

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, January 17, 2008

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: [6:35:54 PM](#) Mayor Broderick-Villa

INVOCATION: [6:36:15 PM](#) Pastor Pete Mar

ROLL CALL PRESENT: [6:36:42 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
Corbett J. Browning, City Attorney
Tony Marshall, City Engineer

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

[6:36:56 PM](#)

AYES: Broderick-Villa, Krause, Goeken, Weaver and Aldaco

NAYES: None

ABSENT: None

Motion passed by majority.

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

[6:37:03 PM](#)

AYES: Broderick-Villa, Krause, Goeken, Weaver and Aldaco

NAYES: None

ABSENT: None

Motion passed by majority.

- 1a: RESOLUTION 2008-05: Warrant Register
- 1b: Minutes of the Regular Meeting held on January 3, 2008
- 1c: Building Report – December 2007
- 1d: Business License Report – December 2007
- 1e: Waste Water Daily Flow Summary – December 2007
- 1f: Minutes of the Waterford Parks & Recreation Meeting Held on November 13, 2007

2. PRESENTATIONS:

- 2a: Brad Christian, Stanislaus County Transit Manager to discuss decreases in rider ship on the Waterford Dial-a-Ride and proposal to adjust hours of operation: [6:37:10 PM](#) Brad Christian, Stanislaus County Transit Manager discussed rider ship statistics and the County's plan to adjust hours of operation to offset the loss in revenue.
- 2b: Tony Marshall, City Engineer to Make a Presentation on Staff Recommendations for 2008 Prioritization of Streets Projects: [6:58:23 PM](#) City Engineer, Tony Marshall presented a Power Point presentation on staff recommended capital projects for 2008 and beyond with identifying funding sources.

3. COMMUNICATIONS FROM THE AUDIENCE: [7:46:28 PM](#) None.

4. PUBLIC HEARING ITEMS:

- 4a: RESOLUTION 2008-04: A Resolution Approving a Water Rate Increase for FY 2007-2008: [7:46:31 PM](#) City Attorney Browning explained that the city has complied with Proposition 218 by sending out notice to all affected property owners. Browning stated that the city did receive a few protests, however did not receive a majority protest. Browning stated that the increase is to meet existing short-falls to the funds and rates in the previously approved schedule. Browning stated that the amount of the increase is stated in the notice. Browning recommended approval.

[7:54:44 PM](#) Mayor Broderick-Villa opened the public hearing.

[7:54:52 PM](#) Mayor Broderick-Villa closed the public hearing with no comments offered from the public.

Weaver moved, seconded by Aldaco, to adopt Resolution 2008-04, as recommended.

[7:55:05 PM](#)

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: [7:55:17 PM](#) City Administrator Deschenes stated that he is still working with the county and the architect on determining space allocation. Deschenes explained that important aspect of moving forward with this project is that we will need to renew our contract with the Sheriff Department and stated that the county would like to change some of the provisions and we may want to make some changes as well. Deschenes stated that discussions in that regard have begun. Deschenes stated that he hopes to get the Committee up and going the first part of February, stating that he will update the committee on results of the space allocation and get some input from the committee. Deschenes also mentioned that he is looking closely at the state budget proposal because there are some things proposed in that budget that could affect our ability to construct something in the short term.
- 5b: DISCUSSION: Relating to New City Hall Modular Security System: [7:59:55 PM](#) City Administrator Deschenes explained that at the last meeting Council took action on this item, however in the meantime he has received several comments and questions as to what the direction from Council was, therefore he put this item back on the agenda for clarification of what Council's desire, understanding and direction was. Deschenes explained that we started out with a list of staff recommendations, then a lot of discussion which ended with a motion that was

related to the discussions, however somehow he is unsure if everyone was on the same book and page due to the questions that he received by others after the meeting. Deschenes stated that he is opening up the discussion again to see what everyone's perception is on what they voted on at the last meeting.

CM/Krause stated that his understanding was that if someone needed to use the facility after hours they would make arrangements ahead of time and staff would make arrangements to open the office.

MBV replied by reading some of the discussion and motion wording and approval of such from the minutes which were approved tonight in the consent calendar.

CM/Aldaco stated that his understanding of the motion was that Council would receive keys that would allow access to the Council room where the Council boxes are located. CM/Aldaco stated that for a meeting a staff member would be available to allow access to the meeting room.

CM/Goeken stated that he understood the same as CM/Aldaco. CM/Goeken stated that he does not feel Council Members need blanket keys to the City complexes. CM/Goeken stated that Council Members do not work there and do not need access other than to their mailboxes.

CM/Goeken stated that is what he voted for and is also what he would entertain now.

MBV clarified asking if CM/Goeken meant access to mailboxes and bathroom.

CM/Goeken replied that he means just mailboxes and if Council Members need to use the bathroom a staff member will be available to let us in to use the facilities when necessary.

CM/Goeken stated that he does not think there will be very many after hours meeting, therefore it should not be an imposition on staff to let us in.

MBV replied that respectfully that unfortunately not only was the motion moved and seconded, four voted for the motion and one voted against the motion, but also the minutes have already been approved.

CM/Goeken stated that he would like to make a new motion.

MBV replied stating that a new motion can not be made unless the Chairman was in the minority on the vote and the Chairman being in the minority changed the vote. MBV stated that if Council would like to entertain a motion to change the rules for which the Council Meetings are operated by, then that can be done.

City Attorney Browning interjected by stating that he thinks MBV is referring to policy and that the Council can adjust, amend or change policies when the council decides to. Browning stated that this item is an agenda item so if the Council chooses to act on it, Browning stated that in his opinion Council can act on the item.

CM/Goeken stated that he would like to make a motion.

MBV stated that he does not accept to have this item agendized. MBV explained that according to Roberts Rules of Order, only if the Chairman is in the minority on the vote can it be re-voted on and if the Council wants to change Roberts Rules of Order he will accept that and put that as an item on the next agenda to be voted on.

CM/Krause stated that the Council would like to make a motion for an item that is already on the agenda. MBV replied that so are the minutes that approved this item already. MBV stated that this has been approved and approved twice by the approval at the last meeting and by the approval of the minutes of the last meeting tonight.

CM/Goeken asked if he was going to be allowed to make his motion on this item. MBV stated that he is not entertaining a motion at this time.

City Attorney Browning advised the Mayor stating that he is refusing to conduct the meeting and if the Mayor is not going to act in his capacity then the Council would be completely within its rights to have the Vice-Mayor take over and conduct the meeting.

MBV inquired to the City Attorney if the standing rule in Roberts Rules of Order reflects that once a motion has been approved or rejected it can not be brought back again unless the Chairman is a voting member of the minority and stated that he does not approve to bring this back for a vote again. MBV stated that he would be happy to entertain a motion to change the meeting rules only.

CM/Goeken interjected stating that he is not really up to speed on Roberts Rules of Order, however stated that he is just going to use a little common sense stating that if what the Mayor is saying is true, then he is making a motion on something that has not been vote on or disapproved and that he is making a brand new motion just as any member of this panel can do and asked the Mayor to respect that and allow the vote to continue. CM/Goeken stated further that everyone on the Council has a right to make a motion and have it seconded or not seconded and voted on. CM/Goeken stated that he would like to make his motion.

MBV stated that he can only make motions that are duly recognized. MBV stated further that Council can only make motions on items that are on the agenda that are duly recognized.

CM/Aldaco stated that this item was duly recognized when the agenda was adopted at the beginning of the meeting. MBV stated that we can not play the game both ways and that if we recognize the item being on the agenda then we must recognize the minutes under which the previous rule was adopted.

CM/Goeken stated that it doesn't matter to him what was accepted last meeting because he is making a new motion to make a new rule. CM/Goeken stated that Council can change its rules whenever it wants to as the City Attorney has already pointed out. CM/Goeken stated that what was voted on last time is irrelevant and that he would like to make a new motion for a new rule.

MBV stated that if Council would like to make a new motion for a new rule or new policy on accepting motions then we can put that on the next agenda. CM/Goeken stated that he is talking about a new motion for Item 5b on tonight's agenda. MBV stated that he is going to operate under Roberts Rules of Order and under Roberts Rules of Order that is not a legitimate motion and under Roberts Rules of Order only legitimate motions can be heard and this is not a legitimate motion and can not be heard. MBV stated that if he would like to change Roberts Rules of Order we can put that on another agenda where that can be heard.

City Attorney Browning advised the Council that the Mayors statement is not completely accurate. Browning reminded Council the Roberts Rules of Order is only used as a guide and Council can decide by motion that they are not going to go by Roberts Rules of Order. Browning asked the Council to not interpret what he just said to mean that he agrees with the Mayor's interpretation of Roberts Rules of Order, but even if it did apply, by your own rules it is only a guide; therefore you would not have to go by it. Browning advised that in his opinion by not recognizing a motion for an item that is agendized the Mayor is not acting in his capacity and the Council would be completely within its rights to have the Vice-Mayor conduct the meeting.

CM/Aldaco stated that he would like to recommend that the Vice-Mayor conduct the meeting for this item. MBV stated that motion will not be entertained by this Chair. MBV stated that if Council wants to change this and say "No, you can not use the bathroom", then wait two weeks and go through the proper process to change Roberts Rules of Order. MBV stated further that when this was approved, and certainly there was no confusion because CM/Aldaco voted against it, four of us voted for it, we again seconded that which there was no confusion on, and if you want to go back and change that vote by saying that you didn't understand what you voted on, or that you were unclear, or you didn't know that "Giving the bathroom", would mean "Giving the bathroom", then we will go ahead and change it that way, however we will change it through the proper process. MBV stated that we will not change it by disenfranchising the Mayor and we will not change it by hearing a case brought up on the agenda out of due order and stated further "That is not how we will do it."

CM/Aldaco asked the City Attorney to advise the Council on how to resolve the disagreement.

Mayor Broderick-Villa asked Council if they could agree to wait until the next meeting to resolve this since emotions seem to be high right now. CM/Weaver stated that he would agree as long as keys to the office were not distributed during this wait period. CM/Goeken stated that emotions are not high right now and stated that the Mayor is trying to stall something that he does not agree with and stated further that the Mayor is refusing to recognize a motion made by an elected member of the Council and stated that the Mayor does not have any more power than anyone else that sits on the Council. CM/Goeken stated that the Mayor needs to recognize the rights of the other Council Members as the Mayor was not the only elected member to this Council.

City Attorney Browning stated that he has a different view of procedure than the Mayor and stated that he is fine with whatever the Council chooses to do. Browning advised Council that they can set policy; they can change policy and just because the Mayor voted in favor of something doesn't mean that the only way that vote can ever be changed is by amending the Roberts Rules of Order. Browning stated that if Council so chooses we can bring this item back to the next meeting in whatever form they would like.

CM/Krause asked Council if they have a consensus on how they would like to set this policy. CM/Aldaco replied that they have a 4-1 consensus. CM/Krause inquired with the City Administrator if this would be put on the next agenda. City Administrator Deschenes stated that we will keep everything as is for now and he will bring this back again until we get the clarification we need. Deschenes stated that this is on the agenda because he feels it is a board issue and staff is trying not to get involved in it and we are looking to Council to resolve this and set the policy. CM/Krause stated that he would also like clarification as to there being an item on the agenda and the Mayor is refusing to allow the Council to take a vote on it. City Attorney Browning stated that is a bigger issue. MBV stated that issue is also something we would like to have on the next agenda. Deschenes stated that we will entertain suggestions and will form the agenda to the best of our ability.

- 5c: RESOLUTION 2008-06: A Resolution Adopting the City Administrator Employment Agreement: [8:15:11 PM](#) City Attorney Browning stated that Council has a copy in legislative format in their agenda packets to better assist them in their review of the old versus new agreement in terms of what the Council and City Administrator have negotiated over the last few months and stated further that if Council approves this agreement they will sign a clean version of it. Browning highlighted some of the new terms that were negotiated and included in the agreement. Browning stated that if Council feels that this agreement is consistent with what was discussed and agreed upon, then he recommends approval.

MBV requested a clean version of the agreement before a vote is taken. Browning stated that if Council wishes they could continue this until next meeting and he will include a clean version, however stated that the clean version will just not have the underlines that are now in the document. City Clerk, Lori Martin stated that she has a clean version available now. MBV stated that if he could look over the clean version that would greatly assist the process. Browning stated that he could have easily include a clean version, however thought that the legislative version would make it easier for the Council to review the changes agreed upon.

CM/Goeken stated that the agreement includes all the terms that were agreed upon during closed session and stated that he would like to make a motion to approve the City Administrator employment agreement. CM/Krause seconded CM/Goeken's motion to approve the agreement.

MBV stated that in light of a previous conversation he would just like to make sure that everyone knows what they are voting on beforehand. MBV stated that because the document has lots of deleted things and underlines he wants to be sure everyone is clear on what they are voting on. MBV stated that he feels it would be better to vote on a single cleaned up version of the document. Browning explained that everything printed in the margin of the document is what has been deleted. Browning reminded MBV that there is a pending motion and a second to that motion on the floor.

CM/Aldaco stated that the entire Council participated in the negotiations in closed session and agreed to the terms of this contract with the City Administrator and stated that he is comfortable with the agreement.

CM/Weaver stated that Council has been negotiating in good faith for weeks now and he is also comfortable with the agreement.

CM/Krause reminded MBV that there is a motion on the floor. MBV replied that he has not gotten the chance to speak to the motion.

MBV stated that in this particular case the areas where he is not comfortable with the motion right now is currently the salary is at about \$138,000.00 and with the 4% increase adds another \$5,000.00 making the salary \$143,000.00 and then in another 4% increase in the following year would add about \$10,750.00, therefore making it a total increase of about \$15,000.00. MBV stated that in terms of the budget deficit right now and in terms of where the state is with 10% cuts across the board, MBV stated that he does not feel it is prudent on Council's part, until we have seen how this will flesh out, to go ahead and approve a \$15,000.00 increase. MBV stated that currently Waterford has the lowest sales tax per capita in the county at \$44 per head, stating that Waterford lost the second most sales tax in the 3rd quarter of last year. MBV stated that while we are at the lowest in county in sales tax, in terms of City Administrator salary, we are higher than 6 of the 9 cities within the county, stating further that we are higher than other cities much larger than Waterford. MBV stated that until we have questions like this answered he is not comfortable voting on this contract at this time. MBV stated that he feels the Council decisions should be based on more careful and sober questioning. MBV stated that he feels there is some good progress in the agreement versus previous and feels there is good progress in terms of the budget, however does not feel the language is strong enough yet to be in conformity with the other cities within the county. MBV stated that at the Stanislaus County Mayors meeting last night it was stated that every city in attendance receives budgets on time every year. MBV stated that to his knowledge Council has never received a budget on time. MBV stated that without having completed negotiations with the union for the city workers and without having seen our upcoming budget, MBV stated that he does not feel this agreement is fiscally sound and to accept a motion at this time. MBV stated that he would like to have stronger language on budgeting. MBV stated that staff recommended and Council unanimously approved a motion to assess candidate fines for late filing fees which is in the order of \$1.00 - \$10,000.00 of private money, however there have been no consequences as of yet for the late budgets, which are \$1.00 - \$10,000,000.00 of public funds. MBV stated that he feels the Council should have another alternative other than to just look the other way.

CM/Aldaco stated that this agreement is the result of council's direction based on negotiations with the City Administrator as stated that he does not understand why the Mayor does not agree with the terms in the agreement because he participated in the negotiations and agreed along with all of the Council members on the terms of the contract. MBV replied stating that there has not been a vote taken on this.

CM/Goeken stated that before Council votes on this item he would like to say that there are certain assertions in what the Mayor stated may be factually true, aren't really true, stating that those being that even though our City Administrator makes more than other City Managers, he is doing the job of three people. Goeken stated further that our City Administrator does not have a deputy that we pay another \$100,000.00 to so we are actually getting more for less money. CM/Goeken stated that our overall city payroll is less than other cities of our size, or above, or below or size and we are getting more bang for our buck, so even though we pay our City Administrator more than other cities top person we are not paying an assistant to do most of his work for him, so we are getting twice as much for barely any more money and feels that this is a good deal. CM/Goeken stated that you get what you pay for and if you pay poorly, you get poor employees. CM/Goeken stated that we have good employees and they need to be compensated fairly. CM/Goeken stated that we have the lowest payroll overall in the county because we only have 14 employees. CM/Goeken made the statement, "You show me a city with 14 employees that do the work ours do" then stated with that being said this salary is more than fair.

MBV respectfully stated that is exactly why he would like to see the union contract finalized before we approve the City Administrator's contract. MBV stated that we should take care of the people doing the brunt end of the work before we take care of the pay of our top guy. MBV stated that the assertion is made that we get what we pay for and stated that the facts do not show that. MBV stated that we are paying more than other cities and we are not getting budgets on time. MBV stated that when he tells this to the other Mayors in the County that they are in disbelief and

asked how we are able to do our payroll. MBV stated that payroll is supposed to shut off if budgets are not approved on time. MBV stated that other cities do either bi-annual or quarterly budgets reports. MBV stated that the fact that we are only doing one budget per year and we are not even doing that before the fiscal year means that we are not getting what we are paying for.

MBV addressed an audience member that approached the podium and stated that a motion and a second have been made on this item; therefore it is not open for public comment.

Chris Esther, 613 Curran Dr., addressed Council stating that the Mayor is confusing himself with a strong Mayor system and stated that we do not have a strong Mayor system in Waterford. Mr. Esther stated that the Mayor can not deny a vote if a motion is made and seconded. Mr. Esther stated that the Mayor of Fresno can, the Mayor of New York can, but the Mayor of Waterford can not and neither can the Mayor of Modesto, Ceres, Patterson because they are not strong Mayors. Mr. Esther stated that there is a reason that we have 5 Council Members, so that things like this do not happen. Mr. Esther stated that when there is a majority of Council that wants to get things done they can. MBV stated that the Mayor is not allowing the Council to do their job and it is not the Mayor's right to do that and stated further that the Mayor is not a strong Mayor and that he is only one vote out of five.

MBV responded by stating that four Council Members can not just do what they want and say that the Mayor has to sit outside during these meetings and they can not say that the Mayor can not preside during these meetings and they can not vote on whatever they want. MBV stated that Council can only vote according to the rules of order and according to standard procedure. MBV stated that there is a motion and a second and he has said his peace and asked if Council had any further discussion. No further comment was offered. MBV asked the clerk to call the roll for the vote.

Goeken moved, seconded by Krause, to adopt Resolution 2008-06, as recommended.

[8:30:00 PM](#)

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

Motion passed by majority.

6. NEW BUSINESS:

- 6a: RESOLUTION 2008-03: A Resolution Adopting the Amended Joint Powers Agreement Establishing the Stanislaus Council of Governments: [8:30:30 PM](#) City Administrator Deschenes stated that this amendment was recommended by StanCOG and relates to StanCOG being a performing agency doing public projects. Deschenes explained that in doing public projects, on occasions, condemnation is necessary and while under most interpretations they have that power their attorney's recommended that this be clarified and stated specifically in their bylaws. City Attorney Browning stated that he has reviewed this and does not have any issues with it.

Goeken moved, seconded by Krause, to adopt Resolution 2008-03, as recommended.

[8:31:08 PM](#)

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

Motion passed by majority.

- 6b: DISCUSSION: Accepting the City of Waterford Transportation Development Act Funds Audited Financial Statements for Fiscal Years Ended June 30, 2006 and June 30, 2007 and Accepting the City of Waterford Safe Routes to Schools Program Final Audit Report from Program Inception through March 23, 2007 and Accepting the City of Waterford Abandoned Vehicle Abatement Program Independent Auditor's Reports and Financial Statements for Fiscal Year Ended June 30, 2007: [8:31:14 PM](#) City Administrator Deschenes explained that there is a list of compliance reports that the state requires us to do in regards to some of the programs that we receive funding for and the audit reports in front of Council tonight are essentially compliance reports in the format that the state requires. These reports outline the financial aspects of these programs.

Krause moved, seconded by Goeken, to accept the TDA Audited Financial Statement for FY 06/07, Safe Routes to Schools Program Final Audit Report from Program Inception thru March 23, 2007, AVA Program Independent Auditor's Reports and Financial Statements for FYE 06/30/07.

[8:32:24 PM](#)

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

Motion passed by majority.

7. COMMENTS:

- 7a: Law Enforcement Comments/Reports: [8:32:31 PM](#) Chief Gharat was absent, however provided a written report in the agenda packet.
- 7b: City Attorney Comments/Reports: [8:32:39 PM](#) City Attorney Browning requested three closed session items. First item a matter under Anticipated Litigation under GC Section 54956.9, second item under Labor Negotiator under GC Section 54957.6, third item a matter under Real Property Negotiator under GC Section 54956.8 to discuss parkland parcel that the city is purchasing north of the high school.
- 7c: City Administrator Comments/Reports: [8:33:39 PM](#) City Administrator Deschenes stated that the Planner wanted to bring to the Council's attention that there will be a Planning Workshop in Oakdale on January 26th and extended the invitation to any council member is interested in attending. Deschenes stated that the Governor's budget proposal, he is proposing to borrow gas tax funds, and under the statute it would amount to approximately \$70,000.00 impact to the City. Deschenes stated that we would eventually be repaid the money, however wanted Council to know that this would be a cash flow issue.
- 7d: City Council Comments/Reports:

Jose Aldaco: [8:35:47 PM](#) CM/Aldaco stated that he is very excited to see the traffic light poles installed on F St./Hwy 132 and hopes to see them activated soon. CM/Aldaco stated that he was please with the City Engineer's presentation and was glad to see that he had lots of pictures, stating that it made it very evident on what areas are more concerning for Waterford and what we need to do to ensure that our city continues to move forward and be competitive with other cities. CM/Aldaco stated that he likes the Parks & Recreation Committee's idea on selling cookbooks. CM/Aldaco stated that he now understands why Local 39 came on board after the election.

CM/Weaver: [8:36:45 PM](#) CM/Weavers gave kudos to the Planning Commission report stating that it is good to see that we are pushing forward with the Enterprise Zone. CM/Weaver stated that the report made mention of the downtown planning and improvement program and stated anything we can do to help to will be an additive to

everybody. CM/Weaver mentioned that Public Works employee Lonnie's birthday is January 25th and wished him a happy birthday. CM/Weaver assured everyone in Waterford that we are in good hands with our City Administrator and that good value for good value is well received by everybody and deserved. CM/Goeken also mentioned that the Police Chief has scheduled a neighborhood watch program on January 22nd to be held at the Community Baptist Church.

CM/Goeken: [8:37:42 PM](#) CM/Goeken asked if we could get a Community Clean-up days item on the next agenda to solicit community volunteers for possible Riverpark, or along the River clean-up or any other areas that may help to beautify the city. CM/Goeken reminded all of the upcoming Lions crab feed to be held on Saturday, February 23rd.

CM/Krause: [8:39:51 PM](#) CM/Krause thanked the City Administrator for putting up with Council stating that he knows that it has been a rough two years and stated that he has really saved this city and that there are many people that do realize that.

Mayor Broderick-Villa: [8:40:05 PM](#) MBV stated that on January 20th the Waterford Ministerial Association will hold its Interfaith hymn sing and pie social at the Southern Baptist Church at 6:30PM. MBV reported on a discussion at a recent County Mayors meeting in regards to all of the City Mayors coming to an agreement on doing the sales tax split based on population, stating that it still has to go to the County for approval. MBV stated that after the last Council meeting one of the ladies in the audience came to him and hugged him saying her grandson was a student of his and also told him how happy she was that he was allowed to have bathroom access, stating that she would have voted for him to be able to use the bathroom. MBV stated that it will now break his heart to have to go back and tell her that after next month he probably will not be able to use the bathroom. MBV thanked Mr. Esther for the civic lesson and stated that he does understand that this is not a strong Mayor system because if it were a strong Mayor system we would have our budgets on time, C Street would have been paved, the Government Center would have been built, and the Mayor would be able to have bathroom access without having to get City Administrator approval.

ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: [8:41:54 PM](#) Mayor Broderick-Villa recessed the City Council Meeting and opened the Waterford Redevelopment Agency meeting at 8:41PM. [8:51:05 PM](#) Mayor Broderick-Villa opened the City City Council meeting directly following the RDA meeting to recess the City Council Meeting at 8:51PM. City Council will reconvene to Closed Session directly following the recess. City Council will reconvene directly following closed session to adjourn.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on February 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)

Direction given to City Attorney.
- Item 9c: "CONFERENCE WITH REAL PROPERTY NEGOTIATOR"
(PURSUANT TO GOVERNMENT CODE 54956.8)

Direction given to Negotiator by Council.
- 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.