

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, July 19, 2007

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: [6:30:36 PM](#) Vice-Mayor Krause

INVOCATION: [6:31:11 PM](#) Deacon Tom Broderick, Saint Anthony's Church

ROLL CALL PRESENT: [6:32:20 PM](#)

Present:
Vice-Mayor Krause
Council Member Goeken
Council Member Weaver
Council Member Aldaco

Absent: Mayor Broderick-Villa

Also Present:
Charles E. Deschenes, City Administrator
Lori Martin, City Clerk
Corbett J. Browning, City Attorney
Rob Jackson, Police Chief
Robert Borchard, City Planner

ADOPTION OF AGENDA: [6:32:27 PM](#) Goeken moved, seconded by Aldaco, to adopt the Agenda

[6:32:36 PM](#)

AYES: Krause, Goeken, Weaver and Aldaco

NAYES: None

ABSENT: Broderick-Villa

Motion passed by majority.

1. CONSENT CALENDAR: Aldaco moved, seconded by Weaver, to adopt the Consent Calendar

[6:32:49 PM](#)

AYES: Krause, Goeken, Weaver and Aldaco

NAYES: None

ABSENT: Broderick-Villa

Motion passed by majority.

- 1a: RESOLUTION 2007-75: Warrant Register
- 1b: Minutes of the Regular Meeting held on July 5, 2007
- 1c: Building Report – June 2007
- 1d: Business License Report – June 2007
- 1e: Waste Water Daily Flow Analysis – June 2007
- 1f: CDBG Budget Outline

2. **PRESENTATIONS:** None.

3. **COMMUNICATIONS FROM THE AUDIENCE:** [6:33:21 PM](#) Evelyn Gayle and Gary Gayle, 12144 Chad Way addressed council to issue a complaint in regards to what they felt was an inaccurate police report written by the officer that responded to a burglary that occurred at their home. Chief Jackson invited the Gayle's to make an appointment to speak with him in his office next week.

4. **PUBLIC HEARING ITEMS:**

4a: RESOLUTION 2007-76: A Resolution Approving Lot Line Adjustment No. 07-01 and Authorizing the Planning Director to Prepare a Certificate of Lot Line Adjustment: [6:41:49 PM](#) City Planner Borchard explained that this is a simple lot line adjustment that adjusts the property line to reflect the fence line that was constructed between the two properties during development of the River Pointe Subdivision.
[6:43:58 PM](#) Vice-Mayor Krause opened and closed the public hearing with no comments offered from the public.
[6:44:19 PM](#) closed public hearing.

Aldaco moved, seconded by Goeken, to adopt Resolution 2007-76, as recommended.

[6:44:36 PM](#)

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

Motion passed by majority.

4b: RESOLUTION 2007-77: A Resolution Approving Lot Line Adjustment No. 07-02 and Authorizing the Planning Director to Prepare a Certificate of Lot Line Adjustment: [6:44:41 PM](#)
[6:44:52 PM](#) Vice-Mayor Krause opened and closed the public hearing with no comments offered from the public.
[6:44:56 PM](#) closed public hearing.

Weaver moved, seconded by Goeken, to adopt Resolution 2007-77, as recommended.

[6:45:07 PM](#)

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

Motion passed by majority.

5. **UNFINISHED BUSINESS:**

5a: DISCUSSION: Relating to Western Ave. Street Improvement Project: [6:45:19 PM](#) City Administrator reported that this project is moving along and stated that MID is now moving utility poles. Deschenes reported receiving good news on Monday in regards to the paving portion of this project finally made it through CalTrans and the Federal Highway Administration, therefore the City Engineer immediately placed the paving portion of the project out to bid.

5b: RESOLUTION 2007-44: A Resolution Accepting Easement Deed for Public Roads and Utility Purposes at 406 N. Western Ave., Portion of 080-54-18: [6:46:48 PM](#)

Aldaco moved, seconded by Weaver, to adopt Resolution 2007-44, as recommended.

[6:47:31 PM](#)

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

Motion passed by majority.

- 5c: RESOLUTION 2007-79: Relating to Fiscal Year 2007-2008 City Budget: [6:47:37 PM](#)
City Administrator Deschenes distributed a revised preliminary budget and explained that he has made revisions to the budget since the last meeting. Deschenes stated that a final budget will be presented in September after the State budget is adopted and he can better predict our revenues. Deschenes stated that the final budget will be more detailed in regards to inter-fund transfers. Deschenes explained that additions were made since the last meeting in regards to capital projects. Deschenes stated that he added the following capital projects based on input he has received over the last few weeks; improvements to overlook parcel, the purchase of a modular building to house City Hall, improvements to the road leading to the Waste Water Treatment Plant, preliminary design work for Western/Hwy132 intersection, storm water outfall near the Waste Water Treatment Plant, crack seal machine to use for road maintenance. Deschenes stated that those are the major changes that were made since the last meeting. Deschenes reported a minor change to add a small increase to the Parks & Recreation budget to allow for miscellaneous expenses.

Weaver moved, seconded by Goeken, to adopt Resolution 2007-79, as recommended.

[6:58:06 PM](#)

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

Motion passed by majority.

- 5d: DISCUSSION: Relating to the Government Center Project: [6:58:27 PM](#) City Administrator Deschenes reported on a recent Government Center Committee meeting and stated that the schematic diagrams are moving along. Deschenes explained that the Committee is trying to get a definite answer from the County in regards to their participation in the project. Deschenes stated that indications from the County is that they are going to hold off on funding the Library portion of the project. Deschenes stated that he will provide updates to council on discussions with the County as soon as there is information available.

- 5e: RESOLUTION 2007-74: A Resolution Accepting the River Pointe II Public Improvements: [7:00:58 PM](#) City Administrator Deschenes explained that the public improvements at the River Pointe subdivision have been constructed to city standards and inspected and approved by the City Engineer and recommended acceptance of the public improvements.

Goeken moved, seconded by Aldaco, to adopt Resolution 2007-74 as recommended.

[7:02:11 PM](#)

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

Motion passed by majority.

6. NEW BUSINESS:

- 6a: RESOLUTION 2007-78: A Resolution Approving a Sale Agreement with Mobile Modular Management Corporation for the Purchase of a Modular Building: [7:02:16 PM](#) City Administrator Deschenes explained that when the modular company put the previous proposal presented at the last meeting into the final form of a contract there was a few items missing that we did not catch before presenting to council. Deschenes explained that the missing items related to sales tax and also the proposal the ramps and steps were not clearly identified in the cost of the proposal. Deschenes stated that when we inquired about the price difference the modular company agreed that ramps and steps could have been identified more clearly and was willing to reduce the cost of that item by half. Deschenes stated that the price he quoted Council at the last meeting on the difference between a 2 year lease and purchasing was \$33,986.00 and with the changes mentioned this difference will now be \$44,800. Deschenes stated that he wanted to bring that to the Council's attention. Deschenes explained that the amount in the budget for the Modular includes the installation of the utilities and possibly some gravel around the building and paving leading up to the stairs and ramp. Deschenes explained that if Council approves the purchase of the modular tonight, there are still a few things to be worked out in the contract and we will also have our engineer look at the site and make sure the language in the contract is something we can live with and stated that there will be ongoing communications with the modular company until we are happy with the language in the contract. Deschenes explained that once the Government Center is built we will find a new use for the building.

Aldaco moved, seconded by Goeken, to adopt Resolution 2007-78 upon final approval of the contract language by the City Administrator and the City Attorney.

[7:07:04 PM](#)

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

Motion passed by majority.

- 6b: DISCUSSION: Select a Meeting Date for a Special Joint Meeting with the Planning Commission and Parks & Recreation Commission to Continue Discussions Relating to FY 2007/2008 Goals & Objectives: [7:07:11 PM](#) Council selected August 23, 2007 at 6:30PM for the next joint meeting with Planning and Parks & Recreation to continue discussion related to goals and objectives.
- 6c: DISCUSSION: Select a Meeting Date for a Special Joint Meeting with the Waterford School Board: [7:09:09 PM](#) City Administrator Deschenes explained that this item is pending until he receives some tentative dates from the School Superintendent.
- 6d: DISCUSSION: Consideration to Authorize the City Administrator to Send a Letter of Support to Stanislaus County Supporting their Submittal of an Application to the Federal Health Resources and Services Administration for Federally Qualified Health Center Look-a-Like Status: [7:09:56 PM](#) City Administrator Deschenes explained that this will give the county more health services funding. Deschenes stated that there is a significant population in the county, some of which are Waterford residents that are served by the county health system. Deschenes recommended approval of this item.

Weaver moved, seconded by Aldaco, to authorize the City Administrator to issue a letter of support to the county.

[7:11:05 PM](#)

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

Motion passed by majority.

7. COMMENTS:

7a: Law Enforcement Comments/Reports: [7:11:17 PM](#) Chief Jackson reported that the concert in the park went very well. Chief Jackson stated that the City Hall/Sheriff Office received a new coat of paint and explained that this was one of Deputy Leatrice's first projects on the job. Chief Jackson reminded everyone that the new legal clerk, Teresa, started last Monday and encouraged the Council to stop by and meet her. Chief Jackson reminded everyone about National Night Out on August 11, 2007. Chief Jackson stated that there will be some presentations starting about 1:00PM at the Community Center relating to gangs, identity theft or internet crimes with a BBQ at the Riverfront Park to follow. Chief Jackson stated that they are trying to get the K-9 unit at the park for some demonstrations as well.

7b: City Attorney Comments/Reports: [7:13:16 PM](#) City Attorney Browning stated that he will put a discussion item on the next agenda relating to the City Administrator's evaluation form type and asked the Council to individually think about the form that has been used to evaluate the City Administrator. Browning reminded Council that they had previously decided that they were going to make a determination early on for the evaluation form type to be used so that the City Administrator will know with some advance notice what he is being evaluated on and what the criteria is and what the form will look like.

7c: City Administrator Comments/Reports: [7:14:45 PM](#) City Administrator Deschenes informed Council of an upcoming LAFCO meeting on Wednesday, July 25th at 6:00PM. Deschenes explained that this meeting will be an education of the LAFCO process and encouraged Council to attend if they can. Deschenes informed everyone about the Lion's Club Blood Drive on Tuesday, July 31st from 3:00PM to 7:00PM. Deschenes informed Council that they will see an awards presentation on the next agenda for the recognition received from the APA on our General Plan.

7d: City Council Comments/Reports:

Jose Aldaco: [7:16:45 PM](#) Thanked the community for attending the concert in the park and stated that it was a great success. CM/Aldaco commented on a concern he has in regards to youth drinking being allowed by adults.

CM/Weaver: [7:17:11 PM](#) reported on a tentative date of September 10th for a Waterford Job Fair to be hosted by the Alliance.

CM/Goeken: [7:17:33 PM](#) stated that he was unable to attend the concert in the park because he had to work that night, but is glad to hear the good reviews. Also congratulated Carlos Garcia for receiving his waste water treatment certification.

CM/Krause: [7:17:58 PM](#) echoed the comments on the great job done by Parks & Recreation Commissioner's on the success of the recent concert in the park.

Mayor Broderick-Villa: absent

ANNOUNCEMENTS:

ADJOURNMENT/RECESS: Weaver moved, seconded by Goeken, to adjourn the City Council Meeting at 7:18PM.

[7:18:31 PM](#)

AYES: Krause, Goeken, Weaver and Aldaco

NAYES: None

ABSENT: Broderick-Villa

Motion passed by majority.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on August 2, 2007, 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

NONE.

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.