

## REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, December 19, 2011, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. All Council Members present.

Callanan moved the agenda be approved, seconded by Unsworth. Passed Unanimously.

Unsworth, moved to approve the consent agenda, seconded by Cooney:

- A. Minutes – December 5 & 13, 2011.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
  - Liquor License: Class C Liquor License (LC) (Commercial) with Outdoor Service & Sunday Sales, The Other Place, (renewal).
  - Amusement License: The Other Place, (renewal).

Roll Call: All Ayes.

Mayor Crabb announced that it was the time and place for the citizen's forum. There was no citizen comment.

Scott Flory, City Administrator, gave an update on the 2011 Street Resurfacing Project and stated that the City has now received the certificate of completion from the project engineer, Veenstra & Kimm, and that the Council may now act on a Resolution accepting the project. He stated that the only unresolved item pertains to the amount of liquidated damages to be charged to the contractor for late completion of the project and that the contract between the City and Heartland Asphalt calls for \$400 per “calendar” day. He noted the original completion date on the project, as bid, was September 15<sup>th</sup> and that the completion date was later extended to September 30<sup>th</sup> by Change Order of the Council. Jason Petersburg, Veenstra & Kimm, stated that the Project was complete, with the exception of incidental seeding & backfilling, on October 19<sup>th</sup> and that based on that date the amount of liquidated damages would be 19 days at \$400 per day for a total of \$7,600. He noted that he and Flory met with David Ricken of Heartland Asphalt and that Heartland would be agreeable to 17 days for a total of \$6,800. He also reviewed Pay Estimate #2 (final) and stated that if approved with 19 days of liquidated damages the amount is \$32,693.39 and with 17 days of liquidated damages is \$33,453.39. He noted that the total construction cost with 19 days of liquidated damages is \$392,976.09 and \$393,773.09 with 17 days of liquidated damages. After general discussion, Callanan moved to approve Pay Estimate #2 (final) to Heartland Asphalt with 17 days of liquidated damages, in the amount of \$33,453.39, seconded by Furleigh. Passed Unanimously. Unsworth introduced the following **Resolution** and moved its adoption, seconded by Furleigh. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

### RESOLUTION No. 11-93

#### A RESOLUTION ACCEPTING WORK

Greg Peterson, Police Chief, reviewed a proposal to extend the Police Services Agreement with the City of Ventura and stated that the current contract expires on June 30, 2012. He stated that the City Council of Ventura has approved a proposed extension of the current agreement with annual cost adjustments included for personnel and capital expenses. He noted that the proposed extension would be for a 3-year term ending on June 30, 2015. Unsworth introduced the following **Resolution** and moved its adoption, seconded by Callanan. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

### RESOLUTION No. 11-94

#### A RESOLUTION APPROVING AN EXTENSION TO THE AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF CLEAR LAKE AND THE CITY OF VENTURA

Petersburg reviewed the water systems model update and stated that in November of 2010, the City retained Veenstra & Kimm to conduct an update to its water model to better understand the impact that the recently completed water distribution system improvements, west-end & south-end loops, would have on the distribution system. He noted that now that the water distribution component of the CDBG Phase 1 improvements have been completed, V&K has done some preliminary field testing on the distribution system to determine the impact that those water system improvements made in 2010 & 2011 have had on the distribution system. He stated that the improvements are not only improving the flows in the deficient areas of town but are also providing the City flexibility and options when it comes time to make repairs and upgrades to the three multi-legged elevated storage towers.

Flory reviewed a proposal to upgrade the City's accounting, financial, and utility billing software and stated that City requested cost proposals from two separate companies, Data Tech and Civic Systems. After review of the proposals, City staff is recommending the proposal from Civic Systems in the amount of \$64,025, with an annual support fee of \$7,805. Furleigh moved to authorize the purchase of financial, accounting, and utility billing software from Civic Systems, seconded by Cooney. Passed Unanimously.

Mayor Crabb stated that the date and time for the "swearing-in" ceremony for the newly elected City officials would be held on December 30<sup>th</sup> at 10:00 a.m.

Unsworth moved to reschedule the January 2<sup>nd</sup> regular meeting to 12:00 noon instead of 6:30 p.m., due to the New Year's Day holiday, seconded by Nelson. Passed Unanimously.

Joe Weigel, Public Works Director, gave an update on the Airport Watermain Extension Project.

Mayor Crabb presented Cooney and Furleigh with plaques recognizing their years of service on the City Council.

There being no further business before the Council, Unsworth moved to adjourn at 7:20 p.m., seconded by Nelson. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, JANUARY 2, 2012

/S/ Nelson P. Crabb  
Nelson P. Crabb, Mayor

ATTEST:

/S/ Jennifer Larsen  
Jennifer Larsen, City Clerk