

**CITY COUNCIL MEETING
MINUTES**

April 28, 2014

7:00 p.m. Mayor Vierra called the April 28, 2014 City Council Meeting to order with the following in attendance:

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

INVOCATION by Community Member Len Shepherd

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

PRESENTATION

A. Presentation by the Stanislaus County Animal Services Agency. *Representatives of Stanislaus County Animal Services displayed a puppy currently available for adoption.*

CITIZEN COMMUNICATIONS

- Rene Ledbetter, Ceres Chamber of Commerce President, spoke about the upcoming Concerts in the Park Series.
- Michelle Coxford, Ceres Library, spoke about recent and upcoming events at the Ceres Library.
- Len Shepherd, resident, spoke about the fire hazard that accompanies warmer summer weather.
- Beth Hunt, representing the Chamber of Commerce, spoke about the upcoming Street Faire and the Agribusiness Luncheon on May 29, 2014.

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 carried 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. 3rd Quarter Financial Report.
 - b. Public Works Monthly Report for March 2014.
 - c. IT report January – March 2014.
 - d. Police Division Staffing/General Fund Overtime.
2. Register of Audited Demands for period covering April 9 – 17, 2014.

3. **Resolution No. 2014-36** approving the Agreement between the City of Ceres and the Ceres Youth Soccer Association.
4. **Resolution No. 2014-37** accepting the CDBG Infrastructure Infill Project – Caswell Tract/Sequoia Village as complete, approve the balancing contract change order, authorizing the filing of the Notice of Completion and retention release to the contractor.
5. **Resolution No. 2014-38** accepting the 2013 Maintenance Building Expansion Project as complete, approve the balancing contract change order, authorizing the filing of the Notice of Completion and retention release to the contractor.
6. **Resolution No. 2014-39** accepting the Sequoia Tract Water Main Project as complete, approve the balancing contract change order, authorizing the filing of the Notice of Completion and retention release to the contractor.
7. **Resolution No. 2014-40** accepting the Blaker Well Project as complete, approve the balancing contract change order, authorizing the filing of the Notice of Completion and retention release to the contractor.
8. **Resolution No. 2014-41** approving the purchase of a Utility Truck Bed from Douglass Truck Bodies and authorizing the Acting City Manager to sign the purchase order.
9. **Resolution No. 2014-42** approving Employment Agreement with Toby Wells for the position of City Manager. PULLED FOR FURTHER DISCUSSION.
10. **Resolution No. 2014-43** approving Agreement, Setting the Terms and Conditions of Employment for members of the Mid-Managers Group.

ACTION: It was moved by Durossette/Seconded by Ryno to approve Consent Calendar Items 1-8 and 10 as recommended by staff. Motion carried 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

9. **Resolution No. 2014-42** approving Employment Agreement with Toby Wells for the position of City Manager.

Item pulled by Councilmember Kline for clarification on the conversion of the hours accrued in leave accounts.

Mayor Vierra stated that he has discussed the proposed contract with Mr. Wells. Mr. Wells tried to position his compensation package below the previous City Manager and equal to the concessions given to the most recent Acting City Manager.

- Len Shepherd, resident, spoke in support of Mr. Wells and urged Council to leave the contract in easy to understand language.

After some discussion, Council made the following motion:

ACTION: It was moved by Kline/Seconded by Durossette to approve **Resolution No. 2014-42** approving Employment Agreement with Toby Wells for the position of City Manager. Motion carried 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.

10. Whitmore Mansion Quarterly Update.

Mr. Toby Wells reported that the Whitmore Mansion is moving in a positive direction and has realized some profit.

Lisa Mantarro Moore, Whitmore Mansion Foundation, presented an update to Council.

ACTION: Council Accepted Report.

COUNCILMEMBER REFERRALS – None.

REPORTS - Council and Staff reported on various upcoming events and congratulated Mr. Wells on his appointment to City Manager.

7:46 p.m. Mayor Vierra adjourned the meeting to Closed Session.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

City Negotiator: Liebert, Cassidy, Whitmore

Employee Organization: Miscellaneous Bargaining Unit

Employee Organization: First Line Supervisors/Confidential Bargaining Group

Employee Organization: Ceres Professional Firefighters Association

Employee Organization: Ceres Police Officers Association

Pursuant to Gov't. Code Section 54957.6

8:22 P.M. Mayor Vierra Reconvened the meeting in Open Session with nothing to report.

8:22 P.M. There being no further business, Mayor Vierra adjourned the City Council Meeting.

/s/Chris Vierra, Mayor

/s/Cindy Heidorn, CMC, City Clerk