

CITY COUNCIL MEETING MINUTES
April 9, 2012

Mayor Vierra called the April 9, 2012 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 Ken Sylvia, Director of Mentoring/Ceres Community Area Ministries/Youth For Christ – Central Valley

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

PRESENTATIONS

- A. Proclamation declaring April 8 – 14, 2012 as National Library Week in the City of Ceres. Accepted by Charles Teval, Ceres Branch Manager. Mr. Teval thanked Council for their support.
- B. Tom Changnon, Stanislaus County Superintendent of School, Outcome of Year 1 and Plans for Year 2 of our Choose Civility Campaign. Superintendent Changnon presented Council with a brief update on the successes of the Choose Civility Campaign over the last year and the steps moving forward.

CITIZEN COMMUNICATIONS

- Jim Bergemaschi, representing the Ceres Garden Club, thanked Council for their support of the “Let Freedom Ring” program and announced the planting would take place Saturday, April 14th at 9:00 a.m.
- Ken Groves, resident, announced the Love Ceres event taking place on April 28th and encouraged everyone to attend.
- Len Shepherd, resident, spoke in support of the upcoming Library Measure T and encouraged everyone to vote yes on T.
- Guillermo Ochoa, resident, thanked Council and staff for moving so quickly on the issue with the dying trees in the Eastgate subdivision and also recommended that Council consider naming the 10-acre park in Eastgate after former Council Member Rob Phipps who passed away in 2007.
- Dave Pratt, resident, commented that the re-stripping of the parking places in downtown Ceres looks good.
- George Sivera, resident, requested an update on the Barbour Lift Station project. *Director of Engineering, Toby Wells, responded that it should begin in the next 30 days and he would provide an update at the next Council Meeting.*

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

ACTION: Moved by Durossette/seconded by Kline to approve the agenda as posted and certification of posting. **Motion passed unanimously. (5/0)**

APPOINTMENTS TO BOARDS/COMMISSIONS - None.

CONFLICT OF INTEREST DECLARATION

CONSENT CALENDAR

1. Register of Audited Demands for period covering March 16 – 30, 2012.
2. Set public hearing date of April 23, 2012 to consider the Planning Commission recommendation to amend the West Landing Specific Plan Appendix C “Interim Use Regulations.” Proposal includes a recommendation to replace the language in Appendix C with Ceres Municipal Code Section 18.48, “Nonconforming Lots, Buildings and Uses.”
3. **Resolution No. 2012-42** approving Addendum to Lease with Shane Parson for home located at 3012 5th Street. PULLED FOR FURTHER DISCUSSION.
4. **Resolution No. 2012-43** accepting the Wastewater Treatment Plant Headworks and Influent Pump Station Project as Complete, approving the balancing contract change order, authorizing the filing of the Notice of Completion and Retention Release to the Contractor. PULLED FOR FURTHER DISCUSSION.
5. Council acceptance of the City of Ceres audited Financial Reports for Period Ending June 30, 2011. PULLED FOR FURTHER DISCUSSION.

ACTION: Moved by Durossette/seconded by Kline to approve Consent Calendar Items 1 and 2 as recommended by staff. **Motion passed unanimously. (5/0)**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

3. **Resolution No. 2012-42** approving Addendum to Lease with Shane Parson for home located at 3012 5th Street. Item pulled by Len Shepherd who requested a staff report.

ACTION: Moved by Ingwerson/seconded by Durossette to approve Resolution No. 2012-42 as recommended by staff. **Motion passed unanimously. (5/0)**

4. **Resolution No. 2012-43** accepting the Wastewater Treatment Plant Headworks and Influent Pump Station Project as Complete, approving the balancing contract change order, authorizing the filing of the Notice of Completion and Retention Release to the Contractor. Item pulled by Councilmember Kline who had a question regarding the location of the project.

ACTION: Moved by Durossette/seconded by Kline to approve Resolution No. 2012-43 as recommended by staff. **Motion passed unanimously. (5/0)**

5. Council acceptance of the City of Ceres audited Financial Reports for Period Ending June 30, 2011. Pulled by Vice Mayor Lane who publicly thanked Finance Director, Sheila Cumberland and her staff for receiving the highest audit rating possible.

ACTION: Moved by Durossette/seconded by Kline to approve Consent Calendar Items 1 and 2 as recommended by staff. **Motion passed unanimously. (5/0)**

UNFINISHED BUSINESS – None.

PUBLIC HEARING

6. **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.

7:47 – Mayor Vierra opened the Public Hearing.

7:47 – there being no one wishing to speak, Mayor Vierra Closed the Public Hearing.

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)**

NEW BUSINESS - None

COUNCILMEMBER REFERRALS

Council requested the naming of the Eastgate Park be placed on a future agenda.

REPORTS – Council and staff reported on various recent and upcoming events including soccer tournament on April 7th which hosted approximately 3,000 people, the March 28, 2012 LAFCO meeting at which the West Landing Specific Plan was approved and the upcoming Relay for Life to be held on April 28 and 29th at the Ceres High School.

7:50 p.m. There being no further business, Mayor Vierra adjourned the Council Meeting to Closed Session.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 2732 5th Street

Agency Negotiator: City Manager or his designee

Negotiating Parties: Owners Carey and Nancy Pope and Bank of America

Under Negotiation: Price and terms of payment

8:15 p.m. Mayor Vierra adjourned Closed Session to Open Session with nothing to report

8:15 p.m. Mayor Vierra adjourned the City Council Meeting.

Chris Vierra, Mayor

Cindy Heidorn, City Clerk