

## CITY COUNCIL MINUTES

September 27, 2010

Mayor Cannella called the September 27, 2010 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 Michael Brinton, Deputy Public Works Director/Assistant City Engineer

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

### PRESENTATIONS

A. Ceres Youth Commission Report.

Christian Ochoa, representing the Ceres Youth Commission gave a report to Council on the 2010/2011 activities and goals of the Youth Commission.

B. Proclamation Declaring October 4 – 15, 2010 as Binational Health Weeks in the City of Ceres.

**APPROVAL OF THE MINUTES** of the regular meeting of August 23, 2010. (Durossette Excused)

**MOTION:** Approve the minutes of the regular meeting of August 23, 2010.

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

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

### CITIZEN COMMUNICATIONS

- Len Shepherd, resident, spoke about October as National Fire Prevention Month.

### 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** – None.

**CONFLICT OF INTEREST DECLARATION** – Mayor Cannella declared a conflict with Item No. 3 stating that his firm has done work for George Reed, Inc. in the last 12 months.

### CONSENT CALENDAR

1. General Correspondence – **Information Only**
  - a. Public Works Monthly Report for August 2010.
2. Register of Audited Demands for period covering August 31 – September 10, 2010.
3. **Resolution No. 2010- 121** accepting the Community Development Block Grant (CDBG) FY 2009/10 5<sup>th</sup> St. and 9<sup>th</sup> St. Curb, Gutter and Sidewalk Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention release to contractor. **PULLED DUE TO CONFLICT OF INTEREST.**

4. **Resolution No. 2010- 122** approving the deletion of the Maintenance Worker I/II job description and title and creating the Parks Maintenance Worker I/II and Streets Maintenance Operator I/ II job descriptions and job titles. **PULLED FOR FURTHER DISCUSSION.**
5. **Resolution No. 2010-123** authorizing the destruction of certain records and documents maintained by the Finance Department.

MOTION: Approve Consent Calendar Items 1a, 2 & 5 as recommended by staff

MOVED: Moved by Lane/seconded by Ochoa

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

#### **CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR**

3. **Resolution No. 2010-121** accepting the Community Development Block Grant (CDBG) FY 2009/10 5<sup>th</sup> St. and 9<sup>th</sup> St. Curb, Gutter and Sidewalk Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention release to contractor.

MOTION: Approve **Resolution No. 2010-121** as recommended by staff

MOVED: Moved by Durossette/seconded by Vierra

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

4. **Resolution No. 2010-122** approving the deletion of the Maintenance Worker I/II job description and title and creating the Parks Maintenance Worker I/II and Streets Maintenance Operation I/II job descriptions and job titles.

Len Shepherd, resident, asked if the approval of this item would create new positions.

Staff responded that this is just a clarification of job duties. No new positions are being created.

MOTION: Approve **Resolution No. 2010-122** as recommended by staff

MOVED: Moved by Durossette/seconded by Vierra

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

#### **UNFINISHED BUSINESS**

6. Request for Council direction regarding the establishment of Water Meter Rates.

Glenn Gebhardt, Public Works Director/City Engineer reviewed with Council the proposed metered rate structure and how it compares to the draft 2008 metered rate structure. Mr. Gebhardt stated that we are not raising the rates, the rates that are before Council now are slightly lower than the rates we projected in 2008.

Council accepted the report and directed staff to bring the rates back to the Council for consideration and the initiation of the 218 rate adoption process at the October 11, 2010 City Council meeting.

#### **PUBLIC HEARING**

7. Public Hearing to consider **Resolution No. 2010-124** accepting the Director of Public Safety recommendation for Fiscal Year 2010/11 Supplemental Law Enforcement Services Fund (SLESF) expenditures.

Chief de Werk gave a brief introduction of the staff report.

7:14 p.m. Mayor Cannella opened the Public Hearing.

- Len Shepherd, resident, asked a question regarding the funding source of this grant.

Staff responded that these are Federal Funds. The Supplemental Law Enforcement Services Fund is a grant the City receives annually and we are required to hold a public hearing and pass a resolution approving the expenditures of the grant funding.

7:16 p.m. There being no one else wishing to speak the Public Hearing was closed.

**MOTION:** Approve **Resolution No. 2010-124** as recommended by staff

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

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

## **NEW BUSINESS**

8. Authorize Staff to Submit Draft 2009-2014 Housing Element to State Housing and Community Development Department (HCD) for Mandated 60-Day Review Period and Initiate Public Review of Draft Housing Element.

Tom Westbrook, Planning Manager, presented the staff report to Council. Mr. Westbrook stated that State Law requires Housing Elements be updated every five years to reflect a community's changing needs. The City's previous Housing Element (2003-2008 Housing Element) was adopted by the City Council on October 8, 2007. A vast majority of the policy direction established in the 2003-2008 Housing Element remains valid and unchanged. However, there are new and revised policies and programs included in the 2009-2014 Housing Element update to reflect State Legislation adopted in recent years since the previous plan was certified by Housing and Community Development in 2007.

Major updates to existing Programs or new Programs include:

Program 1.4: Downtown Specific Plan

Program 2.1: Extremely Low-Income Housing Development Funding

Program 2.3: Density Bonus

Program 2.6: Reduced Parking Standards in Downtown Specific Plan

Program 3.0: Reasonable Accommodations

Program 3.7: Rezoning for Emergency Shelters

Program 3.8: Transitional and Supportive Housing

Program 6.2: Publicize Energy Conservation for New Construction

As a part of the overall update to the Housing Element, State Government Code requires the draft be submitted to HCD for a 60 day review period. Staff will incorporate any comments received from HCD as well as any public comments received prior to the presentation of the 2009/14 Housing Element to the Planning Commission and the City Council.

**MOTION:** Authorize staff to submit Draft 2009/14 Housing Element to State Housing and Community Development Department (HCD) to Mandated 60-day Review Period and initiate Public Review of Draft Housing Element.

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

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

9. **Resolution No. 2010-125** awarding a contract to Clean Sweep Environmental for the Street and Parking Lot Sweeping Project in the amount of \$13.45 per curb mile, or approximately \$91,460.00 per year authorizing the City Manager to execute said agreement.

Glenn Gebhardt, Public Works Director introduced the item to Council stating that on November 9, 2009 the City Council awarded a one year contract for street sweeping to Contract Sweeping Services. That contract expires on October 12, 2010. On August 17, 2010 staff issued an Invitation to Bidders for the Street and Parking Lot Sweeping services. Four bids were received. Upon examination of the bids, it was determined that Clean Sweep Environmental was the lowest responsible bidder.

Staff is requesting a one-year contract with five one-year renewals. Staff will report to Council regularly on the status of the street sweeping efforts. Clean Sweep, City staff and Bertolotti will also meet to discuss better coordination with the leaf and limb pick up.

A representative from Clean Sweep Environmental addressed Council and thanked them for their consideration. He further stated that their goal is to base a satellite office in Ceres and make this a local Central Valley base for the company. Their equipment meets all current standards and specs.

Council directed staff to have a six-month, nine-month and twelve month review.

Council expressed concerns that citizens have started putting their grass clippings into the leaf and limb piles for pick up.

Staff responded that they are aware that this is happening. Letters are being issued to the property owners that are disposing of grass clippings in their leaf and limb piles and staff has directed Bertolotti to not pick up the piles that have grass clippings in them so the message gets through to the property owner that this is not allowed.

**MOTION:** Approve **Resolution No. 2010-124** as recommended by staff and hold a six-month, nine-month and twelve month review.

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

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

**7:36 p.m. ADJOURN AS CITY COUNCIL TO THE REDEVELOPMENT AGENCY MEETING**

**7:50 p.m. RECONVENE AS CITY COUNCIL**

**COUNCILMEMBER REFERRALS** – None.

**REPORTS** - City Staff reported that the Whitmore Interchange off-ramp is scheduled to open permanently in November.

**7:51 p.m.** There being no further business, Mayor Cannella adjourned to the Redevelopment Agency Closed Session.

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Anthony Cannella, Mayor

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Cindy Heidorn, City Clerk