



HUGHSON CITY COUNCIL

MINUTES REGULAR MEETING 7:00 P.M.

Council Chambers
7018 Pine Street, Hughson CA
City Hall

September 12, 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
Thom Clark, Community Development Director
Darin Gharat, Chief of Police Services
Lisa Whiteside, Acting Finance Manager
Dominique Spinale, Mgmt. Analyst/Deputy City Clerk
Sam Rush, Public Works Superintendent

PLEDGE OF ALLEGIANCE: Mayor Bawanan

INVOCATION: Reverend Denice Leslie, followed by a moment of silence
in memory of the victims and families affected by 9/11.

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:

Residents Mr. Ron Craten, Ms. Marla Woody, and Ms. Cathee Vaughn provided comments. Reverend Denice Leslie provided additional comments. Their comments all related to the recent criminal activities that have taken place in the City. These residents offered support to the City, Police, and School District to educate and involve the community in addressing gang violence and criminal activity.

Chief Gharat spoke to the Council and public in response to the comments and assured the audience that Sheriff's Department is doing everything possible to address the situations, including additional patrols around the schools. He discussed his meetings with other residents and expressed his interest in bringing a "National Night Out" event to Hughson as a tool in educating the residents. He also encouraged anyone with information on any criminal activity contact Crime Stoppers to report it. He assured that all calls remain anonymous.

Reverend Ernie Spears and Ms. Vicki Fontana with the Hughson Family Resource Center provided additional comments. Reverend Spears stressed the importance of the community working together to educate one another and put a stop to the criminal activities taking place. Ms. Fontana offered assistance from the Family Resource Center in facilitating education awareness on gangs and violence.

1) **CONSENT CALENDAR:**

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

- a) Approval of the Minutes from the August 22, 2011 regularly scheduled session.
(Spinale)
- b) Approval of the Warrants for the Months of August and September 2011.
(Whiteside)
- c) Approval of Resolution No. 2011-069, approving an On-Call Planning Services Agreement with the City of Modesto.
(Clark – Staff Report Included)

Beekman/Silva 5-0-0-0 motion passes to approve Consent Calendar Items (a), (b), and (c) of the Consent Calendar.

2) **PRESENTATIONS:**

- a) Certificate of Recognition - Eagle Scout Jacob Rohn.

This presentation followed Item 2(b). Mayor Bawanan presented Jacob Rohn his certificate. Jacob spoke to the audience about earning his Eagle Scout badge.

- b) Greenhouse Gas Emission Inventory Report and Powerpoint Presentation by Dejeune Shelton, Interim Executive Director, Great Valley Center.
(Clark – Staff Report Included)

Ms. Shelton presented a power point to the Council reviewing Hughson's Greenhouse Gas Emission Inventory Report. No action was taken on this item.

CITY BUSINESS – CONSIDER THE FOLLOWING:

- 3) Consideration of Resolution No. 2011-067, authorizing the City Manager to Sign the Joint Powers Authority Agreement Between the Cities of Ceres, Hughson, Modesto, and Turlock to Form the Stanislaus Regional Water Authority for the Purpose of Directing the Future of the Proposed Regional Surface Water Supply Project and By Motion Order Appoint a Voting Member (Director) and an Alternate.
(Clark – Staff Report Included) (Motion Needed)

City Manager Whitemyer and Director Clark discussed this item in detail with the Council. Staff explained that the project would be an excellent source of clean drinking for the participating cities, but did not recommend entering into the Joint Powers Agreement (JPA) at this time because of the expenses related to the project. Staff recommended that the City Council continue to participate in the project meetings, and consider directing Staff to negotiate a joint Memorandum of Understanding (MOU) with the JPA once the JPA forms.

Beekman/Carr 5-0-0-0 motion passes for the City to opt out of entering the JPA, but direct Staff to negotiate entering a joint MOU with the JPA for the proposed Regional Surface Water Supply Project.

- 4) Consideration of Resolution No. 2011-070, authorizing the Submittal of a Grant Application to the San Joaquin Valley Air Pollution Control District for Purchase of New Alternative Fuel Vehicles Through the Public Benefit Grant Program and Further Authorizing the City Manager to Implement the New Vehicle Project and Sign All Necessary Documents Related Thereto.
(Clark – Staff Report Included) (Motion Needed)

Carr/Bawanan 5-0-0-0 motion passes to approve Resolution No. 2011-070 authorizing the Submittal of a Grant Application to the San Joaquin Valley Air Pollution Control District for Purchase of New Alternative Fuel Vehicles through the Public Benefit Grant Program and Further Authorizing the City Manager to Implement the New Vehicle Project and Sign All Necessary Documents Related Thereto.

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.

5) PUBLIC HEARING TO CONSIDER:

- a) Consideration of Ordinance No. 2011-05, an Ordinance of the City Council of the City of Hughson Amending Title 17 Zoning Ordinance to Reduce Building Setbacks in Downtown, Amending Parking Regulations in the Downtown Commercial Zone and Amend the Administrative Permit Provisions.
(Clark – Staff Report Included) (Motion Needed)

Director Clark discussed the Title 17 Zoning Ordinance amendments being proposed and advised that the Hughson Planning Commission also held a Public Hearing on this item on August 16, 2011. The Commission reviewed the

amendments and adopted a Resolution recommending the amendments to the City Council for review and approval.

Mayor Bawanan opened the Public Hearing at 8:39pm and with no comments made, the Mayor closed the hearing at 8:39pm.

Silva/Young 5-0-0-0 motion passes to approve the introduction and waive the first reading of Ordinance No. 2011-05, amending the Title 17 Zoning Ordinance to Reduce Building Setbacks in Downtown, Amending Parking Regulations in the Downtown Commercial Zone and Amend the Administrative Permit Provisions.

- b) Consider Resolution No. 2011-068, adopting the Supplemental Law Enforcement Services (COPS) Funds 2011-2012 Funding Allocation and Expenditure Plan.
(Gharat – Staff Report Included) (Motion Needed)

Chief Gharat with Hughson Police Services discussed this Item with the Council and recommended that the Council approve the use of the COPS Supplemental Law Enforcement Services Fund for the purposes of funding a Deputy Sheriff-Coroner position to increase law enforcement presence and capacity and to fund part-time enforcement to improve the quality of life in the City.

Mayor Bawanan opened the Public Hearing at 8:52pm.

Reverend Ernie Spears and resident Julie Strain asked whether the funds might be utilized for School Resource Officer (SRO). Chief Gharat and City Manager Whitemyer advised that the City and School District usually share the costs of a SRO but are unaware if the School District has available funding for this purpose. However, Chief Gharat further advised that the Deputy Sheriff-Coroner position to increase presence of law enforcement would be able to provide more attention to the schools.

The Mayor closed the hearing at 8:55pm.

CORRESPONDENCE:

No Correspondence was scheduled.

CITY MANAGER REPORT:

City Manager Whitemyer updated the Council of the grants the City is currently working on, including the Safe Routes to School, HOME partnership, and the flex fuel and fueling station grant. He also advised the Council of his meetings on the

Economic Development Business Incubator and reported that Staff cited 25 cars in its abandon vehicle abatement program.

CITY CLERK REPORT:

COMMUNITY DEVELOPMENT DIRECTOR REPORT:

Director Clark advised the Council that the WWTP has transitioned from use at the old plant to the new plant expansion that will be completed soon.

DIRECTOR OF FINANCE REPORT:

Finance Manager Whiteside updated the Council on the govpay.net program, which will allow residents to pay their utility bills by credit card and over the phone. This program will be implemented in the next few weeks.

POLICE SERVICES REPORT:

Chief Gharat advised that the Sheriff's Contract is going to the Board of Supervisors for approval on September 13.

CITY ATTORNEY REPORT:

CITY COUNCIL MEMBERS REPORTS AND COMMENTS:

Councilmember Carr requested that Staff look into acquiring the building on the Camagna Property.

Councilmember Silva advised she met with Waste Management and they have agreed to assist in educating the Hughson community on conservation and their options on garbage containers and rates.

Councilmember/Mayor Pro Tem Beekman asked that the record reflect that the Hughson City Council voting a 5-0 vote to not enter the JPA for the Regional Surface Water Supply Project has no reflection on the quality or greatness of the project, but simply that the City of Hughson cannot afford it. Councilmember Beekman also reminded Staff about the Façade Improvement Program and requested that Staff educate the program.

Councilmember Young updated the Council on his meeting with the Alliance and advised that the Hughson Harvest Festival is coming along very well.

Mayor Bawanan congratulated Councilmember Young on his recent promotion to Lieutenant with the City of Modesto Police Department. The Mayor also thanked Staff for their work and thanked the citizens for providing comments and feedback at public comment period.

COMMUNITY EVENTS:

↓ September 24-25, 2011 – Hughson Harvest Festival, formerly Fruit & Nut Festival

CLOSED SESSION TO DISCUSS THE FOLLOWING:

No Closed Session was scheduled.

ADJOURNMENT: This meeting adjourned at 9:12pm.

These minutes were approved on this 26th day of September 2011, by a unanimous Consent of the City Council by the following roll call vote: **(4-0-0-1)**

AYES: Silva, Young, Mayor Bawanan, and Beekman.

NOES: None.

ABSTENTIONS: None.


ABSENT: Carr

APPROVED:



Ramon Bawanan, Mayor

ATTEST:



Dominique Spinale, Deputy City Clerk