

WATERFORD CITY COUNCIL MEETING MINUTES **Thursday, February 16, 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
Ken Krause, Council Member
Greg Dugovic, Council Member

EXCUSED:

Zena Gilbert, Council Member

ABSENT:

CITY STAFF & CONTRACT EMPLOYEES PRESENT

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

PLEDGE OF ALLEGIANCE – Mayor Turner

INVOCATION: Council Member Krause

ADOPTION OF THE AGENDA: Mayor Turner requested that a presentation item be added to the agenda to introduce the new Police Sergeant, Keith Rakoncza and to present previous Police Chief, Bryan Markum with a Certificate of Appreciation Plaque. A motion was made by CM/Dugovic and Seconded by CM/Krause to adopt the agenda with the addition of the two presentation items. M/C Vote: 4/0

ADOPTION OF THE CONSENT AGENDA: A motion was made by CM/Krause and seconded by CM/Dugovic to adopt the consent agenda. M/C Vote: 4-0

1. CONSENT AGENDA:

- 1a: RESOLUTION 2006-12: Warrant Register
- 1b: Minutes of Regular Meeting held February 2, 2006
- 1c: Waste Water Daily Flow Analysis – January 2006
- 1d: Building Report – January 2006
- 1e: Business License Report – January 2006

2. PRESENTATIONS:

- 2a: **(item added at beginning of meeting)** Mayor Turner presented a Certificate of Appreciation Plaque to the previous Chief of Police, Bryan Markum.

- 2b: **(item added at beginning of meeting)** Police Chief, Jim Silva introduced the new Police Sergeant, Keith Rakoncza. Police Chief, Jim Silva also introduced Lt. Jackson who is assigned to Internal Affairs and Administrative Services for the Stanislaus County Sheriff Department who was in the audience to see Lt. Markum receive his award.

3. COMMUNICATIONS FROM THE AUDIENCE:

None.

4. PUBLIC HEARING ITEMS:

- 4a: RESOLUTION 2006-15: A Resolution Approving Lot Line Adjustment 06-01 and Authorizing the Planning Director to Prepare a Certificate of Lot Line Adjustment for APN Nos: 134-10-62 and 134-10-63: City Administrator Deschenes stated that this item has been through the planning process and it is at the finally at the point we have been trying to get to for quite some time. City Administrator Deschenes recommended council approval. Mayor Turner opened and closed the public hearing with no public comments offered.

A motion was made to adopt Resolution 2006-15 by: CM/Dugovic
Seconded by: CM/Krause
Absent: CM/Gilbert
Abstain: 0
Vote: 4-0

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to the Waterford Government Center Project: City Administrator Deschenes explained that once the hazardous material removal is done we will go out to bid for the demolition of the buildings. Deschenes explained that normally he would have council approve the original RFP before issuing it however requested council's approval to skip this process and allow him to issue as soon as possible in order to move things along more quickly. Deschenes stated that the awarding of the bid will come back to Council for approval just as usual.

Deschenes stated that he drafted a document outlining some talking points to the RFP for Consulting Services in relation to the design and construction of the new Government Center and distributed copies to council for input.

- 5b: DISCUSSION: Relating to the Selection of an Architectural Consultant for Design and Facilitation of the Waterford Government Center Project: Deschenes stated that council has been discussing the possibility of employing a construction manager over the last several weeks to help with the design and facilitation of the Government Center project, however this did not really get off the ground. Deschenes stated that in order to try and get this process moving he obtained some names of architects recommended by Stanislaus County. Deschenes stated that this is kind of an unusual assignment, however the first task would be to work with the council and/or building committee to determine what type of structure and what size of building to build. Deschenes stated that we would want to find someone that is versatile and flexible enough to offer innovative technology designs.

- 5c: DISCUSSION: Relating to the Removal of Hazardous Materials on the Waterford Government Center Parcel including the Property known as the "Caro" Parcel: City Administrator Deschenes stated that five potential bidders did a walk-thru of all the structures and that he expects to get bids back for the removal of the buildings next week. Deschenes stated that in an effort to move this along more quickly he requested council approval to be able to award any bid that comes in at our under \$30,000 without coming back to council for formal approval through the normal process.

A motion was made approving the City Administrator to award a bid of \$30,000 or less for the removal of the buildings by: CM/Krause
Seconded by: VM/Broderick
Absent: Gilbert
Abstain: 0
Vote: 4-0

- 5d: DISCUSSION: Regarding the Status of the Waterford General Plan and the Waterford Downtown Plan by Robert Borchard, City Planner: City Administrator Deschenes explained that we are behind schedule; however the various draft studies for the General Plan should be completed within the next couple weeks. Deschenes stated that he will distribute copies to council as soon as they become available. CM/Dugovic stated that the Planning Commissioners have requested to see copies of the draft studies.

Planning Commission Chair Esther addressed council stating that the Planning Commission went over chapters 7,8&9 at the last meeting and plan to go over chapters 10,11&12 at the next meeting. Esther

stated that the Commission has not received master plans or the various draft studies and stated that they would like to have some time to review those portions as well.

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: DISCUSSION: Relating to RV Trailer Parking and Parking Canopies: City Administrator Deschenes explained that the city operates on a complaint basis for these types of issues, however is proposing that we move to a more proactive approach to address these types of issues. Deschenes stated that he is looking for input from Council; however we could publicize this and get public input before going in this direction. Deschenes explained that the parking canopy issue usually involves set-back issues when these are installed in the driveway and extending out to the sidewalk. Deschenes stated that we may want to issue a warning notice first, however the 72 hr notice that is typically issued would be considered a warning. Deschenes stated that we are willing to go to this type of approach; however we want to insure that the citizens are given plenty of notice and warning about this through various types of public announcements. Mayor Turner suggested having another re-education program to inform citizens of these types of rules and regulations. Mayor Turner also stated that the 72 hr notice does give ample notice to the owner of the vehicle to move the vehicle before it gets cited. Mayor Turner suggested a 30 day warning period, then issue citations in order to protect public safety and enforce the current municipal ordinance in relation to this. Consensus of Council was to provide a 30-day public warning period and then take a pro-active approach and issue citations for these violations.
- 6c: RESOLUTION 2006-13: A Resolution Adopting the Vacant Building Monitoring Fee: Deputy City Attorney Browning explained that council adopted an ordinance establishing the ability to adopt this fee by Resolution. Deputy City Attorney Browning further explained that Resolution 2006-13 references the recent ordinance that was adopted by council. Deputy City Attorney Browning explained that the fees proposed are based on actual costs that would be incurred by the City. A suggestion was made by Council to include recovery for law enforcement time spent on monitoring the building. Deputy City Attorney Browning explained that the fee schedule can be amended whenever council feels it is appropriate.
A Motion was made to adopt Resolution 2006-13 by: VM/Broderick
Seconded by: CM/Krause
Absent: CM/Gilbert
Abstain: 0
Vote: 4-0
- 6d: RESOLUTION 2006-14: A Resolution Accepting Offer of Dedication Relating to Real Property and Public Improvements for River Pointe Water System: City Administrator Deschenes stated that this formalizes the recent offer of dedication by River Pointe by acceptance of such by the City Council.
A motion was made to adopt Resolution 2006-14 by: CM/Dugovic
Seconded by: CM/Krause
Absent: CM/Gilbert
Abstain: 0
Vote: 4-0
- 6e: DISCUSSION: Relating to City Organization: City Administrator Deschenes stated that this will be a continuing item, however Deschenes stated that he wanted to introduce this tonight. Deschenes stated that the city is growing and we need to determine how we are going to get a lot of things done. As the city grows things tend to happen that are more technical in nature and things get more bureaucratic and in many instances we need personnel that are specialized in certain areas. In particular, some of the areas of weakness that we will need assistance with is in the Redevelopment Agencies and the housing portion of redevelopment such as our HOME and CDBG programs. Deschenes stated that this is something he wanted Council to think about and in the meantime Deschenes stated that he plans to quantify this and talk with staff to determine our needs and therefore will be updating Council with what his thoughts and recommendations are in relation to this. Deschenes stated that compliance with some of these programs in regards to reports that should be submitted and other aspects which are pretty intensive have fallen under state and federal scrutiny;

therefore, we will have to become more sophisticated than we have been in the past. As an example, Deschenes pointed out the Sunrise Vista Apartment complex which was partially funded with HOME funds requires annual monitoring of this program. Deschenes explained that the State is not content with just relying on their own regulations and federal regulations; they want the City to write its own monitoring plan, which Deschenes stated that he feels echo's the requirements of the state and federal regulations. Deschenes further explained that the single audit concept and the GASB regulations require the city's external auditors to report on these programs, where in the past it was traditionally performed by the State and Federal auditors. Deschenes stated that these types of things are what are driving the City towards an organization that must become more in tune with following State and Federal directives in much of these particular areas.

7. COMMENTS:

- 7a: Law Enforcement Update: Chief Silva stated that his Department will be conducting speed surveys which are required for radar enforcement. Chief Silva explained that Caltrans will be conducting the speed surveys on Hwy 132. Chief Silva stated that Riverbank will be loaning their speed trailer because it has the necessary equipment to conduct the surveys. Chief Silva stated that his department will be surveying from Bentley to F St. Chief Silva stated that another citation was issued on the downtown vacant buildings.
- 7b: City Attorney Update: Deputy City Attorney Browning stated that City Attorney Gnass will be back from vacation the end of March. Deputy City Attorney Browning stated that he did not have any closed session items to discuss.
- 7c: City Administrator Update: City Administrator Deschenes stated that he will be preparing some correspondence to submit to the Director of StanCOG relating to the countywide transportation tax relaying what the City's needs are primarily for the Hwy 132 corridor. Deschenes stated that he will be recommending approval for an amendment to the Building Inspector's contract increasing the contract rate. Deschenes stated that this is appropriate and warranted. Deschenes further stated that the last increase to the Building Inspector's contract was nine years ago.

7d: City Council Update:

VM/Broderick: reported great success on the academic decathlon's recent competition and stated that his team will be going on to the state competition.

CM/Gilbert: Absent.

CM/Dugovic: No comments.

CM/Krause: Reminded everyone that the Historical Society meets on the 4th Thursdays of each month. Thanked Pat Padrnos for volunteering to head up the Parks Committee.

Mayor Turner: No comments.

8. ANNOUNCEMENTS: none.

ADJOURNMENT/RECESS: A motion to adjourn the City Council meeting was made by CM/Krause and seconded by CM/Dugovic at 8:22PM. M/C Vote: 4-1

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on March 2, 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)

None.

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

None.

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

None.

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)

None.

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.