

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, July 3rd, 2008

A regular meeting of the Waterford City Council was called to order by Mayor Broderick-Villa at 6:30PM at the Moon School 4th/5th Grade Multipurpose Room, 219 N. Reinway Ave., Waterford, CA 95386.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: Mayor Broderick-Villa

INVOCATION: Vice Mayor Krause

ROLL CALL PRESENT:

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
Patricia Lee, Deputy City Clerk
Corbett Browning, City Attorney
Darin Gharat, Police Chief

ADOPTION OF AGENDA: Aldaco moved with the comment to excuse himself from item 6c due to conflict of interest, and seconded by Weaver, to adopt the agenda.

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

Motion passed by majority

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

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

Motion passed by majority.

ADOPTION OF CONSENT CALENDAR:

- 1a: RESOLUTION 2008-52 Warrant Register
- 1b: Minutes of the Regular Meeting held on June 19, 2008

2. PRESENTATIONS:

2a: PRESENTATION OF PROCLAMATION to the San Joaquin Valley Air Pollution Control District Proclaiming July 7th through July 13th as "Healthy Air Living Week". John Cadrett from the SJV Air Pollution Control District accepted the Proclamation from Mayor Broderick-Villa. Mr. Cadrett thanked the Mayor and Council on behalf of the Valley Air District and though there has been

much improvement in the air quality, there is still a long way to go to reach the clean air goals. The Valley Air District looks forward to working with the City of Waterford to reach these goals.

3. COMMUNICATIONS FROM THE AUDIENCE: None

4. PUBLIC HEARING ITEMS:

4a: ORDINANCE 2008-02: INTRODUCTION AND FIRST READING: An Ordinance Amending the Waterford Municipal Code Relating to Abandoned Vehicles. City Attorney Browning explained that the Ordinance before the Council is to help further define the abandoned vehicle code.

Mayor Broderick-Villa opened the public hearing at 6:36 pm. Mayor Broderick-Villa asked what prompted the revision of the Ordinance to which City Attorney Browning responded that the Chief Gharat asked for the revision per code enforcement. For example if there is a vehicle that is abandoned on private property, the current code does not allow for code enforcement to abate that vehicle. This amendment will now allow code enforcement to address blight issues in a more effective manner.

Mayor Broderick-Villa closed the public hearing at 6:39 pm.

Weaver moved, seconded by Krause, to approve the first reading and introduction of Ordinance 2008-02, as recommended.

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

Motion passed by majority.

5. UNFINISHED BUSINESS:

5a: DISCUSSION: Relating to Update on the Government Center Project: City Administrator Deschenes explained that the City is having dialog between the Engineer and the Committee in regards to alternate construction processes for the Government Center. Projections from the Architect put the cost at \$350/ per square foot for a traditional design/build project, and Committee feels there could be significant savings in alternate processes and will get a comparative cost. When it proves feasible the Committee will bring it to the Council.

6. NEW BUSINESS:

6a: RESOLUTION 2008-53: A Resolution Adopting the Fiscal Year 2008/2009 Appropriations Limit: City Administrator Deschenes explained that this is what is known as the Gann Limit, it's a yearly computation that is done and the City usually falls under the appropriation limitations by a good margin and it is something that has to be done yearly to satisfy the law. Mayor Broderick-Villa commented that there was an error on the staff report where a decimal was placed in the wrong area reading \$1876.131, and it should be \$1,876,131.00. A correction will be made.

Goeken moved, seconded by Aldaco, to adopt Resolution 2008-53, as recommended.

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

Motion passed by majority.

- 6b: **DISCUSSION:** Relating to a Request for Authorization to Utilize a Sole Source Vendor for Installation of an Irrigation Pump for the Welch Street Strip Park. City Administrator explained to the Council that this has been an ongoing project, over a year, and the goal is to get the park in shape so the City can plant hydro-seed during the wet season. The path is in place and now the City is tying into the Modesto Irrigation District's irrigation line that is underneath the park to provide the irrigation for this parcel. The City has approached local vendors and has received one responsive bid that addresses the issues. Mr. Deschenes felt it was in the best interest of the City to go with the responsive firm Amerine Systems. Mayor Broderick-Villa wanted to know the source of funding to which Mr. Deschenes explained that it will come from parkland dedication fees.

Krause moved, seconded by Aldaco, to grant authorization as recommended.

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

Motion passed by majority.

- 6c: **RESOLUTION 2008-54:** A Resolution Approving Agreement Between City of Waterford and the Waterford High School Future Farmers of America. City Administrator Deschenes commented that this was something that the Council requested, that the purchased land of 19.6 acre that was bought with park land dedication fees plus debt, which will not be able to be developed for a few years. So in the mean time, the Waterford School District FFA would like to further education by using this land for crop land cultivation. It is a win-win situation for both entities and Mr. Deschenes recommends approval. City Attorney Browning explained that the one year lease agreement with successive one year options and either party has the option to terminate after six months. The benefit is that this parcel is going to be taken care of during the time being. Mr. Browning pointed out there were some typographical errors to be corrected: Page 1 paragraph 1, "be" should be "by" and paragraph 26 the word "unilateral" should be inserted after "sole". Mr. Browning brought corrected versions of the contract and asked that the motion to accept include these changes. VM/Krause is very excited about this decision and felt it would be a great opportunity for the kids.

CM/Weaver would like a proclamation for Mr. Tom Marchy in thanks.

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

Motion passed by majority.

- 6d: **DISCUSSION:** A Request for Authorization to Purchase Crack Sealing Equipment. Public Works Director Erickson spoke to the Council explained that the City has an avenue to purchase a crack sealing

machine that will help seal the streets to prevent further deterioration. The City did have a demo on one machine last year, but it was just too big for our needs. Mr. Erickson contacted the rep to check into pricing for the new budget and the rep explained that the County of Madera had just purchased the smaller machine and that they would give the City the same pricing if we could piggy back off of their bid. This will be the first time for the City of Waterford to go off of a bid from another municipality. Mayor Broderick-Villa asked that this will help the maintenance of the streets, to which Mr. Erickson agreed, the crack sealer will help to prevent further water seeping into cracks in the roadways and therefore furthering the life of the street. Mayor Broderick-Villa questioned if the \$55,000 has already been budgeted for this purchase and where the funds are coming from. Mr. Deschenes explained that the funds come from impact fees, which have originally been slated for vehicles, but since Mr. Erickson has been so successful getting alternate funding for vehicles, it has freed up these funds for a purchase like this.

Aldaco moved to approve authorization of purchase, seconded by Weaver as recommended.

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

Motion passed by majority.

7. COMMENTS:

- 7a: Law Enforcement Comments/Reports: Chief Gharat thanked the City for moving forward with the amended ordinance for vehicle abatement. In a follow up to a citizen comment at the last Council Meeting regarding the River Park Walkway, Chief took some patrols to the area during the complaint hours, only residents down there fishing and cooling off, with no problems. The Sheriffs department will continue patrol of the area to address any problems that are seen. There was a death at the 400 block of Harriet that is tentatively ruled as a suicide, no criminal involvement seems apparent at this time.
- 7b: City Attorney Comments/Reports: City Attorney Browning requested close session item Pursuant to Government Code Section 54957.6 Labor Negotiations.
- 7c: City Administrator Comments/Reports: City Administrator Deschenes commented that the City is continuing to monitor the budget situation in Sacramento, that the State has not set the budget yet. Also, there may be an irate trucker contacting the Council regarding a complaint about a large truck being parked in a residential area.
- 7d: City Council Comments/Reports:
- CM/Aldaco – The First concert in the park of 2008 was a success and that Third Wheel did a great job. CSU Stanislaus had a great turn out of over 100 kids for the early literacy program and was excited about the success.
- CM/Weaver – Thanked Chief Gharat for the response to the complaint about the river park walkway. Thanks to Tom Marchy for the FFA and City collaboration. Thought it was a great turn out for the concert in the park, and a happy birthday to Patty Self.
- CM/Goeken – Was happy to see the abandoned vehicle abatement simplified, and thanked Mr. Erickson for the pursuit of the crack sealer. Was happy to see the school district and the city working together for the good of the kids. Wished everyone a safe 4th of July.

VM/Krause – Was happy to announce that the Waterford Museum is going to donate \$2600.00 to the City to improve the Museums electrical. A whole new panel will be installed to service the building. Have a happy and safe 4th of July.

Mayor Broderick-Villa – Excited about the sealer, anything to help maintain and improve the City's roads is a plus. Wished everyone a happy and safe 4th of July and urged folks to be careful with their fireworks.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: Mayor Broderick-Villa recessed the City Council meeting at 7:02 pm. Mayor Broderick-Villa will reconvene the City Council meeting to adjourn directly following Closed Session.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on July 17th, 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 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.