

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, January 3, 2008

A regular meeting of the Waterford City Council was called to order by Mayor Broderick-Villa at 6:29PM at the Waterford Community Center, 540 "C" Street, Waterford, CA 95386.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: [6:29:56 PM](#) Mayor Broderick-Villa

INVOCATION: Pastor Pete Mar, Waterford Community Baptist Church

ROLL CALL PRESENT:

Present:
Mayor Broderick-Villa
Vice-Mayor Krause
Council Member Goeken
Council Member Weaver
Council Member Aldaco

Absent: None

Also Present:
Charles E. Deschenes, City Administrator
Lori Martin, City Clerk
Corbett J. Browning, City Attorney
Matthew Erickson, Public Works Director
Darin Gharat, Police Chief

ADOPTION OF AGENDA: Mayor Broderick-Villa by a majority vote of the council amended the agenda by adding a Presentation by Pastor Glen Stanford to present awards to the Waterford winners of the Christmas house lighting contest.

Krause moved, seconded by Aldaco, to adopt the agenda as amended.

[6:31:52 PM](#)

AYES: Broderick-Villa, Krause, Goeken, Weaver and Aldaco
NAYES: None
ABSENT: None

Motion passed by majority.

1. CONSENT CALENDAR: Aldaco moved, seconded by Goeken, to adopt the Consent Calendar

[6:32:26 PM](#)

AYES: Broderick-Villa, Krause, Goeken, Weaver and Aldaco
NAYES: None
ABSENT: None

Motion passed by majority.

- 1a: RESOLUTION 2008-01: Warrant Register
- 1b: Minutes of the Regular Meeting held on December 20, 2007
- 1c: Schedule of Council Meeting Dates & Deadlines for 2008
- 1d: Paid Holiday Schedule for 2008

2. PRESENTATIONS:

- 2a: Mayor Broderick-Villa to present a Certificate of Appreciation to Matt Erickson for his time and dedication to the Waterford School Board: [6:31:10 PM](#) Mayor Broderick-Villa presented Matt Erickson with a Certificate of Appreciation for his eight years of service on the Waterford School Board.
- 2b: (ITEM ADDED BY MAJORITY VOTE OF COUNCIL AT 1/3/08 MTG) Glen Stanford, Pastor, Church of the Brethren gave recognition to the three winning families for Christmas House Lighting: Pastor Stanford recognized the three winners by presenting trophies to each. The winner for the brightest category was Mr. & Mrs. Burquett at the corner of Chad & Pasadena. The winner for most unique was John Dickenson at the end of Clarksmill St. and the winner for the decoration that was most fitting for the season was Matt & Christie Dickson & family also at the end of Clarksmill St.

3. COMMUNICATIONS FROM THE AUDIENCE: [6:36:08 PM](#)

Mrs. Mickelo Graves, 12912 Welch addressed Council with a complaint chronic problem with a neighbor. Mrs. Graves stated that the neighbor has a collection of garbage and that there are unsupervised teenagers that have loud parties all night long. Mrs. Graves also stated that there is a lot of activity at this home. Chief Gharat stated that he is aware of the complaint and has resources devoted to this issue at this time. Chief Gharat stated that he will continue to monitor this until it is in compliance.

4. PUBLIC HEARING ITEMS:

- 4a: ORDINANCE 2007-10: SECOND READING & ADOPTION: An Ordinance Adopting the California Building Codes, Waterford Municipal Code Title 15, Buildings & Construction: [6:42:05 PM](#) City Attorney Browning stated that this Ordinance was introduced at the last meeting, explaining that the Building Inspector is recommending adoption of the California Building Codes. Browning stated that after the public hearing if the Council chooses to adopt the new codes that it will become effective 30 days after adoption.

[6:43:07 PM](#) Mayor Broderick-Villa opened the Public Hearing

Gus Oberthier, 11605 Yosemite Blvd. addressed Council stating that he is pretty familiar with the Uniform Building Codes, however was unaware of what differences there may be between the Uniform Building Codes and the California Building Codes. Mr. Oberthier expressed his main concern was with set backs and easements with new developments. Mr. Oberthier stated that he felt the school did not use proper set backs when they installed a fence along the property line and feels that other people may do the same just because they do not know about the code requirement in regards to setbacks. Mr. Oberthier stated that he would like to take a look at the new code to see if there are any changes that would cause concern in regards to setbacks and right-of-ways.

[6:46:19 PM](#) Mayor Broderick-Villa closed the Public Hearing with no other members of the public offering comments.

Goeken moved, seconded by Krause, to adopt Ordinance 2007-10, as recommended.

[6:46:32 PM](#)

AYES: Broderick-Villa, Krause, Goeken, Weaver and Aldaco
NAYES: None
ABSENT: None

Motion passed by majority.

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to Update on the Government Center Project: [6:46:38 PM](#) City Administrator Deschenes stated that he did not have anything new to report on this. Deschenes stated that due to the holiday's and the architect being on vacation he has not been able to wrap up the space allocation, however hopes to meet with the architect next week stating that he wants to keep this moving along.

6. NEW BUSINESS:

- 6a: DISCUSSION: Relating to the Issuance of a Letter of Support to Stanislaus County for its Application to the California Department of Transportation for Funding in the Amount of \$250,000 to Support a Countywide Growth Management Strategy: [6:47:24 PM](#) City Administrator Deschenes stated that the County is applying for this grant on behalf of the Stanislaus County Mayor's group. Deschenes stated that they will be hiring a consultant to do some work in relation to the growth management plan.

Krause moved, seconded by Aldaco, authorizing the Mayor to sign a letter of support to Stanislaus County for the Countywide Growth Management Strategy, as recommended.

[6:48:49 PM](#)

AYES: Broderick-Villa, Krause, Goeken, Weaver and Aldaco
NAYES: None
ABSENT: None

Motion passed by majority.

- 6b: RESOLUTION 2008-02: A Resolution Authorizing the Execution and Delivery of a Sublease/Option Agreement and Site Lease and Authorizing and Directing Certain Actions in Connection Therewith: [6:48:54 PM](#) City Administrator Deschenes explained that this is in relation to the 19.6 acre of parkland that the city is purchasing stating that this is a resolution that is required by our financing company stating that this is pretty straight forward. Deschenes recommended adoption of the Resolution.

Goeken moved, seconded by Krause, to adopt Resolution 2008-02, as recommended.

[6:49:29 PM](#)

AYES: Broderick-Villa, Krause, Goeken, Weaver and Aldaco
NAYES: None
ABSENT: None

Motion passed by majority.

- 6c: DISCUSSION: Relating to New City Hall Modular Security System: [6:49:33 PM](#) City Administrator Deschenes explained the three levels of security to the new city hall modular building that was recommended by staff. Deschenes stated that with City Hall being separated from the Police Station, there is a definite need to have a security system in place. Deschenes stated that his recommendation would be to adopt the security system and measures that have been initiated by staff.
CM/Weaver recommended that another good feature to add to this is a panic button that would alert the Sheriff's Department of a problem.

MBV inquired if there was a way to allow Council Members access to the restroom in case they needed to use it after hours.

CM/Aldaco stated that he personally does not need access to the building stating that he lives and works here in the city and can pick up his mail and agendas during normal business hours. CM/Aldaco stated further that some council members that do work late night shifts may need access to get their mail, but he personally does not need a key or access to the building after normal business hours.

CM/Goeken commented that what staff has outlined is fine and that it allows access to get their mail and agenda's stating that is all he needs and does not have a need to go into the main business area during off hours. CM/Goeken stated that what staff has recommended is reasonable and fair.

MBV asked if anyone was opposed to giving Council Members access to the bathrooms. MBV stated that there may be a need periodically to hold a County Mayor's meeting in the Conference Room and explained that they would also need access to the restrooms.

City Administrator Deschenes stated that the Mayor's meetings can be scheduled and that he would make arrangements so that there was access to the Conference Room which would include access to the restrooms.

MBV asked if anyone was dead set against restroom access to Council after normal business hours.

CM/Goeken responded stating that from a police standpoint, the more people that you allow in and the more keys you give out compromises your security and gives a greater increase to things being lost or stolen and the more you limit it the better.

CM/Krause stated that he is happy with the outline of security measures provided by staff in the report.

City Administrator Deschenes asked the Council to approve staff's recommendation by motion and vote of the Council. Deschenes also pointed out that staff will make accommodations for meetings after normal business hours that will allow access to the conference room and restrooms.

MBV inquired if Council could come to an agreement that the Mayor be allowed to have restroom access after normal business hours, stating that he would hope that would not compromise security too much by giving restroom access to the Mayor after hours. Deschenes stated that if it is in conjunction with a meeting he would have access to the restrooms.

Mayor Broderick-Villa put an amended motion on the floor to approve the security measures outlined by staff and to include bathroom access. CM/Aldaco asked for clarification on the motion asking if the bathroom access approval would be allowed in conjunction with a scheduled after hours meeting. Mayor Broderick-Villa replied stating that he trusts Council's discretion and that he trusts the Council Members stating that the Council Members are honorable.

Weaver moved, seconded by Broderick-Villa, to approve security measures outlined by staff to include bathroom access.

[6:56:32 PM](#)

AYES: Broderick-Villa, Krause, Goeken and Weaver
NAYES: Aldaco
ABSENT: None

Motion passed by majority.

7. COMMENTS:

- 7a: Law Enforcement Comments/Reports: [6:56:44 PM](#) Chief Gharat stated that he was happy to report a very quiet New Years holiday in Waterford. Gharat stated that he had extra officers working for holiday to handle any incidences, however nothing major to report on. Chief Gharat reported on the recent DUI enforcement reporting only 2 arrests within a 1-1/2 week period. Chief Gharat commended Chief Jackson for the outstanding staff he put together here in Waterford and reported that car thefts and vehicle burglaries in Waterford were down 29% which was the most significant decrease throughout Stanislaus County. Chief Gharat stated that the staff and Rob Jackson are to be commended for that success and stated that he personally gave Rob Jackson a call today to thank him. Chief Gharat stated that Waterford also had the highest

recovery rate in regards to vehicle thefts as well, stating that his department will continue the efforts to keep that number decreasing.

7b: City Attorney Comments/Reports: [6:59:04 PM](#) City Attorney Browning requested three closed session items. Real Property Negotiations under GC 54956.8, Labor Negotiator under GC 54957.6 , and Public Employee Performance Evaluation to discuss the City Administrator Contract under GC 54957. City Attorney Browning provided a brief response to the questions brought up by Mr. Oberthier during the public hearing to adopt Ordinance 2007-10. Browning explained that the concerns brought up by Mr. Oberthier in regards to set backs are outlined in the City zoning code and explained that what the council adopted earlier will not affect the city's zoning code. Browning explained that the Council adopted the California Code of Regulations, Title 24 and in terms of building standards these are the building code standards that are applied statewide. Browning stated that if anyone has concerns with any building codes that may have changed to contact the Building Inspector and he will be able to direct them to any new changes. Browning stated that his understanding is that there are very few changes and that mostly what was done was renaming the code from Uniform Building Code to California Building Code.

7c: City Administrator Comments/Reports: [7:00:58 PM](#) City Administrator Deschenes stated that the City Planner recently gave him the first draft of the revised subdivision planning code to review, therefore he and the City Attorney will be busy with that for awhile. Deschenes informed Council that staff will be doing a presentation at the next meeting in regards to the prioritization of streets projects for 2008. Deschenes reported on a topic discussion at the City Manager's meeting today in regards to the County-wide sale tax initiative. Deschenes stated that the County and StanCOG would like to know if the cities are ready and willing to put this on the ballot again. Deschenes gave some background information relating to the last ballot initiative which did not get approved by the voters. Deschenes stated that his stance on this is that the allocation to the municipalities is not equitable.

7d: City Council Comments/Reports:

Jose Aldaco: [7:10:16 PM](#) No Comments.

CM/Weaver: [7:10:20 PM](#) CM/Weaver commended the deputies that handled a recent assault case, stating that the deputies did a great job and really rallied around the victim. CM/Weaver thanked Matt Erickson for all of his years of great service to the Waterford School Board. CM/Weaver thanked the Public Works Department for recycling of all of the Christmas trees around town.

CM/Goeken: [7:11:12 PM](#) CM/Goeken commented that it was good to see the park property purchase moving forward stating it will be nice to have a park on the west side of town. CM/Goeken stated he is looking forward to all of the good things to come in the New Year.

CM/Krause: [7:11:31 PM](#) CM/Krause wished everyone a happy new year, stating that he hopes to see a lot of accomplishments this year.

Mayor Broderick-Villa: [7:11:40 PM](#) MBV wished everyone a happy new year and made a request to have the Covey/C Street item back on the agenda and offered a standing invitations to the Padrnos' to attend and speak on behalf of the residents of Covey and C Streets.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: [7:11:58 PM](#) Mayor Broderick-Villa recessed the City Council meeting at 7:11PM. To reconvene to closed session directly following the recess. To reconvene to the City Council meeting to adjourn directly following closed session.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on January 17, 2008, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Lori Martin, CMC, City Clerk

William Broderick-Villa, Mayor

CLOSED SESSION:

Item 9a: "CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION"
(PURSUANT TO GOVERNMENT CODE SECTION 54956.9)
None.

Item 9b: "CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION" (PURSUANT TO
GOVERNMENT CODE SECTION 54956.9)

None.

Item 9c: "CONFERENCE WITH REAL PROPERTY NEGOTIATOR"
(PURSUANT TO GOVERNMENT CODE 54956.8)

Direction given to Negotiator by Council.

Item 9d: "CONFERENCE WITH LABOR NEGOTIATOR"
(Pursuant to Government Code Section 54957.6) Charles Deschenes, City Administrator,
Designated Labor Negotiator

Direction given to Negotiator by Council.

Item 9e: "PUBLIC EMPLOYEE PERFORMANCE EVALUATION"
(Pursuant to Government Code Section 54957)

Direction to City Attorney regarding City Administrator contract.

Item 9f: "PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE"
(Pursuant to Government Code Section 54957)

None.

Item 9g: "PUBLIC EMPLOYEE APPOINTMENT"
(Pursuant to Government Code Section 54956.8)

None.

Item 9h: "CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY STATE LAW"
(Penal Code Section 832.7)

None.