

CITY COUNCIL MINUTES

June 23, 2014

7:01 P.M. Councilmember Lane called the June 23, 2014 City Council Meeting to order with the following in attendance:

ROLL CALL Council Members Kline, Lane, Ryno

EXCUSED Vice Mayor Durossette, Mayor Vierra

INVOCATION by Mike Brinton

PLEDGE OF ALLEGIANCE to the flag led by Councilmember Lane

PRESENTATIONS

A. Presentation by the Stanislaus Animal Services Agency. A representative from the Stanislaus Animal Services Agency presented Godis, a Chiwawa puppy that is ready for adoption.

APPROVAL OF THE MINUTES of the regular meeting of May 27 and June 9, 2014 and the Study Session of June 9, 2014. (All Present)

ACTION: It was moved by Kline/Seconded by Ryno to approve the minutes of the regular meeting of May 27 and June 9, 2014 and the Study Session of June 9, 2014. (All Present) Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno

NOES: None

ABSENT: Vice Mayor Durossette, Mayor Vierra

CITIZEN COMMUNICATIONS

- Frank Johnson, President, NAACP, spoke favorably on the new electric motorcycles in Public Safety and commented that the Motorcycle Officers should receive hazard pay. Mr. Johnson also commented on the recently held Closed Session involving former Police Chief Art de Werk and stated that the NAACP would be filing a records request for information.
- Carol Bloomquist, Ceres Regional Librarian, gave an update on recent and upcoming events at the Ceres Library including the summer reading program, craft days, extreme science magic and reminded Council that e-books are available through the library website.
- Carlos Nava, Stanislaus Fire Protection, spoke about the 9-2-99 Tuolumne River Project and requested Council support.
- Guillermo Ochoa, resident, voiced his appreciation for former Police Chief Art de Werk for his 15 years of service to the City.
- Maggie Mejia, President, Latino Community Roundtable, Spoke about the upcoming 2nd Annual Festival del Nopal, the backpack giveaway at Ceres Drive-In on August 3rd and asked Council for an update on district election planning.
- Ken Groves, resident, voiced his appreciation for former Police Chief Art de Werk.

- Len Shepherd, resident voiced his appreciation of former Police Chief Art de Werk and also stated that he felt the City should fill the now vacant Deputy Police Chief position.
- Beth Hunt, representing the Ceres Chamber of Commerce spoke about the Concerts in the Park.
- Don Cool, resident, stated that although he felt the former Police Chief was doing a good job, sometimes it's time for a change.
- Resident who wished to remain anonymous spoke about the noise ordinance and requested Council to consider stiffer penalties for violating the ordinance.

Staff responded that we are going to be amending several ordinances later this year and this is one of them.

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

ACTION: It was moved by Kline/Seconded by Ryno to approve the Agenda as posted or amended and certification of posting, Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno
NOES: None
ABSENT: Vice Mayor Durossette, Mayor Vierra

APPOINTMENTS TO BOARDS/COMMISSIONS – None.

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Public Works Monthly Report for May, 2014.
 - b. Police Division Staffing/General Fund Overtime Report.
2. Register of Audited Demands for period covering June 4 – 11, 2014.
3. **Resolution No. 2014-65** authorization for the purchase and installation of Electronic Farebox Collection System for Ceres Transit Buses from SPX Genfare. PULLED FOR FURTHER DISCUSSION.
4. **Resolution No. 2014-66** approving a Retainer Consultant Services Agreement with Engeo, Inc. and Kleinfelder, Inc. for Materials Testing Services and authorizing the City Manager to Execute the Agreement. PULLED FOR FURTHER DISCUSSION.
5. **Resolution No. 2014-67** approving a one year extension to the Retainer Consultant Services Agreement with OMNI-MEANS Engineers & Planners, and Hatch Mott MacDonald for Traffic Engineering Services, and Authorizing the Acting City Manager to Execute the Amendment. PULLED FOR FURTHER DISCUSSION.
6. **Resolution No. 2014-68** approving a one year extension to the Retainer Consultant Services Agreement with Provost & Pritchard Consulting Group, O'Dell Engineering, Inc., GDR Engineering, Inc. and Interwest Consulting Group for General Engineering Services, and authorizing the City Manager to execute the amendments. PULLED FOR FURTHER DISCUSSION.

7. **Resolution No. 2014-69** rejecting the claim of Alfonso Zabala.
8. **Resolution No. 2014-70** authorizing an Agreement for the continuation of a School Resource Officer MOU with Ceres Unified School District for the School Resource Officers to provide Law Enforcement Services to the School District. PULLED FOR FURTHER DISCUSSION.

ACTION: It was moved by Kline/Seconded by Ryno to approve Consent Calendar Items 1a, 1b, 2 and 7 as recommended by staff. Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno
NOES: None
ABSENT: Vice Mayor Durossette, Mayor Vierra

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

3. **Resolution No. 2014-65** authorization for the purchase and installation of Electronic Farebox Collection System for Ceres Transit Buses from SPX Genfare.

Pulled by Councilmember Ryno for a minor clarification.

ACTION: It was moved by Ryno/Seconded by Kline to approve **Resolution No. 2014-65** authorization for the purchase and installation of Electronic Farebox Collection System for Ceres Transit Buses from SPX Genfare. Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno
NOES: None
ABSENT: Vice Mayor Durossette, Mayor Vierra

4. **Resolution No. 2014-66** approving a Retainer Consultant Services Agreement with Engeo, Inc. and Kleinfelder, Inc. for Materials Testing Services and authorizing the City Manager to Execute the Agreement.

Pulled by Councilmember Kline to discuss the length of the Retainer Agreement. Councilmember Kline felt the agreements should only be for one year with one, one-year extension.

After some Council discussion the following motion was made:

ACTION: It was moved by Kline/Seconded by Ryno to approve **Resolution No. 2014-66** approving the modified Retainer Consultant Services Agreements with Engeo, Inc. and Kleinfelder, Inc. for Materials Testing Services modified agreement to be for one year with one one-year extension. Motion passed by the following vote:

AYES: Councilmembers Kline, Ryno
NOES: Councilmember Lane
ABSENT: Vice Mayor Durossette, Mayor Vierra

5. **Resolution No. 2014-67** approving a one year extension to the Retainer Consultant Services Agreement with OMNI-MEANS Engineers & Planners, and Hatch Mott MacDonald for Traffic Engineering Services, and Authorizing the Acting City Manager to Execute the Amendment.

Item pulled by Councilmember Ryno who asked if the agreements for Traffic Engineering Service had a dollar cap. Staff responded that unlike the General Engineering Services agreements whose cap was removed last year; the Traffic Engineering Services Agreements have a cap of \$200,000 per vendor.

ACTION: It was moved by Ryno/Seconded by Kline to approve **Resolution No. 2014-67** approving a one year extension to the Retainer Consultant Services Agreement with OMNI-MEANS Engineers & Planners, and Hatch, Mott, MacDonald for Traffic Engineering Services, and authorizing the Acting City Manager to Execute the amendment. Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno
 NOES: None
 ABSENT: Vice Mayor Durossette, Mayor Vierra

6. **Resolution No. 2014-68** approving a one year extension to the Retainer Consultant Services Agreement with Provost & Pritchard Consulting Group, O'Dell Engineering, Inc., GDR Engineering, Inc. and Interwest Consulting Group for General Engineering Services, and authorizing the City Manager to execute the amendments.

Item pulled by Len Shepherd who asked why we hire Consultants to design project. Staff responded that the City has too many projects to design our own projects. It is much more economical to hire consultants to do that work.

ACTION: It was moved by Kline/Seconded by Ryno to approve **Resolution No. 2014-68** approving a one year extension to the Retainer Consultant Services Agreement with Provost & Pritchard Consulting Group, O'Dell Engineering, Inc., GDR Engineering, Inc. and Interwest Consulting Group for General Engineering Services, and authorizing the City Manager to execute the amendments. Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno
 NOES: None
 ABSENT: Vice Mayor Durossette, Mayor Vierra

8. **Resolution No. 2014-70** authorizing an Agreement for the continuation of a School Resource Officer MOU with Ceres Unified School District for the School Resource Officers to provide Law Enforcement Services to the School District.

Item pulled by Councilmember Ryno for clarification on the expense to the City. Staff responded that the City pays for one CSO and the School District pays for two CSOs.

ACTION: It was moved by Ryno/Seconded by Kline to approve the **Resolution No. 2014-70** authorizing an Agreement for the continuation of a School Resource Officer MOU with Ceres Unified School District for the School Resource Officers to provide Law Enforcement Services to the School District. Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno
 NOES: None
 ABSENT: Vice Mayor Durossette, Mayor Vierra

UNFINISHED BUSINESS – None.

PUBLIC HEARING

7. Public Hearing to consider **Resolution No. 2014-71** Amending/Approving the Annual Report, Confirming the Assessment and Ordering the Levy for the 1987 Landscape and Lighting District for Fiscal Year 2014/15.

City Manager Wells presented a brief staff report.

8:18 P.M. Councilmember Lane opened the Public Hearing.

8:18 P.M. There being no one wishing to speak, the Public Hearing was closed.

ACTION: It was moved by Kline/Seconded by Ryno to approve **Resolution No. 2014-71** Amending/Approving the Annual Report, Confirming the Assessment and Ordering the Levy for the 1987 Landscape and Lighting District for Fiscal Year 2014/15. Motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno
NOES: None
ABSENT: Vice Mayor Durossette, Mayor Vierra

NEW BUSINESS - None.

COUNCILMEMBER REFERRALS - None

REPORTS

Staff reported that the repaving project on Whitmore Avenue has been delayed a week.

8:24 P.M. There being no further business, Councilmember Lane adjourned the City Council Meeting.

/s/ Chris Vierra, Mayor

/s/ Cindy Heidorn, City Clerk