

# WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

## Thursday, June 4th, 2009

A regular meeting of the Waterford City Council was called to order by Council Member Goeken at 6:35PM at the Waterford Community Center, 540 "C" Street, Waterford, CA 95386.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE:** [06:35:27 PM](#) Mayor Goeken

**INVOCATION:** Pastor Pete Mar, Waterford Community Baptist Church

**ROLL CALL PRESENT:**

**Present:** [06:36:08 PM](#)

Mayor Goeken  
Vice-Mayor Weaver  
Council Member Aldaco  
Council Member Van Winkle  
Council Member Krause

**Absent:** None

**Also Present:** Patricia Lee, Deputy City Clerk  
Corbett J. Browning, City Attorney  
Charles Deschenes, City Administrator  
Darin Gharat, Police Chief

**ADOPTION OF AGENDA**

CM/Aldaco moved, seconded by CM/Krause, to adopt the Agenda.

**AYES:** Goeken, Weaver, Krause, Van Winkle, Aldaco  
**NAYES:** None  
**ABSENT:** None

Motion passed by majority.

**1. CONSENT CALENDAR:**

CM/Aldaco moved, seconded by CM/Van Winkle, to adopt the Consent Calendar.

**AYES:** Goeken, Weaver, Krause, Van Winkle, Aldaco  
**NAYES:** None  
**ABSENT:** None

Motion passed by majority.

**ADOPTION OF CONSENT CALENDAR:**

1a: RESOLUTION 2009-26: Warrant Register  
1b: Minutes of the Regular City Council Meeting held on May 21, 2009  
1c: Minutes of the Regular Planning Commission Meeting held on March 24, 2009

**2. PRESENTATIONS:**

[06:36:48 PM](#) 2a: Douglas White, Attorney with Greenberg Traurig LLP to present a proposal to join a JPA (Joint Powers Authority) to setup a program to finance energy efficiency and renewable energy improvements for existing homes and buildings.  
Mr. White, Attorney for Greenberg Traurig, LLP greeted the Council and apologized for not being able to provide them with a visual presentation, but stated he would email the power point slides to them for future reference. Mr. White explained to the Council that his company is putting together a proposal with many of the Cities in Stanislaus County to act as legal Council for a Joint Powers Authority that will be created in the very near future, possibly by the end of July.

The concept is to form a Joint Powers Authority with local governments of the Central Valley to provide a regional approach and the pursuit of multiple objectives aimed at funding energy efficiency and renewable energy programs and projects. Currently there are funds available through the Federal Stimulus Package. The goal of the JPA is to get the remaining Cities together to be able to advocate to the California Energy Commission to procure this Competitive Grant Money. The program they have in place, they have been told, has a very high likely-hood of getting funding and most likely better funding than if done on a per person basis because of the organization of the program. Other Competitive Grants that are available are through Utilities such as MID, TID, PG&E and they will work with these utilities to procure Competitive Grants and to leverage programs for energy efficiency and renewable energy programs. Please refer to Item 2a staff report for more detailed information.

**3. COMMUNICATIONS FROM THE AUDIENCE: [07:18:57 PM](#) None**

**4. PUBLIC HEARING ITEMS:**

4a: RESOLUTION 2009-28: [07:19:07 PM](#) A Resolution Declaring Intention to Levy and Collect Assessments for the Waterford Lighting Assessment District for Fiscal Year 2009/10.

City Attorney Browning addressed the Council and explained that this is step two in the implementation of the Assessments. There are two Public Hearings on the Agenda tonight indicating the intent to levy. The main purpose is to inform the public that it's the City's intent at the next Council Meeting to hold a public hearing to implement the fees. It is appropriate to open the public hearing and take any comments or questions and if deemed appropriate, to approve Resolution 2009-28.

Public Hearing Opened - [07:20:36 PM](#)

Public Hearing Closed - [07:20:45 PM](#)

Krause moved, seconded by Weaver, to approve Resolution 2009-28 as recommended.

**AYES:** Goeken, Weaver, Krause, Van Winkle, Aldaco  
**NAYES:** None  
**ABSENT:** None

Motion passed by majority.

4b: RESOLUTION 2009-29: [07:21:17 PM](#) A Resolution Declaring Intention to Levy and Collect Assessments for the Waterford Landscaping and Lighting District for Fiscal Year 2009/10.

Public Hearing Opened - [07:21:24 PM](#)

Public Hearing Closed - [07:21:28 PM](#)

Krause moved, seconded by Aldaco, to approve Resolution 2009-29, as recommended.

**AYES:** Goeken, Weaver, Krause, Van Winkle, Aldaco  
**NAYES:** None  
**ABSENT:** None

Motion passed by majority.

## 5. UNFINISHED BUSINESS:

5a: DISCUSSION: [07:21:46 PM](#) Relating to Update on the Government Center Project.

City Administrator Deschenes greeted the Council and commented that as it was his first week back to work after a long absence, that he has not had a chance to meet or talk with the County, who is currently preoccupied with their own budget as well as the Animal Shelter Project. Mr. Deschenes does plan to make contact with them in the following week and to confirm the County's continued interest in funding the law enforcement component of the Government Center. As stated before in the preliminary budget work, Mr. Deschenes felt that, with the County's help, we could do the Law Enforcement component of the Government Center. Deschenes stated that given the general fund constraints and the lack of any other funding to devote to this project, we would not be able to fund the City Hall portion at this time. It would be an architectural challenge, but one that is possible to do with a design-build concept, and to build it such that the City Hall section could be built later on when revenues are identified to do that, and become an integral part of the one structure. The other reason the County is holding back a little bit, there is hope that some Federal Funding may be able to help out with Stimulus money.

## 6. NEW BUSINESS:

6a: APPEAL: [07:24:29 PM](#) City Council to Consider an Appeal Submitted by Mario and Mirtha Guzman. 103 Marina Lane, Relating to Water Billing Charges and Water Billing Error.

City Attorney Browning directed the City Council's attention to the exhibit list for item 6a in the agenda packet, and to also inform the Council that up until 4 o'clock today, staff was informed that Mr. Guzman wished to move his item to the next agenda on June 18<sup>th</sup>. This may leave staff somewhat unprepared for questions that may arise, and Mr. Browning wanted to make sure the Council was aware of this. Mr. Browning informed the Council that the exhibit list is a good chronology of the events that have occurred in this matter. On October of 2008 a letter went out that addressed a billing issue in regards to this account, over a month later there was a written response from the Legal Counsel for Mr. Mario Guzman, essentially challenging the water bill. Notwithstanding that it was not in exact compliance with the City of Waterford appeal code time period (the code is also included in the provided packet). City Staff engaged in a detailed analysis in order to ascertain exactly what happened in terms of the billing issues and to confirm that water was provided to the owner and to also provide the owner and his Counsel with this information. That letter was conveyed consistent with the appeals requirement in the Waterford Municipal Code, and investigatory material with the letter was provided from the City Administrator which was also consistent with the code to the homeowner. The Authority granted to the City Administrator was to offer a chance to amortize the amount owed over twelve months. In summary, the water bill outstanding that was challenged by the home owner was investigated by staff and the City Administrator, whose findings and conclusions were conveyed by the City Administrator along with a very detailed analysis. In response to this, referring to exhibit "L" the home owner, Mr. Guzman submitted a correspondence which the City interpreted as an appeal to bring this matter forward to the City Council. According to the Waterford Municipal Code, if the City Administrators investigation and decision is not accepted by the home owner, the home owner can file an appeal within five days, to have the matter considered by City Council. Mr. Browning directed the attention of the Council to exhibit "L" and the middle of the paragraph where the home owner indicated that they are not disputing the consumption of the water, but that they were not informed of the usage at the time, and if they had been informed they could have curtailed their use or used it in a different manner. The City Administrators and

staffs conclusion was that yes indeed the water was consumed by the resident and therefore needed to be paid for. Mr. Browning felt that this decision was in the authority of the City Administrator to allow payment over twelve months. With that said, it is now appropriate for the Council to hear Mr. Guzman.

Mr. Mario Guzman of 103 Marina Lane thanked the Mayor and the rest of the Council for allowing him to be here and to present his case. Mr. Guzman stated that City Attorney Browning failed to mention that the City took a year to find out about the errors and that he never mentioned once all the errors that were made on the billings. Mr. Guzman stated he tried the 'open door policy' of the City Administrator but was denied every time he went to inquire about the bill, and that Mr. Deschenes never had the time to talk to him. Mr. Guzman then decided to talk to a lawyer. In the correspondence between the City and Mr. Guzman's lawyer, the City admitted to making an error in the billing. Mr. Guzman pointed out again that it took the City a year to find out that the meter was not reading the consumption. Mr. Guzman read out loud to the Council exhibit "B", the letter from the City to Mr. Guzman, explaining the billing and meter error. Mr., Guzman then referred to exhibit "F" which was a record of his account history, showing the billing errors, bad meter reads and the corrections made to his account. Mr. Guzman does not deny he used the water, but he does not understand why it took a year for the City to find the errors and then charge him for them. Mr. Guzman referred to exhibit "G" and read it out loud for the Council stating that this letter was in response to the letter received from Mr. Guzman's attorney. Mr. Guzman referred to the paragraph that stated despite the incorrect meter reads, there was still payment needed on his account for the water used. Mr. Guzman referred to exhibit "I", City Administrator Deschenes review and findings to Mr. Guzman account. Mr. Guzman read out loud some sections of the letter to the Council that explained his understanding of Mr. Guzman's lack of confidence in the City's billings, as well as the explanation of how the errors occurred. Mr. Guzman questioned how the amount of water being used was determined and how could he be charged if the reads were not going to the computer? Mr. Guzman referred to exhibit "J", a detail of the meter usage for the meter at 103 Marina Lane and notes of where the errors occurred.

Mr. Guzman once again stated that he does not deny the water was used and if the error would have been caught in a month or two he would have been ok with it, however stated that he does not understand why it took a year to find the error. Mr. Guzman stated further that he felt lucky it did not take longer than that as he would have to sell his house to pay the bill. Mr. Guzman referred to exhibit "N", the "revised City of Waterford Bill" for the month of May for April 2009 usage. Mr. Guzman read it out loud for the Council. Mr. Guzman questioned again who was making the errors, and stated that it took a month for this error to be found. Mr. Guzman questioned if he was being singled out. Mr. Guzman stated that his neighbor told him that she had an error on her water bill and called the City Water Department and was told to not worry about it and that she would not have to pay for it. Mr. Guzman once more stated that he does not deny using the water, however stated that he should not have to pay for mechanical or electrical errors of the water meters. Mr. Guzman stated he is not the only one, stating further that everyone in his neighborhood is complaining about their water bill and how it goes up and down each month. Mr. Guzman stated that he does not know whose fault it is and that he is not trying to blame anyone, however, he is asking the City Council to consider that if an error is made the City should pay for it not the citizens.

Mayor Goeken apologized on behalf of the City for the errors made and asked City Administrator Deschenes to explain what repairs and changes have been made to make sure these types of errors will not happen again. City Administrator Deschenes responded that changes to the billing review process have been made to assure these errors will not happen again, and pointed out that the last billing error was caught within a month. City Administrator Deschenes explained that the citizens pay one way or another. Deschenes explained further that the City does not make a profit on the water and that as a matter of fact the water system is operating with a deficit right now. In response to the issues that Mr. Guzman brought up, City Administrator Deschenes commented that Mr. Guzman must not have tried very hard to meet with him because he has never had a complaint from anyone else about accessibility. City Administrator Deschenes stated that he first became aware of the problem when he received the letter from Mr. Guzman's attorney. City Administrator Deschenes explained the reason for the delay in response to that letter was because when he receives correspondence from an attorney, he sends it to our Attorney. Deschenes explained further after review by the City Attorney he was advised to handle the letter like an appeal. Deschenes stated that he began his investigative process and response at that time. City Administrator Deschenes stated that as far as a neighbor being forgiven for water consumption fees due that there have been none.

City Administrator Deschenes explained how the City arrived at the amount due. Mr. Deschenes explained that the meter has a mechanical section that keeps running that can be physically read which is not dependent on the electrical section of the meter. Deschenes stated the factors of his investigative process stating that he considered three factors, the actual water consumption, which is not being contested by Mr.

Guzman, the past history of the account and asked "would a prudent consumer have some idea there is an error in the billing?", and if it would be equitable for all the system users to have someone not pay for their consumption. Mr. Deschenes stated that he looked at all three of those factors. Deschenes stated further that because Mr. Guzman had lived in this house for a long time, and he had a history of seasonal usage before the chip went bad, he came to the conclusion that a reasonable and prudent consumer looking at the bill would think that something would be wrong. Deschenes explained once again that he verified the consumption and did not feel that other users should have to pay for it. Deschenes stated that these are the silent facts stating further that if there is something he has missed or overlooked to please let him know.

Mr. Guzman responded by questioning why he should ask questions about his own bill? The City is supposed to be the 'experts' and it took them a year to find out. Mr. Guzman stated that he receives a bill in the mail and writes a check or goes and pays it in person. Guzman stated that these are the City Administrators and they are supposed to know what they are doing. Mr. Guzman stated that Mr. Van Winkle could set up a meeting with his neighbor to talk to her, that he is not lying, and the only reason she is not here is because they are afraid that the City will bill them for all the water they used and were not charged for. Mr. Guzman stated once again that he admits to using the water and that it is not the issue, the issue is that it took so long to find the error and that he nor anyone else in the City should have to pay for it.

Councilman Krause questioned Mr. Guzman on his bill and noted that the last payment received was on September 15<sup>th</sup>, 2008? CM/Krause asked if he stopped paying his bill. Mr. Guzman replied stating no they have never stopped paying and that they have been paying on their regular bill.

Vice-Mayor Weaver also apologized on behalf of the City to Mr. Guzman for the errors made. He explained to Mr. Guzman that the water system is new and that there are many new processes involved with it, which are out of control which have created errors. VM/Weaver stated in business you should never issue a faulty invoice and the City of Waterford has done that and he apologizes for that. VM/Weaver stated further, going forward there are multiple causes for the errors that have occurred. VM/Weaver explained that there were faulty sensors in the meters and he asked Mr. Deschenes how many meters were faulty. City Administrator Deschenes replied that he did not have an exact number, but guessed that there were eleven. VM/Weaver asked if we got after the supplier about these bad sensors. Mr. Deschenes replied that he will get after them more since they are causing more problems than originally expected. VM/Weaver explained to Mr. Guzman that we want to attack the problem not people. VM/Weaver stated that with that said we need to get an exact number of the sensors that have gone bad then we need to count and measure going forward the number of incorrect invoices the system is producing a month. VM/Weaver stated that we need this type of data so we can bore in and solve the problem so it does not happen any more. VM/Weaver wants it to be understood too that there are a number of empty houses out in River Pointe that really are not consuming water so as the sensors are not sending data they think that there is no one living there. VM/Weaver stated that in the process the City needs to check houses to verify if empty or not, therefore this should have been determined earlier. VM/Weaver stated that another area the City needs to report on is how many dollars the City has lost to abandoned homes stating that the problem needs to be quantified. VM/Weaver hopes that Mr. Guzman will accept the city's apology.

Mr. Guzman commented that the City did not need to apologize to him stating further that it's just that errors were made and the people who should be liable should be the people who sold the City the faulty chips. VM/Weaver stated that Mr. Guzman was the customer and the City should not have sent out faulty invoices. VM/Weaver stated it is in the City's best interest to find out all the causes of this problem and to eliminate them.

VM/Weaver commented that Mr. Deschenes made a good offer to allow Mr. Guzman to pay off the consumption over a 12 month period, which he felt was fair. Mr. Guzman commented it would be fair if he had a lot of money and was thankful it only took a year to find the problem and not longer or else he would have to sell his home to pay off the water bill. VM/Weaver apologized once again and stated that this needs to be a teachable moment and to root out all the causes of the errors and get them eliminated.

CM/Van Winkle agreed with VM/Weaver, but also commented that to be given a bill after a year is unfair. Mayor Goeken agreed stating that if the City does not collect the bill from Mr. Guzman, who does not dispute using the water, then other tax payers have to pay for it. Mayor Goeken stated further that unfortunately the City of Waterford does not generate money explaining that all the money we receive comes from tax payers. If tax payer 'A' does not pay something they owe, then taxpayer 'B', 'C', and 'D' have to compensate for it. Mayor Goeken stated that the City wants to be fair to Mr. Guzman and that he

felt the offer of the twelve monthly payments was fair and he cannot see how the City can shove this off on the rest of the taxpayers.

Mr. Guzman responded that an apology is great however, this apology is going to cost him almost \$1300 and he doesn't feel its fair for him to be singled out. Mr. Guzman stated further that it is not fair for him to pay for someone else's mistakes. Mr. Guzman continued stating that mistakes were made and mistakes were admitted and he does not think it is fair. Mr. Guzman stated further that all the evidence is here and if a jury was present they would have probably made the City pay him for his time and inconvenience.

VM/Weaver addressed Mr. Guzman and re-stated that they both agreed that the billing process was broken, however the water delivery system was not and the water was received. VM/Weaver stated that the City apologizes and has committed to getting down to the basics and eliminate the problem. Mr. Guzman rebutted stating that the City was going to eliminate the problem and look into it. Mr. Guzman stated further that thanks to him the City is going to avoid getting sued by someone else and he is getting nothing but an apology and the shaft.

Aldaco Moved, seconded by Goeken to support and confirm the City Administrators decision and deny the appeal.

[08:00:31 PM](#)

**AYES:** Goeken, Weaver, Aldaco, Van Winkle and Krause

**NAYES:** None

**ABSENT:** None

Motion passed by majority.

6b: RESOLUTION 2009-27:[08:00:45 PM](#) A Resolution Finding a Sever Fiscal Hardship Will Exist if Additional City Property Tax Funds are Seized and Additional Unfunded Mandates are Adopted by the State of California:

Mr. Deschenes commented that the League of California Cities recommended this and it relates directly to the Governors budget proposal to borrow money from local governments. As the Council knows all the areas of income are down, sales tax and property tax have been down and Utility Users taxes are below expectations. Deschenes stated that the 8% loan that the Governor is proposing on top of the revenue reductions and expense increases caused by the state and state mandates will cause a hardship on the City. Deschenes explained that this next budget and the following one, and maybe some after, are going to be a challenge. Mr. Deschenes recommends approving the adoption of the Resolution and support of the League and their lobbying efforts.

Van Winkle moved, seconded by Aldaco, to approve Resolution 2009-27 as recommended.

[08:02:43 PM](#)

**AYES:** Goeken, Weaver, Aldaco, Van Winkle and Krause

**NAYES:** None

**ABSENT:** None

Motion passed by majority.

6c: RESOLUTION 2009-30:[08:02:47 PM](#) A Resolution Approving a Professional Service Agreement with Augustine Planning and Associates, Inc.

City Administrator Deschenes explained that this relates to the Elderberry Beetle Mitigation Program when the Waste Water Treatment Plant was built back in the 1990's. Deschenes stated that unfortunately to have the US Fish and Wildlife services satisfied we have to guarantee that these native shrubs survive for ten years, if not in perpetuity, without interference. Deschenes stated that unfortunately the flood of 1997 wiped out some of these shrubs that were not replaced, so unbeknownst to him; the mitigation plan was put in suspension. Deschenes stated that now the City has to pick it up again and there is another 9-10 year

period where we will replace the shrubs that were destroyed and ensure the habitat exists for at least another solid ten years. Deschenes stated that Ms. Augustine is an expert biologist and has good communications with the Fish and Wildlife Departments stating further that the City engaged her services once we found out about this problem on a short term basis. Deschenes explained that Ms. Augustine is working on a plan were the City would not have to do all of the mitigation right by the Waste Water Treatment Plant which is an issue since the shrubbery gets very dense and can get in the way of operations. Deschenes stated that the City will be able to do some of the mitigation on the other side of the river. City Attorney Browning stated that he has worked with Ms. Augustine in coming up with the agreement that is presented to Council, stating that he has included provisions for indemnification and insurance. City Attorney Browning stated that staff has been very involved in reviewing and working with Ms. Augustine in coming up with the scope of work that is attached as exhibit "A".

Aldaco moved, seconded by Van Winkle, to Approve Resolution 2009-30 as recommended.

[08:05:51 PM](#)

**AYES:** Goeken, Weaver, Aldaco, Van Winkle and Krause

**NAYES:** None

**ABSENT:** None

Motion passed by majority.

## 7. COMMENTS:

### 7a: Law Enforcement Comments/Reports [08:05:56 PM](#)

Chief Darin Gharat greeted the Council and the members of the public stating that the only comment he has tonight is to say that there is more evidence to show what a great team of Law Enforcement Professionals we have working in the City of Waterford. Gharat explained that at a meeting today, the most recent figures from the California Highway Patrol to date for this reporting period show that the City of Waterford has an 80% reduction in auto theft and in addition we have the lowest reported figures of auto theft in the County and the highest reduction percentage in the County as well. Chief Gharat commented that these figures are evidence of the dedicated and energized team of Deputies that are working out in the Community and also the Communities effort to help eradicate the problem.

### 7b: City Attorney Comments/Report [08:06:55 PM](#)

Mr. Browning stated that he has one closed session item "Anticipated Litigation" pursuant to Government Code Section 54956.9. Mr. Browning wanted to let the Council know just for their information that there were a number of meters that had faulty chips and bad meter reads, and that Mr. Guzman's "singled out" comment was fairly far out of place. We had many constituents that understood the error and that they used the water and wrote a check and moved on.

### 7c: City Administrator Comments/Reports [08:08:19 PM](#)

Mr. Deschenes wanted to let the Council know that there are several provisions in the MOU with the employees that are being triggered at year end and that he is going to proceed with them. Mr. Deschenes is planning on drafting an RFP for rate studies in water and waste water in the near future. Mr. Deschenes apologized to the Council and was embarrassed by the item with Mr. Guzman tonight. There is a communications gap that is apparent and still exists tonight. There were statements made by Mr. Guzman to which he was mistaken about, but it would have made no difference to call it out at the time. It is the policy of the City for both water and waste water that we only go back two years on any type of billing error. The error that was made is not a common error, it happened last fall and steps have been taken to resolve the situation. It is a work in process and staff is stretched thin and it is a constant education process. That being said Mr. Deschenes was still embarrassed that this had to be heard in a public meeting.

### 7d: City Council Comments/Reports:

Jose Aldaco: [08:10:50 PM](#)

CM/Aldaco wanted to congratulate all the graduates.

VM/Weaver: [08:11:07 PM](#)

VM/Weaver wanted to make sure and will follow up with Mr. Guzman that it is a new process and the City is making sure it is controlled. He would assure Mr. Guzman that he is not being singled out and that the comment made by Mr. Guzman caught him off guard. For all the fishermen out there, he wanted to remind them that Fish and Game is out and about checking licenses so make sure you have one. VM/Weaver gave kudos to the Waterford Deputies stating we knew they were good but now we have the data to prove it. VM/Weaver also gave big hats off to everybody who had anything to do with the Scholarship Ceremony at Waterford High School. \$350,000.00 in scholarships was awarded to these young people so they can continue their education.

CM/Krause: [08:12:48 PM](#)

No Comments.

CM/Van Winkle: [08:12:17 PM](#)

CM/Van Winkle welcomed Mr. Deschenes back and commented that he did not feel it was a matter of who was at fault with the water meter issue, but that the error gets corrected and it does not happen again. Mr. Van Winkle has spoken with Mr. Guzman a number of times and commented that it is just his personality. He did not feel that Mr. Guzman was being singled out but that is just the way he perceives it.

Mayor Goeken: [08:12:54 PM](#)

Mayor Goeken welcomed Mr. Deschenes back as well and apologized to any other citizen whose bill was incorrect as well. Mayor Goeken stated that as VM/Weaver pointed out, the City is new to the water system, but it is trying to do a diligent job at making sure things are correct. Mayor Goeken stated once again that the City apologizes for any mistake but unfortunately these things do happen from time to time.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: [08:13:28 PM](#) Mayor Goeken recessed the City Council meeting at 8:13 PM. To Reconvene to closed session directly following the recess. To 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 June 18, 2009, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

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Lori Martin, CMC, City Clerk

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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)

**Direction provided to City Attorney.**

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.