



HUGHSON CITY COUNCIL and
HUGHSON REDEVELOPMENT AGENCY BOARD

MINUTES

MAY 23, 2011
REGULAR SESSION 7:00 P.M.

Council Chambers
7018 Pine Street, Hughson CA
City Hall

May 23, 2011
Regular Scheduled Meeting

CALL TO ORDER:

ROLL CALL:

Present: Mayor Ramon Bawanan
Mayor Pro Tem Matt Beekman
Councilmember Jill Silva
Councilmember George Carr
Councilmember Jeramy Young

Staff Present: Bryan Whitemyer, City Manager
Dan Schroeder, City Attorney
Monica Streeter, Deputy City Attorney
Thom Clark, Community Development Director
Janet Rasmussen, Chief of Police Services
Lisa Whiteside, Accounting Manager
Dominique Spinale, Mgmt. Analyst/Deputy City Clerk
Sam Rush, Public Works Superintendent

PLEDGE OF ALLEGIANCE: Mayor Ramon Bawanan

INVOCATION: Pastor Denice Leslie

AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at 209 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

WAIVER WARNING

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

RULES FOR ADDRESSING CITY COUNCIL

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

PUBLIC COMMENT

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

Public Comment was given by resident Martin Lemire. He requested that the City look into and begin repairing Tully Road. He has provided comment on this item many times before and wanted to express its importance. Mr. Lemire also requested that a 25 mph speed sign be placed in the Rhapsody subdivision, as drivers are frequently speeding in this area.

City Manager Whitemyer responded to Mr. Lemire's comment by advising that Staff is currently working on obtaining funding to repair Tully Road, and that the road has many underground repairs that will need to be addressed as well. Whitemyer will keep in contact with Mr. Lemire on this issue.

Chief Rasmussen advised she can speak with her motorcycle deputy and have him monitor the Rhapsody area for speeders. She will advise the Council of the results of this monitoring.

Board of Supervisor's Vito Chiesa made an announcement to the Council and public that he is organizing a Hughson Government Night for June 8 from 6-8 p.m. at Hughson High School's Reader Hall. Government Night was held in the City of Turlock weeks earlier and was a success.

1) **CONSENT CALENDAR:**

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

- a) Approval of the Warrants for the Month of May 2011.
(CC/RDA) Whiteside
- b) Approval of the Treasurers Report for the Month of April 2011.
(CC/RDA) Whiteside
- c) Adoption of Resolution 2011-037, approving Amendment #1 to the Stanislaus County Drug Enforcement Agreement (SDEA), dated June 8, 2008.
(CC) Rasmussen (Staff Report Included)
- d) Adoption of Resolution 2011-038, approving a Memorandum Agreement between the County of Stanislaus and Stanislaus Superior Court, and the City of Modesto, City of Hughson, City of Patterson, City of Riverbank, and City of Newman for the California Office of Traffic Safety General Traffic Grant Program.
(CC)Rasmussen (Staff Report Included)

City Manager Whitemyer pulled Consent Calendar Item (c) and advised that it will be placed back onto the Agenda in the future.

Silva/Carr (5-0-0-0) motion passes to approve Consent Calendar Items (a), (b), and (d).

2) **PRESENTATIONS:**

- a) Presentation of a Proclamation remembering all of the Service Men and Women on Memorial Day, May 30, 2011.
(CC) Mayor Bawanan

Mayor Bawanan expressed his gratitude and respect for all of the Service Men and Women and presented the Proclamation.

CITY BUSINESS – CONSIDER THE FOLLOWING:

- 3) Review and Authorize the City Manager to send letters of Opposition for AB 506 and AB 438 and a letter of Support for SB 286.
(CC) Whitemyer (Staff Report Included)

Stephen Qualls from the League of California Cities spoke to the City Council about the letters that were requested for AB 506, AB 438, and SB 286.

The Council deliberated further on these items, discussing each letter and the possible courses of action. Mr. Qualls and City Manager Whitemyer provided additional information and further clarification to the Council when needed.

Beekman/Carr (4-1-0-0) (Young- nay) motion passes to approve authorizing the City Manager to send a letter in opposition of AB 506.

Silva/Bawanan (5-0-0-0) motion passes to approve authorizing the City Manager to send a letter in opposition of AB 438.

Carr/Young (5-0-0-0) motion passes to approve authorizing the City Manager to send a letter in support of SB 286.

- 4) Consider Resolution No. 2011-039, amending Resolution No. 2011-023 by appointing an Alternate Member to serve in the absence of Council Members Matthew Beekman or Jill Silva on the Regional Surface Water Supply Project (RSWSP) Steering Committee.
(CC) Spinale (Staff Report Included)

Silva/Beekman (5-0-0-0) motion passes to appoint Councilmember Jeramy Young as the alternate of the Regional Surface Water Supply Project (RSWSP) Steering Committee.

- 5) Consider Resolution No. 2011-041, approving the Hughson Legislative Program.
(CC) Whitemyer (Staff Report Included)

City Manager Whitemyer presented the information on this item. The Council discussed this item and included Stephen Qualls with the League of California Cities in their discussion. City Manager Whitemyer explained the Program and its function.

The Council deliberated further on this item. City Attorney Schroeder asked that the Council provide a definition to the word "urgency" in the Program so the program is more concise in its purpose and function.

The Council asked the language "authorize the Mayor" and "urgency matter" be written into the Resolution presented.

Board of Supervisor Vito Chiesa asked if the program had a policy against council members as individuals sending letters of support or opposition.

Mr. Qualls advised and urged Council Members to send letters on their own behalf for items if they are interested or they may send letters as a Council.

The City Council requested that Staff continue working on this item, edit the Legislative Program to define what is "urgent", and bring it back to the Council at a future session.

PUBLIC HEARING

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

PUBLIC HEARING TO CONSIDER:

No Public Hearing was scheduled.

CORRESPONDENCE:

No Correspondence was scheduled.

CITY MANAGER REPORT:

The City Manager reminded the Council and public that the Budget and Finance Sub Committee will meet on May 26. The Council has a special session scheduled for June 6 to review the preliminary budget for the new fiscal year, followed by the regular session of the City Council on June 13.

CITY CLERK REPORT:

COMMUNITY DEVELOPMENT DIRECTOR REPORT:

DIRECTOR OF FINANCE REPORT:

POLICE SERVICES REPORT:

CITY ATTORNEY REPORT:

City Attorney Schroeder advised he will be out of the office and Deputy City Attorney Streeter should be contacted in his absence.

CITY COUNCIL MEMBERS REPORTS AND COMMENTS:

Councilmember Beekman updated the Council on the meetings he attended for Stan COG and the Regional Surface Water Supply Project Steering Committee. He urged Staff and Council to develop an Economic Development Committee in an effort to benefit the community. Councilmember Beekman also requested the statistics from the Citywide Clean-up Day. Staff will provide the stats to Council when they are available.

Mayor Bawanan thanked Councilmember Beekman for serving as Mayor Pro Tem at the last session. The Mayor updated the Council on his attendance at the last Mayor's Meeting. The next meeting is scheduled for June 8, but the Mayor would like to move it so there is no conflict with Hughson Government Night.

COMMUNITY EVENTS:

- ✚ May 25, 2011 – Graduation Ceremonies at Billy Joe Dickens School
- ✚ May 26, 2011 – Graduation Ceremonies at Ross Junior High School
- ✚ May 27, 2011 – Graduation Ceremonies at Hughson High School
- ✚ June 8, 2011 - Hughson Government Night -Time and Location to be Determined
- ✚ June 25 2011 – God and Country Free Concert on the Park at Starn Park from 1:00 – 7:00 p.m. Free Hamburgers and Hotdogs at 4:00 p.m. All are welcome.
- ✚ August 1-5th - Hughson United Methodist Church – Day Camp at 6th & Fox Road; 8:30-12:00 p.m. Must pre-register by phone: (209) 883-4952
- ✚ August 20, 2011 – The Hughson Historical Society will be honoring the longstanding Citizens at Saint Anthony's Church at 6:00 p.m.

CLOSED SESSION TO DISCUSS THE FOLLOWING:

6) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (1 case)

7) Return to Open Session; report on Closed Session.

All Council Members were present. No reportable action was taken.

ADJOURNMENT: Mayor Bawanan adjourned the meeting at 8:45 p.m.

These minutes were approved on this 13th day of June 2011 by a unanimous Consent of the Council/RDA by the following roll call vote: (5-0-0-0)

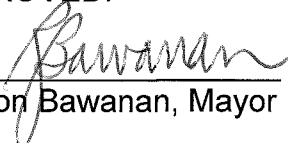
Ayes: Carr, Silva, Young, Mayor Bawanan, and Beekman.

Noes: None

Abstention: None

Absent: None

APPROVED:



Ramon Bawanan, Mayor

ATTEST:



Dominique Spinale, Deputy City Clerk