

**CITY COUNCIL MINUTES**  
**March 11, 2013**

Mayor Vierra called the March 11, 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 Jim Stochl, Harvest Presbyterian Church

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

**PRESENTATIONS**

- A. Proclamation declaring March 2013, Women's History Month accepted by Bernadette Richardson, President of Soroptimist International of Ceres. *President Richardson and Fran Welsh addressed the Council and thanked them for the recognition.*
- B. Proclamation Declaring March 23, 2013 from 8:00 p.m. – 9:00 p.m. as Earth Hour in the City of Ceres. *Mayor Vierra read the proclamation into to record.*
- C. Report by the Whitmore Foundation re: Lease Agreement for Whitmore Mansion. *Lisa Mantarro Moore, representing the Whitmore Foundation gave a brief update. The Foundation currently has an Interim Use Agreement with a local vendor. The Foundation will return to Council with an RFP, including a fee structure in the near future for Council approval.*

**APPROVAL OF THE MINUTES** of the Council Study Session of February 11, 2013. (Durossette, Kline excused)

**ACTION:** It was moved by Lane/Seconded by Ingwerson to approve the Council Study Session Minutes of February 11, 2013. **Motion Passed with Councilmembers Durossette and Kline abstaining. (3/0/2)**

**APPROVAL OF THE MINUTES** of the regular meeting of the Study Session and Regular Meeting of February 25, 2013. (All Present)

**ACTION:** It was moved by Kline/Seconded by Durossette to approve the Study Session and Regular Meeting Minutes of February 25, 2013. **Motion Carried Unanimously. (5/0)**

**CITIZEN COMMUNICATIONS**

- Maggie Mejia, representing the Latino Community Roundtable addressed Council regarding a letter she recently sent urging Council to move from At-Large to District Elections. Ms Mejia feels it would be in the best interest of the City to have voting districts.
- Guillermo Ochoa, resident, thanked the City for the replacement of trees and street signs in the Eastgate subdivision. Mr. Ochoa also spoke in support of District Elections.
- Len Shepherd, resident, spoke in support of the EOC training. Mr. Shepherd stated that training is critical so the City will be prepared in case of an emergency.
- Jim Burgamaschi, resident, spoke in support of his periodic water usage report. By viewing the report regularly, Mr. Burgamaschi is able to conserve more water.
- Don Cool, resident, reported a traffic problem near Cesar Chavez Jr. High School. The school's drop off lanes are inadequate causing traffic to back up into Whitmore Ave. *Council directed staff to look into the matter.*

**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 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. Major Project Update March 1, 2013.
  - b. Capital Improvements Projects (CIP) Update March 1, 2013.
2. Register of Audited Demands for period covering February 4 – 13, 2013.
3. **Resolution No. 2013-15** extending the Agreement with the Ceres Garden Club for use of the Community Center Facilities in exchange for maintaining live plants within the center.
4. **Resolution No. 2013-16** authorizing the Acting City Manager to execute agreement for Hearing Services with the State of California Office of Administrative Hearings.
5. Open the Public Comment Period and Set Public Hearing date of April 8, 2013 to take public testimony and recommend that the Stanislaus county Board of Supervisors Approve the FY 2013/14 Community Development Block Grant Annual Action Plan.
6. **Resolution No. 2013-17** awarding the Construction Contract for the Safe Route To School Project - Central Ave. Corridor - SRTS-5241-(040) to Viking General Contractors, authorizing a 10% contingency, and authorizing the Acting City Manager to Execute the Contract.
7. **Resolution No. 2013-18** approving Amendment #1 to extend the Ceres Transit Services Agreement, Ceres Dial-A-Ride (CDAR) and Ceres Area Transit (CAT), with Storer Transit Systems, Inc.
8. **Resolution No. 2013-19** approving Master Equipment Lease Purchase Agreement with Community First National Bank and related Escrow Agreement for the lease-purchase financing of Self Contained Breathing Apparatus (SCBA).

**ACTION:** It was moved by Durossette/Seconded by Kline to approve Consent Calendar Items 1 – 8 as recommended by Staff. **Motion Carried Unanimously (5/0).**

**CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR** – None.

**UNFINISHED BUSINESS** – None.

**PUBLIC HEARING**

9. Public Hearing - to consider **Ordinance No. 2013-1015** 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 three-year extension on entitled projects (excluding vesting or tentative maps).

**ACTION:** It was moved by Kline/Seconded by Ingwerson to waive first reading and have **Ordinance No. 2013-1015** read by number and title only. **Motion Carried Unanimously (5/0).**

Mayor Vierra directed the City Clerk to read the Ordinance by number and title only.

Cindy Heidorn, City Clerk, read the following into the record:

“**Ordinance No. 2013-1015** amending Title 18, Chapter 18.50, Section 18.50.220 Time Limits for developments to give the Planning Commission Discretionary Authority to Grant Multiple Extensions of Previously Approved Projects.”

**ACTION:** It was moved by Kline/Seconded by Lane to approve for first reading and introduction **Ordinance No. 2013-1015** amending Title 18, Chapter 18.50, Section 18.50.220 – Time Limits for developments to give the Planning Commission Discretionary Authority to Grant Multiple Extensions of Previously Approved Projects. **Motion Carried Unanimously. (5/0).**

**NEW BUSINESS** – None.

**COUNCILMEMBER REFERRALS** – None.

## **REPORTS**

Council and Staff reported on various recent events including the recently held Planning Commissioner Academy. The Planning Commission expressed a desire to do a General Plan Update. *Mayor Vierra instructed staff to schedule a discussion of the General Plan Update on a future Study Session.* Toby Wells, Deputy City Manager/City Engineer reported that the new fields at CRBRP will not be completed until the 2014 soccer season.

**7:41 p.m.** Mayor Vierra Adjourned the City Council Meeting to Closed Session.

## **CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION  
(Two Potential Cases)  
Pursuant to Gov't Code §54956.9(b)

**8:02 p.m.** Mayor Vierra reconvened in Open Session with nothing to report.

**8:02 p.m.** There being no further business, Mayor Vierra adjourned the meeting.

/s/Chris Vierra, Mayor

/s/Cindy Heidorn, City Clerk