HUGHSON CITY COUNCIL and HUGHSON REDEVELOPMENT AGENCY BOARD

REGULAR MEETING MINUTES
April 11, 2011
REGULAR SESSION 7:00 P.M.

Council Chambers
7018 Pine Street, Hughson CA
City Hall

April 11, 2011
Regular Scheduled Meeting

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Council/Board Members Young, Silva, Carr and Mayor Bawanan. Absent: Council/Board Member Beekman.

PLEDGE OF ALLEGIANCE: Mayor Bawanan

INVOCATION: Mayor Bawanan

AGENDA REVIEW:

PUBLIC COMMENTS: Mr. Kevin Aqueche reported regarding an accident on Tully and Hatch. He explained that his motive is to ensure that precautions and additional lighting, barriers, and/or reflectors be installed to minimize future accidents of this nature.

1. PRESENTATION:

a) **Presentation to the Public Works Department** (CC) Mayor
Recommendation: Public Works Employees will be present to receive Certificates.

Mayor Bawanan commended the Public Works Department and Employees and expressed his amazement in their accomplishment of at least 5 years of safety

b) **Proclamation declaring National Library week, April 10-16 2011.** (CC) Mayor
Recommendation: Hughson Branch Manager, Dianna Dulaney, will be present to receive the Proclamation.

Mayor Bawanan read and presented the Proclamation to Dianna Dulaney on behalf of the City Council.

2. CONSENT CALENDAR:

a) **Consideration and Approval - Minutes of Regular Session of March 28, 2011**(CC/RDA) Winterbottom (item deferred from March 14, 2011 meeting)

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

Recommendation: Council/RDA by motion approve Consent Calendar

ACTION: Council Member Silva, motioned to approved the Consent Calendar, seconded by Council Member Carr Roll Call: Council Members Young, Silva, Carr and Mayor Bawanan. Absent: Council Member Beekman. Vote Carried: (4-0-1) Consent Calendar approved.

CITY BUSINESS - CONSIDER THE FOLLOWING:

3. City of Hughson Financial Reports and 2009/2010 Fiscal Year Audit prepared by Moss, Levy & Hartzheim, LLP. (CC/RDA) Whitemyer and Souza

Recommendation: By Motion order 2011-029 Review and approve FY2009-10 Financial Statements and Fiscal Year Audits.

Discussion: City Manager Whitemyer introduced the item for Council and deferred the report to Director of Finance Souza.

Ms Souza presented a review of the audit process and expressed auditor's opinions. Staff and Council discussed the Audit.

Public Comment: There were none.

ACTION: Council Member Silva motioned to adopt Motion Order 2011-029, seconded by Council Member Young Roll Call: Council Members Young, Silva, Carr and Mayor Bawanan. Absent: Council Member Beekman. Vote Carried: (4-0-1)
Motion Order 2011-029 Adopted

4. First Reading and Introduction of Ordinance 2011-004 Amending Title 2 Administration and Personnel Designating the City Manager and Mayor as the officers authorized to execute written contracts. (CC) Schroeder

Recommendation: Council Member by motion waive full reading and introduce Ordinance 2011-004 by title only, Amending the City of Hughson Municipal Code, Title 2 Administration and Personnel designating the City Manager and Mayor as the officers authorized to execute written contracts approved by the City Council, directing its return for 2nd reading and adoption.

City Attorney Schroeder presented the report, outlining the need to having an additional designee to sign the City Council approved contracts

No public comments.

ACTION: Council Member Silva motioned and approved waiver of full reading of Ordinance 2011-004 and introduce ordinance by title only, seconded by Council Member Carr. Roll Call: Council Members Young, Silva, Carr and Mayor Bawanan. Absent: Council Member Beekman. Vote Carried: (4-0-1)

APPROVED FOR FIRST READING: Ordinance 2011-004 approved for first reading and introduction; and directed return for 2nd reading and adoption.

5. Review and Adopt City Council Goals and Objectives. (CC/RDA) Whitemyer
Recommendation: Review and By Motion Order 2011-030 adopt 2011 Goals and Objectives.

City Manager Whitemyer presented the Goals and Objectives.

ACTION: Council Member Carr motioned to adopt Motion Order 2011-030, seconded by Mayor Bawanan. Roll Call: Council Members Young, Silva, Carr and Mayor Bawanan. Absent: Council Member Beekman. Vote Carried: (4-0-1)
Motion Order 2011-030 Adopted approving the 2011 Goals and Objectives, to include time-line and list of accomplishments.

PUBLIC HEARING TO CONSIDER: There was none scheduled

CORRESPONDENCE: None Scheduled

6. STAFF UPDATES AND INFORMATIONAL REPORTS:

Council received Police stats.

7. COUNCIL COMMITTEE REPORTS:

Council Member Silva and Council Member Young reported from the School Subcommittee where discussion was held regarding the need for a Committed Partnership MOU, to expand park and recreational services to the Community.

Mayor Bawanan reported his attendance at various functions and meetings.

CITY COUNCIL DIRECTION OF FUTURE AGENDA ITEMS:

COMMUNITY EVENTS CALENDAR: Planning Commissioner Henley reported the 31st Annual May 5 – May Day Celebration at Fox Road.

- April 30, 2011 - Hughson Children's Health and safety Festival - 9:00 – 2:00 3rd Street Closure
- April 30, 2011 - Hughson Arboretum Open House – 1:00-5:00 p.m.
- April 30, 2011 - Community Yard Sale
- May 7, 2011 - Community Clean Up Day (No computer monitors or TV's)
- May 7, 2011 - Annual Hughson Volunteer Fire Department Chicken Bar-B-Que – Hughson Fire Station - 4:00-8:00 p.m. Contact 883-2863
- May 15, 2011 – Garden Tour 1:00-4:00 p.m. (proceeds benefit HHS Sober Grad Nite)
- May 25, 2011 – Graduation - Billy Joe Dickens School
- May 26, 2011 – Graduation - Ross Junior High
- May 27, 2011 – Graduation - Hughson High School

8. CLOSED SESSION TO DISCUSS THE FOLLOWING:

Recess: Council Members recessed to Closed Session at 8:15 p.m.

<u>CLOSED SESSION</u>: Council Members will meet in Closed Session for the following scheduled item(s):

City Attorney Schroeder read Closed Session language as Council is meeting in closed session Action Item 9.a GC Section 94956.9 subpart (3) subpart (3).

The following facts and circumstances and are the basis for the claim; the City received a claim from David Chase alleging wrongful discriminatory constructive termination in the elimination of the position of Public Works Director/City Engineer by the City Council on October 11, 2011 and for not hiring him as City Manager.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Convened from Closed Session: Council convened from Closed Session at 8:36 p.m.

REPORT FROM CLOSED SESSION:

Closed Session report: City Attorney Schroeder reported; the City Council received a claim on March 30, 2011, from David Chase stating wrongfully discriminatory and constructive termination in the elimination of the position of Director of Public Works/City Engineer by the City Council in October 2010; and not hiring him as City Manager last fall.

Closed Session included Council Members Young, Silva, Carr and Mayor Bawanan. Council Member Beekman was absent. All four members were present during the entire closed session, where discussion was held and a unanimous vote was taken to deny and reject the claim from David Chase.

ACTION: Roll Call: Council Members Young, Silva, Carr and Mayor Bawanan. Absent: Council Member Beekman. Vote Carried: (4-0-1) Claim denied and rejected.

<u>ADJOURNMENT:</u> Adjourned at 8:45 p.m. to the CITY COUNCIL/RDA to the next regularly scheduled meeting of the City Council/Redevelopment Agency scheduled on April 25, 2011 at 7:00 p.m. at the Hughson City Hall, 7018 Pine Street, Hughson CA 95326;

These minutes were duly approved on this 25th 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