

ANDERSON CITY COUNCIL MINUTES  
October 20, 2009

CLOSED SESSION – 6:45 p.m.

ROLL CALL

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

Councilmembers absent: None.

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

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

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

REGULAR SESSION 7:00 P.M.

7:00 p.m.: The City Council reconvened to Open Session.

CLOSED SESSION ANNOUNCEMENT

Mayor Schaefer announced that the Council sat in Closed Session to discuss anticipated litigation with direction given to staff.

INVOCATION

Pastor Al Rountree, Valley Christian Center Church, gave the Invocation.

PLEDGE OF ALLEGIANCE

Councilmember Keith Webster led the Pledge of Allegiance.

INTRODUCTION

City Manager Dana Shigley introduced new Administrative Assistant Brenda Hicken.

Ms. Hicken thanked City Manager Dana Shigley, the Mayor, and the City Council for the opportunity to serve the Anderson community.

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.

**STUDENT REPORTS**

Anderson Union High School student representative Jeff Hotchkiss gave an update on school activities.

Anderson New Tech High School student representative Bryan Barnes gave an update on school activities.

**CONSENT AGENDA**

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

Approved the minutes of the regular meeting of October 6, 2009.

Received and filed warrant 113904 to 113967 in the amount of \$157,592.80; Receive and file warrant 113968 to 114040 in the amount of \$171,060.39; Receive and file an ACH in the amount of \$3,081.20; Receive and file 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.

Received and filed the quarterly Treasurer's Report for the fiscal quarter ended September 30, 2009.

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

**PUBLIC HEARING**

**ALL LEGAL NOTICES WERE GIVEN ACCORDING TO LAW**

**PUBLIC HEARING – TO CONSIDER AN URGENCY ORDINANCE SUPERSEDING AND REPLACING URGENCY ORDINANCE NO. 761 PLACING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES, COLLECTIVES AND COOPERATIVES WITHIN ALL ZONING DISTRICTS OF THE CITY OF ANDERSON FOR A PERIOD OF FORTY-FIVE DAYS; ORDINANCE NO. 763**

This was the time set aside to receive public input on a proposed 45-day moratorium on medical marijuana dispensaries, collectives and cooperatives in the City of Anderson.

Planning Director John Stokes gave a staff report and answered questions from Council.

The City Clerk read the ordinance by title only.

By motion made, seconded (Yarbrough/Connick), and carried by a 5-0 vote, the Council introduced and enacted Urgency Ordinance No. 763 adding Chapter 17.57 to the Anderson Municipal Code prohibiting the establishment of medical marijuana dispensaries, collectives and cooperatives.

**REGULAR AGENDA**

**CITY ATTORNEY**

**AMENDMENT OF DEVELOPMENT AGREEMENT WITH THREE SEASONS DEVELOPMENT; ORDINANCE NO. 760**

City Attorney Mike Fitzpatrick gave a staff report and answered questions from Council.

Public Works Director Jeff Kiser announced that the Southwest Booster Pump was complete and functional, and answered questions from Council.

The City Clerk read the ordinance by title only.

By motion made, seconded (Webster/Connick), and carried, the Council enacted Ordinance 760 (second reading) amending the Development Agreement entered into between the City of Anderson and Three Seasons Development with regard to the Pleasant Hills subdivision and authorizing the City Manager to sign the amendment, as introduced (first reading) on July 7, 2009.

**CITY MANAGER**

**AUTHORIZATION TO PARTICIPATE IN CALIFORNIA STATEWIDE COMMUNITY DEVELOPMENT AUTHORITY PROPOSITION 1A SECURITIZATION FINANCING; RESOLUTION NO. 09-90**

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

By motion made, seconded (Connick/Yarbrough), and carried, the Council adopted Resolution No. 09-90 approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's Proposition 1A receivable from the State and directing and authorizing certain other actions in connection therewith.

**PUBLIC WORKS DEPARTMENT**

**AWARD OF BID FOR VINEYARDS ENTRY LANDSCAPING PROJECT; RESOLUTION NO. 09-91**

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. 09-91 awarding the contract for the Vineyards Entry Landscaping Project to the lowest responsible bidder, Custom Creations, Inc. of Redding, CA in the amount of \$52,624.03; 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.

**NOTICE OF COMPLETION FOR THE STREET MAINTENANCE PROJECT 2009-2 (FAU – FEDERAL STIMULUS)**

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

By motion made, seconded (Yarbrough/Connick), and carried, the Council directed the Public Works Director to prepare and record a Notice of Completion for the Street Maintenance Project 2009-2 (FAU – Federal Stimulus) and authorized the Finance Director to make payment for the project in compliance with the contract documents.

**STAFF REPORTS** – None.

**ADJOURNMENT**

**8:18 p.m.:**     ***The City Council adjourned to November 3, 2009.***

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Butch Schaefer, Mayor

ATTEST:

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Juanita Barnett, City Clerk