

**CITY COUNCIL MEETING  
MINUTES**

**January 13, 2014**

Mayor Vierra called the January 13, 2014 City Council Meeting to order at 6:58 p.m. with the following in attendance:

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

**INVOCATION** by Pastor Steve La Farge, Grace Community Christian Church

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

**PRESENTATIONS**

- A. Presentation by Mike Costa, StanCOG, regarding the Unmet Transit Needs Assessment Public Hearing.

Mr. Costa gave a brief overview of the unmet transit needs assessment process required prior to distributing any Local Transit Funds to local municipalities.

- B. Ceres Youth Commission update and introduction of the new 2014 CYC President, Premjot Saroya.

Miss Premjot Saroya, introduced herself and gave an update of recent and upcoming activities of the Ceres Youth Commission including a free Teen Life Skills Workshop and the annual Love Ceres event.

- C. Proclamation declaring January as National Slavery and Human Trafficking Prevention Awareness Month.

Mayor Vierra read the proclamation into the record.

- D. Proclamation declaring Monday, January 20, 2014 Martin Luther King Jr. Day.

Mr. Frank Johnson, President of the NAACP thanked Council for the recognition of this important holiday.

**APPROVAL OF THE MINUTES** of the City Council Study Session of November 12, 2013 and the regular meeting of November 25, 2013. (Councilmember Ryno abstaining)

**ACTION:** It was moved by Kline/seconded by Durossette to approve the City Council Study Session Minutes of November 12, 2013 and the regular meeting minutes of November 25, 2013. Motion passed by the following vote:

**AYES:** Councilmembers Durossette, Kline, Lane, Mayor Vierra

**NOES:** None

**ABSENT:** None

**ABSTAIN:** Councilmember Ryno

**APPROVAL OF THE MINUTES** of the regular City Council meeting of December 9, 2013. (Councilmember Lane absent)

**ACTION:** It was moved by Durossette/seconded by Ryno to approve the City Council meeting minutes of December 9, 2013. Motion passed by the following vote:

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

**APPROVAL OF THE MINUTES** of the Special City Council meeting of December 6, 2013.  
(All Present)

**ACTION:** It was moved by Lane/seconded by Kline to approve the Special City Council Meeting Minutes of December 6, 2013. Motion carried by the following vote:

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

**CITIZEN COMMUNICATIONS**

- Len Shepherd, resident, thanked Council for their service and briefly discussed the Brown Act and the importance of transparency in Government.
- George Silvera, resident, asked several questions regarding the Whitmore Overpass and surrounding area. Toby Wells, addressed Mr. Silvera’s concerns.

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

**ACTION:** It was moved by Lane/seconded by Durossette to approve the agenda as posted (or amended) and certification of posting. Motion passed by the following vote:

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

**APPOINTMENTS TO BOARDS/COMMISSIONS** – None.

**CONFLICT OF INTEREST DECLARATION** – None.

**CONSENT CALENDAR**

1. General Correspondence – **Information Only**
  - a. Public Works Monthly Report for November 2013.
  - b. Fire Division FY 2013/14 Overtime Report.
  - c. Police Division FY 2013/14 Overtime Report. PULLED FOR FURTHER DISCUSSION.
  - d. Building Division Monthly Report for November 2013.
2. Register of Audited Demands for period covering December 6, 2013 – January 6, 2014. PULLED FOR FURTHER DISCUSSION.

3. **Resolution No. 2014-01** authorizing the purchase of playground equipment from Miracle Recreation Equipment Company and authorizing the Deputy City Manager to sign the purchase order. PULLED FOR FURTHER DISCUSSION.
4. **Resolution No. 2014-02** authorizing acceptance of State of California Office of Traffic Safety Grant–2013/14 Avoid the 12 DUI Program, 2013/14 Selective Traffic Enforcement Program and approving a FY 2013/14 Budget Amendment to appropriate funds.
5. **Resolution No. 2014-03** authorizing the application for Land and Water Conservation Fund (LWCF) grant for the Ryno Park Playground Project. PULLED FOR FURTHER DISCUSSION.
6. **Resolution No. 2014-04** approving a contract with Advanced Building Cleaners, Inc. for Street Sweeping Services for the City of Ceres and authorizing the Acting City Manager to execute the contract and approving a budget amendment. PULLED FOR FURTHER DISCUSSION.
7. **Resolution No. 2014-05** approving the Application For Apportionment of Assessment – Westpointe Assessment District – Lot Line Adjustment – Lot 1 and Lot 2, and Authorizing the Filing of the Apportionment.
8. **Resolution No. 2014-06** approving the procurement of five lift station control panels from Industrial Automation Group and authorizing the Deputy City Manager to sign the purchase order.
9. **Resolution No. 2014-07** authorizing acceptance of San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) Public Benefit Grant Program and approving a FY 2013/14 Budget Amendment to appropriate those funds. PULLED FOR FURTHER DISCUSSION.

**ACTION:** It was moved by Lane/seconded by Durossette to approve Consent Calendar Items 1a, 1b, 1d, 4, 7 and 8 as recommended by staff. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: None

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

1c. Police Division FY 2013/14 Overtime Report.

Item pulled by Councilmember Ryno who expressed concern that as of the end of November, Police Overtime was at 70% of the budgeted amount. After some Council and staff discussion, the following motion was made:

**ACTION:** It was moved by Ryno/seconded by Kline to set Item 1c for a Study Session with direction to Staff to include alternative solutions and impacts. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: None

2. Register of Audited Demands for period covering December 6, 2013 – January 6, 2014.

Item pulled by Councilmember Ryno who had questions regarding Voucher #90013 a check cut to NAACP for \$2,400.00.

Deputy Police Chief Mike Borges explained that the check was a pass through of donations made by CUSD, the Ceres Flea Market and the Sikh community for services rendered by Stop-Gap Health Services, Ceres VIPs & NAACP.

Councilmember Ryno asked if there was a written formal contract in place between the City and the NAACP for the pass-through account.

City Attorney Mike Lyons responded that there is no written formal contract in place only a verbal agreement.

Councilmember Ryno stated that she was worried about liability issues for the City.

Mayor Vierra responded that the Council decided, at a previous Study Session, that the services being provided by Stop-Gap Health Services, warranted the City continuing with the program. The Stop-Gap Health Services Program has applied for a 501(C)(3) designation and Staff is currently working on getting the necessary paperwork in place to insure that there will be no ramifications to the City.

**ACTION:** It was moved by Ryno/seconded by Lane to approve the Register of Audited Demands for period covering December 6 – January 6, 2013. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: None

3. **Resolution No. 2014-01** authorizing the purchase of playground equipment from Miracle Recreation Equipment Company and authorizing the Deputy City Manager to sign the purchase order.

Pulled by Councilmember Kline for a breakdown of the total costs.

Toby Wells, Deputy City Manager/City Engineer responded that the cost for equipment replacement for seven City owned parks is \$45,704.11. In addition, the cost to replace the County owned tot lot is an additional \$9,050.00 for a total cost of \$54,754.11.

After considerable Council discussion as to whether or not the City should terminate the contractual agreement with the County which requires the City to maintain the tot lot playground equipment, the following motion was made:

**ACTION:** It was moved by Kline/Seconded by Durossette to approve **Resolution No. 2014-01** authorizing the purchase of playground equipment for the seven City owned playgrounds and the County owned tot lot from Miracle Recreation Equipment Company in the amount of \$54,754.11 and authorizing the Deputy City Manager to sign the purchase order. The motion failed by the following vote:

AYES: Councilmembers Durossette, Kline

NOES: Councilmembers Lane, Ryno, Mayor Vierra

ABSENT: None

**ACTION:** It was moved by Lane/Seconded by Ryno to approve **Resolution No. 2014-01** with the elimination of the additional \$9,050.00 for the tot lot equipment; authorizing the purchase of playground equipment for the seven City owned playgrounds from Miracle Recreation Equipment Company in the amount of \$45,704.11; authorizing the Deputy City Manager to sign the purchase order and directing staff to bring back, for discussion, the agreement with the County regarding maintenance of the Memorial Drive Tot Lot. The motion passed by the following vote:

AYES: Councilmembers Kline, Lane, Ryno, Mayor Vierra

NOES: Councilmembers Durossette

ABSENT: None

5. **Resolution No. 2014-03** authorizing the application for Land and Water Conservation Fund (LWCF) grant for the Ryno Park Playground Project.

Item pulled by Councilmember Ryno who wished to abstain from voting on the item since the Park is named after her husband Sam Ryno. Councilmember Ryno does not want it to appear as though the Park is getting any preferential treatment.

**ACTION:** It was moved by Kline/Seconded by Lane to approve **Resolution No. 2014-03** authorizing the application for Land and Water Conservation Fund (LWCF) grant for the Ryno Park Playground Project. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Lane, Mayor Vierra

NOES: None

ABSENT: None

ABSTAIN: Councilmember Ryno

6. **Resolution No. 2014-04** approving a contract with Advanced Building Cleaners, Inc. for Street Sweeping Services for the City of Ceres and authorizing the Acting City Manager to execute the contract and approving a budget amendment.

Pulled by Councilmember Kline who expressed concern with the frequency of street sweeping in the downtown area. The summary sheet only shows the downtown being cleaned twice a month.

Toby Wells, Deputy City Manager/City Engineer confirmed that the contract includes an increase in the sweeping of the downtown area to three times per month.

Mayor Vierra stated that he was pleased to see the contract going to a local business.

- Len Shepherd, resident, stated that he was also glad to see that the contract is being awarded to a local company.

**ACTION:** It was moved by Kline/Seconded by Ryno to approve **Resolution No. 2014-04** approving a contract with Advanced Building Cleaners, Inc. for Street Sweeping Services for the City of Ceres and authorizing the Acting City Manager to execute the contract and approving a budget amendment. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: None

9. **Resolution No. 2014-07** authorizing acceptance of San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) Public Benefit Grant Program and approving a FY 2013/14 Budget Amendment to appropriate those funds.

Pulled by Councilmember Ryno who asked what the City's financial liability is for this grant.

Deputy Police Chief Mike Borges responded that the grant covers 100% of the costs.

Police Sergeant Chris Perry confirmed.

**ACTION:** It was moved by Ryno/Seconded by Lane to approve **Resolution No. 2014-07** authorizing acceptance of San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) Public Benefit Grant Program and approving a FY 2013/14 Budget Amendment to appropriate those funds. The motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: None

**UNFINISHED BUSINESS** – None.

**PUBLIC HEARING** – None.

**NEW BUSINESS** – None.

**COUNCILMEMBER REFERRALS** – None.

## **REPORTS**

Council and staff reported on various recent and upcoming events including the recently held Salvation Army bell ringing contest in December which raised \$790 for the Salvation Army.

**8:16 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, CMC  
City Clerk