



“AMENDED” AGENDA
WATERFORD CITY COUNCIL - REGULAR MEETING
WATERFORD CITY HALL, CITY COUNCIL CHAMBERS
101 “E” STREET, WATERFORD, CA

WATERFORD CITY COUNCIL WORKSHOP –OCTOBER 1, 2015 - 5:30 PM

CALL TO ORDER: Mayor Van Winkle
ROLL CALL:
Mayor: Michael Van Winkle
Vice Mayor: Jose Aldaco
Council Members: Ken Krause, Joshua Whitfield, John Gothan

WORKSHOP

1. City Council Review of the Waterford Economic Development Plan 2015 prepared by the Community Development Committee

WATERFORD CITY COUNCIL REGULAR MEETING –OCTOBER 1, 2015 - 6:30 PM

CALL TO ORDER: Mayor Van Winkle
FLAG SALUTE: Mayor Van Winkle
INVOCATION: Pastor Pete Mar, Waterford Community Baptist Church
ROLL CALL:
Mayor: Michael Van Winkle
Vice Mayor: Jose Aldaco
Council Members: Ken Krause, Joshua Whitfield, John Gothan

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.

CONSENT CALENDAR

- 1a: Waive Readings - All readings of Ordinances and Resolutions, except by title, are waived
- 1b: RESOLUTION 2015-94: Warrant Register
- 1c: Minutes of the Regular City Council Meeting held on September 17, 2015

2.

PRESENTATIONS

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**

- 4a: 2nd READING & ADOPTION - ORDINANCE 2015-06: An Ordinance Amending Waterford Municipal Code Title 17, Zoning
- 4b: INTRODUCTION & 1ST READING - ORDINANCE 2015-08: An Ordinance Amending Waterford Municipal Code Chapter 3.60, "Public Facilities Fees"
- 4c: RESOLUTION 2015-95: Adopting Capital Facilities Fees for Capital Improvements

5. **GENERAL BUSINESS**

- 5a: RESOLUTION 2015-96: Consider Appointing One (1) Committee Member to the Community Development Committee
- 5b: ~~RESOLUTION 2015-97: Approve an Employment Recruitment and Selection Best Practices Policy. This item has been removed and rescheduled for the 10/15/15 City Council meeting (Amended 9/29/15).~~
- 5c: RESOLUTION 2015-98: Approve Agreement with Stanislaus County to Purchase Tax Defaulted Properties
- 5d: City Staff to Present the Solar and LED Audit Results
- 5e: RESOLUTION 2015-99: Approve an Additional General Fund Loan to the River Pointe Water System Fund in the Amount of \$131,594.64

6. **SUCCESSOR AGENCY TO THE FORMER WATERFORD REDEVELOPMENT AGENCY**

7. **INFORMATIONAL ITEMS**

- 7a: CDBG Program Income Letter to the State of California Housing and Community Development Department
- 7b: Minutes of the Planning Commission Regular Meeting held on June 23, 2015
- 7c: Minutes of the Parks and Recreation Regular Meeting held on July 14, 2015
- 7d: Minutes of the Oversight Board Special Meeting held on February 18, 2015
- 7e: Minutes of the Community Development Committee Meeting held on August 25, 2015
- 7f: Community Calendar – October – November 2015

8. **STAFF/COUNCIL COMMENTS AND MEETING REPORTS**

- 8a: City Staff
- 8b: City Council

9. **ADJOURNMENT / RECESS**

10. **CLOSED SESSION**

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, 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>10/01/15</u>
Post Date:	<u>09/25/15 & 9/29/15</u> Time: <u>at or before 5:00PM</u>
Verified by:	<u>Lori Martin</u> Title: <u>City Clerk</u>



Consent 1a

October 1, 2015

Patricia Krause, Deputy City Clerk
City Council Staff Report

Waive Readings of Ordinances and Resolutions, except by title.

SUMMARY:

It is recommended that the City Council approve the waiver of readings of Ordinances and Resolutions, except by title.

FISCAL IMPACT:

N/A

ANALYSIS:

Pursuant to California Government Code §36934, approval of the waiver of readings will allow Ordinances and Resolutions to be introduced by title only and acted upon without the need to read the entire text of the item into the public record. The documents related to proposed Ordinances and Resolutions are available for review by the public on the City's website and in the City Clerk's office at City Hall.

ATTACHMENTS:

N/A



Consent 1a

October 1, 2015

Patricia Krause, Deputy City Clerk
City Council Staff Report

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SUMMARY:

It is recommended that the City Council approve the waiver of readings of Ordinances and Resolutions, except by title.

FISCAL IMPACT:

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ANALYSIS:

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ATTACHMENTS:

N/A



Consent 1b
October 1, 2015
Patricia Krause, Deputy City Clerk
City Council Staff Report

Warrant Register

SUMMARY:

N/A

FISCAL IMPACT:

N/A

ANALYSIS:

Approve Warrant Register

ATTACHMENTS:

- Resolution #2015-94
- Check Register Report

WATERFORD CITY COUNCIL

RESOLUTION # 2015-94

	<u>DATE</u>	<u>TOTALS</u>
PAYROLL	9/17/15	\$31,233.84
ACCOUNTS PAYABLE	9/14/15	\$268,927.12
	9/16/15	\$13,599.90
	9/22/15	\$71,905.12
TOTAL		<u>\$ 385,665.98</u>

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 Waterford at a regular meeting held on October 1st, 2015 By the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Lori Martin, MMC, City Clerk

Michael Van Winkle, Mayor

Payroll

ACH Check Register

User: 'trish'
Printed: 09/16/2015 - 9:55AM
Batch: 00017.09.2015 - Payroll 091715
Include Partial: FALSE



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

Check Date	Check Number	Employee No	Employee Name	Amount
09/17/2015	0	1001	LORI MARTIN	2,740.75
09/17/2015	0	1002	PATRICIA KRAUSE	2,063.03
09/17/2015	0	1004	TIM OGDEN	3,993.70
09/17/2015	0	1006	CHRISTINA ENVIA	715.72
09/17/2015	0	1007	CARLA JAUREGUI	1,874.01
09/17/2015	0	1008	MARISSA MARTINEZ	1,106.56
09/17/2015	0	2000	MATTHEW ERICKSON	2,931.99
09/17/2015	0	2001	STEVEN GREEN	1,854.39
09/17/2015	0	2004	CARLOS GARCIA	1,763.47
09/17/2015	0	2005	STEPHANIE BROWN	2,114.27
09/17/2015	0	2006	LONNIE STATZER, II	1,520.25
09/17/2015	0	2007	JUSTIN HAMILTON	1,593.96
09/17/2015	0	2008	MATTHEW SCOFIELD	1,487.40
09/17/2015	0	2009	KYLE PERRY	1,416.25
09/17/2015	0	2010	TAMMIE JONES	557.19
09/17/2015	0	2011	KAREN MORGAN	2,122.79
09/17/2015	0	2012	SHAUN KING	532.74
09/17/2015	0	3000	KENNETH KRAUSE	175.77
09/17/2015	0	3004	JOSE ALDAGO	175.77
09/17/2015	0	3005	MICHAEL VAN WINKLE	164.61
09/17/2015	0	3007	WHITFIELD JOSHUA	164.61
09/17/2015	0	3008	CARL GOTHAN	164.61
Total Employees:			22	Total: 31,233.84

Accounts Payable

Computer Check Proof List by Vendor

User: Marissa
 Printed: 09/15/2015 - 9:21AM
 Batch: 00014.09.2015



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

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 144700 1957	ACCELA, INC. #774375 V7 MIGRATION	308.33	09/14/2015	Check Sequence: 1 1010-110-7610	ACH Enabled: False
	Check Total:	308.33			
Vendor: 102274	AIR RESOURCES BOARD - PERP RENEWAL WWTP PORTABLE GENERATOR RENEW	570.00	09/14/2015	Check Sequence: 2 5050-700-7510	ACH Enabled: False
	Check Total:	570.00			
Vendor: 105203 SEPT2015 SEPT2015 SEPT2015 SEPT2015	BANK OF THE WEST BANKCARD CENTER CARD PURCHASES CARD PURCHASES CARD PURCHASES CARD PURCHASES	20.93 65.99 22.83 327.61	09/14/2015 09/14/2015 09/14/2015 09/14/2015	Check Sequence: 3 1010-110-7510 1010-110-7540 1010-580-7510 5070-800-7510	ACH Enabled: False
	Check Total:	437.36			
Vendor: 108160 111657 111658 111659	CALIFORNIA DIESEL AND POWER BAKER LIFT STATION GENERATOR REPLACE MECHANICAL FUEL PUMP RP GENERATOR	1,000.00 702.28 2,396.75	09/14/2015 09/14/2015 09/14/2015	Check Sequence: 4 5050-700-7510 5050-700-7510 5070-800-7510	ACH Enabled: False
	Check Total:	4,099.03			
Vendor: 110600 083015 090115	CHARTER COMMUNICATIONS ACCT. # 8203130060076125 ACCT. # 8203 13 006 0078568	81.18 220.99	09/14/2015 09/14/2015	Check Sequence: 5 1010-110-7810 1010-110-7810	ACH Enabled: False
	Check Total:	302.17			
Vendor: 110800 748734	CHUCK'S AUTO PARTS REFLECTER	4.29	09/14/2015	Check Sequence: 6 1010-310-7510	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	4.29			
Vendor: 112500	CLARK PEST CONTROL			Check Sequence: 7	ACH Enabled: False
17294849	PEST CONTROL SERVICE	87.50	09/14/2015	1010-110-7190	
17294849	PEST CONTROL SERVICE	87.50	09/14/2015	1010-560-7190	
	Check Total:	175.00			
Vendor: 118700	FGL ENVIRONMENTAL			Check Sequence: 8	ACH Enabled: False
538815A	RP WATER	44.20	09/14/2015	5070-800-7510	
538816A	RP WATER	335.00	09/14/2015	5070-800-7510	
539092A	RP WATER	108.00	09/14/2015	5070-800-7510	
539255A	RP WATER	35.70	09/14/2015	5070-800-7510	
	Check Total:	522.90			
Vendor: 119925	GARCIA'S TIRE SHOP			Check Sequence: 9	ACH Enabled: False
845312	NEW INNERTUBE/INSTALL	48.00	09/14/2015	1010-310-7510	
	Check Total:	48.00			
Vendor: 130200	MASON, ROBBINS, BROWNING & GODWIN			Check Sequence: 10	ACH Enabled: False
55523	CITY ATTORNEY CONTRACT	250.00	09/14/2015	5050-700-7194	
55523	CITY ATTORNEY CONTRACT	250.00	09/14/2015	5071-800-7194	
55523	CITY ATTORNEY CONTRACT	125.00	09/14/2015	5072-800-7194	
55523	CITY ATTORNEY CONTRACT	125.00	09/14/2015	5070-800-7194	
55523	CITY ATTORNEY CONTRACT	2,151.90	09/14/2015	1010-110-7194	
55524	A.D. 91-5/2010 FORECLOSURE	2,471.25	09/14/2015	7330-900-7194	
	Check Total:	5,373.15			
Vendor: 13210	MASTER METER			Check Sequence: 11	ACH Enabled: False
0069162	ANNUAL SUPPORT & PHONE MAINT AUG	750.00	09/14/2015	5070-800-7510	
	Check Total:	750.00			
Vendor: 131000	MCR ENGINEERING, INC.			Check Sequence: 12	ACH Enabled: False
11175	JOB NO 15-001 15.28.30.32.33.	3,860.00	09/14/2015	5071-800-7510	
11175	JOB NO 15-001 15.28.30.32.33.	1,530.00	09/14/2015	2080-460-8290	
11175	JOB NO 15-001 15.28.30.32.33.	4,250.00	09/14/2015	5071-800-7510	
11175	JOB NO 15-001 15.28.30.32.33.	4,110.00	09/14/2015	2080-460-8290	
11175	JOB NO 15-001 15.28.30.32.33.	330.00	09/14/2015	1010-310-7196	
11176	JOB NO 13-068 2.CONSTRUCTION MNGMN	520.00	09/14/2015	4350-700-7420	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
11177	JOB NO 12-057 8. CONSTRUCTION ENGINE	10,013.60	09/14/2015	6580-580-8282	
	Check Total:	24,613.60			
Vendor: 131900	MID-VALLEY PUBLICATIONS			Check Sequence: 13	ACH Enabled: False
107421	LEGAL PUBLIC HEARING	69.65	09/14/2015	1010-110-7710	
107422	LEGAL PUBLIC HEARING	179.10	09/14/2015	1010-110-7710	
	Check Total:	248.75			
Vendor: 132700	MODESTO IRRIGATION DISTRICT			Check Sequence: 14	ACH Enabled: False
082815	ACCT# 26001890010	299.60	09/14/2015	1010-110-7820	
082815	ACCT# 26001890010	201.11	09/14/2015	1010-560-7820	
082815	ACCT# 26001890010	3,205.78	09/14/2015	5050-700-7820	
	Check Total:	3,706.49			
Vendor: 138400	POLLARD WATER			Check Sequence: 15	ACH Enabled: False
0023468	MODESTO WATER SYSTEM	520.94	09/14/2015	5071-800-7510	
	Check Total:	520.94			
Vendor: 141221	ROLFE CONSTRUCTION			Check Sequence: 16	ACH Enabled: False
005	WATERFORD SEWER REPAIRS	52,404.50	09/14/2015	4350-700-7420	
	Check Total:	52,404.50			
Vendor: 141225	ROSS F. CARROLL, INC.			Check Sequence: 17	ACH Enabled: False
	TUOLUMNE RIVER TRAIL JOB#1526 ALON	172,736.60	09/14/2015	6580-580-8282	
	Check Total:	172,736.60			
Vendor: 143300	SIERRA CHEMICAL CO.			Check Sequence: 18	ACH Enabled: False
SLS10025594	MISC SUPPLIES	1,548.20	09/14/2015	5071-800-7510	
	Check Total:	1,548.20			
Vendor: 146100	STANISLAUS COUNTY AUDITOR CONTRO			Check Sequence: 19	ACH Enabled: False
44987	EMERGENCY SERVICES - ANNUAL FEE FO	511.22	09/14/2015	1010-210-7730	
	Check Total:	511.22			
Vendor: 146700	STANISLAUS COUNTY RECORDER			Check Sequence: 20	ACH Enabled: False
080-058-065	JESSICA GENTRY 632 FLORA WAY APN: 080	15.00	09/14/2015	1010-110-6480	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	15.00			
Vendor: 155650 115506	WATERFORD IRRIGATION SUPPLY INC CAP SLIP 5	31.59	09/14/2015	Check Sequence: 21 5070-800-7510	ACH Enabled: False
	Check Total:	31.59			
	Total for Check Run:	268,927.12			
	Total of Number of Checks:	21			

Accounts Payable

Computer Check Proof List by Vendor

User: trish
 Printed: 09/16/2015 - 12:15PM
 Batch: 00017.09.2015 - payroll 091715



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

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 00017.09.2015 Federal income Tax	2,919.13	09/16/2015	1010-000-2220	PR Batch 00017.09.2015 Federal Income T
	PR Batch 00017.09.2015 Medicare Employee Pc	567.18	09/16/2015	1010-000-2240	PR Batch 00017.09.2015 Medicare Emplo
	PR Batch 00017.09.2015 Medicare Employer Po	567.18	09/16/2015	1010-000-2240	PR Batch 00017.09.2015 Medicare Emplo
	PR Batch 00017.09.2015 FICA Employee Portio	74.40	09/16/2015	1010-000-2240	PR Batch 00017.09.2015 FICA Employee
	PR Batch 00017.09.2015 FICA Employer Portio	74.40	09/16/2015	1010-000-2240	PR Batch 00017.09.2015 FICA Employer l
	Check Total:	4,202.29			
Vendor: 108350	CALIFORNIA EMPLOYMENT DEVELOPME			Check Sequence: 2	ACH Enabled: True
	PR Batch 00017.09.2015 CALIFORNIA SDI	345.03	09/16/2015	1010-000-2260	PR Batch 00017.09.2015 CALIFORNIA S
	PR Batch 00017.09.2015 State Income Tax	1,046.48	09/16/2015	1010-000-2230	PR Batch 00017.09.2015 State income Tax
	PR Batch 00017.09.2015 EDD TRAINING TAX	2.15	09/16/2015	1010-000-2260	PR Batch 00017.09.2015 EDD TRAININC
	PR Batch 00017.09.2015 STATE UNEMPLOYN	61.29	09/16/2015	1010-000-2260	PR Batch 00017.09.2015 STATE UNEMP!
	Check Total:	1,454.95			
Vendor: 139400	PUBLIC EMPLOYEE RETIREMENT SYSTEM			Check Sequence: 3	ACH Enabled: False
	PR Batch 00017.09.2015 ER PAID EC PORTIO	2,875.77	09/16/2015	1010-000-2270	PR Batch 00017.09.2015 ER PAID EC PO
	PR Batch 00017.09.2015 ER PAID ER PORTIO	3,218.33	09/16/2015	1010-000-2270	PR Batch 00017.09.2015 ER PAID ER PO
	Check Total:	6,094.10			
Vendor: 147925	FRANCHISE TAX BOARD STATE OF CALIF			Check Sequence: 4	ACH Enabled: False
	PR Batch 00017.09.2015 CA FRANCHISE TAX	100.00	09/16/2015	1010-000-2290	PR Batch 00017.09.2015 CA FRANCHISE
	Check Total:	100.00			
Vendor: 148050	STATIONARY ENGINEERS LOCAL 39			Check Sequence: 5	ACH Enabled: False
	PR Batch 00017.09.2015 UNION DUES	239.34	09/16/2015	1010-000-2290	PR Batch 00017.09.2015 UNION DUES
	Check Total:	239.34			
Vendor: 154101	VANTGEPOINT TRANSFER AGENTS			Check Sequence: 6	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	PR Batch 00017.09.2015 DEFERRED COMP-4.	1,195.00	09/16/2015	1010-000-2280	PR Batch 00017.09.2015 DEFERRED CO
	PR Batch 00017.09.2015 457 LOAN REPAY	314.22	09/16/2015	1010-000-2280	PR Batch 00017.09.2015 457 LOAN REP#
	Check Total:	<u>1,509.22</u>			
	Total for Check Run:	<u>13,599.90</u>			
	Total of Number of Checks:	<u>6</u>			

Accounts Payable

Computer Check Proof List by Vendor

User: Marissa
 Printed: 09/22/2015 - 2:55PM
 Batch: 00022.09.2015



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

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 102200	ABS DIRECT, INC			Check Sequence: 1	ACH Enabled: False
100445	STATEMENTS - SEPTEMBER2015	753.86	09/22/2015	5050-700-7190	
100445	STATEMENTS - SEPTEMBER2015	251.29	09/22/2015	5070-800-7190	
MP20150910	POSTAGE ADVANCE FOR SEPT/OCT 2015	795.00	09/22/2015	5050-700-7190	
MP20150910	POSTAGE ADVANCE FOR SEPT/OCT 2015	265.00	09/22/2015	5070-800-7190	
	Check Total:	2,065.15			
Vendor: 103200	AMERINE SYSTEMS, INC.			Check Sequence: 2	ACH Enabled: False
1042082	REPAIRS - DOWNTOWN/CITY HALL SPRIN	2,421.12	09/22/2015	1010-310-7510	
	Check Total:	2,421.12			
Vendor: 103400	ANSWERNET			Check Sequence: 3	ACH Enabled: False
112-32983	ANSWERING SERVICE	57.08	09/22/2015	5050-700-7810	
112-32983	ANSWERING SERVICE	57.09	09/22/2015	1010-310-7810	
	Check Total:	114.17			
Vendor: 104500	AT & T			Check Sequence: 4	ACH Enabled: False
091115	MONTHLY PHONE SERVICE	109.92	09/22/2015	5070-800-7810	
091115	PHONE/INTERNET	181.42	09/22/2015	1010-110-7810	
091115	PHONE/INTERNET	231.38	09/22/2015	1010-210-7810	
091115	PHONE/INTERNET	166.42	09/22/2015	5050-700-7810	
091115	PHONE/INTERNET	91.42	09/22/2015	1010-310-7810	
	Check Total:	780.56			
Vendor: 104550	AT&T LONG DISTANCE			Check Sequence: 5	ACH Enabled: False
090415	ACCT NO. 808786023-9	24.22	09/22/2015	1010-110-7810	
	Check Total:	24.22			
Vendor: 106325	BLACKCLOUD NETWORKS, INC			Check Sequence: 6	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
95724	IT CONTRACTS LENOVO LAPTOP I5	1,072.10	09/22/2015	1010-110-7810	
	Check Total:	1,072.10			
Vendor: 107350	CALIFORNIA AUTO SERVICE			Check Sequence: 7	ACH Enabled: False
21539	SWEEPER TIRE	374.06	09/22/2015	1010-310-7510	
21573	MOUNT & BALANCE 4 NEW TIRES - 1997 F	576.91	09/22/2015	5050-700-7430	
	Check Total:	950.97			
Vendor: 110000	CENTRAL SAN JOAQUIN RISK MANAGEM			Check Sequence: 8	ACH Enabled: False
RMA-2016-0115	CRIME SHIELD PROGRAM 7/1/15 TO 6/30/16	735.00	09/22/2015	1010-110-7260	
RMA-2016-0115	LIABILITY PROGRAM	9,288.00	09/22/2015	1010-110-7260	
RMA-2016-0115	WORKER'S COMP PROGRAM	17,176.00	09/22/2015	1010-110-7140	
	Check Total:	27,199.00			
Vendor: 110600	CHARTER COMMUNICATIONS			Check Sequence: 9	ACH Enabled: False
SEPT2015	INTERNET SERVICE	220.99	09/22/2015	1010-110-7810	
	Check Total:	220.99			
Vendor: 112831	CITY OF RIVERBANK			Check Sequence: 10	ACH Enabled: False
AUG2015	FUEL	7.45	09/22/2015	1010-110-7520	
AUG2015	FUEL	121.24	09/22/2015	1010-310-7520	
	Check Total:	128.69			
Vendor: 112551	CLEAN ENERGY			Check Sequence: 11	ACH Enabled: False
PJI00007853	CNG STATION REPAIR	3,791.45	09/22/2015	1010-310-7510	
	Check Total:	3,791.45			
Vendor: 114450	DELUXE BUSINESS CHECKS AND SOLUTIO			Check Sequence: 12	ACH Enabled: False
2034924448	DELUXE CSTM LOGO CHECKS	366.45	09/22/2015	1010-110-7510	
	Check Total:	366.45			
Vendor: 115705	DG TIRES & WHEELS			Check Sequence: 13	ACH Enabled: False
759750	1 NEW TIRE, INSTALLED TUBE	30.00	09/22/2015	1010-310-7510	
	Check Total:	30.00			
Vendor: 200976	JUAN ELIZARRARAS			Check Sequence: 14	ACH Enabled: False
090515	DEPOSIT REFUND FOR COMMUNITY CEN	543.70	09/22/2015	1010-000-2510	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	543.70			
Vendor: 118325	FERGUSON ENTERPRISES INC			Check Sequence: 15	ACH Enabled: False
1116709	SEWER REHAB	1,055.57	09/22/2015	4350-700-7420	
1117745	SEWER REHAB	175.99	09/22/2015	4350-700-7420	
	Check Total:	1,231.56			
Vendor: 122560	GUARDIAN-BETHLEHEM			Check Sequence: 16	ACH Enabled: False
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	263.09	09/22/2015	1010-110-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	15.46	09/22/2015	1010-210-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	50.46	09/22/2015	1010-300-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	331.41	09/22/2015	1010-310-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	64.59	09/22/2015	1010-410-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	43.71	09/22/2015	1010-430-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	4.04	09/22/2015	1010-550-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	64.83	09/22/2015	1010-560-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	162.24	09/22/2015	1010-580-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	19.44	09/22/2015	2070-460-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	51.79	09/22/2015	2210-260-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	36.46	09/22/2015	2330-110-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	509.62	09/22/2015	5050-700-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	136.69	09/22/2015	5070-800-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	579.12	09/22/2015	5071-800-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	85.62	09/22/2015	5072-800-7020	
SEPT2015	EMPLOYEE DENTAL BENEFITS 10/01/15 TC	19.44	09/22/2015	5090-110-7020	
	Check Total:	2,438.01			
Vendor: 200975	LIGHTHOUSE MINISTRY			Check Sequence: 17	ACH Enabled: False
091215	BEARD PARK RENTAL DEPOSIT FOR 09/12/	50.00	09/22/2015	1010-000-2510	
	Check Total:	50.00			
Vendor: 200974	GUADALUPE MARQUEZ			Check Sequence: 18	ACH Enabled: False
092015	BEARD PARK RENTAL DEPOSIT FOR 09/20/	50.00	09/22/2015	1010-000-2510	
	Check Total:	50.00			
Vendor: 131050	MCCOY TIRE			Check Sequence: 19	ACH Enabled: False
80029	BACKHOE TIRE	245.36	09/22/2015	1010-310-7510	
	Check Total:	245.36			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 131025	MEDICAL EYE SERVICES			Check Sequence: 20	ACH Enabled: False
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	39.30	09/22/2015	1010-110-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	2.02	09/22/2015	1010-210-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	7.21	09/22/2015	1010-300-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	50.44	09/22/2015	1010-310-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	11.53	09/22/2015	1010-410-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	6.34	09/22/2015	1010-430-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	0.58	09/22/2015	1010-550-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	11.53	09/22/2015	1010-560-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	25.36	09/22/2015	1010-580-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	2.73	09/22/2015	2070-460-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	9.65	09/22/2015	2210-260-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	5.18	09/22/2015	2330-110-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	73.74	09/22/2015	5050-700-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	30.02	09/22/2015	5070-800-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	127.33	09/22/2015	5071-800-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	19.94	09/22/2015	5072-800-7020	
152513079701	EMPLOYEE VISION BENEFITS FOR OCT20	2.73	09/22/2015	5090-110-7020	
	Check Total:	425.63			
Vendor: 131900	MID-VALLEY PUBLICATIONS			Check Sequence: 21	ACH Enabled: False
107485	LEGAL SUMMARY	89.55	09/22/2015	1010-110-7710	
	Check Total:	89.55			
Vendor: 132700	MODESTO IRRIGATION DISTRICT			Check Sequence: 22	ACH Enabled: False
SEPT022015	MONTHLY SERVICE	1,152.31	09/22/2015	1010-210-7820	
SEPT022015	MONTHLY SERVICE	321.25	09/22/2015	1010-310-7820	
SEPT022015	MONTHLY SERVICE	220.63	09/22/2015	1010-550-7820	
SEPT022015	MONTHLY SERVICE	275.78	09/22/2015	1010-580-7820	
SEPT022015	MONTHLY SERVICE	1,269.16	09/22/2015	2210-260-7820	
SEPT022015	MONTHLY SERVICE	831.37	09/22/2015	2230-260-7820	
SEPT022015	MONTHLY SERVICE	501.22	09/22/2015	5050-700-7820	
SEPT022015	MONTHLY SERVICE	2,972.36	09/22/2015	5070-800-7820	
SEPT022015	MONTHLY SERVICE	124.91	09/22/2015	1010-110-7820	
	Check Total:	7,668.99			
Vendor: 135325	O'REILLY AUTO PARTS			Check Sequence: 23	ACH Enabled: False
3915-289282	BATTERY	104.67	09/22/2015	5050-700-7510	
	Check Total:	104.67			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 136625	PIONEER MARKET WATERFORD			Check Sequence: 24	ACH Enabled: False
0901515	BAGGED ICE FOR SAMPLING - KAREN	17.18	09/22/2015	5071-800-7510	
	Check Total:	17.18			
Vendor: 142325	SAN JOAQUIN VALLEY INSURANCE AUTH			Check Sequence: 25	ACH Enabled: True
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	1,603.15	09/22/2015	1010-110-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	79.93	09/22/2015	1010-210-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	285.47	09/22/2015	1010-300-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	1,998.29	09/22/2015	1010-310-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	456.75	09/22/2015	1010-410-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	251.21	09/22/2015	1010-430-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	22.84	09/22/2015	1010-550-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	456.75	09/22/2015	1010-560-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	1,004.85	09/22/2015	1010-580-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	111.90	09/22/2015	2070-460-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	385.95	09/22/2015	2210-260-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	212.38	09/22/2015	2330-110-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	2,958.54	09/22/2015	5050-700-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	1,019.24	09/22/2015	5070-800-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	4,191.16	09/22/2015	5071-800-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	676.69	09/22/2015	5072-800-7020	
SEPT2015	EMPLOYEE MEDICAL BENEFITS 10/1/15 TC	111.90	09/22/2015	5090-110-7020	
	Check Total:	15,827.00			
Vendor: 142450	SEEGERS PRINTING			Check Sequence: 26	ACH Enabled: False
0118219	BUSINESS CARDS - WHITFIELD, GOTHAN,	226.01	09/22/2015	1010-110-7510	
0118467	BUSINESS CARDS - OGDEN	32.29	09/22/2015	1010-110-7510	
	Check Total:	258.30			
Vendor: 142455	SERVICE PRO LOCKSMITH			Check Sequence: 27	ACH Enabled: False
6883	LOCKS & RE-KEY WATER SYSTEMS FACIL	2,368.27	09/22/2015	5071-800-7510	
6883	LOCKS & RE-KEY WATER SYSTEMS FACIL	265.00	09/22/2015	5072-800-7510	
	Check Total:	2,633.27			
Vendor: 143300	SIERRA CHEMICAL CO.			Check Sequence: 28	ACH Enabled: False
SLS10026059	HYPOCHLORITE SOLUTIONS	835.78	09/22/2015	5071-800-7510	
	Check Total:	835.78			
Vendor: 155000	WARDEN'S			Check Sequence: 29	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
1869237-0	MISC SUPPLIES- UTILITY BINDER	23.31	09/22/2015	1010-110-7510	
1873075-0	MISC SUPPLIES, BINDER, TAPE	71.50	09/22/2015	1010-110-7510	
1873356-0	MISC SUPPLIES-SPEAKERS	21.51	09/22/2015	1010-110-7510	
1873387-0	MISC SUPPLIES-ORGANIZERS	92.96	09/22/2015	1010-110-7510	
1873671-0	MISC SUPPLIES-FOLDERS, TAPE, POST ITS	111.97	09/22/2015	1010-110-7510	
	Check Total:	<u>321.25</u>			
	Total for Check Run:	<u><u>71,905.12</u></u>			
	Total of Number of Checks:	<u>29</u>			



Consent 1c
October 1, 2015
Patricia Krause, Deputy City Clerk
City Council Staff Report

Waterford City Council Regular Meeting Minutes of September 17, 2015

SUMMARY:

N/A

FISCAL IMPACT:

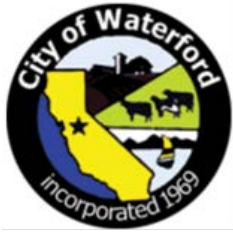
N/A

ANALYSIS:

Approve Minutes of the Regular City Council Meeting held on September 17, 2015.

ATTACHMENTS:

- City Council Regular Meeting Minutes of September 17, 2015.



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

WATERFORD CITY COUNCIL WORKSHOP –SEPTEMBER 17, 2015 - 5:30 PM

Mayor Van Winkle opened the City Council Workshop at 5:32 p.m.

ROLL CALL:

Mayor - Van Winkle: Present
Council Member - Krause: Present
Council Member - Whitfield: Present
Council Member - Gothan: Present
*Vice-Mayor - Aldaco: Present – Arrived at 6:10 p.m.

STAFF PRESENT:

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

1. City Council Review of the Waterford Economic Development Plan 2015 prepared by the Community Development Committee

City Manager Ogden gave a brief presentation on the status and progress made by the Community Development Committee on the development of a draft economic development plan for City Council review and direction on prioritization.

Committee Member Gehlon gave a brief presentation on community volunteerism and community aesthetics.

Committee Member Fielder gave a brief presentation on the historical preservation aspect in regards to community marketing and fundraising and community events.

Committee Member Whitfield gave a brief presentation on the business funding and incentives and public safety.

Mayor Van Winkle adjourned the City Council Workshop at 6:30 p.m.

CITY COUNCIL REGULAR MEETING – SEPTEMBER 17, 2015 – 6:30 PM

MEETING CALLED TO ORDER BY MAYOR VAN WINKLE AT 6:30 p.m.

FLAG SALUTE: Led by Mayor Van Winkle

INVOCATION: Pastor Pete Mar, Waterford Community Baptist Church

ROLL CALL:

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

STAFF PRESENT:

Tim Ogden, City Manager
Lori Martin, City Clerk
Corbett J. Browning, City Attorney
Matt Erickson, Public Works Director
Deputy Block, Waterford Sheriff Dept.

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/Gothan to adopt the agenda.

Council Member - Whitfield: Motion
Council Member - Gothan: 2nd
Vice-Mayor - Aldaco: Approve
Mayor - Van Winkle: Approve
Council Member - Krause: Approve
Council Member - Whitfield: Approve
Council Member - Gothan: 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/Krause, seconded by CM/Whitfield to adopt the consent calendar.

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

Motion passed.

1. CONSENT CALENDAR

- 1a: Waive Readings - All readings of Ordinances and Resolutions, except by title, are waived
- 1b: RESOLUTION 2015-90: Warrant Register
- 1c: Minutes of the Regular City Council Meeting held on September 3, 2015

- 1d: RESOLUTION 2015-91: Approve Resolution Denying Business License Application from Crystal Monismith
1e: Declare September 20th – 26th as Childhood Cancer Awareness Week

2. PRESENTATIONS

- 2a: City Staff to give an update on the water/sewer utility billing and timeline of events:
City Manager Tim Ogden gave a presentation on the schedule of events which rolled out the new water/sewer billing.

Gary Beck, Waterford resident addressed City Council with concerns of qualified residents receiving a 25% discount with the City of Modesto and not receiving that with City of Waterford.

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.

None.

4. PUBLIC HEARING

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

- 4a: Authorize Planning Staff to Submit the Draft 2014-2023 Housing Element to the Department of Housing and Community Development for the mandated 60-day Review and Release the Draft 2014-2023 Housing Element for a 60-day Public Review:

Planning Manager, Mark Niskanen and Assistant Planning Manager David Niskanen gave a presentation on the draft 2014-2023 Housing Element.

Mayor Van Winkle opened the public hearing at 7:06 p.m.

Mayor Van Winkle closed the public hearing at 7:06 p.m. with no comments offered from the public.

Motion by CM/Gothan, seconded by VM/Aldaco to authorize Planning staff to submit the draft 2014-2023 Housing Element to the Dept. of Housing and Community Development for a 60-day review and to release the draft 2014-2023 Housing Element for a 60-day public review.

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

Motion passed.

- 4b: INTRODUCTION & 1ST READING - ORDINANCE 2015-06: An Ordinance Amending Waterford Municipal Code Title 17, Zoning:

Assistant Planning Manager, David Niskanen gave an oral staff report.

Mayor Van Winkle opened the public hearing at 7:18 p.m.

Mayor Van Winkle closed the public hearing at 7:18 p.m. with no comments offered from the public.

Motion by CM/Krause, seconded by CM/Gothan to approve the introduction and 1st reading of Ordinance 2015-06 and schedule a public hearing for October 1, 2015 for a 2nd reading and adoption.

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

Motion passed.

5. GENERAL BUSINESS

- 5a: Review and Approve a City-Wide Sign Design Concept:

City Manager Ogden gave an oral staff report.

Waterford resident, JD Romero spoke in favor of illumination of the sign and stated he would also like to see a water feature similar to Riverbank.

Harmat Gehlon, owner of Waterford Subway spoke in favor of having the signs right at the entry points into and out of town.

Debra Turner, Waterford resident spoke in favor of sign #1 or sign #2.

Holly Fielder, Waterford resident spoke in opposition of sign #1.

Zachary Young, Waterford youth resident spoke in favor of sign #2 or sign #3.

Motion by VM/Aldaco, seconded by CM/Whitfield, to approve sign #3 as the city-wide sign design concept.

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

Motion passed.

- 5b: RESOLUTION 2015-92: Approve a Professional Services Contract with Shoreline Engineering & Restoration to Prepare a Water Master Plan for the Waterford and Hickman Water Systems:

Public Works Director Erickson and City Manager Ogden gave on oral staff report.

Motion by CM/Whitfield, seconded by CM/Gothan to adopt Resolution 2015-92.

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

Motion passed.

5c: Approve a PetSmart Charities Grant Agreement in the Amount of \$100,000 for the Trap-Neuter-Release of Free Roaming Cats:

City Manager Ogden and City Attorney Browning gave an oral staff report.

Claire Warthan, Waterford resident spoke reminding City Council members that the cats at the River Park are a large problem.

Laurie Daily-Johnston with the Humane Society of Stanislaus County answered questions in regards to why animal control will not come out and pick up cats and answered other questions from City Council.

Xavier Pabone, Boy Scout Troup 45 member spoke in opposition of the trap, neuter and release program. Boy Scout Troup 45 Leader, Joel Lopez also spoke in opposition of the trap, neuter and release program.

Laurie with the Humane Society clarified some of the questions and concerns that came up during the discussion of this item.

JD Romero, Waterford resident inquired if the grantor would grant the funds for another use such as a dog park for the community.

Aaron Sterling, Boy Scout Troup 45 youth member inquired about building a structure for the cats to be treated by a local veterinarian.

City Attorney Browning identified several concerns that he has with the contract stating that he could not support or recommend approval of the contract.

City Council members were in consensus to not approve the agreement due to numerous areas of concern contained in the agreement language.

5d: RESOLUTION 2015-93: Approve Change Order #2 for the Tuolumne River Parkway Project to Include Western Avenue Road Repairs:

Public Works Director Erickson and City Manager Ogden gave an oral staff report.

JD Romero, Waterford resident inquired about city right-of-way and how the new sidewalk will protrude into his grass.

Motion by CM/Krause, seconded by CM/Gothan to adopt Resolution 2015-93.

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

Motion passed.

6.

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

None.

7.

INFORMATIONAL ITEMS

7a: California Consulting Grants Awarded Report – August 2015

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 adjourned at 8:54 PM

Motion by CM/Whitfield, seconded by CM/Krause to adjourn the City Council meeting at 8:54 PM.

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

Motion passed.

10. **CITY ATTORNEY REPORT FROM CLOSED SESSION**

None.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on October 1, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF WATERFORD

Michael Van Winkle, Mayor

ATTEST:

Lori Martin, MMC, City Clerk



Public Hearing 4a

October 1, 2015

Mark Niskanen, Planning Manager
City Council Staff Report

Adopt Ordinance 2015-06, Amendment of Waterford Municipal Code Title 17, Zoning

SUMMARY:

The proposed Ordinance amends the City's Zoning Code to include provisions for Emergency Shelters, Transitional and Supportive Housing and Farmworker Housing, as well as establish a new Section in the Zoning Code titled "Reasonable Accommodation".

The propose Ordinance is in response to new Housing Element law and State requirements and is necessary for HCD to certify the forthcoming 2014-2023 Housing Element.

On March 24, 2015, Staff presented Planning Commission information related to new State requirements for Housing Elements. This included Senate Bill 2, Senate Bill 745, Employee Housing and Reasonable Accommodation. During this meeting, the Planning Commission provided input on which Zoning Districts would be most appropriate for Emergency Shelters and ultimately, provided direction to Staff to permit Emergency Shelters as a permitted, by-right use in the Multifamily Residential (RH) District.

Staff recommends that the City Council of the City of Waterford ("City") approve the first reading and introduction of Ordinance 2015-06 and make a finding that the project is exempt under Article 5, Section 15061(b)(3) of the CEQA Guidelines and amend Waterford Municipal Code Title 17, Zoning.

FISCAL IMPACT:

Not applicable. However, preparation of the Zoning Ordinance Amendments requires City staff time and resources.

ANALYSIS:

Planning Commission Meeting of March 24, 2015

During the Planning Commission meeting of March 24, 2015, Staff presented information relating to Emergency Shelters, Transitional and Supportive Housing, Reasonable Accommodation and Employee Housing. Staff received direction from Planning Commission on which Zoning Districts are appropriate for Emergency Shelters and Transitional and Supportive Housing. The Planning Commission decided that the Multi-Family Residential (RH) District is appropriate for Emergency Shelters and Transitional and Supportive Housing. By State law, however, Transitional and Supportive Housing is to be permitted in all residential zones, including Single Family Residential (RS) and Medium Density Residential (RM) districts.

Emergency Shelters and Transitional and Supportive Housing

Senate Bill 2 (SB2) was adopted in 2007, and strengthens Housing Element law to ensure zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act. Emergency Shelters, Transitional and Supportive Housing and Target Population are defined as follows:

- **Emergency Shelters:** Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code 50801(e))

- **Supportive Housing:** Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (California Government Code Section 65582, Senate Bill 745)
- **Target Population:** Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. (California Government Code Section 65582, Senate Bill 745)
- **Transitional Housing:** Buildings configured as rental housing developments, but operated under program requirements that require termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. (California Government Code 65582, Senate Bill 745)

Generally, SB2 amends Housing Element law regarding planning and approval for Emergency Shelters and Transitional and Supportive Housing. Housing Element law was amended as follows:

- At least one zone shall be identified to permit emergency shelters without a conditional use permit or other discretionary action;
- Sufficient capacity must be identified to accommodate the need for emergency shelters and at least one year-round emergency shelter;
- Existing or proposed permit procedures, development and management standards must be objective and encourage and facilitate the development of or conversion to emergency shelters;
- Emergency shelters shall only be subject to development and management standards that apply to residential or commercial within the same zone;
- Written and objective standards may be applied as specified in statute, including maximum number of beds, provision of onsite management, length of stay and security;
- Includes flexibility for jurisdictions to meet zoning requirements with existing ordinances or demonstrate the need for emergency shelters can be accommodated in existing shelters or through a multi-jurisdictional agreement; and
- Transitional and Supportive Housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

The current planning cycle for the Housing Element Update is 2014-2023. One of the requirements that the Department of Housing and Community Development (“HCD”) will review is how well the City implemented new State law and requirements, such as SB2 and SB745.

The intent of the proposed Ordinance is to identify a zone or zones in which Emergency Shelters may be permitted without a conditional use permit and identify residential zones in which Transitional and Supportive Housing may be permitted without a conditional use permit.

Reasonable Accommodation

Both Federal and State Fair Housing laws prohibit discrimination in housing against individuals with disabilities. These laws require that cities take affirmative action to eliminate regulations and practices that deny housing opportunities to disabled individuals. This includes requiring flexibility in the application of land use and zoning regulations.

Furthermore, California’s Fair Employment and Housing Act, the State’s Housing Element law, and HUD require that cities utilizing Community Development Block Grant (CDBG) funds prepare an “Analysis of Impediments to Fair Housing Choice.” Taken together, these pieces of legislation require that Cities and Counties take affirmative action to eliminate regulations and practices that deny housing opportunities to individuals with disabilities, and more specifically, require that Cities and Counties provide individuals with disabilities, or developers of housing for people with disabilities, flexibility in the application of land use and zoning regulations, practices and procedures.

While fair housing laws intend that all people have equal access to housing, the law also recognizes that individuals with disabilities may need extra tools to achieve equality. Providing reasonable accommodation is one way for the City of Waterford to provide relief from land use and zoning and building regulations and procedures that have the effect of discriminating against the development, siting and use of housing for individuals with disabilities. Furthermore, California Government Code Section 65583(c)(3) states:

Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.

The intent of the proposed Ordinance is to establish a formal procedure for persons with disabilities seeking equal access to housing to request reasonable accommodation in the application of the City's land use regulations and to establish criteria to be used when considering such requests.

Employee Housing

Government Code Section 65583(a)(6) requires that the Housing Element include and analyze farmworker housing needs and provide sufficient sites to accommodate the need for farmworker housing "by-right" if the site inventory does not identify adequate sites to accommodate the housing need for farmworkers. Generally, Farmworker housing as a permitted use is compliant with development standards and permitting processes in Health and Safety Code Sections 17021.5 and 17021.6. Section 17021.5 generally requires employee housing for six or fewer persons to be treated as a single-family structure and residential use. No conditional use permit, zoning variance, or other zoning clearance shall be required for this type of employee housing that is not required of a family dwelling of the same type in the same zone. Section 17021.6 generally requires employee housing consisting of not more than 36 beds in group quarters or 12 units or less designed for use by a single family or household to be treated as an agricultural use. Again, no conditional use permit, zoning variance, or other zoning clearance shall be required for this type of employee housing that is not required of any other agricultural activity in the same zone.

Employee housing is defined as follows:

- **Employee Housing**: Includes but is not limited to farmworker housing. Employee housing for 6 or fewer workers shall be deemed to a single-family structure with a residential land use, and shall be treated the same as a single-family structure with a residential land use, and shall be treated the same as a single family dwelling of the same type in the same zone. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located, and may consist of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household on land zoned for agricultural uses. Such employee housing shall be considered to be an activity that in no way differs from an agricultural use.

Analysis

Definitions

The proposed Ordinance amends Chapter 17.02, Section 17.02.030: Definitions to include the following definitions:

- Emergency Shelters;
- Transitional Housing;
- Supportive Housing;
- Target Population; and
- Employee Housing.

Emergency Shelters and Transitional and Supportive Housing

The proposed Ordinance amends the Zoning Code to add Emergency Shelters and Transitional and Supportive Housing as a permitted use in certain Zoning Districts. Specifically the Ordinance will:

- Amend Section 17.20.030: RS, RM, and RH Districts – Land Use Regulations, Schedule 20-1 Residential Use Table to include
 - Emergency Shelters as a Permitted Use in the Multiple Family Residential (RH) District; and
 - Transitional and Supportive Housing as a Permitted Use in the Single Family Residential (RS) District, Medium Density Residential (RM) District and Multiple Family Residential (RH) District.

In other words, the proposed Ordinance will modify Section 17.20.030: RS, RM, and RH Districts – Land Use Regulations, Schedule 20-1 Residential Use Table as follows:

Schedule 20-1 Residential Use Table (see Ch. 17.04, Use Classifications)

Use Classifications	RS	RM	RH	Supplemental Regulations
Residential Use Classifications (see §17.04.030)				
Single-family residential unit and one accessory residential unit	P	P	AU	(A) L ²
Multifamily apartments residential	—	P	P	(A)
Day care (limited)	P	AU	AU	(B)
Group residential	U	AU	AU	(A) (C) (D)
Private garage	P	P	P	L ³
Garage, patio or yard sales	L	L	AU	
The keeping of domestic animals and pets	P	P	P	
Home occupations	P	AU	AU	L ¹
Residential care (limited)	—	AU	AU	(C) (D)
<u>Emergency Shelters</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Transitional and/or Supportive Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	

Based on a Vacant Site Inventory performed by Staff for the 2014-2023 Housing Element Update, the Multiple Family Residential (RH) District has 2.75 acres of vacant land that could accommodate Emergency Shelters and at least one year-round emergency shelter, pursuant to Housing Element law. The proposed amendments to the Zoning Code pertaining to Emergency Shelters, Transitional and Supportive Housing fulfil the requirements of Senate Bill 2 and Senate Bill 745.

Reasonable Accommodation

The proposed Ordinance establishes the Reasonable Accommodation Ordinance in the City’s Zoning Code, adding Chapter 17.03, titled “Reasonable Accommodation”. In summary, the proposed Ordinance implements the following:

- Establishes application procedures for the request for Reasonable Accommodations including submittal requirements that are applicable to reasonable accommodations, such as documentation of disability, specific exception or modification to the Zoning Code and reasons that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the property.
- Establishes an approval process in which a decision is made by administration or Planning Commission, if necessary.
- Establishes findings in which the Reasonable Accommodation may be considered by the City.

Examples of the types of requests that may be made are provided below:

- *Relief from Yard Setback Requirements.* Wheelchair ramps are required to comply with application setback requirements. Under the proposed regulations, an applicant may seek modifications related to yard setback requirements to accommodate the installation of ramps to meet the needs of persons with disabilities who use wheelchairs.
- *Parking.* An applicant may seek special parking exceptions for the use of a vehicle where the height of the vehicle is prohibiting them from using the garage or space at the home.

Farmworker Housing/Employee Housing

The proposed Ordinance establishes the definition of Employee Housing (defined above) that is consistent with the Health and Safety Code and amends the Zoning Code as follows:

- Amend Section 17.08.030: Land Use Regulations, Schedule 08-1 AG District Use Table to include
 - Employee Housing with no more than 12 units or 36 beds as a Permitted Use in the Agricultural (AG) District; and
 - Employee Housing for no more than 6 workers as a Permitted Use in the Single Family Residential (RS) District.

In other words, the proposed Ordinance will modify Section 17.08.030: Land Use Regulations, Schedule 08-1 AG District Use Table as follows:

Schedule 08-1 AG District Use Table (see Ch. 17.04, Use Classifications)

Use Classification*	AG	Special Regulations
Residential Use Classifications (see §17.04.030)		(T) & (U)
Single-family residence	L	On more than 3-acre parcel
Second single-family residence	L	On 20 acres or more
<u>Employee Housing</u>	<u>P</u>	<u>No more than 12 units or 36 beds</u>

The proposed Ordinance will modify Section 17.20.030: RS, RM, and RH Districts – Land Use Regulations, Schedule 20-1 Residential Use Table as follows:

Schedule 20-1 Residential Use Table (see Ch. 17.04, Use Classifications)

Use Classifications	RS	RM	RH	Supplemental Regulations
Residential Use Classifications (see §17.04.030)				
Single-family residential unit and one accessory residential unit	P	P	AU	(A) L ²
Multifamily apartments residential	—	P	P	(A)
Day care (limited)	P	AU	AU	(B)
Group residential	U	AU	AU	(A) (C) (D)
Private garage	P	P	P	L ³
Garage, patio or yard sales	L	L	AU	
The keeping of domestic animals and pets	P	P	P	
Home occupations	P	AU	AU	L ¹
Residential care (limited)	—	AU	AU	(C) (D)
<u>Emergency Shelters</u>	<u>—</u>	<u>—</u>	<u>P</u>	
<u>Transitional and/or Supportive Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Employee Housing</u>	<u>P</u>	<u>—</u>	<u>—</u>	<u>No more than 6 workers</u>

Planning Commission Meeting of June 23, 2015

During the Planning Commission meeting of June 23, 2015, Staff presented information relating to Emergency Shelters, Transitional and Supportive Housing, Reasonable Accommodation and Employee Housing. With a 5-0 vote, the Planning Commission adopted Resolution No. 2015-01, recommending to the City Council to find the project exempt under Article 5, Section 15061(b)(3) of the CEQA Guidelines and adopt Zoning Ordinance Amendment 2015-06, amending Title 17: Zoning of the Waterford Municipal Code.

ENVIRONMENTAL REVIEW:

The City finds and determines with certainty that the amendments described in Zoning Ordinance Amendment 2015-01 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), the activity is covered under the general rule that CEQA applies to only projects, which have the potential for causing a significant effect on the environment.

PROCESS:

Ordinance 2015-06 was introduced for a first reading by title only at the September 17, 2015 City Council meeting as a public hearing item. City Council took action to approve the introduction and first reading and thereafter a summary of Ordinance 2015-06 was published in the Waterford News.

Ordinance 2015-06 is before the City Council tonight as a public hearing item to consider the 2nd reading and adoption by title only. After adoption and within 14 days of passage, 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.

ATTACHMENTS:

- Ordinance 2015-06, Amending Title 17, Zoning
- Planning Commission Resolution 2015-01
- Draft Planning Commission Minutes of June 23, 2015

SUMMARY OF ORDINANCE 2015-06

Ordinance 2015-06 amending Title 17, “ZONING” of the Waterford Municipal Code to include provisions for the following:

- Emergency Shelters and Transitional and Supportive Housing which strengthens Housing Element law to ensure zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act. Emergency Shelters, Transitional and Supportive Housing and Target Population are defined. The intent of this provision is to establish a formal procedure for persons with disabilities seeking equal access to housing to request reasonable accommodation in application of the City’s land use regulations and to establish criteria to be used when considering such requests. Ordinance 2015-06 amends WMC Title 17 by adding WMC Section 17.20.030, RS, RM, and RH Districts – Land Use Regulations, Schedule 20-1 Residential Use Table to include:
 - Emergency Shelters as a Permitted Use in the Multiple Family Residential (RH) District; and
 - Transitional and Supportive Housing as a Permitted Use in the Single Family Residential (RS) District, Medium Density Residential (RM) District and Multiple Family Residential (RH) District.
- Employee Housing: No conditional use permit, zoning variance, or other zoning clearance shall be required for this type of employee housing that is not required of a family dwelling of the same type in the same zone. No conditional use permit, zoning variance, or other zoning clearance shall be required for this type of employee housing that is not required of any other agricultural activity in the same zone. Employee housing includes but is not limited to farmworker housing. Employee housing for 6 or fewer workers shall be deemed to a single-family structure with a residential land use, and shall be treated the same as a single family dwelling of the same type in the same zone. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located, and may consist of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household on land zoned for agricultural uses. Such employee housing shall be considered to be an activity that in no way differs from an agricultural use. Ordinance 2015-06 amends WMC Section 17.08.030 and

17.20.030 by establishing the definition of employee housing as follows:

- Employee Housing with no more than 12 units or 36 beds as a Permitted Use in the Agricultural (AG) District; and
 - Employee Housing for no more than 6 workers as a Permitted Use in the Single Family Residential (RS) District.
- Reasonable Accommodation: Ordinance 2015-06 adds WMC Chapter 17.03, Reasonable Accommodation and implements the following:
 - Establishes application procedures for the request for Reasonable Accommodations including submittal requirements that are applicable to reasonable accommodations, such as documentation of disability, specific exception or modification to the Zoning Code and reasons that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the property.
 - Establishes an approval process in which a decision is made by administration or Planning Commission, if necessary.
 - Establishes findings in which the Reasonable Accommodation may be considered by the City.

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 October 1, 2015. The ordinance will be in effect thirty (30) days from the date of adoption.

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF WATERFORD

Mike Van Winkle, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

ORDINANCE 2015-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATERFORD, AMENDING TITLE 17, ZONING OF THE CITY OF WATERFORD MUNICIPAL CODE PURSUANT TO SENATE BILL 2, SENATE BILL 745, HEALTH AND SAFETY CODE AND THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

WHEREAS, Government Code Section 65583(c)(1) requires that sites with appropriate zoning and development standards and services and facilities be identified as needed to facilitate and encourage the development of a variety of types of housing, including housing for agricultural employees, supportive housing, emergency shelters, and transitional housing; and

WHEREAS, Sections 17021.5 and 17021.6 of the State Health and Safety Code and the Employee Housing Act sets standards for the construction, maintenance, use and occupancy of living quarters called “employee housing”, including but not limited to farmworker housing; and,

WHEREAS, Senate Bill 2 (SB2) was enacted in 2007 and became effective on January 1, 2008 and amended Sections 65582, 65583, and 65589.5 (Housing Element Law) of the California Government Code relating to local planning. This bill added emergency shelters and transitional and supportive housing to these provisions and required that the Housing Element identify zones in the City where emergency shelters are allowed as a permitted use without a conditional use permit; and,

WHEREAS, the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act prohibits discrimination in housing against individuals with disabilities and require that Cities take affirmative action to eliminate regulations and practices that deny housing opportunities to individuals with disabilities; and,

WHEREAS, fair housing laws require that Cities provide individuals with disabilities (or their representatives, or developers of housing for people with disabilities) flexibility in the application of land use and zoning regulations; and

WHEREAS, Government Code Section 65583 requires that the Housing Element identify constraints to providing housing for individuals with disabilities, supportive housing and transitional housing and develop strategies as appropriate for removing those constraints, and to have program(s) that remove constraints to, or provides reasonable accommodations for such housing; and,

WHEREAS, the Attorney General of the State of California has recommended that cities and counties implement fair housing reasonable accommodation procedures for making land use and zoning determinations concerning individuals with disabilities to further the development of housing for individuals with disabilities; and,

WHEREAS, the City prepared Zoning Ordinance Amendment 2015-01 to amend the Zoning Code to add the definitions of Emergency Shelters, Target Population, Transitional Housing, Supportive Housing and Employee Housing and add these uses as a Permitted Use in certain districts of the Zoning Code and add a new section of the Zoning Code pertaining to Reasonable Accommodation; and,

WHEREAS, Government Code Section 65585 requires that the City Council receive input and a recommendation from the Planning Commission on a Zoning Amendment that imposes any regulations listed in Section 654850; and

WHEREAS, the City of Waterford Planning Commission conducted a Public Hearing on Tuesday, June 23, 2015, to consider Ordinance No. 2015-01 for the following amendments to the City's Zoning Code:

1. Amend Section 17.02.030: Definitions to include the definitions for Emergency Shelters, Transitional Housing, Supportive Housing, Target Population and Employee Housing;
2. Amend Section 17.20.030: RS, RM, and RH Districts – Land Use Regulations, Schedule 20-1 Residential Use Table to include Emergency Shelters as Permitted Use in the Multiple Family Residential (RH) and Transitional and Supportive Housing as a Permitted Use in the Single Family Residential (RH) District, Medium Density Residential (RM) District, and Multiple Family Residential (RH) District;
3. Establish Chapter 17.03, titled “Reasonable Accommodation” in the City’s Zoning Code; and
4. Amend Section 17.080.030: Land Use Regulations, Schedule 08-1 AG District Use Table to include Employee Housing with no more than 12 units or 36 beds in the Agricultural (AG) District; and,
5. Amend Section 17.20.030: RS, RM, and RH Districts – Land Use Regulations, Schedule 20-1 Residential Use Table to include Employee Housing for no more than 6 workers in the Single Family Residential (RS) District.

WHEREAS, the City Council for the City of Waterford has made the following findings for adoption.

1. Pursuant to California Government Code Section 65854, the recommendation to City Council shall include the relationship to the applicable general or specific plan
 - a. Zoning Ordinance Amendment No. 2015-01 is compatible with the General Plan and each of its element and all components therein because the General Plan includes the goal to “accommodate special needs” and “removal of constraints” in the City’s current Housing Element and Program 5 which requires the City to “develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and streamline the permit review process.”

- b. Zoning Ordinance Amendment No. 2015-01 is compatible with the uses authorized in, and the regulations prescribed for, the land use districts for which it is proposed and with the regulations for each land use district.
2. The City finds and determines with certainty that the amendments described in Zoning Ordinance Amendment No. 2015-01 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), the activity is covered under the general rule that CEQA applies to only projects, which have the potential for causing a significant effect on the environment.

WHEREAS, a public hearing was held on September 17, 2015 and October 1, 2015 and all comments were heard and considered by the City Council.

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

SECTION 1. *Chapter 17.02, Section 17.02.030: Definitions is amended to include the following definitions:*

“Emergency Shelters” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code 50801(e))

“Employee Housing” includes but is not limited to farmworker housing. Employee housing for 6 or fewer workers shall be deemed to a single-family structure with a residential land use, and shall be treated the same as a single-family structure with a residential land use, and shall be treated the same as a single family dwelling of the same type in the same zone. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located, and may consist of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household on land zoned for agricultural uses. Such employee housing shall be considered to be an activity that in no way differs from an agricultural use.

“Supportive Housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (California Government Code Section 65582, Senate Bill 745)

“Target Population” means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. (California Government Code Section 65582, Senate Bill 745)

“Transitional Housing” means buildings configured as rental housing developments, but operated under program requirements that require termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. (California Government Code 65582, Senate Bill 745)

SECTION 2. Chapter 17.20, Section 17.20.030: RS, RM, and RH Districts – Land Use Regulations, Schedule 20-1 Residential Use Table is to be amended as follows:

Schedule 20-1 Residential Use Table (see Ch. 17.04, Use Classifications)

Use Classifications	RS	RM	RH	Supplemental Regulations
Residential Use Classifications (see §17.04.030)				
Single-family residential unit and one accessory residential unit	P	P	AU	(A) L ²
Multifamily apartments residential	—	P	P	(A)
Day care (limited)	P	AU	AU	(B)
Group residential	U	AU	AU	(A) (C) (D)
Private garage	P	P	P	L ³
Garage, patio or yard sales	L	L	AU	
The keeping of domestic animals and pets	P	P	P	
Home occupations	P	AU	AU	L ¹
Residential care (limited)	—	AU	AU	(C) (D)
<u>Emergency Shelters</u>	<u>—</u>	<u>—</u>	<u>P</u>	
<u>Transitional and/or Supportive Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Employee Housing</u>	<u>P</u>	<u>—</u>	<u>—</u>	<u>No more than 6 workers</u>

SECTION 3. Chapter 17.04, Section 17.08.030: Land Use Regulations, Schedule 08-1 AG District Use Table is to be amended as follows:

Schedule 08-1 AG District Use Table (see Ch. 17.04, Use Classifications)

Use Classification*	AG	Special Regulations
Residential Use Classifications (see §17.04.030)		(T) & (U)
Single-family residence	L	On more than 3-acre parcel
Second single-family residence	L	On 20 acres or more
<u>Employee Housing</u>	<u>P</u>	<u>No more than 12 units or 36 beds</u>

SECTION 4. New Chapter, Chapter 17.03: Reasonable Accommodation is to read as follows:

17.03.010 Purpose

It is the policy of the City of Waterford, pursuant to the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This ordinance establishes a procedure for making requests for reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures of the jurisdiction to comply fully with the intent and purpose of fair housing laws.

17.03.020 Applicability

Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

17.03.030 Notice to the Public of Availability Of Accommodation Process

Notice of the availability of reasonable accommodation shall be prominently displayed at public information counter in the Planning Department, advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public in the Planning Department.

17.03.040 Requesting Reasonable Accommodation

- A. In order to make housing available to an individual with a disability, any eligible person as defined in Section 17.03.020 may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.
- B. Requests for reasonable accommodation shall be in writing and provide the following information:
 - 1. Name and address of the individual(s) requesting reasonable accommodation;
 - 2. Name and address of the property owner(s);
 - 3. Address of the property for which accommodation is requested;
 - 4. Description of the requested accommodation and regulation(s), policy or procedure for which accommodation is sought; and
 - 5. Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.
- C. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. A request for reasonable accommodation in regulations, policies, practices, and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.
- E. If an individual needs assistance in making the request for reasonable accommodation, the City of Waterford will provide assistance to ensure that the process is accessible.

17.03.050 Reviewing Authority

- A. Requests for reasonable accommodation shall be reviewed by the Planning Manager, using the criteria set for in Section 17.03.060.
- B. The Planning Manager shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set for in Section 17.03.060.
- C. If necessary to reach a determination on the request for reasonable accommodation, the Planning Manager may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

17.03.060 Required Findings

The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

- A. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities, as defined and protected under federal and state fair housing laws;
- B. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;
- C. Whether the requested accommodation would impose an undue financial or administrative burden on the City; and
- D. Whether the requested accommodation would require a fundamental alteration in the nature of the City's land use and zoning or building program.

17.03.070 Written Decision On The Request For Reasonable Accommodation

- A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the Planning Manager's findings on the criteria set forth in Section 17.03.060. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.
- B. The written decision of the Planning Manager shall be final unless an applicant appeals it to the Planning Commission.
- C. If the reviewing authority fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by Section 17.03.050 the request shall be deemed granted.
- D. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain the full force and effect.

17.03.080 Appeals

- A. Within thirty (30) days of the date of the Planning Manager's written decision, an individual may appeal an adverse decision. Appeals from the adverse decision shall be made in writing.
- B. If an individual needs assistance in filing an appeal on an adverse decision, the City will provide assistance to ensure that the appeals process is accessible.
- C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. Appeal procedures are set for by Waterford Municipal Code Chapter 17.78: Appeals. Decisions by staff may be appealed to the Planning Commission and decisions of the Planning Commission may be appealed to the City Council.
- E. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

17.03.090 Severability

The provisions of these sections of the code are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, or portion of these sections, or the invalidity of the application thereof to any person or circumstances, shall not affect the validity of the remainder of this section, or the validity of its application to other persons or circumstances.

SECTION 5, 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 6, 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 1st day of October, 2015.

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF WATERFORD

MICHAEL VAN WINKLE, Mayor

ATTEST:

LORI MARTIN
City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING
City Attorney

**CITY OF WATERFORD
NOTICE OF PUBLIC HEARING**

**DRAFT 2014-2023 HOUSING ELEMENT
AND
CODE TEXT AMENDMENT NO. 2015-06**

NOTICE IS HEREBY GIVEN THAT THE WATERFORD CITY COUNCIL will hold a public hearing in the Council Chambers at 101 E Street Waterford, Ca. 95386, on **SEPTEMBER 17, 2015 at 6:30 PM and October 1, 2015 at 6:30 PM.**

DRAFT 2014-2023 HOUSING ELEMENT PROJECT DESCRIPTION: Recommend to City Council of the City of Waterford to authorize Staff to submit the Draft 2014-2023 Housing Element to the State Housing and Community Development (HCD) Department for a mandated sixty (60) day review period, and release the Draft 2014-2023 Housing Element for public review.

State law requires Housing Elements to be updated every nine (9) years to reflect a Community's changing needs. The City's Draft 2014-2023 Housing Element consists of an analysis and evaluation of existing housing needs, resource inventory, constraints on housing and an evaluation of the City's Housing Element Policies and Programs included in the 2001-2008 Housing Element, as well as consisting of Goals and Policies necessary to accommodate the City's Regional Housing Needs.

CODE TEXT AMENDMENT NO. 2015-06. PROJECT DESCRIPTION: To consider Code Text Amendment No. 2015-06, amending the Zoning Code to 1) permit Emergency Shelters in the Multiple Family Residential (RH) District and General Commercial (CG) District; 2) to permit Transitional and Supportive Housing in the Single Family Residential (RS) District, Medium Density Residential (RM) District, and Multiple Family Residential (RH); 3) to permit Employee Housing with no more than 12 units or 36 beds in the Agricultural (AG) District and Employee Housing for no more than 6 workers in the Single Family Residential (RS) District; and 4) to establish a new Section in the Zoning Code titled "Reasonable Accommodation".

ALL INTERESTED PARTIES are invited to attend said hearing and express opinions or submit evidence for or against the Project as outlined above.

FURTHER INFORMATION on the above documents may be obtained or viewed at the Waterford City Planning Department, located at 101 E Street or by telephone (209) 874-2328.

The facility is accessible to the disabled and hearing impaired. If special assistance is required, please call (209) 874-2328 48 hours prior so accommodations can be arranged.

**WATERFORD PLANNING COMMISSION
RESOLUTION NO. 2015-01**

**A RESOLUTION TO THE CITY OF WATERFORD
PLANNING COMMISSION RECOMMENDING TO THE
CITY COUNCIL THE APPROVAL OF ZONING
ORDINANCE AMENDMENT 2015-01, AMENDING TITLE
17, ZONING OF THE CITY OF WATERFORD MUNICIPAL
CODE PURSUANT TO SENATE BILL 2, SENATE BILL
745, HEALTH AND SAFETY CODE AND THE
CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**

WHEREAS, Government Code Section 65583(c)(1) requires that sites with appropriate zoning and development standards and services and facilities be identified as needed to facilitate and encourage the development of a variety of types of housing, including housing for agricultural employees, supportive housing, emergency shelters, and transitional housing; and

WHEREAS, Sections 17021.5 and 17021.6 of the State Health and Safety Code and the Employee Housing Act sets standards for the construction, maintenance, use and occupancy of living quarters called “employee housing”, including but not limited to farmworker housing; and,

WHEREAS, Senate Bill 2 (SB2) was enacted in 2007 and became effective on January 1, 2008 and amended Sections 65582, 65583, and 65589.5 (Housing Element Law) of the California Government Code relating to local planning. This bill added emergency shelters and transitional and supportive housing to these provisions and required that the Housing Element identify zones in the City where emergency shelters are allowed as a permitted use without a conditional use permit; and,

WHEREAS, the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act prohibits discrimination in housing against individuals with disabilities and require that Cities take affirmative action to eliminate regulations and practices that deny housing opportunities to individuals with disabilities; and,

WHEREAS, fair housing laws require that Cities provide individuals with disabilities (or their representatives, or developers of housing for people with disabilities) flexibility in the application of land use and zoning regulations; and

WHEREAS, Government Code Section 65583 requires that the Housing Element identify constraints to providing housing for individuals with disabilities, supportive housing and transitional housing and develop strategies as appropriate for removing those constraints, and to have program(s) that remove constraints to, or provides reasonable accommodations for such housing; and,

WHEREAS, the Attorney General of the State of California has recommended that cities and counties implement fair housing reasonable accommodation procedures for making land use and zoning determinations concerning individuals with disabilities to further the development of housing for individuals with disabilities; and,

WHEREAS, the City prepared Zoning Ordinance Amendment 2015-01 to amend the Zoning Code to add the definitions of Emergency Shelters, Target Population, Transitional Housing, Supportive Housing and Employee Housing and add these uses as a Permitted Use in certain districts of the Zoning Code and add a new chapter/section of the Zoning Code pertaining to Reasonable Accommodation; and,

WHEREAS, Government Code Section 65585 requires that the City Council receive input and a recommendation from the Planning Commission on a Zoning Amendment that imposes any regulations listed in Section 654850; and

WHEREAS, the Planning Commission has reviewed the proposed Zoning Ordinance Amendment and conducted a public hearing on June 23, 2015; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Waterford hereby recommends to the City Council approval of the proposed Ordinance, as attached hereto as Exhibit A to this Resolution based on the following findings:

1. Pursuant to California Government Code Section 65854, the recommendation to City Council shall include the relationship to the applicable general or specific plan
 - a. Zoning Ordinance Amendment No. 2015-01 is compatible with the General Plan and each of its element and all components therein because the General Plan includes the goal to “accommodate special needs” and “removal of constraints” in the City’s current Housing Element and Program 5 which requires the City to “develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and streamline the permit review process.”
 - b. Zoning Ordinance Amendment No. 2015-01 is compatible with the uses authorized in, and the regulations prescribed for, the land use districts for which it is proposed and with the regulations for each land use district.

2. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Planning Commission of the City of Waterford hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.
3. The City finds and determines with certainty that the amendments described in Zoning Ordinance Amendment 2015-01 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), the activity is covered under the general rule that CEQA applies to only projects, which have the potential for causing a significant effect on the environment.

The foregoing Resolution was passed and adopted by the Planning Commission of the City of Waterford, Stanislaus County, at a meeting held on June 23, 2015, moved for adoption by Commissioner Powell and duly seconded by Commissioner Turner; passed by the following roll call vote:

AYES: 5 Esther, Powell, Cathcart, Gordon, Turner

NOES: 0

ABSENT: 0

ABSTAIN: 0

ATTEST:

Chris Esther, Chairman

Lori Martin, City Clerk

EXHIBIT "A" – Draft City Council Ordinance No. 2015-01



MINUTES
WATERFORD PLANNING COMMISSION - REGULAR MEETING
WATERFORD COMMUNITY CENTER, CITY COUNCIL CHAMBERS
101 "E" STREET, WATERFORD, CA

PLANNING COMMISSION MEETING – June 23, 2015- 6:30 PM

CALL TO ORDER:

Chairman Esther

FLAG SALUTE:

Chairman Esther

ROLL CALL:

Commission Chair - Esther: Present
Commission Member - Powell: Present
Commission Member - Turner: Present
Commission Member - Cathcart: Absent
Commission Member - Gordon: Present

ADOPTION OF AGENDA:

Motion waiving reading of all ordinances and resolutions on the agenda except by title, unless reading of an Ordinance or Resolution is requested by the Chairman or Commission Member.

Commission Member - Powell: Motion
Commission Member - Gordon: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

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 Commission Member 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.

Commission Member - Powell: Motion
Commission Member - Turner: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

CONFLICT OF INTEREST DECLARATION:

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

1. **CONSENT CALENDAR**

- 1a: PLANNING COMMISSION MEETING MINUTES: APRIL 2015
- 1b: PLANNING PROJECT LOG
- 1c: BUILDING PERMITS REPORT: MAY 2015
- 1d: BUSINESS LICENSE REPORT: MAY 2015
- 1e. Stanislaus Consolidated Fire Protection District New Fire Station: Administrative Use Permit Application 2015-02

2. **PRESENTATIONS/ OATHS OF OFFICE**

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 Commission consideration. At all times please come up to the podium and use the microphone.

4. **PUBLIC HEARING**

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

1. Draft 2014-2023 Housing Element Recommend to City Council to authorize Staff to submit the Draft 2014-2023 Housing Element to the Department of Housing and Community Development for the mandated 60-day review and release the Draft 2014-2023 Housing Element for a 60-day public review.

Commission Member - Gordon: Motion
Commission Member - Powell: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

2. Zoning Ordinance Amendment No. 2015-01 to the City's Zoning Code pursuant to Senate Bill 2 ("SB2"), Senate Bill 745 ("SB745"), Health and Safety Code and the California Fair Employment and Housing Act (FEHA)

Commission Member - Powell: Motion
Commission Member - Turner: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

5. **UNFINISHED BUSINESS**

6. **NEW BUSINESS**

7. **CORRESPONDENCE / INFORMATIONAL ITEMS**

8. **STAFF / COMMISSION COMMENTS**

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

ADJOURNMENT

Adjourn: 7:08 PM

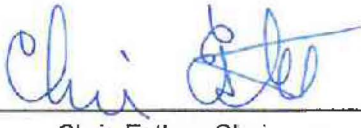
- Commission Member - Powell: Motion
- Commission Member - Turner: 2nd
- Commission Chair - Esther: Approve
- Commission Member - Powell: Approve
- Commission Member - Turner: Approve
- Commission Member - Cathcart: Absent
- Commission Member - Gordon: Approve

Motion by Commissioner Powell seconded by Commissioner Turner to adjourn the Planning Commission meeting at 7:08 PM

Passed and Approved by the Waterford Planning Commission at a regular meeting of the Planning Commission held on the 25 day of AUGUST, 2015 by the following vote:

AYES: ESTHER, POWELL, TURNER, CATHCART, GORDON
 NOES: 0
 ABSENT: 0
 ABSTAIN: 0

ATTEST: 
 Carla Jauregui, Planning Secretary


 Chris Esther, Chairman



Public Hearing 4b

October 1, 2015

Tim Ogden, City Manager
City Council Staff Report

An Ordinance Amending Waterford Municipal Code Chapter 3.60, “Public Facilities Fees”

SUMMARY:

Based on the updated Capital Facility Fee program, staff is recommending amendments to the Waterford Municipal Code chapter 3.60 addressing Public Facility Fees. The changes address clean up language to consulting firms previously used, staff titles, and administrative functions relative to fee refunds. A public hearing will be held by the City Council to consider changes to the municipal code.

FISCAL IMPACT:

N/A

ANALYSIS:

The City Council approved Waterford Municipal Code chapter 3.60 in 2007 when the Capital Facility Fees were last updated. The fees have been updated in a study conducted by MCR Engineering, Inc., with the assistance of J.B. Anderson Land Use Planning and city staff.

In summary, the amendments to chapter 3.60 include:

- Removing obsolete consulting firm names
- Amending city administrator to city manager title changes
- Simplifying the refund process for unexpended fees
- Other minor amendments

Ordinance 2015-08 is before the City Council for a public hearing to consider approving the Introduction and First Reading by title only. Thereafter, a summary of the Ordinance will be published in the *Waterford News*. The Ordinance is scheduled to come back to the City Council as a public hearing item at the October 15, 2015 council meeting to consider the second reading by title only and adoption of Ordinance 2015-08.

Thereafter, within 15 days of passage and adoption 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.

ATTACHMENTS:

- ORDINANCE SUMMARY 2015-08
- ORDINANCE 2015-08
- Public Hearing Notice

SUMMARY OF ORDINANCE 2015-08

Ordinance 2015-08 amending Chapter 3.60, "PUBLIC FACILITIES FEES" by amending various sections of Chapter 3.60, of the Waterford Municipal Code. The proposed ordinance amends the language of Waterford Municipal Code Chapter 3.60, "Public Facilities Fees" by amending language to reflect the 2015 amendment to the public facilities fee program by adoption of a Fiscal Year 2015-2020 Community Facility Fee Nexus Study.

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 October 1, 2015. The ordinance will be in effect thirty (30) days from the date of adoption.

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF WATERFORD

Mike Van Winkle, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

ORDINANCE NO. 2015-08

AN ORDINANCE OF THE WATERFORD CITY COUNCIL AMENDING WATERFORD MUNICIPAL CODE CHAPTER 3.60, ENTITLED "PUBLIC FACILITIES FEES"

WHEREAS, the City of Waterford is amending Title 3, Chapter 3.60, entitled "Public Facilities Fees" by amending various sections of Chapter 3.60 amending this chapter accordingly to reflect the 2015 amendment to the public facilities fee program.

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

SECTION 1. Title 3, Chapter 3.60 entitled "Public Facilities Fees", 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 3
CHAPTER 3.60**

3.60.010 Purpose/findings.

In order to implement the goals and objectives of the city general plan, and consistent with the exercise of its police power, and to mitigate impacts caused by new development within the city, capital facility fees are necessary. The fees are needed to finance public facilities and to assure that new development pays its fair share for these necessary improvements.

A. The city's general police power, Article 11, Section 7, of the California Constitution, and the "Mitigation Fee Act" set forth in Government Code Section 66000 et seq., provide that public facilities fees may be enacted and imposed on development projects. The city council finds and determines that:

1. New development projects cause the need for construction, expansion or improvements of public facilities within the city of Waterford;

2. Funds for construction, expansion or improvement of public facilities are not currently available, nor are likely to be available, to accommodate needs caused by development projects and this has, and will, result in inadequate facilities within the city of Waterford.

B. The city council finds that the public health, safety, peace, morals, convenience, comfort, prosperity and general welfare will be promoted by the adoption of public facilities fees for construction, expansion or improvement of public facilities.

C. The city council finds that the failure to enact public facilities fees will subject city residents to conditions perilous to their health and/or safety and their general welfare.

D. The city retained the professional consulting firms ~~firms of MCR Engineers, RMC Water and Environment and Charles Long Associates~~ to study the fiscal impacts of growth in the city of Waterford and to study the capital facilities needed to serve the projected growth ("the studies").

E. The studies determined facilities needs of the city that include needs generated and needed by, residents of the existing city limits and the prospective new annexation area of the city.

F. The city council finds that this chapter properly limits the use of all fees collected to public facilities and improvements attributable to new development, and further limits use of fees to specific categories of facilities and improvements until and unless subsequent evidence justifies reallocation.

G. The city council finds that pursuant to the express policies set forth in the Waterford city general plan, new development is to pay its fair share for new public facilities generated as a result of the new development, otherwise the cost of these facilities or the failure to provide such facilities will be disproportionate, and unfairly borne, by other city taxpayers, or will unfairly reduce the level of service provided to present city residents.

H. Even though development projects for the purpose of affordable housing and projects that are for secondary dwelling units on existing single-family lots may also contribute to the need for certain public facilities, the city council will not impose fees for these development projects and finds that affordable housing units and secondary dwelling units provide a cost-effective means of providing housing necessary for low and moderate income households without public subsidy.

I. The city council finds that the provisions of this chapter are consistent with the requirements set forth in Government Code Section 66007(b), and the California Constitution, Article 11, section 7. (Ord. 07-04 §1, 2007).

3.60.020 Definitions.

For the purposes of this chapter, the following definitions shall apply:

- A. "City council" means the city council of the city of Waterford.
- B. "City" means the city of Waterford, a general law city organized and existing under the Constitution and laws of the state of California, and a political subdivision of the state of California.
- C. "Development project" means any project undertaken for the purpose of development. "Development project" includes a project involving the issuance of a permit for construction of reconstruction, but not a permit to operate.
- D. "Fee" means a monetary exaction, other than a tax or special assessment which is charged to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project.
- E. "Capital facility or public facility" includes public improvements, buildings, systems, fixtures, and associated capital needs required to provide public services and community amenities. (Ord. 07-04 §1, 2007).

3.60.030 Collection of capital facilities fees.

The capital facility fees enacted pursuant to this chapter are to be collected prior to the issuance of building permits or at the earliest time possible permitted by law as determined by the planning director or the city building official. (Ord. 07-04 §1, 2007).

3.60.040 Authority for adoption.

The ordinance codified in this chapter is adopted under the authority of the laws of the state of California, including the provisions of the Mitigation Fee Act set forth in Government Code Sections 66000 et seq., and as that Act may be amended from time to time, and pursuant to the California Constitution, Article 11, section 7. (Ord. 07-04 §1, 2007).

3.60.050 Conditions for collection.

In establishing and imposing a fee as a condition of approval of a development project, the following shall be done:

- A. Identify the purpose of the fee.

B. Identify the use to which the fee is to be put. When the use is for financing public facilities, the facilities ~~shall~~ should be identified by reference in a capital improvement plan, pursuant to general plan or specific plan requirements, or in other public documents, such as a resolution by the city council that identifies the public facilities for which the fee is charged.

~~C. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.~~

~~D. Determine that there is a reasonable relationship between the need for the capital facility and the impacts caused by the type of development project on which the fee is imposed.~~

~~E.~~ The city shall, prior to establishing a capital facility fee as a condition of approval of development projects, determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility or facilities attributable to the development on which the fee is imposed.

FD. Upon receipt of a fee subject to this chapter, the city shall deposit, invest, account for, and expend the fees pursuant to Government Code Section 66006. (Ord. 07-04 §1, 2007).

3.60.060 Annual reports.

A. The city ~~administrative officer~~ manager, or designee, shall report to the city council once each fiscal year a summary of the fees collected, the status of any fee account, and the uses made of the fees deposited in the fee account. This report shall be in conjunction with the reporting requirements set forth in Government Code Section 66006.

B. Commencing with the fifth fiscal year following the first deposit into the account fund, and every five years thereafter, the city council shall make the following findings with respect to any fees in the fee account that remain unexpended, whether committed or uncommitted.

C. Identify the purpose to which the fee is to be put.

D. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.

E. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements previously identified.

F. Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

G. A refund of unexpended or uncommitted fees that exceeds one thousand dollars for which a need cannot be demonstrated, along with any accrued interest, may be made to the current owner(s) of a development project on a prorated basis. The city council may refund unexpended and uncommitted fees that have been found to be no longer needed, by direct payment or by off-setting other obligations owed to the city by the current owner of the development project(s). Where the unexpended or uncommitted fee balance is less than one thousand dollars, the balance shall be transferred to the administrative and planning impact fee fund.

~~H. If the administrative costs of refunding unexpended and uncommitted revenues collected pursuant to this chapter exceed the amount to be refunded, the city, following a public hearing for which notice has been published pursuant to Government Code Section 6061 and posted in three prominent places within the area of the development project, may determine that the revenues shall be allocated for some other purpose for which fees are collected subject to this chapter and which serves the project on which the fee was originally imposed. (Ord. 07-04 §1, 2007).~~

3.60.070 Fee payment.

A. Prior to the issuance of any building permit, or permit for development subject to this chapter, the project applicant shall pay to the city the fees adopted by resolution pursuant to this chapter.

B. The amount of the fee shall be determined by the fee schedule in effect as of the date of the filing of the completed application.

C. When an application is made for a new permit following the expiration of a previously issued permit for which fees were paid, the fee payment shall not be required.

D. In the event that the project changes in some manner, any additional fees that become due as a result of the project change shall be required at the time of the application for the amended project.

E. When a fee is paid and the project is reduced, a refund may be applied for.

F. When a fee is paid for a project that is subsequently abandoned, the applicant may request a refund of the fee paid, minus the administrative portion of the fee.

G. No fee shall be assessed pursuant to this article for the reconstruction of any project, except to the extent that the reconstruction application is for square footage greater than the original development, and in that case the fee shall be based on the additional square footage. (Ord. 07-04 §1, 2007).

3.60.080 Capital facilities fee account.

Fees paid under this article shall be held in a separate capital facility account to be expended for the purpose for which the fees were collected by the city. The city shall retain any interest accrued and allocate it to the account for which the original fees were imposed. The city shall deposit, invest, account for and expend the fees in accordance with Government Code Section 66006, and as that section may be amended from time to time. (Ord. 07-04 §1, 2007).

3.60.090 Public hearing—Fee resolution.

A. The adoption of public facilities fees is a legislative act and the specific fee amount authorized pursuant to this article shall be adopted by resolution after a noticed public hearing before the city council. The fees adopted shall be based upon and reflect the need for public facilities as identified in the comprehensive facilities master plan for the city of Waterford, and the city facilities needed to serve growth set forth in the studies. ~~(Charles A. Long Associates, 2007.)~~

B. All fees shall be automatically adjusted annually for inflation by the city ~~administrative officer~~manager. The adjustment shall occur on March 1st of each year in accordance with an annual increase in the Engineering News Record Index for Construction Costs for the twelve-month period ending in the preceding December. (Ord. 07-04 §1, 2007).

3.60.100 Fee adjustments and waiver.

A. The project proponent and/or applicant for any project subject to the fee described in this chapter may apply to the city ~~administrative officer~~manager or designee for relief from imposition of the fee, reduction of the fee, or waiver of the fee, based on the alleged absence of any reasonable relationship or nexus between the impacts of the development and either the amount of the fee charged or the type of facilities to be financed, or other alleged legal basis for exemption. Such application shall be made in writing and filed with the city ~~administrative officer~~manager or designee not later than ten days prior to the public hearing on the development permit application for the project, or if there is no permit requiring a public hearing, the time of filing shall be at the time the application for a building or other permit is submitted to the city. The city ~~administrative officer~~manager or designee shall respond in writing within fifteen working days from the submission of the request. Failure to take action within that time shall mean that the request has been denied.

B. If the project proponent desires to appeal this administrative determination, the project proponent must apply in writing within ten working days of the date of the denial to the city council together with the set appeal fees. The city council shall consider the application for appeal within forty-five days after the filing of the appeal and fee. The city ~~administrative officer~~manager or designee shall

prepare a staff report and recommendation for consideration of the appeal to the city council. The decision of the city council shall be final. If a reduction, adjustment, or waiver is granted by the city council, any subsequent material change in use regarding the project shall subject such waiver, adjustment or reduction of the fee to reevaluation by the city.

BC. Reimbursement agreements, or credit against fees required pursuant to this chapter, shall be considered for any project which, as a condition of approval, requires the project to develop or fund any capital facilities included in the capital improvement plan. Such credit shall be subject to the approval of the community development director and/or the city ~~administrative officer~~ manager in accordance with guidelines established by the city council. The city ~~administrative officer~~ manager shall determine the basis for calculating the amount of credit for any public improvements developed as a condition of the project's approval. For all improvements, such credit shall be limited to the amount of the fee that would be assessed to the development project and may not be extended to any other project. (Ord. 07-04 §1, 2007).

3.60.110 Natural disaster fee exemption.

No fee shall be required for the reconstruction of any residential, commercial or industrial development project that has been damaged or destroyed as a result of a natural disaster as declared by the Governor of the state of California, or designated locally by the city council. (Ord. 07-04 §1, 2007).

3.60.120 Construction.

This chapter and any subsequent amendment to the public facilities fee program shall be read together. With respect to any public facilities fee enacted by resolution pursuant to this chapter, any provision of such a public facilities fee which is in conflict with this article shall be void. (Ord. 07-04 §1, 2007).

3.60.130 Capital improvement plan.

A. The city will adopt a capital improvement plan which indicates the approximate location, size, time of availability and estimates of costs for public facilities or improvements to be financed with public facilities fees.

B. The city ~~administrative officer~~ manager shall annually submit the capital improvement plan to the city council for adoption at a noticed public hearing.

C. The public facilities fee schedule adopted by the city council shall be annually reviewed by the city council for consistency with the capital improvement plan. (Ord. 07-04 §1, 2007).

3.60.140 Severability clause.

The provisions of this chapter are intended to be severable, and in the event any provision or requirement provided for under this chapter is determined to be invalid or unenforceable, the remainder of the chapter shall remain in effect. (Ord. 07-04 §1, 2007).

3.60.150 Violations and enforcement.

Violations shall subject the violator to placement of a lien on the subject real property in the amount of the fees, accrued interest, and collection costs, including attorneys' fees. Violators shall be provided a written notice and given thirty days to cure the violations. Any person charged with violation of this chapter may have a hearing before the city council. The procedure for such an appeal is the same as that set forth in Section 3.60.100 above. The decision of the city council shall be final. (Ord. 07-04 §1, 2007).

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 1st day of October, 2015.

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF WATERFORD

MICHAEL VAN WINKLE, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN
City Clerk

CORBETT J. BROWNING
City Attorney



TO: Lisa Freitas - Mid Valley Publications – Legals

From: Lori Martin, City Clerk, City of Waterford

Date: September 17, 2015

Re: Public Hearing Notice to be published on Tues 09/29/15

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 October 1, 2015 and October 15, 2015 at or about 6:30pm.

The City Council will consider an amendment to Waterford Municipal Code Chapter 3.60, "Public Facilities Fees". The proposed ordinance amends various sections of Chapter 3.60 of the Waterford Municipal Code by amending the language to reflect the 2015 amendment to the public facilities fee program by adoption of a Fiscal Year 2015-2020 Community Facility Fee Nexus Study.

Copies and a complete text of the Ordinance 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.



Public Hearing 4c

October 1, 2015

Tony Marshall, City Engineer
City Council Staff Report

Accept Capital Facility Fee (CFF) Update Nexus Study by City Engineer and Adopt Updated Fee Schedule

SUMMARY:

The City Engineer has prepared a Nexus Study to update the city's Capital Facilities Fees ("CFF") by updating the list of Capital Improvement Program ("CIP") projects and population growth assumptions. The result of this study is an update to the development impact fees charged to developers.

FISCAL IMPACT:

The fees decreased in the update by approximately 10% for single family residential units, 11% for multi-family units, and 4% for commercial units for the existing city limits. The decrease was more modest for the annexed area after 2007 with approximately 5% for single family residential units, 6% for multi-family units, and 2% for commercial units.

ANALYSIS:

The current fees were adopted in 2007, following a General Plan Update and completion of Master Plans (Water, Sewer, Storm Drainage and Streets) for nearly 1,700 acres of land outside the city, but within the primary sphere of influence. Of that land, 477 acres was later annexed by Grupe development.

The fees adopted in 2007 were predicated on a list of Capital Improvement Program projects and assumptions on the anticipated rate of growth in the city. Some of the projects in the CIP have now been completed, but the city has not experienced the growth anticipated in the previous report. This new study "re-sets" the growth projections, and updates the CIP list to be funded through the CFF. A planning horizon of 30-years (through the year 2045) was established to determine which CIP projects must be funded and how much future development must pay to finance the projects. The result of the study is a slight change in fee amounts for various categories and land use types. Most fees went down slightly.

The only fee category that is not being updated with this study is the fee for water. With the city's recent purchase of the Modesto Water system our current Water Master Plan is essentially obsolete. That Master Plan made provisions for expanding the River Pointe water system "around" the existing city as a separate, stand-alone system. Once the two water systems are combined, it is anticipated that the CIP costs in the current Water Master Plan will be reduced. However, a new Water Master Plan must be prepared that will generate a new list of CIP projects and their associated costs. Upon adoption of the new Water Master Plan, the water component of the CFF will be updated, as will the city facilities section.

ENVIRONMENTAL REVIEW:

N/A

ATTACHMENTS:

- Resolution 2015-95

**WATERFORD CITY COUNCIL
RESOLUTION NO. 2015-95**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATERFORD ADOPTING
CAPITAL FACILITIES FEES FOR CAPITAL IMPROVEMENTS**

WHEREAS, authority for the adoption and implementation of Capital Facilities Fees, including public facilities fees, is granted to cities pursuant to the general police power vested in each city; and pursuant to the procedures required pursuant to the Mitigation Fee Act set forth in Government Code sections 66000 et seq.; and,

WHEREAS, the City Council has adopted a public facilities/development impact fee ordinance that is set forth in Title 3, Chapter 3.60 of the Waterford Municipal Code; and this Chapter sets forth the procedures to be followed in adopting any public facilities and/or Capital Facilities Fees; and

WHEREAS, the City has retained the professional assistance of consulting firms to study the impacts of future development and to assess the need for improved public infrastructure and capital improvements to meet the needs of the anticipated future growth within the City, to assess the cost associated with developing the public infrastructure and capital improvements, and to determine the proportionate share of these costs to be assessed against future development; and

WHEREAS, the studies and report prepared have identified and determined that a capital improvement program is necessary for expansion of the following services to serve growth in the City: Traffic, Parks and Recreation, Water, Sewer Treatment, City Facilities, Police, Sewer Collection, Storm Drainage, and Administration and Planning; and

WHEREAS, the City Council finds that the fees assessed pursuant to this Resolution shall be properly limited to the use and purpose attributable to the development and improvement of public facilities identified in this Resolution, that there is a reasonable relationship between the use of the fee and the type of development for which a fee is used, that there is a reasonable relationship between the needs of identified public facilities and infrastructure and the amount of the fees being imposed, and that there is a reasonable relationship between the need for the public facilities to be developed or improved and the impacts caused by the type of development project for which Capital Facilities Fees are imposed; and

WHEREAS, the fees assessed by this Resolution shall be subject to an automatic adjustment for inflation as provided in Chapter 3.60; shall be the subject of annual reports as provided in Chapter 3.60; and shall be deposited, invested, and accounted for pursuant to Government Code section 66006, and as that section may be amended from time to time, and Chapter 3.60; and

WHEREAS, the consideration of this resolution was set for a duly noticed public hearing held at 6:30 p.m. on October 1, 2015, at the City Council meeting held at Waterford City Council Chambers, 101 E Street, Waterford, CA 95386; and

WHEREAS, after considering the above-referenced reports, testimony received at the public hearing held on October 1, 2015, the City Council hereby approves and adopts the findings and recommendations set forth in the Capital Plan Reports; and

WHEREAS, the City Council finds that the fees collected pursuant to this Resolution shall be used to finance the facilities identified in the above-referenced reports, which are incorporated herein by this reference, and further finds that future development in the City of Waterford as set forth in the reports will generate additional demand on City services and public facilities and infrastructure; and

WHEREAS, the City Council finds that adoption of this Resolution pertaining to capital facilities is

statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Title 14 of the California Code of Regulations, section 15273(a)(4).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATERFORD DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Capital Facilities Fees in the City of Waterford shall be levied on all new growth in the City of Waterford as follows:

- The City Council does hereby adopt the Capital Program contained in the reports submitted with this Resolution.
- Categories of fees: Capital Facilities Fees shall be levied on all new growth in the City of Waterford in nine categories of service as follows: Traffic, Sewer Collection, Sewer Treatment, Storm Drainage, Water, Parks and Recreation, City Facilities, Police, Administration and Planning
- Fees for each category of service shall be levied based on conversion to Equivalent Dwelling Units ("EDUs"). An EDU is defined as the service demand created by one (1) single-family dwelling.
- Fees for each category of service shall be levied per unit of growth and shall depend on the area of benefit where the growth occurs.
- Automatic annual inflation adjustment: All fees assessed pursuant to this Resolution shall be adjusted annually for inflation by the City Manager. The adjustments shall occur on March 1 of each year in accordance with the annual increase in the Engineering News Record Index for the twelve (12) month period ending in the preceding December.
- Fees shall be paid pursuant to the provisions set forth in Chapter 3.60 of the Waterford Municipal Code.

SECTION 2. The City council finds that the reports on file and attached as Exhibit A: Waterford Capital Facility Fee Update 2015, and the testimony presented during a duly noticed public hearing held on October 1, 2015, have established the following:

- That there is a reasonable relationship between the need for the public facilities designated in the reports and in the City's General Plan and in the impacts of the types of development for which the corresponding fees are charged.
- That there is a reasonable relationship between the fees, uses, and the types of development for which the corresponding fees are charged.
- That there is a reasonable relationship between the amount of the various fees and the cost of the public facilities or portions of the public facilities attributable to the development and types of development upon which the various fees are imposed.
- That the cost estimates set forth in the reports and analyses are reasonable cost estimates for constructing these facilities, and that the fees expected to be generated by future development will not exceed the total costs of constructing the public facilities referenced in the reports.
- The analysis in the reports establishes a linkage or nexus between development in the City's General Plan and the need for additional public facilities or improvements to existing public facilities

and infrastructure within the City of Waterford.

- The City Council further finds that the methods of allocation of the fee components proposed in the analysis of the reports, and enacted herein, do bear a fair and proportional relationship to each developer's burden on, and benefit from, the facilities to be funded by the respective fees.
- The provisions of this Resolution shall take effect the earliest date in accordance with Sections 66016 and 66017 of the Government Code.

The foregoing Resolution 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 1st day of October, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF WATERFORD

Mike Van Winkle, Mayor

ATTEST:

LORI MARTIN, City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING, City Attorney

WATERFORD CAPITAL FACILITY FEE UPDATE 2015



PREPARED BY:



1242 Dupont Court
Manteca, CA 95336

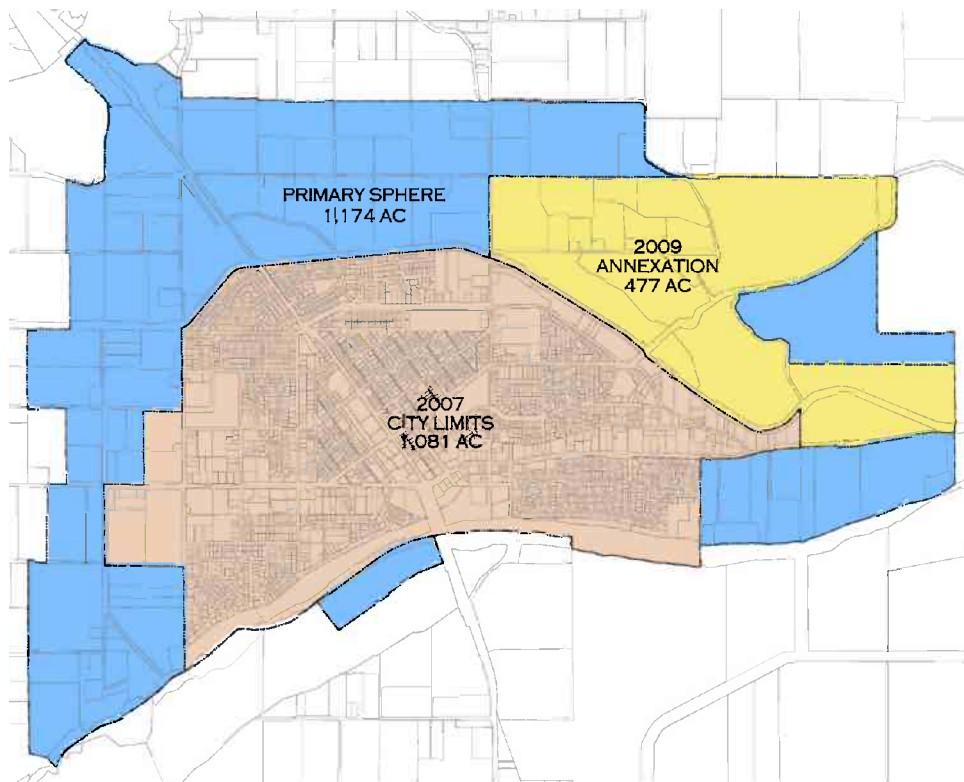
FINAL DRAFT REPORT – 8/27/15

1. INTRODUCTION

Background:

In 2005 the City of Waterford adopted a comprehensive update of its General Plan that called for expansion of city's primary sphere of influence to include approximately 1,681 acres in areas west, north and east of the city limits. At that time the existing city limits covered approximately 1,081 acres. Following the General Plan update approximately 477 acres of land within the sphere of influence was annexed into the city, leaving approximately 1,174 acres of land within the primary sphere, but outside the city limits. Master Plans were prepared for the entire 1,681 acres, which identified water, sewer, storm drain and traffic capital improvements that would be required to be constructed to support growth within the primary sphere.

In 2007 a Capital Plan Report was prepared to establish Capital Facility Fees (CFF) for the capital improvements identified in the master plans, along with other capital costs for programs and facilities such as Parks, City Facilities, Administration & Planning, and Police. Development impact fees were adopted to cover the cost of these improvements and facilities.



Purpose:

The purpose of this report is to revise the Capital Facility Fees (CFF) by updating the list of Capital Improvement Program (CIP) projects (eliminate those improvements that have been constructed, are funded under other grants, or are outside the growth horizon), and by updating the population growth trends to establish an appropriate growth planning horizon. This report considers an anticipated 30-year growth (2045).

2. GROWTH PROJECTIONS

Population Growth Assumptions:

The 2007 Report assumed a non-linear growth rate starting with a population of 7,800 in 2007, and yielding projected populations in 2015 and 2035 of 12,550 and 21,350 respectively. This rate of growth equates to approximately 3.65% per year from the year 2007 until 2035. However, that report was prepared at the peak of the last housing boom and just before a significant recession that resulted in a major slowing of growth over the last 8 years. Consequently, the growth assumptions in that report are no longer valid. This report establishes updated growth assumptions based on the latest census report and currently anticipated growth trends.

The starting point for this report is the year 2010, a U.S. Census year that calculated a population of 8,456 in Waterford. This report will project the population growth from the base year of 2010 under the following scenario:

2045 at 2.0% Growth: The year 2045 was selected because it represents a 30-year growth horizon (a common practice used in planning documents). A Growth rate of 2.0% was chosen because it mirrors many of the growth models prepared by other planning organizations in the Central Valley, like the Stanislaus Council of Governments (StanCOG). As will be demonstrated later in this report, this growth scenario will result in only partial development of the city's Primary Sphere of Influence, which is the basis for the city's General Plan and Master Plan documents. This scenario yields higher fees because we will need to overbuild some of the infrastructure to accommodate partial growth of the planning area.

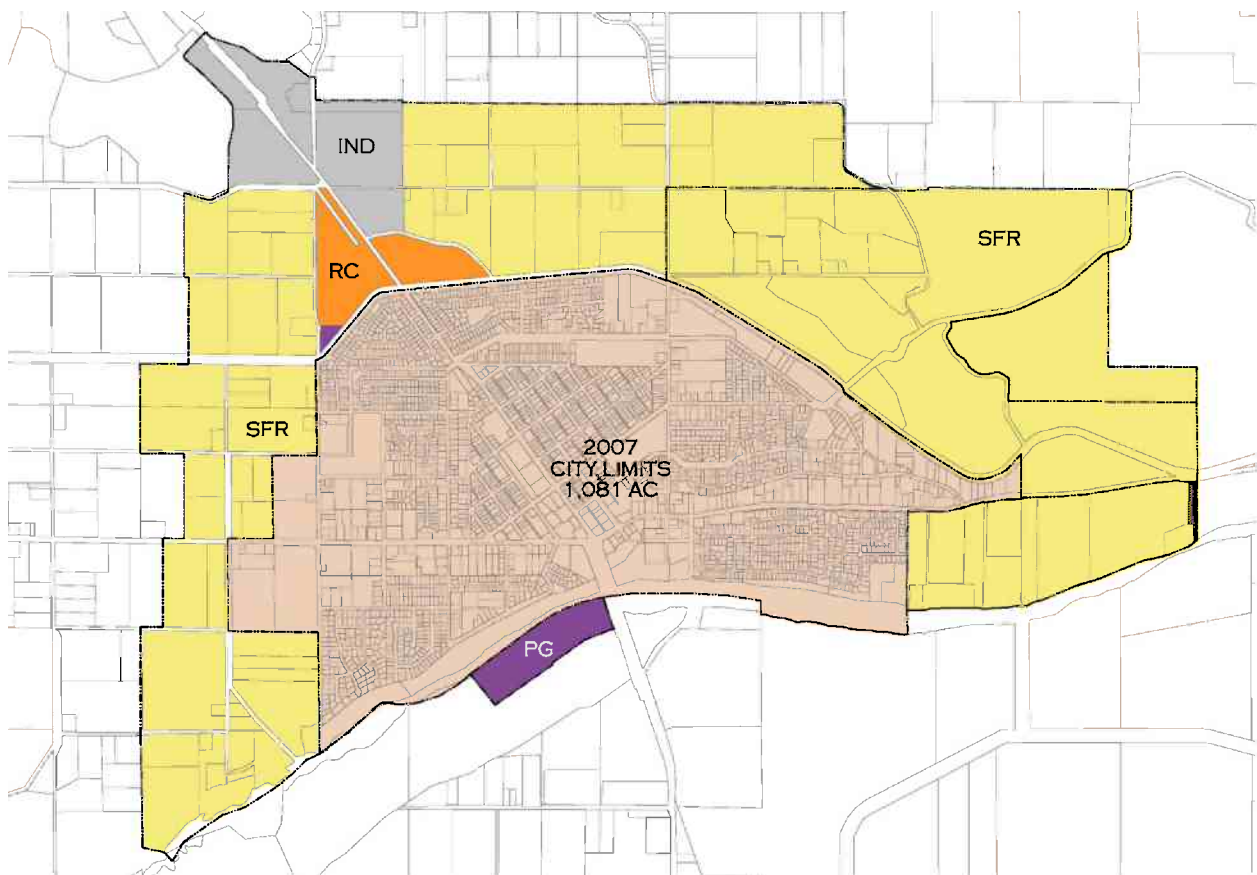
The table below shows the population growth assumptions of the previous rate study (2007) and the growth scenario that will be discussed in this report:

	2010	2015	2020	2025	2030	2035	2040	2045
2007 Projections	10,500	12,550	14,550	16,600	18,600	21,350		
30 years at 2.0%	8,456	9,336	10,307	11,380	12,565	13,872	15,316	16,911

Land Use Growth Assumptions:

In order to quantify the extent of capital improvements that must be installed to accommodate anticipated population growth, we must convert growth in population to growth in actual land development acreage for the various land use types.

The predominant land use in Waterford (as well as most other central valley cities) is “Single Family Residential” (SFR). In fact, in Waterford approximately 95% of the population lives in Single Family Residences. So, SFR is a convenient standard for estimating land use growth. By estimating how much land will be developed into SFR to accommodate our population growth assumptions, we can better predict how much land will be developed in other categories (commercial, industrial, etc.) in conjunction with the population growth. The figure below shows the land uses that are planned for the entire Primary Sphere (including the 2009 Annexation area).



While there remains undeveloped infill land within the 2007 City Limits, this report focuses primarily on the Primary Sphere (and 2009 Annexation) because these are the areas that will require significant capital improvements to be installed to support growth.

In the following paragraphs, an explanation of various terms, conversion factors and assumptions used to calculate the amount of land that will develop is presented.

Density: The density of development on residential property is generally calculated in dwelling units per acre, or units/acre, and persons/unit (number of individuals living in one unit). Since the acreage of the General Plan expansion is in gross acres, we must account for roads, parks, schools and other uses that will lower the net usable acreage for residential development, and thus the yield in terms of units per acre. The density of development on non-residential land is generally expressed in the square footage of the building along with a Floor Area Ratio (F.A.R.), which is expressed as the quotient of developed site area divided by building floor area. The assumptions regarding development density used in this report are shown below:

Land Use	Value	Description
Single Family Residential	3.0	Persons per Dwelling
Single Family Residential	3.0	Units per Acre
Multi-Family Residential	3.9	Units per Acre
Retail Commercial	4.0	Floor Area Ratio
Low-Rise Office	3.0	Floor Area Ratio
Light Industrial/Manuf.	2.0	Floor Area Ratio
Warehouse	2.0	Floor Area Ratio
Other Non-residential	2.0	Floor Area Ratio

Equivalent Dwelling Unit (EDU): Since each of the land uses has a different use factor for things like water, sewer, storm drainage and traffic, it is helpful to find a common unit that each land use can be converted into for calculation and comparison purposes. Once again, “Single Family Residential” is the most convenient land use to use for these conversions and it has been adopted as an industry standard. A term known as “Equivalent Dwelling Unit” (EDU) is used to describe how much a typical Single Family Home would use of any particular service category. For example, based on measured water use by typical retail commercial buildings, we can establish an area (in square feet) of commercial space that will use the same amount of water that a typical Single Family Home would use. Or, another way to express this relationship is to determine what percentage of a single-family home usage is represented by 1,000 square feet of non-residential building space. The EDU factors for each land use and service category that have been used for this report are described below:

Land Use	Unit	Traffic	Water	Sewer	Storm	Parks	Facilities	Police	Admin
Single Family Residential	1 Dwelling	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Multi-Family Residential	1 Dwelling	0.80	meter	meter	0.25	0.80	0.80	0.80	0.80
Retail Commercial	1,000 sf	0.80	meter	meter	0.60	0.00	0.50	0.50	0.50
Low-Rise Office	1,000 sf	0.80	meter	meter	0.60	0.00	0.50	0.50	0.50
Light Industrial/Manuf.	1,000 sf	0.40	meter	meter	0.60	0.00	0.50	0.50	0.50
Warehouse	1,000 sf	0.24	meter	meter	0.60	0.00	0.50	0.50	0.50
Other Non-residential	1,000 sf	0.40	meter	meter	0.60	0.00	0.50	0.50	0.50

Meter = Water and sewer fees are based on the water meter size serving the property.

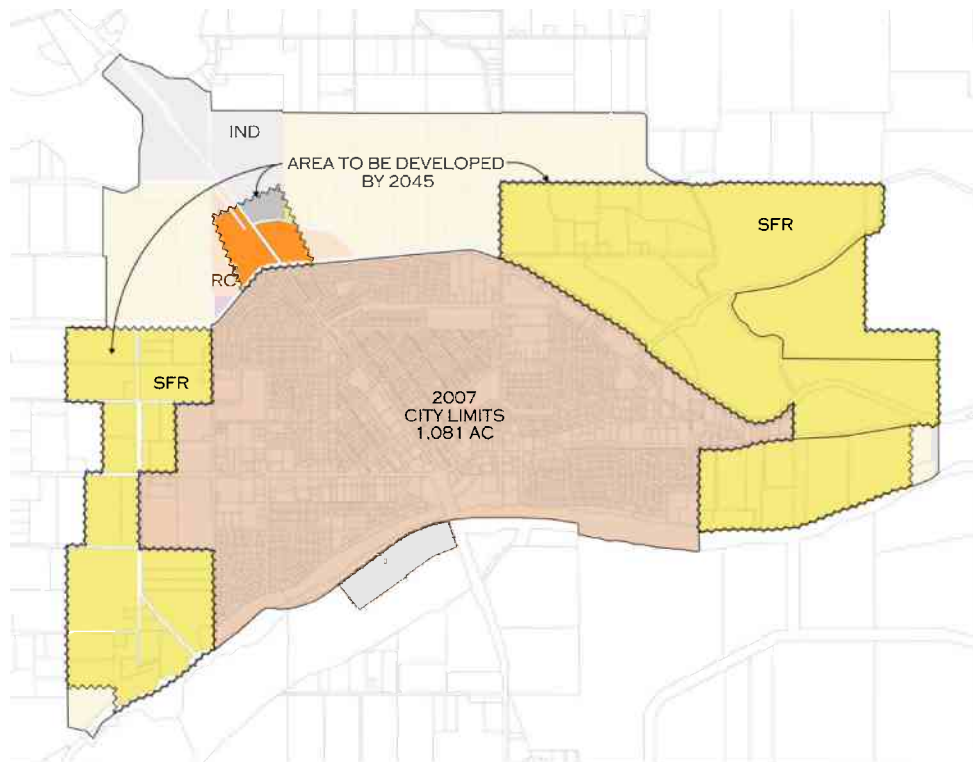
2045 at 2.0% Growth:

The planning horizon for this document is the year 2045 (30 years from today). At that time the population of Waterford is expected to be approximately 16,911. This will result in the development of approximately 995 acres of Single-Family Residential land and about 26 acres of non-residential land within the Primary Sphere of Influence. The table below shows the calculated values and the map shows what this growth might look like in terms of size in relation to available land within the Primary Sphere.

Land Use	2005		2045		Increase		Acreage		
	Population	EDU	Population	EDU	EDU	Unit/ac	Total	City	Sphere
Residential									
Single Family	7,410	2,135	16,066	5,355	3,220	3.00	1,073.4	107.3	966.1
Multi-Family	390	90	846	217	127	3.90	32.5	3.3	29.3
SUB-TOTAL	7,800	2,225	16,911	5,572	3,347		1,105.9	110.6	995.3
Non-Residential									
Retail Commercial	111,360	89	241,438	193	104	4.00	11.9	1.2	10.8
Low-Rise Office	67,470	54	146,281	117	63	3.00	5.4	0.5	4.9
Light Manuf.	86,721	35	188,019	75	40	2.00	4.7	0.5	4.2
Warehouses	8,179	2	17,733	4	2	2.00	0.4	0.0	0.4
Other Uses	128,520	51	278,642	111	60	2.00	6.9	0.7	6.2
SUB-TOTAL	402,250	231	872,112	501	270		29.4	2.9	26.4

3,617

1,135.3 113.5 1,021.7



3. CAPITAL IMPROVEMENT PROJECTS

This section describes the capital improvements that must be installed to accommodate growth under the two scenarios considered.

Traffic:

This list of traffic improvements is taken from the “Master Traffic Improvements Report” by MCR Engineering. Under the 2045 Growth Scenario, it will not be necessary to install some of the proposed traffic improvements. These improvements are shaded in tan. Also, the Hickman Bridge, is no longer required to be in the CIP, because the County will be improving the bridge in the near future and the City of Waterford’s fair share will be covered by a federal grant known as the Regional Surface Transportation Program (RSTP). This item is shaded in gray. Finally, it is assumed that under the 2045 Growth Scenario that only about 50% of the infill frontage costs will be incurred.

	Street	From	To	2045
1	Yosemite	Eucalyptus	Reinway	\$ 327,437.00
2	Yosemite	Reinway	Bentley	\$ 1,068,843.00
3	Yosemite	Bentley	F. Street	\$ 727,313.00
4	Yosemite	F. Street	Riverpointe (West)	\$ 3,511,129.00
5	Yosemite	Riverpointe (West)	Riverpointe (East)	\$ 566,671.00
6	Yosemite	Reiverpointe (East)	Skyline	\$ 361,169.00
7	Yosemite	Skyline	Rorabough	\$ 418,107.00
8	Yosemite	Rorabough	El Pomar	\$ -
9	F Street	El Pomar	M.I.D. Canal	\$ 861,169.00
10	F Street	M.I.D. Canal	Bonnie Brae	\$ 1,013,000.00
11	F Street	Bonnie Brae	First Street	\$ 265,450.00
12	F Street	First Street	Bentley	\$ 520,000.00
13	F Street	Bentley	Yosemite (HWY 132)	\$ 510,000.00
14	F Street	Yosemite (HWY 132)	Toulumne River	\$ 400,000.00
15	Eucalyptus	Yosemite (HWY 132)	M.I.D. Canal	\$ 819,525.00
16	Eucalyptus	M.I.D. Canal	F. Street	\$ -
17	El Pomar	F. Street	East PL	\$ -
18	El Pomar	East PL	Tim Bell	\$ -
19	El Pomar	Tim Bell	Rorabough	\$ 1,304,550.00
20	El Pomar	Rorabough	Lake Pointe East PL	\$ 1,020,225.00
21	Tim Bell	Yosemite (HWY 132)	Bentley	\$ 247,074.00
22	Tim Bell	Bentley	City Limts	\$ 309,230.00
23	Tim Bell	City Limits	El Pomar	\$ 723,945.00
24	Reinway	Yosemite (HWY 132)	Mid Canal	\$ 477,388.00
25	Reinway	Bentley MID	Eucalyptus	\$ 202,585.00
26	Rorabaugh	Yosemite (HWY 132)	Mid Canal	\$ 2,499,850.00
27	Rorabaugh	Mid Canal	El Pomar	\$ 4,102,200.00
28	Hickman Bridge			\$ -
29	Infill Frontage	<i>(include 50% in 2045 Growth Scenario)</i>		\$ 207,847.50
Grand Total				\$ 22,256,861.00

Sewer Collection:

The capital improvement project list for sewer collection was established in the city's Sewer Collection Master Plan. Under the 2045 growth horizon, some of the improvements will not be necessary.

No.	Project	2045
1	Pump Station A & FM to Skyline-Bentley	\$ 1,211,000.00
2	Skyline-Bentley Sewers	\$ 529,000.00
3	Vineyard Road Sewers	\$ 1,101,000.00
4	Lower Main Canal Sewers	\$ 402,000.00
5	Eastern Area Sewers	\$ 989,000.00
6	Yosemite Sewers	\$ 855,000.00
7	Baker Street Pump Station Expansion	\$ 1,468,000.00
8	Southwest Area Sewers	\$ -
9	Tim Bell Road Sewers	\$ -
10	El Pomar Sewers	\$ -
11	Oakdale-Waterford Hwy Sewers	\$ 526,000.00
12	Star Ave. Sewers	\$ -
13	Pump Station B	\$ 1,575,000.00
14	Eucalyptus Sewers	\$ 2,418,000.00
15	Pump Station C	\$ 1,887,000.00
16	Timmie Lane Sewers	\$ 369,000.00
17	N. Reinway Sewers	\$ 808,000.00
18	Master Plan Implementation & Management	\$ 901,000.00
		\$ 15,039,000.00

Sewer Treatment:

The list of improvements for the Sewer Treatment Plant below is from the city's Sewer Treatment Master Plan. Under the 2045 growth horizon only the Phase 1 improvements will be necessary.

No.	Project	2045
1	Convert to MBR System (1.5 mgd)	\$ 9,200,000.00
2	Treatment Plant Admin & Lab Building	\$ 1,350,000.00
3	Phase 2 - Add 0.5mgd (2.0 mgd total)	\$ -
4	Phase 3 - Add 0.5mgd (2.5 mgd total)	\$ -
		\$ 10,550,000.00

Storm Drainage:

Below are a list of capital improvement projects and costs from the city's Drainage Master Plan, indicating the improvements required for the 2045 growth planning horizon.

Project	2045
A-1	\$ 368,750.00
A-2	\$ 59,000.00
A-3	\$ 354,000.00
A-4	\$ 442,500.00
A-5	\$ 59,000.00
A-6	\$ 118,000.00
Off-line Detention Basin AD-1	\$ 92,000.00
Off-line Detention Basin AD-2	\$ 152,600.00
Pollution Prevention Device	\$ 700,000.00
C-1	\$ -
C-2	\$ -
C-3	\$ -
C-4	\$ -
C-5	\$ 191,750.00
C-6	\$ 195,000.00
C-7	\$ 97,500.00
B-1	\$ 383,500.00
B-2	\$ 147,500.00
Off-line Detention Basin CD-1	\$ -
Off-line Detention Basin CD-2	\$ -
Off-line Detention Basin BD-1	\$ 111,500.00
Pollution Prevention Device	\$ 700,000.00
D-1	\$ 528,000.00
D-2	\$ 162,500.00
D-3	\$ 187,500.00
D-4	\$ 175,000.00
D-5	\$ 150,000.00
E-1	\$ 695,000.00
E-2	\$ 145,750.00
E-3	\$ 49,200.00
E-4	\$ 46,125.00
E-5	\$ 92,750.00
E-6	\$ 79,500.00
Off-line Detention Basin DD-1	\$ 175,000.00
Detention/Retention Basin DD-2	\$ 1,307,000.00
Off-line Detention Basin ED-1	\$ 296,000.00
Pollution Prevention Device	\$ 700,000.00
	\$ 8,961,925.00

Water:

The city's Water Master Plan (2006) was prepared under the assumption that the City of Modesto would continue to own and maintain Waterford's main water system that serves the majority of existing residents and businesses. The plan assumed that the River Pointe water system that was built and dedicated to the City of Waterford would be expanded to serve the 1,600 acre Primary Sphere of Influence. The plan called for \$44 million in capital improvements to serve the full build-out of the primary sphere. However, with the recently approved plan for Waterford to purchase the City of Modesto water system that serves Waterford and Hickman, it is anticipated that the capital improvement costs to accommodate future growth will be significantly lower.

A new Water Master Plan will be prepared during the next 12 months. Upon completion of the Master Plan with detailed CIP's, a new rate study and amendment to the CFF schedule for water will be generated. In the mean time, for the purpose of this draft report we have assumed that the water fee will not change.

Parks:

Below is a list of park improvements under the 2045 Growth Planning Horizon:

Existing Population				
Land	14.1	ac	\$ 150,000.00	\$ 2,115,000.00
Improvements	919,116	sf	\$ 4.00	\$ 3,676,464.00
Community Ctr.	0	sf	\$ 250.00	\$ -
Trails & Bridges	0	lf	\$ 100.00	\$ -
Total				\$ 5,791,464.00
Future Growth				
Land	45.6	ac	\$ 150,000.00	\$ 6,833,299.54
Improvements	1,984,390	sf	\$ 4.00	\$ 7,937,560.75
Community Ctr.	0	sf	\$ 250.00	\$ -
Trails & Bridges	0	lf	\$ 100.00	\$ -
Total				\$ 14,770,860.29

City Facilities:

This section will be updated later with the water category, so no fees for this category will be collected at this time.

Police:

In partnership with the Stanislaus County Sheriff's Department, the City of Waterford has property reserved at 121 E. St. for a permanent building to house a police station. Based on discussion with the Sheriff's Department, the site should accommodate a 4,000 sq. ft. police station, and a secure parking lot in the back. Frontage improvements will be installed per an agreement with the Stanislaus Consolidated Fire Protection District. At this time, without a conceptual design or construction documents, the estimate is for a \$2 million police station.

Total Capital Improvement Program Costs:

The table below lists all the capital improvement costs that are used to establish Capital Facility Fees. The table shows the costs under the 2045 growth horizon (New CIP) as well as the existing CIP costs for comparison purposes. The final column shows the change in cost from the previous CIP to the current 2045 CIP.

Since this report does not calculate new CIP costs for “Water” and “City Facilities”, these two categories remain unchanged. Both of these categories will be updated at a later date. In the mean time, the fees charged for these two categories will not change.

A cumulative reduction of over \$34 Million in CIP costs is represented in this study. As described earlier, the main reason for this reduction in costs is the reduction in anticipated growth during the planning horizon.

	New CIP	Existing CIP	Change
Traffic	\$ 22,547,846.50	\$ 29,206,688.00	\$ (6,658,841.50)
Sewer Collection	\$ 15,039,000.00	\$ 18,925,000.00	\$ (3,886,000.00)
Sewer Treatment	\$ 10,550,000.00	\$ 16,750,000.00	\$ (6,200,000.00)
Storm Drain	\$ 8,961,925.00	\$ 11,379,000.00	\$ (2,417,075.00)
Water	\$ 44,223,440.00	\$ 44,223,440.00	\$ -
Parks & Recreation	\$ 14,770,860.29	\$ 25,017,260.00	\$ (10,246,399.71)
City Facilities	\$ 5,174,756.00	\$ 5,174,756.00	\$ -
Police	\$ 2,000,000.00	\$ 4,609,000.00	\$ (2,609,000.00)
Admin. & Planning	\$ 1,500,000.00	\$ 3,600,000.00	\$ (2,100,000.00)
	\$ 124,767,827.79	\$ 158,885,144.00	\$ (34,117,316.21)

Three of the categories above apply only to the area annexed in 2007. Sewer Collection, Storm Drain and Water (all highlighted in light blue above) costs are not applicable to the city limits prior to the 2007 annexation.

The CIP costs for Water and City Facilities will be updated in a future study, after a new Water Master Plan has been prepared. It is anticipated that the Water costs will go down substantially, as a result of mandatory conservation measures that have been adopted since the Master Water Plan has developed and a cost savings that will result of taking ownership of the existing water system.

4. CAPITAL FACILITY FEES

This section presents the existing and proposed Capital Facilities Fees for each category and land use.

Annexation Area:

The tables below list the existing and proposed fees for the areas annexed into the city in 2007.

Existing Fees:

Category	SFR	MFR	Comm.	Office	Ind.	Ware.
Traffic	\$ 5,773.00	\$ 4,619.00	\$ 4,619.00	\$ 4,619.00	\$ 2,309.00	\$ 1,386.00
Sewer Treatment	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00
Sewer Collection	\$ 4,157.00	\$ 4,157.00	\$ 4,157.00	\$ 4,157.00	\$ 4,157.00	\$ 4,157.00
Storm Drain	\$ 2,499.00	\$ 625.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Water	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00
Parks & Rec	\$ 5,268.00	\$ 4,314.00	\$ -	\$ -	\$ -	\$ -
City Facilities	\$ 1,023.00	\$ 818.00	\$ 511.00	\$ 511.00	\$ 511.00	\$ 511.00
Police	\$ 911.00	\$ 729.00	\$ 456.00	\$ 456.00	\$ 456.00	\$ 456.00
Admin. & Planning	\$ 712.00	\$ 569.00	\$ 356.00	\$ 356.00	\$ 356.00	\$ 356.00
	\$ 32,703.00	\$ 28,191.00	\$ 23,959.00	\$ 23,959.00	\$ 21,649.00	\$ 20,726.00

Proposed Fees:

Category	SFR	MFR	Comm.	Office	Ind.	Ware.
Traffic	\$ 6,233.72	\$ 4,986.98	\$ 4,986.98	\$ 4,986.98	\$ 2,493.49	\$ 1,496.09
Sewer Treatment	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72
Sewer Collection	\$ 4,157.78	\$ 4,157.78	\$ 4,157.78	\$ 4,157.78	\$ 4,157.78	\$ 4,157.78
Storm Drain	\$ 2,477.67	\$ 619.42	\$ 1,486.60	\$ 1,486.60	\$ 1,486.60	\$ 1,486.60
Water	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00	\$ 9,049.00
Parks & Rec	\$ 4,083.65	\$ 3,266.92	\$ -	\$ -	\$ -	\$ -
City Facilities	\$ 1,023.00	\$ 818.00	\$ 511.00	\$ 511.00	\$ 511.00	\$ 511.00
Police	\$ 552.93	\$ 442.35	\$ 276.47	\$ 276.47	\$ 276.47	\$ 276.47
Admin. & Planning	\$ 414.70	\$ 331.76	\$ 207.35	\$ 207.35	\$ 207.35	\$ 207.35
	\$ 30,909.18	\$ 26,588.92	\$ 23,591.90	\$ 23,591.90	\$ 21,098.41	\$ 20,101.02

For all land use types except Single Family Residential (SFR), the fees for “Water”, “Wastewater Treatment” and “Sewer Collection” are based on water meter size. For simplicity the fees for a 1” water meter is shown for each of these categories in the tables below. To calculate the fees for other water meter sizes, the fee above should be calculated by the corresponding factors below based on meter size:

Water Meter Size:	5/8” or 3/4”	1”	1 ½”	2”	3”	4”
Fee Factor:	1.00	1.67	3.33	5.33	10.66	16.65

2007 City Limits:

The tables below list the existing and proposed fees for the land that was within the city limits prior to the 2007 Annexation. The CIP costs presented in this report for “Sewer Collection,” “Storm Drain,” and “Water” are applicable only to the annexation area. Consequently, no fees are charged under these categories for land developed within the pre-2007 City Limits.

Existing Fees:

Category	SFR	MFR	Comm.	Office	Ind.	Ware.
Traffic	\$ 5,773.00	\$ 4,619.00	\$ 4,619.00	\$ 4,619.00	\$ 2,309.00	\$ 1,386.00
Sewer Treatment	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00	\$ 3,311.00
Sewer Collection	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Storm Drain	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Parks & Rec	\$ 5,268.00	\$ 4,314.00	\$ -	\$ -	\$ -	\$ -
City Facilities	\$ 1,023.00	\$ 818.00	\$ 511.00	\$ 511.00	\$ 511.00	\$ 511.00
Police	\$ 911.00	\$ 729.00	\$ 456.00	\$ 456.00	\$ 456.00	\$ 456.00
Admin. & Planning	\$ 712.00	\$ 569.00	\$ 356.00	\$ 356.00	\$ 356.00	\$ 356.00
	\$ 16,998.00	\$ 14,360.00	\$ 9,253.00	\$ 9,253.00	\$ 6,943.00	\$ 6,020.00

Proposed Fees:

New Fees:	SFR	MFR	Comm.	Office	Ind.	Ware.
Traffic	\$ 6,233.72	\$ 4,986.98	\$ 4,986.98	\$ 4,986.98	\$ 2,493.49	\$ 1,496.09
Sewer Treatment	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72	\$ 2,916.72
Sewer Collection	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Storm Drain	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Parks & Rec	\$ 4,083.65	\$ 3,266.92	\$ -	\$ -	\$ -	\$ -
City Facilities	\$ 1,023.00	\$ 818.00	\$ 511.00	\$ 511.00	\$ 511.00	\$ 511.00
Police	\$ 552.93	\$ 442.35	\$ 276.47	\$ 276.47	\$ 276.47	\$ 276.47
Admin. & Planning	\$ 414.70	\$ 331.76	\$ 207.35	\$ 207.35	\$ 207.35	\$ 207.35
	\$ 15,224.73	\$ 12,762.73	\$ 8,898.52	\$ 8,898.52	\$ 6,405.03	\$ 5,407.63

For all land use types except Single Family Residential (SFR), the fees for “Water”, “Wastewater Treatment” and “Sewer Collection” are based on water meter size. For simplicity the fees for a 1” water meter is shown for each of these categories in the tables below. To calculate the fees for other water meter sizes, the fee above should be calculated by the corresponding factors below based on meter size:

Water Meter Size:	5/8” or 3/4”	1”	1 ½”	2”	3”	4”
Fee Factor:	1.00	1.67	3.33	5.33	10.66	16.65

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Classification: 361 - Legals & Public Notices

Notice of proposed change to capital fees applicable to development in the City of Waterford

A public hearing will be held by the City Council of the City of Waterford at 6:30 p.m. on Thursday, October 1, 2015 in the City Council Chambers, 101 E Street, Waterford, California to consider changes to capital facilities fees in the categories of Traffic, Parks and Recreation, Sewer Collection and Treatment, Drainage, City Facilities, Police Facilities, and Administration and Planning.

It is expected that the City Council will consider taking action to adopt new fees based on updated capital programs. For the category of single-family homes, for instance, development fees are recommended to decrease from \$16,998 per unit to \$15,224 if the unit is built within the city limits as of 2007 and decrease from \$32,703 per unit to \$30,909 if the unit is built on the northeast city limits annexed to the City in 2007. For commercial development, for instance, development fees are recommended to also decrease from \$9,253 per unit to \$8,898 in the city limits as of 2007, and decrease slightly in the northeast city limits annexed area.

The recommendations to change the development fees are contained in a Capital Plan Report dated August 27, 2015, by MCR Engineering. Copies of this report are on file with the City Clerk of the City of Waterford and can be viewed during business hours, or viewed online at <http://cityofwaterford.org/>.

All persons interested are invited to attend the public hearing at the above time and place and will be given an opportunity to be heard. If you challenge the proposed action by the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

If there are questions regarding this proposed action on development fees, please call the Waterford City Manager at 209-874-2328.
Pub Dates 09/25/2015

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If there are questions regarding this proposed action on development fees, please call the Waterford City Manager at 209-874-2328.



Consider making an appointment to the Community Development Committee

SUMMARY:

Consider an application from Gary Beck for appointment to the Community Development Committee.

FISCAL IMPACT:

N/A

ANALYSIS:

The Community Development Committee is a standing committee which consists of one (1) member of the City Council selected by that body, one (1) member of the Planning Commission selected by that body, and three (3) or five (5) members from the public with experience in the building, business, or financial services industry, of which shall be appointed by the City Council.

The current members of the Community Development Committee are:

- Council Member Whitfield, Chair
- Planning Commissioner Powell
- Becky Scroggins, representing the Chamber of Commerce
- Harman Gehlon, local business owner
- Kurtis Clark, Stanislaus County Alliance
- Holly Fielder, Historical Society Member

ATTACHMENTS:

- Resolution #2015-96
- Application submitted by Gary Beck

**WATERFORD CITY COUNCIL
RESOLUTION 2015-96**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATERFORD APPOINTING ONE (1)
COMMITTEE MEMBER TO THE COMMUNITY DEVELOPMENT COMMITTEE**

WHEREAS, City Council formed the Community Development Committee at a regular meeting held on December 4, 2014; and,

WHEREAS, City Council appoints members to Waterford Boards, Commissions and Committees; and,

WHEREAS, the Community Development Committee is a standing committee which consists of one (1) member of the City Council selected by that body; one (1) member of the Planning Commission selected by that body, and three (3) or five (5) members from the public with experience in the building, business, or financial services industry, of which shall be appointed by the City Council; and,

WHEREAS, the current Committee Members are Council Member Whitfield, Planning Commissioner Powell, Committee Member Scroggins, representing the building industry, Committee Member Gehlon, representing the business community, Committee Member Clark, representing the economic and financial field and Commissioner Fielder representing the non-profit field; and,

WHEREAS, newspaper ads notifying the citizens of Waterford of the vacancies on all boards and commissions and inviting citizens to apply has been advertised and published in the local newspaper; and,

WHEREAS, appointment of one more Committee Member will give this a full seven (7) member committee; and,

WHEREAS, an application for appointment to the Community Development Committee was submitted by resident, Gary Beck with an interest to serve on the Community Development Committee; and,

NOW, THEREFORE, BE IT RESOLVED, that the Waterford City Council hereby approves the nomination and appoints resident Gary Beck to the Waterford Community Development Committee as a Committee Member effective immediately.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on October 1, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF WATERFORD

MICHAEL VAN WINKLE, Mayor

ATTEST:

LORI MARTIN
City Clerk

APPROVED AS TO FORM:

CORBETT J. BROWNING
City Attorney

**APPLICATION FOR APPOINTMENT – Waterford
Community Development Committee –**

Name: Gary Beck II

Date: 09/10/15

Home Address: 525 E St. Waterford Ca 95386 209-874-8252 or 209-542-3648

Business Address:

(Number/Street) (City/Zip)

(Telephone)

Email Address:

Gbeck1971@gmail.com

Cell:

Are you a legal citizen of the United States: Yes

How long have you lived in Waterford? 2 years

How long have you worked in Waterford? ____ live only.

Are you available for mid-week afternoon meetings? ____yes advance notice would be appreciated.

Are you available for mid-week evening meetings? Yes

Please describe your education, employment and civic activities:

This is my first time in looking at this kind of role. I have approximately 20+ years in Security. I training with Hazmat / Decon in California and Arizona. I have been through the Law Enforcement training that our Sheriff's Deputies have done. I lived in this area until I was in my thirties (2005). I moved to Arizona from 2005 to 2013. I learned so much that could help our city plan for disasters and plan for them. I am FEMA Certified Incident Command System. I have the ability to learn much more with contacts established in our local Hospitals from staff there.

What qualifies you best to represent Waterford's community development interests?

I feel that I can represent this town with a fresh set of eyes and outlook towards the future of the families here and in the future by assisting our leadership in developing this town from experiences I have learned and seen over the years.

I see a town that has so much potential to grow and further the agriculture around it as well prosper with the downtown area. I have seen some changes over the past year that I believe will lead this city to perform better each and every day. I am strong supporter of our Fire, Law Enforcement, and EMS. I feel planning and building in the future should also see new buildings for those respective agencies.

I hereby certify that this form is true and accurate to the best of my knowledge. I understand that I may be contacted for more information if needed. I am available for monthly afternoon or evening meetings and can commit to serving for two years on the Committee should I be appointed.

Larry Beck #
(Signature)

9-11-15
(Date)

Please return to: City Clerk's Office - 101 E Street, Waterford, CA 95386



General Business 5c

October 1, 2015

Tim Ogden, City Manager
City Council Staff Report

Approve Agreement to Purchase Defaulted Tax Properties at F St/Western for Storm Basins for \$39,700 & Approve Budget Amendment to Streets/Drainage Account 1010-310-8290 for \$55,000

SUMMARY:

The Stanislaus County Tax Collector annually authorizes the sale of delinquent property tax parcels to be sold at a public auction. The City of Waterford has negotiated an agreement with Stanislaus County to purchase two adjacent parcels to be used for a storm basin expansion near F St/Western addressing flooding at the La Gallina storm basin.

FISCAL IMPACT:

The two undeveloped parcels totaling 1.1 acres off F. St/Western could be purchased for \$39,700. Additional expenses for closing on the purchase could cost \$5,000, and engineering and actual work of connecting pipework from the storm basin on La Gallina could cost another \$10,000. Payment for the property is due within 14 days to Stanislaus County.

The budget amendment for Streets/Drainage account 1010-310-8290 is for a \$55,000 increase. The fund currently does not have a budget, as this limited time opportunity was not contemplated.

ANALYSIS:

The Stanislaus County Tax Collector has authorized the sale of two properties that would have been sold at a public auction to the City of Waterford. The owners of the undeveloped properties at F. St/Western who live in Discovery Bay, CA purchased the properties for \$275,000 in 2004. The properties are currently assessed at a value of \$168,808. The property has been unable to be developed over the years due to site access for their proposed multifamily project, as well as an assortment of other development barriers.

Meanwhile, across the street at the La Gallina storm basin, the capacity is insufficient to handle most storm events. With the recent investment of La Gallina improvements, and to address flooding in the area, the purchase would serve a public purpose by enhancing capacity to address storm water and protect the new street investment from flooding.

With the purchase completed, engineering work will commence to tie the two storm basins together and the City Council will be updated on those plans. Work could commence by the first of the year.

ENVIRONMENTAL REVIEW:

N/A

ATTACHMENTS:

- Resolution 2015-98
- Delinquent Property Tax Sale Documents Letter from Stanislaus County
- Property Maps & Pictures

**WATERFORD CITY COUNCIL
RESOLUTION 2015-98**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATERFORD
APPROVING AN AGREEMENT WITH STANISLAUS COUNTY TO PURCHASE TAX
DEFAULTED PROPERTIES IN THE CITY OF WATERFORD**

WHEREAS, the City of Waterford, (hereinafter "WATERFORD") and the County of Stanislaus, (hereinafter "COUNTY") are desirous of entering into an Agreement to Purchase Tax Defaulted Properties; and,

WHEREAS, WATERFORD and COUNTY agree to the terms contained in the form of Agreement attached hereto as **Exhibit "A"**.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATERFORD DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council approves the attached Agreement Between the City of Waterford and the County of Stanislaus and authorizes the City Manager of the City of Waterford to execute same on its behalf;

The foregoing Resolution 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 1st day of October, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF WATERFORD

MICHAEL VAN WINKLE, MAYOR

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN,
City Clerk

CORBETT J. BROWNING,
City Attorney

AGREEMENT TO PURCHASE TAX DEFAULTED PROPERTIES

This Agreement is made this _____ day of October, 2015, by and between the Board of Supervisors of Stanislaus County, State of California, and City of Waterford, CA ("PURCHASER"), pursuant to the Provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said County, hereinafter set forth and described in this Agreement, is tax-defaulted and is subject to the Power of Sale by the Tax Collector of said County for the non-payment of taxes, pursuant to provisions of law.

It is mutually agreed as follows:

1. That, as provided by Revenue and Taxation Code Section 3800, the cost of giving notice of this Agreement shall be paid by the PURCHASER, and
2. That the PURCHASER agrees to pay the sum of \$39,700 (Thirty nine thousand seven hundred U S Dollars) for the real properties described in Exhibit "A" within fourteen (14) days after the date this Agreement becomes effective. Upon payment of said sum to the Tax Collector, the Tax Collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. That the PURCHASER agrees to use the parcel(s) for public purpose under the following intent:
 - a) To use them for storm basins.
4. That, if said PURCHASER is a taxing agency as defined in Revenue and Taxation Code Section 121 or any other agency that receives its revenue share under the provisions of Division 1, Part 8, Chapter 3 of the Revenue and Taxation Code, it will not share in the distribution of the payment required by the Agreement as defined by Section 3791 and Section 3720 of the Revenue and Taxation Code.

If all or any portion of any individual parcel described in this Agreement is redeemed prior to the effective date of this Agreement, this Agreement shall be null and void as to that individual parcel.

In addition to the purchase price mentioned above, the PURCHASER should pay for the following expenses when incurred by the County.

- a) Cost of publication
- b) Cost of guarantee of title if such guarantee is needed by the PURCHASER
- c) Cost of proceedings to obtain a clear title to the property
- d) Expenses incurred in the payment, compromise, or other method of removal of any liens or adverse claims against the property.

The undersigned hereby agree to the terms and conditions of this Agreement and are duly authorized to sign for said agencies.

This Agreement is being executed in counterpart each of which constitutes an Original.

CITY OF WATERFORD

Date: _____
By _____
Mayor, City of Waterford

ATTEST:

By _____
City Clerk, City of Waterford

COUNTY OF STANISLAUS

Date: _____
By _____
Terry Withrow, Chairman of Board
of Supervisors

ATTEST:

CHRISTINE FERRARO TALLMAN,
Clerk of the Board of Supervisors

APPROVED AS TO FORM:
JOHN P. DOERING
COUNTY COUNSEL

By _____
Liz King, Deputy

By _____
Deirdre McGrath, Deputy

Pursuant to the provisions of Section 3795 of the Revenue and Taxation Code, the Controller approves the foregoing Agreement this _____ day of _____, 2015.

BETTY T. YEE, CALIFORNIA STATE CONTROLLER

By _____
KAREN GARCIA, MANAGER
Property Tax Standards Section

Exhibit "A"

<u>First year Delinquent</u>	<u>APN</u>	<u>Default Number</u>	<u>Purchase Price</u>
1) 2010	080-053-006-000	DEF100000530	\$ 9,000.00
2) 2010	080-053-008-000	DEF100000531	\$30,700.00

Description of properties:

1) APN 080-053-006-000

COMMENCING AT THE NORTHWEST CORNER OF THE TOWN OF WATERFORD, SAID NORTHWEST CORNER BEING SET ON THE EAST AND WEST QUARTER SECTION LINE OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 11 EAST, MOUNT DIABLO BASE AND MERIDIAN, AS PER RECORDED PLATS OF THE TOWN OF WATERFORD AND THE WATERFORD COLONY SUBDIVISION No. 1; THENCE SOUTH 0° 30' EAST ALONG THE WESTERLY LINE OF SAID TOWN OF WATERFORD 141.26 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0° 30' EAST 89.47 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE NORTH 36° 25' WEST 217.57 FEET AND ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE TO A POINT; THENCE SOUTH 56° 18' EAST 154.31 FEET TO THE TRUE POINT OF BEGINNING.

2) APN 080-053-008-000

1) THAT PARCEL OF LAND SITUATE IN THE CITY OF WATERFORD, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, BEING A PORTION OF TOWNSHIP 3 SOUTH, RANGE 11 EAST MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

THAT PARCEL OF LAND AS DESCRIBED IN DEED DATED APRIL 15, 1890 BETWEEN D.C. PINKSTON AND MARY J. PINKSTON, ET AL, GRANTOR AND SOUTHERN PACIFIC RAILROAD COMPANY, GRANTEE, RECORDED APRIL 21, 1890 IN VOLUME 44 OF DEEDS, PAGE 548, STANISLAUS COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF LYING SOUTHERLY OF THE NORTHERLY LINE OF THAT PARCEL OF LAND AS DESCRIBED IN DEED DATED FEBRUARY 13, 1987 BETWEEN SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION, GRANTOR AND RONALD P. PADILLA, GRANTEE, RECORDED MARCH 23, 1987 AS DOCUMENT No. 068169, STANISLAUS COUNTY RECORDS.

FURTHER EXCEPTING THEREFROM ALL THAT PORTION THEREOF LYING NORTHERLY OF THE SOUTHERLY LINE OF THAT PARCEL OF LAND AS DESCRIBED IN DEED DATED MAY 27, 1981 BETWEEN SOUTHERN PACIFIC TRANSPORTATION COMPANY, GRANTOR AND JOAQUIN CONSTRUCTION CO., INC., ET AL, GRANTEE RECORDED AUGUST 3, 1981 AS DOCUMENT No. 6231, STANISLAUS COUNTY RECORDS.

2) THAT PARCEL OF LAND AS DESCRIBED IN DEED APRIL 8, 1980 BETWEEN E.B.BEARD, GRANTOR AND SOUTHERN PACIFIC RAILROAD COMPANY (NOW SOUTHERN PACIFIC TRANSPORTATION COMPANY), GRANTEE, RECORDED APRIL 11, 1890 IN BLOCK 44 OF DEEDS, PAGE 542, STANISLAUS COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF LYING NORTHERLY OF THE SOUTHERLY LINE OF THAT PARCEL OF LAND AS DESCRIBED IN DEED DATED MAY 27, 1981 BETWEEN SOUTHERN PACIFIC TRANSPORATION COMPANY, GRANTOR AND JOAQUIN CONSTRUCTION CO., INC., ET AL, GRANTEE, RECORDED AUGUST 3, 1981 AS DOCUMENT No. 6231, STANISLAUS COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS, MINERAL RIGHTS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES AS RESERVED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, RECORDED MAY 1, 1991 AS DOCUMENT No. 31607, STANISLAUS COUNTY RECORDS.



OFFICE OF TREASURER / TAX COLLECTOR

Gordon B. Ford

Treasurer / Tax Collector

P. O. Box 859, Modesto, CA 95353-0859

Phone: 209.525.6388 Fax: 209.525.7888

Sept. 23, 2015

The City of Waterford
Attn: Tim Ogden, City Manager
101 E Street
Waterford, CA 95386

Dear Sir/s,

DELINQUENT PROPERTY TAX SALE – OBJECTION AND INTEND TO PURCHASE
THE PROPERTIES BY THE CITY – APN 080-053-006-000, 080-053-008-000 and 080-033-
033-000

We have received your objection dated Aug. 20, 2015 for Delinquent Tax Sale of three
properties described above and the City Council's Resolution to purchase them by the City.

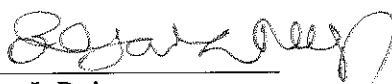
Out of the three parcels the City wants to purchase, we are processing the following parcels
and sending the agreement to you separately to sign.

- 1) APN 080-053-006-000
- 2) APN 080-053-008-000

The owner of the property APN 080-033-033-000 filed the Bankruptcy on April 12, 2011 and
is still in active Bankruptcy status. Therefore, we are unable to process your application to sell
this property to the City and your request is denied. However, if this property is offered for
Tax Sale by us in future, we will inform you accordingly.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,
GORDON B FORD
Treasurer Tax Collector

By 
Jegan L Raja
Asst. Treasurer Tax Collector



F St
Waterford, California
Street View - Jan 2009





General Business 5d

October 1, 2015

Tina Envia, Finance Manager
City Council Staff Report

Summary of Annual Financial Results for the Opterra Energy Services Solar/LED Project

SUMMARY:

The City completed the installation of solar panels for the waste water treatment plant, city hall, and the community center, and retrofit of the City's 330 street lights in 2014-2015. The project cost a total of \$1,901,851.66. The project was funded by long term obligations totaling \$1,893,146; the remainder of the project was funded with current use of City funds (\$8K). The purpose of the project was to utilize energy efficient technology to help control costs for electricity.

FISCAL IMPACT:

The City was able to realize a savings of \$145,839.50 for the first year of the project through electric costs savings and MID rebates. See attached Summary of Year 1 Costs and Savings for detail.

ATTACHMENTS:

- Opterra Energy Services Solar/LED Project Summary of Year 1 Costs and Savings

**City of Waterford
Opterra Solar Project
Summary of Year 1 Costs and Savings
June 30, 2015**

Project Summary:

	<u>Project Cost</u>
Wastewater Treatment Plant Solar Panels	1,372,908.88
Community Center Solar Panels	149,396.04
City Hall Solar Panels	90,870.74
LED Retrofit Streets Lights	288,676.00
	<u>1,901,851.66</u>

Financing:

	<u>Sources of Funds</u>	<u>Annual Debt Service</u>
PNC Equipment Finance, LLC (Payment Varies) (\$26,194.00 to \$82,908.00)	595,356.00	44,551.00
California Energy Commission (CEC) (1st pymt due 12/22/2015)	1,297,790.09	100,502.76
City Funds	8,705.57	
	<u>1,901,851.66</u>	

	<u>Electric Costs</u>		<u>Electric Costs</u>	
	<u>2014</u>	<u>2015</u>	<u>Year 1 Savings</u>	
Wastewater Treatment Facility:	83,554.16	58,410.08	\$	25,144.08
City Hall	6,715.05	3,247.8	\$	3,467.25
Community Center	6,122.77	2,398.91	\$	3,723.86
LED Retrofit (10 months in 2015)	47,666.99	26,043.54	\$	21,623.45
Pending LED Retrofit Adjustment for Variable/Fixed			\$	5,000.00
			<u>\$</u>	<u>58,958.64</u>

Year 1 Rebates

Wastewater Treatment Facility	\$	34,488.00	Paid 9/01/2015
Annual Rebate for 5 years for Solar Generation Credit			
Community Center	\$	20,475.00	Paid 6/10/2014
One time rebate for installation			
City Hall	\$	12,086.40	Paid 7/22/2014
One time rebate for installation			
LED Retrofit	\$	4,475.00	Paid 8/11/2015
One time rebate for installation			
Wastewater Treatment Facility - Solar Bees	\$	15,356.46	Expected 1/2016
One time rebate for installation - Expecting payment in January 2016			
	<u>\$</u>	<u>86,880.86</u>	

Total Year 1 Savings and Rebates: \$ 145,839.50

Total OpTerra Estimates for Savings and Rebates Year 1: 150,395.00



General Business 5e

October 1, 2015

Tina Envia, Finance Manager
City Council Staff Report

Resolution Approving an additional General Fund Loan to the River Pointe Water System Fund in the amount of \$131,594.64

SUMMARY:

The City would like to formalize an additional loan of \$131,594.64 to the River Pointe Water System Fund. As of June 30, 2014 the City had loaned the River Pointe Water System Fund \$151,597.97.

FISCAL IMPACT:

The City will have loaned the River Pointe Water System Fund a total of \$283,192.61. Repayment will be evaluated at June 30, 2016.

ANALYSIS:

The City Council approved the amendment to the original loan to the River Pointe Water System Fund bringing the total loaned at June 30, 2015 to \$283,192.61.

ATTACHMENTS:

- Resolution 2015-99
- Loan Agreement between the General Fund and the River Pointe Water System Fund

**WATERFORD CITY COUNCIL
RESOLUTION #2015-99**

**RESOLUTION APPROVING AN ADDITIONAL GENERAL FUND LOAN TO
THE RIVER POINTE WATER SYSTEM FUND IN THE AMOUNT OF \$131,594.64**

WHEREAS, the River Pointe Water System has been operating at a deficit resulting from water system costs exceeding rate payer generated revenues and,

WHEREAS, the City of Waterford General Fund has been funding this deficit through loans to the River Pointe Water System with prior amounts totaling \$151,597.97.

WHEREAS, the City General Fund desires to formalize the additional \$131,594.64 for fiscal year 2014/2015 and amend the prior Loan Agreement between funds to include the additional \$131,594.64.

NOW, THEREFORE BE IT RESOLVED, that the City of Waterford approves a total General Fund loan in the amount of \$283,192.61 to the River Pointe Water System in accordance with the terms and specifications as documented in the form attached hereto as Exhibit A: "City of Waterford Loan Agreement between General Fund and River Pointe Water System Fund".

The Foregoing Resolution was passed and adopted by the City Council of the City of Waterford at a regular meeting thereof held on the 1st day of October 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF WATERFORD

Michael Van Winkle, Mayor

ATTEST:

APPROVED AS TO FORM:

LORI MARTIN, MMC
City Clerk

CORBETT J. BROWNING
City Attorney

City of Waterford Loan Agreement between General Fund and River Pointe Water System Fund

(Updated 10-1-2015)

The City of Waterford General Fund will loan the River Pointe Water Fund \$100,000 on October 18, 2012, an additional \$51,597.97 at June 30, 2014, and an additional \$131,594.64 on June 30, 2015. Terms and Conditions of the loan are as follows:

Amount: \$283,192.61

Interest Rate: Charged annually on June 30 of each year at a rate equal to the June 30 quarterly LAIF rate of interest plus 1.00%. Interest for June 30, 2013, 2014, and 2015 will be deferred until June 30, 2016 and added to the principal of the loan for each year.

Principal Payments: Principal payments on the loan will be deferred until June 30, 2016. At June 30, 2016 if the System is still unable to make the payments the terms and agreement will be reviewed and modified. If the System is able to begin making payments the principal balance will be repaid over 5 years with the first annual payment due on June 30, 2016. Interest will continue to be charged on the unpaid outstanding balance. The loan can be paid off early at any time with no pre-payment penalties.

Additional Loans: Loans of any additional funds other than the interest as described above will be subject to additional City Council authorization and are not included above.

This loan agreement sets forth the terms and conditions of the loan of \$283,192.61 between the City of Waterford General Fund and River Pointe Water System Fund. The financial accounting of the loan will be in Advance to Water Fund 1010-00-1752 (Asset) and Due to City of Waterford 5070-000-2081(Liability).



Informational Items

SUMMARY:

N/A

FISCAL IMPACT:

N/A

ANALYSIS:

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

ATTACHMENTS:

- 7a: CDBG Program Income Letter to the State of California Housing and Community Development Department
- 7b: Minutes of the Planning Commission Regular Meeting held on June 23, 2015
- 7c: Minutes of the Parks and Recreation Regular Meeting held on July 14, 2015
- 7d: Minutes of the Oversight Board Special Meeting held on February 18, 2015
- 7e: Minutes of the Community Development Committee Meeting held on August 25, 2015
- 7f: Community Calendar – October – November 2015



Phone 209.874.2328

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

www.cityofwaterford.org

Michael Van Winkle
Mayor

Jose Aldaco
Vice-Mayor

Ken Krause
Council Member

Josh Whitfield
Council Member

John Gothan
Council Member

September 17, 2015

Sherri Kerth,

Per CDBG Memorandum 12-03, the City of Waterford is notifying the Department of Housing and Community Development Division of Financial Assistance that we will be leaving the State's Non-Entitlement CDBG Program.

With State approval, the City requests to transfer State CDBG PI over to the Stanislaus County CDBG Consortium. The PI balance on hand is approximately \$163,234 as of June 30, 2015.

The City of Waterford certifies that it:

1. Has officially elected to participate in the Entitlement grant program.
2. Agrees to use such PI in accordance with Entitlement program requirements.
3. Stanislaus County CDBG Consortium has set up Integrated Disbursement Information System (IDIS) access and agrees to enter receipt of PI into IDIS.

Please let me know if you need anything further to make this transition.

Sincerely,

Tim Ogden
City Manager
City of Waterford



MINUTES
WATERFORD PLANNING COMMISSION - REGULAR MEETING
WATERFORD COMMUNITY CENTER, CITY COUNCIL CHAMBERS
101 "E" STREET, WATERFORD, CA

PLANNING COMMISSION MEETING – June 23, 2015- 6:30 PM

CALL TO ORDER:

Chairman Esther

FLAG SALUTE:

Chairman Esther

ROLL CALL:

Commission Chair - Esther: Present
Commission Member - Powell: Present
Commission Member - Turner: Present
Commission Member - Cathcart: Absent
Commission Member - Gordon: Present

ADOPTION OF AGENDA:

Motion waiving reading of all ordinances and resolutions on the agenda except by title, unless reading of an Ordinance or Resolution is requested by the Chairman or Commission Member.

Commission Member - Powell: Motion
Commission Member - Gordon: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

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 Commission Member 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.

Commission Member - Powell: Motion
Commission Member - Turner: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

CONFLICT OF INTEREST DECLARATION:

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

1. **CONSENT CALENDAR**

- 1a: PLANNING COMMISSION MEETING MINUTES: APRIL 2015
- 1b: PLANNING PROJECT LOG
- 1c: BUILDING PERMITS REPORT: MAY 2015
- 1d: BUSINESS LICENSE REPORT: MAY 2015
- 1e. Stanislaus Consolidated Fire Protection District New Fire Station: Administrative Use Permit Application 2015-02

2. **PRESENTATIONS/ OATHS OF OFFICE**

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 Commission consideration. At all times please come up to the podium and use the microphone.

4. **PUBLIC HEARING**

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

- 1. Draft 2014-2023 Housing Element Recommend to City Council to authorize Staff to submit the Draft 2014-2023 Housing Element to the Department of Housing and Community Development for the mandated 60-day review and release the Draft 2014-2023 Housing Element for a 60-day public review.

Commission Member - Gordon: Motion
Commission Member - Powell: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

- 2. Zoning Ordinance Amendment No. 2015-01 to the City's Zoning Code pursuant to Senate Bill 2 ("SB2"), Senate Bill 745 ("SB745"), Health and Safety Code and the California Fair Employment and Housing Act (FEHA)

Commission Member - Powell: Motion
Commission Member - Turner: 2nd
Commission Chair - Esther: Approve
Commission Member - Powell: Approve
Commission Member - Turner: Approve
Commission Member - Cathcart: Absent
Commission Member - Gordon: Approve

5. **UNFINISHED BUSINESS**

6. **NEW BUSINESS**

7. **CORRESPONDENCE / INFORMATIONAL ITEMS**

8. **STAFF / COMMISSION COMMENTS**

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

ADJOURNMENT

Adjourn: 7:08 PM

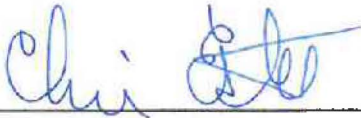
- Commission Member - Powell: Motion
- Commission Member - Turner: 2nd
- Commission Chair - Esther: Approve
- Commission Member - Powell: Approve
- Commission Member - Turner: Approve
- Commission Member - Cathcart: Absent
- Commission Member - Gordon: Approve

Motion by Commissioner Powell seconded by Commissioner Turner to adjourn the Planning Commission meeting at 7:08 PM

Passed and Approved by the Waterford Planning Commission at a regular meeting of the Planning Commission held on the 25 day of AUGUST, 2015 by the following vote:

AYES: ESTHER, POWELL, TURNER, CATHCART, GORDON
 NOES: 0
 ABSENT: 0
 ABSTAIN: 0

ATTEST: 
 Carla Jauregui, Planning Secretary


 Chris Esther, Chairman



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

June 9, 2015- 6:00 PM

CALL TO ORDER

Chairman Ewing

PLEDGE OF ALLEGIANCE:

Chairman Ewing

ROLL CALL:

Commission Member - Powell: Absent
Commission Member - Irizarry: Present
Commission Member - Ewing: Present
Student Advisor - Duarte: Present
Commission Member - Warthan: Present
Commission Member - Shore: Present

(City Staff and contract employees present at the meeting will be noted in the minutes)

ADOPTION OF AGENDA:

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 April 14, 2015

Commission Member - Irizarry: Motion
Commission Member - Warthan: 2nd

Commission Member - Powell: Absent
Commission Member - Irizarry: Approve
Commission Member - Ewing: Approve
Student Advisor - Duarte: N\A
Commission Member - Warthan: Approve
Commission Member - Shore: Approve

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: Exercise Equipment & Benches for S. Reinway Trailhead
4b: Concerts in the Park

5. **INFORMATIONAL**

5a: Community Calendar – June 2015

6. **COMMENTS**

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

ADJOURNMENT

Adjournment 7:01 pm

Commission Member - Shore: Motion
Commission Member - Irizarry: 2nd
Commission Member - Powell: Absent
Commission Member - Irizarry: Approve
Commission Member - Ewing: Approve
Student Advisor - Duarte: N\A
Commission Member - Warthan: Approve
Commission Member - Shore: Approve

Motion by Commission Member Shore, seconded by Commission Member Irizarry to adjourn the Parks And Recreation meeting at 7:01 PM

PASSED AND ADOPTED BY: Waterford Parks and Recreation Commission at a Regular Meeting held July 14, 2015

AYES:
NOES:
ABSENT:

Marissa Martinez, Parks and Recreation Secretary

Joe Ewing, Parks and Recreation Chair



**MINUTES
OVERSIGHT BOARD - SPECIAL MEETING
WATERFORD CITY HALL, CITY COUNCIL CHAMBERS
101 "E" STREET, WATERFORD, CA**

OVERSIGHT BOARD SPECIAL MEETING – FEBRUARY 18, 2015 – 4:00 PM

MEETING CALLED TO ORDER BY CHAIR KRAUSE AT: 4:00 PM

ROLL CALL:

Board Member - Aldaco: Present
Board Member - O'Brien: Present
Board Vice-Chair - Whitfield: Present
Board Member - Buell: Absent
Board Chair - Krause: Present
Board Member - Wapnowski: Present

STAFF PRESENT:

Tim Ogden, Executive Director
Lori Martin, Agency Secretary

ADOPTION OF AGENDA:

Motion waiving reading of all ordinances and resolutions on the agenda except by title, unless reading of an Ordinance or Resolution is requested by the Mayor or a Council Member.

Motion made by BM/Aldaco, seconded by BM/Whitfield to adopt the agenda.

Board Member - Aldaco: Motion
Board Member - Whitfield: 2nd
Board Member - Aldaco: Approve
Board Member - O'Brien: Approve
Board Vice-Chair - Whitfield: Approve
Board Member - Buell: Absent
Board Chair - Krause: Approve
Board Member - Wapnowski: 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 BM/Aldaco, seconded by BM/Whitfield to adopt the Consent Calendar.

- Board Member - Aldaco: Motion
- Board Vice-Chair - Whitfield: 2nd
- Board Member - Aldaco: Approve
- Board Member - O'Brien: Approve
- Board Vice-Chair - Whitfield: Approve
- Board Member - Buell: Absent
- Board Chair - Krause: Approve
- Board Member - Wapnowski: Approve

Motion passed.

1. CONSENT CALENDAR

- 1a: Minutes of the Special Oversight Board Meeting held on September 25, 2014
- 1b: Oversight Board Meeting Cancellation Notices for October - December 2014 and January 2015

2. PRESENTATIONS

None.

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.

None.

4. GENERAL BUSINESS

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

- 4a: Approve the Recognized Obligation Payment Schedule (ROPS) FY 15/16A:
Finance Manager, Tina Envia introduced the item and provided a summary of the ROPS 15/16A.

Motion by BM/Aldaco, seconded by BM/Whitfield to accept the ROPS FY 15/16A.

- Board Member - Aldaco: Motion
- Board Vice-Chair - Whitfield: 2nd
- Board Member - Aldaco: Approve
- Board Member - O'Brien: Approve
- Board Vice-Chair - Whitfield: Approve
- Board Member - Buell: Absent
- Board Chair - Krause: Approve
- Board Member - Wapnowski: Approve

Motion passed.

5. INFORMATIONAL ITEMS

These items are informational only and do not require any action.
None.

6. STAFF/BOARD COMMENTS

- 6a: Agency Staff Comments (Information Only – No Action)
- 6b: Oversight Board Comments (Information Only – No Action)

ADJOURNMENT

Adjourned: 4:07 PM

Motion by BM/Aldaco, seconded by BM/Whitfield to adjourn the Oversight Board meeting at 4:03 PM

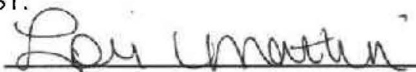
- Board Member - Aldaco: Motion
- Board Vice-Chair - Whitfield: 2nd
- Board Member - Aldaco: Approve
- Board Member - O'Brien: Approve
- Board Vice-Chair - Whitfield: Approve
- Board Member - Buell: Absent
- Board Chair - Krause: Approve
- Board Member - Wapnowski: Approve

Motion passed.

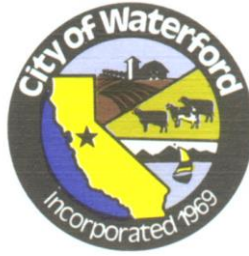
PASSED AND ADOPTED by the Oversight Board at a regular meeting held on September 9, 2015 by the following vote:

AYES: 3 Krause, Whitfield, Buell
 NOES: 0
 ABSTAIN: 0
 ABSENT: 3 O'Brien, Aldaco, Wapnowski

ATTEST:


 Lori Martin, City Clerk


 Patricia Krause, Chair



MINUTES
COMMUNITY DEVELOPMENT COMMITTEE
WATERFORD CITY HALL – CONFERENCE ROOM
101 “E” STREET, WATERFORD, CA

August 25, 2015 - 5:00 PM

CALL TO ORDER: Chair Josh Whitfield @ 5:00PM

ROLL CALL:

Committee Member - Scroggins: Absent
Committee Member - Gehlon: Absent
Committee Member - Clark: Present
Committee Member - Fielder: Present
Committee Chair - Whitfield: Present
Committee Member - Powell: Present

1. **APPROVAL OF AGENDA**

Committee Member - Clark: Motion
Committee Member - Fielder: 2nd
Committee Member - Scroggins: Absent
Committee Member - Gehlon: Absent
Committee Member - Clark: Approve
Committee Member - Fielder: Approve
Committee Chair - Whitfield: Approve
Committee Member - Powell: Approve

2. **COMMUNICATIONS FROM THE AUDIENCE**

None

3. **APPROVAL OF MINUTES**

3a: Approval of Committee Meeting Minutes for the Meeting Held on August 18, 2015.  

Committee Member - Clark: Motion
Committee Member - Powell: 2nd
Committee Member - Scroggins: Absent

Committee Member - Gehlon: Absent
Committee Member - Clark: Approve
Committee Member - Fielder: Approve
Committee Chair - Whitfield: Approve
Committee Member - Powell: Approve

4.

NEW BUSINESS

[4a:](#) Approve the Business Incentive Program Subcommittee Report    

CM Clark gave a synopsis of the subcommittee report. He recommends that we approve and move forward.

Recommendations for Business incentives:

- Develop a small business Incentive program that offers a \$1,000 cash grant to anyone starting a new business or relocating an existing business into the City and signing a minimum 1-year lease in a space that the business did not previously occupy.
- Offer building owners a zero or very low interest loan, up to \$10,000, as a dollar-for-dollar match for their private investment into improving the exterior of their building.
- Work with Stanislaus County to encourage the development a low-interest small business micro-loan fund managed by the Fresno CDFI (non-profit lender) similar to the program recently launch by the City of Modesto (Grow Modesto - \$500K).
- Work with the County and the Alliance to develop incentives and/or low-interest funding programs to help off-set infrastructure and other development costs to encourage private investment in a business park, shopping center, or establishment of new manufacturing, commercial or retail businesses on vacant land within the City.
- Consider Property Tax waiver or rebates for businesses that locate in Waterford with 20 or more jobs and hire at least 50% local workforce.
- Work with the Alliance WorkNet to create a “Hiring Incentive” program for local businesses that create and fill new job positions with local persons who meet qualifications for wage subsidies up to 50%. (other hiring incentives possible)
- Create a “Why Waterford” campaign explaining all the reasons new companies should consider locating in Waterford.
- Work with the Alliance to create a “Business Retention” program to help keep local businesses financially healthy and staying in Waterford.

Chair Whitfield – No comments at this time.

Mr. Ogden stated it is a great report that is very detailed and many of these programs can be very effective.

CM Powell – Regarding point 2, most businesses in town need improvement on the inside vs the outside. Can it be changed to interior and exterior on the loans?

CM Clark stated that it would depend on the amount of funds available, but we can strike ‘exterior’ and state ‘building’ to make it ambiguous.

Mr. Ogden stated that depending on the funds, it has to show a benefit to the community.

CM Fielder asked Mr. Ogden which programs he has done before – Mr. Ogden replied - Small business, façade improvements, hiring incentives, business retention program. CM Fielder asked which worked the best? Mr. Ogden stated all are great programs and multifaceted but would depend on funding.

CM Fielder asked why the Chamber is not doing the last bullet point? CM Clark stated he could not speak on behalf of the Chamber.

Chair Whitfield defended the Chamber by stating they are young and have young leadership, but they have stepped up to do a job that no one else has wanted to do. He agreed that the Chamber is ready to 'put the ball into play' to be helpful and get something done.

The City does not dictate the types of business that come in to town. Is there a diversification problem? Yes, but the City will not discourage legal businesses that wish to come to Waterford.

Mr. Ogden added, the average downtown business produces approximately \$1,000 of sales tax per year, so any investment with loans or grants need to consider the investment return.

Chair Whitfield stated we do not want to invest or tax dollars into businesses that are struggling; we are not a lifeboat. We need to do whatever we can to bring good businesses in.

CM Clark gave one point of clarification – the loan would be given to the property owner, not the business, so that the building is improved and a long lasting benefit.

Motion with Amendments

Second bullet point add exterior or interior

Add a bullet point that loans or grants approved are investing in a quality business or opportunity in order to protect the tax payers of Waterford.

Committee Member - Fielder: Motion
Committee Member - Powell: 2nd
Committee Member - Scroggins: Absent
Committee Member - Gehlon: Absent
Committee Member - Clark: Approve
Committee Member - Fielder: Approve
Committee Chair - Whitfield: Approve
Committee Member - Powell: Approve

4b: Approve Business Creation Subcommittee Report

CM Clark stated that the report has had some changes to it and wanted to bring it back for consideration. There is lots of opportunity to work with agencies and organizations to develop an environment of greater likelihood of business development.

- City staff to work with local and regional community and business development groups to help identify and facilitate County, State, Federal funding for infrastructure, public works, façade improvement and other types of public/private partnerships that help make Waterford more attractive to private development and business investments.
- Work with the Stanislaus Business Alliance to identify manufacturing, commercial and retail businesses that might be willing to locate in Waterford.
- Investigate possible programs to help reduce or better amortize the expense of developing new “shovel-ready” sites. A lack of developed sites could inhibit new manufacturing, commercial and retail businesses from locating in Waterford.
- Work with Alliance SBDC to bring professional business consultants to Waterford at least 4 hours each week. Consultants would meet with small business owners or startup entrepreneurs in private sessions at City Hall or suitable location at no-cost to the businesses.
- City to host annual or bi-annual meetings with commercial property owners, business owners and interested community members to “brainstorm” ideas to help make Waterford more “business friendly” and “business successful”.
- City, Chamber and Alliance SBDC to co-sponsor a series of 4 workshops annually at City Hall using expert speakers to educate and inspire business development, expansion and success. (No cost to the City as the Alliance currently has funds available for this effort).

- City, Chamber, CDC members, Alliance Staff and interested members of the public meet regularly to review and discuss efforts to improve Waterford's economic environment.
- Possible review of current City zoning to add or better align current properties with future business investments. Future Hwy 108 route is only 7-8 minutes from North side of City.

CM Fielder – No Comments

CM Powell – No Comments

Chair Whitfield – great report. Some additions –

A motion with amendments:

-Merged the two bullet points per City Manager (second and fourth)

-Add point about low footprint high traffic businesses

-Council may want to look at zoning for spot that are more commercial that were residential before.

-Reassess general plan on a limited basis, an amendment per se

-The City should target the 'low hanging fruit' first, with no preference as to what they are as long as they are good, upstanding businesses.

Committee Member - Clark: Motion

Committee Member - Powell: 2nd

Committee Member - Scroggins: Absent

Committee Member - Gehlon: Absent

Committee Member - Clark: Approve

Committee Member - Fielder: Approve

Committee Chair - Whitfield: Approve

Committee Member - Powell: Approve

4c: Draft Economic Development Plan

Mr. Ogden stated that this is what is ready as of last week.

Is this what the committee is envisioning? If so, Mr. Ogden will keep going forward in this format.

Chair Whitfield stated that some constituents complaint that the meeting time is inconvenient and would like to change the time for public comment.

CM Clark asked if the presentation would be included in the plan. It was agreed that it would be in the plan as an exhibit.

Chair Whitfield asked for the Committee to take the next week to look over the plan and fine tune it so we can amend and approve on September 8th.

Chair is going to ask Staff to clearly communicate to the Council what the Committee would clearly like to do going forward. Also, that the Committee would be at least quarterly to report back to Council. Should a 7th member be added, possibly from WIT?

CM Fielder – Yes, she will stay on the Committee. CM Fielder agrees that it would be a good idea to add another member, possibly a member from WIT. Community Events is missing from the document, waiting on CM Scroggins to finish and update the sub-report.

CM Powell agreed that at least quarterly meeting with other organizations would be a great way to organize and coordinate events and community development.

CM Clark – He would be honored to serve as needed and adding another member would be a great benefit. He would like to encourage the Committee to read the updated power point in the packet, it has been revised significantly. It is important to address the sales leakage vs sales tax leakage. How does this sales leakage compare per capita with other cities in the county? How does Waterford compare? This leakage cannot be overstated.

ADJOURNMENT

Meeting Adjourned 6:08PM

Committee Member - Powell: Motion
Committee Member - Fielder: 2nd
Committee Member - Scroggins: Absent
Committee Member - Gehlon: Absent
Committee Member - Clark: Approve
Committee Member - Fielder: Approve
Committee Chair - Whitfield: Approve
Committee Member - Powell: Approve

PASSED AND ADOPTED by the Committee at a meeting held on September 8th, 2015

Respectfully Submitted by: Patricia Krause, Deputy City Clerk

Chair

Date Approved

City Of Waterford
"GATEWAY TO RECREATION"

EVENTS IN 2015-10 SEARCH Search FIND EVENTS VIEW AS Month

Events for October 2015

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	1 City Council Meeting	2	3
4	5	6 Lions Club Board Meeting	7	8 WUSD School Board	9	10
11	12 Waterford 4-H Meeting	13 Ministerial Society Parks and Recreation Meeting	14	15 City Council Meeting	16	17 Waterford River Park Committee
18	19 Moon-Whitehead PTA	20 Lions Club Board Meeting	21 VFW #9679 Meeting	22	23	24
25	26	27	28	29	30	31 4TH ANNUAL TRUNK OR TREAT

« September

November »

+ EXPORT MONTH'S EVENTS

City Of Waterford
 "GATEWAY TO RECREATION"

EVENTS IN 2015-11	SEARCH Search	FIND EVENTS	VIEW AS Month
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Events for November 2015

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3 Lions Club Board Meeting	4	5 City Council Meeting	6	7
8	9 Waterford 4-H Meeting	10 Ministerial Society Parks and Recreation Meeting	11	12 WUSD School Board	13	14
15	16 Moon-Whitehead PTA	17 Lions Club Board Meeting	18 VFW #9679 Meeting	19 City Council Meeting	20	21 Waterford River Park Committee
22	23	24	25	26	27	28
29	30	1 Lions Club Board Meeting	2	3 City Council Meeting	4	5 Christmas Parade

[« October](#)

[December »](#)

[+ EXPORT MONTH'S EVENTS](#)

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