

# JOINT CITY COUNCIL/CRA MEETING MINUTES

**January 11, 2010**

Mayor Cannella called the Joint City Council/Ceres Redevelopment Agency 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 Jeff Hilbert, Believers Family Church Village Chapel

**PLEDGE OF ALLEGIANCE** to the flag led by Mayor Cannella.

## PRESENTATIONS

A. Presentation of Citizen Accommodation to Johnny Ortiz.

Mayor Cannella and Chief Art de Werk presented Mr. Ortiz with a plaque for his heroic efforts in assisting a Ceres Police Officer.

B. Presentation to Ruthanne Williams for her service on the Ceres Planning Commission.

Mayor Cannella presented a plaque to Ruthanne Williams upon her retirement from the Ceres Planning Commission.

**APPROVAL OF THE MINUTES** of the Joint City Council/CRA Meeting of December 14, 2009. (Vice Mayor Lane Excused)

**MOTION:** Approve the minutes of the Joint City Council/CRA meeting of December 14, 2009.

**MOVED:** Moved by Vierra/seconded by Durossette

**VOTE:** **Motion passed with Vice Mayor Lane abstaining. (4/0/1)**

## CITIZEN COMMUNICATIONS

- Len Shepherd, Resident, commended Mr. Ortiz for being an extraordinary person.

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

**MOTION:** Approve the agenda as posted (or amended) and certification of posting.

**MOVED:** Moved by Durossette/seconded by Lane

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

## APPOINTMENTS TO BOARDS/COMMISSIONS

A. Council approval of Mayor Cannella's appointment of Hugo Molina to the Ceres Planning Commission to serve a four-year term expiring 12/31/13.

**MOTION:** Approve Mayor Cannella's appointment of Hugo Molina to the Ceres Planning Commission to serve a four-year term expiring 12/31/13.

**MOVED:** Moved by Lane/seconded by Vierra

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

- B. **Resolution No. 2010-01** reappointing Brandy Meyer to the Tuolumne River Regional Park Citizen's Advisory Committee for a two-year term to expire December 31, 2011.

MOTION: Approve Mayor Cannella's appointment of Hugo Molina to the Ceres Planning Commission to serve a four-year term expiring 12/31/13.

MOVED: Moved by Vierra/seconded by Ochoa

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

**CONFLICT OF INTEREST DECLARATION** – None.

**PUBLIC COMMENT – CLOSED SESSION ITEM**

The following individuals spoke in support of the Whitmore Mansion project and urged Council's support:

- Cary Pope
- Allita Algeo
- Jim Bergermaster
- Lisa Mantarro Moore
- Eric Ingwerson

**CONSENT CALENDAR**

1. General Correspondence – **Information Only**
  - a. Public Works Monthly Report for November, 2009.
2. Register of Audited Demands for period covering December 10-14, 2009.
3. **Resolution No. 2010-02** approving an agreement with Ceres Youth Baseball for the use of the Costa Ballfield Complex and authorizing the City Manager to execute said agreement. **Pulled for further discussion.**

MOTION: Approve Consent Calendar items 1a and 2 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**

3. **Resolution No. 2010-02** approving an agreement with Ceres Youth Baseball for the use of the Costa Ballfield Complex and authorizing the City Manager to execute said agreement.

Councilmember Durossette stated that based on discussions at the previous Council Meeting, he felt the following concerns had not been addressed in the contract presented by staff:

1. Use of fields: Would the fields be available to rent for tournaments on weekends after the regular season when CYB is using them only for practices? *Staff responded that CYB would be submitting a schedule in March. Any available weekends would revert back to the City for rental. CYB would continue to use the fields for practices for All-Stars. Should an opportunity for a tournament arise during practice season, they are willing to consider moving if something can be worked out between the City and the School District to provide an adequate location.*

2. Separate concessions for tournaments: Would the tournament sponsors be able to run concessions to earn money at the tournaments? *Staff responded that CYB has the concession stand stocked and it would be too difficult to inventory and keep supplies separate. Any concessions run independently from the current concession stand would be very limited (candy, chips, soda, water). Any prepared foods would be a County Health issue.*
3. Rental Fees for Fields: We are missing an opportunity for revenue by only charging \$100 for the entire complex. *Staff responded that in an effort to get this contract adopted, the fees were not change, however, staff would like to come back to Council to discuss the fees in more general terms with respect to our rental programs.*

CYB President, Lance Goblrish, confirmed that per the contract, CYB will submit a season schedule to the City by March so the City can rent the fields out on weekends they are not in use.

Donnie Donaldson, representing Smash Baseball, complained that he felt the fields were exclusive to CYB and not made available to other organizations.

After some discussion Council concurred that CYB should have priority use of the fields. If the fields are not being used and the City is able to rent those fields for tournament play, the money raised will be put back into maintenance of the fields. The contract will also be revisited once the concession stand/restroom renovations are completed.

**MOTION:** Approve **Resolution No. 2010-02** approving an agreement with Ceres Youth Baseball for the use of the Costa Ballfield Complex and authorizing the City Manager to execute said agreement

**MOVED:** Moved by Durossette/seconded by Lane

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

**UNFINISHED BUSINESS** - None

**PUBLIC HEARING** - None

### **NEW BUSINESS**

4. **Resolution No. 2010-03** approving a contract with West Yost Associates in the amount of \$358,300 with a contingency of \$40,000 to complete the Water Master Plan and Rate Study.

Glenn Gebhardt, Interim Development Services Director, presented a brief overview of the item. Council asked for assurance from staff that the money was in the budget. Mr. Gebhardt reiterated that the contract amount for the work is \$358,000. This amount is lower than the initial proposal because of the elimination of the CEQA analysis. The CEQA analysis for the Water Rate Study will be completed in conjunction with the analysis for the Sewer Rate Study after the Master Plans have been completed.

Councilmember Vierra expressed concern regarding the contingency that was built into the contract and requested that staff not add this in the future.

Steve Dalrymple, representing West Yost addressed Council and thanked them for the opportunity to work on the project.

Mayor Cannella asked Mr. Dalrymple the following question and directed the Clerk to make it a part of the official record:

With regard to your proposal in the amount to \$358,000 “are you comfortable that the information is available; the staff understands what you are going to need and that they are going to be able to provide it; and that you, as a professional, have put down what is necessary in order to produce the work that we need as a City in order to generate what is going to satisfy the State and satisfy our needs for years to come.”

Mr. Dalrymple responded: “I believe that is the case, yes.”

**MOTION:** Approve **Resolution No. 2010-03** approving a contract with West Yost Associates in the amount of \$358,300 to complete the Water Master Plan and Rate Study with no contingency.

**MOVED:** Moved by Vierra/seconded by Lane

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

5. **Resolution No. 2010-04** approving a contract with Eco:Logic Consulting Engineers in the amount of \$479,316 with a contingency of \$45,000 to complete the Sewer Master Plan and Rate Study.

Glenn Gebhardt, Interim Development Services Director, presented a brief overview of the item. Council asked for assurance from staff that the money was in the budget. Mr. Gebhardt stated that the contract amount of this work is \$434,316 (exclusive of contingency). This amount has been negotiated down from the April 2009 amount of \$587,135, including two optional tasks that are recommended for selection. The majority of the reduction was due to elimination of the CEQA analysis. The two optional tasks added are 1) Groundwater Monitoring Plan and 2) Preparation of CMMS and Asset Management Database, Risk assessment and CIP Prioritization.

Mr. Neal Colwell, representing Eco:Logic, addressed Council, thanked them for their support and asked if they had any questions.

Mayor Cannella asked Mr. the following question and directed the Clerk to make it a part of the official record:

With regard to your proposal of \$479,316 “are you comfortable that the information is available; the staff understands what you are going to need and that they are going to be able to provide it; and that you, as a professional, have put down what is necessary in order to produce the work that we need as a City in order to generate what is going to satisfy the State and satisfy our needs for years to come.”

Mr. Colwell responded: “Yes.”

**MOTION:** Approve **Resolution No. 2010-04** approving a contract with Eco:Logic Consulting Engineers in the amount of \$434,316 with no contingency to complete the Sewer Master Plan and Rate Study.

**MOVED:** Moved by Vierra/seconded by Ochoa

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

**COUNCILMEMBER REFERRALS** – None.

**REPORTS**

Council and Staff reported on various recent activities including the very successful Christmas toy drive in downtown Ceres.

8:37 p.m. Mayor Cannella adjourned the Joint City Council/CRA meeting to Closed Session.

**CLOSED SESSION**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: 2732 5<sup>th</sup> Street

Negotiating parties: Brad Kilger, Executive Director or his designee

Under negotiation: Instruction may include price, terms of payment or both

Purpose of Proposed Acquisition: General purposes consistent with the Redevelopment Agency's Plan, including provision of affordable housing and preservation of an historical resource.

*Pursuant to Gov't Code Section 64956.9*

**CONFERENCE WITH LABOR NEGOTIATOR**

City Negotiator: Liebert, Cassidy, Whitmore

Employee Organization: Miscellaneous Bargaining Unit

Employee Organization: First Line Supervisors/Confidential Bargaining Group

Employee Organization: Mid-Management Employees

Employee Organization: Department Heads

Employee Organization: Ceres Department of Public Safety Firefighters Association

Employee Organization: Ceres Police Officers' Association

*Pursuant to Gov't. Code Section 54957.6*

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager

*Pursuant to Government Code Section 54957*

10:45 p.m. Mayor Cannella reconvened in Open Session with nothing to report.

10:45 p.m. Mayor Cannella adjourned the Joint City Council/CRA meeting.

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Anthony Cannella, Mayor

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Cindy Heidorn, City Clerk