

# CITY COUNCIL MEETING MINUTES

**June 10, 2013**

Mayor Vierra called the June 10, 2013 City Council Meeting to order at 7:06 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. Proclamation Declaring June 15, 2013 as Nation Elder Abuse Awareness Day, 2013. *Mayor Vierra read the proclamation into the record.*
- B. Proclamation Declaring June 19, 2013 as Juneteenth Independence Day. *Mr. Frank Johnson, President, NAACP, thanked the City Council for their continued support.*

**APPROVAL OF THE MINUTES** of the Regular Meeting and Study Session of May 13, 2013. (Mayor Vierra excused)

**ACTION:** It was moved by Ingwerson/Seconded by Kline to approve the minutes of the Regular City Council Meeting and Study Session of May 13, 2013. **Motion Carried with Mayor Vierra Excused. (4/0/1)**

## CITIZEN COMMUNICATIONS

Don Cool, resident, addressed Council regarding temporary signs. Mr. Cool drove around several streets in the City and identified 244 illegal signs. Mr. Cool stated that the signs devalue the look of our City.

Ken Groves, resident also spoke regarding temporary signs stating that we need to be cognizant of the creative freedom of signage. The economy is still hurting and the City needs to be business friendly.

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

**ACTION:** It was moved by Durossette/Seconded by Kline to approve the agenda as 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. Major Project Update May 31, 2013.
  - b. Capital Improvements Projects (CIP) Update May 31, 2013.

2. Register of Audited Demands for period covering May 20 – 29, 2013.
3. **Resolution No. 2013-49** accepting the Construction Contract for the Smyrna Well Project, Wells 39 & 40, as complete, approving the Balancing Contract Change Order, Authorizing the filing of the Notice of Completion, and releasing the retention to the contractor.
4. **Resolution No. 2013-50** awarding an agreement for Pest Control Services for City Parks and City owned buildings to Step Aside Pest Management, Inc. and Authorize the Acting City Manager to Execute the Contract.
5. **Resolution No. 2013-51** awarding a Lawn Mowing Maintenance Contract with Valley Scapes and Authorize the Acting City Manager to Execute the Contract. PULLED FOR FURTHER DISCUSSION.
6. Set a public hearing date of June 24, 2013 for Council to consider approving the update to the Public Facilities Fee Nexus Study for water and sewer fees per the recently approved Water and Sewer Master Plans and Adopting the Public Facilities Impact Fee Schedules.
7. Set a public hearing date of June 24, 2013 to consider and adopt the Annual Budget for the City of Ceres for the 2013/14 Fiscal Year beginning July 1, 2013 and ending June 30, ~~2013~~ 2014.

**ACTION:** It was moved by Ingwerson/Seconded by Kline to approve items 1-4 and 6 as recommended by staff. **Motion Carried unanimously. (5/0)**

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

5. **Resolution No. 2013-51** awarding a Lawn Mowing Maintenance Contract with Valley Scapes and Authorize the Acting City Manager to Execute the Contract.

Item pulled for point of clarification. At the Study Session of May 13, 2013, Council directed staff to move forward with the contract to Valley Scapes for mowing, edging, blowing and weeding services to City parks. However, staff was to add the provision to the contract for either reimbursement or replacement of any broken sprinkler heads. The provision is not in the contract as presented.

Staff responded that there was no good way to add the language to the contract. The Contractor will notify City Staff if there is a broken or damaged sprinkler head. Staff will determine who is responsible for the cost of the replacement. This will also allow staff to track the amount of money spent on sprinkler head replacement. If the Contractor does not comply, the City can cancel the contract with 30-days notice.

**ACTION:** It was moved by ane/Seconded by Durossette to approve **Resolution No. 2013-51** awarding a Lawn Mowing Maintenance Contract with Valley Scapes and Authorize the Acting City Manager to Execute the Contract. **Motion Carried Unanimously. (5/0)**

7. Set a Public Hearing date of June 24, 2013 to consider and adopt the Annual Budget for the City of Ceres for the 2013/14 Fiscal Year beginning July 1, 2013 and ending June 30, ~~2013~~, 2014.

Pulled by Councilmember Kline to point out a typographical error in the title. The title should read "...beginning July 1, 2013 and ending June 30, 2014."

It was moved by Kline/Seconded by Ingwerson to approve with the amendment to the title, Item 7, Set a Public Hearing date of June 24, 2013 to consider and adopt the Annual Budget for the City of Ceres for the 2013/14 Fiscal Year beginning July 1, 2013 and ending June 30, 2014. **Motion Carried unanimously. (5/0)**

**UNFINISHED BUSINESS** - None

**PUBLIC HEARING** - None

**NEW BUSINESS** - None

**COUNCILMEMBER REFERRALS**

Council directed staff to form a seven (7) member Ad Hoc Committee to vet the sign ordinance, make recommendations for changes and bring back to Council for a study session in December for Council direction. In the interim, staff will take enforcement action on the most blatant offenders of the current sign ordinance.

**REPORTS**

Council and Staff reported on various recent and upcoming events including the upcoming Concert in the Park Series which begins on June 11, 2013 and runs through July 16, 2013.

**7:51 p.m.** Mayor Vierra adjourned the 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*

**CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION.**

Consideration of initiation of litigation *pursuant to paragraph (4) of subdivision (d) of Section 54056.9 of the Government Code* (One potential case)

**8:04 p.m.** Mayor Vierra adjourned the meeting to open session with nothing to report.

**8:04 p.m.** There being no further business, Mayor Vierra adjourned the City Council meeting.

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Chris Vierra, Mayor

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Cindy Heidorn, City Clerk