

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, January 7, 2010

A regular meeting of the Waterford City Council was called to order by Council Member Goeken at 6:30PM at the Waterford Community Center, 540 "C" Street, Waterford, CA 95386.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: [06:30:07 PM](#) Mayor Charlie Goeken

INVOCATION: [06:30:24 PM](#) Murray Day

ROLL CALL PRESENT: [06:31:02 PM](#)

Present: Mayor Goeken
Council Member Aldaco
Council Member Van Winkle
Council Member Krause

Absent: None

Also Present: Martin
Browning
Erickson

ADOPTION OF AGENDA: Aldaco moved, seconded by Van Winkle, to adopt the agenda.

[06:31:14 PM](#)

AYES: Goeken, Aldaco, Van Winkle and Krause

NAYES: None

ABSENT:None

Motion passed by majority.

1. CONSENT CALENDAR: Van Winkle moved, seconded by Krause, to adopt the consent calendar.

[06:31:26 PM](#)

AYES: Goeken, Aldaco, Van Winkle and Krause

NAYES: None

ABSENT:None

Motion passed by majority.

ADOPTION OF CONSENT CALENDAR:

- 1a: RESOLUTION 2010-01: Warrant Register
- 1b: Minutes of the Regular City Council Meeting held on December 17, 2009
- 1c: Stanislaus County City Selection Committee Meeting Minutes for December 16, 2009

2. PRESENTATIONS:

- 2a: DISCUSSION: Consideration of Applications Received and Interview of Candidates for City Council Vacancy. If Appointment to City Council is Determined, Approval of Resolution 2010-04 Accordingly: [06:31:36 PM](#) Public Works Director Erickson explained that a vacancy was created on the Council with the resignation of Vice-Mayor Weaver. Erickson stated that applications were accepted from interested

parties to fill the seat has occurred and stated further that one application was received from Mr. Murray Day. Erickson stated that Mr. Day's application and resume are included in the agenda packets for Council's review, consideration and possible action. Mayor Goeken invited Mr. Day to the podium to introduce himself.

[06:32:27 PM](#) Murray Day, 340 Amy Lane, stated that he has been following the Council meetings and items that Council has been discussing over the last several months. Mr. Day stated that he is most pleased with the way that the Council has worked and looks forward to the opportunity to be a part of this Council.

Krause moved, seconded by Van Winkle, to adopt Resolution 2010-04 appointing Murray Day to the City Council.

[06:33:19 PM](#)

AYES: Goeken, Aldaco, Van Winkle and Krause

NAYES: None

ABSENT:None

Motion passed by majority.

City Clerk, Lori Martin administered the Oath of Office to Murray Day. After Mr. Day was sworn into office he took his seat on the City Council.

3. COMMUNICATIONS FROM THE AUDIENCE: [06:34:58 PM](#) None.

4. PUBLIC HEARING ITEMS:

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to Update on the Government Center Project: [06:35:19 PM](#) CM/Krause explained that discussions have been on hold for now, however stated that he looks forward to Chuck coming back so that discussions can begin again soon.
- 5b: DISCUSSION: Relating to Cost Savings and Revenue Enhancement Ideas and Input: [06:35:51 PM](#) Public Works Director Erickson stated that he did not have any new updates on this item and stated further that he is sure this discussion will continue amongst Department Heads as they put their 2010/11 budgets.
- 5c: DISCUSSION: Relating to the Service Agreement with CIS Security for Mobile Patrol Security Services: [06:36:12 PM](#) Public Works Director Erickson stated that our contract with CIS Security was terminated effective December 31, 2009 and stated that this function is now being performed in-house. Erickson stated that this has been negotiated with the labor union and agreement was reached. Erickson stated that this item will be removed from the next agenda.
- 5d: DISCUSSION: Related to Request from River Pointe Homeowners Association for Street Sweeping Service and Street Light Maintenance for the River Pointe Subdivision: [06:37:15 PM](#) Public Works Director stated that he has come up with some preliminary numbers. Erickson stated that will be doing a sweeper test in the next week. Deschenes stated that they are giving the homeowners association time to get a notice out to the River Pointe residents so that any cars parked on the street can be moved during the sweeping time. Erickson stated that this will give an idea of how much time it will take and how much debris will be collected and how long it will take to clean the machine. Erickson stated that his preliminary numbers are basically a man hour cost/hour and the cost of the equipment. Erickson stated that he just needs an actual time

to attach to that and then he will add an administrative charge for billing and administrative work. Erickson stated that he will be giving this report to Chuck as soon as it is completed and from there Erickson stated that we will issue some type of proposal with several options to the home owners association. Erickson stated that in regards to the street lights he has come up with a basic hourly figure for the labor and an hourly figure for the truck. Erickson stated that they will charge for parts used as necessary. Erickson explained that his recommendation would be to bill the homeowners association annually for this service.

6. NEW BUSINESS:

- 6a: RESOLUTION 2010-02: A Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids for the Waterford Major Collector Street Overlay Project, City Bid # 2010-01: [06:41:16 PM](#) Public Works Director Erickson explained that this is a clean up item that formalizes the authorization to go out to bid for the major collector street overlay project. Erickson explained that this project is a result of the much talked about stimulus funds.

Aldaco moved, seconded by Van Winkle, to adopt Resolution 2010-02, as recommended.

[06:42:21 PM](#)

AYES: Goeken, Aldaco, Van Winkle, Krause and Day

NAYES: None

ABSENT:None

Motion passed by majority.

- 6b: RESOLUTION 2010-03: A Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids for the Brethren Park Project, City Bid # 2010-02: [06:42:26 PM](#) Public Works Director Erickson explained that this will formalize and approve the call for bids and approve the plans & specifications for the Brethren Park Project. Erickson stated that this project will be constructed with CDBG funding and recommended approval.

Van Winkle moved, seconded by Krause, to adopt Resolution 2010-03, as recommended.

[06:43:11 PM](#)

AYES: Goeken, Aldaco, Van Winkle, Krause and Day

NAYES: None

ABSENT:None

Motion passed by majority.

- 6c: RESOLUTION 2010-05: A Resolution Accepting the Lowest Responsible Bid for the Waterford Major Collector Street Overlay Project, City Bid 2010-01 and Approving the Contract: [06:43:17 PM](#) Public Works Director Erickson stated that the city advertised and solicited bids for the Waterford Major Collector Street Overlay Project under City Bid #2010-01. Erickson stated that seven bids were received and were opened and read aloud in the office of City Hall on January 6, 2010 at 3:00PM. Erickson stated that after a review of the bids it was determined that Teichert Construction was the apparent low bidder with a bid of Five Hundred Fifty Nine Thousand Seven Hundred Eight Two Dollars and 80/100. Erickson stated that this bid total reflects the base bid costs plus alternate bid #2. Erickson stated that the City Engineer confirmed that this bid met all of the outlined requirements and specifications and the call for projects. Erickson recommended acceptance of the bid, approve the contract and award the Waterford Major Collector Street Overlay Project to Teichert Construction in the amount of \$559,782.80. In response to Mayor Goeken's question, Erickson identified the streets that will receive the overlay.

Day moved, seconded by Krause, to adopt Resolution 2010-05, as recommended.

[06:48:57 PM](#)

AYES: Goeken, Aldaco, Van Winkle, Krause and Day

NAYES: None

ABSENT:None

Motion passed by majority.

7. COMMENTS:

7a: Law Enforcement Comments/Reports: absent.

7b: City Attorney Comments/Reports: [06:49:11 PM](#) City Attorney Browning apologized for his late arrival. Browning congratulated CM/Day for his appointment to Council tonight. Browning stated that the agenda reflects four items under closed session stating that he only has an update on one item. Browning requested closed session discussion under Real Property Negotiator for APN No. 134-010-044 also known as the D Street property. Browning requested that the City Clerk attend closed session as there will possibly be an open session component of this item. Browning stated that this is the only closed session item discussion he has for tonight.

7c: City Administrator Comments/Reports: [06:50:53 PM](#) Public Works Director Erickson did not have any comments.

7d: City Council Comments/Reports:

Jose Aldaco: [06:51:30 PM](#) CM/Aldaco congratulated CM/Day on his appointment. CM/Aldaco stated that he is glad to see that we are getting some stimulus money to improve our streets.

Ken Krause: [06:51:44 PM](#) CM/Krause also welcomed CM/Day stating he is looking forward to working with him.

CM/Van Winkle: [06:51:55 PM](#) CM/Van Winkle also congratulated CM/Day. CM/Van Winkle also thanked the community and thanked staff and his colleagues for the jobs they all do

Murray Day: [06:51:08 PM](#) CM/Day stated that it is his pleasure to serve on this Council and looks forward to supporting our community and working with the citizens, council and city staff.

Mayor Goeken: [06:52:45 PM](#) Mayor Goeken thanked Jim Weaver for his service on the council and for stopping by the meeting tonight. Mayor Goeken welcomed CM/Day to the City Council stating he looks forward to another good year in 2010, despite a few bumps in the road and a tight budget however looks forward to getting some things done in 2010.

ANNOUNCEMENTS:

ADJOURNMENT/RECESS: [06:53:01 PM](#) Mayor Goeken recessed the City Council meeting at 6:53PM. To reconvene to Closed Session directly following the recess.

[07:09:05 PM](#) Reconvened to the City Council Meeting at 7:09PM to report action taken during Closed Session. A motion to adjourn was made by CM/Aldaco and seconded by CM/Van Winkle at 7:09:12PM

Aldaco moved, seconded by Van Winkle, to adjourn the City Council meeting.

[07:09:12 PM](#)

AYES: Goeken, Aldaco, Van Winkle, Krause and Day

NAYES: None

ABSENT:None

Motion passed by majority.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on January 21, 2010, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Lori Martin, CMC, City Clerk

Charlie Goeken, 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)

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

City Council unanimously approved a Resolution needed by the Escrow Company approving the purchase of 528 D Street pursuant to the purchase sale agreement in the appraised amount.

Aldaco moved, seconded by Krause, to adopt Resolution 2010-06.

[07:09:05 PM](#)

AYES: Goeken, Aldaco, Van Winkle, Krause and Day

NAYES: None

ABSENT:None

Motion passed by majority.

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

None.

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

None.

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.