

ANDERSON CITY COUNCIL MINUTES

**Regular Meeting
August 16, 2016**

REGULAR SESSION

The regular session was called to order at 6:00 p.m.

ROLL CALL

Councilmembers present: Councilmember Cornick
Councilmember Hunt
Councilmember Yarbrough
Vice-Mayor Browning
Mayor Baugh

Councilmembers absent: None.

Also present: City Manager Jeff Kiser, City Attorney Jody Burgess, Assistant City Manager Liz Cottrell, Police Chief Michael Johnson, City Engineer David Durette, and City Clerk Juanita Barnett.

INVOCATION

Pastor Murray Miller, Seventh Day Adventist Church, gave the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Susie Baugh led the Pledge of Allegiance.

PRESENTATIONS

Josh Bollinger gave a presentation on the Student Intern Program with a PowerPoint presentation entitled, "Public Utilities: An Analysis".

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Stan Neutze addressed the Council regarding the recreational marijuana bill that will be on the November ballot and urged Council to consider moving forward with any possible bans now to prevent running into problems with trying to stop retail sales for marijuana within the City if the bill passes.

CONSENT AGENDA

By motion made, seconded (Hunt/Yarbrough), and carried by a 5-0 vote, the Council took the following actions:

Approved the minutes of the regular meeting of July 19, 2016.

Received and filed warrant 5186 to 5253 in the amount of \$55,808.49; warrant 5254 to 5314 in the amount of \$175,579.95; warrant 5315 to 5370 in the amount of \$115,828.89; warrant 5371 to 5457 in the amount of \$177,969.10; an ACH in the amount of \$1,142.90; an ACH in the amount of \$25,694.24; an ACH in the amount of 1,142.90; and an ACH in the amount of \$ 25,390.23.

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

Enacted Ordinance No. 801 (second reading) amending Chapter 3.24, Section 3.24.110 of the Anderson Municipal Code regarding the settlement of Claims against the City, as introduced at the regular meeting of July 19, 2016 (First Reading).

Vote: AYES: Councilmembers Hunt, Yarbrough, Comnick, Browning, and Mayor Baugh.
 NOES: None.
 ABSTAIN: None.
 ABSENT: None.

ITEMS REMOVED FROM THE CONSENT CALENDAR – None.

PUBLIC HEARINGS

ALL NOTICES WERE GIVEN ACCORDING TO LAW.

PUBLIC HEARING ON SUBSTITUTION OF A MITIGATION MEASURE FOR TENTATIVE SUBDIVISION MAP (TSM) 15-01 (AMENDMENT)/ENVIRONMENTAL DETERMINATION (ED) 15-01 (AMENDMENT), AND ACTION ON A RESOLUTION; RESOLUTION NO. 16-43

6:19 p.m.: *Vice-Mayor Browning recused himself from discussion on this item, as Duane Miller is his client, and left the room.*

Planning Consultant Jim Hamilton gave the staff report and answered questions from the Council.

6:25 p.m.: The Public Hearing was opened.

Duane Miller, as owner and representing the applicant, addressed the Council requesting their approval and answered questions regarding the project.
 No other comments were received.

6:26 p.m.: The Public Hearing was closed.

By motion made, seconded (Comnick/Yarbrough), and carried by a 4-0 vote, the Council adopted Resolution No. 16-43 approving the substitution of Mitigation Measure #1 for Tentative Subdivision Map No. 15-01, pursuant to the requirements of California Code of Regulations §15074.1.

Vote: AYES: Councilmembers Comnick, Yarbrough, Hunt, and Mayor Baugh.
 NOES: None.
 ABSTAIN: None.
 ABSENT: Councilmember Browning.

6:27 p.m.: *Vice-Mayor Browning returned and took his place at the dais.*

REGULAR AGENDA

CITY MANAGER

AMEND THE CLASSIFICATION AND COMPENSATION PLAN; RESOLUTION NO. 16-44

City Manager Jeff Kiser gave a staff report and answered questions from the Council.

By motion made, seconded (Yarbrough/Hunt), and carried by a 5-0 vote, the Council adopted Resolution No. 16-44 reactivating the position of Finance Office Manager and establishing a current pay rate for the position.

Vote: AYES: Council Members Yarbrough, Hunt, Browning, Comnick, and Mayor Baugh.
NOES: None.
ABSTAIN: None.
ABSENT: None.

RESOLUTION ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PLAN AND ADOPTING THE CAPITAL IMPROVEMENT PLAN APPROPRIATIONS FOR FISCAL YEAR 2016-2017; RESOLUTION NO. 16-45

Assistant City Manager Liz Cottrell gave a staff report.

By motion made, seconded (Hunt/Browning), and carried by a 5-0 vote, the Council adopted Resolution No. 16-45 approving the Five Year Capital Improvement Plan and adopting the Capital Improvement Plan appropriations for fiscal year 2016-2017

Vote: AYES: Council Members Hunt, Browning, Comnick, Yarbrough, and Mayor Baugh.
NOES: None.
ABSTAIN: None.
ABSENT: None.

PUBLIC WORKS

RETIREMENT OF WATER WORKING SUPERVISOR REYNALDO GUTIERREZ; RESOLUTION NO. 16-46

City Engineer Dave Durette gave a staff report and answered questions from the Council.

By motion made, seconded (Browning/Yarbrough), and carried by a 5-0 vote, the Council adopted Resolution No. 16-46 acknowledging and honoring Reynaldo Gutierrez on the occasion of his retirement after 19 years of service with the Anderson Public Works Department.

Vote: AYES: Council Members Browning, Yarbrough, Comnick, Hunt, and Mayor Baugh.
NOES: None.
ABSTAIN: None.
ABSENT: None.

2016 PAVEMENT REPAIR PROJECT AT VARIOUS LOCATIONS IN THE CITY; RESOLUTION NO. 16-47

By motion made, seconded (Hunt/Comnick), and carried by a 5-0 vote, the Council Adopted Resolution No. 16-47 finding the 2016 Pavement Repair Project Categorically Exempt in accordance with Section 15301, Class 1(c) of the California Environmental Quality Act (CEQA);

Approved the Plans, Specifications, Estimates and Contract Documents for the 2016 Pavement Repair Project and instructed the City Engineer to advertise for bids; and

Authorized the opening of bids at 10:00 a.m. September 1, 2016 in the City Council Chambers.

Vote: AYES: Council Members Hunt, Comnick, Yarbrough, Browning, and Mayor Baugh.
NOES: None.
ABSTAIN: None.
ABSENT: None.

STAFF REPORTS

City Clerk Juanita Barnett updated the Council on the November election and the upcoming Candidate Orientation.

City Manager Jeff Kiser and City Engineer David Durette updated the Council on the asbestos abatement and floor repair/replacement on first floor of City Hall.

COUNCIL REPORTS/COMMENTS

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

CLOSED SESSION

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

7:07 p.m.: *The City Council convened to Closed Session.*

CONFERENCE WITH LEGAL COUNSEL—POTENTIAL LITIGATION

(Gov't. Code Sec. 54956.9(d)(3))

One case: Workers Compensation WCAB no. ADJ10272103

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Gov't. Code Sec. 54956.9(d)(1))

One case: Gerald Knighten v. City of Anderson, US District Court
Case No. 2:15-CV-01751-TLN-CMK


7:46 p.m.: *The City Council reconvened to Open Session.*

CLOSED SESSION ANNOUNCEMENT: The Mayor announced the City Council sat in Closed Session to discuss one potential litigation case and one existing litigation case with no reportable actions taken.

ADJOURNMENT

7:46 p.m.: *The City Council adjourned to September 6, 2016.*

ATTEST:



Susie Baugh, Mayor



Juanita Barnett, City Clerk

