



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

CITY COUNCIL REGULAR MEETING – DECEMBER 15, 2016 – 6:30 PM

MEETING CALLED TO ORDER BY MAYOR VAN WINKLE AT: 6:31 PM

FLAG SALUTE: Led by Mayor Van Winkle

INVOCATION: Pastor Pet Mar, Waterford Community Baptist Church

ROLL CALL:

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

STAFF PRESENT:

Tim Ogden, City Manager
Lori Martin, City Clerk
Corbett Browning, City Attorney
Matt Erickson, Public Works Director

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 VM/Aldaco to adopt the agenda.

Council Member - Whitfield: Motion
Council Member - Aldaco: 2nd
Mayor - Van Winkle: Approve
Vice-Mayor - Aldaco: Approve
Council Member - Krause: Approve
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 - 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 2016-102: Warrant Register
- 1c: Minutes of the Regular City Council Meeting held on December 1, 2016
- 1d: RESOLUTION 2016-103: Approving Final Parcel Map for Project located at 13519 Skyline Blvd.
- 1e: RESOLUTION 2016-104: Accepting Public Improvements and Authorizing the City Engineer to File a Notice of Completion for the Frontage Improvements to the Skyline Final Parcel Map
- 1f: RESOLUTION 2016-105: Accepting Public Improvements and Authorizing the City Engineer to File a Notice of Completion for the Bentley, F Street and Tim Bell Road Pavement Rehabilitation Project
- 1g: RESOLUTION 2016-106: Cancelling the January 5, 2017 City Council Meeting
- 1h: Acceptance of the FY 15-16 Abandoned Vehicle Abatement (AVA) Program Audit and the FY 15-16 Transportation Development Act (TDA) Program Audit

2. PRESENTATIONS

- 2a: RESOLUTION 2016-107: Certifying the November 8, 2016 General Municipal Election Results

City Clerk Martin gave an oral staff report.

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

Motion passed 4-0.

- 2b: City Clerk, Lori Martin to administer the Oath of Office to the Incoming Mayor and Council Members and Present the Newly Elected with their Certificates of Election

City Clerk Martin administered the Oath of Office to newly elected Mayor Van Winkle, Council Member Aldaco and Council Member Powell.

- 2c: Recognition of Public Works Director Matt Erickson on his 30 years of Service and Retirement from the City of Waterford

* City Council to take a short recess to conduct a reception for incoming Mayor and Council Members and farewell to Matt Erickson, Public Works Director

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.

4. PUBLIC HEARING

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

- 4a: RESOLUTION 2016-108: Authorize Submittal of Final Application to Obtain Financing in the Amount of \$1,750,000 with USDA Rural Development for the Construction of the Waterford Police Station:

City Manager Ogden gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:10 PM

Mayor Van Winkle closed the public hearing at 7:10 PM with no comments offered from the public.

Motion by CM/Whitfield seconded by VM/Aldaco to adopt Resolution 2016-108.

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

Motion passed 4-0-1.

- 4b: INTRODUCTION & FIRST READING: ORDINANCE 2017-01: An Ordinance Amending Waterford Municipal Code Chapter 17.40, entitled "General Regulations" by repealing Waterford Municipal Code Section 17.40.320, entitled "Medical Marijuana and cultivation":

City Attorney Browning explained that due to some technicality issues he recommends that the City Council not take any action on this item, however in the event someone from the public is here to speak on this item that City Council should open the public hearing and receive public comments.

Mayor Van Winkle opened the public hearing at: at 7:14 PM.

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

Motion by CM/Krause seconded by CM/Powell to approve pulling Item 4b from the agenda.

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

Motion passed 5-0.

- 4c: INTRODUCTION & FIRST READING: 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 Manager Ogden gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:17 PM.

Mayor Van Winkle closed the public hearing at 7:17 with no comments offered from the public.

Motion by CM/Whitfield seconded by VM/Aldaco to approve by title the First Reading and Introduction of Ordinance 2017-02.

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

Motion passed 5-0.

- 4d: INTRODUCTION & FIRST READING: 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 Manager Ogden gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:36 PM.

Mayor Van Winkle closed the public hearing at 7:36 with no comments offered from the public.

Motion by CM/Krause seconded by VM/Aldaco to approve by title the First Reading and Introduction of Ordinance 2017-03.

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

Motion passed 5-0.

- 4e: RESOLUTION 2016-109: Adopt Capital Facilities Fee Schedule for Water Connection Fees:

City Manager Ogden gave an oral staff report.

Mayor Van Winkle opened the public hearing at: 7:43 PM.

Mayor Van Winkle closed the public hearing at 7:43 PM with no comments offered from the public.

Motion by CM/Whitfield, seconded by VM/Aldaco to adopt Resolution 2016-109.

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

Motion passed 5-0.

5. GENERAL BUSINESS

5a: City Council to Consider Acceptance of the FY 2015-16 Audited Financial Statements:

Tina Envia, Finance Manager presented a summary of the FY 2015-16 Audited Financial Statements.

Motion by CM/Krause, seconded by VM/Aldaco to accept, receive and file the FY 2015-16 Audited Financial Statements.

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

Motion passed 5-0.

5b: City Council to Consider Authorizing the Submittal of the Blake Barry Case Petition Letter to the Stanislaus County District Attorney's Office:

City Attorney Browning gave an oral staff report.

Motion by VM/Aldaco, seconded by CM/Whitfield to approve the submittal of the Blake Barry case petition letter to the Stanislaus County District Attorney's Office.

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

Motion passed 5-0.

5c: RESOLUTION 2016-110: Approve a Professional Services Contract with Central Valley Opportunity Center, Inc. to Qualify Low Income Residents for the Utility Bill Assistance Program:

City Manager Ogden gave an oral staff report.

Motion by CM/Whitfield, seconded by CM/Powell to adopt Resolution 2016-110.

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

Motion passed 5-0.

5d: City Council to Review and Receive the Community Events Accounting Report:

City Manager Ogden gave an oral staff report.

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

None.

7. **INFORMATIONAL ITEMS**

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: 9:03 PM.

Mayor Van Winkle recessed the City Council meeting at 9:03 PM. To reconvene to Closed Session directly following the recess. To reconvene 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

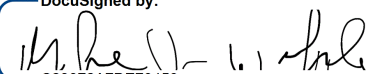
10a: "CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION"
(Pursuant to Government Code Section 54956.9)

- **Administrative Order, Case No. CE16-007, 320 G Street, APN Nos: 134-005-011, 134-005-012 and 134-005-013:** Status and update from City Attorney. Direction given to City Attorney from City Council.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on January 19, 2017, by the following vote:

- AYES:** 4 Van Winkle, Aldaco, Krause, Whitfield
- NOES:** 0
- ABSTAIN:** 0
- ABSENT:** 1 Powell

CITY OF WATERFORD

DocuSigned by:

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Michael Van Winkle, Mayor

ATTEST:

DocuSigned by:

 Lori Martin, MMC, City Clerk