

CITY COUNCIL MINUTES

January 28, 2013

Mayor Vierra called the January 28, 2013 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 Pastor Mark Whitehead, Victory Assembly of God

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

PRESENTATIONS

- A. Proclamation declaring February 2013 African American History Month in the City of Ceres.
Continued to the meeting of February 11, 2013.
- B. Council Update from Dr. Dan Lucky and Mr. Frank Johnson, NAACP. *Continued to the meeting of February 11, 2013.*
- C. Ceres Youth Commission report to Council.

APPROVAL OF THE MINUTES of the regular meeting of January 14, 2013. (All present)

ACTION: Moved by Durossette/Seconded by Kline to approve the minutes of the regular meeting of January 14, 2013. **Motion Carried Unanimously. (5/0)**

CITIZEN COMMUNICATIONS – None.

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

ACTION: Moved by Ingwerson/Seconded by Kline to approve the agenda as posted (or amended) and certification of posting. **Motion Carried Unanimously. (5/0)**

APPOINTMENTS TO BOARDS/COMMISSIONS – None.

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

- 1. General Correspondence – **Information Only**
 - a. Public Works monthly report for December 2012.
- 2. Register of Audited Demands for period covering January 11-16, 2013.

ACTION: Moved by Lane/Seconded by Kline to approve Consent Calendar Items 1a -2 as recommended by staff. **Motion Carried Unanimously. (5/0)**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR – None.

UNFINISHED BUSINESS – None.

PUBLIC HEARINGS

3. PUBLIC HEARING - to consider necessary adjustments to the fees for Water and Sewer Rates, Determination of protests, and consideration of **Resolution No. 2013-07**, Adopting changes to the Water and Sewer Service fee rate structure, effective July 1, 2013.

Mr. Toby Wells, Deputy City Manager presented a brief staff report.

7:22 p.m. The Public Hearing was opened.

Those speaking in opposition to the proposed water and sewer rate increase:

- Jerry Davis, resident – rates are too costly for low income families.
- Yetta Purdue, resident – the City should have a program to help low-income families. *She will be contacting staff to check for a leak on her property.*
- David Yonan, resident – the City is penalizing residents with large lots and/or swimming pools.
- Scott Kane, Las Casitas Mobile Home Park – sewer rates are out of proportion to the water rates. *Staff recommended Mr. Kane install a separate water meter for landscaping only, that would reduce his sewer rates.*

Other speakers:

- Jim Bergamaschi, resident – commented that he was not connected to City services for many years and considers himself fortunate to have City water and sewer.
- Albert Avila, resident – the rate increase is fair to all residents. Regardless the lot size, if you use more water you should pay more.

7:54 p.m. There being no one else wishing to speak, Mayor Vierra closed the Public Hearing.

Mayor Vierra asked the City Clerk if she had calculated the number of protest received both prior to and during the protest hearing.

Cindy Heidorn, City Clerk responded: “The total number of protests received against the proposed increase of water rate is 24. The total number of protests received against the proposed sewer rate is 24.”

Mayor Vierra stated: “The City would need to receive 6,359 protests to reach a majority protest. The number of protests received do not constitute a majority protest of the proposed increase in either water or sewer rates.”

After some Council discussion the following motion was made:

ACTION: Moved by Kline/Seconded by Lane to approve **Resolution No. 2013-07**, adopting changes to the Water and Sewer Service fee rate structure, effective July 1, 2013, with the following modification:

**Volumetric Charges – per 1,000 gallons
Single Family**

Existing	New
Tier 1 – 0 to 50,000	Tier 1 – 0 to 75,000
Tier 2 – over 50,000	Tier 2 – over 75,000

Motion Carried Unanimously. (5/0)

NEW BUSINESS – None.

COUNCILMEMBER REFERRALS – None.

REPORTS

Toby Wells, Deputy City Manager, reported on the February 11, 2013 Study Session which will be an update on the Stanislaus County Vision presented by StanCOG. County Supervisor, Jim DeMartini reported that the County Board of Supervisors would be voting on the finance plan for Monterey Park at their next meeting.

8:39 p.m. There being no further business, Mayor Vierra adjourned the City Council Meeting.

/s/ Mayor Chris Vierra

/s/ Cindy Heidorn, CMC, City Clerk