

**ANDERSON CITY COUNCIL MINUTES  
September 15, 2009**

**REGULAR SESSION 7:00 P.M.**

**ROLL CALL**

Councilmembers present: Councilmember Yarbrough  
Councilmember Hunt  
Councilmember Webster  
Mayor Schaefer

Councilmembers absent: Vice-Mayor Connick

Also present: City Manager Dana Shigley, City Attorney Michael Fitzpatrick, and City Clerk Juanita Barnett.

**INVOCATION**

Pastor Paul Shrum, Grace Fellowship Foursquare Church gave the Invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Butch Schaefer led the Pledge of Allegiance.

**CHANGE OF ORDER**

Mayor Schaefer moved Public Comment on Items Not on the Agenda up on the agenda to allow student representatives from Anderson New Tech and Anderson Union High Schools to present their reports and leave in time for the Anderson Union High School Board meeting.

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Brian Barnes, Anderson New Tech High School representative, gave an update on school activities.

Shannon Westmorland, Anderson Union High School representative, gave an update on school activities.

**PROCLAMATION**

Mayor Schaefer read a proclamation proclaiming September 17-23, 2009, as Constitution Week.

**PRESENTATIONS**

Chief Dale Webb and Captain Robert Kirvin presented Medal of Life Saving Awards to Officers Day, Maxwell and Harper.

Officer Day thanked the Council and the Police Department for recognizing him and his fellow officers for their work.

**SCHEDULED CITIZEN REQUESTS TO ADDRESS THE CITY COUNCIL**

Irish Robertson, Anderson Chamber of Commerce Executive Director gave an overview of the Street Fair held on September 12th.

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** - Continued.

Molly Cole with the League of California voters announced an upcoming candidate forum night for the Fire Board election.

**COUNCIL REPORTS**

Councilmembers used this time to report on community activities they participated in and to announce upcoming events.

**CONSENT AGENDA**

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

Approved the minutes of the regular meeting of September 1, 2009.

Received and filed warrant 113536 to 113606 in the amount of \$256,512.52; warrant 113607 to 113678 in the amount of \$125,009.80; an ACH in the amount of \$3,081.20; and a Wire Transfer in the amount of \$95.73.

Continued the second reading and adoption of Ordinance 760 amending the Development Agreement entered into between the City of Anderson and Three Seasons Development with regard to the Pleasant Hills subdivision until the Council Meeting of October 20, 2009.

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. 09-85 amending the established annual City Holidays and City Hall closure hours for 2009.

**ITEMS REMOVED FROM THE CONSENT CALENDAR** – None.

**PUBLIC HEARINGS**

**ALL LEGAL NOTICES HAVE BEEN GIVEN ACCORDING TO LAW.**

**PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) PLANNING AND TECHNICAL ASSISTANCE GRANT APPLICATION; RESOLUTION NO. 09-86**

This was the time set aside to receive public input on the proposed submission of a CDBG-PTA grant application.

City Manager Dana Shigley gave a staff report and answered questions from Council.

The City Clerk read the published public hearing notice.

**7:39 p.m.:** The public hearing was opened. No comments were made either for or against the proposal. The public hearing was closed.

By motion made, seconded (Hunt/Webster), and carried the Council adopted Resolution No. 09-86 approving the submittal of a Community Development Block Grant program (CDBG) – Planning and Technical Assistance grant application, authorizing the City Manager to execute a grant agreement and any amendments thereto with the State of California for the purposes of this grant, and authorizing matching funds for the 2009/2010 CDBG Planning and Technical Assistance grant application.

**PUBLIC HEARING – TO DETERMINE IF PROPERTY LOCATED AT 2646 BARNEY STREET SHOULD BE DECLARED A “PUBLIC NUISANCE” AND A “NUISANCE ABATEMENT ORDER” APPROVED AND ISSUED; RESOLUTION NO. 09-87**

This was the time set aside to receive public input on a proposed public nuisance abatement order.

City Attorney Mike Fitzpatrick gave a staff report and, together with Planning Director John Stokes and Building Inspector Steve Ayers, answered questions from the Council.

**7:43 p.m.:** The Public Hearing was opened.

Kevin Jones and Chris Hudson, neighborhood residents, both expressed support for cleaning up this property.

**7:47 p.m.:** The Public Hearing was closed.

By motion made, seconded (Yarbrough/Hunt), and carried, the Council adopted Resolution No. 09-87 declaring the property located at 2646 Barney Street, a “public nuisance” and approving the proposed “Nuisance Abatement Order.”

**REGULAR AGENDA**

**CITY MANAGER**

**CITY OF ANDERSON RESPONSE TO THE 2008-2009 GRAND JURY FINAL REPORT**

City Manager Dana Shigley gave a staff report and answered questions from Council.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council authorized the Mayor to sign and submit the City of Anderson’s response to the 2008-2009 Grand Jury Final Report.

**ORDINANCE AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT 2009-1 (VINEYARDS AT ANDERSON); ORDINANCE NO. 762**

City Manager Dana Shigley gave a staff report and answered questions from Council.

By motion made, seconded (Webster/Yarbrough), and carried, the Council enacted (second reading) Ordinance No. 762, authorizing the Levy of a Special Tax within Community Facilities District 2009-1 (Vineyards at Anderson), as introduced (first reading) on August 25, 2009.

**PUBLIC WORKS DEPARTMENT**

**AUTHORIZATION TO BID THE VINEYARDS ENTRY LANDSCAPING**

Public Works Director Jeff Kiser gave a staff report and answered questions from Council.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council approved the Plans, Specifications, Estimates and Contract Documents for the Vineyards Entry Landscaping, instructed the Public Works Director to advertise for bids, and authorized the opening of bids at 2:00 p.m. October 14, 2009, in the Office of the City Clerk.

**NOTICE OF COMPLETION FOR THE ANDERSON RIVER PARK RESTROOM PROJECT**

Public Works Director Jeff Kiser gave a staff report and answered questions from Council.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council directed the Public Works Director to prepare and record a Notice of Completion for the Anderson River Park Restroom Project and authorized the Finance Director to make payment for the project in compliance with the contract documents.

**STAFF REPORTS**

City Manager Dana Shigley updated the Council on the Teen Center Strategic Planning Committee.

**8:00 p.m.:**     ***The City Council recessed and the Anderson Redevelopment Agency convened.***

**ANDERSON REDEVELOPMENT AGENCY**

**ROLL CALL**

Agency Members present:     Director Yarbrough  
  Director Hunt  
  Director Webster  
  Chairman Schaefer

Agency Members absent:     Director Comnick

Also present:     Executive Director Dana Shigley, Agency Counsel Michael Fitzpatrick, and Secretary Juanita Barnett.

**MINUTES**

By motion made, seconded (Yarbrough/Hunt), and carried the Agency approved minutes of the meeting of September 1, 2009.

**8:01 p.m.:**     ***The City Council reconvened and the Anderson Redevelopment Agency continued in joint session.***

**CLOSED SESSION**

**Public Comment on Closed Session Item(s):** - None.

**8:02 p.m.:**     ***The City Council and the Anderson Redevelopment Agency convened to Closed Session to consider the following:***

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

(Pursuant to subdivision (b) of Govt. Code Section 54954.5)

Property:                 Assessors Parcel No. 201-010-054  
Negotiators:             Executive Director Dana Shigley and Ray Randle  
Under Negotiation:     Price and terms

**CONFERENCE WITH LABOR NEGOTIATOR**

(Pursuant to Govt. Code Section 54957.6)

Agency Negotiators:   City Manager Dana Shigley  
                                  and Rick Haeg, Nickolaus and Haeg, LLC  
Negotiations with:     Anderson Police Officers Association and  
                                  Management/Confidential Unrepresented employees

**8:28 p.m.:**     ***The City Council and the Anderson Redevelopment Agency reconvened to Open Session.***

**CLOSED SESSION ANNOUNCEMENT**

Mayor/Chairman Schaefer announced that the Redevelopment Agency sat in closed session to discuss real property negotiations and the City Council sat in closed session to discuss labor negotiations with direction given to staff.

**ADJOURNMENT**

**8:29 p.m.:**     ***The City Council adjourned to October 6, 2009, and the Anderson Redevelopment Agency adjourned.***

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Butch Schaefer, Mayor

ATTEST:

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Juanita Barnett, City Clerk