credit (LIHTC) program	Annually	The City continues to respond to low-income housing projects.
Program 1-7-1	Offer deferrals or reductions in zone change fees for affordable multifamily projects, in order to have sufficient low cost land available to meet the City's low-and very low-income Regional Housing Needs Allocation	Ongoing	The City evaluates the deferral or reduction of zone change fees for affordable multifamily projects.
Program 1-7-2	<p>Transitional and supportive housing provides temporary housing, often with supportive services to formerly homeless persons for a period that is typically between six months and two years. The supportive services, such as job training rehabilitation, and counseling, help individuals gain life skills necessary for independent living.</p> <p>Currently, the City permits transitional housing by right in the High Density Residential (R-3) zoning district, and in the General Commercial (C-2) zoning district subject to a conditional use permit. Pursuant to Senate Bill 2, the City must explicitly allow both supportive and transitional housing types in all residential zones. The City currently defines transitional housing in the Zoning code, but will update it Zoning Code to include the definition of supportive housing as defined in the Health and Safety Code Sections 50675.2 and 50675.14. Both transitional and supportive housing types will be allowed as a permitted use subject to only the same restrictions on residential uses contained in the same type of structure.</p>	Ongoing	Due to staff shortages, the update to Hughson's Zoning Ordinance to address Program 1-7-2 has not been completed. Program 1-7-2 ensures the City of Hughson will be compliant with SB 2 and Health and Safety Code Sections 50675.2 and 50675.14.

2014 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-7-3	<p>Assembly Bill 2634 requires the quantification and analysis of existing and projected housing needs to extremely low-income households and requires Housing Elements to identify zoning to encourage and facilitate supportive housing and single room occupancy units (SROs).</p> <p>Currently, single room occupancy units are included under the definition of “boarding and rooming houses”. To ensure zoning flexibility that allow for the development of SROs, the City will update its Zoning Code to allow for SROs in all zones where boarding and rooming houses are allowed. SROs will continue to be allowed with a conditional use permit in the Multiple Family Residential Zone (R-3) and in the General Commercial Zone (C-2). The conditions for these units will continue to be minimal and will only require review by the Community Development Director.</p>	Ongoing	Due to staff shortages, the update to Hughson’s Zoning Ordinance to address Program 1-7-3 has not been completed. Program 1-7-3 ensures the City of Hughson will be compliant with AB 2634.
Program 1-7-4	The City continues to provide a comprehensive listing of the current housing developments in the City which have units reserved for low-income, senior, and disabled households.	Updated annually	The list is available on request. Currently housing available within the city limits is administered by the Stanislaus County Housing Authority.
Program 1-7-5	<p>State Law requires group residential facilities of six or fewer persons to be permitted in all residential zones. Currently Residential Care Homes with 6 or fewer persons are permitted with a conditional use permit.</p> <p>The City will revise the current regulations to meet state law requirements. The City will amend the Zoning Code to allow for Residential Care Homes by right in all residential zones and will allow larger group homes of 7 or more persons in the residential zones with a conditional use permit. Additionally, to further comply with SB 520, the City will amend the Zoning Code to define the definition of family as “One or more persons living together in a dwelling unit”.</p>	Immediately	Due to staff shortages, the update to Hughson’s Zoning Ordinance to address Program 1-7-5 has not been addressed. Program 1-7-5 ensures the City of Hughson will be compliant with SB 520.
Program 1-7-6	Farmworker housing is defined in Sections 17021.5 and 17021.6 of the Health and Safety Code as any employee	Immediately	Due to staff shortages, no progress has been made on this program. The City will continue its efforts to implement this

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Name of Program	Objective	Timeframe	Status of Program Implementation
	<p>housing consisting of no more than 36 beds in a group quarters, or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use designation. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted occupancy in employee housing in an agricultural zone shall include agricultural employees who do not work on the property where the employee housing is located. To comply with Sections 17021.5 and 17021.6 of the Health and Safety Code the City will amend the Zoning Code to allow for farmworker housing in the R-1 zone by right.</p>		<p>program.</p>
<p>Program 1-8-1</p>	<p>Identify specific incentives, zoning actions, and reporting procedures that can be implemented to encourage and monitor the development of affordable and special needs housing opportunities. Identify the demographics and specific needs of the City's population. Determine the City's role for ensuring the construction of affordable housing projects and financing to developers.</p>	<p>Ongoing</p>	<p>Due to staff shortages, no progress has been made on this program. The City will continue its efforts to implement this program.</p>
<p>Program 1-8-2</p>	<p>Continue to permit persons with disabilities of any age to locate in senior citizens independent living facilities that are funded with federal funds according to federal law.</p>	<p>As these types of facilities become available.</p>	<p>No senior independent living facilities that are federally funded are currently available in the City of Hughson. The City will continue to permit persons of any age to locate in senior citizen independent living facilities that are funded with federal funds according to federal law.</p>
<p>Program 1-8-3</p>	<p>Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and stream line the permit review process. The City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and</p>	<p>Ongoing</p>	<p>Due to staff shortages, no progress has been made on this program. At this time, all persons applying for permits are treated equally with regard to the application process. The City will continue to have information available to those who need it.</p>

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Name of Program	Objective	Timeframe	Status of Program Implementation
	<p>procedures based on the guidelines from the California Housing and Community Development Department (HCD). This information will be available through postings and pamphlets at the City and on the City's website.</p>		
<p>Program 1-8-1</p>	<p>Identify specific incentives, zoning actions, and reporting procedures that can be implemented to encourage and monitor the development of affordable and special needs housing opportunities. Identify the demographics and specific needs of the City's population. Determine the City's role for ensuring the construction of affordable housing projects and financing to developers.</p>	<p>Ongoing</p>	<p>Due to staff shortages, no progress has been made on this program. This is a continuing need and it is appropriate for the City to continue its efforts.</p>

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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-9-1	Work with the Housing Authority of Stanislaus County.	Ongoing, as funding becomes available	The City continues to work with the Stanislaus Housing Authority. No vouchers are currently available. However, used vouchers can become available in certain situations such as renters buying a home. The vouchers would be available to people on the waiting list.
Program 1-9-2	Continue to work with the Stanislaus Economic Development and Workforce Alliance (the "Alliance") to provide sufficient detail on employment growth and housing production to ensure affordability to a broad spectrum of City residents.	Ongoing	The City is currently working with the Alliance to track commercial and industrial development in Hughson. These demographics are made available on the City's website as well as in brochures to help attract developers of retail and affordable housing to Hughson.
Program 1-10-1	The City will continue to be responsible for implementing the State's energy conservation standards (e.g., Title 24 Energy Standards). This includes checking of building plans and other written documentation showing compliance and the inspection of construction to ensure that the dwelling units are constructed according to those plans. Applicants for building permits must show compliance with the state's energy conservation requirements at the time building plans are submitted.	Ongoing	The City requires projects to comply with energy conservation standards.
Program 1-10-2	The City will annually ensure that local building codes are consistent with state mandated or recommended green building standards.	Ongoing	The City has adopted Tiers One and Two of CalGreen Standards.
Program 1-10-3	The City will continue to partner with PG&E to promote energy saving programs such as, the California Alternate Rates for Energy (CARE), the Relief for Energy Assistance through Community Help (REACH) and the Family Electric Rate Assistance (FERA).	Ongoing	The City will continue to coordinate with PG&E to promote energy saving programs.
Program 2-1-1	To preserve affordability, allow developers to "piggyback" or file concurrent applications (i.e., rezones, tentative tract maps, conditional use permits, variance requests, etc.) if consistent with applicable processing requirements.	Ongoing	The City allows filing of concurrent applications.

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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 2-1-2	To preserve affordability, provide incentives (i.e., density bonus units, fee reductions, fee deferral, fast-tracking, etc.) to developers of residential projects who agree to provide the specified percentage of units mandated by state law at a cost affordable to very low and/or low-income households.	Ongoing	The Hughson Zoning Ordinance includes a density bonus provision that provides incentives for the production of housing for very low-income and low-income households.
Program 2-2-1	The City will establish an annual review of the newly adopted citywide Design Guidelines (adopted July 2009) to ensure that they do not create a constraint to the development of multi-family housing in Hughson. The City will commit to amending the guidelines as appropriate to address or mitigate any identified constraints. The intent of the Design Guidelines is to ensure design compatibility with the existing neighborhoods and community and not to add a constraint to the development of multi-family housing in the community. The City will, on an annual basis, review and update as necessary its design review guidelines.	Bi-annually	The Guidelines are used when an appropriate development proposal is submitted.
Program 2-3-1	To ensure that the development community (both nonprofit and for-profit) is aware of the housing programs, technical assistance, and funding available, the City will publish and make available, to developers, housing development agencies, and City Residents, the City's Housing Element and updates, Annual Action Plan, Annual Redevelopment Agency Report, and respective notices. Provide and annual funding application workshop for interested agencies and developers.	Annually	The Housing Element is available on the City of Hughson website. Public meetings involving annual reports are held every year before final submissions to the appropriate agencies.
Program 2-4-1	The City will continue to have sufficient capacity to meet the additional housing needs of the City of Hughson based on the construction of the 750,000 – gallon water storage.	Evaluate as part of each Housing Element update	The water tank infrastructure was constructed primarily to insure proper fire flows. The installation of new Well #8 is complete and will help provide adequate water capacity. The well is also a treatment facility for removing arsenic from the water supply. Additional well design and distribution systems are under consideration.
Program 2-5-1	The City will continue to determine the transportations needs of its citizens and services as necessary.	Annually	The City of Hughson works with START, the County's bus system that serves Hughson. The City will continue to evaluate the transportation needs of its citizens.

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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 2-5-2	Apply for funding, such as PTA grant, to aid in the development of a public transportation system for the City.	As funding is available.	No activity has occurred. The City will continue to its effort to implement this program.
Program 3-1-1	The City will provide information regarding vacant land to for-profit and nonprofit developers and other housing providers.	Ongoing	The City updates the vacant land inventory for residential development as part of the Housing Element annual progress report.
Program 3-2-1	To ensure the development of housing that has, to extent possible, a support structure of shopping, services, and jobs within easy access, the City will encourage the development of well planned and designed projects that provides compatible residential, commercial, industrial, institutional, or public uses within a single project or neighborhood.	Ongoing	The General Plan Land Use Policies promotes commercial development integrated with residential neighborhoods with good access for pedestrians and bicyclists and industrial development that will provide jobs for the area.
Program 3-3-1	Monitor the amount of land zoned for both single-family and multifamily development and initiate zone changes as necessary to accommodate affordable housing.	Quarterly	The 2009 Housing Element provides an inventory of 97 acres of land zoned for single family development (R-1) land and 35 acres of land zoned for multiple family development (R-2 and R-3). There is sufficient inventory of residential land and no zone changes are needed.
Program 3-4-1	The City will continue to allow lot consolidation to combine small residential lots into one large lot to accommodate affordable housing production. Provide incentives such as fee waivers and fast tracked timing to developers who provide affordable housing. In addition, where opportunities exist, the City will allow lot consolidation in the low density residential (R-1) and medium density residential (R-2) zones.	Ongoing	The Hughson Zoning Ordinance does not have a lot size requirement in the R-2 and R-3 Zones which would impede consolidation of small residential lots. No lot consolidation projects have been proposed. The City will continue to provide affordability incentives to developers.
Program 3-5-1	Contact landowners within the Sphere of Influence that have land which is appropriate for residential zoning for possible annexation, in order to meet the very low-and low-income housing needs. Initiate annexation and zoning processes on suitable land.	Annually	Currently the City has sufficient vacant land for an affordable project, however should the need arise the City stands ready to initiate processes needed to facilitate an affordable project.
Program 3-6-1	Allow for second units to be constructed with minimal restrictions and in accordance with AB 1866.	As projects are processed	Hughson's Zoning Ordinance allows for second units in the R-1 Zone provided lot size will accommodate it. The ordinance in effect during our previous Housing Element did

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Name of Program	Objective	Timeframe	Status of Program Implementation
		through the Planning Department	not allow for this.
Program 4-1-1	Continue to seek funding for public facilities such as community facilitated loans and public works grants.	Annually	The City continues to seek infrastructure funding.
Program 4-2-1	Supply energy conservation awareness brochures in all public meeting places.	Ongoing, at all public meetings.	The City supplies energy conservation awareness brochures in all public meeting places.
Program 4-3-1	The City will provide technical and financial assistance to all eligible homeowners and residential property owners to rehabilitate existing dwelling units through grants or low interest loans. The City will also continue to apply for and use CDBG and other housing rehabilitation funds.	Annually, with Consortia funding.	The City will continue to use CDBG and other housing rehabilitation funds.
Program 4-4-1	Expand rehabilitation program eligibility to include rental properties.	Sunsetting	The State has removed the opportunity to use redevelopment as a funding source for rental property rehabilitation. We currently have no other open rehab grant programs.
Program 5-1-1	Require that all recipients of locally administered housing assistance funds acknowledge their understanding of fair housing and affirm their commitment to the laws.	Ongoing	The City require recipients of locally administered housing assistance funds to acknowledge their understanding of fair housing
Program 5-1-2	Acquire and maintain fair housing materials, including all pertinent resource, posters, and information available through the Department of Fair Employment and Housing (DFEH) and Housing and Urban Development (HUD) to educate on a variety of fair housing issues. Develop informational flyers and brochures in Spanish and in English that highlight (1) disability provisions of both federal and state fair housing laws and (2) familial status discrimination to be distributed at all types of outreach events including health fairs and City-sponsored events. Distribute materials to public locations such as the library and senior center, multifamily housing, and City Hall.	Ongoing	Information on fair housing laws is available at City Hall. The City staff and recipients of locally administered housing assistance funds are informed about fair housing laws.
Program 5-1-3	Continue to refer all housing discrimination referrals to the City Principal Planner who will work with the complainant	Ongoing	The City has protocols to deal with events due to housing discrimination. None has been received.

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Name of Program	Objective	Timeframe	Status of Program Implementation
	and refer complaints to the State Fair Employment and Housing Commission.		
Program 5-1-4	Conduct regular workshops on the fair housing laws, as they pertain to race, disability, family size, and income discrimination and protection, to educate property owners, managers, and real estate professionals.	Ongoing	No activity has occurred. The City will continue to its effort to conduct workshops on fair housing laws.
Program 6-1-1	The City will continue to support the Housing Authority of the County of Stanislaus to provide housing assistance to very low-, low-, and moderate-income households. The City will maintain membership in the Housing Authority to qualify City residents for the Housing Choice Voucher Program and other existing housing assistance programs administered by the Housing Authority. Provide information on the availability of Housing Authority programs to qualified residents.	Immediate and ongoing	The City is a member of the Stanislaus Housing and Support Services Collaborative and will continue to work with the Housing Authority.
Program 6-2-1	Continue to establish cooperative agreements with a nonprofit housing organization as a support agency to the City.	Immediate and ongoing	The City will continue to work with and maintain agreements with nonprofit agencies.
Program 6-3-1	The City will cooperate with large employers and major commercial and industrial developers to identify and implement development that can balance employment in the City with the housing growth. Develop housing opportunities that are affordable to the incomes of jobs within the City. Consider the effects of new development as proposed. The City will coordinate annual workshop with employers, members of the housing community, and City officials to identify the City's housing and commercial needs.	Annually	No activity has occurred. The City strongly supports development that will create jobs in the community. The City will continue to identify housing and commercial needs.
Program 6-4-1	Monitor the completion and implementation of the goals and policies set by the Housing Element. Continue to update and amend codes and policies as necessary.	Annually	The preparation of the Annual Progress Report helps the City monitor the policies of the Housing Element.

California Government Code

Chapter 3, Local Planning, Article 7, Administration of General Plan, §65400

(a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development pursuant to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2). Prior to and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

The report may include the number of units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

(b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.



CITY OF HUGHSON AGENDA ITEM NO. 3.6

SECTION 3: CONSENT CALENDAR

Meeting Date: March 23, 2015
Subject: 2015 Goals and Objectives Update, Land Use
Enclosures: Proposed 2015 Land Use Goals Document
Presented By: Jaylen French, Community Development Director

Approved By: _____

Staff Recommendation:

Review City staff's draft update to the Land Use category of the City of Hughson 2015 Goals and Objectives document.

Background and Overview:

On January 17, 2015, the City Council hosted a public workshop to revisit the City's Goals and Objectives, which were developed in 2010 through a series of Council and public sessions. In the past, updates were provided to the Council quarterly and are thoroughly reviewed annually.

In addition to discussion about the goals and objectives, City staff shared ideas about a reorganization of the document—to better define and delineate the goals and to create clear objectives to help achieve the goals. In addition, City staff expressed interest in adding 'action items', which is a task that supports the attainment of an objective. All this would help to create a hierarchy in the document, so that readers of the document are clear what the City's top goals are, how the City envisions obtaining those goals, and measuring progress towards their completion.

The City Council directed staff to separate the document into the established goal categories and bring forth an updated, draft version of each goal category at future regular meetings.

Discussion:

Council's direction and staff's desire is to create a document that will truly guide staff's work over time based on the established goals and objectives. In preparing the update to the Land Use category of the Goals and Objectives document, staff determined that an additional category—strategy—should be added to establish clearly what the City hopes to accomplish and how.

The updated Land Use category includes a singular goal and two objectives, which are steps towards achieving that goal. It further includes multiple strategies for each objective, which specifies the various approaches to accomplishing the objective. Finally, it includes multiple action items under each strategy.

Fiscal Impact:

There is no direct fiscal impact associated with updating the City's Goals and Objectives document. There will however be costs resulting from staff's or consultant's time and materials associated with the 'action items' used to achieve the identified goals.

LAND USE

Objective #1: Make downtown a destination for residents and visitors

Strategy A: Improve pedestrian-orientation of downtown by providing pedestrian amenities; ensuring buildings are oriented to the sidewalk and at a pedestrian scale; and creating places for people to gather.

Action #A1: Budget for, as well as encourage/require development projects to extend sidewalk improvements and pedestrian amenities westerly of 2nd Street and easterly of Charles Avenue.

Action #A2: Consider a community plaza, or similar space/concept, in the downtown to facilitate and foster community gathering.

Action #A3: Construct a pilot “parklet” in the downtown, to quickly and cost-effectively provide a gathering space in the downtown.

Strategy B: Encourage and allow for a mix of uses, including entertainment, shopping, residential and municipal and civic, thus bring more people to the downtown.

Action #B1: Consider adopting a downtown form based code update—a more tool for achieving uses we want, preserving what we like and preventing undesirable uses.

Action #B2: Encourage/promote residential infill development, especially in the extended downtown area (South of Locust Street)

Objective #2: Create vibrant, attractive and desirable neighborhoods, open spaces and streets through thoughtful land use planning.

Strategy A: Proactively participate in the planning stage of all future development projects and communicate the City’s land use and development vision with each project proponent.

Action #A1: Update the City’s Capital Improvement Program (CIP)

Action #A2: Consider budgeting for and updating the City’s 2005 General Plan

Strategy B: Ensure the City has a balanced land use pattern to provide for resident's and visitor's varied needs, while ensuring that revenues match the City's responsibility for public services.

Action #B1: Plan and develop neighborhoods using specific plan/master plans or similar concept to the greatest extent possible.

Strategy C: Ensure the City's parks, residences, commercial areas, schools and civic uses are connected and accessible by walking and bicycle paths.

Action #C1: Implement the City's Non-Motorized Transportation Plan



CITY COUNCIL AGENDA ITEM NO. 4.1

SECTION 4: UNFINISHED BUSINESS

Meeting Date: March 23, 2015
Subject: Discussion of City Owned Property Located on Leedom Road near the Waste Water Treatment Facility
Presented By: Raul L. Mendez, City Manager

Approved By: _____

Staff Recommendation:

Discuss and consider direction on the City owned property located on Leedom Road near the Waste Water Treatment Facility.

Background and Overview:

On December 9, 2014, the Hughson City Council approved the agricultural lease extension between the City of Hughson and Michael Noeller for approximately twelve (12) acres of City-owned property adjacent to the Waste Water Treatment Facility along Leedom Road to October 31, 2015 or completion of the harvest of the fall 2015 almond crop, whichever occurs later.

At that time, the City Council directed staff to bring back a discussion in March and April 2015 to begin exploring future options for the 12 acre property well in advance of the agricultural lease expiration date. Subsequently, further direction was provided to take a look at all available City property adjacent to the Waste Water Treatment Facility (which includes the 35 acre Lower Ponds) to begin developing a more comprehensive plan or approach. City staff began that process during the evaluation of the Noeller agricultural lease last fall.

Some of those details are provided again in summary form for reference. This is the initial discussion to provide some background to this item. It is anticipated that City staff will continue gathering details to discuss all possible options for the best and future use of the subject properties.

City staff also plans to provide an informational presentation at the meeting regarding the past and current use of both properties to assist with the discussion.

12 Acre Property – “Noeller Lease”

- Original term of the lease was January 1, 2010 to December 31, 2014.
- Agricultural lease with Michael Noeller extended and now due to expire October 31, 2015 or completion of the harvest of the fall 2015 almond crop, whichever occurs later.
- Butte and Padre portion of the City orchard consists of approximately 3.73 tree acres and the Non Pareil and Price consists of approximately 3.88 tree acres.
- Although the subject property consisted of approximately twelve (12) acres of property not all of that were tree acres and some of the area had been developed as part of the expansion of the Waste Water Treatment Facility.
- Average almond yields in Stanislaus County were 2,240 lbs/acre in 2011; 2,180 lbs/acre in 2012; 2,420 lbs/acre in 2013 (Stanislaus County Crop Reports).
- City’s tree acreage estimated yield of the Butte and Padre at 1,605 lbs/acre and Non Pareil and Price at 1,239 lbs/acre.
- The current agricultural lease provides that the City receives 20% of the almond crop proceeds. To date \$24,095.61 has been received by the City of Hughson although revenue from the 2014 harvest is still pending due to the timing involved from processing to payment.
- Per Carollo Engineers, who assisted the City of Hughson with construction of the new Waste Water Treatment Facility, the twelve acres were value engineered out during design of the facility since capacity of the new plant could be handled with five ponds on other City acreage.
- Carollo Engineers did indicate that if the City chose to sell the subject property it would have no additional capacity for the future growth above what was designed and would not be able to expand the plant until evidence was provided to the Central Valley Regional Water Quality Control Board that capacity to discharge the water was available.
- There is a monitoring well currently in place at the subject property and access and easement needs to be maintained for monitoring use.
- The City contacted the Hughson Unified School District to determine if they would be interested in farming the property similar to the District property near the corner of Seventh Street and Whitmore Avenue and they indicated that they weren’t able to take on additional acreage and in a remote location.
- City staff has confirmed that the purchase of the original 32 acre property for expansion of the Waste Water Treatment Facility was done so using funds in the City’s sewer fund for capital improvements.
- The Clean Water State Revolving Loan secured by the City of Hughson in the amount of \$23,100,000 for expansion of the Waste Water Treatment Facility, in September 2009, was specifically for infrastructure improvements and property acquisition was not an eligible expense.
- Sale of the subject property is an option as no specific restrictions were identified.

Figure 1 – “Noeller Lease”



City staff has begun looking at various elements and options for the “Noeller Lease” property including:

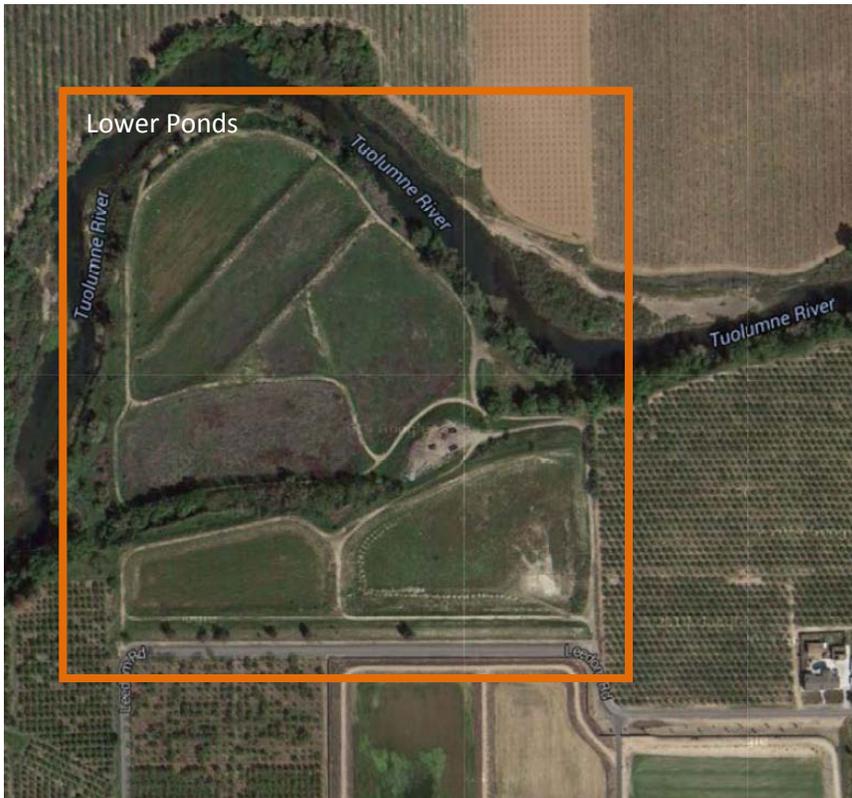
- Past and current use.
- Zoning.
- Possible restrictions.
- Sale of the property.
- Long term agricultural lease of the property.
- Development of the property (residential, recreation, solar, etc.).

Waste Water Treatment Facility and 35 Acre Property – “Lower Ponds”

- On September 14, 2009, the Hughson City Council awarded the contract for construction of the Wastewater Treatment Plant Upgrade and Expansion to J.R. Filanc Construction Company (Filanc).
- The project upgraded the existing treatment plant by expanding its capacity to treat 1.9 million gallons per day, increasing efficiency, and addressing the Notice of Violation dated July 29, 2003 from the Central Valley Regional Water Quality Control Board.
- The major elements of the project included expanding the pumping capacity of the Hatch Road Pump Station, the addition of screens at the headworks, a new Oxidation Ditch, two new secondary clarifiers, new solids handling facility, and odor control.

- As previously mentioned, the City financed the project through a loan under the Clean Water State Revolving Loan Fund Program administered by the State of California.
- The Notice of Completion for the project was filed on February 27, 2012.
- As part of the planning and construction of new Waste Water Treatment Facility, several lower ponds on approximately 35 acres of property were abandoned. The ponds are located adjacent to the Tuolumne River.

Figure 2 – “Lower Ponds”



City staff has begun looking at various elements and options for the “Lower Ponds” property including:

- Past and current use.
- Zoning.
- Possible restrictions.
- Sale of the property.
- Long term agricultural lease of the property.
- Development of the property (residential, recreation, solar, etc.).

Fiscal Impact:

There is no fiscal impact associated with this discussion item. As direction is provided on the best and future use of the property currently owned by the City of Hughson near the Waste Water Treatment Facility financial information relative to the cost-benefit analysis will be provided.



CITY OF HUGHSON AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date: March 23, 2015
Subject: Review and Discuss Proposed Amendment to the Agricultural Mitigation Policy Pertaining to In Lieu Fees by Stanislaus County Local Agency Formation Commission (LAFCO)
Presented By: Jaylen French, Community Development Director

Approved By: _____

Staff Recommendation:

Review and Discuss LAFCO's Proposed Amendment to their Agricultural Mitigation Policy Pertaining to In-Lieu Fees.

While the City of Hughson is likely not impacted by the proposed amendment due to the fact that the City's Farmland Preservation Program, adopted in 2012, fully complies with and exceed the recommended strategies set forth in LAFCO's policy to minimize the loss of agricultural land—i.e. Hughson adopted 2:1 mitigation—as well as addresses the proposed clarification amendment—i.e. minimum cost of in-lieu fee for mitigation—City staff would like to share and discuss this issue, which has become a topic of mixed views amongst our local partner agencies.

Background and Overview:

The Stanislaus Local Agency Formation Commission ("LAFCO") was established by the State to oversee the creation of new cities and special districts, as well the annexation and expansion of existing cities. The purpose of LAFCO is to promote orderly growth, prevent sprawl, preserve agriculture and open space, and to assure the provision of efficient, sustainable public services.

On March 25, 2015, the Stanislaus LAFCO will hold a public hearing to solicit comments regarding a proposed amendment to its existing Agricultural Preservation Policy—adopted September 26, 2012—to clarify the use of in-lieu fees as an agricultural preservation strategy. The amendment includes a description of the intended use of in-lieu fees, a standard methodology for their calculation, and requests further information substantiating a proposed fee amount should an applicant deviate from the methodology.

Stanislaus LAFCO, Agricultural Preservation Policy, states,

“Agriculture is a vital and essential part of the Stanislaus County economy and environment. Accordingly, boundary changes for urban development should only be proposed, evaluated, and approved in a manner which, to the fullest extent feasible, is consistent with the continuing growth and vitality of agriculture within the County.

LAFCO’s mission is to discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. Additionally, Government Code Section 56668(e) requires LAFCO to consider “the effect of the proposal on maintaining the physical and economic integrity of agricultural lands.”

Consistent with the legislative intent of LAFCO, the goals of this policy are as follows:

- Guide development away from agricultural lands where possible and encourage efficient development of existing vacant lands and infill properties within an agency’s boundaries prior to conversion of additional agricultural lands.
- Fully consider the impacts a proposal will have on existing agricultural lands.
- Minimize the conversion of agricultural land to other uses.
- Promote preservation of agricultural lands for continued agricultural uses while balancing the need for planned, orderly development and the efficient provision of services.

The Commission encourages local agencies to identify the loss of agricultural land as early in their processes as possible, and to work with applicants to initiate and execute plans to minimize that loss, as soon as feasible. Agencies may also adopt their own agricultural preservation policies, consistent with this Policy, in order to better meet their own local circumstances and processes.

The Commission shall consider this Agricultural Preservation Policy, in addition to its existing goals and policies, as an evaluation standard for review of those proposals that could reasonably be expected to induce, facilitate, or lead to the conversion of agricultural land.

Plan for Agricultural Preservation Requirement

Upon application for a sphere of influence expansion or annexation to a city or special district (“agency”) providing one or more urban services (i.e. potable water, sewer services) that includes agricultural lands, a Plan for Agricultural Preservation must be provided with the application to LAFCO. The purpose of a Plan for Agricultural Preservation is to assist the Commission in determining how a proposal meets the stated goals of this Policy.

The Plan for Agricultural Preservation shall include: a detailed analysis of direct and indirect impacts to agricultural resources on the site and surrounding area, including a detailed description of the agricultural resources affected and information regarding Williamson Act Lands; a vacant land inventory and absorption study evaluating lands within the existing boundaries of the jurisdiction that could be developed for the same or Proposed amendments are shown as bold and double-underlined text. Draft for Public Review - Feb. 11, 2015 Page 2 similar uses; existing and proposed densities (persons per acre); relevant County and City General Plan policies and specific plans; consistency with regional planning efforts (e.g. the San Joaquin Valley Blueprint and the Sustainable Communities Strategy); and an analysis of mitigation measures that could offset impacts to agricultural resources. The Plan for Agricultural Preservation should be consistent with documentation prepared by the Lead Agency in accordance with the California Environmental Quality Act (CEQA).

The Plan for Agricultural Preservation shall specify the method or strategy proposed to minimize the loss of agricultural lands. The Commission encourages the use of one or more of the following strategies:

1. Removal of agricultural lands from the existing sphere of influence in order to offset, in whole or in part, a proposed sphere of influence expansion or redirection.
2. An adopted policy or condition requiring agricultural mitigation at a ratio of at least 1:1. This can be achieved by acquisition and dedication of agricultural land, development rights and/or conservation easements to permanently protect agricultural land, or payment of in-lieu fees to an established, qualified, mitigation program to fully fund the acquisition and maintenance of such agricultural land, development rights or easements, consistent with Section B-2 of this Policy.
 - a. In recognition of existing County policies applicable to agricultural land conversions in the unincorporated areas, as well as the goals of individual agencies to promote employment growth to meet the

stated needs of their communities, an agency may select to utilize a minimum of 1:1 mitigation for conversions to residential uses.

b. Agricultural mitigation easements or offsets shall not be required for any annexations of land for commercial or industrial development.

3. A voter-approved urban growth boundary designed to limit the extent to which urban development can occur during a specified time period.”

Discussion:

LAFCO’s proposed amendment would clarify the use of in-lieu fees for mitigation, specifying, that the fees shall fully fund the costs associated with acquiring and managing an agricultural conservation easement, including the estimated transaction costs and the costs of administering, monitoring and enforcing the easement.

LAFCO is proposing that in-lieu fees should not be less than 35% of the average per acre price for five (5) comparable land sales in Stanislaus County, plus a 5% endowment. Should an applicant choose to deviate from this methodology, the Policy states the applicant shall provide evidence that the lesser amount will in fact achieve the stated agricultural mitigation goals.

At least four cities within Stanislaus County have taken exception to this proposed amendment and a few have adopted resolution in opposition to the amendment. Specifically, the jurisdictions oppose the fact that in-lieu fees will be based on comparable land sales in Stanislaus County as the value of agricultural land can vary widely. In their opinion, this would grant LAFCO sole discretion to determine what constitutes a “comparable” sale to determine the fee.

The concern, as expressed, is that utilizing the in-lieu fee option is less than desirable for cities because, should LAFCO not accept a proposed in-lieu fee, due to the significant expense of processing annexation applications, and the risks inherent in having an annexation application denied by LAFCO, one of the other mitigation options would thus take effect.

Further it is believed that, individual City Councils should retain control in how the City collects and utilizes mitigation fees, including the timing and sizing of mitigation lands. For example, a City may choose for mitigation funds to be used to preserve larger parcels, as opposed to entering into easements for smaller, scattered parcels. This policy decision may require the contribution of in-lieu fees from several sources, as opposed to each application. In addition, the City may wish to explore other options for reducing the costs for agricultural mitigation, such as establishing a mitigation bank or applying for state tax credits. By tying in-lieu fees to a “comparable” market rate for other agricultural land, the concern is that the proposed amendment could increase the cost of acquiring agricultural

conservation easements and therefore make other, less expensive alternatives infeasible.

While all cities acknowledge that a plan for agricultural preservation will need to be approved by LAFCO in connection with future annexations, the base concern is that the proposed amendment would vest the authority in LAFCO, not the City Council, in implementing a mitigation strategy that meets the needs of the cities.

City of Hughson staff does not share the same concern as those expressed by local agencies. And it should be noted that LAFCO utilized the City of Hughson's Farmland Preservation Policy language, as well as language from Stanislaus County and Yolo County LAFCO, to develop the proposed amendment. Staff does however believe that most often the best solutions are those that have consensus, buy-in and ownership by multiple entities, especially the entities charged with carrying out the policy.

The intent of this item is to share the issue with the Council, which has been opposed by other local agencies—understanding that the amendment likely does not affect the City due to the policies within the City's Farmland Preservation Program (2012); and to hold a candid discussion on the issue. Subsequently, staff will accept any direction Council may desire to provide prior to LAFCO's March 25th Public Hearing or anytime thereafter regarding this issue.

Fiscal Impact:

There is no fiscal impact associated with this discussion item.



CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date: March 23, 2015

Subject: Approval of Regional Solid Waste Disposal Plan Memorandum of Understanding Between the City of Hughson and Stanislaus County

Enclosures: (1) Solid Waste Disposal Plan Memorandum of Understanding
(2) Letter from Hughson City Manager to Stanislaus County Chief Executive Office Tentative Agreeing to Solid Waste Disposal Plan Memorandum of Understanding Condition on Final Approval by the Hughson City Council

Presented By: Raul L. Mendez, City Manager

Approved By: _____

Staff Recommendation:

1. Approve the Regional Solid Waste Disposal Plan Memorandum of Understanding between the City of Hughson and Stanislaus County inclusive of any final edits by the City Attorney.
2. Authorize the Mayor to execute the Regional Solid Waste Disposal Plan Memorandum of Understanding between the City of Hughson and Stanislaus County.

Background and Overview:

On August 26, 1994, Stanislaus County and the cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford entered into a Memorandum of Understanding, dated August 26, 1994, regarding the use and distribution of AB-939 funds to achieve the waste reduction and diversion goals specified in AB-939.

On or about December 30, 1999, the County and the above cities entered into Amendment 1 of the AB-939 MOU to provide for payment of the cities' proportional share of the costs for services provided by the County pursuant to AB-939. On August 1, 2001, the City of Riverbank and on March 29, 2012, the City of Waterford entered into Amendment 2 of the AB-939 MOU to provide for payment of each city's proportional share of the costs for services provided by the County

pursuant to AB-939. Revenue to fund the AB-939 and Household Hazardous Waste services provided by Stanislaus County is derived in part from tipping fees to the Waste-to-Energy (WTE) Facility.

The County, together with the cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford formed the Stanislaus County Regional Solid Waste Planning Agency (hereinafter referred to as “Regional Agency”) by entering into a Joint Powers Agreement on June 19, 2001, and the formation of the Regional Agency was approved by the California Integrated Waste Management Board on July 9, 2002. The purpose of the formation of the Regional Agency JPA was to allow the participating entities to share diversion credits and to prepare a single planning document for the entire region.

Discussion:

In an effort to work toward the goal of creating and sustaining a regional solid waste model and partnership that would direct/re-direct the disposal of the majority of waste which is generated locally to either Covanta Stanislaus Waste-to-Energy facility or the Fink Road Landfill, Stanislaus County initiated discussion with the incorporated cities this past year. This conversation was accelerated by the departure of the City of Turlock from the regional model in 2013.

The approach was one that would support local solid waste infrastructure, provide adequate waste disposal capacity for all partner communities in the future, meet any landfill post closure obligations and continue to streamline costs to comply with State-mandated waste reduction and reporting requirements. To that end, an equity based model was developed which would be formalized in the form of a Memorandum of Understanding (MOU) agreement.

The purpose of this Agreement is for members of the Regional Agency to implement a Regional Solid Waste Disposal Plan (the “Plan”) to support the continued operations of the Fink Road Landfill (hereinafter referred to as “Landfill”), and the WTE Facility by ensuring sufficient solid waste is delivered to both facilities to ensure their economic viability, and to provide regional AB 939 and Household Hazardous Waste services.

The Plan includes a ten (10) year commitment from the Regional Agency cities to guarantee delivery of a portion of their solid waste to the Landfill and WTE Facility, and a ten (10) year schedule of tipping fees to be paid to the County pursuant to the Plan.

The major elements of the Regional Solid Waste Disposal Plan Memorandum of Understanding are as follows:

- Term – June 1, 2015 to June 30, 2025.
- Extension – Additional five years if mutually agreeable.
- Termination – Upon delivery of written notice of nonrenewal which shall be delivered no later than 90 days prior to the termination date.

- City's Guaranteed Delivery of Solid Waste – City shall deliver to the WTE Facility and the Landfill no less than the committed percentage of Acceptable Solid Waste as set forth in Schedule 1 and the WTE Facility tonnage as set forth in Schedule 2 each month.
 - Guaranteed Percentage for Hughson: 90%
 - Tonnage for Hughson: 2,234.37 annually as set forth.
- Tipping Fees – Per the Disposal Rates set forth in Schedules 1 and Schedule 2 of the MOU (range over term of agreement provided below).
 - Waste To Energy Facility: \$33.78 - \$43.00
 - Fink Road Landfill: \$26.00 - \$29.00
- AB 939 Program Services – County agrees to provide and maintain the AB 939 program for the City.
- Household Hazardous Waste (HHW) Programs – County agrees to provide and maintain the HHW program for the City.
- Stanislaus County has allocated \$2 million in rate stabilization funds to help offset program costs.

The City Manager, Community Development Director and City Attorney have been working with Stanislaus County and City representatives on the Regional Model and the proposed MOU over the course of the past several months. It is City staffs' understanding that the MOU as proposed has achieved general consensus by all parties with the exception of the City of Waterford. Per the request by the Stanislaus County Chief Executive Officer, City Managers were asked to submit a letter of tentative agreement by March 16, 2015—which Hughson has done. As part of the County request and City submission it was understood that the MOU would not be finalized until it obtained formal City Council approval.

City staff is recommending approval of the Regional Solid Waste Disposal Plan Memorandum of Understanding between the City of Hughson and Stanislaus County proposal on that basis that it continues a successful partnership and collaboration. City staff has determined that the terms as proposed provide certainty on the costs that each partner will be responsible for and the model follows a fair and equitable approach. City staff will work with contracted haulers (current and future) to ensure obligations are met.

Fiscal Impact:

The fiscal impact of the execution of the Regional Solid Waste Disposal Plan Memorandum of Understanding will be incorporated into the future franchise agreement for the collection and transportation of garbage and refuse within the City of Hughson. On January 26, 2015, the Hughson City Council directed staff to issue the Request for Proposals for this service. To date, four proposals have been received by the City of Hughson in response to this RFP and City staff is conducting the evaluation process to bring back a recommendation for City Council consideration on April 13, 2015. The current contract with Waste Management for these services is set to expire on June 23, 2015.



CHIEF EXECUTIVE OFFICE

Stan Risen
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Keith D. Boggs
Assistant Executive Officer

Jody Hayes
Assistant Executive Officer

1010 10th Street, Suite 6800, Modesto, CA 95354
Post Office Box 3404, Modesto, CA 95353-3404

Phone: 209.525.6333 Fax 209.544.6226

March 12, 2015

RE: RESPONSE TO REGIONAL SOLID WASTE PARTNERSHIP PROPOSAL

All City Managers:

County leadership and departmental staff have reviewed your collective counter-proposal. We are still confident that we are very close to an agreement, subject to the few modifications made by the County which we believe best serves all of our needs. I have attached both a redlined edited version and a clean version of the County's final stance.

Several items have been finalized in the sections addressing:

- Term;
- Acceptable solid waste;
- Tipping fees;
- County's obligations;
- Household hazardous waste mobile collections;
- Assignment;
- Change in law;
- Indemnification, and;
- Schedule 2 (which identifies and clarifies the proposed WTE monthly delivery schedule)

The Acceptable Solid Waste definition as defined in the agreement aligns with the language currently in our contract with Covanta, as well as government code. Therefore we have retained our original proposed language. In addition, County staff do not believe that the definitions of excluded waste and hazardous waste are necessary, as section 3c states that solid waste does not include hazardous waste, radioactive waste, or medical waste.

The County has agreed to two (2) mobile collection events each year for each city.

During a review of your counter-proposal, County Staff found an error in the inclusion of illegal roadside dumping of hazardous materials under the household hazardous waste (HHW) program. The hazardous materials emergency response program is separate

CITY OF HUGHSON
MAR 16 2015
RECEIVED

from the HHW program and is not paid out of the \$3/ton tipping fee surcharge and is therefore not appropriate to be included in this agreement.

The Contracting Cities have a monthly delivery schedule obligation with Covanta for the tonnage received at the WTE facility, therefore it is imperative that we retain Schedule 2 in this agreement. Schedule 2 details the WTE proposed monthly delivery schedule for each of the cities based on the annual tonnage percentage guaranteed in the agreement. NOTE: We have heard from all haulers that they prefer a targeted tonnage schedule each month.

Additionally, we have modified the MOU agreement to be an agreement individually with each city. This will allow those who wish to participate and respond by the March 16, 2015 deadline to do so. In meeting this deadline we understand that you will need additional time to secure approval from your City Councils. With that in mind, a June 1, 2015 effective date is recommended, with City approval no later than May 22, 2015. Therefore, the first year of the ten-year agreement will be a 13-month period of June 1, 2015 through June 30, 2016.

The County believes that the proposal presented in this correspondence to be the County's best and final proposal for a comprehensive and responsible Regional Solid Waste approach.

I ask that you review this final position and confirm or deny your agreement to the terms and conditions of the attached agreement **no later than March 16, 2015**, by written notification on City letterhead signed by your City Manager or by completing the attached conditional agreement of terms template as attached. NOTE: We are prepared to remove the over \$2 million dollars in rate stabilization funds from the model for those cities that have not agreed to the content of this agreement on or before March 16, 2015 consistent with our previous time line.

Absent a tentative agreement by March 16th, the County and the City of Modesto will continue the process of exploring other creative alternatives toward fulfilling the primary objectives of meeting system solid waste needs.

As stated previously this will include:

- a) Opening a Request for Proposal (RFP) for solid waste, of course considering proposals from any of the local cities, as well as from jurisdictions outside the County;
- b) After March 16, 2015 all negotiated agreements will not include the use of County rate stabilization funds (approximately \$2.3M);
- c) Beyond this date, the County will also move to terminate MOUs for AB939 programs with the cities for whom we have not reached agreement, as well as, terminate the household hazardous waste programs, with those cities; and
- d) Remove itself from the Regional Agency;

Once a new, long term solid waste agreement has been put in place, the City of Modesto and Stanislaus County will evaluate whether to continue acceptance of non-committed (sans formal agreement) solid waste deliveries to the WTE facility.

I am hopeful this final, best offer proposal will meet the needs of each of our city partners.

I look forward to hearing from you prior to the March 16, 2015 deadline.

Cordially,



Stan Risen
Chief Executive Officer

cc: Jim Holgersson, City Manager, City of Modesto
Keith Boggs, Assistant Executive Officer
Jami Aggers, Director, County Department of Environmental Resources
Stanislaus County Board of Supervisors

Attachments:

1. Tentative Agreement Confirmation Template
2. Counter-proposal – red line version
3. Proposed Final Agreement dated March 12, 2015

**REGIONAL SOLID WASTE DISPOSAL PLAN
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITIES OF _____ AND STANISLAUS COUNTY**

This Regional Solid Waste Disposal Plan Memorandum of Understanding (the "Agreement") is made and entered into by and between the County of Stanislaus, ("County") and the City of _____ ("City") on _____, 2015. City and County may herein be referred to individually as a "Party" and collectively as the "Parties". There are no other parties to this agreement.

RECITALS

WHEREAS, pursuant to Public Resources Code section 40976 the County and the Cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford entered into a Memorandum of Understanding, dated August 26, 1994, regarding the use and distribution of AB-939 funds to achieve the waste reduction and diversion goals specified in AB-939 (the "AB-939 MOU");

WHEREAS, on or about December 30, 1999, the County and the above cities entered into Amendment 1 of the AB-939 MOU to provide for payment of the cities' proportional share of the costs for services provided by the County pursuant to AB-939;

WHEREAS, on August 1, 2001, the City of Riverbank and on March 29, 2012, the City of Waterford entered into Amendment 2 of the AB-939 MOU to provide for payment of each city's proportional share of the costs for services provided by the County pursuant to AB-939;

WHEREAS, revenue to fund the AB-939 and Household Hazardous Waste services provided by the County is derived in part from tipping fees to the Waste-to-Energy Facility;

WHEREAS, the County, together with the Cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford formed the Stanislaus County Regional Solid Waste Planning Agency (hereinafter referred to as "Regional Agency") by entering into a Joint Powers Agreement on June 19, 2001, and the formation of the Regional Agency was approved by the California Integrated Waste Management Board on July 9, 2002.

WHEREAS, the purpose of the formation of the Regional Agency JPA was to allow the participating entities to share diversion credits and to prepare a single planning document for the entire region;

WHEREAS, the purpose of this Agreement is for members of the Regional Agency to implement a Regional Solid Waste Disposal Plan (the "Plan") to support the continued operations of the Fink Road Landfill (hereinafter referred to as "Landfill"), and the WTE Facility by ensuring sufficient solid waste is delivered to both facilities to ensure their economic viability, and to provide regional AB 939 and Household Hazardous Waste services;

WHEREAS, the Plan (as set forth by this Agreement and the exhibits incorporated hereto) includes a ten (10) year commitment from the Regional Agency cities to guarantee delivery of a portion of their solid waste to the Landfill and WTE Facility, and a ten (10) year schedule of tipping fees ("Disposal Rates") to be paid to the County pursuant to the Plan; and

WHEREAS, by entering this Agreement the Parties desire to terminate the AB-939 MOU and its amendments and to implement the Plan.

NOW, THEREFORE, in consideration of the mutual promises, covenants, terms and conditions hereinafter contained, the Parties hereby agree as follows:

AGREEMENT

1. Incorporation by Reference. The above Recitals are incorporated into this Agreement by this reference. Schedule 1 and Schedule 2 are attached to this Agreement and are incorporated hereto and made a part of this Agreement by this reference.
2. Term. The term of this Agreement ("Term") shall begin on June 1, 2015 (the "Effective Date") and end June 30, 2025 (the "Termination Date"). If mutually agreeable to both Parties, this contract may be extended up to an additional five (5) year period, unless one Party delivers to the other written notice of nonrenewal, which notice shall be delivered no later than 90 days prior to the termination date. Either Party may terminate this Agreement by providing 90 days prior written notice to the other.
3. City's Guaranteed Delivery of Solid Waste to WTE Facility and Landfill.
 - a. The Cities shall deliver to the WTE Facility and the Fink Road Landfill no less than the committed percentage of their Acceptable Solid Waste as set forth in Schedule 1 and the Waste to Energy (WTE) tonnage as set forth in Schedule 2 each month.
 - b. "Acceptable Solid Waste" means that portion of Solid Waste which has characteristics such as that collected and disposed of as part of the normal collection of Solid Waste in the Contracting Cities, such as, but not limited to: garbage, trash, rubbish, refuse, offal, beds, mattresses, sofas, bicycles, baby carriages, automobile or small vehicle tires, as well as processible portions of commercial (including cannery) and industrial Solid Waste, and logs if no more than four (4) feet long and six (6) inches in diameter, branches, leaves, twigs, grass and plant cuttings, excepting, however, Unacceptable Waste and Hazardous Waste.
 - c. "Solid Waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes normally collected by the City's solid waste hauler. Solid Waste does not include hazardous waste, radioactive waste, or medical waste.
4. Tipping Fees.
 - a. For the Term of this Agreement, the City's franchise hauler shall pay the Disposal Rates set forth in Schedule 1 and Schedule 2.

5. County's Obligations. The County agrees to provide and maintain the following programs and services for the City:

a. All AB 939 Program Services as required by law including but not limited to the following:

- i. Preparation of all required State diversion reporting and tracking;
- ii. Countywide public education/outreach;
- iii. Administration of the Recycling Market Development Zone;
- iv. Application for and administration of regional grants for used oil recycling, used tire recycling, and tire enforcement;
- v. Serve as staff to the Local Task Force on Solid Waste and Regional Solid Waste Planning Agency (Regional Agency);
- vi. Monitor proposed solid waste legislative and regulatory changes;
- vii. Administration of the County's Food Processing By-Product Program; and
- viii. Administration of the Waste to Energy Service Contract with the City of Modesto.

b. The following Household Hazardous Waste (HHW) Programs:

- i. The County will conduct a minimum of two mobile collection events each year for each Regional Agency city, except Ceres;
- ii. Access to the permanent Household Hazardous Waste Facility for the collection of Countywide residents' e-waste, used oil, oil filters, paints, pesticides, batteries, sharps, medications and other miscellaneous household chemicals;
- iii. Access to the permanent Household Hazardous Waste Facility for the collection of Countywide qualified/approved Conditionally Exempt Small Quantity Generators' hazardous waste; and
- iv. Countywide public education/outreach.

6. Default.

a. Cure. In the event a Party fails to perform pursuant to the terms and conditions of this Agreement, the party to whom an obligation is owed will provide the non-performing Party with at least 30 days prior written notice of said non-performance, upon which the non-performing Party will have the opportunity to comply with the request for performance, or in the event of continued non-performance, the Parties shall have the right to then pursue any and all available legal remedies.

- b. Failure to give Notice. Failure to give, or delay in giving, Notice of Default shall not constitute a waiver of any obligation, requirement or covenant required to be performed hereunder. Except as otherwise expressly provided in this Agreement, any failure or delay by either Party in asserting any rights and remedies as to any breach shall not operate as a waiver of any breach or of any such rights or remedies. Delay by either Party in asserting any of its rights and remedies shall not deprive such Party of the right to institute and maintain any action or proceeding which it may deem appropriate to protect, assert or enforce any such rights or remedies.
7. Attorney Fees. In the event that a Party commences litigation to enforce the performance of this Agreement, the prevailing Party shall be entitled to an award of its costs of litigation, including the cost of expert and attorneys' fees.
8. Severability. In the event that any provision of this Agreement shall for any reason be determined to be invalid, illegal, or unenforceable in any respect, the Parties hereto shall negotiate in good faith and agree to such amendments, modifications, or supplements of or to this Agreement or such other appropriate actions as shall, to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the Parties as reflected herein, and the other provisions of this Agreement shall, as so amended, modified, or supplemented, or otherwise affected by such action, remain in full force and effect.
9. Necessary Acts. The Parties hereby authorize their respective officers and employees to do all things reasonably necessary to accomplish the purposes of this Agreement.
10. Modification Only in Writing. This Agreement may not be modified, amended, changed, added to, or subtracted from, except by written mutual consent of the Parties hereto and only if such amendment or change is in written form and executed with the same formalities as this Agreement and attached to this Agreement to maintain continuity. Notwithstanding anything to the contrary, no oral agreement or directive from or between either Party, or their designees, shall operate to amend or change the terms of this Agreement.
11. Entire Agreement. This Agreement contains the entire Agreement of the Parties, and no representations, inducements, promises, or agreements otherwise between the parties, not embodied herein, or incorporated herein by reference shall be of any force or effect. Notwithstanding anything to the contrary, no term or provision hereof may be changed, waived, discharged, or terminated unless the same is in writing executed by the Parties.
12. Amendment. This agreement may be modified, amended, changed, added to or subtracted from by the mutual consent of the Parties hereto if such amendment or change is in written form and executed by the City and by the County.
13. Duplicate Counterparts. This Agreement may be executed in any number of counterparts, and each such counterpart, executed telecopy, fax or photocopy shall be deemed to be an original instrument, but all of which together shall constitute one and the same Agreement.

14. Legal Requirements. The Parties shall comply with all applicable federal, state, and local laws in performing this Agreement.

15. Force Majeure. Except as otherwise expressly provided in this Agreement, if the performance of any act required to be performed by either County or City is prevented or delayed or made impracticable by reason of any act of God, strike, lockout, labor trouble, inability to secure materials, Change in Law or regulations, or any other cause (except financial inability) not the fault of the Party required to perform the act, the time for performance of the act will either be extended for a period equivalent to the period of delay or performance of the act will be excused.

a. "*Change in Law*" as used herein means (a) the enactment, promulgation, amendment or official interpretation or reinterpretation by any order, decision or judgment of any federal, state or local court, administrative agency or governmental body after the Effective Date of (i) any federal statute or regulation not enacted, promulgated, amended, interpreted or reinterpreted on or before the Effective Date, as applicable, or (ii) any state, County or City statute, ordinance, or regulation that was not so enacted, promulgated, amended, interpreted or reinterpreted on or before the Effective Date, as applicable, or establishes requirements making the ownership, operation or maintenance of the Landfill more burdensome than the most stringent requirements (x) in effect as of the Effective Date, (y) agreed to in any applications of the County for official permits, licenses, or approvals, or (z) contained in any official permits, licenses, or approvals with respect to the Landfill obtained as of the Effective Date; provided that a lawful change in federal, State, County, City, or any other tax law shall not be a Change in Law.

b. If there is a Change in Law that materially affects operations of the Fink Road Landfill and/or the WTE Facility, the Parties hereto agree to act in good faith to amend or renegotiate this Agreement to effectuate the purpose of this Agreement as stated herein above.

c. If there is a Change in Law that materially affects the requirements for the Cities regarding the reuse, recycling, composting or any other form of diversion of solid waste from disposal, including, but not limited to an increase in the percentage of solid waste required to be diverted, as well as changes to applicable diversion credits, the Parties hereto agree to act in good faith to amend or renegotiate this Agreement.

d. The Party whose performance of this Agreement is affected pursuant to this Section shall give notice of the conditions affecting performance to the other Party within thirty (30) calendar days that the Party becomes aware that any Change in Law will materially affect performance of this Agreement.

e. Upon receiving notice pursuant to this Section, the Parties will have one hundred eighty (180) days to renegotiate this Agreement. If the Parties do not agree that a Change in Law materially affects performance of this Agreement pursuant to this Section, then either Party may request binding mediation, to be paid equally by both Parties, to determine whether the Change in Law is material. Either Party may terminate the Agreement upon three days written notice if it is

determined that a material Change in Law has occurred, and the Parties do not renegotiate the Agreement within one hundred eighty (180) days.

16. Venue. The laws of the State of California shall apply to the construction and enforcement of this Agreement. Any action at law, suit in equity, or judicial proceedings for the enforcement of this Agreement or any provision hereto shall be in the Superior Court of Stanislaus County.

17. Notices. All notices permitted or required by this Agreement or by law to be served on or given to either party hereto by the other party, shall be in writing and shall be effective when personally delivered to the party to whom it is directed, or in lieu of personal service, when deposited in the United States mail addressed as follows, or any other address designated by the party:

To: **County of Stanislaus:**
Department of Environmental Resources
3800 Cornucopia Way, Suite C
Modesto, CA 95358
Attn: Susan M. Garcia, C.P.M

To: **City of _____:**
Name/Title
Department
Address
City, CA (Zip)

18. Indemnification.

- a. County will indemnify, defend and hold harmless the Cities, their officers, board members, employees and agents, from any claim, expense or cost, damage or liability imposed for injury occurring by reason of the negligent acts or omissions or willful misconduct of the County arising out of and/or relating to the provision of the programs and services described in paragraph 5 herein above.
- b. Cities will indemnify, defend and hold harmless the County, its officers, board members, employees and agents, from any claim, expense or cost, damage or liability imposed for injury occurring by reason of the negligent acts or omissions or willful misconduct of the Cities arising out of and/or relating to their performance under this Agreement.

19. Insurance. The Parties shall maintain their own liability insurance coverage, against any claim of civil liability arising out of the performance of this MOU, and provide appropriate evidence of such coverage of the other Party upon request.

Signatures on Following Page

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date written above.

COUNTY OF STANISLAUS

CITY OF _____

By: _____
Terrance Withrow,
Chairman

By: _____

Its: _____

Date: _____

ATTEST:
Christine Ferraro Tallman,
Clerk

ATTEST:

By: _____
Liz King,
Assistant Clerk

By: _____
City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:
CITY ATTORNEY

By: _____
Jami Aggers
Director

By: _____
City Attorney

APPROVED AS TO FORM:

John P. Doering
County Counsel

By: _____
Thomas E. Boze,
Deputy County Counsel

SCHEDULE 1

SOLID WASTE TONNAGE GUARANTEE

<u>CITY</u>	<u>GUARANTEED PERCENTAGE⁽¹⁾</u>
CERES	90%
HUGHSON	90%
NEWMAN	90%
OAKDALE	50%
PATTERSON	90%
RIVERBANK	40%
TURLOCK	90%
WATERFORD	50%

DISPOSAL RATES (per ton) ⁽²⁾:

<u>Fiscal Year</u>	<u>Waste To Energy Facility</u>	<u>Fink Road Landfill</u>
2015/2016	\$33.78	\$26.00
2016/2017	\$34.78	\$26.00
2017/2018	\$35.78	\$26.00
2018/2019	\$37.00	\$27.00
2019/2020	\$38.00	\$27.00
2020/2021	\$39.00	\$27.00
2021/2022	\$40.00	\$28.00
2022/2023	\$41.00	\$28.00
2023/2024	\$42.00	\$29.00
2024/2025	\$43.00	\$29.00

(1) Percentage of total Acceptable Solid Waste under the City's jurisdictional authority.

(2) The total tonnage delivered by each agency shall be billed as follows: 62% of total tonnage at the WTE rate up to the scheduled tonnage per Schedule 2 and 38% of total tonnage at the Fink Road Landfill rate.

SCHEDULE 2

WTE PROPOSED MONTHLY DELIVERY SCHEDULE

CITY OF TURLOCK		CITY OF CERES	
July	1,895.94	July	1,429.56
August	2,086.75	August	1,573.43
September	1,895.94	September	1,429.56
October	1,848.23	October	1,393.59
November	1,895.94	November	1,429.56
December	1,895.94	December	1,429.56
January	2,153.63	January	1,623.86
February	2,003.56	February	1,510.70
March	2,091.62	March	1,577.10
April	1,464.31	April	1,104.11
May	2,084.37	May	1,571.63
June	1,896.41	June	1,429.92
Total	23,212.64	Total	17,502.58
 CITY OF HUGHSON		 CITY OF OAKDALE	
July	182.50	July	425.83
August	200.86	August	468.68
September	182.50	September	425.83
October	177.90	October	415.11
November	182.50	November	425.83
December	182.50	December	425.83
January	207.30	January	483.70
February	192.86	February	450.00
March	201.33	March	469.77
April	140.95	April	328.88
May	200.63	May	468.15
June	182.54	June	425.93
Total	2,234.37	Total	5,213.54

CITY OF PATTERSON

July	456.24
August	502.16
September	456.24
October	444.76
November	456.24
December	456.24
January	518.25
February	482.14
March	503.33
April	352.37
May	501.59
June	456.36

Total 5,585.92

CITY OF NEWMAN

July	299.09
August	329.19
September	299.09
October	291.57
November	299.09
December	299.09
January	339.74
February	316.07
March	329.96
April	231.00
May	328.82
June	299.17

Total 3,661.88

CITY OF RIVERBANK

July	273.74
August	301.30
September	273.74
October	266.86
November	273.74
December	273.74
January	310.95
February	289.28
March	302.00
April	211.42
May	300.95
June	273.81

Total 3,351.53

CITY OF WATERFORD

July	101.39
August	111.59
September	101.39
October	98.84
November	101.39
December	101.39
January	115.17
February	107.14
March	111.85
April	78.31
May	111.46
June	101.41

Total 1,241.33

OFFICE OF THE CITY MANAGER
7018 Pine Street, P.O. Box 9
Hughson, CA 95326
(209) 883-4054 Fax (209) 883-2638



Raul L. Mendez
City Manager
rmendez@hughson.org

March 16, 2015

Stan Risen, Chief Executive Officer
Stanislaus County
1010 10th Street, Suite 6800
Modesto, CA 95354

Mr. Risen, *Stan*

This is in response to your March 12, 2015 letter to all City Managers regarding Stanislaus County's best and final Regional Solid Waste Partnership Proposal. I appreciate your recent attention to the final details of the proposal in an effort to reach agreement on a model that best serves our collective needs.

After review of the final Regional Solid Waste Proposal Partnership Proposal details, the City of Hughson tentatively agrees to the Cost, Tonnage, and Contract language as stated. At this time, the proposal appears to be the most cost-effective and viable option for our jurisdiction. Final agreement is obviously contingent on formal approval by the Hughson City Council.

In the interest of meeting the June 1, 2015 effective date as intended, I plan to bring this item forward for consideration by the Hughson City Council on March 23, 2015 (7pm).

If you have any questions, please do not hesitate to contact me directly. Again, thank you and your staff for the work on this agreement. I am hopeful that we can bring final resolution to this item and move on to focusing our attention to other matters.

Regards,


Raul L. Mendez
City Manager



CITY OF HUGHSON
PLANNING COMMISSION MEETING
 City Hall Council Chambers
 7018 Pine Street, Hughson, CA

AGENDA
TUESDAY, MARCH 17, 2014 – 6:00 P.M.

CALL TO ORDER: Chair Julie Ann Strain

ROLL CALL: Chair Julie Ann Strain
 Vice Chair Karen Minyard
 Commissioner Sanjay Patel
 Commissioner Mark Fontana
 Commissioner Ken Sartain

FLAG SALUTE: Chair Julie Ann Strain

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

Members of the Audience may address the Planning Commission 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 Planning Commission 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.

2. PRESENTATIONS: NONE.

3. NEW BUSINESS:

- 3.1: Conduct Nominations for a new Chair and Vice Chair.
- 3.2: Approve the Minutes of the Regular Meeting of February 17, 2015.
- 3.3: Adopt Resolution No. PC 2015-01, Accepting the 2014 Annual General Plan Progress Report and the 2014 Annual Housing Element Progress Report.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

4.1: Adopt Resolution No. PC 2015-02, Approving Design Review for a proposed Dollar General store located between 7030 and 7128 Hughson Avenue.

5. INFORMATIONAL ITEMS:

- 5.1: Seventh Street Park Update.
- 5.2: Tully Road Reconstruction Update.
- 5.3: Downtown Enhancements Update.
- 5.4: Prospective Development Update.

6. CORRESPONDENCE: NONE.

7. COMMENTS:

7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director:

City Clerk:

City Attorney:

7.2: Commissioner Comments: (Information Only – No Action)

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the Planning Commission 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).

UPCOMING EVENTS:

March 14	▪ Danielle’s Gift St. Patrick’s Day Celebration Fundraiser, www.daniellesgift.org
March 17	▪ Planning Commission Meeting, City Hall Council Chambers, 6:00 P.M.
March 23	▪ Economic Development Committee, City Hall Chambers, 5:30 P.M.
March 23	▪ City Council Meeting, City Hall Council Chambers, 7:00 P.M.

RULES FOR ADDRESSING PLANNING COMMISSION

Members of the audience who wish to address the Planning Commission 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.**

**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 Planning Commission 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.

AFFIDAVIT OF POSTING

DATE: March 13, 2015 **TIME:** 5:00pm
NAME: Dominique Spinale **TITLE:** City Clerk

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 Planning Commission 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.

General Information: The Hughson Planning Commission meets in the Council Chambers on the *third Tuesday* of each month at 6:00 p.m., unless otherwise noticed.

PC Agendas: The Planning Commission Agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054.

