

CITY COUNCIL MINUTES
February 25, 2013

Mayor Vierra called the February 25, 2013 City Council meeting to order at 7:15 p.m. with the following in attendance:

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

INVOCATION by Pastor Dionicio Vargas, Ceres Valley View Church of the Nazarene

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

PRESENTATIONS

A. Ceres Youth Commission report to Council.

President Kimberly Ochoa updated Council on recently held and upcoming activities of the Youth Commission including a Life Skills Workshop, volunteering at the Animal Shelter, the annual visit to Davis Guest Home and clean-up project at Riverbluff Regional Park on 3/30/13. Ms. Ochoa also reported that several Youth Commissioners have applied for the position of Student Planning Commissioner.

B. Presentation to Battalion Chief Bryan Hunt for his years of service with the City of Ceres.

Mayor Vierra, Acting City Manager Art de Werk, and Bryan Nicholes, presented Battalion Chief Bryan Hunt with a certificate for 24 years of service and spoke about his career with the City of Ceres. Battalion Chief Hunt thanked Council and staff for the recognition.

C. Presentation to Officer Ron Collins.

Acting City Manager Art de Werk presented Officer Ron Collins with the Chief's award; Officer Collins recently saved a five-year-old boy from choking to death.

APPROVAL OF THE MINUTES of the regular meeting of February 11, 2013.

ACTION: It was moved by Lane/Seconded by Ingwerson to approve the minutes of the meeting of February 11, 2013. **Motion passed with Councilmembers Kline and Durossette excused. (3/0/2)**

CITIZEN COMMUNICATIONS

- Carol Bloomquist, representing the Ceres Library updated Council on the scheduled activities for March, 2013.
- Len Shepherd, resident, congratulated both Battalion Chief Hunt and Officer Collins for their recognitions.

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

ACTION: It was moved by Kline/Seconded by Durossette to approve the agenda as posted and certification of posting. **Motion Passed unanimously. (5/0)**

APPOINTMENTS TO BOARDS/COMMISSIONS – None.

CONFLICT OF INTEREST DECLARATION – None.**CONSENT CALENDAR**

1. General Correspondence – **Information Only**
 - a. Building Department Monthly Report for January, 2013.
 - b. Public Works Department Monthly Report for January, 2013.
 - c. Recreation Division Monthly Report for January, 2013.
2. Register of Audited Demands for period covering February 4 – 13, 2013.
3. Waive second reading and adopt **Ordinance No. 2013-1013** amending City of Ceres Municipal Code section 9.52.030 B 2 Solicitation at Specified Locations Prohibited to include Crows Landing Road
4. Waive second reading and adopt **Ordinance No. 2013-1014** amending certain provisions of Title 6, Chapter 6.16, Cross-Connection Control for Water System to Comply with new State Regulations and enhance safety.
5. Set Public Hearing on March 11, 2013 to consider a Zoning Ordinance Text Amendment 13-04, a proposal to amend Municipal Code Section 18.50.220 Time Limits for Developments - to consider a discretionary action that could allow for up to a 3 year extension on entitled projects (excluding vesting or tentative maps).
6. **Resolution No. 2013-12** awarding the Construction Contract for the Alley Improvement Project, Prop 1B 2010 Allocation to Rolfe Construction, authorizing a 12% contingency, and authorizing the Acting City Manager to execute the Contract. PULLED FOR FURTHER DISCUSSION.
7. **Resolution No. 2013-13** awarding the Construction Contract for the Hatch and Moffett Water Well Disinfection Project to Layne Christensen Company, authorizing a 10% Contingency, and authorizing the Acting City Manager to Execute the Contract.
8. **Resolution No. 2013-14** approving the transfer of \$5,000 from Neighborhood Park fees Fund No. 253 to reimburse monies advanced by PMZ Realty for the purchase of the Whitmore Mansion and amending the FY2012/13 Budget to appropriate funds. PULLED FOR FURTHER DISCUSSION.

ACTION: It was moved by Lane/Seconded by Kline to approve Consent Calendar Items 1 – 5 and 7 as recommended by staff. **Motion Passed unanimously. (5/0)**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

6. **Resolution No. 2013-12** awarding the Construction Contract for the Alley Improvement Project, Prop 1B 2010 Allocation to Rolfe Construction, authorizing a 12% contingency, and authorizing the Acting City Manager to execute the Contract.

Item pulled for clarification on the need for a 12% contingency. Staff explained that the Prop 1B 2010 allocation must be 100% expended prior to June 30, 2013. Any remaining funds after the deadline will revert back to the State. The bids came in \$75,000.00 under the Engineer's estimate. The additional contingency will allow staff to add projects outside the scope of work to use up any remaining funding.

ACTION: It was moved by Kline/Seconded by Durossette to approve **Resolution No. 2013-12** awarding the Construction Contract for the Alley Improvement Project, Prop 1B 2010 Allocation to Rolfe Construction, authorizing a 12% contingency, and authorizing the Acting City Manager to execute the Contract. **Motion Passed unanimously. (5/0)**

8. **Resolution No. 2013-14** approving the transfer of \$5,000 from Neighborhood Park fees Fund No. 253 to reimburse monies advanced by PMZ Realty for the purchase of the Whitmore Mansion and amending the FY 2012/13 Budget to appropriate funds.

Item pulled by Councilmember Kline who stated for the record he was not in favor of the monetary reimbursement.

ACTION: It was moved by Durossette/Seconded by Lane to approve **Resolution No. 2013-14** approving the transfer of \$5,000 from Neighborhood Park fees Fund No. 253 to reimburse monies advanced by PMZ Realty for the purchase of the Whitmore Mansion and amending the FY 2012/13 Budget to appropriate funds. **Motion carried with Councilmember Kline voting No. (4/1)**

UNFINISHED BUSINESS - None

PUBLIC HEARING – None

NEW BUSINESS - None

7:54 p.m. ADJOURN AS CITY COUNCIL TO MEETINGS OF THE SUCCESSOR AGENCIES OF THE FORMER CERES REDEVELOPMENT AGENCY AND THE FORMER STANISLAUS CERES REDEVELOPMENT COMMISSION

8:01 p.m. RECONVENE AS CITY COUNCIL

COUNCILMEMBER REFERRALS - None

REPORTS

Councilmember Ingwerson reported that the League of California Cities representatives will be meeting with both Senator Cannella and Assembly Member Adam Gray to discuss the Enterprise Zone and other items of local concern.

8:04 p.m. Mayor Vierra adjourned the City Council Meeting to Closed Session.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1941 E. Whitmore Avenue

Negotiating parties: Art de Werk, Acting City Manager

Under negotiation: Instruction may include price, terms of payment or both

Pursuant to Gov't Code Section 64956.8

8:30 p.m. Mayor Vierra reconvened in open session with nothing to report.

8:30 p.m. There being no further business the meeting was adjourned.

/s/ Chris Vierra, Mayor

/s/ Cindy Heidorn, CMC, City Clerk