

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, July 17, 2008

A regular meeting of the Waterford City Council was called to order by Mayor Broderick-Villa at 6:30PM at the Waterford Community Center, 540 "C" Street, 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:

Also Present: Charles E. Deschenes, City Administrator
Lori Martin, City Clerk
Corbett Browning, City Attorney
Darin Gharat, Police Chief

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

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

Motion passed by majority

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

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

Motion passed by majority.

ADOPTION OF CONSENT CALENDAR:

1a: RESOLUTION 2008-55 Warrant Register
1b: Minutes of the Regular Meeting held on July 3, 2008

2. PRESENTATIONS:

2a: None.

3. **COMMUNICATIONS FROM THE AUDIENCE:** None.

4. **PUBLIC HEARING ITEMS:**

4a: **ORDINANCE 2008-02: SECOND READING & ADOPTION:** An Ordinance Amending the Waterford Municipal Code Relating to Abandoned Vehicles:

Mayor Broderick-Villa opened and closed the public hearing with no comments offered from the public.

Goeken moved, seconded by Krause, to adopt Ordinance 2008-02, as recommended.

AYES: Broderick-Villa, Krause, Goeken, Weaver 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 stated that he is in the process of scheduling some field trips for the Committee members to look at some tilt up concrete structures to obtain some ideas on that type of construction and the cost savings associated with it. Deschenes stated that he also has an upcoming appointment with the Architect and he will inform him that we are looking for alternate types of construction that would result in a nice project at less cost.

5b: **DISCUSSION:** Relating to the Parks & Recreation Commission Recommendation for the Rental of the River Park Pavilion: City Administrator Deschenes that Council had given the first proposal back to the Parks & Recreation Committee for additional research and input and they have provided clarification and input along with their recommendations in regards to the concerns that Council had the first time around.

CM/Goeken expressed concerns in regards to the city's requirement of liability insurance for the rental of the outside pavilions. CM/Goeken provided research on applying for the liability insurance and the cost of such on the website recommended by the City. CM/Goeken explained that he filled out the 9 page application as if it were for a child's birthday party and the cost of the insurance came out to \$250.00 and added that it would cost an additional \$75 to rent the pavilion for a total cost of \$325.00 to rent the pavilion for a child's birthday party. CM/Goeken stated that if someone wants to go to the park early and hold the area until the party they can use it for free, however if someone wants to actually reserve it, they have to fill out a 9 page application and pay \$325.00 to reserve and rent the pavilion.

City Administrator Deschenes explained that the insurance company that the City provides is really a last resort for the folks that are unable to obtain a liability policy from their home owner's insurance company which in most instances is what they do. In addition, for those that might not have homeowners insurance or renters insurance they also have the option to go to the private sector for it. The insurance company that is provided through the City is really a last resort option. Deschenes explained that the City's risk management pool does not want to assume the risk of private parties at city parks. Deschenes stated that a citizen can go and use it if it is vacant on a first come – first serve basis for free, however they are not guaranteed that it will be available for their use.

CM/Goeken inquired as to putting a waiver on the rental application form that the renter would sign that reflects that they are using the park at their own risk.

City Attorney Browning offered his opinion and explanation of the insurance requirement stating that there is a legal difference when the city steps into the role of reserving the park for a specific party and excluding others the city potentially assumes liability that they wouldn't have had otherwise. Browning stated that the problem with a waiver is that it would really need to be signed by everyone attending the party to possibly give the city some protection. Browning stated that this would not really give the city a resource to go to like there would be if it were an insurance policy. Browning stated that if the Council feels strongly about this that maybe there could be additional research done to find out what kind of product might be available that would satisfy the liability issues.

CM/Goeken made a request to have staff research what other cities do in regards to renting their outside covered areas in the parks.

Consensus of Council was to give direction to staff to conduct a survey on what other area cities requirements are for insurance to rent the outside park areas.

6. NEW BUSINESS:

7. COMMENTS:

- 7a: Law Enforcement Comments/Reports: Chief Gharat reported that they are continuing to provide patrols through the River Point Subdivision and surrounding areas. Gharat stated that he and Deputy Letras have made walk through visits of the area and contacted members of the public and stated that the community members in that area seem to be pretty satisfied with no new reports given. Gharat stated that there is a security officer there from 2:00p.m. to 10:00p.m. providing specific patrols. Gharat reminded everyone that National Night Out is scheduled for Tuesday, August 5th and Deputy Letras is already undergoing planning for one block party within the City of Waterford. Gharat stated that he will provide more details on this event as he gets them. Gharat stated that we are going to partner resources with the City of Riverbank so that we have additional things for everyone to see and there will also be additional resources provided by the main office for everyone to see.
- 7b: City Attorney Comments/Reports: City Attorney Browning requested closed session discussion relating to Labor Negotiator under Gov. Code Section 54957.6. City Attorney Browning stated that some minor changes were made to the language in the Farm Lease Agreement which was approved and adopted at the last Council meeting. Browning stated that our agreement named the FFA as the other entity and it should have stated the Waterford School District and in addition the School District wanted to add a restatement of the law in the indemnity section of the agreement and stated that there were no substantive changes made, just minor changes in the language. Browning stated that he and the Mayor will be executing the new agreement that contains those ministerial changes. Browning explained that he did not think this was substantive enough to put back on the agenda for reconsideration.
- 7c: City Administrator Comments/Reports: City Administrator Deschenes informed Council that the Community Center renovation is on schedule for completion the 1st of August, therefore the

August 7th Council Meeting will be conducted back in the Council Chambers at the Community Center.

7d: City Council Comments/Reports:

Jose Aldaco: CM/Aldaco reminded everyone about the summer concert in the parks event. CM/Aldaco thanked Chuck and Ken for their updates on the Government Center.

CM/Weaver: CM/Weaver gave kudos to Ashley Shaw for her good work on the recent blood drive and to the Waterford residents for showing their community spirit and donating blood.

CM/Goeken: CM/Goeken also thanked the community for donating blood stating there were well over 50 donors and some of them were first time donors.

CM/Krause: CM/Krause informed all that the renovations are coming along nicely at the Waterford Museum stating that all of the old kitchen appliances have been removed and it is now ready for the electrician to come in and install a new panel stating this will be a nice upgrade for our Museum.

Mayor Broderick-Villa: MBV reported on a County Mayor's meeting last night stating that one question that came up was the budget outlook and how they have changed with the projections that came out in late June from the State. Deschenes stated that for Waterford it resulted in approximately a \$30,000 difference in property tax revenue stating that it was not substantial enough to make any changes to our budget. MBV made inquiry as to if the City can look at the abandoned building monitoring ordinance again to address the problem abandon properties that we have around town. MBV mentioned a property on Kadota and Hernandez as needing attention. MBV wished good luck to the City Administrator on his upcoming surgery.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: Mayor Broderick-Villa recessed the City Council meeting at 6:49PM. Mayor Broderick-Villa will reconvene the City Council meeting to go into Closed Session directly following the recess. 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 August 7, 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.