

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, March 20, 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: [6:30:32 PM](#) William Broderick-Villa

INVOCATION: [6:30:45 PM](#) Retired Pastor, Glen Stanford – Waterford Church of the Brethren

ROLL CALL PRESENT: [6:32:10 PM](#) >

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, Chief of Police

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

[6:32:18 PM](#)

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

Motion passed by majority.

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

[6:32:27 PM](#)

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

Motion passed by majority.

ADOPTION OF CONSENT CALENDAR:

- 1a: RESOLUTION 2008-17: Warrant Register
- 1b: Minutes of the Regular Meeting held on March 6, 2008
- 1c: Building Report – February 2008
- 1d: Business License Report – February 2008
- 1e: Waterford Parks & Recreation Minutes – January 8, 2008
- 1f: Waterford Police Services Report – December 2007
- 1g: Wastewater Daily Flow Summary – February 2008

2. PRESENTATIONS: None.

3. COMMUNICATIONS FROM THE AUDIENCE:

[6:32:33 PM](#) Jeff Benziger 327 Becky Way, expressed concerns relating to storing of trash containers and asked the city to educate the public on where to store trash containers throughout the week, especially since we now have three trash receptacles instead of one. Mr. Benziger stated that he believes the city has an ordinance in place to address this issue, however if it does not, then he would ask the Council to adopt an amendment that would allow the city to address this problem. Mr. Benziger asked the council if they would be interested in appointing a blight committee consisting of volunteers that would like to discuss options of improving blight in the community to come up with solutions to tackle these types of issues. Mr. Benziger stated that he would like to see Waterford raise the bar a little in regards to making the community look nicer.

CM/Goeken commented that he feels this is more of an education issue and recommended the city put flyers in the monthly billing that addresses not only the trash receptacle issue but also the curfew issue as he has been getting a lot of complaints in that regard and feels that many of the kids as well as their parents know what the curfew is or even that there is a curfew. City Attorney Browning recommended that Council give direction to staff to put this as a discussion item on the next agenda so that Council can review and provide direction as to what type of amendments they would like to have drafted.

4. PUBLIC HEARING ITEMS:

5. UNFINISHED BUSINESS:

5a: DISCUSSION: Relating to Update on the Government Center Project: [6:50:32 PM](#) City Administrator Deschenes reported that the Committee completed the square footage allocation process and have sent drafts of that to the County. Deschenes stated that the next step would be to move this from conceptual design to actual plans and specifications. Deschenes stated that it would take a few more meetings to accomplish this.

5b: DISCUSSION: Relating to the Proposed Stanislaus County Transportation Sales Tax: [6:52:05 PM](#) City Administrator Deschenes reported that the changes that the report was revised with the changes that were discussed at the last meeting. Deschenes stated that he has handed out a more recent draft to Council tonight that reflects what was given to StanCOG. Deschenes stated that StanCOG will plug this into their formats which will be equivalent for each city. Deschenes stated that there have been special interests groups that have approached the Executive Committee in regards to looking at shares of the sales tax. Deschenes stated that the final product will reflect that each city has a multitude of issues that are unique to each individual city. Deschenes stated that by each city outlining a project list that suits their municipality gives this a lot of merit. Deschenes stated that StanCOG and the Committee Members want to keep this in front of the public and continue the dialogue on this subject to further educate the public on how this will benefit each city and the county. CM/Weaver stated that it would be good to get a wide distribution of this out to the public. City Administrator Deschenes stated that we will try and get this on our website. Deschenes stated that StanCOG should have more of a final draft within a week and will most likely have the entire proposal on their website. Deschenes stated that the local newspapers will be doing articles on this as well. CM/Aldaco made a suggestion of adding

pictures alongside the Waterford projects so that the public can see the particular streets projects on the list.

- 5c: **DISCUSSION:** Relating to an Update on Parkland Acquisition and Escrow Closing Review: [6:56:13 PM](#) City Administrator Deschenes stated that he is getting close to wrapping this up. Deschenes explained for the benefit of the public that this is a parcel that the city is purchasing and is located between the High School and the river which consists of 19.6 acres. Deschenes stated that the city is financing approximately \$600,000 and utilizing approximately \$700,000 in parkland dedication fees to make this purchase. Deschenes stated that the City and the School District will be working out an agreement for the School District to do a Participation and Lease Agreement.

6. NEW BUSINESS:

- 6a: **RESOLUTION 2008-18:** A Resolution Adopting the Sanitary Sewer Management Plan Containing the Goal and Organizational Structure: [6:58:36 PM](#) Public Works Director Erickson explained that the Council adopted a development plan and schedule in 2007 for the Sewer System Management Plan stating that certain milestones were required to be met with one of the requirements being the adoption of the plan with the second milestone being the first two sections of the plan which is Goals and Organization which has a deadline of May 1, 2008. Erickson stated that Council has been provided a staff report along with the first two sections of the Sewer System Management Plan consisting of the goal and organizational structure and recommended adoption.

Goeken moved, seconded by Krause, to adopt Resolution 2008-18, as recommended.

[6:59:30 PM](#)

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

Motion passed by majority.

- 6b: **DISCUSSION:** Relating to a Community-Wide City Beautification Day: [6:59:37 PM](#) Public Works Director Erickson stated that he has been working with CM/Goeken to set up and coordinate a community clean-up day stating that they had some community groups that have contacted the city wanting to get involved in this project. Erickson stated that one of the dates that everyone has agreed to is Saturday, April 19th which is very close to Earth Day. Erickson stated that he has prepared a press release for the Waterford News which will invite the community to meet with city staff in the parking lot of the Community Center with their rakes, shovels, gloves, etc. stating that the city would provide the garbage bags and water. Erickson stated that they will most likely assign sections and stated that the alleys always need work this time of year and stated that the clean-up crews will leave their garbage bags in designated areas and city crews will pick them up later. Erickson stated this will essentially be a general cleaning of the city or a "spring cleaning" day. Erickson stated that this event will run from 8am – 12pm. Erickson stated that the Lions Club will be hosting a barbeque at the River Park at 12:30pm and invited the volunteers and the public to attend. CM/Goeken stated that members from the Community Baptist Church, Lions Club, Cub Scouts and Boy Scouts along with some High School students that are in need of community service

hours will be participating in the community clean-up event. CM/Goeken estimated that there would be approximately 100 volunteers. Erickson stated that this is also a “help your neighbor” day for those that might not want to participate in the organized event. Erickson stated that his press release indicates that this is the City’s first annual event and hopes to make it an ongoing annual event.

- 6c: DISCUSSION: City Council to Consider Accepting Donation from the Waterford Lions Foundation for the Newly Constructed Pavilion at the River Park: [7:06:02 PM](#) Deschenes reported that the Pavilion structure is up, however there are a few things left to be added stating that it looks very nice. Deschenes explained that it is a community asset and can be used now and recommended that the Council accept the donation of the pavilion and then he can get it on the city’s insurance policy.

Krause moved, seconded by Weaver, to accept the donation from the Lions Foundation for the Pavilion structure at the River Park , as recommended.

[7:06:49 PM](#)

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

Motion passed by majority.

- 6d: DISCUSSION: Consideration to Allow for the Rental of the New Outdoor Pavilion at the River Park for Private Events: [7:06:53 PM](#) City Administrator Deschenes stated that he is not asking for a decision by Council tonight, however wanted to open this up for discussion. Deschenes stated that the city has received requests in the past to rent the pavilion and the park itself on occasions. Deschenes asked Council to think about how the River Park can best be managed to make it the best community asset. Deschenes stated that Council can also assign this to the Parks & Recreation Commission to come up with a recommendation; however he wanted to initiate the discussion so that Council and the general public can be thinking about this. CM/Krause and Mayor Broderick-Villa stated that they would like to have a recommendation from the Parks & Recreation Commission. CM/Goeken agreed and stated that he is in favor of renting the pavilion, however would not be in favor of renting the entire park where others would not have access to it.

7. COMMENTS:

- 7a: Law Enforcement Comments/Reports: [7:10:29 PM](#) Chief Gharat provided an update on a previous complaint in regards to a residence on Baker & Hwy 132 stating that significant progress has been made to date. Chief Gharat stated that the Building Inspector and the Code Enforcement Officer are both working together on this issue and making good progress. Chief Gharat stated that after the recent bomb threat events at Oakdale and Riverbank schools, he met with the School Superintendent, Principals and other staff members to talk with about what the procedure would be if that occurred here and what role law enforcement plays and what the schools can expect from Law Enforcement. Chief Gharat stated that there is a crisis simulation scheduled for May 10, 2008 at the High School to test everyone’s ability to respond to an emergency event and to help prepare everyone for an emergency type of event. Chief Gharat reported his attendance at the last Parks & Recreation Commission meeting, stating that the Executive Director from the Pals Program was also at the meeting and feels that they have started off with a good partnership between the Parks & Recreation Commission and the Pals program, stating that the Pals Program will be assisting with the soccer program.
- 7b: City Attorney Comments/Reports: [7:12:43 PM](#) City Attorney Browning requested a brief closed session item for discussion under Labor Negotiator G.C. § 54957.6. Browning informed Council

that it is time to begin the evaluation of the City Administrator, therefore will begin the process tonight by distributing to each Council Member blank evaluation forms for Council to work on and return to him when done. Browning stated that Council will discuss the evaluations in closed session either the end of April or first part of May. Browning asked Council Members to get in touch with him if they need electronic copies of the City Administrator's contract.

7c: City Administrator Comments/Reports: [7:13:59 PM](#) City Administrator Deschenes sadly informed Council on the death of a long time and well respected resident of Waterford, Dorothy Bearden who passed away today. Deschenes stated that she was a Realtor in the area and her family owned Big Bear Park. Deschenes expressed condolences to the Bearden family and stated that Dorothy was a big presence in this community and she will be dearly missed.

7d: City Council Comments/Reports:

Jose Aldaco: [7:14:42 PM](#) CM/Aldaco reported on the last Heritage Day meeting with the next meeting scheduled for next Wednesday at 6:30pm. CM/Aldaco reminded everyone of the Lions Pancake Breakfast this Saturday at the Community Center from 7am – 12pm. CM/Aldaco requested to get information from Waste Management on the trash vs. recyclable numbers. Public Works Director Matt Erickson provided a verbal report based from a recent email that he received today with the preliminary numbers. Erickson stated that he will provide a full report once it is finalized.

CM/Weaver: [7:19:08 PM](#) CM/Weaver thanked the City Planner and his staff for all the hard work they have done in pushing the Enterprise Zone forward and thanked Doug Sweetland for putting on a good presentation at the recent Saturday workshop and stated that there were a lot of interested business people from the community there. CM/Weaver stated that this will be a meaningful program for Waterford. CM/Goeken commented on the good work in regards to the River Park Pavilion. CM/Goeken thanked Chief Gharat for all the efforts put forth by his department in getting Baker/Hwy 132 residence in compliance.

CM/Goeken: [7:19:52 PM](#) CM/Goeken reported on a recent sales tax report stating that Waterford no longer has the lowest sales tax for the last quarter and that we are ahead of Hughson. CM/Goeken invited residents to apply to serve on the Civil Grand Jury. CM/Goeken wished everyone a Happy Easter.

CM/Krause: [7:20:58 PM](#) CM/Krause gave his condolences to the Bearden Family, stating that Dorothy Bearden was a dynamic lady. CM/Krause stated that the River Park is one of the City's best kept secrets and encouraged anyone that has not been down there to check it out. CM/Krause reminded the public that the Historical Committee meets the 4th Thursdays of each month at 7:00pm at the museum and invited the public to go and provide some encouragement and see their good work.

Mayor Broderick-Villa: [7:21:44 PM](#) MBV extended his condolences as well to the Bearden Family and echoed CM/Krause's comment that Dorothy was a dynamic lady. MBV stated that he worked for the Bearden Family for three years during his High School years and shared his memory of when the park would close for the day; Dorothy would go down the water slide with all of the life guards. MBV stated that she will be missed. MBV congratulated Principal Aldaco for his recent promotion to Director of Educational Services and will be moving to the district office and congratulated Principal Davis for his award of Principal of the Year for the State of California by a unanimous vote of the State Committee.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: [7:22:53 PM](#) Mayor Broderick-Villa recessed the City Council meeting at 7:22pm. Will reconvene to closed session directly following the recess. Will 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 April 3, 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)

None.

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

Information was presented by City Attorney Regarding Labor Negotiations under
Government Code § 54957.6. Direction Given to Labor Negotiator by Counsel.

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.