

CITY COUNCIL MINUTES

May 24, 2010

Mayor Cannella called the Joint City Council/CRA Closed Session to order at 6:35 p.m. with the following in attendance:

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

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 3021 Fourth Street

Negotiating parties: For City Brad Kilger, Executive Director or his designee; for owner David Griffin

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

Purpose of Proposed Acquisition: General purposes consistent with the Redevelopment Agency's Plan - *Pursuant to Gov't Code Section 64956.8*

No Closed Session was held on the following item:

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

6:52 p.m. Mayor Cannella adjourned the Closed Session with nothing to report.

7:00 p.m. COVENE IN OPEN SESSION – Mayor Cannella called the Joint City Council/CRA Meeting to order with the following in attendance:

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

INVOCATION by Pastor Dionicio Vargas, Ceres Valley View Church of the Nazarene

PLEDGE OF ALLEGIANCE to the flag led by Mayor Cannella.

Mayor Cannella reported that no action was taken during the closed session.

PRESENTATIONS

A. Report by Ceres Youth Commission.

Christian Ochoa, President, Ceres Youth Commission, gave an overview of recent and upcoming activities including the Teen Palooza Regional Conference in Oakdale, volunteer orientation at the County Animal Shelter, design of tee-shirts, implementation of a scholarship, and facilitating the kid's night booth at Concerts in the Park.

APPROVAL OF THE MINUTES of the regular meeting of April 26, 2010.

MOTION: Approve the minutes of the regular meeting of April 26, 2010.

MOVED: Moved by Lane/seconded by Vierra

VOTE: Motion passed with Councilmember Durossette abstaining (4/0/1)

APPROVAL OF THE MINUTES of the regular meeting of May 3, 2010.

MOTION: Approve the minutes of the regular meeting of May 3, 2010.

MOVED: Moved by Durossette/seconded by Ochoa

VOTE: Motion passed unanimously. (5/0)

CITIZEN COMMUNICATIONS

- Len Shepherd, a resident, asked what was happening with the vacant lot next to the Community Center.

City Manager Kilger responded that the vacant lot is scheduled to be paved this summer.

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

The agenda was amended as follows: Closed Session items were heard prior to the Regular Meeting and New Business Item #14 will be heard prior to New Business Item #13.

MOTION: Approve the Agenda as amended and Certification of Posting

MOVED: Moved by Durossette/seconded by Ochoa

VOTE: Motion passed unanimously. (5/0)

APPOINTMENTS TO BOARDS/COMMISSIONS - None

CONFLICT OF INTEREST DECLARATION

Mayor Cannella declared a conflict with Item #13 stating that his firm previously collaborated with West Yost on a project.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Public Works Monthly Report for April 2010.
 - b. IT Department Monthly Report for April 2010.
 - c. Status Report on the Finance Performance Improvement Plan.
 - d. Major Project List Update.
2. Register of Audited Demands for period covering April 30-May 13, 2010.
3. **Resolution No. 2010-53** rejecting the claim for damages of Leonard Goddard.
4. **Resolution No. 2010-54** rejecting the claim for damages of Joseph Parks.
5. **Resolution No. 2010-55** eliminating the classification of Director of Finance and Human Resources; establishing a new classification, description and compensation range for the position of Director of Finance. **PULLED FOR FURTHER DISCUSSION**

6. **Resolution No. 2010-56** ratifying the appointment of Sheila Cumberland as Director of Finance, and approving the Employment Agreement. **PULLED FOR FURTHER DISCUSSION**
7. **Resolution No. 2010-57** approving the extension of the term of the Agreement for Custodial Services for the Ceres Community Center with Pacific Building Care for a period of one (1) Year at an annual cost of \$46,820.53. **PULLED FOR FURTHER DISCUSSION**
8. **Resolution No. 2010-58** amending the Annual Budget to transfer the proceeds of the sale of the Whitmore House from the General Fund (Fund 100) to the Community Center Fund (Fund 275) in the amount of \$374,000.
9. **Resolution No. 2010-59** approving an agreement between the County of Stanislaus and the City of Ceres authorizing its continued participation in the Urban County Community Development Block Grant (CDBG) Program.
10. **Resolution No. 2010-60** amending the annual budget to purchase a narcotic detection canine for the Ceres Department of Public Safety, Police Division. **PULLED FOR FURTHER DISCUSSION**
11. **Resolution No. 2010-61** authorizing the upgrade of the Ceres Police Division Property and Evidence Lockers, and approving a Budget Amendment.

MOTION: Approve Consent Calendar Items 1a-d, 2-4, 8-9, and 11 as recommended by Staff.

MOVED: Moved by Lane/seconded by Durossette

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

5. **Resolution No. 2010-55** eliminating the classification of Director of Finance and Human Resources; establishing a new classification, description and compensation range for the position of Director of Finance.

Len Shepherd, resident, asked what the status of Human Resources was.

City Manager Kilger responded that the position had not been filled and is currently being staffed by Deputy Chief Borges, with his supervision.

6. **Resolution No. 2010-56** ratifying the appointment of Sheila Cumberland as Director of Finance, and approving the Employment Agreement.

Len Shepherd, resident, commented that Ms. Cumberland is currently doing the job and that according to the staff report, she is doing an outstanding job. He also congratulated Ms. Cumberland on her appointment.

7. **Resolution No. 2010-57** approving the extension of the term of the Agreement for Custodial Services for the Ceres Community Center with Pacific Building Care for a period of one (1) Year at an annual cost of \$46,820.53.

Council Member Durossette asked why this contract didn't go to bid. Public Works Superintendent Riddell responded that staff felt it wasn't prudent to re-bid when initially Pacific Building Care was the lowest bidder and that they were willing to extend for another year without an increase in compensation.

10. **Resolution No. 2010-60** amending the annual budget to purchase a narcotic detection canine for the Ceres Department of Public Safety, Police Division.

Len Shepherd, resident, asked what the cost would be and if a new position is being created for dog handler. Deputy Chief Borges responded that the cost of the canine was donated by Food 4 Less and the dog handler is a current City employee. Some of the funds will be from Measure M.

Mayor Cannella asked that the City make a presentation at the Food 4 Less in appreciation of their donation.

MOTION: Approve Consent Calendar Items 5, 6, 7, and 10 as recommended by Staff.

MOVED: Moved by Lane/seconded by Ochoa

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

UNFINISHED BUSINESS – None.

PUBLIC HEARING

12. Public Hearing to consider **Resolution No. 2010-62** authorizing changes to the Ceres Area Transit (CAT) and Ceres Dial-A-Ride (CDAR) fares, Ceres Area Transit routes, and review transit service levels.

Kay Dunkel, Administrative Analyst, gave a report.

7:21 p.m. Mayor Cannella Opened the Public Hearing

Len Shepherd, resident, asked if ridership was down, how will raising the rates increase ridership? Mayor Cannella responded that in order to receive funding and not have to use General Fund monies, the transit has to receive 10% of the farebox.

7:23 p.m. The Public Hearing was closed.

MOTION: Approve **Resolution No 2010-62** as recommended by staff.

MOVED: Moved by Durossette/seconded by Vierra

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

NEW BUSINESS

14. **Resolution No. 2010-64** awarding the contract for the Installation and support services for the Advanced Metering Infrastructure (AMI) Project to Measurement Control Systems in the amount of \$544,025.00, authorizing the City Manager to execute the Contract and Approving a 20% contingency.

Interim Deputy Public Works Director Michael Brinton advised the Council that the meters are in a local warehouse. Council Member Durossette asked if it was regular practice to have a 20% contingency? Mr. Brinton responded that the typical contingency is 10%, but because of the magnitude and complexity of this project, it was increased to 20%.

7:26 p.m. Mayor Cannella opened the Public Hearing

7:26 p.m. There being no one wishing to speak, the Public Hearing was closed.

MOTION: Approve **Resolution No 2010-64** as recommended by staff.

MOVED: Moved by Vierra/seconded by Ochoa

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

7:27 p.m. Mayor Cannella recused himself from the dais.

13. **Resolution No. 2010-63** awarding a Construction Management and Inspection Services contract for the City of Ceres Waste Water Treatment Plant Headworks and Influent Pump Station project to West Yost Assoc. in the amount of \$211,114.00, authorizing the City Manager to execute the contract and approving a 10% contingency.

7:30 p.m. Vice Mayor Lane opened the Public Hearing

7:30 p.m. There being no one wishing to speak, the Public Hearing was closed.

MOTION: Approve **Resolution No. 2010-63** as recommended by staff.

MOVED: Moved by Durossette/seconded by Ochoa

VOTE: **Motion passed with Mayor Cannella abstaining (4/0/1)**

COUNCILMEMBER REFERRALS – None.

REPORTS

Council Member Durossette reported on the Relay for Life held at Ceres High School this past weekend and announced that initially \$83,000 has been raised.

ADJOURNMENT

7:33 p.m. There being no further business, Vice Mayor Lane adjourned the City Council Meeting.

Anthony Cannella, Mayor

Linda Ryno, Administrative Secretary