

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, June 3, 2010

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: [06:32:06 PM](#) Mayor Goeken

INVOCATION: Council Member Krause

ROLL CALL PRESENT: [06:32:50 PM](#)

Present: Mayor Goeken
Vice-Mayor Aldaco
Council Member Krause

Absent: Council Member Van Winkle
Council Member Day

Also Present: Charles E. Deschenes, City Administrator
Lori Martin, City Clerk
Corbett J. Browning, City Attorney
Jim Gordon, Acting Police Chief

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

[06:32:59 PM](#)

AYES: Goeken, Aldaco and Krause

NAYES: None

ABSENT: Van Winkle and Day

Motion passed by majority.

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

[06:33:11 PM](#)

AYES: Goeken, Aldaco and Krause

NAYES: None

ABSENT: Van Winkle and Day

Motion passed by majority.

ADOPTION OF CONSENT CALENDAR:

- 1a: RESOLUTION 2010-44: Warrant Register
- 1b: Minutes of the Regular City Council Meeting held on May 20, 2010
- 1c: INFORMATION: Correspondence Regarding Used Oil Block Grant Changes

2. PRESENTATIONS:

- 2a: PROCLAMATION: A Proclamation of the Waterford City Council Commemorating The Bicentennial of the Birth of Abraham Lincoln: [06:33:19 PM](#) Mayor Goeken read the proclamation by title only. The library representative was not present at this time.

3. COMMUNICATIONS FROM THE AUDIENCE: [06:34:11 PM](#) None.

4. PUBLIC HEARING ITEMS:

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to Update on the Government Center Project: [06:34:28 PM](#) City Administrator Deschenes stated that he talked with architect today stating he would get something to him late tomorrow or early next week. Deschenes stated that he will forward the material to committee members to start the review process.
- 5b: DISCUSSION: Relating to Organizational Structure in Regards to City Boards & Committees: [06:35:02 PM](#) City Attorney Browning gave a status report on where he was at in his review. Browning stated that he will come back with a report and offer suggestions on how to proceed with the various committees. Browning explained that he will opine on whether each committee is a standing committee that is required to follow the brown act or an adhoc committee that we maybe need to define the purpose and not be a brown act committee, or if we have a committee that is inactive maybe consider disbanding until we do have a purpose for them. Browning stated that he hopes to have a report at the next meeting to include suggestions for Council's review and input.
- 5c: DISCUSSION: Relating to 2010-11 Budget Estimates of the 2009-10 Operations, Future Challenges and Opportunities: [06:37:14 PM](#) City Administrator Deschenes explained that our finance consultant, Barbara Dunning is still working on the budget. Deschenes stated that it does look promising to receive our portion of the Western/132 funding from StanCOG stating that it appears that it is working its way through the StanCOG process. Deschenes stated there is \$300,000 that will be allocated through the StanCOG process with another \$250,000 that will come from the CalTrans budget as long as the legislature adopts that budget.
- 5d: DISCUSSION: Related to Transition Planning: [06:40:20 PM](#) City Administrator Deschenes deferred this discussion to the next meeting.

6. NEW BUSINESS:

- 6a: RESOLUTION 2010-40: A Resolution Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 2, 2010 for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities: [06:40:57 PM](#) City Attorney Browning explained that it is appropriate to approve by Resolution the holding of a general election. Browning explained further that the City of Waterford does consolidate its municipal election with the County's General Election held in November and therefore is appropriate to adopt that by Resolution which the Council will address in the next item.

Aldaco moved, seconded by Krause, to adopt Resolution 2010-40.

[06:42:01 PM](#)

AYES: Goeken, Aldaco and Krause

NAYES: None

ABSENT: Van Winkle and Day

Motion passed by majority.

- 6b: RESOLUTION 2010-41: A Resolution Requesting the Board of Supervisors of the County of Stanislaus to Consolidate a General Municipal Election to be Held on November 2, 2010, with the Gubernatorial General Election to be Held on the Date Pursuant to § 10403 of the Elections Code: [06:42:07 PM](#)

Aldaco moved, seconded by Krause, to adopt Resolution 2010-41, as recommended.

[06:42:31 PM](#)

AYES: Goeken, Aldaco and Krause

NAYES: None

ABSENT: Van Winkle and Day

Motion passed by majority.

- 6c: RESOLUTION 2010-42: A Resolution Initiating Proceedings for the Levy and Collection of Assessments for the Waterford Lighting Assessment District for Fiscal Year 2010/11: [06:42:37 PM](#) City Attorney Browning reported on this item and the following item stating that this is the first step of the process to establish the assessment in these two districts. Browning explained that the first step is to take action to initiate and request that the engineer report be made. Browning stated that the second step will be to approve the report and set a public hearing date with the third step to accept public testimony and adopt the setting of the assessment. Staff recommends approval of these two resolutions.

Krause moved, seconded by Aldaco, to adopt Resolution 2010-42, as recommended.

[06:44:08 PM](#)

AYES: Goeken, Aldaco and Krause

NAYES: None

ABSENT: Van Winkle and Day

Motion passed by majority.

- 6d: RESOLUTION 2010-43: A Resolution Initiating Proceedings for the Levy and Collection of Assessments for the Waterford Landscaping and Lighting Assessment District for Fiscal Year 2010/11: [06:44:14 PM](#)

Krause moved, seconded by Aldaco, to adopt Resolution 2010-43, as recommended.

[06:44:27 PM](#)

AYES: Goeken, Aldaco and Krause

NAYES: None

ABSENT: Van Winkle and Day

Motion passed by majority.

[06:45:23 PM](#) Mayor Goeken presented the Abraham Lincoln proclamation to Dana Chamberlain, representative of the County Library Branch.

7. COMMENTS:

- 7a: Law Enforcement Comments/Reports: [06:46:22 PM](#) Lt. Gordon filling in for Chief Gharat while he is on vacation stated that he did not have anything new to report on the recent homicide from last week, stating they are still looking for the suspect. Lt. Gordon reported on a recent parole sweep that was conducted yesterday.
- 7b: City Attorney Comments/Reports: [06:47:43 PM](#) City Attorney Browning reported on his attendance at the League of California Cities City Attorney conference stating it was very informative with a lot of good material. Browning stated that he did not have any reports for closed session tonight.
- 7c: City Administrator Comments/Reports: [06:49:04 PM](#) City Administrator Deschenes informed Council of an administrative inquiry in regards to performing park restroom closing functions stating that his research determined that the current job descriptions do not accommodate this. Deschenes stated that he will investigate this further to determine how strongly staff feels about this and determine if this should be added to negotiations during the normal meet and confer process when negotiations open up next year.

7d: City Council Comments/Reports:

Jose Aldaco: [06:50:24 PM](#) no comments.

Ken Krause: [06:50:27 PM](#) CM/Krause reminded everyone to vote next week.

CM/Van Winkle: absent

Murray Day: absent

Mayor Goeken: [06:50:35 PM](#) Mayor Goeken thanks everyone who has served in the military and made the ultimate sacrifices in honor of Memorial Day that just passed. Mayor Goeken wished Happy Summer to all the kids out of school on summer vacation.

ANNOUNCEMENTS:

ADJOURNMENT/RECESS: [06:50:54 PM](#) Aldaco moved, seconded by Krause, to adjourn the City Council Meeting at 6:50PM.

[06:51:02 PM](#)

AYES: Goeken, Aldaco and Krause

NAYES: None

ABSENT: Van Winkle and Day

Motion passed by majority.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on June 17, 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)

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.