

**CITY COUNCIL MEETING  
MINUTES**

**September 9, 2013**

Mayor Vierra called the September 9, 2013 City Council Meeting to order at 7:02 p.m. with the following in attendance:

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

**INVOCATION** by member of Youth for Christ.

**PLEDGE OF ALLEGIANCE** to the flag led by Mayor Vierra

**PRESENTATIONS**

- A. Proclamation declaring September 15, 2013 – October 15, 2013 National Hispanic Heritage Month. Accepted by Lourdes Perez representing the Latino Community Roundtable.
- B. Proclamation Declaring September 16, 2013 as Mexican Independence Day. Accepted by Lourdes Perez representing the Latino Community Roundtable.
- C. Proclamation recognizing and expressing support of the 12<sup>th</sup> Anniversary of 9/11 National Day of Service and Remembrance. Accepted by Deputy Police Chief Mike Borges.

**APPROVAL OF THE MINUTES** of the regular meeting and Study Session of August 26, 2013. (Mayor Vierra Excused)

**ACTION:** It was moved by Kline/Seconded by Durossette to approve the minutes of the regular meeting and Study Session of August 26, 2013. (Mayor Vierra Excused) **Motion carried with Mayor Vierra abstaining. (4/0/1)**

**CITIZEN COMMUNICATIONS**

- Len Shepherd, resident spoke about the tragedy of September 11, 2001 and the on-going RIM Fire.
- Lourdes Perez, representing Partnership for Healthy Children, thanked Council for their support at the community event held last weekend.

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

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

**APPOINTMENTS TO BOARDS/COMMISSIONS**

- A. Council concurrence with Mayor Vierra's appointment of Mr. Len Shepherd to the Measure H Committee for a three year term expiring June 30, 2016.

**ACTION:** It was moved by Ingwerson/Seconded by Lane to approve Mayor Vierra's appointment of Mr. Len Shepherd to the Measure H Committee for a three year term expiring June 30, 2016. **Motion carried unanimously. (5/0)**

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

1. General Correspondence – **Information Only**
  - a. Modesto City-County Airport Advisory Committee Informational Memo.
  - b. Major Project Update August 31, 2013.
  - c. Capital Improvements Projects (CIP) Update August 31, 2013.
  - d. Gasoline and Diesel Purchase and Usage Memo. PULLED FOR FURTHER DISCUSSION.
2. Register of Audited Demands for period covering August 22 – 28, 2013.
3. **Resolution No. 2013-85** authorizing acceptance of the U.S. Department of Justice, Bureau of Justice Assistance 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) and approving a FY 2013/14 Budget Amendment to appropriate funds.
4. Waive Second Reading and adopt **Ordinance 2013-1018**, a Zoning Ordinance Text Amendment (13-03 ZOTA), an amendment to the City Zoning Ordinance to allow Cottage Food Operations as an accessory residential use as required per California State Law Assembly Bill No. 1616.
5. **Resolution No. 2013-86** authorizing the Purchase of a Parkson Aqua Washpress Unit for the Parkson screen at the Waste Water Treatment Plant (WWTP) Headworks. PULLED FOR FURTHER DISCUSSION.
6. **Resolution No. 2013-87** approving a lease and maintenance agreement for multifunctional copiers from Lucas Business Systems. PULLED FOR FURTHER DISCUSSION.

**ACTION:** It was moved by Ingwerson/Seconded by Lane to approve Consent Calendar Items 1a-c, 2-4 as recommended by staff. **Motion carried unanimously. (5/0)**

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

- 1d. Gasoline and Diesel Purchase and Usage Memo.

Pulled by Councilmember Kline who requested the following additional information: 1) How many gas cards are currently being used by the City; 2) A listing of cards by department 3) A listing of each card's usage; 4) A list of any administration charges or surcharges.

Staff indicated that it would take some time to collect the additional information requested.

**ACTION:** It was moved by Kline/Seconded by Lane to Continue Item 1d, Gasoline and Diesel Purchase and Usage Memo for further study. **Motion carried unanimously. (5/0)** Item continued to a date uncertain.

5. **Resolution No. 2013-86** authorizing the Purchase of a Parkson Aqua Washpress Unit for the Parkson screen at the Waste Water Treatment Plant (WWTP) Headworks.

Pulled by Councilmember Kline to get further information on the need to replace the screen so soon and whether or not the Company was giving us any credit for the old one.

Staff responded that we have to upgrade sooner than expected because the amount of solid materials such as paper, plastic, wood, diapers, etc., being sent through the system, is greater than anticipated. The Parkson Company did give us a \$10,000-\$15,000 credit because it's only been two years.

**ACTION:** It was moved by Kline/Seconded by Durossette to approve **Resolution No. 2013-86** authorizing the purchase of a Parkson Aqua Washpress Unit for the Parkson Screen at the Waste Water Treatment Plant (WWTP) Headworks.

6. **Resolution No. 2013-87** approving a lease and maintenance agreement for multifunctional copiers from Lucas Business Systems.

Pulled by Councilmember Durossette for some clarification on the decision to switch from Mo-cal Office Products to Lucas Business Systems.

Staff responded that the City prepared a request for proposal for the lease and maintenance of four (4) multifunctional copiers for a term of sixty months. Staff received proposals from three (3) copier companies. The proposals were reviewed and ranked. Lucas Business Systems came out on top.

Vice Mayor Lane expressed concern that there are hidden fees in the proposal that staff is not aware of and that the machines will cost more than the City is currently paying. Vice Mayor Lane also expressed concern that the comparisons were not "apples to apples" and he would like to see machines hardware and software specifications.

After further Council discussion, the following motion was made:

**ACTION:** It was moved by Kline/Seconded by Ingwerson to approve **Resolution No. 2013-87** approving a lease and maintenance agreement for multifunctional copiers from Lucas Business Systems. **Motion passed with Vice Mayor Lane and Councilmember Durossette voting No. (3/2)**

**UNFINISHED BUSINESS** – None.

**PUBLIC HEARING** – None.

#### **NEW BUSINESS**

7. **Resolution No. 2013-88** recommending the Stanislaus County Board of Supervisors approve the FY 2012/13 Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) Consolidated Annual Performance and Evaluation Report (CAPER).

Bryan Briggs, Redevelopment/Economic Development Manager, gave a brief staff report.

**ACTION:** It was moved by Kline/Seconded by Ingwerson to approve **Resolution No. 2013-88** recommending the Stanislaus County Board of Supervisors approve the FY 2012/13 Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) Consolidated Annual Performance and Evaluation Report. **Motion passed unanimously. (5/0)**

**COUNCILMEMBER REFERRALS** – None.

**REPORTS**

Council and staff reported on various recent and upcoming events including the upcoming Coffee with a Cop event at Supermom's Frozen Yogurt on September 11, 2013 as well as the 9-11 memorial in Whitmore Park.

**7:48 p.m.** Mayor Vierra adjourned the City Council Meeting to Closed Session.

**CLOSED SESSION**

**PUBLIC EMPLOYEE EVALUATION/APPOINTMENT**

Title: Contract Labor Negotiator

*Pursuant to Gov't. Code Section 54957(b)*

**8:15 p.m.** Mayor Vierra reconvened in Open Session with nothing to report.

**8:15 p.m.** There being no further business the City Council Meeting was adjourned.

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Chris Vierra, Mayor

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Cindy Heidorn, City Clerk