

# WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

## Thursday, April 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:** [6:29:51 PM](#) Mayor Broderick-Villa

**INVOCATION:** [6:30:14 PM](#) Pastor Pete Mar, Community Baptist Church

**ROLL CALL PRESENT:** [6:30:54 PM](#)

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

**Absent:** None

**Also Present:**  
Lori Martin, City Clerk  
Corbett J. Browning, City Attorney  
Matt Erickson, Public Works Director  
Darin Gharat, Police Chief

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

[6:31:44 PM](#)

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

Motion passed by majority.

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

[6:31:05 PM](#)

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

Motion passed by majority.

**ADOPTION OF CONSENT CALENDAR:**

- 1a: RESOLUTION 2008-19: Warrant Register
- 1b: Minutes of the Regular Meeting held on March 20, 2008

**2. PRESENTATIONS:**

3. **COMMUNICATIONS FROM THE AUDIENCE:** [6:31:12 PM](#) None.

4. **PUBLIC HEARING ITEMS:**

5. **UNFINISHED BUSINESS:**

5a: **DISCUSSION:** Relating to Update on the Government Center Project: [6:31:20 PM](#) CM/Krause provided an update stating that the committee met with the Architect on Wednesday. CM/Krause stated that the committee gave direction to the Architect to move forward with more detailed plans stating that they have tentatively scheduled a presentation by the Architect at the first council meeting in May. City Attorney Browning stated that the City Administrator's absence tonight is due to him being at another meeting trying to secure financing for this project.

5b: **DISCUSSION:** Relating to the Proposed Stanislaus County Transportation Sales Tax: [6:31:56 PM](#): No updates available.

5c: **DISCUSSION:** Relating to an Update on Parkland Acquisition and Escrow Closing Review: [6:32:29 PM](#) City Attorney Browning stated that he received confirmation late yesterday afternoon from the City Administrator that escrow did close and that the city is now the proud owner of the 19.6 acres located between the High School and the river.

6. **NEW BUSINESS:**

6a: **DISCUSSION:** Preliminary Discussions for the Fiscal Year 2008/2009 Budget: [6:33:01 PM](#) City Attorney Browning stated that he distributed to the Council just prior to the meeting the City Administrator's memorandum of his forecasted and projected changes for the 2008/2009 budget. Browning explained that this is consistent with the City Administrator's contractual requirement that he provide by April those areas of changes in the budget. Browning stated that there are copies of this document available for public review. Browning explained that the City Administrator is looking for a detailed review of this document by Council and anyone else interested in reviewing the changes and provide feedback on whether he has hit the mark in regards to items that the Council is concerned about and to provide any feedback on other areas of adjustments that Council feels needs to be addressed. Mayor Broderick-Villa stated that council will review the memorandum and forward their questions and/or feedback to the City Administrator.

7. **COMMENTS:**

7a: **Law Enforcement Comments/Reports:** [6:34:27 PM](#) Chief Gharat reported on a recent parole sweep stating that this operation resulted in 23 arrests with multiple parole and probation sweeps done here in Waterford and Hickman. Chief Gharat stated that this operation also resulted in the recovery of stolen property from a recent robbery with 2 arrests being made. Chief Gharat stated that this was a very productive two day operation. Chief Gharat stated that his goal is to conduct

at least two of these types of operations per year. Chief Gharat reported on his first “Talk with the Chief” at the Cathy and Carol’s coffee shop this morning. Chief Gharat stated that he may try and do one of these on a Saturday morning. Chief Gharat thanked Matt Erickson and his staff for their capture of a loose steer in the city today, stating that the Public Works crew is multi-talented, but never expected to see them master at rounding up an 800 pound steer.

- 7b: City Attorney Comments/Reports: [6:38:37 PM](#) City Attorney Browning reminded Council to forward the evaluation sheets that he distributed to them a few weeks ago and stated that in the event he gets all five evaluations by next meeting that he will summarize them and distribute to them at the next meeting so that the City Administrator evaluation can be done. Browning stated that if it is not ready by the next meeting then he will shoot for the first meeting in May. Browning stated that he conducted some research on the city’s garbage ordinance and also compared it to several other cities ordinances based on the Council’s direction that he look into this at the last meeting. Browning briefly summarized the municipal codes relating to storage of garbage receptacles from Turlock, Ceres, Modesto and Merced and compared it to Waterford’s current code that specifically relates to the storage of garbage receptacles. Browning stated that he felt our code was generally consistent with what other municipalities’ requirements and is sufficient as far as enforcement goes. Browning stated that our ordinance also allows for an appeal process. Browning explained that he did not put this on the agenda as a discussion item because he felt after reviewing our code that we have what we need to have in place to address the concern that was brought forth in regards to storage of garbage receptacles. Browning stated that if Council does not feel the same in regards to this or feels that we need to make changes or amendments to this ordinance to give him the direction to do so. CM/Goeken stated that the city’s ordinance seems pretty clear cut and stated that he would like to see the public information campaign move forward with the distribution of flyers to the residents on this ordinance requirement stating that he feels the flyers would be a more effective approach than having the code enforcement official issuing warning notices and citations all over town.

[6:49:41 PM](#) Chris Esther asked the City Attorney for clarification on what “right of entry” means as outlined in the municipal code and if it violates a persons constitutional rights. City Attorney explained that his interpretation of the code is that there will be a notice given if there is a failure to comply and then the municipal code allows the officials that are outlined in the code to enter onto a resident’s property in a reasonable manner and at reasonable times.

- 7c: City Administrator Comments/Reports: [6:53:12 PM](#) Matt Erickson, Public Works Director filled in for Chuck stating that the City Administrator is attending another meeting tonight in which he is trying to secure about \$500,000 in funding for the downtown project. Erickson stated that he provided Council with a report of recycling totals for February and March from Waste Management, stating that the recycle numbers are very good and he will continue to monitor it over the next few months. Erickson stated that the city beautification event scheduled for April 19<sup>th</sup> is progressing. Erickson stated that he will be meeting with a representative from Community Baptist Church to finalize the details of the event next week. Erickson stated that CM/Krause represented the City well last weekend by throwing out the first pitch during opening day of the season for the Waterford Baseball Softball Association.

- 7d: City Council Comments/Reports:

Jose Aldaco: [6:54:45 PM](#) CM/Aldaco thanked Erickson for his Waste Management update and report stating he would like to get a smaller version of the report printed in the newspaper for the community. CM/Aldaco stated that he feels it is important for the community to know that what we are doing is working. CM/Aldaco commented on the Lion’s pancake breakfast stating it was a great event with a good turnout and thanked the Waterford Middle School parents and students who helped out at this event. CM/Aldaco stated that Heritage Day planning is still moving forward. CM/Aldaco stated that there will be many rides and events for the children and they are receiving a lot of applications from vendors to put up booths and the parade is also moving forward. CM/Aldaco stated that the next Heritage Day Committee meeting will be next Wednesday at 6:30pm in room 11 at the Middle School. CM/Aldaco congratulated the Chief on the great success on the

recent probation/parole operation. CM/Aldaco asked the City Attorney if he could plan to provide an update on the new changes to the Brown Act that will take effect on July 1<sup>st</sup>.

CM/Weaver: [6:56:03 PM](#) CM/Weaver also gave recognition to the police department on the success of the recent probation/parole operation. CM/Weaver pointed out that Waterford has cut its land fill waste in half and it would be good if we could get something in the paper for the community. CM/Weaver thanked Erickson for filling in for the City Administrator while he is working on securing grant funding for our downtown project. CM/Weaver reminded everyone of the upcoming LaGrange Rodeo.

CM/Goeken: no comments.

CM/Krause: [6:56:58 PM](#) CM/Krause stated that it was his honor this past weekend to throw out the first pitch of the season for the WBSA. CM/Krause pointed out that it is a thrill to see all of the good community events involving the kids and parents around town.

Mayor Broderick-Villa: [6:57:15 PM](#) MBV thanked everyone for their attendance at tonight are meeting.

[6:57:42 PM](#) Vicky McGrath, 500 N. Western Ave. addressed the council with a concern after receiving a notice of intention to abate or remove an abandoned, wrecked, dismantled or inoperative vehicle stating that the vehicle in question is not inoperable and stated that it is currently a registered licensed vehicle that she drove to the meeting tonight. Therefore, asked why she is receiving the notice to remove the vehicle. Mrs. McGrath stated that she parks it on her property and off of the street. Mrs. McGrath stated that she can not park it in her driveway because the city took a third of her driveway with the recent Western Ave. improvements. Mayor Broderick-Villa stated that the Chief would look into that for her.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: [6:58:52 PM](#) Mayor Broderick-Villa adjourned the meeting at 6:58PM.

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

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

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Lori Martin, CMC, City Clerk

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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  
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.