

# CITY COUNCIL MINUTES

**December 12, 2011**

Mayor Vierra called the December 12, 2011 City Council Meeting to order at 7:00 p.m. with the following in attendance:

**ROLL CALL** Council Members Durossette, Ingwerson, Kline, Lane, Mayor Vierra

**INVOCATION** by Len Shepherd, Resident.

**PLEDGE OF ALLEGIANCE** to the flag led by Mayor Vierra

## **PRESENTATIONS**

A. Presentation to Outgoing City Council Member Guillermo Ochoa.

Mayor Vierra presented a plaque to outgoing Council Member Guillermo Ochoa and thanked him for his years of public service. Councilmember Guillermo also received commendations from Assemblymember Bill Berryhill's office, Len Shepherd, Hugo Molina, Ken Groves, Southeast Asian Community and St. Jude's Church.

B. Presentation to Outgoing Planning Commissioner Mike Kline.

Mayor Vierra presented a plaque to newly elected Councilmember Mike Kline for his years of service on the Planning Commission.

C. Presentation of Chief's Awards - Officer Lorenzo Beltran and Officer James Riley.

Chief de Werk presented the Chief's award to Officer Beltran and Officer Riley for exemplary service on the Ceres Police force. The officers have made over 300 drug arrests since February 2011.

D. 100 Year Anniversary for the Ceres Fire Department.

Assemblymember Berryhill's Office and Senator Anthony Cannella's Office presented certificates to the Ceres Fire Department on their 100<sup>th</sup> anniversary.

E. Certificate Commemorating the 50<sup>th</sup> Anniversary of Christmas Tree Lane.

Mayor Vierra read into the record a certificate commemorating the 50<sup>th</sup> anniversary of Christmas Tree Lane.

## **CITIZEN COMMUNICATIONS**

- Melissa Stiles, representing Whitmore Charter School addressed Council stating that the school has unfairly been excluded from the basketball program run by Mr. Don Donaldson and requested Council assistance.
- Len Shepherd, resident, congratulated the Fire Department on their 100<sup>th</sup> anniversary.
- Don Donaldson, responded to Ms. Stiles comments stating that he would love to have all the kids play in the basketball program but he cannot get enough gym space and requested Council assistance.
- Delvecio Rudd, representing Ceres Shock Basketball, introduced himself to Council and requested fair and equal treatment of his traveling basketball program.

**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 Lane/seconded by Ingwerson

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

**APPOINTMENTS TO BOARDS/COMMISSIONS**

A. **Resolution No. 2011-171** reappointing Brandy Meyer for an addition term on the Tuolumne River Region Park Citizens Advisory Committee.

MOTION: Approve **Resolution No. 2011-171** reappointing Brandy Meyer for an addition term on the Tuolumne River Region Park Citizens Advisory Committee.

MOVED: Moved by Lane/seconded by Ingwerson

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

B. **Resolution No. 2011-172** reappointing Kay Dunkel for an additional term on the Stanislaus County Local Task Force on Solid Waste Management (LTF)

MOTION: Approve **Resolution No. 2011-172** reappointing Kay Dunkel for an additional term on the Stanislaus County Local Task Force on Solid Waste Management (LTF)

MOVED: Moved by Ingwerson/seconded by Lane

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

C. Appointment of the Vice Mayor and New Committee Assignments by Mayor Vierra.

MOTION: Approval of the appointment of Ken Lane as Vice Mayor and new committee assignments as recommended by Mayor Vierra

MOVED: Moved by Durossette/seconded by Lane

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

**CONFLICT OF INTEREST DECLARATION**

Mayor Vierra declared a conflict with Item No. 5, stating that his company has done work with the Consultant in the past 12 months.

**CONSENT CALENDAR**

1. Register of Audited Demands for period covering November 21-December 1, 2011.
2. **Resolution No. 2011-173** supporting the extension of a 1/8 cent Sales Tax which would fund the Stanislaus County Library.
3. **Resolution No. 2011-174** rejecting the Claim for Damages of Marty Harris.
4. **Resolution No. 2011-175** awarding the 2011 Well Abandonment Project to Cal Water Drilling Co., Inc., Authorizing a 10% contingency and authorizing the Acting City Manager to execute the contract.

5. **Resolution No. 2011-176** approving a Retainer Consultant Services Agreement with Kleinfelder West, Inc. for Materials Testing Services and authorizing the Acting City Manager to execute the agreement. PULLED DUE TO CONFLICT OF INTEREST.
6. **Resolution No. 2011-177** awarding the Construction Contract for the Smyrna Park Wells 39 and 40 to Roadrunner Drilling & Pump Co., authorizing a 10% contingency and authorizing the Acting City Manager to execute the contract. PULLED FOR FURTHER DISCUSSION.
7. Receive and file Annual Report on Community Facilities District No. 1 and District No. 2 to comply with the Local Agency Special Tax Bond and Accountability Act.
8. **Resolution No. 2011-178** approving the purchase of a Public Works, Water Conservation Officer Truck from Country Ford, Ceres. PULLED FOR FURTHER DISCUSSION.
9. **Resolution No. 2011-179** approving the purchase of a Public Works, Fleet Utility Truck from Country Ford, Ceres. PULLED FOR FURTHER DISCUSSION.
10. **Resolution No. 2011-180** approving the purchase of a Public Works, Streets Utility Truck from Country Ford, Ceres. PULLED FOR FURTHER DISCUSSION.

MOTION: Approval of Consent Calendar Items 1 – 4 and 7 as recommended by staff.

MOVED: Moved by Durossette/seconded by Kline

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

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

5. **Resolution No. 2011-176** approving a Retainer Consultant Services Agreement with Kleinfelder West, Inc. for Materials Testing Services and authorizing the Acting City Manager to execute the agreement.

MOTION: Approval of **Resolution 2011-176** as recommended by staff.

MOVED: Moved by Ingwerson/seconded by Kline

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

11. **Resolution No. 2011-178** approving the purchase of a Public Works, Water Conservation Officer Truck from Country Ford, Ceres. PULLED FOR FURTHER DISCUSSION.
12. **Resolution No. 2011-179** approving the purchase of a Public Works, Fleet Utility Truck from Country Ford, Ceres. PULLED FOR FURTHER DISCUSSION.
13. **Resolution No. 2011-180** approving the purchase of a Public Works, Streets Utility Truck from Country Ford, Ceres. PULLED FOR FURTHER DISCUSSION.

Vice Mayor Lane pulled the Items to thank staff for working with a local vendor to purchase the vehicles. Vice Mayor Lane stressed how important it is to use local businesses.

MOTION: Approval of **Resolution Nos. 2011-178, 2011-179 and 2011-180** as recommended by staff.

MOVED: Moved by Lane/seconded by Kline

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

**UNFINISHED BUSINESS** – None.

**PUBLIC HEARING** – None.

**NEW BUSINESS** – None.

**COUNCILMEMBER REFERRALS** - None

**REPORTS**

Council and Staff reported on various activities and upcoming City events including the recent opening of Christmas Tree Lane which was a huge success.

There being no further business, Mayor Vierra adjourned the City Council Meeting at 8:25 p.m.

/s/ Chris Vierra, Mayor

/s/ Cindy Heidorn, City Clerk