

**ANDERSON CITY COUNCIL MINUTES
October 6, 2009**

REGULAR SESSION 7:00 P.M.

ROLL CALL

Councilmembers present: Councilmember Yarbrough
Councilmember Hunt
Vice-Mayor Comnick
Councilmember Webster
Mayor Schaefer

Councilmembers absent: None.

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

INVOCATION

Pastor Pauline Bowen, Trinity Methodist Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Vice-Mayor Norma Comnick led the Pledge of Allegiance.

PROCLAMATION

Councilmember Comnick read a proclamation proclaiming October 2009, as Breast Cancer Awareness month and October 15, 2009, as Think Pink day, and Mayor Schaefer presented the proclamation to Linda Austin representing the American Cancer Society.

Ms. Austin thanked the Council for their support, gave an overview of planned activities for Breast Cancer Awareness during the month of October and invited the Council to attend those events.

Councilmember Webster read a proclamation proclaiming October 2009, as Fire Safety Month and Mayor Schaefer presented the proclamation to Anderson Fire Marshal Howard Fincher.

Mr. Fincher thanked the Council for their support and gave an overview of fire prevention programs scheduled throughout the month.

PRESENTATIONS

Parks & Recreation Director Ken Hartman gave a brief recap of the summer's recreation programs and presented Mosquito Serenade major sponsor awards.

SCHEDULED CITIZEN REQUESTS TO ADDRESS THE CITY COUNCIL – None.

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.

CONSENT AGENDA

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

Approved the minutes of the special meeting of September 10, 2009, and the regular meeting of September 15, 2009.

Received and filed warrant 113679 to 113747 in the amount of \$106,860.97; warrant 113748 to 113821 in the amount of \$347,999.77; warrant 113822 to 113903 in the amount of \$191,615.95; an ACH in the amount of \$3,081.20; a Wire Transfer in the amount of \$95.73; an ACH in the amount of \$3,081.20; and a Wire Transfer in the amount of \$95.73.

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

ITEMS REMOVED FROM THE CONSENT CALENDAR – None.

PUBLIC HEARINGS – None.

REGULAR AGENDA

CITY MANAGER

CITY OF ANDERSON APPOINTMENT TO THE SUPERIOR CALIFORNIA ECONOMIC DEVELOPMENT BOARD OF DIRECTORS; MINUTE ORDER 09-04

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

By motion made, seconded (Webster/Connick), and carried, the Council appointed, by Minute Order No. 09-04, the City Manager as the Council's representative on the Superior California Economic Development Board of Directors.

PUBLIC WORKS DEPARTMENT

AWARD OF BID – COBBLESTONE LOOP SEWER INFLOW AND INFILTRATION REDUCTION PROJECT; RESOLUTION NO. 09-88

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

7:45 p.m.: Councilmember Yarbrough recused himself and left the Council Chambers.

By motion made, seconded (Connick/Hunt), and carried by a 4-0 vote, the Council adopted Resolution No. 09-88, awarding the contract for the Cobblestone Loop Sewer Replacement Project to the lowest responsible bidder, Bobby Martin Construction of Redding, CA in the amount of \$157,121.00;

finding the project is Categorically Exempt pursuant to CEQA Section 15301 Class I, repair and maintenance of existing facilities; 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.

7:46 p.m.: **Councilmember Yarbrough returned and took his place on the dais.**

AGREEMENT WITH UNION PACIFIC RAILROAD FOR ALEXANDER/3RD STREET SIGNALIZATION PROJECT; RESOLUTION NO. 09-89

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

By motion made, seconded (Hunt/Yarbrough), and carried, the Council adopted Resolution No. 09-89 authorizing the City Manager to execute a Public At-Grade Crossing Agreement with the Union Pacific Railroad for the construction work needed as part of the State Route 273, Alexander/Third Street Signalization project.

NOTICE OF COMPLETION FOR THE HWY 273 LANDSCAPING PROJECT

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

By motion made, seconded (Comnick/Hunt), and carried, the Council directed the Public Works Director to prepare and record a Notice of Completion for the State Route 273 Landscape Improvements, and authorized the Finance Director to make payment for the project in compliance with the contract documents.

COOPERATIVE AGREEMENT WITH CALTRANS FOR THE DESCHUTES INTERCHANGE PROJECT

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

By motion made, seconded (Yarbrough/Comnick), and carried, the Council authorized the City Manger to enter into a cooperative agreement with Caltrans for the Deschutes Interchange project.

STAFF REPORTS

City Manager Dana Shigley gave a report on the League of California Cities Conference she attended.

Planning Commissioners Christine Haggard and Ron Barnett gave a report on the Crime Prevention Through Environmental Design (CPTED) conference they attended and gave a packet of information to the Council on the program presented.

8:06 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
Director Comnick
Chairman Schaefer

Agency Members absent: None.

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

MINUTES

By motion made, seconded (Hunt/Yarbrough), and carried the Agency approved minutes of the meeting of September 15, 2009.

BUDGET AMENDMENT FOR REAL PROPERTY ACQUISITION; RESOLUTION NO. ARA 09-14

Executive Director Dana Shigley gave a staff report and answered questions from Council.

By motion made, seconded (Hunt/Comnick), and carried the Agency adopted Resolution No. ARA 09-14 making findings required by the California Health and Safety Code for the Southwest Project Area tax increment funding for the acquisition and improvement of land for a public parking lot on Ferry and Freeman Streets; and amending the 2009-2010 Redevelopment Agency Budget for the acquisition of land.

8:08 p.m.: *The Anderson Redevelopment Agency adjourned and the City Council reconvened.*

CLOSED SESSION

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

8:09 p.m.: *The City Council convened to Closed Session to consider the following:*

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Pursuant to Government Code Section 54956.9)

Significant exposure - One Potential Case

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Pursuant to Govt. Code Section 54957)

Regular quarterly evaluation of City Manager Dana Shigley.

8:39 p.m.: *The City Council reconvened to Open Session.*

CLOSED SESSION ANNOUNCEMENT

Mayor Schaefer announced that the City Council sat in closed session to discuss one potential litigation case and conducted a quarterly performance evaluation of the City Manager with no reportable actions taken.

ADJOURNMENT

8:40 p.m.: ***The City Council adjourned to October 20, 2009.***

Butch Schaefer, Mayor

ATTEST:

Juanita Barnett, City Clerk