

**CITY COUNCIL MEETING  
MINUTES**

**February 24, 2014**

Mayor Vierra called the February 24, 2014 City Council Meeting to order at 7:00 p.m. with the following in attendance:

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

**INVOCATION** by Pastor Ken Sylvia, Youth for Christ

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

**PRESENTATIONS**

- A. Declaring February 2014 as African-American History Month. *Mr. Frank Johnson, President, NAACP accepted the Proclamation and thanked Council for their support.*
- B. Presentation by Frank Johnson, Ceres PD Public Health Nurse Practitioner Program. *Moved to Item 8 on the agenda.*

**CITIZEN COMMUNICATIONS**

- Carol Blomquist, Ceres Regional Librarian, gave an update on recent and upcoming events at the Ceres Library.
- Tony Madrigal, representing the Latino Community Roundtable, announced the 2<sup>nd</sup> annual Project Prom to help students in need.
- Len Shepherd, spoke about the recent loss of two CHP officers.
- Rene Ledbetter, President of the Ceres Chamber of Commerce gave an update on recent Chamber Activities including the Chamber's adoption of a section of SR99 between Faith Home Road and Hatch Road.

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

**ACTION:** It was moved by Lane/Seconded by Kline to approve the Agenda as posed (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. Building Department Monthly Report for January, 2014.
  - b. IT Division Quarterly Report, Fourth Quarter, 2013.
  - c. Recreation Monthly Report for November and December, 2013.
  - d. Police Department Overtime Report. PULLED FOR FURTHER DISCUSSION.
2. Register of Audited Demands for period covering February 5 – 12, 2014.
3. **Resolution No. 2014-19** accepting grant/donation of funds for fire hose nozzles for the Fire Department. PULLED FOR FURTHER DISCUSSION.
4. **Resolution No. 2014-20** authorization to purchase two Compressed Natural Gas (CNG) buses from Creative Bus Sales. PULLED FOR FURTHER DISCUSSION.
5. **Resolution No. 2014-21** awarding a contract with Oakdale Interiors, Inc. for the carpet replacement in City Hall and the Engineering Department.

**ACTION:** It was moved by Durossette/Seconded by Lane to approve Consent Calendar items 1a-c, 2 and 5 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**

1d. Police Department Overtime Report.

Pulled by Councilmember Ryno who asked for assurances from staff that there would be no reduction of positions or elimination of special units as a means to meet the overtime budget.

Acting City Manager Art de Werk assured her that there would not be an elimination of staff or special units. The overtime budget would be met in different ways including the elimination of some training and operating at minimum levels. Mr. de Werk stressed that the Department would not under any circumstances operate below minimum levels.

Councilmember Ryno suggested that the title of the report “Police Division Staffing Report” was misleading and should be re-titled “Police Department Overtime Update” so as not to cause confusion.

- Don Donaldson commented on the increasing crime in the City. Citizen need to be protected regardless the cost.

**ACTION:** It was moved by Lane/Seconded by Ryno to approve Item 1d., Police Department Overtime Report. Motion passed by the following vote:

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

**3. Resolution No. 2014-19** accepting grant/donation of funds for fire hose nozzles for the Fire Department.

Pulled by Councilmember Kline for additional information regarding installation and training for the new fire hose nozzles.

Bryan Nicholes, Deputy Fire Chief responded.

Len Shepherd, resident, commented on the advantages of low flow nozzles.

Councilmember Kline thanked the Fire Department staff for their diligent efforts in obtaining grants.

**ACTION:** It was moved by Kline/Seconded by Durossette to approve **Resolution No. 2014-19** accepting grant/donation of funds for fire hose nozzles for the Fire Department. Motion passed by the following vote:

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

**UNFINISHED BUSINESS**

6. Council direction regarding amendment of the Measure H Ordinance to eliminate the restriction on the length of time Measure H Oversight Committee Members may serve. Continued from the meeting of February 10, 2014.

After some Council discussion the following motion was made:

**ACTION:** It was moved by Durossette/Seconded by Lane to amend the Measure H Ordinance to eliminate the restrictions on the length of time Measure H Oversight Committee Members may serve. Motion Failed by the following vote:

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

**PUBLIC HEARING – None.**

**NEW BUSINESS**

7. Consideration of **Resolution No. 2014-22** supporting Stanislaus County’s 2014 Regional Transportation Tax Measure Financial Expenditure Plan and review of the City’s Pavement Management Program Update.

Toby Wells, Deputy City Manager/City Engineer, gave a presentation of the City’s Pavement Management Program and how the ½ cent sales tax will benefit the City streets.

Council stressed the importance of the Service/Mitchell Interchange.

**ACTION:** It was moved by Kline/Seconded by Lane to approve **Resolution 2014-22** supporting Stanislaus County's 2014 Regional Transportation Tax Measure Financial Expenditure Plan. Motion passed by the following vote:

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

**8:29 p.m.** Mayor Vierra adjourned the meeting for a short recess.

**8:40 p.m.** Mayor Vierra reconvened the City Council meeting.

8. Ceres PD Public Health Nurse Practitioner Program/Insurance and Liability Risk issues.

Mike Lyons, City Attorney gave a brief overview of the staff report.

Council held a discussion on whether or not Ceres should be involved in the health care program. All agreed that the program is good; however, Councilmember Ryno felt that the City should not be involved in the program if we cannot get insurance; the liability risk to the City and the citizens is too high.

Those speaking in favor of the Ceres PD Public Health Nurse Practitioner Program:

- Frank Johnson, President NAACP
  - Darius Crosby, Modesto Police Clergy Council
  - Joe Saldivar, resident
  - Rosalinda Vierra, resident
  - Tony Madrigal, Latino Community Roundtable
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- Don Donaldson, resident was neither for nor against the program but commented on the high cost of health insurance.

**ACTION:** It was moved by Lane/Seconded by Kline to allow the Acting City Manager to approach local legislators to draft language with the goal of getting liability insurance for the City's participation in the Ceres PD Public Health Nurse Practitioner Program. Motion passed by the following vote:

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

**9:29 p.m.** Mayor Vierra adjourned the City Council Meeting to meetings of the Successor Agencies of the Former Ceres Redevelopment Agency and the Former Stanislaus-Ceres Redevelopment Commission.

**9:34 p.m.** Mayor Vierra Reconvened the City Council Meeting.

**COUNCILMEMBER REFERRALS** – None.

**REPORTS**

Council and Staff reported on various recent and upcoming events including an upcoming Firefighter training burn for the new low flow nozzles on March 8 and 16, 2014.

**9:38 p.m.** Mayor Vierra adjourned the City Council Meeting to Closed Session.

**CLOSED SESSION**

CONFERENCE WITH LABOR NEGOTIATOR

City Negotiator: Liebert, Cassidy, Whitmore

Employee Organization: Ceres Police Officers Association

*Pursuant to Gov't. Code Section 54957.6*

**10:29 p.m.** Mayor Vierra reconvened in Open Session with nothing to report.

**10:29 p.m.** There being no further business, Mayor Vierra adjourned the City Council Meeting.

/s/Chris Vierra, Mayor

/s/Cindy Heidorn, CMC, City Clerk