

WATERFORD CITY COUNCIL MEETING MINUTES

Thursday, September 21, 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

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

PLEDGE OF ALLEGIANCE – Mayor Turner

INVOCATION: Zena Gilbert, Council Member

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

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

1. CONSENT AGENDA:

- 1a: RESOLUTION 2006-91: Warrant Register
- 1b: Minutes of Regular Meeting held September 7, 2006
- 1c: Minutes of Special Meeting held August 29, 2006
- 1d: Waterford Police Services Monthly Report – July 2006

2. PRESENTATIONS:

2a: Waterford Police Chief, Rob Jackson to introduce Sheriff Adam Christianson and Assistant Sheriff Bill Heyne: Introductions made by Chief Rob Jackson. Sheriff Adam Christianson reported on Sheriff Dept. being strong and healthy and stated he is committed to providing a quality level of service to Waterford and to continue the ongoing relationship. Mayor Turner congratulated the newly elected Sheriff and Assistant Sheriff and welcomed them to Waterford.

3. COMMUNICATIONS FROM THE AUDIENCE:

None.

4. PUBLIC HEARING ITEMS:

None.

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to the General Plan Vision 2025 Update: City Administrator Deschenes reported that the 45 day comment period for the EIR has begun with no comments received as of yet, however it is not uncommon to receive most comments towards the end of the 45 days. Deschenes explained that this is meant to be a public process where people interact and ask questions, offer suggestions/ideas, etc. Deschenes stated that there is a public meeting set for this Saturday at 9:00AM in the Council Chambers.
- 5b: DISCUSSION: Relating to the Waterford Government Center Project. City Administrator Deschenes stated that the RFP process is moving along. The committee has received 5 RFP's. The committee is scheduled to meet on September 28, 2006 at 2:30PM to review the RFP's and decide which firms they wish to interview. Deschenes gave a verbal listing of the Architect Firms that submitted RFP's.
- 5c: DISCUSSION: Relating to City Organization: City Administrator Deschenes stated that the city has advanced to the degree where there is a constant workflow load. City Administrator Deschenes stated that the city is in need of a project type person that would entail carrying out various types of projects from beginning to end. Deschenes stated that we need to continue to think about this and where to position the help so that he can work it into the budget.
- 5d: Relating to the Fiscal Year 2006-07 Budget: City Administrator Deschenes stated that he is now analyzing the beginning fund balances and explained that there can be distortions in these balances due to fixed assets, so it is something that he analyzes and sorts out. Deschenes stated that this will be an aggressive budget due to the amount of public projects. Deschenes stated that he is gathering input from department heads and his goal is to get a draft budget out in the next few weeks for Council to review, then will schedule on the following agenda. Deschenes commented that this will be a good year for the city.
- 5e: DISCUSSION: Relating to City Owned Property Known as the "Overlook Parcel": City Administrator Deschenes explained that this item was added to the agenda due to a business owner inquiry wanting to put a business on this parcel. Deschenes described the property location of this parcel which is located at the corner of F Street and Hwy 132. Deschenes explained some of the challenges regarding ingress/egress that this parcel would have and explained various options for the council to consider.

6. NEW BUSINESS:

- 6a: RESOLUTION 2006-90: A Resolution Approving a Contract with Teichert for Public Improvement Project No. 2006-04 – F Street / S.R. 132 Signal Project: City Attorney Browning explained that this item is not ready for approval and the same condition remains from the last meeting. City Attorney Browning stated that we will remove this item from the agenda and bring it back when it is ready for approval.
- 6b: RESOLUTION 2006-89: A Resolution Approving Agreement with Springbrook to Provide Accounting Software Services for the City of Waterford: City Attorney Browning stated that he does not have a final agreement as of yet and stated that he is negotiating the terms with the Springbrook attorney's and that he hopes to have things ironed out by the next meeting. City Attorney Browning stated that if this is not ready for approval at the next meeting we will remove the item from the agenda and bring it back when it is ready. Deschenes stated that a possible resolution to this may be that we recommend purchase of the software instead of having the provider host the software on their servers. Deschenes explained the some of the deficiencies with our current software. Deschenes explained the importance of getting good software in place that will provide sound financial data and assist management in making good financial decisions.
- 6c: DISCUSSION: Relating to the Waterford Parks and Recreation Program: City Administrator Deschenes stated that he attended the last Parks & Recreation meeting to provide some guidance in

regards to questions/concerns that came up in regards to procedures and such of various programs. Deschenes explained that the soccer program had its share of glitches this year and we are working out the issues, however stated that he plans to attend the next few meetings to help get things back on track. Deschenes stated that the soccer program is ran by parent volunteers with the help of paid referee's and with administrative support provided by city staff. Deschenes stated that this is a good group of people that do great work. Deschenes explained that due to some communication problems in getting information out to the players/parents it created an excessive amount of staff time in answering phone calls from participants. Deschenes stated that with these programs there will always be some rough edges; however he wants to ensure that we can communicate so that when these rough edges are identified we can work together very quickly to get things ironed out.

- 6d: RESOLUTION 2006-92: A Resolution Approving the City of Waterford Conflict of Interest Code: City Attorney Browning explained that this is a bi-annual requirement. There were no amendments recommended by any of the city's boards and commissions. City Attorney Browning explained that City Council could make recommendations for amendments if desired. No recommendations were made by council to amend the code.

A motion was made to adopt Resolution 2006-92 by: VM/Broderick

Seconded by: CM/Gilbert

Absent: 0

Abstain: 0

Vote: 5-0

7. COMMENTS:

- 7a: Law Enforcement Update. Police Chief, Rob Jackson reminded Council that there was a shift change last Saturday; therefore they will be seeing some new deputies around town. Chief Jackson reported that he recently attended a Stanislaus drug enforcement board meeting, which Waterford is a member of. The board asked that we get some information out to the community in regards to the indoor marijuana cultivation that has been in the news lately and gave the public some tips on what to be aware of and look out for in their neighborhoods in relation to this type of activity.
- 7b: City Attorney Update: City Attorney Browning requested closed session to discuss Pending Litigation under government code 54956.9 and Anticipated Litigation under government code 54956.9. Browning informed Council that he will be putting the Park Hours of Operation Ordinance on the next agenda. Browning updated Council on research that he did in regards to the request for assistance in removing pigeons and stated that he did not find any cases on point in terms of creating a liability, however the law is clear that the city does have the ability to do something for this type of situation if the city wishes, but there is no requirement to do anything. Mayor Turner requested that this be added to the next agenda for discussion. Mayor Turner stated that if there is a way to help them at least on a temporary basis he would like to do so. Mayor Turner stated that he would like to be a good neighbor.
- 7c: City Administrator Update: City Administrator Deschenes reported on some good news regarding the Heritage Days event. Deschenes stated that there has been a lot of effort by some citizen volunteers over the last few years to revise Heritage Days. This group was led by Dan Padmos, but in order to keep the event going it is important to find a sponsor with continuity to run the event. The Waterford Lions Club offered to be the sponsor and will provide the financial oversight and operational oversight for it and participate in it. They will also be the sponsor for the Haunted House fundraiser event that just got started last year. Deschenes explained that he thought that this fundraiser was sponsored by the Historical Society, but found out that this was organized by a group of citizens that just took the initiative to raise money for Heritage Days by doing the Haunted House. The 2nd Annual Haunted House will be held again at the Waterford Museum next month. Deschenes informed Council of a petition that was circulating around the River Pointe development in regards to regulating new minimum house sizes. Deschenes stated that the circulator of this petition talked to the City Planner this week. The Planner explained to him that the city does not regulate minimum house sizes. Mayor Turner stated that he did get the opportunity to talk to the circulator and explained the same to him.

7d: City Council Update:

VM/Broderick: mentioned that Friday is the first rally and football game for the High School and asked everyone to come out and support the football team.

CM/Gilbert: No Comments

CM/Dugovic: No Comments

CM/Krause: commended all the great volunteers that are helping out to put together the haunted house and reminded everyone of the opening night, October 13th. Also reminded everyone of the River Park dedication on October 14th.

Mayor Turner: asked that everyone send their prayers and concerns to the Whitfield family whose son Josh was injured in Iraq. Mayor Turner wished him a speedy recover.

8. ANNOUNCEMENTS: None.

ADJOURNMENT/RECESS: Recessed at 7:28 PM to the RDA meeting. After adjourning the RDA meeting, City Council will take a short recess. After recess will reconvene to Closed Session. Will reconvene to City Council meeting directly after closed session to adjourn.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on October 5, 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)
City of Waterford v. Waterford 2000 Partnership, et al.,
Stanislaus Superior Court Case No. 353383

Discussion.

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

Direction given to City Attorney.

- 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.