



**HUGHSON CITY COUNCIL and
HUGHSON REDEVELOPMENT AGENCY BOARD**

**REGULAR MEETING MINUTES
March 14, 2011
REGULAR SESSION 7:00 P.M.**

Council Chambers
7018 Pine Street, Hughson CA
City Hall

March 14, 2011
Regular Scheduled Meeting

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Council Members Young, Beekman, Silva, Carr and Mayor/Chair Bawanan

PLEDGE OF ALLEGIANCE: Mayor Bawanan

INVOCATION: Reverend Ben Bush

AGENDA REVIEW:

PUBLIC COMMENTS:

Mr. Charles Pringle expressed his concerns with his property located on 2nd and Santa Fe. He informed Council that he has continued to try to get approval from LAFCO for his development and due to the City's current water issues, they have informed him that LAFCO would not approve his annexation. He stated his frustration and felt that since the City was incorporated that the State should not be able to tell the City how to run its government. He reviewed the current zoning of his property and requested that Council consider zoning changes to his property from high density, as his intent is to develop one-acre parcels, rather than high-density development, which he felt was a better development.

Council Member Beekman clarified that the property was within the City's Sphere of Influence. Staff informed Council Members that the zoning changes would be reviewed during a general Plan update, which is not scheduled for a few years.

City Attorney Schroeder noted that this issue was not a point of discussion and stopped further discussion on the issue.

City Manager Whitemyer thanked Mr. Pringle for his time and clarified that at this time the City has the need to protect the current interest of the citizens within the City's boundaries to ensure capacities for water and sewer. He noted that this type of change would require a General Plan Amendment as well as zoning changes.

Planning Commissioner Henley Hatfield thanked the Council for allowing the Planning Commissioners attend the Planning Conference. She spoke on behalf of all Commissioners that were all enlightened with the information they received and appreciated the opportunity for the training.

PRESENTATION: None Scheduled

- 1. CONSENT CALENDAR:** Pulled, A, B, D, F and I

- a) ~~Consideration and Approval—Minutes of Regular Session of February 14, 2011~~ (CC/RDA) Winterbottom. (minutes were pulled for corrections and will return on March 28, 2011 for approval)
- b) ~~Consideration and Approval—Minutes of Regular Session of February 28, 2011~~ (Pulled for discussion)
- c) **Consideration and Approval of Warrants for the month(s) of March 2011.** (CC/RDA) Whiteside
- d) ~~Consideration and Approval of Treasurer’s report for the Month of January 2011.~~ (CC/RDA) Whiteside (Pulled for discussion)
- e) **Adopt Resolution No. 2011-019, A Resolution of the City Council of the City of Hughson Waiving Fees for the City-Wide Yard Sale to be Held on April 30, 2011**(CC) Clark
- f) **Approval by Resolution 2011-020 A Resolution of the City Council of the City of Hughson Authorizing the City Clerk to File of a Notice of Completion for Fontana Park Development Project Phase II (Sinclair Construction Proposition 84 Grant Funds)**(CC) Clark
- g) ~~Consider Adopting Resolution 2011-021 Adopting an Environmentally Preferable Purchase and Practice Policy for the City of Hughson.~~ (CC) Rush (This item was removed from the agenda as it was determined that this item does not require Council/Board Action)
- h) **Adopt Resolution No. 2011-022, a Resolution of the City Council of the City of Hughson Authorizing the Mayor to Sign an Amendment to the Professional Services Agreement with Environmental Management Services (EMS) in the amount not to exceed \$25,000 for Continuing Operations Support, Compliance assistance, and Consulting Services for the Water Utility** (CC) Clark
- i) ~~Consider the Adoption of a Resolution 2011-023 Appointing Matthew Beekman as Member and Jill Silva as Alternate Member to serve on the Regional Surface Water Supply Project Steering Committee.~~ (CC) Winterbottom (Pulled for discussion)

Recommendation: Council/RDA by motion approve minutes of Regular Council Session of February 14, 2011 and February 28, 2010; Warrants for the month of March 2011; Treasurer’s Report for the Month of January 2011; Adopt Resolution No. 2011-019 Waiving Fees for the City-Wide Yard Sale to be Held on April 30, 2011; Adopt Resolution 2011-020 Authorizing the City Clerk to File a Notice of Completion for the Fontana Park Development Project Phase II; Adopt Resolution 2011-021 Adopting an Environmentally Preferable Purchase and Practice Policy for the City of Hughson; Adopt Resolution 2011-022 approving Amendment #4 with Environmental Management Services for continued operations support and comp Compliance Assistance and Consulting services for the Water Utility Adopt Resolution 2011-023 appointing members to RSWSP Steering Committee; and ; and

Council removed items 1.a; 1.b; 1.d; 1.f and 1.l from the Consent Calendar for separate action.

ACTION: Council/Board Member Beekman motioned to approve Consent Calendar as Amended: Items C, E, G and H, seconded by Council/Board Member Young. Roll Call: Council/Board Members Young, Beekman, Silva, Carr and Mayor/Chair Bawanana. Vote Carried: (5-0)

RECONSIDERATION: City Attorney Schroeder requested a reconsideration of previous consent calendar approval, due to the removal of Item 1.G. City Manager Whitemyer explained that item 1.G was scheduled for Council approval, however since the posting of the agenda, it was determined that

the Council is not required to take action and asked council to remove the item for consideration and reconsider previous action.

ACTION: Council Member Beekman motioned and requested Council/Board Members to reconsider his previous motion adopting Consent Items; 1 - C, E, and H., approving the removal of Item 1.G for consideration, Seconded by Council Member Carr. Roll Call: Council/Board Members Young, Beekman, Silva, Carr and Mayor/Chair Bawanan. Vote Carried: (5-0) Consent Calendar approved as amended. (Items 1.C; 1.E and 1.H Approved)

Approved: Warrants for the month of March 2011; Resolution 2011-019 approving the waiving of Fees for City-Wide Yard Sale scheduled on April 30, 2011; Resolution 2011-022 approving an Amendment #4 with Environmental Management Services for Continued operations support and compliance assistance and consulting services for the Water Utility.

- a) **Consideration and Approval - Minutes of Regular Session of February 14, 2011 (CC-RDA)**
Winterbottom. Pulled item for corrections.

City Attorney Schroder recommended pulling item for review of notes to determine Motion and second on item 2: Therefore, Council deferred approval of Minutes of Regular Session of February 14, 2011 to March 28, 2011 as corrected to include Motion and Second on Item 2, and other minor spelling errors as well as the reference to Mayor Bawanan's conflict of interest corrected to reflect that he sat on the Hughson Resource Center Board, not his spouse. City Clerk Winterbottom will correct the reference and other errors and return the minutes for March 28, 2011 for approval.

- b) **Consideration and Approval – Minutes of Regular Session of February 28, 2011**
Revised page 4 of 4 from “polity” to “policy”

ACTION: Council/Board Member Silva motioned to approve minutes as amended, seconded by Council/ Board Member Beekman. Roll Call: Council/Board Members Young, Beekman, Silva, Carr and Mayor/Chair Bawanan. Vote Carried: (5-0):

- d) **Consideration and Approval of Treasurer's report for the Month of January 2011.**
(CC/RDA) Whiteside

Council Member Beekman questioned Park Grant of which was determined that the account reflects the amount owed by the State that has not been reimbursed to the City at present. Council Member Silva discussed the need for Council to receive a more detailed report, like that received of the quarterly report as previously presented to Council. City Manager Whitemyer indicated Treasurer's reports would be more detailed in the future.

ACTION: Council/Board Member Beekman motioned to approve Treasurer's Report for the Month of January 2011, seconded by Council/ Board Member Carr. Roll Call: Council/Board Members Young, Beekman, Silva, Carr and Mayor/Chair Bawanan. Vote Carried: (5-0). Treasurer's Report March 2011 approved.

- f) **Approval by Resolution 2011-020 A Resolution of the City Council of the City of Hughson Authorizing the City Clerk to File of a Notice of Completion for Fontana Park Development Project Phase II (Sinclair Construction Proposition 84 Grant Funds)(CC)**
Clark

Council Member Silva stated that she is stepping down from this item, as her residence is within 500 feet of the Park and left the dais and the room.

ACTION: Council Member Carr motioned to adopt Resolution 2011-020 by title only, seconded by Council Member Young. Roll Call: Council Members Young, Beekman, Carr and Mayor Bawanan. Abstain: Council Member Silva. Vote Carried: (4-0-1). Resolution 2011-020 Adopted.

- j) **Consider the Adoption of a Resolution 2011-023 Appointing Matthew Beekman as Member and Jill Silva as Alternate Member to serve on the Regional Surface Water Supply Project steering Committee.** (CC) Winterbottom

Council Member Silva noted a correction on the Attachment; The Air Pollution Control committee indicates the wrong members. It should reflect Council Member Silva as member and Council Member Beekman as alternate. City Clerk Winterbottom was directed to correct as discussed.

ACTION: Council Member Silva motioned to adopt Resolution 2011-023 – with corrections as noted to the attachment, by title only, seconded by Council Member Carr. Roll Call: Council Members Young, Beekman, Carr and Mayor Bawanan. Abstain: Council Member Silva. Vote Carried: (4-0-1). Resolution 2011-023 Adopted

Resolution 2011-019 Waiving Fees for the City-Wide Yard Sale to be Held on April 30, 2011; Adopt

Resolution 2011-020 Authorizing the City Clerk to File a Notice of Completion for the Fontana Park Development Project Phase II;

Resolution 2011-021 Adopting an Environmentally Preferable Purchase and Practice Policy for the City of Hughson;

Resolution 2011-022 approving Amendment #4 with Environmental Management Services for continued operations Suppose, Compliance Assistance and Consulting services for the Water Utility

Resolution 2011-023 appointing Members Matthew Beekman and Jill Silva to RSWSP Steering Committee;

CITY BUSINESS - CONSIDER THE FOLLOWING: There were no items scheduled.

PUBLIC HEARING TO CONSIDER:

- 2. Public Hearing for the Consideration of 2nd Reading and Adoption of Ordinance No. 2011-003, An Ordinance of the City Council of the City of Hughson Adopting the California Building Code with Amendments** (CC) Clark

Recommendation: Open Public Hearing, receive comments, Close Public Hearing, Motion to waive the full reading of Ordinance 2011-003 adopting the Ordinance by Title Only, an Ordinance of the City Council of the City of Hughson Amending the Hughson Municipal Code, Title 15 Building Code Regulations (California Code of Regulations, Title 24) (effective Date April 13, 2011) Directing the City Clerk to publish a Summary of the Ordinance and prepare the Final Ordinance for Code Publishing to include in the City's Municipal Code on-line publication.

Community Development Director Clark presented a review of the report, indicating that the law requires a public hearing on this type of ordinance to be held during the actual adoption of the ordinance and that all public hearing notices were published as required. He informed Council of the new State requirements and that although the City had not previously required fire sprinklers in residences below 5,000 square feet, the State now requires "All new residential" units regardless of size, include fire sprinklers, as well as complying with the new "Green Building Code" as required by the State.

Public Hearing Opened: 7:25 p.m. There was no discussion
Public Hearing Closed 7:26 p.m.

ACTION: Council Member Silva motioned to waive full reading of ordinance 2011-003 and adopt the Ordinance by title only and directing the City Clerk to publish a Summary of the Ordinance and prepared the Final Ordinance for Code Publishing to include in the City's on-line publication, seconded by Mayor Bawanan. Council Members: Young, Beekman, Silva, Carr and

Mayor Bawanan. Vote Carried: (5-0) Ordinance 2011-003 Adopted, effective April 13, 2011.
Ordinance 2011-003 Adopted.

ORD 2011-003: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON
AMENDING THE HUGHSON MUNICIPAL CODE PERTAINING TO TITLE 15
BUILDING CODE REGULATIONS

CORRESPONDENCE: None Scheduled

3. STAFF UPDATES AND INFORMATIONAL REPORTS:

CITY MANAGER'S REPORT:

City Manager Whitemyer announced that the City has scheduled a Grand Opening- Ribbon Cutting ceremony for Fontana Park on April 6, 2011 @ 6:00 p.m. Jean Henley expressed her surprise about the beauty of the park and her appreciation of staff and Parks and Recreation Department and Commissioners for the development of the park.

City Manager Whitemyer informed Council that all staff has relocated to City Hall, and will continue to move the contents to other locations. He hopes to have this move completed within in the next few weeks. He has met with the Alliance and toured the facility and will provide ideas for future use of the facility.

CITY CLERK'S REPORT:

COMMUNITY DEVELOPMENT DIRECTOR:

POLICE DEPARTMENT REPORT: stats were provided..

CITY ATTORNEY'S REPORT:

4. COUNCIL COMMITTEE REPORTS:

Council Member Carr reported on his previous attendance at the League Division meeting and the importance to continue to communicate with the State Legislature on the significance of keeping the Redevelopment Agencies and the importance of supporting Proposition 26.

Council Member Silva thanked the Director of Administration/City Clerk Winterbottom for providing information on Committee and Commission schedules and contacts.

Council Member Beekman reported that he attended StanCOG meeting. He requested that an Audit and Finance Subcommittee meeting be scheduled to review the upcoming Audit that will be presented in the next few weeks to Council for review. City Manager Whitemyer noted that he is in the process of responding to the Management letters presented through the Audit and hopes to have the final Audit completed in the next week. He also noted he would work to schedule the Audit and Finance Subcommittee meeting in the following week with Council Members Beekman and Silva for their review, prior to presenting it to the City Council.

Council Member Young informed Council that he has met with Bill Bassitt of the Alliance and is in the process of investigating to see if we can increase business activity in the City. Council Member Young announced that the Chamber of Commerce has decided to become active and in the interim, Aaron Martella is acting as President of the Organization. The event that has been in the planning process previously known as the "Fruit and Nut Festival" will now be handled by the new Chamber Organization.

a) **Mayors Association Representative:** Mayor Bawanan.

Mayor Bawanan announced that since he has not been able to attend the Mayor's meetings or the Hughson Family Resource meetings, there was no report at this time.

CITY COUNCIL DIRECTION OF FUTURE AGENDA ITEMS:

- ✚ Athletic Boosters Club Crab Feed – St Anthony's Church – March 26, 2011
- ✚ Hughson Children's Health and safety Festival - April 30, 2011 9:00 – 2:00 3rd Street. Closure
- ✚ Hughson Arboretum Open House – April 30, 2011 1-5:00 p.m.
- ✚ Community Yard Sale – April 30, 2011
- ✚ Community Clean Up Day – May 7, 2011

- 5. CLOSED SESSION TO DISCUSS THE FOLLOWING:** There was no item scheduled for this meeting.

REPORT FROM CLOSED SESSION:

ADJOURNMENT: Adjourned at 7:35 p.m. to the CITY COUNCIL/RDA to the next regularly scheduled meeting of the City Council/Redevelopment Agency scheduled on March 28, 2011 at 7:00 p.m. at the Hughson City Hall, 7018 Pine Street, Hughson CA 95326;

These minutes were duly approved on this 28th day of March 2011 by a unanimous Consent of the Council/RDA by the following roll call vote: (5-0)

Ayes in favor: Council/Board Members Young, Beekman, Silva, Carr and Mayor/Chair Bawanan
Noes: None
Absent: None
Abstain: None

APPROVED

ATTESTED

Ramon Bawanan, Mayor/Chair

Michele Penirian Winterbottom, MMC
City Clerk/Secretary