



AGENDA
WATERFORD CITY COUNCIL - REGULAR MEETING
WATERFORD CITY HALL, CITY COUNCIL CHAMBERS
101 "E" STREET, WATERFORD, CA

WATERFORD CITY COUNCIL REGULAR MEETING – AUGUST 21, 2014 - 6:30 PM

CALL TO ORDER:

Mayor Charlie Goeken

FLAG SALUTE:

Mayor Charlie Goeken

INVOCATION:

Pastor Dave McGaffee, Waterford Assembly of God

ROLL CALL:

Mayor:

Charlie Goeken

Vice Mayor:

Jose Aldaco

Council Members:

Michael Van Winkle, Ken Krause, Joshua Whitfield

ADOPTION OF AGENDA:

A member of the City Council motions to accept the items on the agenda for consideration as presented, or motions for any additions, including emergency items, or items pulled from consideration.

CONFLICT OF INTEREST DECLARATION:

Declaration by City Council members who may have a direct Conflict of Interest on any scheduled agenda item to be considered.

ADOPTION OF CONSENT CALENDAR:

All Matters listed under the Consent Calendar are considered routine by the Council and will be adopted by one action of the Council unless any Council Member desires to discuss any item or items separately. In that event, the Mayor will remove that item from the Consent Calendar and action will be considered separately.

1. CITY ATTORNEY REPORT FROM CLOSED SESSION

2. CONSENT CALENDAR

- 2a: Waive Readings - All readings of Ordinances and Resolutions, except by title, are waived
- 2b: RESOLUTION 2014-79: Warrant Register
- 2c: Minutes of the Regular City Council Meeting held on August 7, 2014
- 2d: Treasurer's Report

3. PRESENTATIONS

- 3a: Introductions of New Deputies and Office Personnel
- 3b: River Parkway Trail Permits Update

4. COMMUNICATIONS FROM THE AUDIENCE

This is the portion of the meeting specifically set aside to invite public comments regarding any matters not appearing on the agenda and within the jurisdiction of the City Council or the Successor Agency. Individual audience participation is limited to a maximum of 5 minutes and you will be asked to state your name and city of residence. Please complete and submit a speaker card to the City Clerk.

5. PUBLIC HEARING

- 5a: PROPOSITION 218 PUBLIC HEARING: RESOLUTION 2014-80: Resolution Approving the Adjusted 2014-2015 Waste Management Refuse Rate Schedule

- 5b: SECOND READING: ORDINANCE 2014-09: An Ordinance Amending Title 8 “Health and Safety”, Chapter 8.12 “Nuisances” by Amending WMC Sections 8.12.010, 8.12.080 and 8.12.090
- 5c: SECOND READING: ORDINANCE 2014-11: An Ordinance Amending Title 1 “General Provisions”, Chapter 1.17 “Administrative Citations” by amending WMC Sections 1.17.020, 1.17.100 and 1.17.120
- 5d: SECOND READING: ORDINANCE 2014-12: An Ordinance Amending Title 10 “Vehicles and Traffic”, Chapter 10.54 “Abandoned Vehicles” by amending WMC Sections 10.54.010 and 10.54.110
- 5e: SECOND READING: Ordinance 2014-13: An Ordinance Amending Title 15 “Buildings and Construction”, Chapter 15.42 “Public Nuisance” by amending WMC Sections 15.42.020 and 15.42.160
- 5f: SECOND READING: Ordinance 2014-14: An Ordinance Amending Title 8 “Health and Safety”, Chapter 8.08 “Self-Service Fuel Stations” by amending WMC Section 8.08.090

6. GENERAL BUSINESS

None.

7. ITEMS FOR CONSIDERATION BY THE CITY COUNCIL ACTING SOLELY AS SUCCESSOR AGENCY TO THE FORMER WATERFORD REDEVELOPMENT AGENCY

None.

8. INFORMATIONAL ITEMS

- 8a: Parks and Recreation Regular Meeting Minutes – July 8, 2014
- 8b: Business License Report – July 2014
- 8c: Building Permit Reports – July 2014
- 8d: 2014 Grant Report and ROI Report
- 8e: Groundwater Letters from Stanislaus County
- 8f: Public Works Director’s Water Use Restrictions

9. STAFF/COUNCIL COMMENTS

- 9a: City Staff Comments
- 9b: City Council Comments

10. ADJOURNMENT / RECESS

Recess to Closed Session.
 Reconvene to regular City Council meeting and report on any actions taken
 Adjourn regular meeting.

**CITY COUNCIL CLOSED SESSION – AUGUST 21, 2014 – DIRECTLY FOLLOWING
OPEN SESSION**

CALL TO ORDER: Mayor Charlie Goeken

ROLL CALL:

Mayor: Charlie Goeken

Vice Mayor: Jose Aldaco

Council Members: Michael Van Winkle, Ken Krause, Joshua Whitfield

CLOSED SESSION PUBLIC COMMENT: This is the portion of the meeting specifically set aside to invite public comments regarding any matters appearing on the closed session agenda. Individual audience participation is limited to a maximum of 5 minutes and you will be asked to state your name and city of residence. Please complete and submit a speaker card to the City Clerk.

RECESS TO CLOSED SESSION

1. **CLOSED SESSION AGENDA**

1a: “CONFERENCE WITH REAL PROPERTY NEGOTIATOR”
(PURSUANT TO GOVERNMENT CODE 54956.8), Tim Ogden, City Manager – Designated Real Property Negotiator

Property Negotiations for Sale of City Property, 12717 Welch St. / APN 134-007-045

1b: “CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION”
(PURSUANT TO GOVERNMENT CODE SECTION 54956.9)

Sipple v. Waterford, et al.

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Lori Martin, MMC
City Clerk

NOTICE

REPORTS: Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at the front counter at City Hall during normal business hours.

COMMUNICATIONS FROM THE AUDIENCE: If you wish to address the City Council or the Successor Agency on any item not on the printed agenda, prior to the start of the meeting, or prior to addressing the City Council or the Successor Agency, complete and submit a speaker card and deliver it to the City Clerk. (Please note, speaker cards are not required, however completing a speaker card enables staff to better follow up with you later, if necessary and attribute your comments to you in the minutes of the meeting). When the Mayor calls for "Communications from the Audience," stand or raise your hand and the Mayor will ask you to approach the podium and state your name and city of residence. It is the policy of the City Council that they will not act on any matter not appearing on the posted agenda. The purpose of the discussion is to permit a member of the public to raise an issue or problem and to permit the City Council to ask questions for clarification of the issue or problem, provide information to the public, provide direction of the City Staff, or schedule the matter for a future meeting. Please hold all comments to five (5) minutes.

PUBLIC COMMENTS RELATED TO AN ITEM ON THE PRINTED AGENDA: Members of the public are entitled to directly address the City Council or the Successor Agency concerning any item that is described on the agenda during consideration of that item. If during a public hearing, the Mayor will direct when the hearing has opened for public comment. If you wish to address the City Council or the Successor Agency on any item listed on this agenda, please complete a speaker card and deliver it to the City Clerk prior to discussion of that item. (Please note, speaker cards are not required, however completing a speaker card enables staff to better follow up with you later, if necessary and attribute your comments to you in the minutes of the meeting.) When your name is called proceed to the podium and state your name and city of residence.

WRITTEN MATERIAL INTRODUCED INTO THE RECORD: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the City Clerk prior to the public hearing date and/or prior to the opening of the public hearing so that the material may be distributed to the City Council prior to the public hearing.

NOTICE REGARDING CHALLENGES TO DECISIONS: Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

LIVE AND ON-DEMAND VIDEO RECORDINGS OF THE CITY COUNCIL/SUCCESSOR AGENCY: The meeting of the Waterford City Council/Successor Agency can be watched live and on-demand from the City's website at www.cityofwaterford.org.

AMERICANS WITH DISABILITIES ACT (ADA): In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (209) 874-2328 ext. 109 or email: cityclerk@cityofwaterford.org. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

General Information: The Waterford City Council meets on the 1st and 3rd Thursday's of each month at 6:30PM., unless otherwise noticed.

Council Agenda's: Copies of City Council Agenda and agenda related writings or documents will be made available for public inspection at the front counter at City Hall located at 101 "E" Street, Waterford, CA 72 hours prior to the meeting, or at the time of the scheduled meeting.

DATE & TIME OF POSTING			
Council Meeting Date:	<u>08/21/14</u>		
Post Date:	<u>08/15/14</u>	Time:	<u>at or before 5:00PM</u>
Verified by:	<u>Lori Martin</u>	Title:	<u>City Clerk</u>



Consent 2a
August 21, 2014
Lori Martin, City Clerk
City Council Staff Report

Waive Readings

SUMMARY:

N/A

FISCAL IMPACT:

N/A

ANALYSIS:

All readings of Ordinances and Resolutions, except by title, are waived.

ATTACHMENTS:

N/A



Consent 2b
August 21, 2014
Lori Martin, City Clerk
City Council Staff Report

Warrant Register

SUMMARY:

N/A

FISCAL IMPACT:

N/A

ANALYSIS:

Approve Warrant Register

ATTACHMENTS:

- Resolution #2014-79
- Check Register Report

WATERFORD CITY COUNCIL
RESOLUTION # 2014-79

A Resolution of the City Council of the City of Waterford allowing certain claims and demands

	TOTALS	
PAYROLL		
Payroll Date:	01-Aug-14	\$28,031.12
		\$5,364.47
 ACCOUNTS PAYABLE		
	8/1/2014	\$16,500.67
	8/8/2014	\$ 37,050.00
	8/21/2014	\$ 72,244.72
TOTAL		<u><u>\$153,826.51</u></u>

The City Council of the City of Waterford does hereby reserve, determine and order as follows:

SECTION 1: That in accordance with Section 37202 of the Government Code that the City Manager hereby certifies to the accuracy of the following demands and the availability of funds for the payment thereof.

SECTION 2: That the following claims and demands are subject to audit as required by law, and that the same are hereby set forth.

Passed and adopted by the City Council of the City of Waterford at a regular meeting held on 08/21/2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Lori Martin, MMC, City Clerk

Charlie Goeken, Mayor

Payroll

ACH Check Register

User: 'trish'
Printed: 08/01/2014 - 9:22AM
Batch: 1-8-2014
Include Partial: FALSE



Check Date	Check Number	Employee No	Employee Name	Amount
08/01/2014	0	1001	LORI MARTIN	3,059.45
08/01/2014	0	1002	PATRICIA KRAUSE	2,268.65
08/01/2014	0	1004	TIM OGDEN	4,054.07
08/01/2014	0	1006	CHRISTINA ENVIA	799.74
08/01/2014	0	1007	CARLA JAUREGUI	2,100.36
08/01/2014	0	2000	MATTHEW ERICKSON	3,192.13
08/01/2014	0	2001	STEVEN GREEN	2,513.59
08/01/2014	0	2002	WILLIAM NULL	2,178.98
08/01/2014	0	2003	JAMES CAPPS	614.79
08/01/2014	0	2005	STEPHANIE BROWN	2,136.87
08/01/2014	0	2006	LONNIE STATZER, II	2,510.23
08/01/2014	0	2007	JUSTIN HAMILTON	1,780.11
08/01/2014	0	3000	KENNETH KRAUSE	164.43
08/01/2014	0	3002	CHARLES GOEKEN	164.43
08/01/2014	0	3004	JOSE ALDACO	164.43
08/01/2014	0	3005	MICHAEL VAN WINKLE	164.43
08/01/2014	0	3007	WHITFIELD JOSHUA	164.43

Total Employees:

17

Total:

28,031.12

Payroll

Computer Check Register

User: trish
Printed: 08/01/2014 - 9:19AM
Batch: 00001.08.2014



Check No	Check Date	Employee Information	Amount
1713	08/01/2014	1008 MARISSA MARTINEZ	1,393.65
1714	08/01/2014	2004 CARLOS GARCIA	2,171.42
1715	08/01/2014	2008 MATTHEW SCOFIELD	1,799.40
Total Number of Employees: 3		Total for Payroll Check Run:	5,364.47

Accounts Payable

Computer Check Proof List by Vendor

User: trish
 Printed: 08/01/2014 - 10:08AM
 Batch: 00001.08.2014



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 105201	BANK OF THE WEST (IRS TAXES)			Check Sequence: 1	ACH Enabled: True
	PR Batch 00001.08.2014 Federal Income Tax	2,990.16	08/01/2014	1010-000-2220	PR Batch 00001.08.2014 Federal Income T
	PR Batch 00001.08.2014 FICA Employee Portio	112.22	08/01/2014	1010-000-2240	PR Batch 00001.08.2014 FICA Employee
	PR Batch 00001.08.2014 FICA Employer Portio	112.22	08/01/2014	1010-000-2240	PR Batch 00001.08.2014 FICA Employer I
	PR Batch 00001.08.2014 Medicare Employee Pc	626.33	08/01/2014	1010-000-2240	PR Batch 00001.08.2014 Medicare Emplo
	PR Batch 00001.08.2014 Medicare Employer Po	626.33	08/01/2014	1010-000-2240	PR Batch 00001.08.2014 Medicare Emplo
	Check Total:	4,467.26			
Vendor: 108350	CALIFORNIA EMPLOYMENT DEVELOPME			Check Sequence: 2	ACH Enabled: False
	PR Batch 00001.08.2014 EDD TRAINING TAX	0.90	08/01/2014	1010-000-2260	PR Batch 00001.08.2014 EDD TRAINING
	PR Batch 00001.08.2014 CALIFORNIA SDI	431.95	08/01/2014	1010-000-2260	PR Batch 00001.08.2014 CALIFORNIA S
	PR Batch 00001.08.2014 State Income Tax	970.31	08/01/2014	1010-000-2230	PR Batch 00001.08.2014 State Income Tax
	PR Batch 00001.08.2014 STATE UNEMPLOYM	27.90	08/01/2014	1010-000-2260	PR Batch 00001.08.2014 STATE UNEMP
	Check Total:	1,431.06			
Vendor: 139400	PUBLIC EMPLOYEE RETIREMENT SYSTEM			Check Sequence: 3	ACH Enabled: False
	PR Batch 00001.08.2014 ER PAID EC PORTIO	3,079.99	08/01/2014	1010-000-2270	PR Batch 00001.08.2014 ER PAID EC PO
	PR Batch 00001.08.2014 ER PAID ER PORTIO	5,945.77	08/01/2014	1010-000-2270	PR Batch 00001.08.2014 ER PAID ER PO
	Check Total:	9,025.76			
Vendor: 147925	FRANCHISE TAX BOARD STATE OF CALIF			Check Sequence: 4	ACH Enabled: False
	PR Batch 00001.08.2014 CA FRANCHISE TAX	100.00	08/01/2014	1010-000-2290	PR Batch 00001.08.2014 CA FRANCHISI
	Check Total:	100.00			
Vendor: 154101	VANTGEPOINT TRANSFER AGENTS			Check Sequence: 5	ACH Enabled: False
	PR Batch 00001.08.2014 DEFERRED COMP-4	1,295.00	08/01/2014	1010-000-2280	PR Batch 00001.08.2014 DEFERRED CO
	PR Batch 00001.08.2014 457 LOAN REPAY	181.59	08/01/2014	1010-000-2280	PR Batch 00001.08.2014 457 LOAN REP
	Check Total:	1,476.59			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Total for Check Run:	16,500.67			
	Total of Number of Checks:	5			

Accounts Payable

Computer Check Proof List by Vendor

User: trish
Printed: 08/07/2014 - 9:10AM
Batch: 00207.08.2014



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 120800 1636	GEORGE REED, INC. E ST BIKE AND PED PATH	37,050.00	08/08/2014	Check Sequence: 1 6310-310-8293	ACH Enabled: False
	Check Total:	37,050.00			
	Total for Check Run:	37,050.00			
	Total of Number of Checks:	1			

Accounts Payable

Computer Check Proof List by Vendor

User: marissa
 Printed: 08/14/2014 - 2:45PM
 Batch: 00021.08.2014



CITY OF WATERFORD
 PO BOX 199
 WATERFORD, CA. 95386
 209-874-2328

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 101400	A & L WESTERN AG LAB, INC.			Check Sequence: 1	ACH Enabled: False
162342	WASTEWATER TRMNT PLANT, BIOCHEMIC	210.00	08/21/2014	5050-700-7510	
162678	MONITORING WELL	22.00	08/21/2014	5050-700-7510	
	Check Total:	232.00			
Vendor: 102200	ABS DIRECT, INC			Check Sequence: 2	ACH Enabled: False
94499	POSTAGE/PROCESSING	359.12	08/21/2014	5070-890-7190	
94499	POSTAGE/PROCESSING	1,077.36	08/21/2014	5050-700-7190	
	Check Total:	1,436.48			
Vendor: 102222	ADTECH			Check Sequence: 3	ACH Enabled: False
301537	FULL DRIVE, BACK UP PROBLEMS	125.00	08/21/2014	1010-110-7810	
301566	BLOCK TIME	615.00	08/21/2014	1010-110-7190	
301569	HOSTED EXCHANGE	146.49	08/21/2014	1010-110-7190	
	Check Total:	886.49			
Vendor: UB*01054	SNEDDON ALEX			Check Sequence: 4	ACH Enabled: False
	Refund Check	4.29	08/04/2014	5070-000-2010	
	Check Total:	4.29			
Vendor: 104560	AT&T - INTERNET			Check Sequence: 5	ACH Enabled: False
	internet	65.00	08/21/2014	1010-110-7810	
	Check Total:	65.00			
Vendor: 105203	BANK OF THE WEST BANKCARD CENTER			Check Sequence: 6	ACH Enabled: False
081414	HI FI VIDEO BALUN	53.99	08/21/2014	1010-110-7510	
081414	POLY FILE JACKET	37.82	08/21/2014	1010-110-7510	
081414	DYMO 1752265 LABEL WRITER	85.99	08/21/2014	1010-110-7510	
081414	STAMP MONTHLY FEE	15.99	08/21/2014	1010-110-7540	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
081414	GRANT DEED COVEY ST	28.50	08/21/2014	1010-110-7710	
081414	MONITORS	320.08	08/21/2014	5050-700-7510	
081414	SKATE PARK, CLERK RECORDERS	61.00	08/21/2014	6580-580-8281	
	Check Total:	603.37			
Vendor: 106325	BLACKCLOUD NETWORKS, INC			Check Sequence: 7	ACH Enabled: False
10257723	PHONE SERVICE	173.08	08/21/2014	5070-800-7810	
10257723	PHONE SERVICE	216.35	08/21/2014	5050-700-7810	
10257723	PHONE SERVICE	43.27	08/21/2014	1010-210-7810	
10257723	PHONE SERVICE	432.70	08/21/2014	1010-110-7810	
	Check Total:	865.40			
Vendor: 106525	BOYETT PETROLEUM			Check Sequence: 8	ACH Enabled: False
CL-119240	FUEL	177.97	08/21/2014	1010-310-7520	
CL-119240	FUEL	455.92	08/21/2014	1010-580-7520	
CL-119240	FUEL	560.86	08/21/2014	5050-700-7520	
CL-119240	FUEL	260.88	08/21/2014	5070-800-7520	
	Check Total:	1,455.63			
Vendor: 107350	CALIFORNIA AUTO SERVICE			Check Sequence: 9	ACH Enabled: False
18967	2 NEW TIRES, NEXEN ROADIAN HTXRI15,	313.48	08/21/2014	1010-310-7430	
	Check Total:	313.48			
Vendor: 108025	CALIFORNIA CONSULTING, LLC			Check Sequence: 10	ACH Enabled: False
474	GRANT WRITING SERVICES	3,000.00	08/21/2014	1010-110-7190	
	Check Total:	3,000.00			
Vendor: 108800	CALTRAFFIC			Check Sequence: 11	ACH Enabled: False
17727	STREET SIGN, STOP	1,183.97	08/21/2014	1010-310-7510	
	Check Total:	1,183.97			
Vendor: 110100	CENTRAL SANITARY SUPPLY			Check Sequence: 12	ACH Enabled: False
519282	MISC SUPPLIES	551.17	08/21/2014	1010-110-7510	
	Check Total:	551.17			
Vendor: 110600	CHARTER COMMUNICATIONS			Check Sequence: 13	ACH Enabled: False
AUG2014	INTERNET	220.99	08/21/2014	1010-110-7810	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	220.99			
Vendor: 112400 AUG2014	CITY OF WATERFORD - PETTY CASH PETTY CASH REIMBURSEMENT	148.29	08/21/2014	Check Sequence: 14 1010-000-1070	ACH Enabled: False
	Check Total:	148.29			
Vendor: 112500 15869242 15869242	CLARK PEST CONTROL PEST AWAY SERVICE PEST AWAY SERVICE	87.50 87.50	08/21/2014 08/21/2014	Check Sequence: 15 1010-110-7190 1010-560-7190	ACH Enabled: False
	Check Total:	175.00			
Vendor: 112740 20162-8	CO OCCUPATIONAL MEDICAL PARTNERS CARLOS GARCIA/CONSRTIUM DOT BREA	44.00	08/21/2014	Check Sequence: 16 1010-310-7510	ACH Enabled: False
	Check Total:	44.00			
Vendor: 118700 436692A 436693A 437051A	FGL ENVIRONMENTAL BACTI, INORGANIC ANALYSIS METALS COPPER AND LEAD	565.25 44.20 357.00	08/21/2014 08/21/2014 08/21/2014	Check Sequence: 17 5070-800-7510 5070-800-7510 5070-800-7510	ACH Enabled: False
	Check Total:	966.45			
Vendor: 119925 612034	GARCIA'S TIRE SHOP 1 TIRE FIX FLAT REPAIR	30.00	08/21/2014	Check Sequence: 18 1010-310-7510	ACH Enabled: False
	Check Total:	30.00			
Vendor: 119901 1111	GARDEN GATE DESIGN TREE PRUNING, CRAPE MYRTLE DOWNT	285.00	08/21/2014	Check Sequence: 19 1010-310-7510	ACH Enabled: False
	Check Total:	285.00			
Vendor: UB*01055	SHONNIE GORA Refund Check	8.56	08/04/2014	Check Sequence: 20 5050-000-2010	ACH Enabled: False
	Check Total:	8.56			
Vendor: 121990 897	GREEN VALLEY TREE SERVICE LA GALLINA PROJECT, TREE TRIMMING	3,800.00	08/21/2014	Check Sequence: 21 2080-460-8290	ACH Enabled: False
	Check Total:	3,800.00			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: UB*01053	MICHA GUTIERREZ			Check Sequence: 22	ACH Enabled: False
	Refund Check	69.33	08/04/2014	5070-000-2010	
	Check Total:	69.33			
Vendor: 126570	J.B ANDERSON LAND USE PLANNING			Check Sequence: 23	ACH Enabled: False
813	PLANNING SERVICES	1,650.00	08/21/2014	1010-430-7195	
	Check Total:	1,650.00			
Vendor: 126607	CARLA JAUREGUI			Check Sequence: 24	ACH Enabled: False
AUG2014	07/24-07/25 CITY CLERK MTG MANTECA	54.01	08/21/2014	1010-110-7750	
	Check Total:	54.01			
Vendor: 130200	MASON, ROBBINS, BROWNING & GODWIN			Check Sequence: 25	ACH Enabled: False
53843	ATTORNEY SERVICES	2,928.26	08/21/2014	1010-110-7194	
53843	ATTORNEY SERVICES	500.00	08/21/2014	5050-700-7194	
53843	ATTORNEY SERVICES	1,500.00	08/21/2014	2330-110-7194	
53843	ATTORNEY SERVICES	750.00	08/21/2014	5070-800-7194	
	Check Total:	5,678.26			
Vendor: 13210	MASTER METER			Check Sequence: 26	ACH Enabled: False
0066171-IN	VEHICLE READING SYSTEM SUPPORT	750.00	08/21/2014	5070-800-7510	
	Check Total:	750.00			
Vendor: 131900	MID-VALLEY PUBLICATIONS			Check Sequence: 27	ACH Enabled: False
105107	PUBLIC HEARING NOTICE	64.68	08/21/2014	1010-110-7710	
105108	PUBLIC HEARING NOTICE	69.65	08/21/2014	1010-110-7710	
105109	PUBLIC HEARING NOTICE	74.63	08/21/2014	1010-110-7710	
	Check Total:	208.96			
Vendor: 132300	MISSION LINEN AND UNIFORM			Check Sequence: 28	ACH Enabled: False
230248446	LINEN MAINT	55.63	08/21/2014	1010-110-7730	
230248954	LINEN MAINT	55.63	08/21/2014	1010-110-7730	
	Check Total:	111.26			
Vendor: 132700	MODESTO IRRIGATION DISTRICT			Check Sequence: 29	ACH Enabled: False
AUG2014	MONTHLY SERVICE	3,854.09	08/21/2014	2210-260-7820	
AUG2014	MONTHLY SERVICE	45.30	08/21/2014	1010-580-7820	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	3,899.39			
Vendor: UB*01052	IRENE MORRIS			Check Sequence: 30	ACH Enabled: False
	Refund Check	28.58	08/04/2014	5070-000-2010	
	Check Total:	28.58			
Vendor: 135325	O'REILLY AUTO PARTS			Check Sequence: 31	ACH Enabled: False
3915-225703	DOR 599-301 INSTRMNT C	537.59	08/21/2014	5070-800-7430	
3915-225705	CREDIT DOR 599-301 IINSTMNT CLST	-322.88	08/21/2014	5070-800-7430	
	Check Total:	214.71			
Vendor: 135350	OAK VALLEY HOSPITAL			Check Sequence: 32	ACH Enabled: False
V00011552072	MEDICAL	790.40	08/21/2014	1010-110-7120	
	Check Total:	790.40			
Vendor: 260000	ELIZABETH OSORIO			Check Sequence: 33	ACH Enabled: False
AUG2014	PARK DEPOSIT FEE	50.00	08/21/2014	1010-000-2510	
	Check Total:	50.00			
Vendor: 136625	PIONEER MARKET WATERFORD			Check Sequence: 34	ACH Enabled: False
AUG2014	WATER- COUNCIL MEETING	8.38	08/21/2014	1010-110-7510	
AUG2014	PAYMENT SERVICE	4.18	08/21/2014	5050-700-7730	
	Check Total:	12.56			
Vendor: 141221	ROLFE CONSTRUCTION			Check Sequence: 35	ACH Enabled: False
1429-01	CONCRETE REMOVAL	5,000.00	08/21/2014	1010-310-7196	
	Check Total:	5,000.00			
Vendor: UB*01056	MARIVEL ROMERO			Check Sequence: 36	ACH Enabled: False
	Refund Check	49.52	08/04/2014	5050-000-2010	
	Check Total:	49.52			
Vendor: 143300	SIERRA CHEMICAL CO.			Check Sequence: 37	ACH Enabled: False
10011107	MISC SUPPLIES	436.45	08/21/2014	5070-800-7510	
	Check Total:	436.45			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 143380	SOLAR CITY			Check Sequence: 38	ACH Enabled: False
AUG2014	CANCELLED PERMIT #3738 12417DORSEY	395.00	08/21/2014	1010-410-5320	
AUG2014	CANCELLED PERMIT #3738 12417DORSEY	3.00	08/21/2014	1010-410-5420	
AUG2014	CANCELLED PERMIT #3738 12417DORSEY	2.00	08/21/2014	1010-410-5430	
	Check Total:	400.00			
Vendor: 145700	STANISLAUS COUNCIL OF GOVERNMENT			Check Sequence: 39	ACH Enabled: False
AUG2014	2014/2015 DUES	328.00	08/21/2014	1010-110-7720	
	Check Total:	328.00			
Vendor: 146700	STANISLAUS COUNTY RECORDER			Check Sequence: 40	ACH Enabled: False
12219QUICKSLVR	RELEASE OF LIEN TIMOTHY FOWLER 122	15.00	08/21/2014	1010-110-6480	
	Check Total:	15.00			
Vendor: 148500	STEWART & STEWART, INC.			Check Sequence: 41	ACH Enabled: False
AUG2014	07/01 TO 7/31 INSPECTION SERVICES	2,980.00	08/21/2014	1010-410-7190	
	Check Total:	2,980.00			
Vendor: 155000	WARDEN'S			Check Sequence: 42	ACH Enabled: False
1833282-0	NAME PLATES	23.68	08/21/2014	1010-110-7510	
1833334-0	MISC SUPPLIES - COPY PAPER	174.86	08/21/2014	1010-110-7510	
	Check Total:	198.54			
Vendor: 155600	WATERFORD FARM SUPPLY, INC.			Check Sequence: 43	ACH Enabled: False
AUG2014	MISC SUPPLIES	37.71	08/21/2014	1010-110-7510	
AUG2014	MISC SUPPLIES	574.26	08/21/2014	1010-310-7510	
AUG2014	MISC SUPPLIES	276.03	08/21/2014	1010-580-7510	
AUG2014	MISC SUPPLIES	123.09	08/21/2014	1010-560-7510	
AUG2014	MISC SUPPLIES	188.41	08/21/2014	5050-700-7510	
AUG2014	MISC SUPPLIES	21.29	08/21/2014	5070-800-7510	
	Check Total:	1,220.79			
Vendor: 156650	WESTAMERICA BANK			Check Sequence: 44	ACH Enabled: False
AUG2014	LEASE NO. #526-01-001	28,051.59	08/21/2014	1010-580-7600	
	Check Total:	28,051.59			
Vendor: 157700	WILSON'S PLUMBING			Check Sequence: 45	ACH Enabled: False
4126	SERVICE REPAIR	1,396.71	08/21/2014	1010-560-7510	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
4198	FLUSH VALVE	2,375.09	08/21/2014	1010-560-7510	
	Check Total:	3,771.80			
	Total for Check Run:	72,244.72			
	Total of Number of Checks:	45			



Consent 2c
August 21, 2014
Lori Martin, City Clerk
City Council Staff Report

City Council Minutes – August 7, 2014

SUMMARY:

N/A

FISCAL IMPACT:

N/A

ANALYSIS:

Approve Minutes of the Regular City Council Meeting held on August 7, 2014.

ATTACHMENTS:

- City Council Regular Meeting Minutes of August 7, 2014



MINUTES
WATERFORD CITY COUNCIL - REGULAR MEETING
WATERFORD CITY HALL, CITY COUNCIL CHAMBERS
101 "E" STREET, WATERFORD, CA
AND
TELECONFERENCE LOCATION: HUNTSVILLE MARRIOTT
ENTERPRISE CONFERENCE ROOM
5 TRANQUILITY BASE, HUNTSVILLE, ALABAMA 35805
HOTEL PHONE NUMBER: 256-830-2222

CITY COUNCIL REGULAR MEETING – AUGUST 7, 2014 - 6:30 PM

MEETING CALLED TO ORDER BY MAYOR CHARLIE GOEKEN AT 6:30 PM

FLAG SALUTE: Led by Mayor Charlie Goeken

INVOCATION: Minister Susan Price, Empire Church of the Brethren

ROLL CALL:

Mayor - Goeken: Present
Vice-Mayor - Aldaco: Present
Council Member - Van Winkle: Present
Council Member - Krause: Present
Council Member - Whitfield: Present

NOTE: Council Member Whitfield participated in the meeting via teleconference call from the Huntsville Marriott Hotel Enterprise Conference Room, 5 Tranquility Base, Huntsville, Alabama 35805. All votes were taken by roll call vote.

STAFF PRESENT:

Tim Ogden, City Manager
Lori Martin, City Clerk
Corbett J. Browning, City Attorney
Matt Erickson, Public Works Director
Mike Radford, Police Chief

ADOPTION OF AGENDA:

A member of the City Council motions to accept the items on the agenda for consideration as presented, or motions for any additions, including emergency items, or items pulled from consideration.

Motion by VM/Aldaco, seconded by CM/Krause to adopt the agenda.

Vice-Mayor - Aldaco: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

CONFLICT OF INTEREST DECLARATION:

Declaration by City Council members who may have a direct Conflict of Interest on any scheduled agenda item to be considered.
None.

ADOPTION OF CONSENT CALENDAR:

All Matters listed under the Consent Calendar are considered routine by the Council and will be adopted by one action of the Council unless any Council Member desires to discuss any item or items separately. In that event, the Mayor will remove that item from the Consent Calendar and action will be considered separately.

Motion by CM/Van Winkle, seconded by CM/Krause to adopt the consent calendar.

- Council Member - Van Winkle: Motion
- Council Member - Krause: 2nd
- Mayor - Goeken: Approve
- Vice-Mayor - Aldaco: Approve
- Council Member - Van Winkle: Approve
- Council Member - Krause: Approve
- Council Member - Whitfield: Approve

Motion passed.

1. CITY ATTORNEY REPORT FROM CLOSED SESSION

None.

2. CONSENT CALENDAR

- 2a: Waive Readings. All readings of Ordinances and Resolutions, except by title, are waived
- 2b: RESOLUTION 2014-75: Warrant Register
- 2c: Minutes of the Regular City Council Meeting held on July 17, 2014

3. PRESENTATIONS

- 3a: Waterford City Council to present Mila Romo with a Certificate of Recognition for her 15 years of volunteer services with Waterford Youth Sports Programs: Mayor Goeken read aloud the Certificate of Recognition for Mila Romo. Ms. Romo was not able to attend the meeting therefore, Mayor Goeken gave direction to staff to mail the certificate to Ms. Romo.
- 3b: Matt Erickson, Public Works Director to give a presentation and update on drought conditions
PW Director Erickson gave a PowerPoint presentation related to the current drought conditions.

4. COMMUNICATIONS FROM THE AUDIENCE

This is the portion of the meeting specifically set aside to invite public comments regarding any matters not appearing on the agenda and within the jurisdiction of the City Council or the Successor Agency. Individual audience participation is limited to a maximum of 5 minutes and you will be asked to state your name and city of residence. Please complete and submit a speaker card to the City Clerk.

None.

5. PUBLIC HEARING

Members of the public may comment when the item is opened for public hearing.

- 5a: INTRODUCTION & FIRST READING: ORDINANCE 2014-09: An Ordinance Amending Title 8 "Health and Safety", Chapter 8.12 "Nuisances" by Amending WMC Sections 8.12.010, 8.12.080 and 8.12.090:

City Manager Ogden gave an oral report on Ordinance 2014-09, 2014-11, 2014-12 and 2014-13 as each of the amendments are related.

Mayor Goeken opened the public hearing at 7:14 PM.
Mayor Goeken closed the public hearing at 7:14 PM with no comments offered from the public.

Motion by CM/Van Winkle, seconded by CM/Krause to waive the full reading and approve the introduction of Ordinance 2014-09 by title only.

Council Member - Van Winkle: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

- 5b: INTRODUCTION & FIRST READING: ORDINANCE 2014-11: An Ordinance Amending Title 1 "General Provisions", Chapter 1.17 "Administrative Citations" by amending WMC Sections 1.17.020, 1.17.100 and 1.17.120

Mayor Goeken opened the public hearing at 7:15 PM

Mayor Goeken closed the public hearing at 7:15 PM with no comments offered from the public.

Motion by CM/Krause, seconded by CM/Van Winkle to waive the full reading and approve the introduction of Ordinance 2014-11 by title only.

Council Member - Krause: Motion
Council Member - Van Winkle: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

- 5c: INTRODUCTION & FIRST READING: ORDINANCE 2014-12: An Ordinance Amending Title 10 "Vehicles and Traffic", Chapter 10.54 "Abandoned Vehicles" by amending WMC Sections 10.54.010 and 10.54.110

Mayor Goeken opened the public hearing at 7:16 PM

Mayor Goeken closed the public hearing at 7:16 PM with no comments offered from the public.

Motion by VM/Aldaco, seconded by CM/Krause to waive the full reading and approve the introduction of Ordinance 2014-12 by title only.

Vice-Mayor - Aldaco: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

- 5d: INTRODUCTION & FIRST READING: Ordinance 2014-13: An Ordinance Amending Title 15 "Buildings and Construction", Chapter 15.42 "Public Nuisance" by amending WMC Sections 15.42.020 and 15.42.160

Mayor Goeken opened the public hearing at 7:17 PM.

Mayor Goeken closed the public hearing at 7:17 PM with no comments offered from the public.

Motion by CM/Krause, seconded by CM/Van Winkle to waive the full reading and approve the introduction of Ordinance 2014-13 by title only.

Council Member - Krause: Motion
Council Member - Van Winkle: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

- 5e: INTRODUCTION & FIRST READING: Ordinance 2014-14: An Ordinance Amending Title 8 "Health and Safety", Chapter 8.08 "Self-Service Fuel Stations" by amending WMC Section 8.08.090:

City Manager Ogden gave an oral report on the amendment to Chapter 8.08.

Mayor Goeken opened the public hearing at 7:19 PM

Mayor Goeken closed the public hearing at 7:19 PM with no comments offered from the public.

Motion by CM/Van Winkle, seconded by CM/Krause to waive the full reading and approve the introduction of Ordinance 2014-14 by title only.

Council Member - Van Winkle: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

6. GENERAL BUSINESS

- 6a: RESOLUTION 2014-76: Approve FY 14-15 Budget Amendment for Transfer of Funds for the Skate Park Project:

City Manager Ogden gave a staff report and history of the item.

Motion by VM/Aldaco, seconded by CM/Krause to approve Resolution 2014-76.

Vice-Mayor - Aldaco: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

- 6b: RESOLUTION 2014-77: Approve a Financing Agreement with MID for Relocation of Utility Poles:

City Manager Ogden gave an oral report on the MID Financing Agreement and City Attorney Browning provided additional input.

Motion by CM/Van Winkle, seconded by CM/Krause to approve Resolution 2014-77.

Council Member - Van Winkle: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

6c: RESOLUTION 2014-78: Approving Amendments to the City's Merit System Rules and Regulations:

City Clerk Martin gave an oral report on the amendments to the City's Merit System Rules and Regulations.

Motion by VM/Aldaco, seconded by CM/Krause to adopt Resolution 2014-78.

Vice-Mayor - Aldaco: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

7.

ITEMS FOR CONSIDERATION BY THE CITY COUNCIL ACTING SOLELY AS SUCCESSOR AGENCY TO THE FORMER WATERFORD REDEVELOPMENT AGENCY

None.

8.

INFORMATIONAL ITEMS

- 8a: California Regional Water Quality Control Board Letter and Response relating to WWTP Reporting
- 8b: Community Calendar – Aug – Sept 2014

9.

STAFF/COUNCIL COMMENTS

- 9a: City Staff Comments (Information Only – No Action)
- 9b: City Council Comments (Information Only – No Action)

10.

ADJOURNMENT

Adjourn: 8:03 PM

Motion by VM/Aldaco, seconded by CM/Krause to adjourn the City Council meeting at 8:03 PM.

Vice-Mayor - Aldaco: Motion
Council Member - Krause: 2nd
Mayor - Goeken: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve

Motion passed.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on August 21, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

City of Waterford

Charlie Goeken, Mayor

ATTEST:

Lori Martin, MMC, City Clerk



Consent 2d
August 21, 2014
Tina Envia, Finance Manager
City Council Staff Report

Treasurer's Report for the Quarter Ended June 30, 2014

SUMMARY:

The City Treasurer is required to report quarterly to the City Council on the status of the cash and investments held by the City of Waterford. Attached is the report for the quarter ended June 30, 2014. Total cash and investments held by the City at June 30, 2014 totaled \$3,420,004. Interest for the quarter then ended totaled \$18,169. The attached report details these amounts by account and Fund. The current investments held by the City of Waterford are in compliance with the Investment Policy and the City has sufficient cash flow to meet the City's expected expenditures for the next six months.

FISCAL IMPACT:

The report is a disclosure of the cash and investments balance as of June 30, 2014.

ANALYSIS:

The report is provided for informational purposes to keep the City Council informed as to the nature of the City's investments and cash position.

ATTACHMENTS:

- Treasurer's Quarterly Report for the three months ended June 30, 2014



Prepared By: *Tina Envía*
Finance Manager

TREASURER'S QUARTERLY REPORT
June 30, 2014

FINANCIAL INSTITUTION	YIELD	PORTFOLIO PERCENT	Interest Earned for the Quarter	Current Balance	Prior Quarter Balance
Bank of the West - Checking	0.00%	21.33%	\$ -	\$ 729,513	\$ 806,867
Bank of the West - Payroll	0.00%	0.50%	\$ -	\$ 17,055	\$ 16,924
Chandler Asset Management CSJVRMA Investment Pool	0.56%	30.15%	\$ 2,883	\$ 1,031,205	\$ 1,028,322
State of California - LAIF Funds (PFA)	0.22%	1.94%	\$ 37	\$ 66,500	\$ 66,463
State of California - LAIF Funds (City)	0.22%	0.22%	\$ 4	\$ 7,521	\$ 7,517
Investments - Bank of the West	SEE DETAIL	45.85%	<u>\$ 15,245</u>	<u>\$ 1,568,210</u>	<u>\$ 1,552,965</u>
TOTAL FOR THE CITY OF WATERFORD		<u>100%</u>	<u>\$ 18,169</u>	<u>\$ 3,420,004</u>	<u>\$ 3,479,058</u>

The current investments held by the City of Waterford are in compliance with the Investment Policy and the City has sufficient cash flow to meet the City's expected expenditures for the next six months. The current balance represents the market value of the investments for all accounts except for the Investments - Bank of the West which are reflected at cost. Supplemental information is provided concerning the market value of that account.

City of Waterford
Detail Listing of Investments Bank of the West

Report Date: June 30, 2014

Investment	CUSIP	Investment Type	Par Value	Purchase Price	Date Purchased	Market Value	Maturity Date	Call Date	Interest Rate	Estimated Yield
Federal Natl Mtg Assn Deb Zero Cpn	313586-QR-3	Agency	100,000.00	99,404	7/26/2012	99,998	7/5/2014		0.31%	0.31%
Federal Home Ln Bks Fixed Rate FD-9015	313370-KN-7	Agency	100,000.00	105,241	7/26/2012	102,228	12/29/2015		1.90%	1.82%
Federal Home Ln Mtg Corp Med Term NTS	3134G3-BV-1	Agency	100,000.00	102,733	7/26/2012	100,300	12/9/2016	12/9/2014	1.40%	1.38%
Federal Natl Mtg Assn Medium Term NTS	3136FP-MH-7	Agency	100,000.00	109,891	7/26/2012	104,373	9/29/2017	3/29/2017	2.50%	2.33%
Federal Home Ln Bks Fixed Rate FM-9018	313376-BR-5	Agency	100,000.00	105,079	7/26/2012	100,868	12/14/2018		1.75%	1.70%
Federal Home Ln Bks Fixed Rt 5L-2019	313378-UP-4	Agency	100,000.00	106,433	7/26/2012	100,211	10/11/2019		2.00%	1.93%
Federal Farm Cr Bks Cons	3133EA-MD-7	Agency	100,000.00	104,763	7/26/2012	99,524	4/20/2020		1.85%	1.82%
Sovereign Bk Natl Assn Wilmington DE	84603M-2F-2	Certificates of Deposit	95,001.51	95,013	7/30/2012	95,031	7/25/2014		0.85%	0.85%
State Bk India New York NY CTF DEPT	856284-B3-7	Certificates of Deposit	-	-	7/30/2012	Matured	10/28/2013		1.15%	1.14% Matured
State Bk India New York NY CTF DEPT	856284-QD-9	Certificates of Deposit	-	-	7/30/2012	Matured	9/12/2013		5.05%	4.91% Matured
General Elec CAP Corp Medium Term Note	36962G-4G-6	Corporate Bonds	70,000.00	75,143	7/30/2012	70,909	11/14/2014		3.75%	3.56%
Vanderbilt University NT Ser A Int Rate	921813-AA-9	Corporate Bonds	75,000.00	92,697	7/30/2012	80,390	4/1/2019		5.25%	4.40%
Google Inc NT Int Rate 3.625%	38259P-AB-8	Corporate Bonds	75,000.00	87,030	7/30/2012	86,078	5/19/2021		3.63%	3.29%
California St Dept Wtr Res Pwr Supply	13066Y-MK-2	Municipal	50,000.00	59,158	7/30/2012	55,581	5/1/2017		4.50%	3.89% Rating Change up - 4/14/2014
California St Pub Wks Brd Lease Rev	130685-CD-0	Municipal	100,000.00	127,733	7/30/2012	118,423	6/1/2019		5.00%	4.07%
California St Univ Rev Rfdg Ser A	13077C-LF-9	Municipal	100,000.00	122,756	7/30/2012	111,936	11/1/2020		5.00%	4.34% Rating Change up - 4/15/2014
Total Investments - Book Value				1,393,074		1,325,850				
Money Market Account				175,136		175,136				
				<u>1,568,210</u>		<u>1,500,986</u>				

Note: No adjustment to market is made on the above investments as the City intends to hold the investments to Call Date or Maturity and therefore will not be affected by the market fluctuations.

City of Waterford
Treasurers Report - Cash Balance By Fund
June 30, 2014

Fund Number	Fund Description	General/Investments Balance	Payroll Balance	Laif WPFA	Reconciling Items	Total
1010	General Fund	1,701,008	1,652		47,609	1,750,269
2010	Abandoned Vehicle Abatement	14,430				14,430
2030	CDBG Rehab Grant	130,824				130,824
2050	Gas Tax	246,770				246,770
2060	Housing Rehab Loans	31,110				31,110
2070	HCD Home Program	248,394				248,394
2080	CDBG Consortium	(41,005)				(41,005)
2091	Impact Fee Admin/Planning	246				246
2092	Impact Fee City Facilities	269				269
2100	Impact Fees Due to County	518				518
2110	Impact Fee Drainage	5,434				5,434
2151	Impact Fee Police	418				418
2170	Impact Fee Public Works	53,026				53,026
2171	Impact Fee Traffic	90,730				90,730
2191	Impact Fee Wastewater Treat.	3,801				3,801
2210	Lighting Landscaping District	(73,797)				(73,797)
2230	Lighting District	37,091				37,091
2270	Local Transportation Fund	118,044				118,044
2330	RDA Obligation Retirement Fund	(34,897)				(34,897)
4350	Wastewater Improvements	104,445				104,445
5050	Wastewater Treatment Plant	479,111				479,111
5070	Riverpoint Water System	(53,490)				(53,490)
5090	Waterford Public Financing Authority	28,529		66,500		95,029
6310	CIP Streets	(152,843)				(152,843)
6580	CIP Parks	56,880				56,880
7310-7380	Assessment Districts 91-1 to 93-1	309,197				309,197
		<u>\$ 3,304,243</u>	<u>\$ 1,652</u>	<u>\$ 66,500</u>	<u>\$ 47,609</u>	<u>\$ 3,420,004</u>



Presentation 3a
August 21, 2014
Lori Martin, City Clerk
City Council Staff Report

Chief Radford to Introduce New Police Department Personnel

SUMMARY:

Chief Radford to introduce the new incoming Police Department Personnel

Dep. Kamila Sulkowski
Dep. Robert Huffman
Dep. Robert Earl
Records Clerk Lilia Thompson

FISCAL IMPACT:

N/A

ANALYSIS:

N/A

ATTACHMENTS:

N/A



Presentations 3b

August 21, 2014

Patricia Krause, Deputy City Clerk
City Council Staff Report

River Parkway Trail Permits Update

SUMMARY:

Due to the complex regulations and construction windows authorized by the federal and state permits/agreements for the Tuolumne River Parkway Project, biologist Diane Moore of Moore Biological Consultants will be presenting an overview of the anticipated project timelines.

FISCAL IMPACT:

N/A

ANALYSIS:

N/A

ATTACHMENTS:

N/A



Public Hearing 5a
August 21, 2014
Lori Martin, City Clerk
City Council Staff Report

Conduct Proposition 218 Public Hearing and Consider Approval of the Proposed Waste Management Refuse Rate Adjustment for FY 14-15

SUMMARY:

Conduct the Public Hearing, accept and consider public comment and collect protest ballots up until the close of the public hearing regarding Waste Management's proposed refuse rate increase for Fiscal Year 2014-15 and if appropriate, adopt a resolution increasing the refuse rate schedule as provided and attached as Exhibit "A" to the resolution.

ANALYSIS:

At the contractual request of Waste Management, and at the June 19th City Council meeting City Council directed staff to proceed with the Proposition 218 notification process for the proposed Waste Management refuse rate increase for FY 14-15 and thereafter annually for the next five years based on 100% of the annual CPI percentage for a 12-month period ending March 31st.

An agency providing water, wastewater, sewer, or refuse collection services may adopt a schedule of fees or charges authorizing automatic adjustments for property related services, for a period not to exceed five (5) years pursuant to Government Code §53755 and 53756.

In compliance with Proposition 218, on June 27, 2014, 55 days prior to the August 21, 2014 public hearing, approximately 2,507 notices were mailed to City of Waterford rate payers for refuse/garbage service. A Proposition 218 public hearing notice was published in the Waterford News on July 1, 2014. A revised edition of the Proposition 218 public hearing notice was republished in the Waterford News on July 15, 2014. A copy of the revised notice is included as an attachment to this staff report. Protests must be submitted in writing and may be submitted in person at City Hall, or at the Council meeting by the end of the public hearing on August 21, 2014.

The City Council adopted Resolution 2011-109 on October 20, 2011 establishing procedures for conducting protest hearings for proposed new or increased property related fees and charges. The tabulation of the protest forms shall begin within 24 hours following the close of the public hearing. If, at the conclusion of the public hearing, a cursory review of the protests demonstrates that the number received is manifestly less than one-half of the parcels that would be subject to the new or increased fee, then the City Clerk may advise the City Council of the absence of a majority protest without tabulating the protests.

FISCAL IMPACT:

With any franchise agreement, the City is compensated for allowing one franchisee the exclusive right to contract with residents and businesses for solid waste collection services and for the impact to the City, especially on the streets and roads. The CPI rate adjustment for FY 14-15 requested by Waste Management is 2.26%. If approved, the residents of Waterford would see the associated increase on their bills. For example, a residential 64 gallon cart, the CPI increase amounts to an additional \$0.55 a month. The attached proposed rate schedule reflects the varying increases for different service levels.

The franchise fee amount paid to the City is ultimately determined by the level of service and the total number of accounts that are subscribed for by residents and businesses. The franchise fee received from Waste Management in FY 2013-14 was approximately \$66,730.13. While there are multiple variables involved in estimating the City's franchise fee receipts from Waste Management for FY 14-15, below are year to year increase comparisons for franchise fees collected from Waste Management:

<u>From FY to FY</u>	<u>Amount of Increase</u>	<u>CPI Increase Amount</u>
FY 10-11 to FY 11-12	\$ 285.71	2.75%
FY 11-12 to FY 12-13	\$ 3,225.83	2.08% *
FY 12-13 to FY 13-14	\$ 236.21	2.45%

* There was a significant increase of franchise fees in 2012 due to the Western Heights Apartment Rehabilitation Project. This generated approximately \$32,200 in Roll-Off revenue to Waste Management which in turn resulted in approximately \$2,576 in franchise fees to the City. If we remove that one-time franchise fee from the equation, the increase from FY 11-12 to FY 12-13 would be approximately \$650.00.

BACKGROUND:

In 1997, voters approved Proposition 218, amending the State Constitution to reinforce voter approval requirements for all new and increased taxes, as well as adding substantive and procedural requirements prior to imposition of property assessments and new or increased “property-related fees and charges.”

In a July 2006 California Supreme Court decision (Bighorn), the Court ruled that utility rates charged by governmental entities for water, sewer, and refuse services are considered property-related fees and are subject to the procedural requirements of Proposition 218, Article XIII D of the California State Constitution. Proposition 218 (as now interpreted) requires governmental agencies that charge for utility services to conduct a majority protest hearing prior to adopting any changes in utility rates at which time the governing body will consider public input on the proposed rates.

A notice must be mailed no later than 45 days prior to the public hearing, include the proposed rate adjustments, the calculation methodology, and describe the process for submitting a protest vote to the rate adjustments. If protest letters are received from a majority of the parties affected by the rate increases, the proposed increases are defeated and cannot be further considered without repeating the notice and hearing process.

ATTACHMENTS:

- Proposition 218 Public Hearing Notice (Revised Edition)
- Resolution 2014-80 – Approving the Adjusted WM Rate Schedule for FY 14-15
- Exhibit “A” – Waste Management’s rate increase request letter and associated schedules

ALL REFUSE RATE PAYERS IN THE CITY OF WATERFORD

“REVISED” PUBLIC HEARING NOTICE: PROPOSED CHANGES TO SOLID WASTE RATES

USA Waste of California, Inc. (a Waste Management company) provides solid waste collection services for residential and commercial customers in Waterford.

RATE CHANGES

The City’s solid waste agreement entitles the City’s contractor to an annual rate adjustment each July 1, based on the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose metropolitan area over a previous twelve (12) month period. The rate will be adjusted annually thereafter for the next five (5) years based on the CPI, ~~as set forth above. See Exhibit "A".~~

An agency providing water, wastewater, sewer, or refuse collection services may adopt a schedule of fees or charges authorizing automatic adjustments for property related services, for a period not to exceed five (5) years pursuant to Government Code §§53755, 53756.

The Fiscal Year 2014/2015 rates are proposed to be adjusted ~~and as shown on Exhibit “A” to this notice and will be~~ effective on July 1, 2014, and thereafter adjusted annually based on the CPI as set forth above. The total rate adjustment requested for fiscal year 2014/2015, pursuant to the terms of the Agreement, is 2.26%.

The City Council is considering adopting the proposed rate changes, after a duly noticed public hearing described below, and if less than 50% of the rate payers protest the rate changes. If more than 50% protest the rate changes, the proposed rate changes will be rejected. If approved, the rate changes will become effective on July 1, 2014, and thereafter will be adjusted annually based on the CPI for the San Francisco-Oakland-San Jose metropolitan area.

PUBLIC HEARING NOTICE

A public hearing on the proposed rate increase will be held on Thursday, August 21, 2014, at 6:30p.m. in the Waterford City Council Chambers, located at 101 “E” Street, Waterford, CA 95386. This notice describes how to file a written protest against the proposed rate increase (see “Procedure to Protest Proposed Rate Increase”).

PROCEDURE TO PROTEST PROPOSED RATE INCREASE

Proposition 218 requires a notification of the proposed rate increase be sent to all affected rate payers 45 days prior to the public hearing.

The City Council invites all rate payers to comment on the proposed rate increase. Rate payers’ comments must be submitted in writing, even if attending the public hearing on ~~Thursday, October 16, 2008~~ Thursday August 21, 2014. Any rate payer (residential or commercial) subject to the proposed special rate increase may protest the increase by filing a written protest (form included) with the City Clerk at or before the close of the public hearing. The written protest must include the rate payer name and signature, property address or Assessor Parcel Number.

If you are not in opposition to the proposed refuse rate increase, no action is required on your part. Written comments and protests may be submitted in writing to the City of Waterford, Attn: City Clerk, PO Box 199 or 101 E Street, Waterford, CA 95386.

**WATERFORD CITY COUNCIL
RESOLUTION # 2014-80**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATERFORD
APPROVING THE ADJUSTED 2014-2015 WASTE MANAGEMENT
REFUSE RATE SCHEDULE**

WHEREAS, the Waterford City Council adopted Resolution 2007-91 and entered into an amended and restated agreement (hereinafter referred to as "AGREEMENT") for collections of garbage/refuse in the City of Waterford on September 20, 2007 with USA Waste of California, Inc., a Delaware Corporation, dba Winton Disposal (hereinafter referred to as "CONTRACTOR"); and,

WHEREAS, additional amendments were made to the "AGREEMENT" by Waterford City Council Resolution 2009-07 on February 5, 2009 and by Waterford City Council Resolution 2012-123 on December 6, 2012; and,

WHEREAS, pursuant to the "AGREEMENT" the City's "CONTRACTOR" is entitled to an annual rate adjustment each July 1, based on 100% of the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose metropolitan area for all urban consumers as published by the Bureau of Labor Statistics for the twelve (12) month period ending the prior March 31; and,

WHEREAS, pursuant to the "AGREEMENT" the City's "CONTRACTOR" may submit written requests for additional rate adjustments including a report detailing the increased expenses associated with performance of the services due to specific enumerated causes outlined in the "AGREEMENT"; and,

WHEREAS, "CONTRACTOR" has submitted written request to increase the previously adopted 2013/2014 Refuse Rate Schedule; and,

WHEREAS, the proposed rate schedule effective July 1, 2014 and the CPI Rate Adjustment Factor Calculation is attached hereto as Exhibit "A"; and,

WHEREAS, a Proposition 218 public hearing has been set and duly noticed to be held on Thursday, August 21, 2014; and,

WHEREAS, in compliance with Proposition 218, the Waterford City Council held a duly noticed Prop 218 public hearing on August 21, 2014 and approved said rate schedule; and,

WHEREAS, rate payers were given the opportunity to submit a written protest form protesting the refuse rate adjustment effective July 1, 2014 and annually adjusted thereafter for the next 5 years based on 100% of the Consumer Price Index for the San Francisco-Oakland-San Jose metropolitan area; and,

WHEREAS, 2507 protest forms were mailed to rate payers with a return of _____ protest forms, resulting in a _____% protest; and,

WHEREAS, less than 50% of the rate payers protested the rate adjustment at the duly noticed Proposition 218 public hearing on August 8, 2014 and the Waterford City Council by majority vote approved Resolution 2014-80 approving the rate schedule effective July 1, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waterford hereby approves the adjusted 2014/2015 Refuse Rate Schedule attached and marked as Exhibit "A" in

its entirety and shall become effective 30 days after "CONTRACTOR" provides notice of the rate increase to the rate payers.

PASSED, APPROVED, AND ADOPTED by the Waterford City Council of the City of Waterford, California at a regular meeting this 21st day of August, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN, MMC
City Clerk

CORBETT J. BROWNING
City Attorney

May 28, 2014

Mr. Tim Ogden
City Manager
City of Waterford
P.O. Box 199
Waterford, CA 95386

SUBJECT: REFUSE RATE ADJUSTMENT, EFFECTIVE July 1, 2014

Dear Mr. Ogden,

Waste Management, dba Winton Disposal, respectfully requests a rate adjustment pursuant to the terms of the January 16, 2013 Revised Amended and Restated Agreement for Collection of Garbage/Refuse, Recyclable Materials and Green Waste in the City of Waterford, California.

Under AMENDMENT 2:

The parties hereby agree that the prescribed annual rate increase is confirmed as an automatic adjustment to the entire rate. This adjustment is established at 100% of the annual CPI percentage change for All Urban Consumers for the San Francisco-San Jose Metropolitan area for a 12-month period ending March 31st.

The total rate adjustment requested for the CPI 2014-2015 is 2.26%.

Attached for your review, please find the 2014-2015 Refuse Rate Schedule and CPI index. If you have any questions, or request further information, please do not hesitate to call me at (209) 358-1145 (office) or (209) 495-7412 (cellular).

Respectfully yours,



Julie Cabral
District Manager

Attachments

cc: Thomas A Sanchez, Director of Business Development
Alex Oseguera, Vice President and General Manager



**CITY OF WATERFORD
RATE SCHEDULE
Effective July 1, 2014**

Annual Change Percentage	
CPI	2.26%
Disposal (Garbage)	0.00%
Disposal (Greenwaste)	0.00%
Fuel	0.00%

Residential Service	Monthly Rate Effective 7/1/13	Monthly Disposal Component (Garbage)	Monthly Disposal Component (Greenwaste)	CPI	Disposal Pass Through (Garbage)	Disposal Pass Through (Greenwaste)	Fuel	Monthly Rate Effective 7/1/14
Trash Service								
1-64 gallon cart serviced 1x week	\$24.52	\$3.48	\$6.50	\$0.55	\$0.00	\$0.00	\$0.00	\$25.07
1-96 gallon cart serviced 1x week	\$38.28	\$5.27	\$6.50	\$0.86	\$0.00	\$0.00	\$0.00	\$39.14
Senior 64 gallon cart (12% discount)	\$21.58							\$22.06
Recycling Service								
1-96 Gallon Toter	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Additional 96 Gallon Toters	\$9.17	\$0.00	\$0.00	\$0.21	\$0.00	\$0.00	\$0.00	\$9.38
Greenwaste Service								
1-96 Gallon Toter	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Additional 96 Gallon Toters	\$9.17	\$0.00	\$6.50	\$0.21	\$0.00	\$0.00	\$0.00	\$9.38
Extra pickup - Same day service:								
First dump	\$6.96	\$2.92	\$0.00	\$0.16	\$0.00	\$0.00	\$0.00	\$7.12
Each additional dump	\$4.67	\$2.92	\$0.00	\$0.11	\$0.00	\$0.00	\$0.00	\$4.78

Commercial Service	Monthly Rate Effective 7/1/13	Monthly Disposal Component (Garbage)	CPI	Disposal Pass Through (Garbage)	Fuel	Monthly Rate Effective 7/1/14
1-2 cubic yard 1x week	\$115.42	\$23.00	\$2.61	\$0.00	\$0.00	\$118.03
1-3 cubic yard 1x week	\$164.43	\$34.50	\$3.71	\$0.00	\$0.00	\$168.14
1-4 cubic yard 1x week	\$227.02	\$46.00	\$5.12	\$0.00	\$0.00	\$232.14
1-6 cubic yard 1x week	\$342.04	\$68.99	\$7.72	\$0.00	\$0.00	\$349.76

Extra pickup: Per Stop and Yardage Charge						
Per stop	\$20.59	\$0.00	\$0.46	\$0.00	\$0.00	\$21.05
Plus per yard charge	\$3.63	\$2.82	\$0.08	\$0.00	\$0.00	\$3.71

Roll Off Service	*Service Per Load Rate Effective 7/1/13	CPI	Fuel	*Service per Load Rate Effective 7/1/14
20 YD Rolloff	\$225.90	\$5.10	\$0.00	\$231.00
30 YD Rolloff	\$225.90	\$5.10	\$0.00	\$231.00
40 YD Rolloff	\$225.90	\$5.10	\$0.00	\$231.00
*Disposal charge per Ton is added to Service Charge				
*Disposal Charge per Ton:	Garbage (MSW)	\$61.00	Greenwaste	\$30.00

Per day fee, over 14 days	\$11.44	\$0.26	\$0.00	\$11.70
Maximum per day fee (per month)	\$171.64	\$3.87	\$0.00	\$175.51

Special and Extra Fees	Monthly Rate Effective 7/1/13	CPI	Monthly Rate Effective 7/1/14
Bad/return check fee	\$27.43	\$0.62	\$28.05
Activation/delivery fees:			
Residential	\$17.12	\$0.39	\$17.51
Commercial	\$28.53	\$0.64	\$29.17
Restart Fee:			
Without delivery	\$13.68	\$0.31	\$13.99
With delivery	\$39.99	\$0.90	\$40.89
Cart Replacement fee	\$85.58	\$1.93	\$87.51
Finance fee	\$13.68	\$0.31	\$13.99
Contamination fee (After 2nd reminder)	\$5.72	\$0.13	\$5.85



CITY OF WATERFORD

CPI RATE ADJUSTMENT FACTOR CALCULATION

The prescribed annual rate increase is confirmed as an automatic adjustment to the entire rate. This adjustment is established at 100% of the annual CPI percentage change for All Urban Consumers for the San Francisco-San Jose Metropolitan area for a 12-month period ending March 31st. This shift from 90% to 100% of CPI reflects the inclusion of fuel costs in the franchise rate structure.

Index Point Change			
Average March 2014- Current Year CPI	Mar-14	246.271	
<u>Minus</u> Average March 2013-Prior Year			
CPI	Mar-13	240.834	
Equals Index Point Change			5.437

Percent Change			
Index Point			
Change			5.437
Divided by Prior Year CPI			2.26%
Equals			
100% of CPI			2.26%

Consumer Price Index - All Urban Consumers

Series Id: CUURA422SA0

Not Seasonally Adjusted

Area: San Francisco-Oakland-San Jose, CA

Item: All items

Base Period: 1982-84=100



CITY OF WATERFORD FUEL ADJUSTMENT CALCULATION

Waste Management is also entitled to special rate increases for any fuel costs that as a percentage increase exceed the CPI rate increase provided through automatic annual rate adjustments.

Fuel as a % of WM Operating Expenses			
Current Year Fuel Pct of Operating Cost	Apr-14	15.35%	* Source - Total Districts Financials
<u>Minus</u> Prior Year Fuel Pct of Operating Cost	Apr-13	15.87%	
Equals Percent Change		-0.52%	
100% of CPI		2.26%	
Fuel Percent Change Less CPI		-2.78%	
Fuel Adjustment		0.0%	
<i>If Year over Year change in Fuel Cost exceeds CPI, Fuel adjustment would equal Percent Change in Fuel Cost less CPI, otherwise no fuel adjustment may be made.</i>			

CITY OF WATERFORD DISPOSAL ADJUSTMENT CALCULATION

Waste Management is entitled to special rate increases to be compensated for 100% of any cost increase they experience at transfer stations or landfills where they "tip" solid waste collected under the franchise agreement (currently 100% is "tipped" at the Gilton Transfer Station).

Disposal Site: Gilton Transfer Station, Modesto		Garbage (MSW)	Greenwaste (GW)
		Rate per Ton	Rate per Ton
Current Year	May-14	\$61.00	\$30.00
<u>Minus</u> Prior Year	May-13	\$61.00	\$30.00
	Disposal Rate Change	\$0.00	\$0.00
Equals Percent Change	% Change	0.00%	0.00%
Applied Disposal PI - 5/30/14		0.00%	



Public Hearing 5b

August 21, 2014

Patricia Krause, Deputy City Clerk
City Council Staff Report

Ordinance Amending Chapter 8.12, “Nuisances” of the Waterford Municipal Code by amending Waterford Municipal Code Sections 8.12.010, 8.12.080 and 8.12.090

SUMMARY:

Ordinance 2014-09 amends Chapter 8.12, “Nuisances”, of the Waterford Municipal Code, Sections 8.12.010, 8.12.080 and 8.12.090. This amendment adds a new definition to define the appeals hearing board to be set by resolution of the city council and amends language throughout to reflect that appeals will be heard by the appeals hearing board instead of the city council.

FISCAL IMPACT:

N/A

ANALYSIS:

Ordinance 2014-09 was introduced for a first reading by title only at the August 7, 2014 City Council meeting as a public hearing item. City Council took action to approve the introduction and first reading by title only at the August 7, 2014 City Council meeting and thereafter a summary of Ordinance 2014-09 was published in the Waterford News.

Ordinance 2014-09 is before the City Council tonight as a public hearing item to consider the 2nd reading and adoption by title only of Ordinance 2014-09. After adoption and within 14 days of passage of Ordinance 2014-09 the Ordinance Summary will be published in the Waterford News together with the names of the members of the City Council voting for and against same. This Ordinance will become effective and be in full force on and after thirty (30) days of its passage and adoption.

ENVIRONMENTAL REVIEW:

N/A

ATTACHMENTS:

- **Summary of Ordinance 2014-09**
- **Ordinance 2014-09**
- **Public Hearing Notice**

SUMMARY OF ORDINANCE 2014-09

Ordinance 2014-09 amending Title 8, HEALTH AND SAFETY by amending Chapter 8.12 titled "NUISANCES", of the Waterford Municipal Code. The proposed ordinance amends the language of Waterford Municipal Code Sections 8.12.010, 8.12.080 and 8.12.090 by adding a definition of an appeals hearing board as set by resolution of the City Council and amending language to reflect that appeals will be heard by an appeals hearing board instead of the City Council.

A certified copy of the full text is posted in the office of the City Clerk. Copies and a complete text of the ordinance are available at Waterford City Hall, 101 E Street, Waterford, CA for review.

This ordinance was adopted by the Waterford City Council on August 21, 2014. The ordinance will be in effect thirty (30) days from the date of adoption.

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

ORDINANCE NO. 2014-09

AN ORDINANCE OF THE WATERFORD CITY COUNCIL AMENDING WATERFORD MUNICIPAL CODE TITLE 8, CHAPTER 8.12 ENTITLED “NUISANCES” BY AMENDING WMC SECTIONS 8.12.010, 8.12.080 AND 8.12.090

WHEREAS, the City of Waterford is amending Title 8, Chapter 8.12 entitled “Nuisances” to the Waterford Municipal Code by amending Waterford Municipal Code Sections 8.12.010, 8.12.080 and 8.12.090.

THE CITY COUNCIL OF THE CITY OF WATERFORD, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1: Title 8 Chapter 8.12 entitled “Nuisances” is amended to read as follows:

~~Stricken~~—~~through~~ text represents deletions to the Waterford Municipal Code, highlighted/underlined text represents additions to the Waterford Municipal Code.

8.12.010 Definitions.

For the purposes of this chapter, the following terms shall be defined as follows:

A. “Parkings” means the area between the established concrete curbing and the private property line.

B. “Street” means a public or private thoroughfare which affords principal or secondary access by vehicles to abutting property including any street, avenue, place, way, drive, lane, boulevard, highway, road, alley and any other thoroughfare used by vehicles.

C. “Weeds” means all weeds growing upon roads, streets, sidewalks or private property as defined by Health and Safety Code, Section 14875. (Ord. 72-10 §3, 1972).

D. “Board” means the appeals hearing board of the city of Waterford as set by resolution of the city council.

8.12.080 Abatement notice.

Upon the failure of any owner to destroy or remove such dirt, rubbish, weeds, or other rank growths, grass or other obstructions as are described in Sections 8.12.020 and 8.12.030 in the manner described herein, the owner of the real property involved shall be notified by the city manager/code enforcement officer or the designee of either to remove the same within a period of seven days. The notice shall identify the property by its commonly known name, the street, road or highway upon which it is located, and shall describe the property by reference to the tract, block, lot, code area and parcel number as used in the records of the county assessor. The notice shall state that the grass, weeds, dirt, rubbish or other obstructions on the property or

sidewalks, parkings and the half of the streets as abut the property, as the case may be, is a nuisance and hazard and that by the provisions of this chapter they must be abated by the owner; that otherwise they will be abated by city authorities, in which case the cost of such abatement shall be a special assessment on the property and will constitute a lien on the property until paid. The notice shall contain the name of the city manager/code enforcement officer or the designee of either and shall state that an appeal from the notice may be made in writing to the ~~city council~~ board through the office of the city clerk, and give his or her name, address, telephone number, and the date by which such appeal must be made. Such notice shall be in writing or printed and shall:

- A. Be posted in a conspicuous place upon said property for a period of seven days; and
- B. Be mailed to the property owner as shown on the assessment roll. (Ord. 02-02 §1, 2002; Ord. 74-7 §1, 1974; Ord. 72.10 §8, 1972).

8.12.090 Appeal.

If the property owner objects to the determination of the city manager/code enforcement officer or the designee of either that the condition of his or her property is such as is described in Sections 8.12.020 and 8.12.030, he or she may file his or her objection in writing with the ~~city council~~ board through the city clerk's office within the seven days after the date of the notice, and such objection shall be heard as soon thereafter as the business of the ~~city council~~ board will permit. If the ~~city council~~ board upholds the determination of the city manager/code enforcement officer or the designee of either, the property owner shall be allowed seven days thereafter to comply after which the procedure in Sections 8.12.100 and 8.12.110 shall be employed. If the ~~city council~~ board does not uphold the determination of the city manager/code enforcement officer or the designee of either, such action may be taken as the ~~city council~~ board directs. (Ord. 02-02 §1, 2002; Ord. 74-7 §1, 1974; Ord. 72.10 §9, 1972).

SECTION 2, Validity: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, words, or phrases be declared invalid or unconstitutional.

SECTION 3, Enactment: This ordinance shall become effective and be in full force on and after thirty (30) days of its passage and adoption, and prior to the expiration of fifteen (15) days from the passage and adoption thereof, shall be published in the City of Waterford, County of Stanislaus, State of California, together with the names of the members of the City Council voting for and against the same.

The foregoing ordinance was passed and adopted by the City Council of the City of Waterford, County of Stanislaus, State of California, at a regular meeting thereof held on the 21st day of August, 2014.

AYES:
NOES:
ABSTAIN:
ABSENT:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN
City Clerk

CORBETT J. BROWNING
City Attorney



TO: Mid Valley Publications – Legals

From: Lori Martin, City Clerk, City of Waterford

Date: July 24, 2014

Re: Public Hearing Notice to be published on Tues 08/05/14

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City Council of the City of Waterford in the Council Chambers at a regular meeting thereof on August 7, 2014 at or about 6:30pm.

The City Council will consider amendments to Chapters 1.17 “Administrative Citations”, Chapter 8.12, “Nuisances”, Chapter 10.54 “Abandoned Vehicles” and Chapter 15.42 “Public Nuisance” of the Waterford Municipal Code. The proposed ordinance amendments will add sections and/or wording that defines an appeals hearing board as set by resolution of the City Council.

Copies and a complete text of the Ordinance amendments are available at City Hall, 101 E Street, Waterford, CA for review.

The Waterford City Council Chambers are located inside Waterford City Hall located at 101 E Street, Waterford, CA. For further information, please contact Lori Martin, City Clerk, at (209) 874-2328 ext. 109.

Date: August 5, 2014

By: Lori Martin, City Clerk



Public Hearing 5c

August 21, 2014

Patricia Krause, Deputy City Clerk
City Council Staff Report

Ordinance Amending Chapter 1.17, “Administrative Citations” of the Waterford Municipal Code by amending Waterford Municipal Code Sections 1.17.020, 1.17.100, 1.17.110 and 1.17.120

SUMMARY:

Ordinance 2014-11 amends Chapter 1.17, “Administrative Citations”, of the Waterford Municipal Code, Sections 1.17.020, 1.17.100 and 1.17.120. This amendment deletes all references to “Hearing Officer” and adds a new definition of an “Appeals Hearing Board”..

FISCAL IMPACT:

N/A

ANALYSIS:

Ordinance 2014-11 was introduced for a first reading by title only at the August 7, 2014 City Council Meeting as a public hearing item. City Council took action to approve the introduction and first reading by title only at the August 7, 2014 City Council meeting and thereafter a summary of Ordinance 2014-11 was published in the Waterford News.

Ordinance 2014-11 is before the City Council tonight as a public hearing item to consider the 2nd reading and adoption by title only of Ordinance 2014-11. After adoption and within 14 days of passage of Ordinance 2014-11 the Ordinance Summary will be published in the Waterford News together with the names of the members of the City Council voting for and against same. This Ordinance will become effective and be in full force on and after thirty (30) days of its passage and adoption.

ENVIRONMENTAL REVIEW:

N/A

ATTACHMENTS:

- Summary of Ordinance 2014-11
- Ordinance 2014-11
- Public Hearing Notice

SUMMARY OF ORDINANCE 2014-11

Ordinance 2014-11 amending Title 1, "GENERAL PROVISIONS" by amending Chapter 1.17 titled "ADMINISTRATIVE CITATIONS", of the Waterford Municipal Code. The proposed ordinance amends the language of Waterford Municipal Code Sections 1.17.020, 1.17.100, 1.17.110 and 1.17.120 by adding a definition of an appeals hearing board as set by resolution of the City Council and amending language to reflect that appeals will be heard by an appeals hearing board and deleting reference to a hearing officer.

A certified copy of the full text is posted in the office of the City Clerk. Copies and a complete text of the ordinance are available at Waterford City Hall, 101 E Street, Waterford, CA for review.

This ordinance was adopted by the Waterford City Council on August 21, 2014. The ordinance will be in effect thirty (30) days from the date of adoption.

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

ORDINANCE NO. 2014-11

AN ORDINANCE OF THE WATERFORD CITY COUNCIL AMENDING WATERFORD MUNICIPAL CODE TITLE 1, CHAPTER 1.17 ENTITLED “ADMINISTRATIVE CITATIONS”

WHEREAS, the City of Waterford is amending Title 1, Chapter 1.17. entitled “Administrative Citations” to the Waterford Municipal Code by amending WMC Sections 1.17.020, 1.17.100, 1.17.110 and 1.17.120.

THE CITY COUNCIL OF THE CITY OF WATERFORD, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1: Title 1, Chapter 1.17 entitled “Administrative Citations” is amended to read as follows:

~~Stricken—through~~ text represents deletions to the Waterford Municipal Code, highlighted/underlined text represents additions to the Waterford Municipal Code.

TITLE 1

CHAPTER 1.17

1.17.020 Definitions.

A. “Administrative citation” means a formal notice that is issued by an enforcement officer or other authorized agent to a person who has been determined to have committed a violation of this municipal code and/or other regulations and ordinances enforceable by the city of Waterford.

B. “Correction notice” means an informal notice informing a responsible party about the existence of a certain condition or activity which constitutes a violation of this code or a violation of any applicable statute, rule, regulation or other ordinance enforceable by the city of Waterford.

C. “Enforcement officer” means an individual holding the position title designated by resolution of the city council in accordance with Section 1.09.040 of this title and who is authorized to enforce certain prescribed provisions of this municipal code and all applicable statutes, rules, regulations and other ordinances enforceable by the city of Waterford.

~~D. “Hearing officer” means the individual who shall conduct administrative citation appeal hearings and other administrative hearings pursuant to this chapter and shall render decisions pursuant to the applicable administrative hearing procedures set forth in this chapter. The hearing officer shall be the Waterford city administrator or designee.~~

“Board” means the appeals hearing board of the city of Waterford as set by resolution of the city council.

E. “Responsible party” means any person or persons in charge of the premises or location, or the person or persons responsible for the event or incident, and shall include any of the following:

1. The person or persons owning the property where the violation exists.
2. The person or persons in charge of the premises where the violation exists.
3. The person or persons using the premises where the violation exists.
4. If any of those persons are minors, the parent or guardian of such minor(s) shall be the responsible party.
5. If the person or persons is a business entity, the manager or on-site supervisor where the violation exists shall be a responsible party. (Ord. 2011-03 §1).

1.17.100 Hearing procedure.

A. No hearing to contest an administrative citation before a hearing ~~officer~~board shall be held unless and until the following has been completed:

1. A request for appeal hearing form has been completed and submitted to the city; and
2. The fine has been deposited in advance in accordance with Section 1.17.080; or
3. An advance deposit hardship waiver has been issued in accordance with Section 1.17.090.

B. A hearing before the ~~hearing officer~~board shall be set for a date that is not less than fifteen days and not more than sixty days from the date that the request for appeal hearing form is filed in accordance with the provisions of this chapter. The hearing date may be continued upon mutual agreement of the city and the appellant.

C. At the hearing, the appellant shall be given the opportunity to testify and to present evidence concerning the administrative citation.

D. The failure of the appellant to appear at the appeal hearing without a showing of good cause shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

E. The administrative citation and any additional evidence submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents. If the enforcement officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, then a copy of that report shall be served by mail on the appellant at least five working days prior to the date of the hearing.

F. The ~~hearing officer~~board may continue the hearing and request additional information from the enforcement officer or the appellant prior to issuing a written decision.

G. Failure to timely and properly file an appeal from an administrative citation shall constitute a waiver of all rights to an administrative appeal hearing and adjudication of the administrative citation or any portion thereof. The determination that the violation occurred and that the responsible party was responsible for the violation shall be deemed final on the date that service of the administrative citation is deemed completed pursuant to Section 1.17.030. (Ord. 2011-03 §1).

1.17.110 Hearing officer's Appeals hearing board decision.

A. After considering all of the testimony and evidence submitted at the hearing, the hearing officerboard may decide to uphold the administrative citation, establish a modified schedule for compliance, overturn some or all of the findings of the enforcement officer and/or rescind the citation in part or in its entirety, and/or reduce the amount or waive payment of the administrative fine. The hearing officerboard shall issue a written decision.

B. The decision shall state whether the administrative citation has been either upheld, in full or in part, or rescinded, in full or in part. In addition, the decision shall contain a brief summary of the evidence considered, findings of fact, a determination of the issues presented, the effective date of the decision, and a compliance order, if applicable, which shall specifically describe the actions which shall be required to be taken to remedy the code violation(s) indicated in the decision and shall require the actions to be completed within a specified time period and by a specified deadline.

C. If the hearing officerboard determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

D. If the hearing officerboard determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an advance deposit hardship waiver, the hearing officerboard shall set forth in the decision a requirement to pay the applicable administrative fine(s) by a specified date or a payment schedule for the fine(s).

E. If the hearing officerboard determines that the administrative citation should be cancelled and the fine was deposited with the city, then the city shall promptly refund the amount of the deposited fine.

F. The hearing officerboard shall serve a copy of the decision on the appellant either by delivering a copy of the decision personally or by certified mail, postage prepaid, return receipt requested, and addressed to appellant at the address shown on the appeal form. The decision shall be issued and served within twenty days from the date the hearing is deemed closed. A copy of the decision shall also be provided to the enforcement officer. (Ord. 2011-03 §1).

1.17.120 Right to judicial review.

Any person aggrieved by the decision of the hearing officerboard on an administrative citation may obtain review of that decision by filing a petition for review with the Superior Court of Stanislaus County in accordance with the timelines and provisions set forth in California Government Code Section 53069.4. (Ord. 2011-03 §1).

SECTION 2, Validity: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, words, or phrases be declared invalid or unconstitutional.

SECTION 3, Enactment: This ordinance shall become effective and be in full force on and after thirty (30) days of its passage and adoption, and prior to the expiration of fifteen (15) days from the passage and adoption thereof, shall be published in the City of Waterford, County of Stanislaus, State of California, together with the names of the members of the City Council voting for and against the same.

The foregoing ordinance was passed and adopted by the City Council of the City of Waterford, County of Stanislaus, State of California, at a regular meeting thereof held on the 21st day of August, 2014.

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN
City Clerk

CORBETT J. BROWNING
City Attorney



TO: Mid Valley Publications – Legals

From: Lori Martin, City Clerk, City of Waterford

Date: July 24, 2014

Re: Public Hearing Notice to be published on Tues 08/05/14

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City Council of the City of Waterford in the Council Chambers at a regular meeting thereof on August 7, 2014 at or about 6:30pm.

The City Council will consider amendments to Chapters 1.17 “Administrative Citations”, Chapter 8.12, “Nuisances”, Chapter 10.54 “Abandoned Vehicles” and Chapter 15.42 “Public Nuisance” of the Waterford Municipal Code. The proposed ordinance amendments will add sections and/or wording that defines an appeals hearing board as set by resolution of the City Council.

Copies and a complete text of the Ordinance amendments are available at City Hall, 101 E Street, Waterford, CA for review.

The Waterford City Council Chambers are located inside Waterford City Hall located at 101 E Street, Waterford, CA. For further information, please contact Lori Martin, City Clerk, at (209) 874-2328 ext. 109.

Date: August 5, 2014

By: Lori Martin, City Clerk



Public Hearing 5d

August 21, 2014

Patricia Krause, Deputy City Clerk
City Council Staff Report

Ordinance Amending Chapter 10.54, “Abandoned Vehicles” of the Waterford Municipal Code by amending Waterford Municipal Code Sections 10.54.010 and 10.54.110

SUMMARY:

Ordinance 2014-12 amends Chapter 10.54, “Abandoned Vehicles”, of the Waterford Municipal Code, Sections 10.54.010 and 10.54.110. This amendment adds new definitions for Public Nuisance Vehicle and an Appeals Hearing Board and amends language to reflect that appeals will be heard by the appeals hearing board.

FISCAL IMPACT:

N/A

ANALYSIS:

Ordinance 2014-12 was introduced for a first reading by title only at the August 7, 2014 City Council Meeting as a public hearing item. City Council took action to approve the introduction and first reading by title only at the August 7, 2014 City Council meeting and thereafter a summary of Ordinance 2014-12 was published in the Waterford News.

Ordinance 2014-12 is before the City Council tonight as a public hearing item to consider the 2nd reading and adoption by title only of Ordinance 2014-12. After adoption and within 14 days of passage of Ordinance 2014-12 the Ordinance Summary will be published in the Waterford News together with the names of the members of the City Council voting for and against same. This Ordinance will become effective and be in full force on and after thirty (30) days of its passage and adoption.

ENVIRONMENTAL REVIEW:

N/A

ATTACHMENTS:

- **Summary of Ordinance 2014-12**
- **Ordinance 2014-12**
- **Public Hearing Notice**

SUMMARY OF ORDINANCE 2014-12

Ordinance 2014-12 amending Title 10, "VEHICLES AND TRAFFIC" by amending Chapter 10.54 titled "ABANDONED VEHICLES", of the Waterford Municipal Code. The proposed ordinance amends the language of Waterford Municipal Code Sections 10.54.010 AND 10.54.110 by adding a definition of an appeals hearing board as set by resolution of the City Council and amending language to reflect that appeals will be heard by an appeals hearing board and deleting reference to city administrator or designee.

A certified copy of the full text is posted in the office of the City Clerk. Copies and a complete text of the ordinance are available at Waterford City Hall, 101 E Street, Waterford, CA for review.

This ordinance was adopted by the Waterford City Council on August 21, 2014. The ordinance will be in effect thirty (30) days from the date of adoption.

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

ORDINANCE No. 2014-12

AN ORDINANCE OF THE WATERFORD CITY COUNCIL AMENDING WATERFORD MUNICIPAL CODE TITLE 10, CHAPTER 10.54 ENTITLED “ABANDONED VEHICLES”

WHEREAS, the City of Waterford is amending Title 10, Chapter 10.54. entitled “Abandoned Vehicles” to the Waterford Municipal Code by amending WMC Sections 10.54.010 and 10.54.110.

THE CITY COUNCIL OF THE CITY OF WATERFORD, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1: Title 10, Chapter 10.54 entitled “Abandoned Vehicles” is amended to read as follows:

~~Stricken—through~~ text represents deletions to the Waterford Municipal Code, highlighted/underlined text represents additions to the Waterford Municipal Code.

TITLE 10

CHAPTER 10.54.

10.54.010 Definitions.

Unless the context otherwise requires, the definitions of words and phrases set forth in this section shall govern the construction of this chapter.

A. “Employee” means a city employee designated by City Manager.

B. “Highway” means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular traffic. Highway includes a street, and all or any part of the entire width of the right of way of said highway.

C. “Peace officer” means an individual as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

D. “Vehicle” is a device in, upon, or by which any person or property is or may be propelled, moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

E. “Abandoned vehicle” includes the following:

1. “Public nuisance vehicle” means any vehicle or parts thereof, that is abandoned, wrecked, dismantled or inoperative, that is left on public or private property, including highways and that creates a condition tending to reduce the value of private property, promotes blight and deterioration, invites plundering, creates fire hazards, constitutes an

attractive nuisance endangering the health and safety of minors, harbors rodents and insects, or jeopardizes health, safety and general welfare.

F. “Board” means the appeals hearing board of the city of Waterford as set by resolution of the city council.(Ord. 08-02 §1, 2008; Ord. 92-08 §3, 1992).

10.54.110 Abandoned vehicles on public or private property, excluding a highway.

A. Upon discovery of an abandoned vehicle or a vehicle which lacks an engine, transmission, wheels, tires, doors, windshield, or other major part or equipment necessary to operate safely on the highway, the city manager shall have the authority to cause the abatement and removal of said vehicle in accordance with the procedure prescribed in this section.

B. Except as otherwise provided by law or this chapter, not less than a ten-day notice of intention to abate and remove the vehicle or part thereof as a public nuisance shall be issued for a vehicle abandoned on public or private property, excluding a highway, unless the property owner and the owner of the vehicle have signed releases authorizing removal and waiving further interest in the vehicle or part thereof, except as provided in Vehicle Code Section 22661(c).

C. The ten-day notice of intention to abate and remove a vehicle or part thereof, when required by this chapter, shall contain a statement of hearing rights of the owner of the property on which the vehicle is located and of the owner of the vehicle. The statement shall include notice to the property owner that he or she may appear in person at a hearing or may submit a sworn written statement denying responsibility for the presence of the vehicle on the land, with his or her reason for such denial, in lieu of appearing. The notice of intention to abate shall be mailed, by registered or certified mail, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owners of record unless the vehicle is in such condition that the identification numbers are not available to determine ownership.

D. A request for a hearing shall be made to the city ~~administrator clerk~~ within ten days after the mailing of notice of intention to abate and remove the vehicle or at the time of signing a release.

E. Upon a request for a hearing by the owner of the vehicle or the owner of the land upon which such vehicle is located, a public hearing shall be held before the ~~city administrator or designee~~board.

F. If such a request is not received within such period, the appropriate public body, agency, or officer shall have the authority to remove the vehicle.

G. The ~~city administrator or designee~~board shall hear all facts and testimony it deems pertinent. The facts and testimony may include testimony on the condition of the vehicle or parts, and the circumstances concerning its location on the private property or public property. ~~The city administrator or designee~~The board shall not be limited by the technical rules of evidence.

H. The owner of the land on which the vehicle is located is authorized to appear in person at the hearing or present a sworn written statement denying responsibility for the presence of the vehicle on the land, with his or her reason for such denial.

I. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that he or she has not subsequently acquiesced in its presence, then the local authority shall not assess costs of administration or removal of the vehicle against the

property on which the vehicle is located or otherwise attempt to collect such cost from the owner.

J. If the owner of the land on which the vehicle is located submits a sworn written statement denying responsibility for the presence of the vehicle on his or her land within such time period, this statement shall be construed as a request for hearing which does not require the presence of the owner submitting such request.

K. The ~~city administrator or designee~~board may impose such conditions and take such other action as it deems appropriate under the circumstances to carry out the purpose of this chapter. It may delay the time for removal of the vehicle, or parts, if, in the public hearing, the city manager or designee may find that a vehicle, or parts, has been abandoned, wrecked, dismantled or is inoperative on private or public property and order the same be removed from the property as a public nuisance and disposed of as provided in this chapter and determine the administrative costs and the cost of removal to be charged against the owner of the land. The order requiring removal shall include a description of the vehicle or parts and correct identification number and license number of the vehicle, if available.

L. Any interested party may appeal the decision of the ~~city administrator or designee~~board by filing a written notice of appeal with the city council within five days after ~~his or her~~the decision. Such appeal shall be heard by the city council which may affirm, amend, or reverse the order or take other action deemed appropriate. The clerk shall give written notice of the time and place of the hearing to the appellant, to the owner of the land, and the owner of the vehicle. In conducting the hearing, the city council shall not be limited by the technical rules of evidence.

M. This section shall not apply to: (1) a vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or (2) a vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, or junk yard. This exception shall not, however, authorize the maintenance of a public or private nuisance as defined under provisions of law other than this chapter. (Ord. 92-08 §3, 1992).

SECTION 2, Validity: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, words, or phrases be declared invalid or unconstitutional.

SECTION 3, Enactment: This ordinance shall become effective and be in full force on and after thirty (30) days of its passage and adoption, and prior to the expiration of fifteen (15) days from the passage and adoption thereof, shall be published in the City of Waterford, County of Stanislaus, State of California, together with the names of the members of the City Council voting for and against the same.

The foregoing ordinance was passed and adopted by the City Council of the City of Waterford, County of Stanislaus, State of California, at a regular meeting thereof held on the 21st day of August, 2014.

AYES:
NOES:
ABSTAIN:
ABSENT:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN
City Clerk

CORBETT J. BROWNING
City Attorney



TO: Mid Valley Publications – Legals

From: Lori Martin, City Clerk, City of Waterford

Date: July 24, 2014

Re: Public Hearing Notice to be published on Tues 08/05/14

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City Council of the City of Waterford in the Council Chambers at a regular meeting thereof on August 7, 2014 at or about 6:30pm.

The City Council will consider amendments to Chapters 1.17 “Administrative Citations”, Chapter 8.12, “Nuisances”, Chapter 10.54 “Abandoned Vehicles” and Chapter 15.42 “Public Nuisance” of the Waterford Municipal Code. The proposed ordinance amendments will add sections and/or wording that defines an appeals hearing board as set by resolution of the City Council.

Copies and a complete text of the Ordinance amendments are available at City Hall, 101 E Street, Waterford, CA for review.

The Waterford City Council Chambers are located inside Waterford City Hall located at 101 E Street, Waterford, CA. For further information, please contact Lori Martin, City Clerk, at (209) 874-2328 ext. 109.

Date: August 5, 2014

By: Lori Martin, City Clerk



Public Hearing 5e

August 21, 2014

Patricia Krause, Deputy City Clerk
City Council Staff Report

Ordinance Amending Chapter 15.42, “Public Nuisance” of the Waterford Municipal Code by amending Waterford Municipal Code Sections 15.42.020 and 15.42.160

SUMMARY:

Ordinance 2014-13 amends Chapter 15.42, “Public Nuisance”, of the Waterford Municipal Code, Sections 15.42.020 and 15.42.160. This amendment deletes all references to “hearing officer” and adds a new definition of an “appeals hearing board”.

FISCAL IMPACT:

N/A

ANALYSIS:

Ordinance 2014-13 was introduced for a first reading by title only at the August 7, 2014 City Council Meeting as a public hearing item. City Council took action to approve the introduction and first reading by title only at the August 7, 2014 City Council meeting and thereafter a summary of Ordinance 2014-13 was published in the Waterford News.

Ordinance 2014-13 is before the City Council tonight as a public hearing item to consider the 2nd reading and adoption by title only of Ordinance 2014-13. After adoption and within 14 days of passage of Ordinance 2014-13 the Ordinance Summary will be published in the Waterford News together with the names of the members of the City Council voting for and against same. This Ordinance will become effective and be in full force on and after thirty (30) days of its passage and adoption.

ENVIRONMENTAL REVIEW:

N/A

ATTACHMENTS:

- **Summary of Ordinance 2014-13**
- **Ordinance 2014-13**
- **Public Hearing Notice**

SUMMARY OF ORDINANCE 2014-13

Ordinance 2014-13 amending Title 15, "BUILDING AND CONSTRUCTION" by amending Chapter 15.42 titled "PUBLIC NUISANCE", of the Waterford Municipal Code. The proposed ordinance amends the language of Waterford Municipal Code Sections 15.42.020 and 15.42.160 by adding a definition of an appeals hearing board as set by resolution of the City Council and amending language to reflect that appeals will be heard by an appeals hearing board and deleting reference to hearing officer.

A certified copy of the full text is posted in the office of the City Clerk. Copies and a complete text of the ordinance are available at Waterford City Hall, 101 E Street, Waterford, CA for review.

This ordinance was adopted by the Waterford City Council on August 21, 2014. The ordinance will be in effect thirty (30) days from the date of adoption.

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

ORDINANCE NO. 2014-13

AN ORDINANCE OF THE WATERFORD CITY COUNCIL AMENDING WATERFORD MUNICIPAL CODE TITLE 15, CHAPTER 15.42 ENTITLED “PUBLIC NUISANCE”

WHEREAS, the City of Waterford is amending Title 15, Chapter 15.42. entitled “Public Nuisance” to the Waterford Municipal Code by amending WMC Sections 15.42.020 and 15.42.160.

THE CITY COUNCIL OF THE CITY OF WATERFORD, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1: Title 15, Chapter 15.42 entitled “Public Nuisance” is amended to read as follows:

Stricken—through text represents deletions to the Waterford Municipal Code, highlighted/underlined text represents additions to the Waterford Municipal Code.

TITLE 15

CHAPTER 15.42.

15.42.020 Definitions used within this chapter.

A. “Building/structure” means and includes, but is not limited to, any house, garage, carport, duplex, apartment, condominium, mobile home, storage shed, any commercial establishment, warehouse, fence, wall or other structures affixed to or upon real property, or any assemblage of materials on private property of another for the purpose of human habitation.

B. “City” means the area within the territorial city limits of the city of Waterford and all territory outside of the city over which the city has jurisdiction by virtue of any constitutional provisions, or any ordinance or law.

C. “City ~~administrator~~manager” means the manager of the city, or any person or persons designated by the city ~~administrator~~manager to act in his or her stead in connection with this chapter.

D. “Director” means the director of public works or any officer which is now or may in the future be charged with the enforcement of this code.

E. “Enforcement officer” means any city employee designated by the city ~~administrator~~manager to enforce the provisions of this code. Such employees may be employed in any city department.

F. “Board” means the appeals hearing board of the city of Waterford as set by resolution of the city council. ~~“Hearing officer” means the city administrator or any person appointed by the~~

~~city administrator to preside over administrative enforcement hearings held pursuant to this chapter.~~

G. “Person” means any natural person, firm, association, business, or organization, corporation, partnership, trust, estate, or any other legal entity recognized by law as the subject of legal rights or duties.

H. “Property” means any parcel of land which is identified in the secured roll of the Stanislaus County assessor, all residential, commercial and other real property, including but not limited to front yards, side yards, backyards, driveways, walkways, alleys, sidewalks, and shall include any building or structure whether fixed or moveable, located on such property.

I. “Property owner” means the record owner of real property as listed in the most current equalized assessment role as maintained by the Stanislaus County assessor.

J. “Responsible party” means any occupant, lessor, lessee, administrator, licensee, or other person having control over a structure or parcel of land. A responsible party may be a property owner.

K. “Violation” means a violation of Title 8 or Title 17 of this code by any property owner or any responsible party.

L. “Visual blight” means any unreasonably or unlawful condition or use of premises or of a building exterior which by reason of its appearance as viewed at ground level from the public right-of-way or from neighboring premises, is detrimental to the surrounding area and the property of others, or is detrimental to the health, safety and welfare of individuals residing within the community. (Ord. 05-02 §1, 2005).

15.42.160 Vacant building monitoring fee.

A. Fee Imposed. There is hereby imposed upon every owner of a vacant building an annual vacant building monitoring fee in an amount to be set by resolution of the city council. The fee shall not exceed the estimated reasonable cost of monitoring the vacant building. The fee shall be payable as to any building, residential or nonresidential, which:

1. Is boarded up by voluntary action of the owner or as the result of enforcement activities by the city; or
2. Is vacant for more than sixty days for any reason.

B. Fee Waiver. The vacant building monitoring fee may be waived by the building official upon a showing by the owner that:

1. The owner has obtained a building permit and is progressing diligently to repair the premises for occupancy; or
2. The building meets all applicable codes and is actively being offered for sale, lease or rent; or
3. Imposition of the fee would impose a substantial economic hardship on the owner or would hinder the rehabilitation of the building.

C. Procedure.

1. The vacant building monitoring fee shall be billed to the owner of the property and mailed to the owner's address as set forth on the last equalized assessment roll of the county assessor.

2. Any owner billed may apply for a waiver on the grounds set forth in subsection B of this section by submitting a written statement of the grounds for the waiver, and the owner's daytime telephone number, to the building official within thirty days after the billing is mailed to the owner. The building official shall review the written statement and may contact the owner to discuss the application for waiver. The building official shall prepare a written decision which shall be mailed to the owner.

3. Any owner who disagrees with the decision of the building official may submit a written notice of appeal to the building official within thirty days of receipt of the decision. Failure to timely appeal the decision of the building official relating to a denial of a waiver constitutes a waiver of all rights to an administrative hearing and determination of the matter subject only to review pursuant to California Code of Civil Procedure Section 1094.5.

4. If the fee is not paid within sixty days after billing, or within sixty days after the decision of the building official or after the decision upon appeal by the owner becomes final, the fee may be specially assessed against the property involved and made a personal obligation of the owner. If the fee is to be specially assessed against the property, ~~a hearing officer~~ the board, as designated by the city administrator, shall confirm the assessment and thereafter said assessment may be collected at the same time and in the same manner as ordinary real property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary real property taxes. All laws applicable to the levy, collection, and enforcement of real property taxes are applicable to the special assessment.

5. The ~~designated hearing officer~~ board may also cause a notice of lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of the property, set forth the last known address of the record owner or possessor, a description of the real property subject to the lien, and the amount of the fee. (Ord. 05-02 §1, 2005).

SECTION 2, Validity: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, words, or phrases be declared invalid or unconstitutional.

SECTION 3, Enactment: This ordinance shall become effective and be in full force on and after thirty (30) days of its passage and adoption, and prior to the expiration of fifteen (15) days from the passage and adoption thereof, shall be published in the City of Waterford, County of Stanislaus, State of California, together with the names of the members of the City Council voting for and against the same.

The foregoing ordinance was passed and adopted by the City Council of the City of Waterford, County of Stanislaus, State of California, at a regular meeting thereof held on the 21st day of August 2014.

AYES:
NOES:
ABSTAIN:
ABSENT:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN
City Clerk

CORBETT J. BROWNING
City Attorney



TO: Mid Valley Publications – Legals

From: Lori Martin, City Clerk, City of Waterford

Date: July 24, 2014

Re: Public Hearing Notice to be published on Tues 08/05/14

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City Council of the City of Waterford in the Council Chambers at a regular meeting thereof on August 7, 2014 at or about 6:30pm.

The City Council will consider amendments to Chapters 1.17 “Administrative Citations”, Chapter 8.12, “Nuisances”, Chapter 10.54 “Abandoned Vehicles” and Chapter 15.42 “Public Nuisance” of the Waterford Municipal Code. The proposed ordinance amendments will add sections and/or wording that defines an appeals hearing board as set by resolution of the City Council.

Copies and a complete text of the Ordinance amendments are available at City Hall, 101 E Street, Waterford, CA for review.

The Waterford City Council Chambers are located inside Waterford City Hall located at 101 E Street, Waterford, CA. For further information, please contact Lori Martin, City Clerk, at (209) 874-2328 ext. 109.

Date: August 5, 2014

By: Lori Martin, City Clerk



Public Hearing 5f

August 21, 2014

Patricia Krause, Deputy City Clerk
City Council Staff Report

Ordinance Amending Chapter 8.08, “Self-Service Fuel Stations” of the Waterford Municipal Code by amending Waterford Municipal Code Section 8.08.090

SUMMARY:

Ordinance 2014-14 amends Chapter 8.08, “Self-Service Fuel Stations”, of the Waterford Municipal Code, Section 8.08.090 “Inspections and Inspection Fees”. This amendment deletes reference to Waterford-Hickman Fire District and adds reference to Stanislaus Consolidated Fire Protection District.

FISCAL IMPACT:

N/A

ANALYSIS:

Ordinance 2014-14 was introduced for a first reading by title only at the August 7, 2014 City Council Meeting as a public hearing item. City Council took action to approve the introduction and first reading by title only at the August 7, 2014 City Council meeting and thereafter a summary of Ordinance 2014-14 was published in the Waterford News.

Ordinance 2014-14 is before the City Council tonight as a public hearing item to consider the 2nd reading and adoption by title only of Ordinance 2014-14. After adoption and within 14 days of passage of Ordinance 2014-14 the Ordinance Summary will be published in the Waterford News together with the names of the members of the City Council voting for and against same. This Ordinance will become effective and be in full force on and after thirty (30) days of its passage and adoption.

ENVIRONMENTAL REVIEW:

N/A

ATTACHMENTS:

- **Summary of Ordinance 2014-14**
- **Ordinance 2014-14**
- **Public Hearing Notice**

SUMMARY OF ORDINANCE 2014-14

Ordinance 2014-14 amending Title 8, HEALTH AND SAFETY by amending Chapter 8.12 titled "SELF-SERVICE FUEL STATIONS", of the Waterford Municipal Code. The proposed ordinance amends the language of Waterford Municipal Code Section 8.08.090 by deleting reference to the Waterford-Hickman Fire District and adding reference to the Stanislaus Consolidated Fire Protection District.

A certified copy of the full text is posted in the office of the City Clerk. Copies and a complete text of the ordinance are available at Waterford City Hall, 101 E Street, Waterford, CA for review.

This ordinance was adopted by the Waterford City Council on August 21, 2014. The ordinance will be in effect thirty (30) days from the date of adoption.

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

ORDINANCE NO. 2014-14

AN ORDINANCE OF THE WATERFORD CITY COUNCIL AMENDING WATERFORD MUNICIPAL CODE TITLE 8, CHAPTER 8.08 ENTITLED “SELF-SERVICE FUEL STATIONS” BY AMENDING WMC SECTION 8.08.090 TITLED “INSPECTIONS AND INSPECTION FEES”

WHEREAS, the City of Waterford is amending Title 8, Chapter 8.08 entitled “Self-Service Fuel Stations” to the Waterford Municipal Code by amending Waterford Municipal Code Section 8.08.090.

THE CITY COUNCIL OF THE CITY OF WATERFORD, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1: Title 8 Chapter 8.08 entitled “Self-Service Fuel Stations” is amended to read as follows:

~~Stricken through~~ text represents deletions to the Waterford Municipal Code, highlighted/underlined text represents additions to the Waterford Municipal Code.

8.08.090 Inspections and inspection fees.

Installation and removal of fuel tanks shall be subject to inspection by the ~~Waterford-Hickman fire district~~Stanislaus Consolidated Fire Protection District. Inspection fees shall be as established by resolution of the city council from time to time. Inspection fees collected by the city shall be surrendered to the fire district. (Ord. 80-9 (part), 1980).

SECTION 2, Validity: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, words, or phrases be declared invalid or unconstitutional.

SECTION 3, Enactment: This ordinance shall become effective and be in full force on and after thirty (30) days of its passage and adoption, and prior to the expiration of fifteen (15) days from the passage and adoption thereof, shall be published in the City of Waterford, County of Stanislaus, State of California, together with the names of the members of the City Council voting for and against the same.

The foregoing ordinance was passed and adopted by the City Council of the City of Waterford, County of Stanislaus, State of California, at a regular meeting thereof held on the 21st day of August, 2014.

AYES:
NOES:
ABSTAIN:
ABSENT:

CITY OF WATERFORD

CHARLIE GOEKEN, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN
City Clerk

CORBETT J. BROWNING
City Attorney



TO: Mid Valley Publications – Legals

From: Lori Martin, City Clerk, City of Waterford

Date: July 25, 2014

Re: Public Hearing Notice to be published on Tues 08/05/14

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City Council of the City of Waterford in the Council Chambers at a regular meeting thereof on August 7, 2014 at or about 6:30pm.

The City Council will consider amendments to Title 8 "HEALTH & SAFETY", Chapter 8.08 "SELF-SERVICE FUEL STATIONS", of the Waterford Municipal Code. The proposed ordinance amendment removes reference to Waterford-Hickman Fire District and replaces with reference to Stanislaus Consolidated Fire District.

Copies and a complete text of the Ordinance amendments are available at City Hall, 101 E Street, Waterford, CA for review.

The Waterford City Council Chambers are located inside Waterford City Hall located at 101 E Street, Waterford, CA. For further information, please contact Lori Martin, City Clerk, at (209) 874-2328 ext. 109.

Date: August 5, 2014

By: Lori Martin, City Clerk



Informational 8a – 8e

August 21, 2014

Patricia Krause, Deputy City Clerk
City Council Staff Report

Informational Items

SUMMARY:

N/A

FISCAL IMPACT:

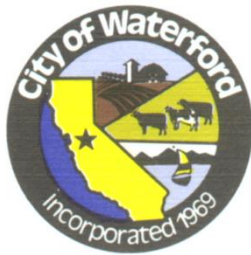
N/A

ANALYSIS:

All items under this category are considered for informational purpose only.

ATTACHMENTS:

- Item 8a – Parks and recreation Regular Meeting Minutes – July 8, 2014
- Item 8b – Business Licenses Report – July 2014
- Item 8c – Building Permit Reports – July 2014
- Item 8d – 2014 Grant Report and ROI Report
- Item 8e - Groundwater Letters from Stanislaus County
- Item 8f – Public Works Department Directive Adopting Water Use Restrictions



MINUTES
CITY OF WATERFORD PARKS AND RECREATION COMMISSION
REGULAR MEETING
WATERFORD CITY COUNCIL CHAMBERS
101 "E" STREET, WATERFORD, CA

July 8, 2014- 6:00 PM

CALL TO ORDER

Chairman Turner

PLEDGE OF ALLEGIANCE:

Chairman Turner

ROLL CALL:

Commission Member - Powell: Present
Commission Chair - Turner: Present
Commission Member - Irizarry: Present
Commission Member - Ewing: Present
Student Advisor - Duarte: Present

ADOPTION OF AGENDA:

Motion to add swearing in and appointment of new Chair to the Agenda

Commission Member - Powell: Motion
Commission Member - Irizarry: 2nd
Commission Member - Powell: Approve
Commission Chair - Turner: Approve
Commission Member - Irizarry: Approve
Commission Member - Ewing: Approve
Student Advisor - Duarte: N\A

Motion to appoint Commissioner Ewing as Chair

Commission Chair - Turner: Motion
Commission Member - Powell: 2nd
Commission Member - Powell: Approve
Commission Chair - Turner: Approve
Commission Member - Irizarry: Approve
Commission Member - Ewing: Approve
Student Advisor - Duarte: N\A

CONFLICT OF INTEREST DECLARATION:

Declaration by Committee members who may have a direct Conflict of Interest on any scheduled agenda item to be considered.

ADOPTION OF CONSENT CALENDAR:

All Matters listed under the Consent Calendar are considered routine by the Commission and will be adopted by one action of the Commission unless any Commissioner desires to discuss any item or items separately. In that event, the Chairman will remove that item from the Consent Calendar and action will be considered separately place it for separate consideration.

1. **CONSENT CALENDAR**

1a: Minutes of the last Regular Meeting held June 10, 2014

Commission Chair - Turner: Motion
Commission Member - Ewing: 2nd
Commission Member - Powell: Approve
Commission Chair - Turner: Approve
Commission Member - Irizarry: Approve
Commission Member - Ewing: Approve
Student Advisor - Duarte: N\A

2. **PRESENTATIONS**

3. **COMMUNICATIONS FROM THE AUDIENCE**

At this time, members of the public may comment on any item not appearing on the agenda. Comments should be limited to a maximum of 5 minutes. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Council consideration. At all times please come up to the podium and use the microphone.

4. **GENERAL BUSINESS**

4a: Recommended Approval of Skate Park Design

Commission Chair - Turner: Motion
Commission Member - Ewing: 2nd
Commission Member - Powell: Approve
Commission Chair - Turner: Approve
Commission Member - Irizarry: Approve
Commission Member - Ewing: Approve
Student Advisor - Duarte: N\A

5. **INFORMATIONAL**

5a: Community Calendar – August 2014

6. **COMMENTS**

6a: City Staff Comments	(Information Only – No Action)
6b: Parks and Recreation Committee Comments	(Information Only – No Action)

ADJOURNMENT

Adjourn: 6:54 PM

Commission Chair - Turner: Motion
Commission Member - Irizarry: 2nd
Commission Member - Powell: Approve
Commission Chair - Turner: Approve
Commission Member - Schmidt: Absent
Commission Member - Irizarry: Approve
Commission Member - Ewing: Approve
Student Advisor - Duarte: N\A

Motion by Commission Member Turner, seconded by Commission Member Irizarry to adjourn the Parks And Recreation meeting at 6:54 PM

PASSED AND ADOPTED BY: Waterford Parks and Recreation Commission at a Regular Meeting held July 8, 2014.

AYES:
NOES:
ABSENT:

Parks and Recreation Secretary

Debra Turner, Parks and Recreation Chair

BUSINESS LICENSE REPORT - JULY 2014

BUSINESS NAME	TYPE OF BUSINESS	BUSINESS CATEGORY	NO LONGER IN BUSINESS	LOCATION ADDRESS	LOCATION CITY	FEE AMT	PAID DATE
AIRMERGENCY INC.	HVAC SERVICE REPAIR	EXTERNAL BUSINESS	<input type="checkbox"/>	1600 N. CARPENTER RD. E-2	MODESTO	\$51.00	7/29/2014
BLAINE INC. DBA AIRE SERV OF GREATER MERCED	HVAC SERVICE & INSTALLATION	PROFESSIONAL SERVICE/MAINTENANCE"	<input type="checkbox"/>	196 RIGGS AVE.	MERCED	\$26.50	7/10/2014
CENTRAL VALLEY HEAT AIR ELECTRICAL	HVAC AND ELECTRICAL	PROFESSIONAL SERVICE/MAINTENANCE"	<input type="checkbox"/>	P.O. BOX 577888	MODESTO	\$26.00	7/1/2014
COLLINS ELECTRICAL	ELECTRICIAN	EXTERNAL BUSINESS	<input type="checkbox"/>	611 W. FREMONT ST.	STOCKTON	\$50.00	7/10/2014
DON LAWLEY COMPANY, INC.	CONTRACTOR	CONSTRUCTION/CONTRACTOR/MANUFACTURING	<input type="checkbox"/>	4213 AKER RD.	OAKDALE	\$52.00	7/22/2014
EARTH SHELTER DEVELOPERS	INSTALLATION OF INTERLOCKING PAVERS	EXTERNAL BUSINESS	<input type="checkbox"/>	412 S. SACRAMENTO ST.	LODI	\$50.00	7/10/2014
GEORGE REED, INC.	OVERLAY	EXTERNAL BUSINESS	<input type="checkbox"/>	140 EMPIRE AVE.	MODESTO	\$51.00	7/11/2014

BUSINESS NAME	TYPE OF BUSINESS	BUSINESS CATEGORY	NO LONGER IN BUSINESS	LOCATION ADDRESS	LOCATION CITY	FEE AMT	PAID DATE
MINI'S BOUTIQUE	PLUS SIZE CLOTHING AND CAR STEREOS	RETAIL	<input type="checkbox"/>	301 E STREET	WATERFORD	\$26.00	7/11/2014
NEWELL'S RIVERVIEW	RENT SPACE FOR OWNER OCCUPIED MOBILE HOMES	EXTERNAL BUSINESS	<input type="checkbox"/>	13010 HICKMAN STREET	WATERFORD	\$25.00	7/10/2014
OpTerra Energy Services, Inc.	Energy efficiocy solutions and facility maintenanc	EXTERNAL BUSINESS	<input type="checkbox"/>	11611 SAN VICENTE BLVD SUITE 700	LOS ANGELES	\$51.00	7/22/2014
R. MC GUIRE ROOFING INC	ROOFING CONTRACTOR	EXTERNAL BUSINESS	<input type="checkbox"/>	2657 E REDWOOD RD	CERES	\$51.00	7/22/2014
XOOM ENERGY CALIFORNIA,LLC	UTILITY RESELLER OF NATURAL GAS	EXTERNAL BUSINESS	<input type="checkbox"/>	11208 STATESVILLE RD, STE 200	HUNTERSVILLE	\$50.00	7/10/2014

City of Waterford -JULY 2014 Finalized Permits

Permit # 3780 **Work Address:** 12133 PECAN AVE.

Finalized: 7/9/2014

Work Performed: 9KW DC, ROOF MOUNTED SOLAR +MPU 125 AMP

Project Value: \$19,890.00

Total Fees: \$398.00

Owner Info

Contractor Info

RICKY STEPP
12133 PECAN AVE
WATERFORD, CA 95386

SOLAR CITY
3055 CLEARVIEW WAY
SAN MATEO, CA 94402

License # 888104

Permit # 3797 **Work Address:** 415 Harriett Dr.

Finalized: 7/29/2014

Work Performed: Replace existing HVAC

Project Value: \$10,082.00

Total Fees: \$125.00

Owner Info

Contractor Info

Kumar Basant
415 Harriett Dr.
Waterford, CA 95354

Bailey's Heating & Air
210 River Rd.
Modesto, CA 95351

License # 889500

Permit # 3806 **Work Address:** 422 N. PASADENA AVE.

Finalized: 7/31/2014

Work Performed: FIRE DAMAGE REPAIR PER ATTACHED DESCRIPTION OF WORK.

Project Value: \$69,000.00

Total Fees: \$1,479.25

Owner Info

Contractor Info

ALLEN BUHLER
825 RIVER RD.
MODESTO, CA 95351

RESTORATION RESOURCES BY
507 GALAXY WAY
MODESTO, CA 95356

License # 817756

Permit # 3829 **Work Address:** 13316 RIVERCREST DR.

Finalized: 7/24/2014

Work Performed: ROOF MOUNT SOLAR 4.125KW

Project Value: \$23,306.00

Total Fees: \$398.00

Owner Info

Contractor Info

KAREN REESE
13316 RIVERCREST DR.
WATERFORD CA 95386

HONEY'S AIR AND SOLAR
5536 PIRRONE RD.
SALIDA CA 95368

License # 942829

City of Waterford -JULY 2014 Finalized Permits

Permit # 3830 **Work Address:** 13163 BARNES AVE.

Finalized: 7/24/2014

Work Performed: REPLACE 3 TON 14 SERVICE UNIT

Project Value: \$8,050.00

Total Fees: \$125.00

Owner Info

MARK CARDOZA
13163 BARNES AVE.
WATERFORD CA 95386

Contractor Info

DEHART
311 BITRITTO WAY
MODESTO CA 95386

License # 724566

Permit # 3832 **Work Address:** 232 N. REINWAY

Finalized: 7/10/2014

Work Performed: INSTALL NEW ELECTRICAL PIPE IN GROUND FROM
VAULT TO MAIN PANEL

Project Value: \$350.00

Total Fees: \$125.00

Owner Info

NEIL
232 N. REINWAY
WATERFORD CA 95386

Contractor Info

CENTRAL VALLEY HVAC
P.O. BOX 577888
MODESTO CA 95357

License # 731375

Permit # 3833 **Work Address:** 12099 WASHBURN

Finalized: 7/15/2014

Work Performed: HVAC REPLACEMENT

Project Value: \$5,000.00

Total Fees: \$125.00

Owner Info

DAVID LATHRUM
12099 WASHBURN
WATERFORD CA 95386

Contractor Info

AARON'S HEATING & AIR
7437 CRANE RD.
OAKDALE CA 95361

License # 858948

Permit # 3840 **Work Address:** 13163 BARNES

Finalized: 7/25/2014

Work Performed: TEAR OFF & ROOF BACK W/ 30 YR COMP

Project Value: \$7,500.00

Total Fees: \$125.00

Owner Info

MARK CARDOZA
13163 BARNES
WATERFORD CA 95386

Contractor Info

R MCGUIRE ROOFING
2657 E. REDWOOD RD.
CERES CA 95307

License # 725834

City of Waterford -JULY 2014 Finalized Permits

Permit # 3841 Work Address: 409 PAMONA AVE.

Finalized: 7/25/2014

Work Performed: TEAR OFF, SHEETH BACK,ROOF BACK W/ 30 YR COMP

Project Value: \$8,100.00

Total Fees: \$125.00

Owner Info

CONSTANCE HALE
409 PAMONA AVE.
WATERFORD CA 95386

Contractor Info

R MCGUIRE ROOFING
2657 E. REDWOOD RD.
CERES CA 95307

License # 725834

Permit # 3845 Work Address: 13182 WELCH ST

Finalized: 7/29/2014

Work Performed: GAS LINE REPAIR

Project Value: \$2,500.00

Total Fees: \$125.00

Owner Info

RON OSTERLUND
296 STONEWOOD LN
OAKDALE CA 95361

Contractor Info

THRIFTY PLUMBING
5643 CLAUS RD
RIVERBANK CA 95367

License # 464543

Permit # 3849 Work Address: 12408 ODEN

Finalized: 7/31/2014

Work Performed: REMOVE ROOF, INSTALL 30YR COMP SHINGLES

Project Value: \$5,000.00

Total Fees: \$125.00

Owner Info

AEGIS REALTY
P.O. BOX 578395
MODESTO CA

Contractor Info

L & S ROOFING
2001 SIXTH STREET
CERES CA 95307

License # 367017

Totals

Misc Permits	<input type="text" value="3"/>	Multiples:	<input type="text" value="0"/>	Comm Multiples:	<input type="text" value="0"/>
New Dwelling	<input type="text" value="0"/>	Commercial:	<input type="text" value="0"/>		



City of Waterford
GRANTS AWARDED
Between August 2013 - August 2014

Land and Water Conservation Fund

Award Date: Recommended by OGALS Pending NPS Approval
\$220,075

Reimbursement grant for South Reinway Recreation Park and Trailhead connecting city residents to the Tuolumne River Trail. Project includes parking lot, stairs and viewing platform at South Reinway Avenue.

California Dept. of Boating and Waterways Abandoned Watercraft Abatement Fund

7/2013

\$13,000

Grant to remove and dispose of abandoned vessel in the Tuolumne River.

Total Grant Amount Awarded: \$233,075



City of Waterford
GRANTS SUBMITTED AND IN PROGRESS
AUGUST 2014

SUBMITTED:

**San Joaquin Valley Air Pollution Control District Public Benefit
Alternative Vehicle Grant**

\$40,000

Submitted: 6/2014

*Funding for two ZERO Electric motorcycles for off-road law
enforcement.*

OTHER GRANTS SUBMITTED IN 2014:

- Lowe's Community Facilities Grant (for Waterford Historical Museum renovation project)
- Institute of Museum and Library Services Museums for America Grant Program (\$25,000 for Waterford Historical Museum renovation projects)
- Home Depot Foundation (for Waterford Historical Museum renovation project)
- Jamba Juice school garden grant (WUSD)

- The Max and Victoria Dreyfus Foundation (for Waterford Historical Museum renovation project)
- Stanislaus Community Foundation (for Waterford Historical Museum renovation project)

CITY PRIORITIES (BASED ON 2014 NEEDS ASSESSMENT):

- Parks & trails infrastructure
- Community Center renovations
- Waterford Historical Museum renovations
- Street improvements
- Gateway signage
- Grants offsetting General Fund expenditures



BOARD OF SUPERVISORS

Terry Withrow
District Three

1010 10th Street, Suite 6500
Modesto, CA 95354
Phone: 209.525.6560 Fax: 209.525.4410

August 6, 2014

Dear City Manager:

As you are well aware, the ongoing drought, now in its third year, has focused much attention on groundwater management issues in California and, in particular, the Central Valley. The Stanislaus County Water Advisory Committee (WAC) was formed earlier this year, in part, to address this important issue. The WAC has focused its efforts on developing a long-range program and suite of actions aimed toward achieving (and maintaining) sustainable groundwater management in our area, for not only the present, but also for the future.

On June 10, 2014, the Stanislaus County Board of Supervisors (BOS) unanimously accepted the recommendations made by the WAC pertaining to a Groundwater Management Action Plan (GMAP) that the WAC was charged with developing. The BOS further directed staff to implement the GMAP. (see attached GMAP Action Plan)

A significant element of the GMAP in its first year of implementation involves the use of outside services to facilitate the development of some of the higher priority elements, these involve:

- The creation of a centralized, County-wide groundwater information database;
- Mapping of critical groundwater facilities infrastructure (large capacity production wells) in a digitized Geographical Information System format, and;
- The creation and adoption of single County-wide Groundwater Management Plan.

The cost estimate for the first year use of outside services is \$180,000.

The WAC representatives suggested that these funds be locally generated via equally shared financial contributions made from each of the four following sectors:

1. Stanislaus County (\$45,000)
2. Municipalities (\$45,000)
3. Irrigation Districts (\$45,000)
4. Private Interests (\$45,000)

Whereas Stanislaus County is contributing \$45,000 directly to this effort, it has been suggested that the contributions from the other three sectors be based on an equitable cost-allocation formula.

For the cities, it has been suggested that such an allocation formula be based on prorated population distribution, such as has been used with other cost-share activities under the Stanislaus Council of Governments transportation model.

Towards that end the following table has been created reflecting the recommended percent cost-share for each of the identified entities.



BOARD OF SUPERVISORS

Terry Withrow
District Three

1010 10th Street, Suite 6500
Modesto, CA 95354
Phone: 209.525.6560 Fax: 209.525.4410

BUSINESS SECTOR	ENTITY	PERCENT SHARE SECTOR	DOLLAR AMOUNT
MUNICIPAL	Modesto	49.8	\$22,401.31
	Turlock	16.9	\$7,597.50
	Ceres	11.2	\$5,033.40
	Riverbank	5.6	\$2,517.95
	Oakdale	5.2	\$2,322.84
	Patterson	5.0	\$2,266.51
	Newman	2.6	\$1,155.68
	Waterford	2.1	\$933.71
	Hughson	1.7	\$771.00
	Sub-Total		

Handwritten notes:
 (circled) \$933.71
 8/2/14
 5070-800-7190

This local cost-sharing effort is especially important to demonstrate to the State that we are collaboratively working together here in Stanislaus County with a common vision and goal toward an outcome that achieves and maintains sustainable groundwater management in our region.

It is imperative to success that a wide spectrum of local interests, ranging from the cities, the irrigation/water districts, private agricultural-business interests and the County all have some "skin in the game" and are fully participating in the process.

Our efforts to self-fund this critical, foundational work in year 1, will serve to leverage our collective efforts with regards to securing funding from state and federal programs in the future.

Your participation and contribution to the cause is greatly appreciated.

Very Truly Yours,

Terry Withrow
 County Board of Supervisors, District 3
 Member, Stanislaus County Water Advisory Committee

Attachments 1



BOARD OF SUPERVISORS

Terry Withrow
District Three

1010 10th Street, Suite 6500
Modesto, CA 95354
Phone: 209.525.6560 Fax: 209.525.4410

August 8, 2014

City of Waterford
Mr. Tim Ogden, City Manager
P.O. Box 199
Waterford, CA 95386

Dear Mr. Ogden, *Tim*

I am writing this letter to express my appreciation for the time you allowed me to spend with you regarding the Groundwater Management Action Plan that was developed by the Stanislaus County Water Advisory Committee and approved by the Board of Supervisors.

In particular, I want to personally thank you for your consideration of the cost-share model I shared with you regarding the outside service efforts that have been identified to move this process forward in the short-term.

I believe that the letter and handouts that were provided adequately describe the purpose and use of these funds, but if not, please don't hesitate to contact me directly. I would appreciate hearing back from you regarding your City Council's action related to the cost-share model within the next 30 days.

I would also like to take this time to express my concerns about what I sense may be a mistrust of the County's intentions in the area of groundwater management.

I fully understand your desire to control your own fate and manage your own water systems of which you have made considerable investments in and have intimate, keen, long term knowledge.

Please rest assured that the County has no desire, in any fashion, to manage or regulate your water affairs.

But I think we can do it together better, and most importantly, effectively demonstrate to the State that we can take care of our own collective needs and do not need the State to intervene in managing our water resources for *their* purposes.

I fundamentally believe that we are on the forefront of a new era in local government relations and that through our collective efforts we will be able to demonstrate to the State that we can all work together in a collaborative fashion to manage our groundwater resources for the betterment of our citizens, present, and future.

My concern is that if we cannot adequately demonstrate this to the State, then the State will intervene. Two of the conditions being considered by current groundwater legislation that would trigger state intervention:

- When local authorities fail to have subbasin-wide governance in 2 years.
- When local authorities fail to adopt a subbasin-wide plan in 5 years.

Towards that end, the Water Advisory Committee and the Technical Advisory Committee (of which almost every City has some form of representation) continue to work toward the development of a local-controlled, regionally-based, governance structure – a platform at which all the cities, each of the Irrigation Districts, private agri-business entities and the County, will have a direct role in directing local efforts to achieve and maintain sustainable groundwater management through robust and vigorous planning, monitoring and reporting.

I encourage you to continue to provide your support, staff and water resource management expertise to this collective process. It is critical at this point in time that we continue to work together in a collective approach so that we can not only provide a credible response to any threat of State intervention regarding groundwater resources but most importantly to develop a regionally coordinated sustainable water supply for our County.

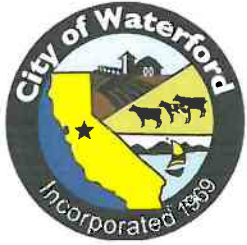
Again, on behalf of myself, the Water Advisory Committee and my County Board colleagues, thank you in advance for your support in making our region truly regional by design.

Very truly yours,



Terry Withrow
County Board of Supervisor, District 3
Water Advisory Committee

Attachment (1)



Phone 209.874.2328

101 "E" Street
P.O. Box 199
Waterford, CA 95386

www.cityofwaterford.org

Memorandum

Date: August 15, 2014
To: Tim Ogden, City Manager
From: Matt Erickson, Public Works Director
RE: Public Works Director's Water Use Restrictions

Charlie Goeken
Mayor

Jose Aldaco
Vice Mayor

Michael Van Winkle
Council Member

Ken Krause
Council Member

Joshua Whitfield
Council Member

On July 29, 2014, an emergency regulation to increase conservation practices for all Californians went into effect. The new conservation regulation targets outdoor urban water use. In some areas of the State, 50 percent or more of daily water use is for lawns and outdoor landscaping. This regulation establishes the minimum level of activity that residents, businesses and water suppliers must meet as the drought deepens. The regulation, adopted by the State Water Board July 15th, and approved by the Office of Administrative Law July 28th, mandates minimum actions to conserve water supplies both for this year and into 2015.

In communities where no water shortage contingency plan exists (Waterford is not required to have one as we do not meet the minimum service connections requirement) the regulation requires that water suppliers either limit outdoor irrigation to twice a week or implement other comparable conservation actions:

Article 22.5. Drought Emergency Water Conservation

Sec. 865 Mandatory Actions by Water Suppliers

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

The State Water Board could initiate enforcement actions against water agencies that don't comply with the new regulations. Failure to comply with a State Water Board enforcement order by water agencies is subject to up to a \$10,000 a day penalty.

Waterford Municipal Code Section 4.06.010 declares that a water shortage and emergency exists within the water source and service area of the water department of the City of Waterford, and that it is necessary to prohibit and regulate water uses as provided in WMC Chapter 4.06.

Additionally, Waterford Municipal Code Section 4.06.090 C (4) allows for the Director of Public Works to impose such other restrictions as deemed necessary to prevent the waste of water.

After reviewing the Water Board's directive and the City's current efforts, staff believes that the most effective and appropriate means of complying with the State Regulation is to implement the proposed outdoor landscaping water restrictions as outlined in the attached Public Works Director's Water Use Restrictions document. The attached Public Works Director's Water Use Restrictions serves to meet the state requirement by enacting regulations, for the River Pointe Water System only.

Staff has also not determined the fiscal impact of the State Water Board's actions, but it is not anticipated to be significant. Some staff time will be needed to prepare to respond to the recommended amendments and to discuss education and enforcement strategies

While no specific public contact was initiated related to the recommended action, there has been considerable media coverage of the Water Board's decision and requirements. Staff will be implementing additional outreach, including updates to the City's website and social media, and utilizing the River Pointe Homeowners Association to disseminate information and to receive reports of water wasting activities.

CITY OF WATERFORD
PUBLIC WORKS DIRECTOR'S
WATER USE RESTRICTIONS

WHEREAS, on January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to current drought conditions in the state; and,

WHEREAS, the Governor's proclamation called upon all Californians to reduce their water usage by 20 percent; and,

WHEREAS, the Governor's proclamation called upon local water suppliers and municipalities to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and,

WHEREAS, On July 15, 2014 the State Water Resources Control Board approved an emergency regulation to ensure water suppliers, their customers and state residents increase water conservation in urban settings; and,

WHEREAS, the new regulation is intended to reduce outdoor urban water use and mandates minimum actions to conserve water supplies both for this year and into 2015; and,

WHEREAS, the new regulation mandates that water suppliers serving less than 3000 connections require that outdoor irrigation be reduced to no more than twice a week or implement other mandatory use restrictions that provide a comparable level of savings; and,

WHEREAS, the State of California Office of Administrative Law reviewed and approved this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code; and,

WHEREAS, article X, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and,

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and,

WHEREAS, regulation of the time of certain water use, manner of certain water use, method of application of water for certain uses, provide an effective and immediately available means of conserving water; and,

WHEREAS, pursuant to the State of California Water Code, municipal water districts may restrict the use of water during a drought emergency or other water shortage condition and may

prohibit the waste of water or the nonessential use of water during such periods for any purpose other than household uses or other restricted uses as the City determines to be necessary; and,

WHEREAS, Waterford Municipal Code Section 4.06.010 declares that a water shortage and emergency exists within the water source and service area of the water department of the city of Waterford, and that it is necessary to prohibit and regulate water uses as provided in WMC Chapter 4.06; and,

WHEREAS, prohibited uses of water obtained from the water system of the City of Waterford are defined in Waterford Municipal Code Section 4.06.040; and,

WHEREAS, Waterford Municipal Code Section 4.06.090 C (4) allows for the Director of Public Works to impose such other restrictions as are deemed necessary to prevent the waste of water; and,

WHEREAS, the Director of Public Works deems it necessary to limit watering days to two (2) days a week to comply with state mandates and prevent waste of water.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Public Works Director of the City of Waterford, acting under the authority granted to him per W.M.C. 4.06.090 C (4), hereby restricts outside landscape water usage to a maximum of twice per week per water connection.
2. Prohibits any watering by persons with even numbered addresses on Wednesday and Saturday.
3. Prohibits any watering by persons with odd numbered addresses on Tuesday and Friday.
4. Prohibits any watering by persons on Sunday, Monday, and Thursday.
5. Non-permitted watering hours remain to be between the hours of eleven a.m. and seven p.m. daily.
6. The restrictions in this directive remain in effect until the directive has been repealed or the emergency has ceased.
7. Any violation of the requirements of this directive shall be subject to all penalties and appeals afforded in Waterford Municipal Code Section 4.06.100.

City of Waterford,

Matt Erickson, Public Works Director