

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

**CITY COUNCIL REGULAR MEETING – JANUARY 19, 2017 – 6:30 PM**

**MEETING CALLED TO ORDER BY MAYOR VAN WINKLE AT: 6:30 PM**

**FLAG SALUTE: Led by Hickman Cub Scouts Pack 911**

**INVOCATION: CM/Whitfield**

**ROLL CALL:**

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

**STAFF PRESENT:**

Tim Ogden, City Manager  
Lori Martin, City Clerk  
Corbett Browning, City Attorney  
Karen Morgan, Public Works Supervisor  
Mike Radford, Police Chief  
Rob Marler, MCR Engineering

**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 CM/Whitfield , seconded by CM/Krause to adopt the agenda.

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

Motion passed 4-0.

**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/Krause, seconded by VM/Aldaco to adopt the consent calendar.

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

Motion passed 4-0.

**1. CONSENT CALENDAR**

- 1a: Waive Readings - All readings of Ordinances and Resolutions, except by title, are waived
- 1b: RESOLUTION 2017-01: Warrant Register
- 1c: Minutes of the Regular City Council Meeting held on December 15, 2016
- 1d: Treasurer’s Report for Quarter Ending 09/30/16

**2. PRESENTATIONS**

- 2a: Mayor State of the City Address: Mayor Van Winkle presented his state of the city address.
- 2b: Christmas Parade Float Winners: Griselda Palaya from Pizza Plus and Deputy City Clerk Krause presented the parade award winners with their trophies and awards.
- 2c: Capital Project Presentation by MCR Engineering: Assistant City Engineer, Rob Marler presented the city’s 2016 completed capital projects and upcoming projects for 2017.

**3. 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.

Debra Turner, Waterford resident spoke about the recent passing of Sean Malone who was the current President of the Waterford Historical Society and asked about lowering the flag to half-staff in memory of Mr. Malone. CM/Whitfield suggested a city-wide flag lowering.

Jim Bonetti, Waterford resident inquired about how much Federal funding the city received for the water system consolidation. City Manager Ogden answered Mr. Bonetti’s question.

**4. PUBLIC HEARING**

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

- 4a: RESOLUTION 2017-02: Approving the Stanislaus and Tuolumne Rivers Groundwater Sustainability Agency Memorandum of Understanding:

PW Supervisor Karen Morgan gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:12 PM.

Jim Bonetti, Waterford resident inquired about the storm water pumping. PW Supervisor Morgan responded and answered Mr. Bonetti's question.

Mayor Van Winkle closed the public hearing at 7:14 PM with no additional comments offered from the public.

Motion by CM/Krause, seconded by VM/Aldaco to adopt Resolution 2017-02.

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

Motion passed 4-0.

- 4b: INTRODUCTION & FIRST READING: ORDINANCE 2017-04: An Ordinance Amending Waterford Municipal Code Title 3, "Revenue and Finance" by Repealing Waterford Municipal Code section 3.50.190, entitled "Early Payment and Senior Discounts":

City Attorney Browning gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:19 PM.

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

Motion by VM/Aldaco, seconded by CM/Krause to waive the reading and approve the introduction and first reading of Ordinance 2017-04.

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

Motion passed 4-0.

- 4c: 2<sup>nd</sup> READING & ADOPTION: ORDINANCE 2017-02: An Ordinance Amending Waterford Municipal Code Chapter 5.04, entitled "Business License Tax" by amending Waterford Municipal Code Section 5.04.020, entitled "License-Required/prohibition"

City Attorney Browning gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:23 PM.

Mayor Van Winkle closed the public hearing at 7:23 PM with no comments offered from the public.

Motion by CM/Whitfield, seconded by CM/Krause to waive the reading and adopt by Title, Ordinance 2017-02.

Council Member - Whitfield: Motion  
Council Member - Krause: 2nd

Mayor - Van Winkle: Approve  
Vice-Mayor - Aldaco: Approve  
Council Member - Krause: Approve  
Council Member - Powell: Absent  
Council Member - Whitfield: Approve

Motion passed 4-0.

- 4d: 2<sup>nd</sup> READING & ADOPTION: ORDINANCE 2017-03: An Ordinance Amending Waterford Municipal Code Title 8, entitled "Health and Safety" by Amending Chapter 8.34, entitled "Medical Marijuana and Cultivation":

City Attorney Browning gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:24 PM.

Mayor Van Winkle closed the public hearing at 7:24 PM with no comments offered from the public.

Motion by VM/Aldaco, seconded by CM/Whitfield to waive the reading and adopt by Title, Ordinance 2017-03.

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

Motion passed 4-0.

## 5. GENERAL BUSINESS

- 5a: RESOLUTION 2017-03: Establishing and Governing the Issuance, Compliance, Monitoring, Renewal, and Enforcement of an Indoor Marijuana Cultivation Permit Including the Establishment of an Indoor Marijuana Cultivation Permit Fee:

City Manager Ogden gave an oral staff report.

Motion by CM/Whitfield, seconded by CM/Krause to adopt Resolution 2017-03.

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

Motion passed 4-0.

- 5b: RESOLUTION 2017-04: Approving Project Plans and Bid Documents and Authorizing the Advertisement of the Request for Proposals for the Biosolids Removal Project, City Bid # 2017-01:

PW Supervisor Karen Morgan gave an oral staff report.

Jim Bonetti, Waterford resident asked a clarifying question. PW Supervisor Morgan answered his question.

Motion by CM/Krause, seconded by CM/Whitfield to adopt Resolution 2017-04.

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

Motion passed 4-0.

5c: RESOLUTION 2017-05: Approving an Amended Building Inspector Agreement:

City Manager Ogden gave an oral staff report.

Motion by CM/Krause, seconded by VM/Aldaco to adopt Resolution 2017-05.

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

Motion passed 4-0.

5d: RESOLUTION 2017-06: Approving Appointment(s) to the Planning Commission:

City Clerk Martin gave an oral staff report.

Motion by VM/Aldaco, seconded by CM/Krause to adopt Resolution 2017-06.

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

Motion passed 4-0.

5e: City Council to Nominate and Appoint a Vice-Mayor and Review all City and Regional Appointments to Boards, Committees and Commissions and make new assignments as needed:

City Clerk Martin gave an oral staff report.

Motion by CM/Whitfield, seconded by CM/Krause to approve the Mayor's nomination of appointing CM/Aldaco as Vice-Mayor and making some minor amendments to the regional and local appointments to boards and committee's listing.

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

Motion passed 4-0.

5f: City Council to Consider Authorizing Request for Proposal Solicitation for Bond Counsel to Prepare Certificate of Participation Financing with USDA Rural Development for the Proposed Waterford Police Station:

Motion by CM/Krause, seconded by VM/Aldaco to authorize the issuance of a Request for Proposal for Solicitation of Bond Counsel to Prepare a Certificate of Participation Financing with USDA Rural Development for the Proposed Waterford Police Station.

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

Motion passed 4-0.

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

6.

6a: RESOLUTION 2017-07: Approving the Successor Agency ROPS for FY 2017-18:

City Manager Ogden gave an oral staff report.

Motion by AM/Whitfield, seconded by AM/Krause to adopt Resolution 2017-07.

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

Motion passed 4-0.

7.

**INFORMATIONAL ITEMS**

- 7a: Business License Report – November 2016
- 7b: Building Report – December 2016
- 7c: SJVIA Participation Agreement Amendment #3
- 7d: Notice of Vacancies on City Boards & Commissions
- 7e: Minutes of the Parks & Recreation Commission – November 8, 2016
- 7f: Consulting Services Agreement with Raney Planning & Management for HOME Annual Monitoring Services
- 7g: City Project List Updates – Jan 2017

8.

**STAFF/COUNCIL COMMENTS AND MEETING REPORTS**

- 8a: City Staff Comments (Information Only – No Action)
- 8b: City Council Comments (Information Only – No Action)

9.

**ADJOURNMENT / RECESS**

Meeting Recessed: 8:14 PM.

Mayor Van Winkle recessed the City Council meeting at 8:14 PM. To convene to Closed Session directly following the recess. To convene the City Council meeting directly following closed session to report on actions taken and to adjourn the City Council meeting.

**CITY ATTORNEY REPORT FROM CLOSED SESSION**

10a: "CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION"  
(Pursuant to Government Code Section 54956.9)

- **F Street Foreclosure Properties – Assessment District 1991-5:** Status and update from City Attorney. Direction given to City Attorney from City Council.
- **Update on Appeal to CalPERS Audit Finding #5:** Status and update from City Attorney. Direction given to City Attorney from City Council.
- **Claim for Indemnity – CalPERS Appeal:** Status and update from City Attorney. Unanimous motion to authorize conditional defense coverage with reservation, to be drafted by City Attorney.

10b: "CONFERENCE WITH REAL PROPERTY NEGOTIATOR"  
(Pursuant to Government Code Section 54956.8)

Property Negotiator: Tim Ogden, City Manager

- **Property Disposition – 16 acre parcel on S. Reinway Ave.:** Status and update from Real Property Negotiator. Direction given to Real Property Negotiator.

**PASSED AND ADOPTED** by the Waterford City Council at a regular meeting held on February 2, 2017, by the following vote:

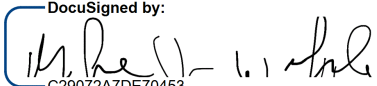
**AYES:** 4 Van Winkle, Krause, Whitfield, Powell

**NOES:** 0

**ABSTAIN:** 0

**ABSENT:** 1 Aldaco

**CITY OF WATERFORD**

DocuSigned by:  
  
 C29072A7DE70453...

**Michael Van Winkle, Mayor**

**ATTEST:**

DocuSigned by:  
  
 Lori Martin, MMC, City Clerk