

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, May 1, 2008

A regular meeting of the Waterford City Council was called to order by Mayor Broderick-Villa at 6:32PM at the Waterford Community Center, 540 "C" Street, Waterford, CA 95386.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: [6:32:19 PM](#) Mayor Broderick-Villa

INVOCATION: [6:32:43 PM](#) Pastor Glen Stanford, Waterford Church of the Brethren

ROLL CALL PRESENT: [6:33:43 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
Arthur Godwin, Deputy City Attorney
Darin Gharat, Police Chief

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

[6:34:07 PM](#)

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

Motion passed by majority.

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

[6:34:19 PM](#)

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

Motion passed by majority.

ADOPTION OF CONSENT CALENDAR:

- 1a: RESOLUTION 2008-25 Warrant Register
- 1b: Minutes of the Regular Meeting held on April 17, 2008
- 1c: Waterford Planning Commission Minutes – February 26, 2008

2. PRESENTATIONS:

- 2a: PRESENTATION: Mayor Broderick-Villa to present a Proclamation to Sallie Ayala-Perez of the Stanislaus County Asthma Coalition declaring the month of May 2008 as Asthma Awareness Month: Asthma Coalition representative not present.
- 2b: PRESENTATION: Brian Selkow from the Architectural Firm RRM to make a Presentation to Council on the Status of the Government Center Project: Presentation to be continued to next City Council meeting.

3. COMMUNICATIONS FROM THE AUDIENCE:

[6:34:41 PM](#) Josh Whitfield, 12116 Cherry Dr. addressed Council to thank the community for their support, thoughts and prayers since he was injured in battle as a member of the US Army in late March 2008, stating that the community has touched his heart and gave him a greater respect for love, friendship and companionship. Mr. Whitfield stated he was pleased to announce that he is on the road to a complete recovery from his injuries. Mr. Whitfield spoke to some of his memories of his time in the hospital and special friendships he made along the way. Mr. Whitfield spoke to how a shipment of candy from Waterford, CA put a smile on a child living in the war zone of Baghdad, Iraq. Mr. Whitfield spoke as to what his Army family has meant to him. Mr. Whitfield asked the community who was kind enough to pray for his recovery to pray for the well being of all of the soldiers, airmen, seamen and marines that are fighting for our country overseas. Mr. Whitfield also asked for prayers for the leaders of Iraq to see wisdom and to pray that the insurgent's hearts are healed and that they turn to peace instead of murder and violence. Mr. Whitfield expressed his gratefulness to the community for providing a very soft cushion to a very hard fall.

[6:43:43 PM](#) Tom Marchy, resident of Waterford addressed the Council with a proposal to do some farming on the property recently acquired by the City of Waterford in conjunction with the Waterford High School Future Farmers of America. City Administrator Deschenes asked that Mr. Marchy submit a written proposal to the city detailing exactly what he would like to do so that he can investigate it and get an answer for him.

4. PUBLIC HEARING ITEMS:

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to Update on the Government Center Project: [6:46:36 PM](#) City Administrator Deschenes stated that the committee has asked the architect to prepare a proposal taking the project to the schematic drawing phase. Deschenes stated that this would show a functional diagram of the building which is the next logical step. Deschenes stated that in addition to this the architect is going to lay out what it would cost in today's dollars what it is going to take to take us through construction in regards to architectural fees. Deschenes stated that this will be presented to the committee next week, with a more formal presentation to the City Council at the next City Council meeting.
- 5b: DISCUSSION: Relating to the Proposed Stanislaus County Transportation Sales Tax: [6:48:20 PM](#) City Administrator Deschenes updated Council on a Technical Advisory Committee meeting that he attended today stating that StanCOG is coming out with draft language of the measure on a periodic basis. Deschenes explained that there have not been any substantial changes from what the council last saw; however there have been some minor changes in the wording of one of our project listings. Deschenes stated he will distribute copies of the revisions as he gets them and they are available for Council to review.

- 5c: DISCUSSION: Relating to the Fiscal Year 2008/2009 Budget: [6:50:19 PM](#) City Administrator Deschenes distributed a very rough draft of a summary that he printed straight from the accounting records explaining that this will give Council a rough idea of where the city is. Deschenes explained that due to acquiring new software and transferring accounting information from one system to another there are many adjustments that need to be made in that regard. In addition to that there are some interfund transfers that still need to be done along with administrative allocations. Deschenes stated that he will need to set up some new funds for projects that have been approved that are not in the new accounting system yet. Deschenes stated that this will be work in progress and it will continue to evolve until it is as concise as we can get it without knowing exactly what the state is going to do. Deschenes stated that what he distributed tonight is just a starting point. Deschenes stated that while our revenues are down some from last year they seem to be holding up better than most entities stating that this is due mostly to the economic characteristics of the area.

6. NEW BUSINESS:

- 6a: RESOLUTION 2008-22: A Resolution Initiating Proceedings for the Levy and Collection of Assessments for the Landscaping and Lighting Assessment District for Fiscal Year 2008/2009: [6:53:00 PM](#) City Administrator Deschenes explained that this is an annual requirement and the beginning of the process to place the assessments for the Landscaping and Lighting District on the County tax rolls. Deschenes stated that this is a combined effort of our consultant, NBS Government Finance Group and our City Engineer. Deschenes stated that this is necessary to get the revenue to operate the Landscaping and Lighting District,

Krause moved, seconded by Aldaco, to adopt Resolution 2008-22, as recommended.

[6:53:37 PM](#)

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

Motion passed by majority.

- 6b: RESOLUTION 2008-23: A Resolution Initiating Proceedings for the Levy and Collection of Assessments for the Lighting Assessment District for Fiscal Year 2008/09: [6:53:42 PM](#) City Administrator Deschenes explained that this is similar to the previous item, however this relates to the old highway district that has been in existence since before Waterford was incorporated as a city. Deschenes stated that this is the start of the process to get the Lighting District assessments on the County tax roll so that we can operate and maintain the district.

Goeken moved, seconded by Krause, to adopt Resolution 2008-23, as recommended.

[6:54:18 PM](#)

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

Motion passed by majority.

- 6c: RESOLUTION 2008-24: A Resolution Approving the Stanislaus County Consortium CDBG Allocation Agreement for FY 2008/2009: [6:54:23 PM](#) City Administrator Deschenes explained that this agreement is in the Council packets and is self explanatory. Deschenes stated that Council has discussed and approved the projects that we would like to do this year with the CDBG funds. Deschenes stated that the city has submitted its plans to the County Consortium. Deschenes explained that possibly the Skyline Park project from last year may have to be carried over into this year. Deschenes stated that Waterford did well with this year in comparison with other cities on its allocation because it performed very well on its projects this year. Deschenes stated that this will help us to improve the city and recommended adoption.

Weaver moved, seconded by Krause, to adopt Resolution 2008-24, as recommended.

[6:55:15 PM](#)

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

Motion passed by majority.

- 6d: DISCUSSION: Relating to a Proposed May 8th Joint Meeting with the Waterford School Board: [6:55:18 PM](#) City Administrator Deschenes explained that after both written and verbal correspondence with the School District, the School Board has set aside 30 minutes of there upcoming May 8th meeting to discuss the establishment of meeting ground rules and future agenda items of mutual interest. Deschenes stated that all of the City Council members are invited to attend. Deschenes stated that the School Superintendents suggestion was that we think about forming a committee consisting of two members from each agency to discuss items of mutual interest and then as the need arises come together as a joint meeting and/or community workshop to discuss recommendations made by the committee. Deschenes stated that a topic of mutual interest would be the 19.6 acre parcel and how to master plan it. Deputy City Attorney recommended that a City Council Special Meeting agenda be prepared and posted for this meeting.

Goeken moved, seconded by Weaver to approve a special joint meeting with the Waterford School Board on May 8, 2008 at 7:00PM to be held at the Moon School Multi-Purpose Room, 219 N. Reinway Ave., Waterford, CA.

[7:00:35 PM](#)

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

Motion passed by majority.

7. COMMENTS:

- 7a: Law Enforcement Comments/Reports: [7:03:00 PM](#) Chief Gharat happily reported that Waterford has had a 27% decrease in auto theft for the 2007 calendar year stating that Waterford had the most significant decrease than any other city in the county. Chief Gharat stated that for the first quarter of 2008, auto thefts in Waterford are down 64%. Chief Gharat reported a good turn out at the last coffee with Chief at Cathy & Carols Coffee Shop. Chief Gharat thanked CM/Goeken and the Public Works Director, Matt Erickson and everyone involved in putting together the clean up day, stating that it was a wonderful opportunity for him to meet and interact with the public and help to beautify the City of Waterford. Chief Gharat stated that he will have Sheriff Office

resources available at the Heritage Days event that is coming up as well as officers out on bike patrol for the event.

- 7b: City Attorney Comments/Reports: [7:06:10 PM](#) Deputy City Attorney Godwin reported that he did not have any closed session items tonight. Godwin reminded the Council to turn in their evaluations for the City Administrator. Godwin stated that if the evaluations are received and can be compiled in time for the next meeting, Corbett will put that on the agenda.
- 7c: City Administrator Comments/Reports: [7:07:40 PM](#) City Administrator Deschenes stated that he is going to put an item on the next agenda to formally thanked all of the donators of the new Pavilion at the River Park. Deschenes reported on some recent news from the County stating that due to declining county revenues the Library will be reducing their operating hours next fiscal year by two days per week. Deschenes stated he will be distributing to the council mail boxes written correspondence from the county in regards to that and in addition will copy the School Superintendent and the newspaper so that the public is informed about this. Deschenes informed Council of an upcoming StanCOG Policy Board meeting on May 14th they will be having a blueprint update stating that there will be a briefing packet that will come out on the blueprint process. Deschenes explained that there may be a need for Waterford to get on board with this because it is a regionalization of a lot of different things including land use and transportation that could affect Waterford. Deschenes stated that he believes that guests other than our appointed representative would be welcome to attend and as soon as he gets the briefing packet, he will copy the Council Members on it. Deschenes informed Council of a situation where the High School would like to add some modular's but due to a few issues including changing standards the current water system at the High School does not meet the mandated fire flows. Deschenes stated that there was a meeting today between the School District, the City of Modesto and our Public Works Director was also in attendance at this meeting and they are bouncing around some proposals with one being a cross connection with the City of Modesto water system and our Waterford water system. Deschenes stated that would be a good short term solution for fire flow issues if that comes to pass. Deschenes requested a closed session discussion relating to Labor Negotiator.

7d: City Council Comments/Reports:

Jose Aldaco: [7:16:19 PM](#) CM/Aldaco thanked Mr. Whitfield for his speech earlier. CM/Aldaco stated that the middle school recently had a graduation for 6-9 families who went through a 9 week parenting program with the Parent Institute for Quality Education stating further that CM/Weaver was a key note speaker and presented an outstanding speech. CM/Aldaco reminded everyone to attend Heritage Days on May 10th with the parade starting at 10:00AM on Bentley Street.

CM/Weaver: [7:16:56 PM](#) CM/Weaver gave kudos to CM/Goeken for the initiative on the recent clean up day commenting that it was a great event. CM/Goeken also thanked Matt Erickson and his staff for their involvement with clean up day. CM/Weaver encouraged everyone to put their coffee allowance to work here in town the recent opening of the new Beans Coffee Shop. CM/Weaver also encouraged everyone to attend Heritage Days. CM/Weaver gave kudos to city staff for the professional job that they do with our water system and wastewater system.

CM/Goeken: [7:17:53 PM](#) CM/Goeken thanked Mr. Whitfield for his comments earlier and commented that Mr. Whitfield used to be a referee for the city basketball program. CM/Goeken stated that he recently visited the new coffee shop after an evening meeting stating it was good to see a group of people there. CM/Goeken reminded everyone of an upcoming booster dinner on May 17th. CM/Goeken thanked everyone who came out and helped for the clean up day mentioning Public Works, Boy Scouts, Lions Club, Community Baptist Church, and Chief of Police. CM/Goeken commented that the clean up event was a good time and Matt Erickson and his crew did a good job putting it all together. CM/Goeken stated the River Park is looking really nice with the new pavilion.

CM/Krause: [7:19:32 PM](#) CM/Krause thanked Public Works Supervisor Steve Green and city staff for their help in getting the vandalized doors to the new kiosk fixed at the River Park. CM/Krause commented that he has the pleasure of knowing Josh Whitfield's' parents stating that they are very proud of him with good reason.

Mayor Broderick-Villa: [7:20:21 PM](#) MBV thanked Mr. Whitfield for coming and speaking tonight and stated it would be great if he could come talk with his World History class. MBV stated that he hopes that the school gets their new modular's stating further that he addressed that issue with the School Board three years ago because he shared at that time a classroom with 14 other teachers and now it is up to 20 teachers. MBV stated that he is now teaching at two different campuses because every classroom in every period is filled to capacity now. MBV also encouraged everyone to attend the upcoming Heritage Days on May 10th.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: [7:21:23 PM](#) Mayor Broderick-Villa recessed the Council Meeting at 7:21PM. To reconvene to closed session directly following the recess. Will reconvene to the City Council meeting directly following closed session to adjourn the City Council Meeting.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on May 15, 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

Direction given to Negotiator by City Council.

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.