HUGHSON CITY COUNCIL and HUGHSON REDEVELOPMENT AGENCY BOARD

REGULAR MEETING MINUTES
March 28, 2011
REGULAR SESSION 7:00 P.M.

Council Chambers
7018 Pine Street, Hughson CA
City Hall

March 28, 2011
Regular Scheduled Meeting
CALL TO ORDER: 7:00 p.m.
ROLL CALL: Council/Board Member Young, Beekman, Silva, Carr and Mayor/Chair Bawanan.
PLEDGE OF ALLEGIANCE: Mayor Bawanan
INVOCATION: Reverend Mascardo
AGENDA REVIEW: None

PUBLIC COMMENTS: There were none

1. PRESENTATION:

a) **Certificate of Recognition of "Margaret Sturtevant" for her many contributions to the City of Hughson and the County of Stanislaus Arts Council and receiving the Award for "Stanislaus Treasure" – Margaret Sturtevant** (CC) Mayor

Recommendation: Present Certificate of Recognition

City Clerk Winterbottom informed Council that Mrs. Sturtevant was not able to attend the meeting and will provide the Certificate to her.

b) **Samantha Patrick, Hughson High's Interact Club – Presentation of information of an event benefitting third world countries with an inadequate supply of fresh, healthy water - Around the High School football field to be held on April 9, 2011.** (CC) Clark

Recommendation: Receive Presentation

Mayor Bawanan introduced Samantha Patrick, Hughson High Interact Club.
Ms Patrick presented information on an event that will benefit third world countries to receive adequate water supplies and asked Council and citizens to participate on May 9, 2011 at the High School to help raise awareness and money. She noted that last year over $1,000 was raised. She informed Council and the public that people in these countries have to walk over 4 miles each day for water, which is filled with disease and bacteria, and explained that one dollar provides fresh water for a week to these areas.

c) **Presentation of the Annual Police Statistical Report 2010 -** (CC) Rasmussen (report will be distributed at the meeting)

Recommendation: Receive Report for filing.

Chief Janet Rasmussen presented a PowerPoint presentation of the 2010 Annual Police Statistical Report. She reported that since she had become Chief, with the help from County probation and other departments crime has been reduced by 33.66 percent, due to these joined efforts.

She outlined that the Department had worked hard to clean blight and been proactive with code enforcement, which resulted in a reduction of calls for service. Gang activity in Hughson continues with over 100 documented Gang members. Deputies work close with the community members and schools, and the City needs to recognize the officers and community members for their participation in assisting the department.

DIRECTION OF COUNCIL: Add the report to the City's Website.

Council Member Young noted that Deputies assigned to Chief Rasmussen informed him that even with all the uncertainties of the Sheriff's Department, Deputies assigned to her have kept a very high moral, of which they credited Chief Rasmussen. Council Member Young noted that the attitude of the department is a definite reflection of her leadership and command as Chief for the Department.

2. CONSENT CALENDAR:

a) **Consideration and Approval - Minutes of Regular Session of February 14, 2011**(CC/RDA) Winterbottom (item returned from March 14, 2011 meeting)

b) **Consideration and Approval - Minutes of Hughson Redevelopment Agency Special Meeting of March 9, 2011.** (RDA) Winterbottom

c) **Consideration and Approval - Minutes of Regular Session of March 14, 2011** (CC-RDA) Winterbottom.

d) **Consideration and Approval of Treasurer's Report for the month(s) of February 2011**. (CC/RDA) Whiteside PULL FOR DISCUSSION

e) **Consideration and Approval of Warrants for the month(s) of March 2011**. (CC/RDA) Whiteside

f) **Consideration of Resolution No. 2011-026, Approving the Manley Parcel Map No. 2011-01, Located Near the Corner of Euclid and Fox Roads and Otherwise Known as APNs 018-022-019 and 018-022-023** (CC) Clark

g) **Consider Resolution No. 2011-027 removing Deborah Paul as City's Signatory from the safe deposit box and bank accounts at Bank of the West.** (CC) Whiteside

Recommendation: Council/RDA by motion approve minutes of February 14, 2011; Minutes of March 9, 2011; Minutes of March 14, 2011; Treasurer's Report of February 2011; Warrants of March 2011; Resolution No. 2011-026, Approving the Manley Parcel Map No. 2011-01, Located Near the Corner of Euclid and Fox Roads and Otherwise Known as APNs 018-022-019 and 018-022-023; and Resolution 2011-027 Removing Deborah L. Paul from Bank of the West Safety Deposit Box and Bank Account as signatory

ITEMS: A, B, C, E, F, and G.
ACTION: Council Member Silva motioned to adopt Consent Calendar items and resolutions by title only, seconded by Council Member Beekman. Roll Call: Council Members Young, Beekman, Silva, Carr and Mayor Bawanan. Vote Carried: (5-0)

ACTION: Minutes of February 14, 2011; Minutes of March 9, 2011; Minutes of March 14, 2011; Warrants of March 2011; Resolution No. 2011-026, Approving the Manley Parcel Map No. 2011-01, Located Near the Corner of Euclid and Fox Roads and Otherwise Known as APNs 018-022-019 and 018-022-023; and Resolution 2011-027 Removing Deborah L. Paul from Bank of the West Safety Deposit Box and Bank Account as signatory

RESOLUTION 2011-026 - APPROVING THE MANLEY PARCEL MAP NO. 2011-01, LOCATED NEAR THE CORNER OF EUCLID AND FOX ROADS AND OTHERWISE KNOW AS APNS 018-022-019 AND 018-022-023

RESOLUTION 2011-027 - RESOLUTION TO REMOVE DEBORAH L. PAUL FROM THE SAFE DEPOSIT BOX AND BANK ACCOUNTS AT BANK OF THE WEST, REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT THEREOF

ITEMS: D Council Member Beekman questioned the Treasurer's Report. City Manager Whitemyer explained that the local Transportation item refers to the Locust Street of which $208,000 was recently received, although the account may not be balanced. The cash flow issue related to $182,000 which should be remedied soon.

ACTION: Council Member Carr motioned to adopt Item D, seconded by Mayor Bawanan. Roll Call: Council Members Young, Beekman, Silva, Carr and Mayor Bawanan. Vote Carried: (5-0)

APPROVED: Treasurer's Report of February 2011;

CITY BUSINESS - CONSIDER THE FOLLOWING:

3. **Consideration of Resolution 2011-024 adopting the Annual General Plan Progress Report 2010** (CC) Clark

Recommendation: Adopt Resolution No. 2011-024, Adopting the 2010 General Plan Progress Report as Well as the Annual Progress Report on Implementation of the Housing Element

Community Development Director Clark presented a detailed report for Council Members, outlining 2010 progress on the General Plan, Land Use, Circulation, Conservation and Open Space, Public Services and Facilities; Safety, Noise, and Housing of which is required to report to the State.

He noted that no amendments were provided to the Land Use, Safety, Noise, Circulation, Public Services and Facilities; and/or Housing Elements in 2010.
There was one amendment to the Conservation and Open Space Element in 2010, for compliance with Assembly Bill 170, which provided goals, objectives, and implementation strategies to improve air quality. The progress includes the extension of the lease with the Hughson Unified School District for the Lebright Fields, which is now approved through a 3-year contract between the District and City. The Council also awarded a bid for Fontana

Park to develop Project Phase II to improve the park which included tree planting, picnic areas and shade coverings, horseshoe pits and children's' play structure. These funds were received through Grant Funds awarded by the State.

Although there were no amendments to the Public Services and Facilities Element, progress included; Council approved the filing of Notice of Completion for the Centennial Plaza Project, which enhances the main downtown commercial district; the City continued to monitor the work of Filanc Construction for the expansion project at the Wastewater Treatment plant, which is funded using monies through a loan from the State Revolving Loan Fund, expected to be completed by July 2011, which provides needed wastewater capacity for Build-out of General Plan; The City entered into an agreement with Turlock Irrigation District to participate in design study fro treatment of surface water. The City also formed a JPA to further explore the possibility of building a Regional Surface Water Supply Project. This planning is expected to continue with the City's participation; In June 2010, the City adopted an ordinance that established a reduced water rate for private fire suppression system, which give rate relief for standby sprinkler systems and onsite fire hydrants; The City continues to monitor the work of GSE construction for the Well #8 and connecting Pipelines Project. This project was funded with ARRA dollars through the State Department of Public Health and will provide a water treatment facility to remove heavy metals, including arsenic from the wellhead; in May 2011 the City accepted the downtown Streetscape Project and filed the Notice of Completion. This project provided handicap accessibility to a portion of Hughson Avenue, as well as beautification of the Central Business District; and in May 2010, the Council authorized a cooperative agreement with Stanislaus County to join the CDBG Consortium to jointly undertake community development and housing assistance activities.

Although there were no amendments to the Housing Element, it was stated that pursuant to State Law, the Stanislaus County Council of Governments is responsible for the development of the Regional Housing Needs Allocation (RHNA) through the Council. Hughson's RHNA for the years 2007 through 2014 is projected to be 282 housing units. Council needs to be aware that only fifty-six (56) building permits issued for homes in the period from January 2007 through January 2010. With the current housing slump and concurrent downturn in the economy, it is unlikely the goal of creating the remaining 226 units will be met within the time period specified in the Allocation Plan.

Council Member Young questioned and staff concurred that building permit numbers included only those permits issued on final inspections.

Council Member Silva expressed concerns of not meeting the Allocation Requirements set forth to the City. She asked what the City could do to ensure compliance and not risk fines or penalties for not building the required amount of units. Community Development Director Clark explained that cities can't always build their fair share of housing, and we show a good faith effort to meet the requirements. He noted that when most cities update their Housing Elements, they get rejected and are required to revise before the State will approve the Updates to their Housing Elements. He said that Hughson's Housing Element is usually approved the first time we submit to the State, which is a great reflection on the City and means the State liked what they saw and the City is doing well.
Council Member Beekman questioned the frequency of the City's requirement to update the Housing Element as well as estimated costs. Community Development Director Clark explained that the State requires Housing Elements updated every 5 years; and costs usually range to be over $200,000.

Council Member Beekman requested that Council Member Young bring this issue up during his meeting with Assembly Member Olsen, to inform the State that local agencies are not able to keep up with the State mandated costs required to update documents and ask that something be done to alleviate those requirements.

ACTION: Council Member Silva motioned to adopt resolution 2011-024 by title only, seconded by Council Member Carr. Roll Call: Council Members Young, Beekman, Silva, Carr and Mayor Bawanan. Vote Carried: (5-0)

RESOLUTION: 2011-024 ADOPTING THE 2010 GENERAL PLAN PROGRESS REPORT AS WELL AS THE ANNUAL PROGRESS REPORT ON IMPLEMENTATION OF THE HOUSING ELEMENT

4. Annual review of the Policy for the Allocation of Future Wastewater Capacity. (CC) Clark

Recommendation: Council is required to review the policy as presented on annual bases and make any recommendations for changes or revisions to the policy. Staff is recommending Council Review the Policy for Allocation of Future Wastewater Capacity and direct staff accordingly.

Community Development Director Clark presented a detailed report for Council. He noted that the Planning Commission and Council is requirement to annually review the Annual General Plan, status of the wastewater capacity and determine whether changes to the policy are needed and consider action that may be appropriate to ensure the long term available of capacity is properly managed. The Council's previous reviews did not result in production of any amendments or alterations to the Policy.

During the Planning Commission's recent review, no amendments or changes were recommended at this time. However, discussion concluded that although the wastewater allocation policy had virtually, no practical value for trying to control growth, the City should continue to analyze it, as the Policy may be needed in the future.

Commissioners stated that since the General Plan growth assumptions of 7.7% per year through 2025 were no longer valid; that a new growth assumption of 1.1% was a better prediction of our future growth. Their recommendation was to revise the General Plan to reflect a more accurate rate of growth scenario, when funds are available to do so. Discussion continued with the Capital Improvement Program, which is based on incorrect growth assumptions as well, which has resulted in incorrect infrastructure development. The City needs to look at the infrastructure needs developed through these documents, as future needs, not requirements.

Staff concluded that the Council should review the policy and make recommendation for any changes or revisions to the policy.

Community Development Director Clark explained that the current plans and policies include residential development based upon the booming economy at the time of adoption. The vision was to slow growth, which may not be attainable through the current policy as well. There is a provision that allows the City to prioritize building permits; however, staff looked at other agencies to see what they are doing. RHNA's report shows the City of Hughson building 282 over 7 years, and the City has only built 11 units last year, which means that we do not meet the State allocation. Although we are not the only City not meeting those

requirements, the State will not take actions against us during this economic period. One requirement includes zoning for enough multi-family units, which we have done.

The General Plan shows that at complete build-out the city will have 10.8 units per acres, at present we have 3.25 units per acre. Council needs to understand that this will include approximately 32 citizens per acre and decide if that is what we want for the City's Growth Plan. Although the Planning Commission felt that the current policy doesn't have any benefit, as they are not wanting to lower the standards at this time. If growth returns, approval of building will be on the City's terms, not the developers.

Mr. Clark added that the numbers are so far unreachable it that is unable to base accurate growth projection. He noted that the City needed to update the Capital Improvement Project (CIP) plan; however, those projects are based on the General Plan projections as well. Therefore, it is a catch 22 situation, as we need an updated CIP, however first we need to update the General Plan so that the CIP would include real infrastructure needs.

City Manager Whitemyer stated that if the City was in an ideal financial situation that staff would consider a General Plan Update. However due to the recent economic situation, the City is unable to provide those funds at this time, and staff is not recommending a General Plan update at this time.
Council Member Beekman expressed his concerns with the current allocation and build-out to the year 2048; struggles with the Allocation 50% of wastewater to residential; and allocations of only 2.8% to commercial and industrial. He wanted staff to rebalance the allocation towards commercial and industrial.

Community Development Director Clark explained that the allocation is based on current Land Use Element, which designates the City's zoning. If Council wanted to change the Wastewater allocations, the Council would need to change the Land Use Element within the General Plan.

City Manager Whitemyer noted that constraint related to water capacity and the City is not encouraging wet users, because we do not have the water capacity due to the arsenic issues. Community Development Director Clark noted that the Council has not made a policy. He noted that the Dairy Farmers of America (DFA) have really cleaned up their water treatment and not providing as much sludge as they have in previous years.

City Manager Whitemyer and Community Development Director Clark informed Council that when businesses show interest in moving to Hughson, Staff will do whatever they need to do to ensure that the business fits. If it doesn't then staff can modify the policies to allow the opportunity to fit. If there is a need to change zoning or modify the land use, Staff will bring those forward to Council.

Community Development Director Clark noted that staff would work to amend schedule of allocations on Table 2 as directed.

ACTION: Community Development Director Clark will revise the Table 2 and bring back for Council consideration.

PUBLIC HEARING TO CONSIDER:

5. There is none scheduled

CORRESPONDENCE: None Scheduled

6. STAFF UPDATES AND INFORMATIONAL REPORTS:

CITY MANAGER REPORT: City Manager Whitemyer presented a copy of a letter to Council that he sent to TID related to Surface Water Treatment.

7. COUNCIL COMMITTEE REPORTS:

Council Member Carr reported from Mosquito Abatement – no infected mosquitoes have been discovered at this time, however with current rains, eggs and larva have been discovered. Outline spraying is being scheduled.

Council Member Silva announced meetings scheduled for Audit-Finance April 5, and School Subcommittee on April 11. She noted the need to continue involvement in the Regional Surface Water Treatment Steering Committee. She explained the importance of a continued partnership to understand the long term plans.

Council Member Beekman asked Council Member Young to express to Assembly Member Olsen; cities concerns over the continued mandated requirements for certification of Housing Elements and recommended that the Legislators extend Regional Housing or get rid of it, as none of these requirements make sense in these economic times. He spoke regarding the RSWSP meeting he and Council Member Silva attended. He noted that it is getting very technical and requested staff to be involved. He noted many water right issues, also costs, which my initiate proposition 218 election process. He expressed the importance to be engaged in the project. He asked that Council schedule a special workshop to receive a presentation from Nick Pinhey, Director of Utility Planning and Projects with the City of Modesto, to provide a more detailed report on the project. Council Member Beekman noted that the City has many water projects, and if the City were to engage in this project they would also need to install the infrastructure to receive the water, and will have no money. We will need to establish priorities and determine how the City will meet the water demands. Council Member Silva noted that the Agency is continuing to work with the original cities to bring them back to participate within the JPA agreement.

City Manager Whitemyer noted that staff has been very involved in this project; although notices were not provided to Community Development Director Clark within the last few months; the Steering Committee has been informed to add him back to their distribution list for his receipt of agendas and reports. City Manager Whitemyer also noted that he has met with local City Managers and Nick Pinhey, who is an expert in water issues, who has come up with some creative ideas. Although it will require a lot of collaboration between the cities, TID and MID, Hughson is in a great position, due to the location, near the river. However, he expressed that the City is required to ensure it will not be a burden on the Hughson citizens.

Council Member Beekman announced that StanCOG approved the Locust street claim; discussed concerns with the need for the Audit to be completed sooner next year, as it prolongs the changes and the need to bring a preliminary budget to get information sooner, to close the books sooner. He would also like a copy of the Goals and Objectives, allocation of staff to the Goals and establish accountability. He would like that on the website as well. He requested Council receive a quarterly report to track the issues.

DIRECTION: Provide copy of goals and objectives to Council; provide Goals and Objectives on the City's website.

a) **Mayors Association Representative:** Mayor Bawanan
Mayor Bawanan reported his attendance at the Battle of the Bands – which was presented by the Hughson Family Resource Center. He noted that they would like to have this type of event more often.

He announced the following: Ribbon Cutting at Fontana Park on April 6 @ 6:00 p.m; and Stanislaus Disaster Council will meet in April time and date TBD – Council Member Young and Mayor Bawanan to attend; he noted that Kelly Lonergan from Hughson received Outstanding Young Woman Recognition and commended her for her accomplishment during the ceremony; and congratulated Sam Rush for Fontana Park improvements. Mayor Bawanan noted that he would ask that the proclamation recognizing Older Americans be scheduled for the first meeting in April.

CITY COUNCIL DIRECTION OF FUTURE AGENDA ITEMS:

- Hughson High's Interact Club – April 9, 2011 12:00-3:00 p.m. Walk for Water, an event benefitting third world countries with an inadequate supply of fresh, healthy water - Around the High School football field
- 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

8. CLOSED SESSION TO DISCUSS THE FOLLOWING:

CLOSED SESSION: NONE SCHEDULED

ADJOURNMENT: Adjourned at 8:15 pm. to the CITY COUNCIL/RDA to the next regularly scheduled meeting of the City Council/Redevelopment Agency scheduled on April 11, 2011 at 7:00 p.m. at the Hughson City Hall, 7018 Pine Street, Hughson CA 95326;

These minutes were duly approved on this 11th day of April 2011 by a unanimous Consent of the Council/RDA by the following roll call vote: (

Ayes in favor: Council/Board Members
Noes:
Absent:
Abstain:

APPROVED	ATTESTED
_____	_____
Ramon Bawanan, Mayor/Chair	Michele Penirian Winterbottom, MMC City Clerk/Secretary