

WATERFORD CITY COUNCIL REGULAR MEETING MINUTES

Thursday, August 16, 2007

A regular meeting of the Waterford City Council was called to order by Mayor Broderick-Villa at 6:29 PM at the Waterford Community Center, 540 "C" Street, Waterford, CA 95386.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: [6:29:44 PM](#) Mayor Broderick-Villa

INVOCATION: [6:30:08 PM](#) Vice-Mayor Krause

ROLL CALL PRESENT: [6:30:47 PM](#)

Present: Mayor Broderick-Villa
Vice-Mayor Krause
Council Member Goeken
Council Member Aldaco

Absent: Council Member Weaver

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

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

[6:31:11 PM](#)

AYES: Broderick-Villa, Krause, Goeken and Aldaco

NAYES: None

ABSENT: Weaver

Motion passed by majority.

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

[6:31:19 PM](#)

AYES: Broderick-Villa, Krause, Goeken and Aldaco

NAYES: None

ABSENT: Weaver

Motion passed by majority.

- 1a: RESOLUTION 2007-87: Warrant Register
- 1b: Minutes of the Regular Meeting held on August 2, 2007
- 1c: Minutes of the Special Joint Meeting held on July 12, 2007
- 1d: Building Report – July 2007
- 1e: Business License Report – July 2007
- 1f: Waste Water Daily Flow Analysis Report – July 2007
- 1g: Minutes of the Parks & Recreation Meeting held on June 12, 2007
- 1h: Minutes of the Parks & Recreation Meeting held on June 27, 2007
- 1i: RESOLUTION 2007-86: Authorizing the City Administrator to Sign and Submit Claim Forms to the State Controller's Office

- 1j: Open 15 day public review period for the 2006/2007 CDBG Consortium Consolidated Annual Performance Evaluation Report (CAPER) and set public hearing date for September 6, 2007 to close the public review period and adopt the report

2. PRESENTATIONS: None.

3. COMMUNICATIONS FROM THE AUDIENCE:

[6:31:25 PM](#) Robert Stanford, PO Box 576684, Modesto, CA 95357 addressed Council stating that he is a candidate for Modesto City Council Seat 1 in the upcoming November election. Mr. Stanford made a brief statement in regards to a police incident that occurred on Wednesday, August 15th.

4. PUBLIC HEARING ITEMS: None.

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to Western Ave. Street Improvement Project: [6:35:28 PM](#) City Administrator Deschenes stated that there are many things up in the air right now in regards to the Western Avenue project. Deschenes stated further that the major concern is that AT&T has just informed us that it will take them approximately one month to do the work they need to do for this project with a tentative start date of October 8th. Deschenes stated that he is trying to do what he can to get this tentative date moved up as much as possible because October 8th gets us too close to the rainy season.
- 5b: DISCUSSION: Select a Meeting Date for a Special Joint Meeting with the Waterford School Board: [6:38:36 PM](#) City Administrator Deschenes asked the Council if they would like to consider deferring this item until after the November election. Consensus of Council was to defer the special joint meeting until after the election.
- 5c: DISCUSSION: Relating to Half Rate Sewer Fees: [6:39:40 PM](#) City Administrator Deschenes stated that he provided a staff report to Council on various proposals to resolve the half rate balances situation. Deschenes stated that he would just like to open the dialogue tonight and wait for any decisions until all council members are present. After a short discussion the consensus of council was to start the legal research on options two and three.
- 5d: DISCUSSION: Relating to the 2007/2008 City Budget: [6:44:01 PM](#) City Administrator Deschenes explained that he previously submitted a preliminary budget and will be submitting a final budget. Deschenes stated that it has become apparent to him that the Government Center project and other projects that we have obligated ourselves to do that he is going to develop more cash flow to finance things like the Government Center and the West Park acquisition. Deschenes explained further that we will have to be very cautious about any new programs we embark on at least until we fully determine how to do the projects that are already lined up. Deschenes stated that he is working under the assumption that the Government Center is still a top priority. Deschenes explained further that things like the Government Center always end up costing more than what was anticipated and it is apparent that the Government Center project will not be an exception to this rule. Deschenes stated that in this regard he will be doing as much revenue enhancement as possible, however will be looking at cutting ongoing expenses where ever possible due to the fact that he will have to identify funding to service whatever certificates of

participation obligations that we take on as part of building the Government Center facility. Deschenes stated that the preliminary budget identified approximately \$200,000 of potential free cash flow that has been obligated for capital projects and could be used to service debt.

6. NEW BUSINESS:

6a: DISCUSSION: Review of Final Classification Report Submitted by L.B. Hayhurst & Associates: [6:48:48 PM](#) City Administrator Deschenes explained that this is the first half of the project that we contracted with L.B. Hayhurst to do stating that he wanted to make the final version of the classification study public. Deschenes stated that this has been reviewed by staff, employees and professionals. Deschenes stated that the second half of this is the monetary portion which is still ongoing and not available at this time.

6b: RESOLUTION 2007-88: A Resolution Awarding the Lowest Responsible Bid for the Western Avenue – Paving Project and Approving the Contract: [6:50:31 PM](#) City Administrator Deschenes stated that bids were opened today and the apparent low bid came in at \$308,198.10 from Ross F. Carroll, Inc. Deschenes stated that we have done business with Ross F. Carroll, Inc. before and they are a responsible bidder. Deschenes mentioned that this moves Western Avenue along a bit more, however the paving can not be done until the curb, gutter and sidewalks are in.

Krause moved, seconded by Goeken, to adopt Resolution 2007-88, as recommended.

[6:52:51 PM](#)

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

Motion passed by majority.

7. COMMENTS:

7a: Law Enforcement Comments/Reports: [6:53:18 PM](#) Chief Jackson reported that last Saturday's National Night Out was very well attended by community members with a nice BBQ in the park and excellent demonstrations by the K-9 unit and the S.W.A.T. team. Chief Jackson reported on an incident yesterday on S. Western Ave. where a gentleman lost his life during a struggle with our officers and a couple of Public Works employees. Chief Jackson explained that this was a tragic event, however due to an ongoing investigation he cannot discuss all of the details. Chief Jackson thanked Steve Green and Lonnie Statzer from Public Works stating that without their support to our officers our officers could have been seriously injured or much more injured than they were. Chief Jackson stated that the Sheriff's Department was on the scene for most of the day yesterday conducting an investigation and as soon as we come up with some conclusions on what occurred he will share that with everyone. Chief Jackson reported that we are currently working in partnership with the Probation Dept and there are approximately 25 probation officers in town right now following up on active probationers in Waterford and conducting searches.

7b: City Attorney Comments/Reports: [6:56:29 PM](#) no updates.

7c: City Administrator Comments/Reports: [6:59:32 PM](#) reported on his attendance at a recent Parks & Recreation Commission meeting stating that he was happy to see Commissioner Green back after her recent appendix surgery. Deschenes stated that he provided to Council for informational

purposes a copy of a flow chart diagram that relates to the process that is involved in getting a project through Caldrons.

7d: City Council Comments/Reports:

Jose Aldaco: [7:00:15 PM](#) thanked the community for their support in attending the concerts in the park and thanked the Chief for putting together the National Night Out.

CM/Weaver: absent

CM/Goeken: [7:00:49 PM](#) also thanked Chief Jackson for putting on the National Night Out stating that he enjoyed it and felt it was a very good event. Goeken also stated that it was nice to see Sheriff Adam Christiansen at the event as well.

CM/Krause: [7:01:21 PM](#) echoed previous comments in regards to the concerts in the park and National Night Out. Krause also reported his attendance at a Government Center Committee meeting today stating that they reviewed various building designs and have narrowed it down to 3 designs. Krause stated that he will be bringing copies of the three building designs to next week's Special Joint Meeting on August 23rd for help in making a final decision on the design that we like the best.

Mayor Broderick-Villa: [7:01:45 PM](#) Mayor Broderick-Villa reminded everyone that school is back in session and asked that everyone drive carefully. Mayor Broderick-Villa expressed his concern in regards to the Western Avenue project delay. City Administrator Deschenes explained that the Western Avenue project was put through in record time and we are using five different funding sources for this project. Deschenes explained further that it is going to be really tough in good circumstances to get everything moving together. Deschenes stated that he certainly does not like the new of the delay with AT&T, however we made this project happen and it was not easy and still is not easy. Deschenes asked the general public and Council to please bear with us while we try and work through these difficult issues. Deschenes commented that this project would not have happened without a lot of hard work and dedication from folks and stated that this project was put together in less than a year which is very unusual.

ANNOUNCEMENTS: The Waterford City Council will Hold a Special Joint Meeting with the Planning Commission and the Parks & Recreation Commission on August 23, 2007 at 6:30PM at the Waterford Community Center to Continue Discussions in Regards to Fiscal Year 2007/2008 City Goals & Objectives.

The City of Waterford invites the public to participate in the review of the Consolidated Annual Performance Evaluation Report (CAPER). The CAPER is the assessment of the CDBG and ESG programs and community development and housing projects for Fiscal Year 2006-2007 at a Community Meeting to be held on Monday, August 13, 2007 from 5:30PM – 7:30PM at the Waterford Community Center, 540 C Street, Waterford, CA.

ADJOURNMENT/RECESS: [7:05:11 PM](#) Mayor Broderick-Villa adjourned the City Council Meeting at 7:05PM.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on September 6, 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.