

**ANDERSON CITY COUNCIL MINUTES
Regular Meeting
June 19, 2012**

REGULAR SESSION

The regular session of the City Council was called to order at 6:00 p.m.

ROLL CALL

Councilmembers present: Councilmember Day
Councilmember Connick
Councilmember Hunt
Vice-Mayor Hopkins
Mayor Yarbrough

Councilmembers absent: None.

Also present: City Manager Jeff Kiser, Police Chief Michael Johnson, Development Services Director Kristen Maze, Finance Director Liz Cottrell, Deputy Public Works Director David Durette, Deputy City Clerk Brenda Hicken, and City Clerk Juanita Barnett.

INVOCATION

Associate Pastor Ron Barnett, Faith Assembly Church, gave the Invocation.

PLEDGE OF ALLEGIANCE

Councilmember Connick led the Pledge of Allegiance.

INTRODUCTION

City Manager Jeff Kiser introduced Anderson's new Chief of Police Michael Johnson, City Clerk Juanita Barnett administered the Oath of Office, and Chief Johnson's wife, Rosemary, pinned on his badge.

Chief Johnson thanked the Council for the opportunity to serve the Anderson community stating that he feels it is important to be accountable to both the citizens and the City Council.

6:06 P.M.: ***The Council recessed for ten minutes for refreshments.***

6:16 P.M.: ***The Council reconvened.***

PROCLAMATION

Councilmember Hopkins read a proclamation declaring July as Parks and Recreation Month and Mayor Yarbrough presented the proclamation to Development Services Director and Community Services Manager Kristen Maze.

Ms. Maze thanked the Council for their support of the City's Parks & Recreation programs and encouraged citizens to get involved and utilize the many programs available to them.

SCHEDULED CITIZEN REQUEST TO ADDRESS THE CITY COUNCIL

Mayor Yarbrough invited Barbara Peck to speak under this topic as she had requested to speak concerning a need to update the Park Master Plan under the Budget/Capital Improvement Plan Public Hearing scheduled later on the agenda.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA – None.

COUNCIL REPORTS

Councilmembers used this time to report on community activities they participated in and to announce upcoming events. Councilmember Hunt participated in two separate League of California City meetings, one of which was a conference call.

Mayor Yarbrough moved Item 8.5 – Refunding of the CalPERS Side Fund Debt through Private Placement Funding up on the agenda for discussion at this time.

FINANCE DEPARTMENT

REFUNDING OF THE CALPERS SIDE FUND DEBT THROUGH PRIVATE PLACEMENT FUNDING; RESOLUTION NO. 12-48

Finance Director Liz Cottrell gave a staff report, advised the Council that Jeff Land from Brandis Tallman, LLC and Bond Counsel Andy Hall were available to answer questions, and answered questions from the Council.

By motion made, seconded (Comnick/Day), and carried, the Council adopted Resolution No. 12-48 authorizing the execution and delivery of the 2012 CalPERS Refunding Loan Agreement to refinance outstanding side fund obligations of the City to the California Public Employees’ Retirement System, directing the filing of a judicial validation action with respect thereto and providing other matters relating thereto.

CONSENT AGENDA

By motion made, seconded (Hunt/Hopkins), and carried, the Council took the following actions:

Approved the minutes of the regular meeting of June 5, 2012.

Received and filed warrant 123602 to 123640 in the amount of \$162,978.83; warrant 123641 in the amount of \$28,507.00; and warrant 123642 to 123716 in the amount of \$83,968.38.

Waived reading, except by title, of any ordinances under consideration at this meeting for either introduction or passage per Government Code Section 36934.

Adopted Resolution No. 12-40 amending the current Freeway Maintenance Agreement with Caltrans and directing the City Manager to sign the Amended Agreement.

Adopted Resolution No. 12-41 amending the current Traffic Signal and Lighting Agreement with Caltrans and directing the City Manager to sign the Amended Agreement.

ITEMS REMOVED FROM THE CONSENT CALENDAR – None.

6:33 P.M.: ***The Planning Commission convened and the City Council continued in joint session.***

PLANNING COMMISSION

ROLL CALL

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| Planning Commissioners present: | Commissioner Haggard Commissioner Baugh Commissioner Mower Chairman Barnett |
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| Planning Commissioners absent: | Commissioner Walton |
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WORKSHOPS

JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP TO REVIEW THE CITY OF ANDERSON FIVE YEAR DEVELOPMENT IMPACT FEE

Development Services Director gave a staff report, presented a PowerPoint presentation, and together with City Manager Jeff Kiser, answered questions from the Council and Planning Commission.

The City Council and Planning Commission conducted a workshop to review the existing development impact fees. No formal action items were scheduled to be voted on by either the City Council or the Planning Commission.

Jordan Taylor gave an overview of his association with the Vineyards project and recommended no additional fees be added to homes being built in that area as the fees are already around \$19,000 to build. Mr. Taylor also stated that the Mello-Roos has a reimbursement clause in it and recommended additional research into that possibility be considered.

Craig Lund, a potential buyer, stated that he has looked over the Vineyards property and feels it is a beautiful area with vistas that are rarely found anywhere. Mr. Lund also indicated that he would enjoy working with the City to resolve the issues that surround the Vineyards development.

Keith Webster, a former City Council person, stated that his understanding at the time the Vineyards were developed was that the Mello-Roos would reimburse for fees. Mr. Webster also recommended that staff contact former City Manager Scott Morgan and former Planning Director John Stokes to get the facts straight on what actually happened at the beginning of the project.

JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP - MIXED USE DISTRICT

Development Services Director gave a staff report, presented a PowerPoint presentation, and, together with City Manager Jeff Kiser, answered questions from the Council and Planning Commission.

The City Council and Planning Commission conducted a workshop to review the Mixed Use District.

Ken Burns, businessman, thanked the Council and Planning Commission for considering a possible change in the Mixed Use Zone to allow him to open a tire store in the Mixed Use area. He further stated that the demographics obtained by his parent company show that another tire store in the area would be a good fit for Anderson, providing choices for citizens to spend their money and additional Sales Tax for the City. Mr. Burns indicated that he would very much like to work with the City in developing a tire store in the Mixed Use District as he feels the business and proposed location would be a good fit.

Keith Webster indicated that the Mixed Use District should provide for options that could be allowed with a Use Permit and further indicated that he feels this business would be a good use for the proposed property. Mr. Webster stated that the Council should take a new look at the Mixed Use District due to the loss of funds through the dissolution of Redevelopment Agencies.

Lance Voorhees, part owner of the Voorwood Company, expressed his support for allowing Mr. Burns to open a tire store at the proposed location, stating this would be good for our City.

Joe Kannier, an Anderson resident, spoke in favor of allowing a tire store in the Mixed Use District.

By consensus of the City Council and the Planning Commission, the Mayor directed staff to begin the process for amending the zoning in the Mixed Use District to allow tire stores and retail motorcycle shops and to bring the matter back to the Planning Commission and Council for adoption.

8:06 P.M.: *The Planning Commission adjourned and the City Council continued.*

PUBLIC HEARINGS

ALL LEGAL NOTICES WERE GIVEN ACCORDING TO LAW.

PUBLIC HEARING – PROJECT CLOSEOUT FOR 09-STAR-6382

This was the time set aside to receive public input on the use of grant funds under the California Department of Housing and Community Development, Community Development Block Grant (CDBG), American Reinvestment and Recovery Act (ARRA), Grant No. 09-STAR-6382 for the construction of the Bellevue Waterline Project prior to closing out the grant.

City Clerk Juanita Barnett gave a staff report, introduced Lori Adams of Adams Ashby Group, and answered questions from the Council.

8:09 P.M.: The Public Hearing was opened. No comments were received. The Public Hearing was closed.

By motion made, seconded (Comnick/Day), and carried, the Council directed staff to submit the required close-out documents per the requirements of Grant No. 09-STAR-6382.

8:10 P.M.: *The City Council recessed and the Anderson Public Financing Authority convened.*

ANDERSON PUBLIC FINANCING AUTHORITY

The Anderson Public Financing Authority convened at 8:10 p.m.

ROLL CALL

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| Board Members Present: | Board Member Day |
| | Board Member Comnick |
| | Board Member Hunt |
| | Board Member Hopkins |
| | Chairman Yarbrough |

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| Board Members Absent: | None. |
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| Also present: | Executive Director Jeff Kiser, Agency Counsel Ann Siprelle, and Agency Secretary Juanita Barnett. |
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MINUTES

By motion made, seconded (Hunt/Hopkins), and carried, the Agency approved the minutes of the meeting of June 21, 2011.

REPORTS – None.

UNFINISHED BUSINESS – None.

8:11 P.M.: *The City Council reconvened and, together with the Anderson Public Financing Authority, continued in joint session.*

Mayor Yarbrough moved Item 7.0C – Public Hearing – Water and Sewer User Charges for discussion at this time.

PUBLIC HEARING – WATER AND SEWER USER CHARGES; RESOLUTION NO.'S 12-42 AND 12-43

This was the time set aside to receive public input on the proposed increase in water and sewer user fees.

Finance Director Liz Cottrell gave a staff report and answered questions from the Council.

8:09 p.m.: The Public Hearing was opened. No comments were received. The Public Hearing was closed.

By motion made, seconded (Hunt/Hopkins), and carried the Council adopted Resolution No. 12-42 increasing water consumption charges by 3% effective October 1, 2012 and again by 3% effective October 1, 2013.

By motion made, seconded (Hunt/Hopkins), and carried the Council adopted Resolution No. 12-43 increasing monthly sewer user charges by 3% effective July 1, 2012 and again by 3% effective July 1, 2013.

**PUBLIC HEARING – ADOPTION OF BUDGET AND CAPITAL IMPROVEMENT PLAN;
COUNCIL RESOLUTION NO.'S 12-44, 12-45, AND 12-46 AND
ANDERSON PUBLIC FINANCING AUTHORITY RESOLUTION NO. 12-01**

This was the time set aside to receive public input on the proposed budget and Capital Improvement Plan for 2012-2013 fiscal year.

Finance Director Liz Cottrell gave a staff report and answered questions from the Council.

8:20 P.M.: The Public Hearing was opened.

Larry Mower stated that the water rates charged by the City of Anderson are very reasonable compared to other cities.

Note: The public comment recorded under “Scheduled Citizen Request To Address The City Council” should be considered under this item at the request of the commenter.

8:21 P.M.: The Public Hearing was closed.

By motion made, seconded (Hunt/Comnick), and carried, the Council adopted Resolution No. 12-44 adopting budget appropriations for fiscal year 2012-2013.

By motion made, seconded (Comnick/Hopkins), and carried, the Council adopted Resolution No. 12-45 establishing the Gann appropriations limit for fiscal year 2012-2013 and finding that the adopted appropriations are within the limit.

By motion made, seconded (Day/Comnick), and carried, the Council adopted Resolution No. 12-46 approving an update of the Five-Year Capital Improvement Plan.

By motion made, seconded (Hunt/Hopkins), and carried, the Anderson Public Financing Authority adopted Resolution No. APFA 12-01 readopting a zero budget for the Anderson Public Financing Authority for fiscal year 2012-2013.

8:30 P.M.: ***The Anderson Public Financing authority adjourned and the City Council continued.***

REGULAR AGENDA

CITY CLERK

RESOLUTION OF INTENTION – CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) CONTRACT AMENDMENT; RESOLUTION NO. 12-47

City Clerk Juanita Barnett gave a staff report and answered questions from the Council.

By motion made, seconded (Hopkins/Hunt), and carried, the Council took the following actions in accordance with the memoranda of understanding with the General Teamsters, Professional, Health Care and Public Employees Local 137 (Teamsters) employee bargaining unit adopted April 17, 2012:

1. Adopted Resolution No. 12-47, a Resolution of Intention to amend the City's contract with CalPERS to provide Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Supplemental formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract, and
2. Introduced Ordinance No. 779 (first reading) to amend the City's contract with CalPERS to provide Section 20475 (Different Levels of Benefits) for a second retirement tier of the 2% at 55 formula (Section 21354) and Section 20037 (Three-Year Final Compensation) retirement benefit for miscellaneous employees and placed the ordinance on the July 17, 2012, City Council agenda for enactment (second reading).

POLICE DEPARTMENT

ANDERSON POLICE DEPARTMENT ANNUAL REPORT: POLICE CRIME STATISTICS 2011

Police Chief Michael Johnson gave a staff report and answered questions from the Council.

By motion made, seconded (Hunt /Hopkins), and carried, the Council received and filed the 2011 Annual Police Crime Statistics Report.

PUBLIC WORKS DEPARTMENT

ADOPTION OF A LOCAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) POLICY FOR CONTRACTS UTILIZING STATE AND FEDERAL TRANSPORTATION FUNDS; RESOLUTION NO. 12-49

Deputy Public Works Director David Durette gave a staff report and answered questions from the Council.

By motion made, seconded (Hopkins/Hunt) and carried, the Council adopted Resolution No. 12-49 establishing a Disadvantaged Business Enterprise (DBE) Policy Goal as defined in Part 26, Title 49 Code of Regulations for agencies that desire to use State and Federal-aid Transportation Funds; establishing an overall Annual Goal for the utilization of DBE's at 8.3% with 4.0% Race Neutral and 4.3% Race Conscious for the Federal Fiscal Year October 1, 2012 to September 30, 2013; and designating the Deputy Public Works Director as DBE Liaison Officer to develop and carry out the technical assistance programs for DBE's.

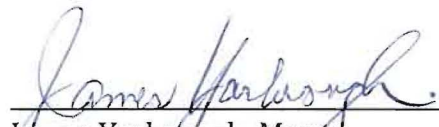
AUTHORIZATION TO AWARD THE VETERANS LANE IMPROVEMENTS PROJECT; RESOLUTION NO. 12-50

Deputy Public Works Director David Durette gave a staff report and answered questions from the Council.

By motion made, seconded (Comnick/Hopkins) and carried, the Council adopted Resolution No. 12-50 awarding the contract for the Veterans Lane Improvements Project to the lowest responsible bidder, Darren Taylor Construction of Anderson, California in the amount of Eighty Two Thousand, Five Dollars and Ten Cents (\$82,005.10); authorizing the City Manager to execute the contract upon receipt of required insurance certificates and payment and performance bonds; and authorizing the Public Works Director to approve additional project change orders not to exceed 15% of the contract bid amount.

ADJOURNMENT

8:41 P.M.: *The City Council adjourned to 6:00 p.m. July 3, 2012.*


James Yarbrough, Mayor

ATTEST:


Juanita Barnett, City Clerk