

CITY COUNCIL MINUTES

May 12, 2008

Mayor Cannella called the City Council Meeting to order at 7:00 p.m. with the following in attendance:

ROLL CALL Council Members Durossette, Lane, Ochoa, Vierra, Mayor Cannella

INVOCATION by Pastor Dave Broyles, Ceres Christian Church.

PLEDGE OF ALLEGIANCE to the flag led by Mayor Cannella.

PRESENTATIONS

A. Proclamation declaring the Month of May as Asthma Awareness Month in Stanislaus County.

A representative of the Stanislaus County Asthma Coalition accepted the proclamation and thanked Council for their support.

B. Proclamation declaring May 15, 2008 Peace Officer Memorial Day and the week of May 11, 2008 as National Police Week in the City of Ceres.

Lieutenant Brent Smith accepted the proclamation on behalf of the Ceres Police Department.

C. Recognition of Ceres Community Clean-Up Volunteers.

Mayor Cannella recognized the thirty community volunteers who participated in the first Community Clean-Up event on April 19, 2008.

APPROVAL OF THE MINUTES of the regular meeting of April 14, 2008.

MOTION: Approve the minutes of the regular meeting of April 14, 2008.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: **Motion passed unanimously. (5/0)**

CITIZEN COMMUNICATIONS to the Council on matters not included on the agenda (ten minutes).

- Armando Flores representing the Westpark Project, gave Council a brief update of the project on Crows Landing Road.
- Len Shepherd, resident, expressed his disapproval of the use of eminent domain.

APPROVAL OF AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING

MOTION: Approve the agenda as posted and certification of posting.

MOVED: Moved by Lane/seconded by Durossette

VOTE: **Motion passed unanimously. (5/0)**

APPOINTMENTS TO BOARDS/COMMISSIONS

None

CONFLICT OF INTEREST DECLARATION - None**CONSENT CALENDAR**

1. **General Correspondence – Information Only**
 - a. Public Works Monthly Report for March, 2008.
 - b. Building Department Monthly Report for April, 2008.
2. Register of Audited Demands for period covering April 21 – 30, 2008.
3. **Resolution No. 2008-63** approving the 2008 Legislative Agenda.
4. **Resolution No. 2008-64** supporting reform of the bond rating system to eliminate discrimination against municipal bonds.
5. **Resolution No. 2008-65** approving a contract with Wood Rodgers to design a temporary Well Pump Station and permanent Well Site at the Crows Landing Well and approve a budget amendment to appropriate funds. **Pulled for further discussion.**
6. **Resolution No. 2008-66** approving a contract with Conco West Inc. to construct a temporary Well Pump Station at the Crows Landing Well and approve a budget amendment to appropriate funds.
7. **Resolution No. 2008-67** approving the transfer of funds from cell tower account to purchase shade structures for Rotary Grove.
8. **Resolution No. 2008-68** approving an agreement with Union Pacific Railroad for the proposed 30-inch diameter sewer pipeline crossing of railroad property at Mile Post 118.35.
9. **Resolution No. 2008-69** approving Amendment No. 2 to Employment Agreement with Brad L. Kilger.

MOTION: Approve the Consent Calendar Items 1a, 1b, 2-4 and 6-9 as recommended by staff.

MOVED: Moved by Vierra/seconded by Lane

VOTE: **Motion passed unanimously. (5/0)**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

5. **Resolution No. 2008-65** approving a contract with Wood Rodgers to design a temporary Well Pump Station and permanent Well Site at the Crows Landing Well and approve a budget amendment to appropriate funds.

Vice Mayor Vierra pulled the item to reiterate his statements at the last meeting that he is concerned we were bypassing the RFP process and choosing a vendor that was currently doing other work with the City. Vice Mayor Vierra further stated that he realizes this is a unique situation but asked if staff could put a penalty clause in the contract requiring the Contractor to complete the work on schedule.

Staff responded that if Council so desired, a penalty clause could be added to the contract. Staff then requested that the Council move forward with the temporary well pump station and incorporate the penalty clause in the portion of the contract relating to the Permanent Well Site.

After some Council discussion, the following motion was made:

MOTION: Approve **Resolution No. 2008-65** approving a contract with Wood Rodgers to design a temporary Well Pump Station and permanent Well Site at the Crows Landing Well *with the provision that a penalty clause be added to the contract for the permanent well site.*

MOVED: Moved by Vierra/seconded by Ochoa

VOTE: Motion passed unanimously. (5/0)

UNFINISHED BUSINESS

None

PUBLIC HEARING

None

NEW BUSINESS

None

COUNCILMEMBER REFERRALS

None

REPORTS

City Staff reported on various recent activities including the Street Faire, the Police Officers Memorial and Fill-The-Boot Day. County Supervisor DeMartini updated Council on the status of the local library.

There being no further business, Mayor Cannella adjourned the meeting at 7:40 p.m. to the City Council Study Session on May 20, 2008 at 5:30 p.m. The meeting will be held in the City Council Chambers located at 2210 Magnolia Street.



Anthony Cannella, Mayor

ATTEST:


Cindy Heidorn, CMC

City Clerk