

WATERFORD CITY COUNCIL MEETING MINUTES **Thursday, February 2, 2006**

A regular meeting of the Waterford City Council was called to order by Mayor Turner at 6:30 PM at the Waterford Community Center, 540 "C" Street, Waterford, CA 95386.

ROLL CALL PRESENT

Charles Turner, Mayor
William Broderick, Vice Mayor
Zena Gilbert, Council Member
Ken Krause, Council Member
Greg Dugovic, Council Member

EXCUSED:

ABSENT:

CITY STAFF & CONTRACT EMPLOYEES PRESENT

Corbitt Browning, Deputy City Attorney
Charles E. Deschenes, City Administrator
Lori Martin, City Clerk
Jim Silva, Police Chief
Robbert Borchard, City Planner

PLEDGE OF ALLEGIANCE – Mayor Turner

INVOCATION: Pastor David Womack, Assembly of God

ADOPTION OF THE AGENDA: Mayor Turner requested that Item 6a be continued to the next meeting to allow time to review newest application. A motion was made by CM/Dugovic and seconded by CM/Krause to adopt the agenda as amended by Mayor Turner. M/C Vote: 5-0

ADOPTION OF THE CONSENT AGENDA: A motion was made by CM/Dugovic and seconded by CM/Krause to adopt the consent agenda. M/C Vote: 5-0

1. CONSENT AGENDA:

- 1a: RESOLUTION 2006-09: Warrant Register
- 1b: Minutes of Regular Meeting held January 19, 2006
- 1c: Waste Water Daily Flow Analysis – December 2005

2. PRESENTATIONS:

None.

3. COMMUNICATIONS FROM THE AUDIENCE:

Mr. Gus Schmidt, 11605 Yosemite Blvd addressed council and distributed copies of pictures relating to water connection stubs that could provide water to the Waterford residents if the water rights were owned by the City of Waterford. Mr. Schmidt commented that it would be less expensive to provide water by way of hooking in to these stubs rather than deep well digging. Mayor Turner explained that the city is aware that the surface water has been stubbed out at the city limits and also stated that it has been stubbed out for a considerable amount of time. Mayor Turner explained further that the city has been in negotiations with MID and the City of Modesto for access to the surface treated water system.

4. PUBLIC HEARING ITEMS:

None.

5. UNFINISHED BUSINESS:

5a: DISCUSSION: Relating to the Parcel Known as "Triangle Park": City Administrator Deschenes stated that this lot merge is scheduled on the next Planning Commission agenda for approval.

5b: DISCUSSION: Relating to the Waterford Government Center Project: City Administrator Deschenes explained that the environmental consultant went through the buildings this week and has painted numbers on the buildings to identify the buildings to others involved in this process. Deschenes stated that the goal is to clear the parcels by spring. After receiving the test results of the hazardous materials we will know whether what if anything needs to be removed by specialists and taken to a designated landfill. If the removal of the hazardous materials does not have to be removed by specialists then it will be removed by a demolition contractor under supervision of the environmental consultant. In addition to the Government Center parcels, Deschenes stated that he had the environmental consultant take a look at the two structures on the Caro parcel. Deschenes stated that this will add approximately an additional \$1200 to the consultant's fee.

5c: DISCUSSION: Update on the status of the Waterford General Plan and the Waterford Downtown Plan by City Planner, Robert Borchard and Tim Fisher, Consultant: City Planner Borchard and Architectural Consultant, Tim Fisher presented an update on the Waterford Downtown plan and neo-traditional downtown designs done by other cities. Please refer to presentation material located in the agenda packet.

Mr. Gus Schmidt, 11605 Yosemite Blvd, local peach farmer, addressed council stating that he could not comprehend the neo-traditional designs and made comparisons of the old vs. new packaging styles of peaches.

Mr. John Anderson, JB Anderson Land Use Planning, Ripon, CA addressed the council commenting that creating a positive downtown plan is much more than just putting out some street furnishings, street markings, street trees, etc. Mr. Anderson stated that it is a combination of things like the promotion of the downtown commercial venues, creating excitement and pointing out the focal points such as the new downtown education center that Mr. Borchard mentioned, however most certainly the excitement and enthusiasm of the local commercial entrepreneur's that have a vested interest in the community play a big part in the downtowns success. Mr. Anderson stated that it will be important to have an active Chamber of Commerce. Mr. Anderson stated that initiating another development impact fee as proposed by City Planner Borchard to support the downtown improvement efforts is not the only option or the only solution.

6. NEW BUSINESS

6a: RESOLUTION 2006-10: A Resolution Appointing One Member to the Parks and Recreation Commission: Continued to the next City Council Meeting.

6b: RESOLUTION 2006-11: A Resolution Endorsing United Way of Stanislaus and the Mother Lode as the 2-1-1 Service Providers for Stanislaus County: City Administrator explained that the United Way gave a presentation at the last City Council meeting and this endorsement resolution is consistent with the request made by the United Way and the direction of the City Council to endorse this endeavor.

A motion to adopt Resolution 2006-11 was made by: CM/Dugovic

Seconded by: VM/Broderick

Absent: 0

Abstain: 0
Vote: 5-0

- 6c: DISCUSSION: Relating to AB 1234 – New Ethics Training Requirements and Expense Reimbursement Requirements: Deputy City Attorney stated that all local elected officials will be required to obtain 2 hours of training in ethic principals every 2 years. Elected officials will be required to complete the 2 hours of training by January 1, 2007. Local agencies are required to provide local officials their options in terms of how this can be accomplished. Deputy City Attorney Browning stated that he will be reviewing the new legislation and updating the city policies to be consistent with the new laws.

7. COMMENTS:

- 7a: Law Enforcement Update: Chief Silva reported on some recent gang activity over the last week.
- 7b: City Attorney Update: Deputy City Attorney Browning stated that he brought new Waterford Municipal Code CD's which will expire July 31, 2006 and that this version is being updated and the next issue will be a more long term permanent copy.
- 7c: City Administrator Update: City Administrator Deschenes stated that he has talked with the City Engineer about the additional studies that we are waiting for. Deschenes stated that Grupe submitted some substantial last minute input that the consultants are evaluating, however these studies should be here before the next council meeting and stated that he hopes to get them distributed to council allowing enough time to review the documents before the next council meeting. Deschenes informed Council that a lock has been installed on the gate leading to the old Caro parcel and stated that if the Council has a need to go onto the property to let City Hall know and arrangements will be made to allow access. Deschenes stated that he has sent an email to Grupe in regards to the concerns on the washouts along the Riverfront trail. Deschenes stated that in regards to the mandated ethics training there is a scheduled training session on March 26th at the Opera Hall. Deschenes stated that the City/County Government Center project is getting off the ground and stated that he brought copies of an email from Tim Fedorchak with Stanislaus County providing a listing of various architects that the county has utilized on various projects and also made a request to schedule an agenda item on the next agenda for discussion relating to selection of an architectural consultant for the City/County Government project. Deschenes requested closed session for items 9a Pending Litigation, 9c Real Property Negotiator relating to the F St./Oakdale-Wtfd Hwy light signalization, and 9f Public Employee Discipline/Dismissal/Release.
- Mr. Gus Schmidt, 11605 Yosemite Blvd stated that he paid \$35 for the administrative draft of the general plan and it is missing pages and studies and requested that he be notified when the missing material is available.
- Mr. John Anderson, JB Anderson Land Use Planning – Ripon, CA inquired as to what is the best time to submit comments on the various components of the administrative draft of the general plan. City Administrator Deschenes stated that written comments are welcome anytime.
- 7d: City Council Update:
- VM/Broderick: stated that he has been getting ready for the Academic Decathlon Competition which will be held Saturday at Johansen High School which is open to the public.
- CM/Gilbert: Wished good luck to VM/Broderick on the upcoming competition.
- CM/Dugovic: No comments.

CM/Krause: Thanked PW for all the work they have done down at the river front and encouraged everyone to go down and take a look at the progress that has been made.

Mayor Turner: Echoed CM/Krause's comment on the progress being made on the river front. Stated that he would be making an appointment to the Parks & Recreation Commission at the next Council meeting and also reminded everyone that there is also an opening for a youth advisory member on the Parks & Recreation Commission and encouraged anyone that might know someone that would be interested to apply at City Hall.

8. ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: Recessed to open the RDA meeting at 8:37PM. After adjourning the RDA meeting City Council will return to Closed Session after a short recess. At the conclusion of closed session City Council will return to the City Council Meeting to adjourn.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on February 16, 2006, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Lori Martin, City Clerk

Charles Turner, Mayor

CLOSED SESSION:

9A. "CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION"
(PURSUANT TO GOVERNMENT CODE SECTION 54956.9)

Discussion regarding City/County project APN: 134-007-079. Stanislaus County Superior Court Case No. 377276.

Update given by Deputy City Attorney; direction provided by City Council.

9B. "CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION" (PURSUANT TO GOVERNMENT CODE SECTION 54956.9)

Names not disclosed because such disclosure would jeopardize the City's ability to negotiate. Direction provided to Deputy City Attorney.

9C. "CONFERENCE WITH REAL PROPERTY NEGOTIATOR"
(PURSUANT TO GOVERNMENT CODE 54956.8)

9D. "CONFERENCE WITH LABOR NEGOTIATOR" (PURSUANT TO GOVERNMENT CODE 54957.6)

None.

9E. "PUBLIC EMPLOYEE PERFORMANCE EVALUATION" (PURSUANT TO GOVERNMENT CODE SECTION 54957)

None.

9F. "PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE"
(PURSUANT TO GOVERNMENT CODE SECTION 54957)

Direction provided to City Administrator.

9G. "PUBLIC EMPLOYEE APPOINTMENT" (PURSUANT TO GOVERNMENT CODE SECTION 54957)

None.

9H. "CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY STATE LAW."
(Penal Code Section 832.7)

None.