

CITY COUNCIL MINUTES

March 26, 2012

Vice Mayor Lane called the March 26, 2012, City Council meeting to order at 7:11 p.m. with the following in attendance:

CALL TO ORDER

ROLL CALL Council Members Durossette, Ingwerson, Kline Vice Mayor Lane

EXCUSED Mayor Vierra

INVOCATION by Len Shepherd, resident

PLEDGE OF ALLEGIANCE to the flag led by Vice Mayor Lane

PRESENTATION

- A. Proclamation Declaring March 2012 as Women's History Month in Ceres. Arlene Villas representing the Soroptomist of Ceres accepted the Proclamation.
- B. Presentation by Lexa Bruer, President of the Ceres Youth Commission. Ms. Bruer reported to Council on the activities of the Ceres Youth Commission from September 2011 – April 2012.

CITIZEN COMMUNICATIONS

APPROVAL OF AGENDA AS AMENDED AND CERTIFICATION OF POSTING

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

MOVED: Moved by Ingwerson/seconded by Kline

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

APPOINTMENTS TO BOARDS/COMMISSIONS – None.

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Public Works Monthly Report for February, 2012. **(4/0/1)**
 - b. IT Monthly Report for February, 2012. **(4/0/1)**
 - c. Citizen Relationship Management Public Launch. **(4/0/1)**
2. Register of Audited Demands for period covering March 9 – 14, 2012. **(4/0/1)**
3. **Resolution No. 2012-33** rejecting the Claim for Damages of Selina Marie Walker. **(4/0/1)**
4. **Resolution No. 2012-34** rejecting the Claim for Damages of John Thomas Walker. **(4/0/1)**

5. **Resolution No. 2012-35** approving the “Let Freedom Ring” project by allowing the Ceres Garden Club to plant a grove of trees at Smyrna Park memorializing past presidents. (4/0/1)
6. **Resolution No. 2012-36** awarding the Construction Contract for the Roeding Heights Well #21 Rehab Project to Don Pedro Pump, authorizing a 10% contingency and authorizing the City Manager to Execute the Contract. PULLED FOR FURTHER DISCUSSION.
7. **Resolution No. 2012-37** approving the procurement of a backup bar screen for the Headworks and Influent Pump Station at the City’s Waste Water Treatment Plant from Comarco Industries Inc. and authorizing the City Manager to purchase the screen for an amount of \$108,700.00. PULLED FOR FURTHER DISCUSSION
8. **Resolution No. 2012-38** approving the procurement of four Lift Station Control Panels for the Hi-Mor SSLs, Morgan Road SSLs, Central-Hatch SSLs and the Fowler West SDLS and authorizing the City Manager to Purchase the Panels for an amount of \$101,402.50 from Hawk Systems. PULLED FOR FURTHER DISCUSSION
9. **Resolution No. 2012-39** accepting the Community Development Block Grant (CDBG) FY 2010-11 Downtown Infrastructure Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention release to the Contractor. (4/0/1)
10. **Resolution No. 2012-40** setting forth the City of Ceres’ commitment to obesity prevention. PULLED FOR FURTHER DISCUSSION

ACTION: Moved by Durossette/seconded by Kline to approve **Consent Calendar Items 1a-c, 2-5** and 9 as recommended by staff. **Motion passed with Mayor Vierra absent. (4/0/1)**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

6. **Resolution No. 2012-36** awarding the Construction Contract for the Roeding Heights Well #21 Rehab Project to Don Pedro Pump, authorizing a 10% contingency and authorizing the City Manager to Execute the Contract.

Item pulled by Councilmember Kline who discuss the life expectancy of the pumps and funding for the project.

- Len Shepherd, resident, does not support the 10% contingency.
- Dan Patton, resident, spoke in support of the contingency.

ACTION: Moved by Kline/seconded by Durossette to approve **Resolution No. 2012-36** as recommended by staff. **Motion passed with Mayor Vierra absent. (4/0/1)**

7. **Resolution No. 2012-37** approving the procurement of a backup bar screen for the Headworks and influent pump station at the City’s Waste Water Treatment Plant from Comarco Industries Inc. and authorizing the City Manager to purchase the screen for an amount of \$108,700.00.

Pulled by Councilmember Kline to ask some questions about the timing of the purchase and funding for the project.

ACTION: Moved by Kline/seconded by Ingwerson to approve **Resolution No. 2012-37** as recommended by staff. **Motion passed with Mayor Vierra absent. (4/0/1)**

8. **Resolution No. 2012-38** approving the procurement of four Lift Station Control Panels for the Hi-Mor SSLS, Morgan road SSLS, Central-Hatch SSLS and the Fowler West SDLS and authorizing the City Manager to Purchase the Panels for an amount of \$101,402.50 from Howk Systems.

Pulled by Councilmember Kline who had questions regarding the bid process.

ACTION: Moved by Kline/seconded by Durossette Approve **Resolution No. 2012-38** as recommended by staff. **Motion passed with Mayor Vierra absent. (4/0/1)**

10. **Resolution No. 2012-40** setting forth the City of Ceres' commitment to obesity prevention.

Pulled by Len Shepherd, resident, who expressed his concern that the City should not involve itself in citizens' personal lives.

ACTION: Moved by Durossette/seconded by Kline to approve **Resolution No. 2012-40** as recommended by staff. **Motion passed with Mayor Vierra absent. (4/0/1)**

UNFINISHED BUSINESS – None.

PUBLIC HEARING

11. **Public Hearing** - to consider **Resolution No. 2012-41** adopting the 2009-2014 Housing Element for the City of Ceres and authorize staff to submit the document to the California Department of Housing and Community Development.

7:53 The Public Hearing was opened.

7:53 There being no one wishing to speak, the Public Hearing was closed.

ACTION: Moved by Durossette/seconded by Kline to approve **Resolution No. 2012-41** as recommended by staff. **Motion passed with Mayor Vierra absent. (4/0/1)**

12. ~~**Public Hearing** — close the Public Review Period and consider **Resolution No. 2012-_____** recommending that the Stanislaus County Board of Supervisors adopt the FY 2012-13 Community Development Block Grant (CDBG) Annual Action Plan and FY 2012-15 Consolidated Plan. (B. Briggs) ITEM REMOVED FROM AGENDA~~

NEW BUSINESS

13. Council discussion and possible authorization to implement an “Action” minutes format for City Council Meetings.

ACTION: Moved by Ingwerson/seconded by Kline to approve implementing an “Action” minutes format for City Council Meetings. **Motion passed with Mayor Vierra absent. (4/0/1)**

14. Council discussion of Westport Fire District Agreement contingent upon the receipt of information from the Westport Fire District.

The City and Westport had two points of discrepancy with the agreement:

1. The City wanted to make the ad valorem tax four years and the District requested five years.
2. The station location requirement imposed by the City.

- Dave Sundy, representing the Westport Fire District, voiced his concerns regarding the City's requirements. Needs to have a Board meeting and run it by their attorney.
- County Supervisor Jim DeMartini stated that LAFCO would like to see an agreement reached between the City of Ceres and the Westport Fire District prior to their next meeting on March 28, 2012.
- Len Shepherd, spoke in agreement of the City and Westport reaching an agreement The most important requirement is that the area has service.
- Ken Groves, resident, spoke in support of the agreement as it is written.

ACTION: Moved by Ingwerson/seconded by Kline to adjourn this meeting to March 27, 2012 at 5:30 p.m. to provide Council with additional time to review the contract changes proposed by Westport Fire District. **Motion passed with Mayor Vierra absent. (4/0/1)**

COUNCILMEMBER REFERRALS – None.

REPORTS – None.

There being no further business, Vice Mayor Lane adjourned the meeting to March 27, 2012 at 5:30 p.m. to consider Item 14, Westport Fire District Agreement.

Ken Lane, Vice Mayor

Cindy Heidorn, CMC, City Clerk