



**CITY OF HUGHSON
CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA**

AGENDA

MONDAY, SEPTEMBER 13, 2021 – 7:00 P.M.

How to participate in, or observe the Meeting:

- In person in the City Council Chambers (masks are required in compliance with the Stanislaus County Public Health Order issued September 2, 2021)
- Interactively, via WebEx Videoconference, by accessing this link:
<https://cityofhughson.my.webex.com/cityofhughson.my/j.php?MTID=m2a6226f864bf5fd64c033c41865650b9>
- Observe only via YouTube live, by accessing this link:
https://www.youtube.com/channel/UC-PwkdlrKoMmOJDzBSodu6A?view_as=subscriber
- In addition, recorded City Council meetings are posted on the City's website the first business day following the meeting. Recorded videos can be accessed with the following link:
<http://hughson.org/our-government/city-council/#council-agenda>

How to submit written Public Comment:

- Email will be available prior to 5:00 PM on September 13, 2021, to provide public comment for the Public Comment Period, or for a specific agenda item. Please email agose@hughson.org. Written comment will be distributed to the City Council and kept on file as part of official record of the Council meeting.

CALL TO ORDER: Mayor George Carr

ROLL CALL: Mayor George Carr
Mayor Pro Tem Harold Hill
Councilmember Ramon Bawan
Councilmember Samuel Rush
Councilmember Michael Buck

FLAG SALUTE: Mayor George Carr

INVOCATION: Hughson Ministerial Association

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

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.

2. PRESENTATIONS:

- 2.1: Introduction of Andraya Plascencia, Customer Service Clerk.
- 2.2: Community Wide Initiatives to Support Economic Development and Housing Strategies in Stanislaus County.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1: Approve the Minutes of the Regular Meeting of August 9, 2021.
- 3.2: Approve the Warrants Register.
- 3.3: Consideration of the League of California Cities 2021 Annual Conference Resolution Packet.

- 3.4: Appoint Francisco Barrios to the Position of City Council Student Representative.
- 3.5: Adopt Resolution No. 2021-33, Ratifying the Delegation of the City Clerk Functions to the City Manager.
- 3.6: Approve a Road Closure and allow Live Music on a Public Street for the Hughson Free Will Baptist Church’s Block Party.

4. UNFINISHED BUSINESS: NONE.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

- 5.1: Adopt Resolution No. 2021-34, Repealing Resolution No. 2020-69 that Adopted a New Development Impact Fee Nexus Study and Proposed Fees on November 23, 2020; and Reinstating the Development Impact Fee Nexus Study and Proposed Fees Adopted by Resolution No. 06-113 on July 24, 2006; and Reinstating the Capital Improvement Fee for Sewer Adopted by Resolution No. 07-199 on August 13, 2007.
- 5.2: Introduce and Waive the First Reading of Ordinance No. 2021-07, Amending Sections 2.04.010 and 2.04.020 of Chapter 2.04 of Title 2 of the Hughson Municipal Code –Changing the Council Meetings Start Time to 6:00 p.m. and Adding the Community Center as a Regular Council Meeting Location.

6. NEW BUSINESS: NONE.

7. CORRESPONDENCE: NONE.

8. COMMENTS:

8.1: Staff Reports and Comments: (Information Only – No Action)

City Manager:

Deputy City Clerk:

Community Development Director:

Director of Finance and Administrative Services:

Police Services:

City Attorney:

8.2: Council Comments: (Information Only – No Action)

8.3: Mayor's Comments: (Information Only – No Action)

9. CLOSED SESSION TO DISCUSS THE FOLLOWING:

9.1: PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

9.2: CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representative: Mayor George Carr
Unrepresented employee: City Manager

9.3: CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representative: Merry Mayhew
Employee Organization: Operating Engineers Local Union 3.

ADJOURNMENT:

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson City Council shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language

WAIVER WARNING

If you challenge a decision/direction of the City Council 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).

UPCOMING EVENTS:

September 14	<ul style="list-style-type: none"> ▪ Parks, Recreation and Entertainment Commission Meeting, City Council Chambers/WebEx Videoconference/YouTube Live Stream, 6:00 PM
September 21	<ul style="list-style-type: none"> ▪ Planning Commission Meeting, City Council Chambers/WebEx Videoconference/YouTube Live Stream, 6:00 PM, Cancelled
September 23	<ul style="list-style-type: none"> ▪ General Plan Update Community Visioning Workshop, Community Senior Center, 6:00 PM
September 27	<ul style="list-style-type: none"> ▪ Economic Development Committee Meeting, Hughson City Hall, 5:30 PM
September 27	<ul style="list-style-type: none"> ▪ City Council Meeting, City Council Chambers/WebEx Videoconference/YouTube Live Stream, 7:00 PM

General Information: The Hughson City Council meets in the Council Chambers on the second and fourth Mondays of each month at 7:00 p.m., unless otherwise noticed.

Council Agendas: The City Council agenda is now available for public review at the City’s website at and City Clerk’s Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk’s Office.

Questions: Contact the City Clerk at (209) 883-4054.

AFFIDAVIT OF POSTING

DATE: September 10, 2021 **TIME:** 2:30 P.M.
NAME: Ashton Gose **TITLE:** Deputy City Clerk



CITY COUNCIL AGENDA ITEM NO. 3.1 SECTION 3: CONSENT CALENDAR

Meeting Date: September 13, 2021
Subject: Approval of the City Council Minutes
Presented By: Ashton Gose, Deputy City Clerk

Approved By: Merry Mayhew

Staff Recommendation:

Approve the Minutes of the Regular Meeting of August 9, 2021.

Background and Overview:

The draft minutes of the August 9, 2021 meeting are prepared for the Council's review.



CITY OF HUGHSON
CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
7018 PINE STREET, HUGHSON, CA

MINUTES
MONDAY, AUGUST 9, 2021 – 7:00 P.M.

CALL TO ORDER: Mayor George Carr

ROLL CALL:

Present: Mayor George Carr
 Mayor Pro Tem Harold Hill
 Councilmember Sam Rush
 Councilmember Ramon Bawanan

Absent: Councilmember Michael Buck

Staff Present: Merry Mayhew, City Manager
 Ashton Gose, Deputy City Clerk
 Daniel Schroeder, City Attorney
 Anna Nicholas, Director of Finance and Admin Services
 Rachel Wyse, Community Development Director
 Jose Vasquez, Public Works Superintendent
 Jaime Velazquez, Utilities Superintendent
 Sarah Chavarin, Accounting Manager
 Fidel Landeros, Chief of Police

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

NONE.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1: Approve the Minutes of the Regular Meeting of July 26, 2021.
- 3.2: Approve the Warrants Register.
- 3.3: Reappoint Michael J. Day as the Hughson Representative to the Measure L Citizens Oversight Committee.

CARR/HILL 4-0-0-1 motion passes to approve the consent calendar as presented, with the following roll call vote:

BAWANAN	RUSH	BUCK	HILL	CARR
AYE	AYE	ABSENT	AYE	AYE

4. UNFINISHED BUSINESS:

- 4.1: Approve the Comments to be Submitted on Behalf of the City Council to the California Public Utilities Commission regarding the Pacific Gas and Electric Rate Increase.

City Manager Mayhew presented the staff report in this item.

Mayor Carr opened public comment at 7:07 PM. There was no public comment. Mayor Carr closed public comment at 7:07 PM.

CARR/BAWANAN 4-0-0-1 motion passes to approve the comment to be submitted on behalf of the City Council to the California Public Utilities Commission regarding the Pacific Gas and Electric rate increase, with the following roll call vote:

BAWANAN	RUSH	BUCK	HILL	CARR
AYE	AYE	ABSENT	AYE	AYE

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS:

- 6.1: Adopt Resolution No. 2021-29, Approving the Pavement Management Plan Program, Cooperative Funding Agreement with StanCOG.

Deputy City Clerk Gose announced an amendment to Resolution No. 2021-29.

Director Wyse presented the staff report on this item.

Mayor Carr opened public comment at 7:16 PM. There was no public comment. Mayor Carr closed public comment at 7:17 PM.

CARR/BAWANAN 4-0-0-1 motion passes to adopt Resolution No. 2021-29, Approving the Pavement Management Plan Program, Cooperative Funding Agreement with StanCOG, as amended (Resolution No. 2021-31), with the following roll call vote:

BAWANAN	RUSH	BUCK	HILL	CARR
AYE	AYE	ABSENT	AYE	AYE

6.2: Adopt Resolution No. 2021-30, Approving a Two-Year Extension of the Engineering and Traffic Survey (ETS) for Modifying Speed Limits.

Deputy City Clerk Gose announced an amendment to Resolution No. 2021-30.

Director Wyse presented the staff report on this item.

Mayor Carr opened public comment at 7:30 PM. There was no public comment. Mayor Carr closed public comment at 7:30 PM.

HILL/CARR 4-0-0-1 motion passes to adopt Resolution No. 2021-30, Approving a Two-Year Extension of the Engineering and Traffic Survey (ETS) for Modifying Speed Limits, as amended (Resolution No. 2021-32), with the following roll call vote:

BAWANAN	RUSH	BUCK	HILL	CARR
AYE	AYE	ABSENT	AYE	AYE

7. CORRESPONDENCE: NONE.

8. COMMENTS:

8.1: Staff Reports and Comments: (Information Only – No Action)

City Manager:

City Manager Mayhew informed the City Council that the Senior Meals Program is being held in person. She also attended National Night Out on August 3, 2021.

Deputy City Clerk:

Deputy City Clerk Gose informed the City Council that a Joint General Plan Update Workshop will be held on August 24, 2021, at 2:30PM.

Community Development Director:

Director Wyse provided an update regarding the subdivision known as Parkwood, and the project known as Whitmore Crossing.

Director of Finance and Admin Services:

Director Nicholas attended National Night Out on August 3, 2021.

Police Services:

Chief Landeros provided the City Council with the latest Crime Statistic Report. He also attended National Night Out on August 3, 2021.

8.2: Council Comments: (Information Only – No Action)

Councilmember Bawanán attended a Hughson Ministerial Association breakfast. He thanked City staff and Police Services for their hard work.

8.3: Mayor's Comments: (Information Only – No Action)

Mayor Carr attended National Night Out on August 3, 2021. He expressed his desire to hold future City events in person.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING:

- 9.1** CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of Case: Building Industry Association of the Greater Valley vs. City of Hughson et. al, Case No. CV-21-000815, Superior Court of California, County of Stanislaus.

No reportable action.

- 9.2** PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

No reportable action.

ADJOURNMENT:

RUSH/BAWANAN 4-0-0-1 motion passes to adjourn the regular meeting of August 9, 2021, at 7:53 PM with the following roll call vote:

BAWANAN	RUSH	BUCK	HILL	CARR
AYE	ABSENT	ABSENT	AYE	AYE

APPROVED:

GEORGE CARR, Mayor

ATTEST:

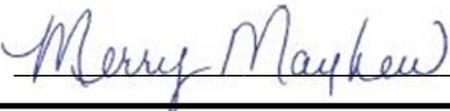
ASHTON GOSE, Deputy City Clerk



CITY COUNCIL AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: September 13, 2021
Subject: Approval of Warrants Register
Enclosure: Warrants Register
Presented By: Anna Nicholas, Director of Finance

Approved By: 

Staff Recommendation:

Approve the Warrants Register as presented.

Background and Overview:

The warrants register presented to the City Council is a listing of all expenditures paid from August 5, 2021 through September 8, 2021.

Fiscal Impact:

There are reductions in various funds for payment of expenses.



Hughson

Check Report

By Check Number

Date Range: 08/05/2021 - 09/08/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: Payable Bank-Payable Bank						
00104	AYERA TECHNOLOGIES INC.	08/05/2021	Regular	0.00	84.00	54281
291162	Invoice	07/16/2021	Net Service	0.00	84.00	
00123	BAY ALARM CO	08/05/2021	Regular	0.00	199.50	54282
18763323	Invoice	07/30/2021	Alarm Monitoring	0.00	199.50	
00474	FERGUSON ENTERPRISES,INC	08/05/2021	Regular	0.00	330.89	54283
1644599	Invoice	07/26/2021	Parts Inventory Blanket PO	0.00	330.89	
00527	GIBBS MAINTENANCE CO	08/05/2021	Regular	0.00	425.00	54284
9173	Invoice	06/30/2021	Janitor Services	0.00	425.00	
00623	HUGHSON TIRE	08/05/2021	Regular	0.00	190.00	54285
INV0005588	Invoice	07/30/2021	tires for pump trailer	0.00	190.00	
01583	Hunts & Sons, Inc.	08/05/2021	Regular	0.00	1,218.16	54286
983896	Invoice	07/06/2021	Fuel	0.00	1,218.16	
00698	KUBWATER RESOURCES, INC	08/05/2021	Regular	0.00	3,995.44	54287
10459	Invoice	07/23/2021	Sludge chemicals Blanket PO	0.00	3,995.44	
00775	MISSION UNIFORM SERVICE	08/05/2021	Regular	0.00	726.56	54288
515059963	Invoice	07/16/2021	Uniforms (Blanket PO)	0.00	29.50	
515072050	Invoice	07/16/2021	Uniforms (Blanket PO)	0.00	37.42	
515072052	Invoice	07/16/2021	Uniforms (Blanket PO)	0.00	159.62	
515072053	Invoice	07/16/2021	Uniforms (Blanket PO)	0.00	30.00	
515111311	Invoice	07/12/2021	Uniforms (Blanket PO)	0.00	37.42	
515111312	Invoice	07/12/2021	Uniforms (Blanket PO)	0.00	62.92	
515111313	Invoice	07/12/2021	Uniforms (Blanket PO)	0.00	30.00	
515151790	Invoice	07/12/2021	Uniforms (Blanket PO)	0.00	59.00	
515156758	Invoice	07/19/2021	Uniforms (Blanket PO)	0.00	42.42	
515156760	Invoice	07/19/2021	Uniforms (Blanket PO)	0.00	77.92	
515156762	Invoice	07/19/2021	Uniforms (Blanket PO)	0.00	30.00	
515201199	Invoice	07/26/2021	Uniforms (Blanket PO)	0.00	37.42	
515201200	Invoice	07/26/2021	Uniforms (Blanket PO)	0.00	62.92	
515201201	Invoice	07/26/2021	Uniforms (Blanket PO)	0.00	30.00	
01621	Owl Labs Inc	08/05/2021	Regular	0.00	2,586.96	54289
INV-OL-106676	Invoice	07/21/2021	Audio/Video Equipment for Council Chambe...	0.00	2,586.96	
01176	USA BLUE BOOK	08/05/2021	Regular	0.00	332.67	54290
656973	Invoice	07/30/2021	roller assbly	0.00	332.67	
01206	WARDEN'S OFFICE	08/05/2021	Regular	0.00	439.03	54291
2058679-1	Invoice	07/30/2021	Ink Printer	0.00	439.03	
01220	WESTURF INC.	08/05/2021	Regular	0.00	377.18	54292
802794	Invoice	07/23/2021	service on xmark mower	0.00	377.18	
00019	ACCOMTEMPS	08/11/2021	Regular	0.00	205.66	54293
58195376	Invoice	08/10/2021	Finance Extra Help	0.00	205.66	
00032	AFLAC	08/11/2021	Regular	0.00	1,383.03	54294
044600	Invoice	07/01/2021	AFLAC	0.00	461.01	
444224	Invoice	08/01/2021	AFLAC	0.00	461.01	
642476-	Invoice	06/01/2021	AFLAC- Reissue	0.00	461.01	

Check Report

Date Range: 08/05/2021 - 09/08/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
01597 INV0005611	Anna Nicholas Invoice	08/09/2021	08/11/2021 Regular Reimbursement	0.00 0.00	47.76 47.76	54295
00082 INV0005606	ARELLANO, MARI Invoice	07/24/2021	08/11/2021 Regular Park Deposit Refund- Arrellano	0.00 0.00	100.00 100.00	54296
01613 ORD075566-	Asset Recovery Specialist, Inc Invoice	06/22/2021	08/11/2021 Regular Equipment Payment Pick-up	0.00 0.00	655.00 655.00	54297
01629 INV0005605	Building Industry Association of the Greater Valley Invoice	08/01/2021	08/11/2021 Regular Settlement Agreement	0.00 0.00	26,062.00 26,062.00	54298
00284 13555080121	CHARTER COMMUNICATION Invoice	08/01/2021	08/11/2021 Regular IP ADDRESS- PINE ST	0.00 0.00	234.07 234.07	54299
00324 70539	CODE PUBLISHING COMPANY Invoice	07/31/2021	08/11/2021 Regular Ordinance Update	0.00 0.00	237.00 237.00	54300
01570 37970	CSG Consultants Invoice	07/15/2021	08/11/2021 Regular Contract Services Planning/Building	0.00 0.00	4,995.00 4,995.00	54301
01627 18824	Culture AMP Inc. Invoice	07/29/2021	08/11/2021 Regular Performance- Self Starter	0.00 0.00	2,700.00 2,700.00	54302
00546 529045135	GRANITE TELECOMMUNICATION Invoice	08/01/2021	08/11/2021 Regular PHONES	0.00 0.00	2,904.59 2,904.59	54303
00570 49378	HARRIS & ASSOCIATES Invoice	08/06/2021	08/11/2021 Regular Annual Admin LLMD 21/22	0.00 0.00	4,492.98 4,492.98	54304
01631 INV0005608	Monica Torres Invoice	07/31/2021	08/11/2021 Regular Senior Center Refund- Torres	0.00 0.00	473.68 473.68	54305
01630 INV0005607	Noelia Martinez Invoice	07/31/2021	08/11/2021 Regular Park Deposit Refund- Martinez	0.00 0.00	100.00 100.00	54306
00855 INV0005610	OPERATING ENGINEERS LOCAL Invoice	08/01/2021	08/11/2021 Regular LOCAL UNION DUES #3	0.00 0.00	260.00 260.00	54307
00931 29775881	RAY A. MORGAN COMPANY Invoice	07/26/2021	08/11/2021 Regular LEASE	0.00 0.00	1,247.44 1,247.44	54308
01009 8182492941	SHRED-IT USA LLC Invoice	07/31/2021	08/11/2021 Regular Shredding	0.00 0.00	173.33 173.33	54309
01089 989006613-30 & ...	SUTTER GOULD MEDICAL FOUN Invoice	07/27/2021	08/11/2021 Regular Occupation Health- Cust Ser Clerk & Account...	0.00 0.00	156.00 156.00	54310
01149 INV0005609	TURLOCK IRRIGATION DIST. Invoice	07/16/2021	08/11/2021 Regular ELECTRIC	0.00 0.00	32,977.27 32,977.27	54311
00104 298083	AYERA TECHNOLOGIES INC. Invoice	08/01/2021	08/16/2021 Regular Net Service	0.00 0.00	84.00 84.00	54312
00344 104572	COOPER CONTROLS, INC. Invoice	08/06/2021	08/16/2021 Regular Program issues	0.00 0.00	772.00 772.00	54313
00474 1647181	FERGUSON ENTERPRISES, INC Invoice	08/06/2021	08/16/2021 Regular inventory parts for service	0.00 0.00	3,380.94 3,380.94	54314
00627 315329 315820 315975 316324 316464	HUGHSON NAPA AUTO & TRUCK Invoice Invoice Invoice Invoice Invoice	07/08/2021 07/14/2021 07/16/2021 07/20/2021 07/22/2021	08/16/2021 Regular Blanket PO (napa) Blanket PO (napa) Blanket PO (napa fleet) Blanket PO (napa fleet) Blanket PO (napa fleet)	0.00 0.00 0.00 0.00 0.00	7.43 1.61 35.08 66.27 4.34	54315

Check Report

Date Range: 08/05/2021 - 09/08/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
00623	HUGHSON TIRE	08/16/2021	Regular	0.00	25.00	54316
INV0005636	Invoice	08/02/2021	tire repair UT-2	0.00	25.00	
00822	NESTLE WATERS	08/16/2021	Regular	0.00	138.29	54317
01m0025664277	Invoice	08/06/2021	water service	0.00	138.29	
00914	QUICK N SAVE	08/16/2021	Regular	0.00	288.94	54318
1011901	Invoice	07/21/2021	Fuel	0.00	71.31	
1012361	Invoice	07/22/2021	Fuel	0.00	217.63	
01069	STEELEY, JARED WATER & WA	08/16/2021	Regular	0.00	3,022.50	54319
9088	Invoice	08/01/2021	Services and Lab Blanke tPO	0.00	3,022.50	
01093	SYNAGRO WEST, LLC	08/16/2021	Regular	0.00	4,017.26	54320
22239	Invoice	05/31/2021	Blanket PO	0.00	4,017.26	
01176	USA BLUE BOOK	08/16/2021	Regular	0.00	1,525.82	54321
653842	Invoice	08/06/2021	CL2 parts	0.00	1,525.82	
01632	Metropolitan Transportatoin Commission	08/16/2021	Regular	0.00	750.00	54322
4926-AR12202	Invoice	08/12/2021	StreetSaver Annual Subscription	0.00	750.00	
01420	CALIFORNIA STATE DISBURSEMENT UNIT	08/24/2021	Regular	0.00	40.12	54323
INV0005622	Invoice	08/16/2021	INCOME WITHHOLDING FOR CHILD SUPPORT	0.00	40.12	
00016	ABS PRESORT	08/26/2021	Regular	0.00	1,175.37	54324
127954	Invoice	08/24/2021	BILL PRINTING- MAY	0.00	1,175.37	
	Void	08/26/2021	Regular	0.00	0.00	54325
	Void	08/26/2021	Regular	0.00	0.00	54326
	Void	08/26/2021	Regular	0.00	0.00	54327
	Void	08/26/2021	Regular	0.00	0.00	54328
	Void	08/26/2021	Regular	0.00	0.00	54329
	Void	08/26/2021	Regular	0.00	0.00	54330
	Void	08/26/2021	Regular	0.00	0.00	54331
	Void	08/26/2021	Regular	0.00	0.00	54332
	Void	08/26/2021	Regular	0.00	0.00	54333
	Void	08/26/2021	Regular	0.00	0.00	54334
	Void	08/26/2021	Regular	0.00	0.00	54335
	Void	08/26/2021	Regular	0.00	0.00	54336
	Void	08/26/2021	Regular	0.00	0.00	54337
	Void	08/26/2021	Regular	0.00	0.00	54338
	Void	08/26/2021	Regular	0.00	0.00	54339
	Void	08/26/2021	Regular	0.00	0.00	54340
	Void	08/26/2021	Regular	0.00	0.00	54341
	Void	08/26/2021	Regular	0.00	0.00	54342
	Void	08/26/2021	Regular	0.00	0.00	54343
	Void	08/26/2021	Regular	0.00	0.00	54344
	Void	08/26/2021	Regular	0.00	0.00	54345
	Void	08/26/2021	Regular	0.00	0.00	54346
	Void	08/26/2021	Regular	0.00	0.00	54347
	Void	08/26/2021	Regular	0.00	0.00	54348
	Void	08/26/2021	Regular	0.00	0.00	54349
	Void	08/26/2021	Regular	0.00	0.00	54350
	Void	08/26/2021	Regular	0.00	0.00	54351
	Void	08/26/2021	Regular	0.00	0.00	54352
	Void	08/26/2021	Regular	0.00	0.00	54353
	Void	08/26/2021	Regular	0.00	0.00	54354
00019	ACCOUNTEMPS	08/26/2021	Regular	0.00	683.09	54355
58226788	Invoice	08/16/2021	Finance Extra Help	0.00	683.09	
00049	ALLIED ADMINISTRATORS	08/26/2021	Regular	0.00	1,885.72	54356

Check Report

Date Range: 08/05/2021 - 09/08/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0005653	Invoice	08/25/2021	DELTA DENTAL	0.00	1,885.72	
00094	AT&T MOBILITY	08/26/2021	Regular	0.00	404.57	54357
287303621604X0...	Invoice	08/02/2021	PHONES	0.00	404.57	
00284	CHARTER COMMUNICATION	08/26/2021	Regular	0.00	92.75	54358
0054047081021	Invoice	08/10/2021	IP ADDRESS- 1ST	0.00	92.75	
00293	CITIZENS BUSINESS BANK	08/26/2021	Regular	0.00	86,736.28	54359
06-003-AF	Invoice	08/24/2021	Acquition of water tank	0.00	86,736.28	
00305	CITY OF HUGHSON	08/26/2021	Regular	0.00	5,834.90	54360
INV0005658	Invoice	08/02/2021	LLDS & STARN PARK	0.00	5,834.90	
00310	CLARK'S PEST CONTROL	08/26/2021	Regular	0.00	180.00	54361
28834927	Invoice	08/04/2021	PEST CONTROL	0.00	113.00	
28848506	Invoice	08/04/2021	PEST CONTROL	0.00	67.00	
01601	Colantuono, Highsmith & Whatley, PC	08/26/2021	Regular	0.00	1,004.75	54362
48588	Invoice	08/09/2021	Professional Services	0.00	1,004.75	
00365	CSMFO	08/26/2021	Regular	0.00	55.00	54363
300007347	Invoice	08/11/2021	Training - Chavarin	0.00	55.00	
00381	DARKHORSE OUTHOUSE SERVICE	08/26/2021	Regular	0.00	968.35	54364
1332	Invoice	08/25/2021	lebright toilet rentals	0.00	968.35	
00463	EXPRESS PERSONNEL SERVICE	08/26/2021	Regular	0.00	936.32	54365
25797093	Invoice	08/07/2021	Extra Help- PW	0.00	766.08	
25826964	Invoice	08/04/2021	Extra Help- PW	0.00	170.24	
00498	FRANTZ WHOLESALE NURSERY	08/26/2021	Regular	0.00	792.34	54366
600429	Invoice	08/25/2021	Trees for downtown and sheriffs station	0.00	792.34	
00528	GILTON SOLID WASTE MANAGE	08/26/2021	Regular	0.00	45,787.40	54367
HUGHSS-060	Invoice	08/13/2021	STREET SWEEPING	0.00	1,848.84	
INV0005661	Invoice	08/25/2021	GARBAGE SERVICE- July	0.00	43,938.56	
01612	GreatAmerica Financial Svcs.	08/26/2021	Regular	0.00	358.92	54368
29806838	Invoice	07/30/2021	LEASE	0.00	358.92	
01637	Hector Marquez	08/26/2021	Regular	0.00	500.00	54369
INV0005660	Invoice	08/07/2021	Senior center refund of deposit	0.00	500.00	
00614	HUGHSON FARM SUPPLY	08/26/2021	Regular	0.00	432.37	54370
H386141	Invoice	07/16/2021	Part and Supply Blanket PO	0.00	9.03	
H386708	Invoice	07/13/2021	Part and Supply Blanket PO	0.00	29.31	
H386869	Invoice	07/14/2021	Blanket PO (hughson farm supply)	0.00	215.74	
H387061	Invoice	07/16/2021	Part and Supply Blanket PO	0.00	12.91	
H387070	Invoice	07/16/2021	Part and Supply Blanket PO	0.00	10.32	
H387087	Invoice	07/16/2021	Blanket PO (hughson farm supply)	0.00	56.13	
H387361	Credit Memo	07/19/2021	Part and Supply Blanket PO	0.00	-4.08	
H387564	Invoice	07/20/2021	Blanket PO (hughson farm supply)	0.00	19.80	
H387624	Invoice	07/21/2021	Part and Supply Blanket PO	0.00	83.21	
01530	Hugo Padilla	08/26/2021	Regular	0.00	1,100.00	54371
INV0005650	Invoice	08/28/2021	Senior center cancellation Padilla	0.00	1,100.00	
01446	Lea Simvoulakis	08/26/2021	Regular	0.00	78.99	54372
INV0005655	Invoice	08/23/2021	Reimbursement for AFLAC deductions	0.00	78.99	
00901	PREFERRED ALLIANCE, INC.	08/26/2021	Regular	0.00	219.76	54373
0168643-IN	Invoice	07/31/2021	OFF-SITE PARTICIPANT	0.00	219.76	
00914	QUICK N SAVE	08/26/2021	Regular	0.00	-255.74	54374
00914	QUICK N SAVE	08/26/2021	Regular	0.00	255.74	54374

Check Report

Date Range: 08/05/2021 - 09/08/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1012265	Invoice	08/12/2021	Fuel	0.00	127.87	
INV0005669	Invoice	08/12/2021	Fuel	0.00	127.87	
01588	Resources Recycling & Recovery	08/26/2021	Regular	0.00	30.77	54375
1383421	Invoice	08/17/2021	Beverage container payment program	0.00	30.77	
01633	Robert Delarm	08/26/2021	Regular	0.00	21.58	54376
INV0005656	Invoice	08/23/2021	Portable fan for City Hall	0.00	21.58	
01040	STANISLAUS COUNTY SHERIFF	08/26/2021	Regular	0.00	90,643.27	54377
2021-HPS12	Invoice	08/19/2021	LAW ENFORCEMENT SERVICES- June	0.00	90,643.27	
01055	STAPLES	08/26/2021	Regular	0.00	25.88	54378
2896291201	Invoice	08/04/2021	Misc Office Supplies	0.00	25.88	
01434	State of California Department of Justice	08/26/2021	Regular	0.00	32.00	54379
525879	Invoice	08/12/2021	Fingerprint Apps	0.00	32.00	
01090	SUTTER HEALTH PLUS	08/26/2021	Regular	0.00	14,804.33	54380
1705940	Invoice	08/02/2021	MEDICAL INSURANCE- JUNE	0.00	14,804.33	
01093	SYNAGRO WEST, LLC	08/26/2021	Regular	0.00	2,202.26	54381
23722	Invoice	07/30/2021	Sludge Disposal Blanket PO	0.00	2,202.26	
01155	UNDERGROUND SERVICE ALERT OF NORTHERN CA	08/26/2021	Regular	0.00	160.06	54382
1179882021	Invoice	08/19/2021	811 underground service alert	0.00	160.06	
01250	USA NORTH	08/26/2021	Regular	0.00	110.76	54383
21DIG117988	Invoice	08/19/2021	usa north 811	0.00	110.76	
01206	WARDEN'S OFFICE	08/26/2021	Regular	0.00	177.51	54384
20603350	Invoice	08/06/2021	Misc Office Supplies	0.00	20.49	
20605130	Invoice	08/10/2021	Misc Office Supplies	0.00	22.97	
20610230	Invoice	08/17/2021	Misc Office Supplies	0.00	134.05	
01201	WAL-MART	08/30/2021	Manual	0.00	202.65	54385
05304	Invoice	08/30/2021	STARS BIKE DONATIONS	0.00	202.65	
01393	Stanislaus Business Alliance	09/01/2021	Regular	0.00	5,000.00	54386
3085	Invoice	07/01/2021	FY 2021-2022 MOU Agreement	0.00	5,000.00	
01420	CALIFORNIA STATE DISBURSEMENT UNIT	09/02/2021	Regular	0.00	40.12	54387
INV0005693	Invoice	09/01/2021	INCOME WITHHOLDING FOR CHILD SUPPORT	0.00	40.12	
01597	Anna Nicholas	09/03/2021	Regular	0.00	50.00	54388
469632	Invoice	08/13/2021	Training & Meetings - Nicholas	0.00	50.00	
01646	Claudia Munoz	09/03/2021	Regular	0.00	500.00	54389
INV0005713	Invoice	08/23/2021	Senior Center Deposit Refund Munoz 8/14	0.00	500.00	
01616	De Novo PPlanning Group	09/03/2021	Regular	0.00	10,702.50	54390
3187	Invoice	08/09/2021	Hughson General Plan Update	0.00	10,702.50	
01645	Donielle Brickner	09/03/2021	Regular	0.00	100.00	54391
INV0005712	Invoice	09/03/2021	Park Rental Deposit Refund Brickner 8/27	0.00	100.00	
01647	Luz Acosta	09/03/2021	Regular	0.00	447.36	54392
INV0005714	Invoice	08/23/2021	Senior Center Deposit Partial Refund Acosta ...	0.00	447.36	
00755	MCR ENGINEERING, INC	09/03/2021	Regular	0.00	9,542.90	54393
16142	Invoice	06/30/2021	Well 7 Site Improvements	0.00	9,542.90	
01435	North Valley Labor Compliance Services	09/03/2021	Regular	0.00	825.00	54394
004787	Invoice	07/31/2021	Pase II, Tank Construction	0.00	825.00	
01643	Patricia Ortiz	09/03/2021	Regular	0.00	100.00	54395

Check Report

Date Range: 08/05/2021 - 09/08/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0005711	Invoice	08/23/2021	Park Rental Deposit Refund Ortiz 8/14	0.00	100.00	
00906	PROVOST & PRITCHARD CONSU	09/03/2021	Regular	0.00	4,652.20	54396
86150	Invoice	06/30/2021	City of Hughson TCP Treatment Design	0.00	4,652.20	
00944	RESCUE ENGINEERS, INC	09/03/2021	Regular	0.00	33,979.75	54397
1395.5	Invoice	05/17/2021	Progress Payment 5	0.00	18,513.50	
1396.3	Invoice	06/30/2021	Progress Payment 6	0.00	15,466.25	
01641	Stephanie Galeana	09/03/2021	Regular	0.00	100.00	54398
INV0005709	Invoice	08/24/2021	Park Rental Deposit Refund Galeana 8/21	0.00	100.00	
01649	Templo Bethesda Noemi Conchola	09/03/2021	Regular	0.00	100.00	54399
INV0005710	Invoice	08/20/2021	Park Rental Deposit Refund Templo 8/20	0.00	100.00	
01648	Tim Mendes	09/03/2021	Regular	0.00	932.10	54400
J84728103C5	Invoice	08/31/2021	Reimbursement for Rental Car	0.00	932.10	
01225	WILLDAN ENGINEERING	09/03/2021	Regular	0.00	17,746.74	54401
00334812	Invoice	06/16/2021	City Engineering Services	0.00	450.00	
00334991	Invoice	06/30/2021	City Engineering Services	0.00	600.00	
00334997	Invoice	06/30/2021	Walker Appartment	0.00	725.00	
00335000	Invoice	06/30/2021	Euclid North Subdivision	0.00	5,298.24	
00621387	Invoice	06/30/2021	Sewer Improvements	0.00	3,398.50	
00621603	Invoice	06/30/2021	Sewer Improvements	0.00	7,275.00	

Bank Code Payable Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	130	90	0.00	446,979.51
Manual Checks	1	1	0.00	202.65
Voided Checks	0	31	0.00	-255.74
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	131	122	0.00	446,926.42

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	130	90	0.00	446,979.51
Manual Checks	1	1	0.00	202.65
Voided Checks	0	31	0.00	-255.74
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	131	122	0.00	446,926.42

Fund Summary

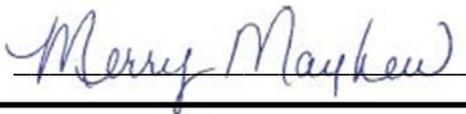
Fund	Name	Period	Amount
999	POOLED CASH/CONSOLIDATED CASH	8/2021	362,107.75
999	POOLED CASH/CONSOLIDATED CASH	9/2021	84,818.67
			446,926.42



CITY COUNCIL AGENDA ITEM NO. 3.3

SECTION 3: CONSENT CALENDAR

Meeting Date: September 13, 2021
Subject: Consideration of the League of California Cities 2021 Annual Conference Resolution Packet
Enclosures: League Resolutions and Background
Presented By: Merry Mayhew, City Manager

Approved By: 

Staff Recommendation:

Consider and support the League of California Cities 2021 Annual Conference Resolution Packet (1) calling on the State legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases and (2) calling upon the Governor and the legislature to provide necessary funding for the California Public Utilities Commission (CPUC) to fulfill its obligation to inspect railroad lines to ensure that operators are removing illegal dumping, graffiti and homeless encampments.

Background and Discussion:

The League of California Cities (LOCC) is an association of California city officials who work together to enhance their knowledge and skills, exchange information, and combine resources so that they may influence policy decisions that affect cities. The Vision of the LOCC is to be recognized and respected as the leading advocate for the common interests of California's cities. Its mission is to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

The LOCC is the state leader in local government education with a focus on networking, legal, legislative, new technologies, best practices, and organizational improvement. The LOCC offers innovative and integrated approaches to education conferences and alternative forms of learning that addresses the needs of local elected officials, city department heads, city staff and partners alike. The Annual Conference and Expo, scheduled to be held in Sacramento on September 22-24, 2021, is an opportunity for such education, training, and policy discussions.

The LOCC bylaws provide that resolutions submitted by a member shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the

General Resolutions Committee at the Annual Conference. Respective cities are encouraged to consider the resolutions and to determine a position so that the voting delegate can represent the city's position on each resolution. Resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities.

On July 12, 2021, the Hughson City Council voted for Mayor Carr to attend the conference and vote as the delegate. The City of Hughson has received the Annual Conference Resolutions Packet which includes two resolutions that were introduced by the required deadline. The following is a summary of the resolutions with the actual packet attached for reference.

Summary of Analysis:

Resolution 1 – This resolution calls on the State legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases.

This resolution is in response to several issues, the first is that with the exponential growth of online sales and the corresponding lack of growth, and even decline, of shopping at brick and mortar locations, cities are seeing much of the sales tax growth coming from the countywide sales tax pools as much of the sales tax is now funneled to the pools. The second issue is that one of the world's largest online retailers changed the legal ownership of its fulfillment centers and instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated. Previous to this change in legal ownership, much of the sales tax would have been allocated to the countywide pool based on point of delivery. Now much of the tax is allocated to the jurisdiction in which the fulfillment center is located.

Resolution 2 – This resolution calls upon the Governor and the State legislature to provide necessary funding for the CPUC to fulfill its obligation to inspect railroad lines to ensure that operators are removing illegal dumping, graffiti, and homeless encampments.

This resolution calls on the Governor and State legislature to provide the funding needed for the CPUC to fulfill its obligation. The State of California has over 6,000 miles of rail lines, with significant amounts running through communities that are economically disadvantaged and/or disadvantaged communities of color. The Federal Railroad Administration delegates the primary oversight of rail operations to the State of California for the lines within California. The CPUC is responsible for the oversight of rail operations. The CPUC has only 41 inspectors covering those 6,000 miles of railroad lines in the State of California and their primary task is ensuring equipment, bridges and rail lines are operationally safe.

The right-of-way areas along the rail lines are becoming increasingly used for illegal dumping, graffiti, and homeless encampments. Rail operators admit that they have insufficient funds set aside to clean up or sufficiently police these right-of-way areas.

Fiscal Impact:

The cost to the City of Hughson associated with Resolution 1 could be a significant decrease in sales tax revenue should the State legislature not take action to consider a fair and equitable distribution of the 1% local sales tax. In the 1st quarter of 2021, the City of Hughson received \$36,167 from the countywide pools. It is difficult to estimate a decrease in revenue as Hughson's distribution continues to trend upward.

Resolution 2 looks to address the negative impact to cities with rail lines that run through the city limits. Cities do not have the financial resources to direct towards property maintenance of private property and the quality of life of communities should not be degraded by the inactions or lack of funding by others. The State of California has record revenues to provide CPUC with funding to ensure right-of-way maintenance by operators is being properly managed and rail operators should be required to set aside sufficient annual funds to provide regular cleanup of their right-of-way through cities.

RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES (“CAL CITIES”) CALLING ON THE STATE LEGISLATURE TO PASS LEGISLATION THAT PROVIDES FOR A FAIR AND EQUITABLE DISTRIBUTION OF THE BRADLEY BURNS 1% LOCAL SALES TAX FROM IN-STATE ONLINE PURCHASES, BASED ON DATA WHERE PRODUCTS ARE SHIPPED TO, AND THAT RIGHTFULLY TAKES INTO CONSIDERATION THE IMPACTS THAT FULFILLMENT CENTERS HAVE ON HOST CITIES BUT ALSO PROVIDES A FAIR SHARE TO CALIFORNIA CITIES THAT DO NOT AND/OR CANNOT HAVE A FULFILLMENT CENTER WITHIN THEIR JURISDICTION

WHEREAS, the 2018 U.S. Supreme Court decision in *Wayfair v. South Dakota* clarified that states could charge and collect tax on purchases even if the seller does not have a physical presence in the state; and

WHEREAS, California cities and counties collect 1% in Bradley Burns sales and use tax from the purchase of tangible personal property and rely on this revenue to provide critical public services such as police and fire protection; and

WHEREAS, in terms of “siting” the place of sale and determining which jurisdiction receives the 1% Bradley Burns local taxes for online sales, the California Department of Tax and Fee Administration (CDTFA) determines “out-of-state” online retailers as those with no presence in California that ship property from outside the state and are therefore subject to use tax, not sales tax, which is collected in a countywide pool of the jurisdiction where the property is shipped from; and

WHEREAS, for online retailers that have a presence in California and have a stock of goods in the state from which it fulfills orders, CDTFA considers the place of sale (“situs”) as the location from which the goods were shipped such as a fulfillment center; and

WHEREAS, in early 2021, one of the state’s largest online retailers shifted its ownership structure so that it is now considered both an in-state and out-of-state retailer, resulting in the sales tax this retailer generates from in-state sales now being entirely allocated to the specific city where the warehouse fulfillment center is located as opposed to going into a countywide pool that is shared with all jurisdictions in that County, as was done previously; and

WHEREAS, this all-or-nothing change for the allocation of in-state sales tax has created winners and losers amongst cities as the online sales tax revenue from the retailer that was once spread amongst all cities in countywide pools is now concentrated in select cities that host a fulfillment center; and

WHEREAS, this has created a tremendous inequity amongst cities, in particular for cities that are built out, do not have space for siting a 1 million square foot fulfillment center, are not located along a major travel corridor, or otherwise not ideally suited to host a fulfillment center; and

WHEREAS, this inequity affects cities statewide, but in particular those with specific circumstances such as no/low property tax cities that are extremely reliant on sales tax revenue as well as cities struggling to meet their RHNA obligations that are being compelled by the State to rezone precious commercial parcels to residential; and

WHEREAS,the inequity produced by allocating in-state online sales tax revenue exclusively to cities with fulfillment centers is exasperated even more by, in addition to already reducing the amount of revenue going into the countywide pools, the cities with fulfillment centers are also receiving a larger share of the dwindling countywide pool as it is allocated based on cities' proportional share of sales tax collected; and

WHEREAS, while it is important to acknowledge that those cities that have fulfillment centers experience impacts from these activities and deserve equitable supplementary compensation, it should also be recognized that the neighboring cities whose residents are ordering product from that center now receive no revenue from the center's sales activity despite also experiencing the impacts created by the center,such as increased traffic and air pollution; and

WHEREAS,the COVID-19 pandemic greatly accelerated the public's shift towards online purchases, a trend that is unlikely to be reversed to pre-pandemic levels; and

NOW, THEREFORE, BE IT RESOLVED that Cal Cities calls on the State Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases,based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

BACKGROUND INFORMATION

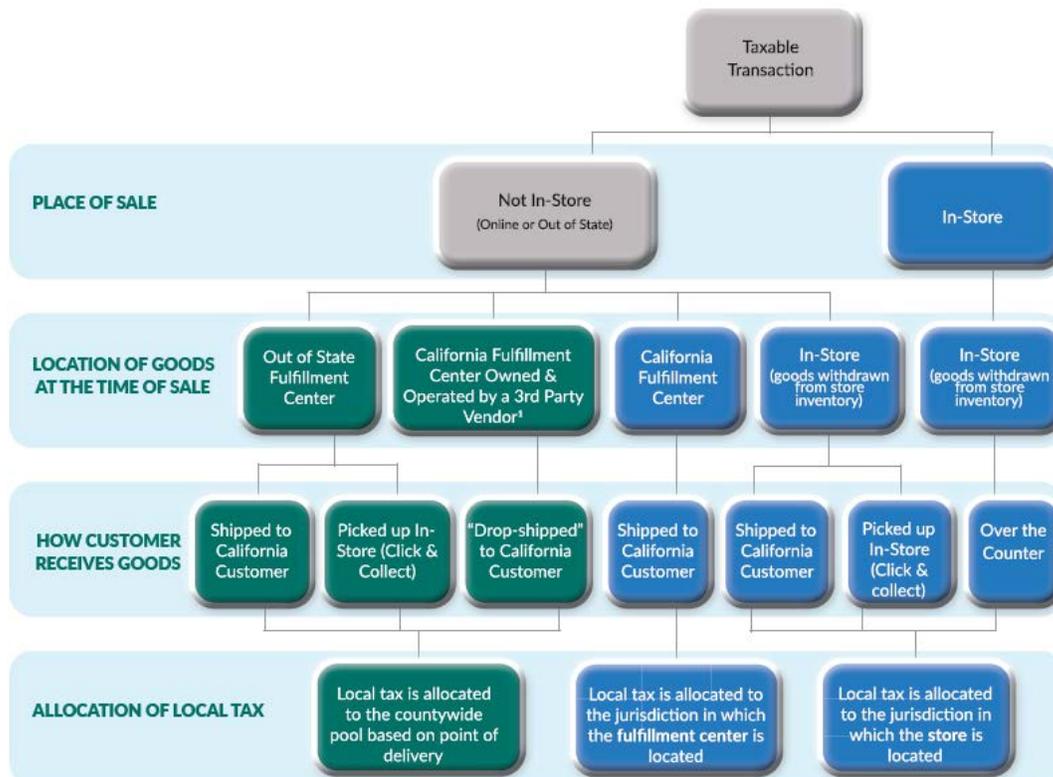
Source: City of Rancho Cucamonga

Background:

Sales tax is a major revenue source for most California cities. Commonly known as the local 1% Bradley-Burns tax, since the 1950’s, cities have traditionally received 1 cent on every dollar of a sale made at the store, restaurant, car dealer, or other location within a jurisdiction’s boundaries.

Over the years, however, this simple tax structure has evolved into a much more complex set of laws and allocation rules. Many of these rules relate to whether or not a given transaction is subject to sales tax, or to use tax – both have the same 1% value, but each applies in separate circumstances. The California Department of Tax and Fee Administration (CDTFA) is responsible for administering this system and issuing rules regarding how it is applied in our state.

The following chart created by HdL Companies, the leading provider of California sales tax consulting, illustrates the complex structure of how sales and use tax allocation is done in California, depending on where the transaction starts, where the goods are located, and how the customer receives the goods:



¹ In this scenario the retailer does not own a stock of goods in California and sales orders are negotiated/processed out of state. An out of state company is not required to hold a seller's permit for an in-state third party warehouse if they do not own a stock of goods at the time of sale.

With the exponential growth of online sales and the corresponding lack of growth, and even decline, of shopping at brick and mortar locations, cities are seeing much of their sales tax growth coming from the countywide sales tax pools, since much of the sales tax is now funneled to the pools.

Recently, one of the world's largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated. Following the chart above, previously much of the sales tax would have followed the green boxes on the chart and been allocated to the countywide pool based on point of delivery. Now, much of the tax is following the blue path through the chart and is allocated to the jurisdiction in which the fulfillment center is located. (It should be noted that some of the tax is still flowing to the pools, in those situations where the fulfillment center is shipping goods for another seller that is out of state.)

This change has created a situation where most cities in California – more than 90%, in fact – are experiencing a sales tax revenue loss that began in the fourth quarter of calendar year 2021. Many cities may not be aware of this impact, as the fluctuations in sales tax following the pandemic shutdowns have masked the issue. But this change will have long-term impacts on revenues for all California cities as all these revenues benefiting all cities have shifted to just a handful of cities and counties that are home to this retailer's fulfillment centers.

This has brought to light again the need to address the issues in how sales and use taxes are distributed in the 21st century. Many, if not most cities will never have the opportunity have a warehouse fulfillment center due to lack of space or not being situated along a major travel corridor. These policies especially favor retailers who may leverage current policy in order to negotiate favorable sales tax sharing agreements, providing more money back to the retailer at the expense of funding critical public services.

With that stated, it is important to note the many impacts to the jurisdictions home to the fulfillment centers. These centers do support the e-commerce most of us as individuals have come to rely on, including heavy wear and tear on streets – one truck is equal to about 8,000 cars when it comes to impact on pavement – and increased air pollution due to the truck traffic and idling diesel engines dropping off large loads. However, it is equally important that State policies acknowledge that entities without fulfillment centers also experience impacts from e-commerce and increased deliveries. Cities whose residents are ordering products that are delivered to their doorstep also experience impacts from traffic, air quality and compromised safety, as well as the negative impact on brick-and-mortar businesses struggling to compete with the sharp increase in online shopping. These cities are rightfully entitled to compensation in an equitable share of sales and use tax. We do not believe that online sales tax distribution between fulfillment center cities and other cities should be an all or nothing endeavor, and not necessarily a fifty-fifty split, either. But we need to find an equitable split that balances the impacts to each jurisdiction involved in the distribution of products purchased online.

Over the years, CalCities has had numerous discussions about the issues surrounding sales tax in the modern era, and how state law and policy should be revisited to address these issues. It is a heavy lift, as all of our cities are impacted a bit differently, making consensus difficult. We believe that by once again starting the conversation and moving toward the development of laws and policies that can result in seeing all cities benefit from the growth taxes generated through online sales, our state will be stronger.

It is for these reasons, that we should all aspire to develop an equitable sales tax distribution for online sales.

Proposed City of South Gate Annual Conference Resolution

A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO PROVIDE NECESSARY FUNDING FOR CUPC TO FULFILL ITS OBLIGATION TO INSPECT RAILROAD LINES TO ENSURE THAT OPERATORS ARE REMOVING ILLEGAL DUMPING, GRAFFITI AND HOMELESS ENCAMPMENTS THAT DEGRADE THE QUALITY OF LIFE AND RESULTS IN INCREASED PUBLIC SAFETY CONCERNS FOR COMMUNITIES AND NEIGHBORHOODS THAT ABUT THE RAILROAD RIGHT-OF-WAY.

WHEREAS, ensuring the quality of life for communities falls upon every local government including that blight and other health impacting activities are addressed in a timely manner by private property owners within its jurisdictional boundaries for their citizens, businesses and institutions; and

WHEREAS, Railroad Operators own nearly 6,000 miles of rail right-of-way throughout the State of California which is regulated by the Federal Railroad Administration and/or the California Public Utilities Commission for operational safety and maintenance; and

WHEREAS, the California Public Utilities Commission (CPUC) is the enforcing agency for railroad safety in the State of California and has 41 inspectors assigned throughout the entire State to inspect and enforce regulatory compliance over thousands of miles of rail line; and

WHEREAS, areas with rail line right-of-way within cities and unincorporated areas are generally located in economically disadvantaged zones and/or disadvantaged communities of color where the impact of blight further lowers property values and increases the likelihood of unsound sanitary conditions and environmental impacts upon them; and

WHEREAS, many communities are seeing an increase in illegal dumping, graffiti upon infrastructure and homeless encampments due to the lax and inadequate oversight by regulatory agencies; and

WHEREAS, local governments have no oversight or regulatory authority to require operators to better maintain and clean their properties as it would with any other private property owner within its jurisdictional boundaries. Thus such local communities often resort to spending their local tax dollars on cleanup activities or are forced to accept the delayed and untimely response by operators to cleaning up specific sites, and;

WHEREAS, that railroad operators should be able to provide local communities with a fixed schedule in which their property will be inspected and cleaned up on a reasonable and regular schedule or provide for a mechanism where they partner with and reimburse local

Proposed City of South Gate Annual Conference Resolution

governments for an agreed upon work program where the local government is enabled to remove items like illegal dumping, graffiti and encampments; and

WHEREAS, the State has made it a priority to deal with homeless individuals and the impacts illegal encampments have upon those communities and has a budgetary surplus that can help fund the CPUC in better dealing with this situation in both a humane manner as well as a betterment to rail safety.

RESOLVED, at the League of California Cities, General Assembly, assembled at the League Annual Conference on September 24, 2021, in Sacramento, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to provide adequate regulatory authority and necessary funding to assist cities with these railroad right-of-way areas so as to adequately deal with illegal dumping, graffiti and homeless encampments that proliferate along the rail lines and result in public safety issues. The League will work with its member cities to educate federal and state officials to the quality of life and health impacts this challenge has upon local communities, especially those of color and/or environmental and economic hardships.

Background Information to Resolution

Source:City of South Gate

Background:

The State of California has over 6,000 miles of rail lines, with significant amount running through communities that are either economically disadvantaged and/or disadvantaged communities of color. While the Federal Railroad Administration (FRA) has primary oversight of rail operations, they delegate that obligation to the State of California for lines within our State. The administration of that oversight falls under the California Public Utilities Commission (CPUC). The CPUC has only 41 inspectors covering those 6,000 miles of railroad lines in the State of California. Their primary task is ensuring equipment, bridges and rail lines are operationally safe.

The right-of-way areas along the rail lines are becoming increasingly used for illegal dumping, graffiti and homeless encampments. Rail operators have admitted that they have insufficient funds set aside to clean up or sufficiently police these right-of-way areas, despite reporting a net income of over \$13 billion in 2020. CPUC budget does not provide the resources to oversee whether rail operators are properly managing the right-of-way itself.

The City of South Gate has three rail lines traversing through its city limits covering about 4 miles. These lines are open and inviting to individuals to conduct illegal dumping, graffiti buildings and structures along with inviting dozens of homeless encampments. As private property, Cities like ourselves cannot just go upon them to remove bulky items, trash, clean graffiti or remove encampments. We must call and arrange for either our staff to access the site or have the rail operator schedule a cleanup. This can take weeks to accomplish, in the meantime residents or businesses that are within a few hundred feet of the line must endure the blight and smell. Trash is often blown from the right-of-way into residential homes or into the streets. Encampments can be seen from the front doors of homes and businesses.

South Gate is a proud city of hard working-class residents, yet with a median household income of just \$50,246 or 65% of AMI for Los Angeles County, it does not have the financial resources to direct towards property maintenance of any commercial private property. The quality of life of communities like ours should not be degraded by the inactions or lack of funding by others. Cities such as South Gate receive no direct revenue from the rail operators, yet we deal with environmental impacts on a daily basis, whether by emissions, illegal dumping, graffiti or homeless encampments.

The State of California has record revenues to provide CPUC with funding nor only for safety oversight but ensuring right-of-way maintenance by operators is being managed properly. Rail Operators should be required to set aside sufficient annual funds to provide a regular cleanup of their right-of-way through the cities of California.



CITY COUNCIL AGENDA ITEM NO. 3.4

SECTION 3: CONSENT CALENDAR

Meeting Date: September 13, 2021
Subject: Appoint Francisco Barrios to the Position of City Council Student Representative
Presented By: Ashton Gose, Deputy City Clerk
Approved By: Merry Mayhew

Staff Recommendation:

Appoint Francisco Barrios to the position of City Council Student Representative.

Background and Overview:

On March 26, 2018, the Hughson City Council adopted Resolution No. 2018-11 creating a newly appointed non-voting position of City Council Student Representative and establishing the role, duties, and responsibilities.

The concept for this youth leadership position was born during the 2017 State of the City Address where Mayor Young shared his vision for getting local youth more involved in government so that they are better prepared to lead in the future.

Based on a recommendation by Hughson High School administrators, City staff coordinated the appointment process for these new positions with the annual Hughson High School Student Council elections that take place in the spring or re-elections at the beginning of the school year.

Discussion:

The following are the key elements of the approved Hughson City Council Student Representative:

Positions Created

- A. The student representative shall be either a junior or senior high school student in the Hughson Unified School District and serve as liaison between the City and the student body on matters related to youths in the community.

- B. Students wishing to serve shall make application through their high school principal. Annual appointment shall be by the Mayor subject to approval of the City Council.
- C. The Hughson City Council is interested in two (2) appointments to fill the one (1) non-voting student representative position, on the Council. One student will be appointed as the primary representative and the other student will be appointed as the alternate representative.

Duties and Responsibilities

- A. The agenda for City Council meetings shall provide a regular opportunity under the heading of comments for the student representative to share information concerning activities and events at the high school. City Council regular meetings are typically the 2nd and 4th Monday of the month at 7:00pm at Hughson City Hall located at 7018 Pine Street, Hughson, CA.
- B. The student representatives will receive an electronic copy of the agenda for each regular and special City Council meeting. The student representatives will receive an electronic copy of all notices of public hearings deemed by the City Manager to be directly related to interests of activities of youths and students in the community.
- C. The student representative (primary member or alternate member) is expected to attend each regular and/or special meeting of the City Council, as well as any additional work session or committee meeting as requested by the Mayor. The student representative shall be seated near the City Council dais and encouraged to participate at the meeting or hearing. This is a non-voting position.
- D. The City Manager, or designee, will provide the student representatives with an orientation of the organization and be available to provide mentoring and support as needed.

Results of Student Elections – Primary Member

On April 23, 2021, Mr. Lighthall, the Hughson High School Principal, informed City staff that the High School has changed their bylaws, so that the elected student body president will serve as the primary member.

Per the City Council approved rules for this position, appointments will be made by the Mayor and subject to the City Council. The Deputy City Clerk has shared this information with Mayor Carr who is recommending Francisco Barrios for appointment. Francisco will be present during the September 27, 2021 meeting to be introduced to the full City Council.

Fiscal Impact:

There is no fiscal impact for this item. The City Council Student Representative position will not be compensated. Upon fulfilling their responsibilities, a student representative will receive a certificate of appreciation from the Hughson City Council during the last regular meeting of the fiscal year (June). A student representative may also receive a letter of recommendation from the City Manager in recognition of their dedication and contributions to the City of Hughson.



CITY COUNCIL AGENDA ITEM NO. 3.5

SECTION 3: CONSENT CALENDAR

Meeting Date: September 13, 2021
Subject: Adoption of Resolution No. 2021-33 Ratifying the Delegation of the City Clerk Functions to the City Manager
Presented By: Merry Mayhew, City Manager
Dan Schroeder
Approved By: Merry Mayhew

Staff Recommendation:

Adopt Resolution No. 2021-33 ratifying the delegation of the City Clerk functions to the City Manager.

Background and Discussion:

The California Government Code designates certain functions to the City Clerk, including functions such as administering oaths or affirmations, certifying affidavits and depositions pertaining to city affairs and business, and publishing ordinances.

In the City of Hughson, many of the administrative functions, such as the finances fall under the responsibility of the City Manager and in the past the City Clerk responsibilities had also been delegated to the City Manager; however, the resolution doing so cannot be located.

This item is to confirm that all of the functions of City Clerk have been delegated to the City Manager. Currently, the classification of Management Analyst serves as the City's Deputy City Clerk and reports to the Director of Finance and Administrative Services.

Fiscal Impact:

There is no fiscal impact associated with this item.

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2021-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON RATIFYING
THE DELEGATION OF THE CITY CLERK FUNCTIONS TO THE CITY MANAGER.**

WHEREAS, the California Government Code designates certain functions to the City Clerk, including but not limited to administering oaths or affirmations, certifying affidavits and depositions pertaining to city affairs and business, and publishing ordinances; and

WHEREAS, the City of Hughson previously delegated City Clerk financial and accounting functions to the City Manager; and

WHEREAS, the City of Hughson had delegated the remainder of the City Clerk functions to the City Manager, though the resolution doing so cannot be located.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson hereby ratifies and confirms that all of the functions of the City Clerk have been delegated to the City Manager.

PASSED AND ADOPTED by the Hughson City Council at a regular meeting thereof, held on September 13, 2021, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

GEORGE CARR, Mayor

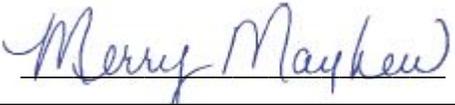
ATTEST:

ASHTON GOSE, Deputy City Clerk



CITY COUNCIL AGENDA ITEM 3.6

SECTION 3: CONSENT CALENDAR

Meeting Date: September 13, 2021
Subject: Approve a Road Closure and allow Live Music on a Public Street on September 25, 2021 for the Hughson Free Will Baptist Church's Block Party
Enclosure: Application and Conditions of Approval
Presented By: Rachel Wyse, Community Development Director
Approved By: 

Staff Recommendation:

Approve a road closure for Charles Street and approve the use of live music on Charles Street on September 25, 2021.

Discussion:

Hughson Free Will Baptist Church's Block Party is before the Council for discussion on a road closure and live music. The Church is proposing to block off Charles Street between Santa Fe Avenue and Whitmore Avenue for a block party that will run from 11:00 a.m. until 6:00 p.m. on Saturday September 25, 2021. The block party will include live bands, free food, and a free car show. No alcohol will be served at this event. The Church estimates that 100-150 people will attend the event throughout the day. The application has been reviewed by Public Works staff, the Sheriff's Department, and the Fire Department. The Sheriff's Department issued conditions which were supported by both Public Works and the Fire Department. Those comments and the corresponding map are attached as Exhibit A of the staff report.

Parks, Recreation and Entertainment Commission

The application was mistakenly deemed to be a standard road closure instead of an event permit. A fact that was not brought to staff's attention until last Friday. The Parks, Recreation, and Entertainment Commission does not hold its regularly scheduled meeting until this Tuesday and the event occurs on September 25, 2021. That said, the same event was held on May 21, 2019, the Parks, Recreation, and Entertainments Commission voted unanimously to approve the street closure. As such, the event will be brought before the Commission as an informational item on Tuesday, September 14th.

ATTACHMENT "A" 1of 2

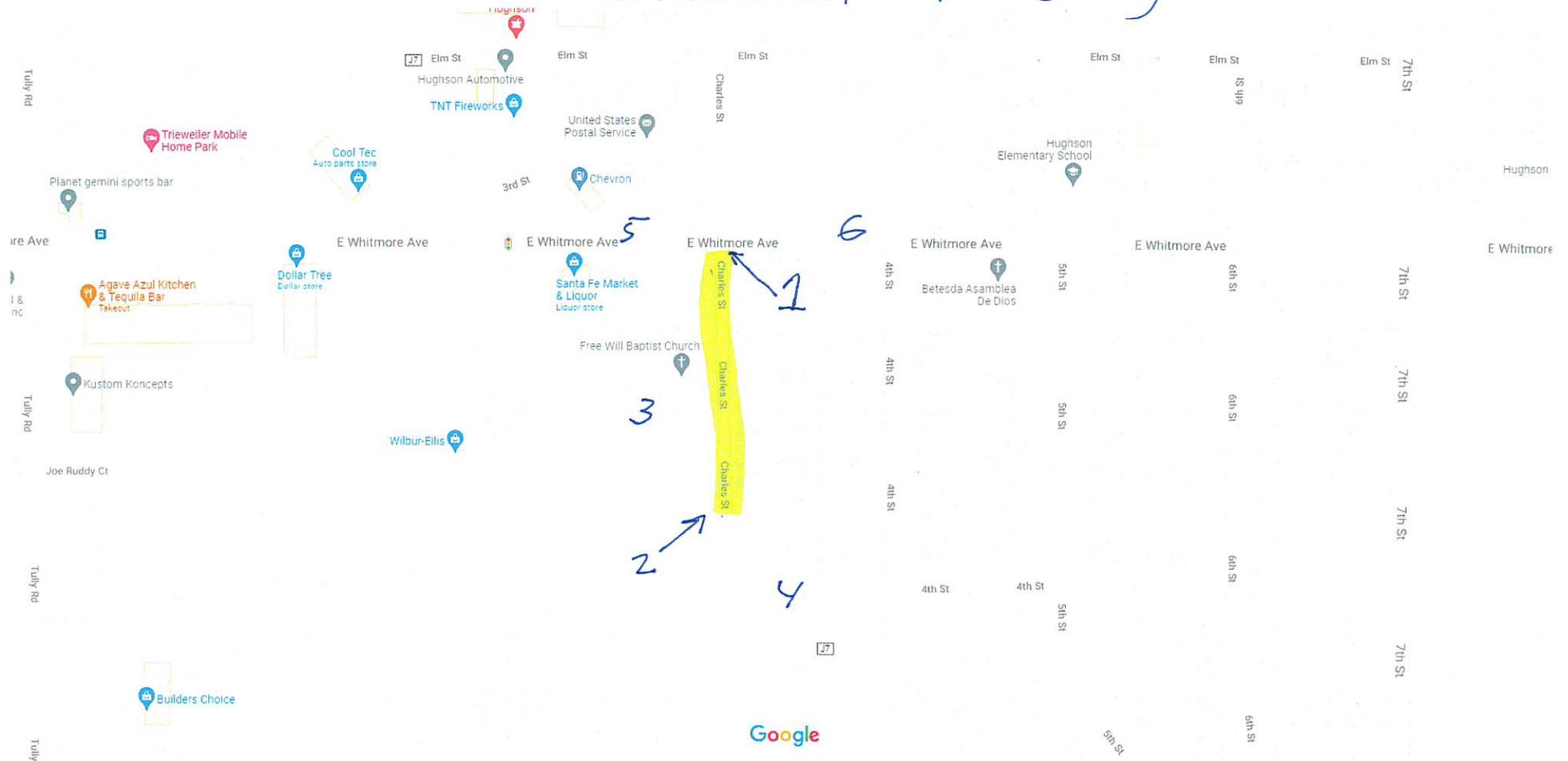
My recommendations are as follows:

- 1 Road closure signage and removable barricade for southbound traffic on Charles St from Whitmore Ave.**
- 2 Road closure signage and removable barricade for northbound traffic on Charles St from Santa Fe Ave.**
- 3 "Reduce speed/event up ahead" type signage on Santa Fe Ave north of Charles St (southbound traffic)**
- 4 "Reduce speed/event up ahead" type signage on Santa Fe south of Charles St (northbound traffic)**
- 5 "Reduce speed/event up ahead" type signage on Whitmore Ave west of Charles St (east-bound traffic)**
- 6 "Reduce speed/event up ahead" type signage on Whitmore Ave east of Charles St (westbound traffic)**

All barricades should be easily removable for emergency vehicle access.

Google Maps

ATTACHMENT A (2022)



Google

Map data ©2021 100 ft



City of Hughson

7018 Pine Street/P.O. Box 9 * Hughson, California 95326 * (209) 883-4054 * Fax (209) 883-2638
www.hughson.org

1. Activity: City wide Out reach

Activity Date(s): Sept 25, 2021 Total Days for Closure: 1
Start Time(s): 11 am Finish Time(s): 6 pm
Street(s) to be closed: Charles St between Wilmore & Santa Fe
Address Number(s) within the closed area(s) _____

Map indicating location of activity is required with application.

2. Sponsoring Organization: Hughson Free will Baptist church

Local Address: 2525 Charles St
City/State/Zip: Hughson CA 95326
Principal Place of Business: _____
Phone: 209 566 4674 Day _____ Night _____ Fax _____

3. Responsible Individual, if other than above:

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____ Day _____ Night _____ Fax _____

The applicant will be responsible for providing, maintaining and installing traffic control devices necessary for the street closure according to the approved traffic control plan. During the hours of darkness, sufficient warning lights or flares shall be maintained at suitable distances to warn the approaching traffic. The applicant hereby agrees to defend, indemnify and forever holds the City of Hughson, its Officials, Employees, Volunteers or Agents harmless against each and every claim, demand or cause of action that may be made or come against it by reason of or in any way arising out of the closing or blocking of the right-of-way approved under this permit.

Applicant Signature: [Signature] Date: 8/4/21

4. Fire Department Comments: _____

Signed by: Scott Bener Date: 9-10-21

5. Police Department Comments: PLEASE SEE ATTACHMENT "A"

Signed by: CHIEF LANDEROS Date: _____

6. Approved by Public Works Department: AS Recommended by

Chief Landeros (Barrocades)

Signed by: [Signature] Date: 9-10-2021

**Hughson Free Will Baptist Church
Hosting 3rd Annual Musical Event**

City Wide Christian Outreach

Featuring

Herb Henry Family

Roy Peart & God's Creation

One Way, Scott Knowles

John & Tamara Madsen

And more!

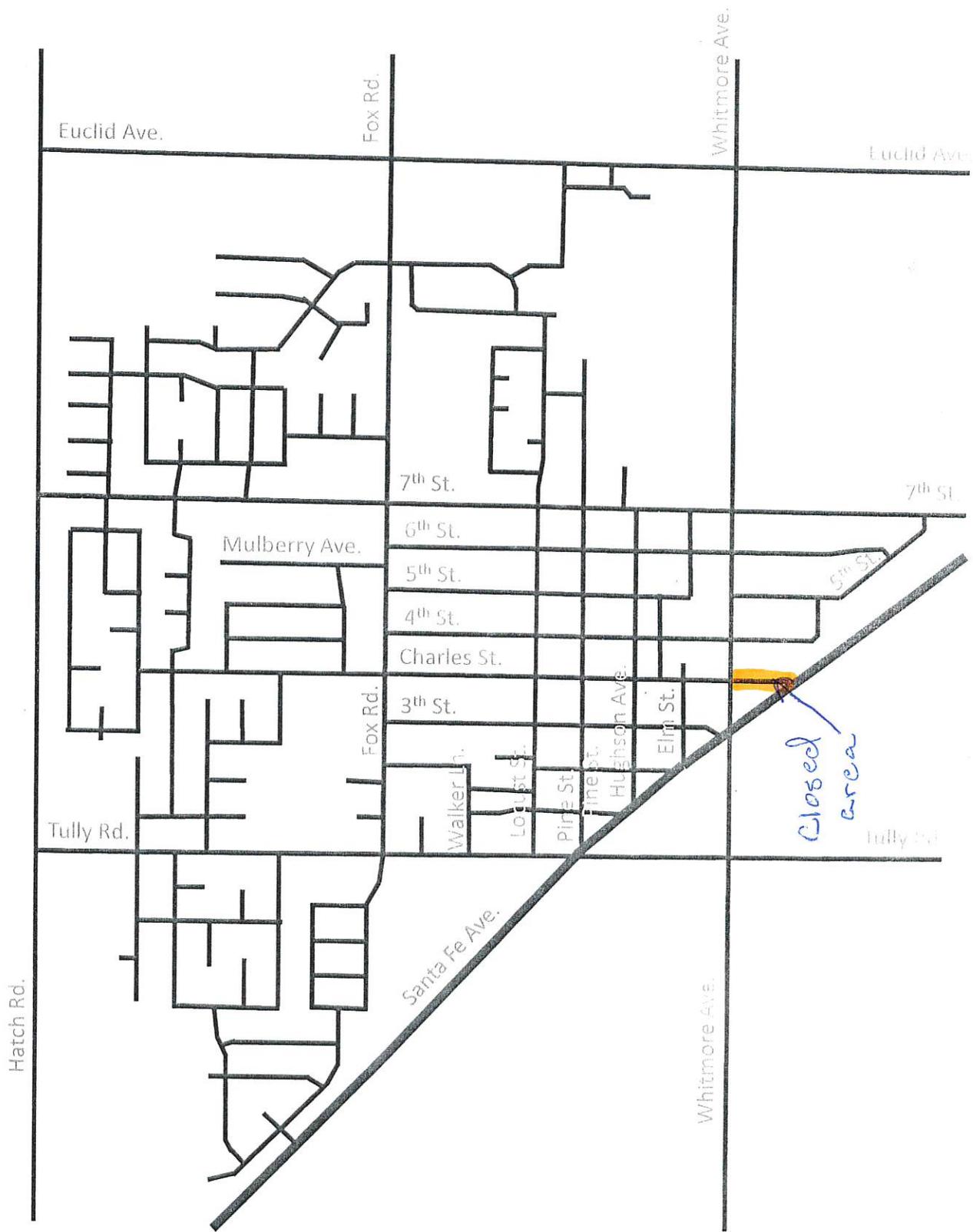
FREE FOOD FREE CAR SHOW

FREE FUN!

2525 Charles St. Hughson

Sept 25th Noon to 4pm

Música, Comida y Diversión





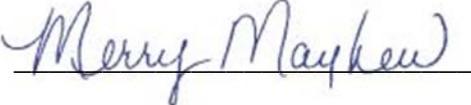
CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date: September 13, 2021

Subject: Adopt Resolution No. 2021-34, Repealing Resolution No. 2020-69 that Adopted a New Development Impact Fee Nexus Study and Proposed Fees on November 23, 2020; and Reinstating the Development Impact Fee Nexus Study and Proposed Fees Adopted by Resolution No. 06-113 on July 24, 2006; and Reinstating the Capital Improvement Fee for Sewer Adopted by Resolution No. 07-199 on August 13, 2007

Presented By: Merry Mayhew, City Manager
Dan Schroeder, City Attorney

Approved By: 

Staff Recommendation:

Adopt Resolution No. 2021-34, Repealing Resolution No. 2020-69, that Adopted a New Development Impact Fee Nexus Study and Proposed Fees on November 23, 2020; and Reinstating Resolution No. 06-113, Adopting the Development Impact Fee Nexus Study and Proposed Fees Adopted by Resolution No. 06-113 on July 24, 2006; and Reinstating Resolution No. 07-199 Adjusting the Capital Improvement Fee for Sewer Adopted by Resolution No. 07-199 on August 13, 2007.

Background:

On July 24, 2006, the City Council approved adopting a Fee Nexus Study and proposed fees. Included were the following Single Family Residence Fees:

Public Facility	\$ 3,050
Storm Drainage	\$ 2,814
Sewer	\$ 5,710
Water	\$ 3,803
Street Improvement	\$ 4,101
Park Development	\$ 2,667
Park in-lieu	\$ 1,991

Community Enhancement	\$ 1,008
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On August 13, 2007, the City Council approved adopting new Sanitary Sewer Service Fees as listed below:

SF	\$ 13,755	per housing unit
MF	\$ 9,628	per housing unit
Retail/Services	\$ 11,967	per 1,000 sq. ft.
Offices	\$ 7,290	per 1,000 sq. ft.
Service Commercial	\$ 6,877	per 1,000 sq. ft.
Industrial	\$ 6,465	per 1,000 sq. ft.

Discussion:

On November 23, 2020, the City Council approved Resolution No. 2020-69 which repealed Resolution No. 06-113 and Resolution No. 07-199, and established Resolution No. 2020-69, adopting a new Development Impact Fee Nexus Study and and Development Impact Fees (“Disputed DIF”) that became effective in January 2021.

In February 2021, the Building Industry Association filed a complaint in Stanislaus County Superior Court alleging that certain portions of the fees adopted on November 23, 2020 failed to comply with provisions of the Government Code.

After reviewing the complaint and after discussions with the City’s consultants, the City and the Building Industry Association came to an agreement to drop the complaint if the City agreed to revise the Fee Study using a formula agreeable to the Building Industry Association. Bartle Wells, Inc. has agreed to revise the Fee Study and is doing so at no cost to the City. Until a new Fee Study is completed and the City adopts new Development Impact Fees, the City needs to reinstate the fees in effect prior to the adoption of the Disputed DIF.

At this time, City staff are recommending adopting Resolution 2021-34 repealing the November 2020 resolution and reinstating the 2006 and 2007 fees. Staff will bring the revised study back to Council for adoption when completed.

Fiscal Impact:

There have been no payments of the new fees that were effective January 2021 and therefore there are no refunds that will be made. The fiscal impact of the agreement with the Building Industry Association is limited to attorney fees and court costs.

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2021-34**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
REPEALING RESOLUTION NO. 2020-69 AND
RE-INSTATING RESOLUTION NOS. 06-113 AND 07-199.**

WHEREAS, the Mitigation Fee Act (Gov. Code §§ 66000, et seq.) authorizes California cities to impose development impact fees to defray costs of public facilities related to development projects; and

WHEREAS, under authority of the Act, the City last updated its development impact fee rates through its Resolution No. 06-113 in 2006 and Resolution No. 07-199 in 2007; and

WHEREAS, on November 23, 2020, the City adopted Resolution No. 2020-69 which repealed Resolution No. 06-113 and Resolution No. 07-199 and approved a new set of development impact fee rates; and

WHEREAS, the Building Industry Association of the Greater Valley, a California corporation ("**Association**") challenged the new development impact fee rates imposed by the City under Resolution No. 2020-69 in a lawsuit the Association filed against the City styled *Building Industry Association of the Greater Valley v. City of Hughson*, Stanislaus Superior Court Case No. CV-21-000815 ("**Lawsuit**"); and

WHEREAS, the Association and the City have negotiated an agreement resolving the Lawsuit whereby the City would repeal Resolution No. 2020-69 imposing the then-new development impact fees and reinstate Resolution Nos. 06-113 and 07-199 imposing the prior development impact fees;

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Hughson repeals Resolution No. 2020-69.

BE IT FURTHER RESOLVED, the City Council of the City of Hughson reinstates, effective as of the date this Resolution is passed and adopted, Resolution Nos. 06-113 and 07-199 imposing development impact fees as if they had not been repealed.

PASSED AND ADOPTED, by the City Council of the City of Hughson at its regular meeting held on this 13th day of September, 2021 by the following roll call votes:

»
»
»

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

GEORGE CARR, Mayor

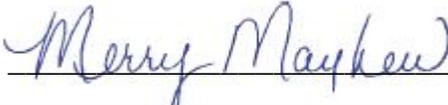
ATTEST:

ASHTON GOSE, Deputy City Clerk



CITY COUNCIL AGENDA ITEM NO. 5.2

SECTION 5: PUBLIC HEARING

Meeting Date: September 13, 2021
Subject: Introduce and Waive the First Reading of Ordinance No. 2021-07, Amending Sections 2.04.010 and 2.04.020 of Chapter 2.04 of Title 2 of the Hughson Municipal Code – City Council
Presented By: Ashton Gose, Deputy City Clerk
Approved By: 

Staff Recommendation:

Introduce and waive the first reading of Ordinance No. 2021-07, Amending Sections 2.04.010 and 2.04.020 of Chapter 2.04 of Title 2 of the Hughson Municipal Code – City Council.

Background and Discussion:

The City of Hughson Municipal Code (HMC) Chapter 2.04 currently designates the meeting time of the regularly scheduled City Council meetings to be held on the second and fourth Mondays of each month, at the hour of 7:00 PM. Staff is recommending changing the regular meeting time from the 7:00 PM hour to the 6:00 PM hour. The proposed time change will continue to ensure that members of the public have the opportunity to participate and/or observe the meetings. In addition, the new meeting time will allow for more efficient staffing operations.

The HMC Chapter 2.04 also designates 7018 Pine Street, Hughson as the location where regular City Council meetings shall be held. The Covid-19 pandemic, at times, altered the designated location for City Council meetings, due to the limited space provided in the Council Chambers at 7018 Pine Street, Hughson.

The Hughson Community Senior Center is often utilized as an alternate location for regular meetings. Thus, staff is recommending adding the location of 2307 4th Street, Hughson as another regular meeting location in the HMC.

If this Ordinance is adopted, it will take effect on October 28, 2021. The November 8, 2021 regularly scheduled City Council meeting will begin at 6:00 PM.

Fiscal Impact:

There is no fiscal impact associated with this item.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2021-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING
SECTIONS 2.04.010 AND 2.04.020 OF CHAPTER 2.04 OF TITLE 2 OF THE HUGHSON
MUNICIPAL CODE – CITY COUNCIL**

WHEREAS, the City of Hughson Municipal Code Chapter 2.04 currently designates a time and location that the city council shall meet; and

WHEREAS, the City desires to amend Chapter 2.04 to change the designated meeting time within the City of Hughson Municipal Code; and

WHEREAS, the City desires to amend Chapter 2.04 to add an alternate designated meeting location within the City of Hughson Municipal Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUGHSON DOES
ORDAIN AS FOLLOWS:**

Section 1 Section 2.04.010 of Chapter 2.04 of Title 2 of the Hughson Municipal Code is amended to read as follows:

“2.04.010 Meeting – Time. The city council shall meet regularly twice a month on the second and fourth Mondays, at the hour of 6:00 p.m. Special meetings of the city council may be held at an alternate time, provided such time is indicated on the meeting agenda.”

Section 2 Section 2.04.020 of Chapter 2.04 of Title 2 of the Hughson Municipal Code is amended to read as follows:

“2.04.020 Meeting – Location. Regular meetings of the city council shall be held in either the council meeting room of the city office building located at 7018 Pine Street in the city of Hughson, Stanislaus County, California or the senior community center located at 2307 4th Street in the city of Hughson, Stanislaus County, California.

Special meetings of the city council may be held in an alternate location provided such location is within the boundaries of the city of Hughson and as allowed by law.”

Section 3 If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have

adopted this Ordinance irrespective of the validity of any particular portion thereof.

Section 4 This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5 Within fifteen (15) days after its final passage, the City Clerk shall cause a summary of this Ordinance to be published in accordance with California Government Code section 36933.

Section 6 This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

The foregoing Ordinance was introduced, and the title thereof read at the regular meeting of the City Council of the City of Hughson held on September 13, 2021, and by a vote of the Council members present, further reading was waived.

On motion of Councilperson _____, seconded by _____, the foregoing Ordinance was passed by the City Council of the City of Hughson at a regular meeting held on _____, 2021, by the following votes:

AYES: _____

NOES: _____

ABSTENTIONS: _____

ABSENT: _____

APPROVED:

GEORGE CARR, Mayor

ATTEST:

ASHTON GOSE, Deputy City Clerk