

**CITY COUNCIL MEETING
MINUTES**

July 14, 2014

Mayor Vierra called the July 14, 2014 City Council meeting to order with the following in attendance:

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

EXCUSED Councilmember Lane

INVOCATION by Michael Brinton.

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra.

PRESENTATIONS

A. Proclamation Declaring July, 2014 as National Park and Recreation Month.

Mayor Vierra presented a proclamation to Traci Farris and Cambria Pollinger, Ceres Recreation Supervisors.

Traci Farris and Cambria Pollinger thanked Council for their support and presented certificates of recognition to the following recreation teachers, volunteers and coaches:

Donna Joseph	Jana Kirchert
Kathy Moore	Jerry Mathews
Andrew Mendoza	Princess Pe
Tanaia Green	Tracy Bull
Angela Mendoza	Charlotte Ewing
Jim and Denise Edwards	Erin Treat
Ronald Adkin	Suzanne Jameson
John Silveira	Ceres Aquatics Staff

Members of the Central Valley Organizing Committee of IBEW Local 1245 recently held a softball/bbq fundraiser to raise funds for the Ceres Recreation Scholarship Program. The group members presented Ms. Pollinger and Ms. Farris a check in the amount of \$1,323.57 to be used to help fund recreational programs for underprivileged families.

B. Maggie Mejia and Tony Madrigal – Festival del Nopal.

Tony Madrigal representing the Latino Community Roundtable addressed Council regarding the Festival del Nopal which is taking place on September 7, 2014 at the Ceres Flea Market and requested the use of the City's logo on the flyers and signs for the event.

Council permitted the use of the City logo for the Festival del Nopal.

CITIZEN COMMUNICATIONS

- Len Shepherd, resident, congratulated the Recreation Department volunteers stating that volunteers are the backbone of society.

- Don Cool, resident, spoke to Council regarding illegal dumping in the City.

Staff responded that they are aware of the problem and we have put a process in place that includes first, notifying Code Enforcement, then seeing if it is something that Public Works can easily dispose of and thirdly, if needed, contacting Bertolotti. We include notifications in the utility bills.

- Dave Pratt, resident, concurred that illegal dumping is a problem in the City.
- Resident who wishes to remain anonymous spoke about the noise ordinance.

Staff responded that possible revision of the Ordinance is scheduled for a Study Session in August or September and he will be notified of the time and place of the Study Session.

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 (or amended) and certification of posting. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Ryno, Mayor Vierra

NOES: None

ABSENT: Councilmember Lane

APPOINTMENTS TO BOARDS/COMMISSIONS – None.

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Building Department Monthly Report for May, 2014.
2. Register of Audited Demands for period covering June 18 – July 2, 2014.
3. Set public hearing date of July 28, 2014, for the City Council to consider a proposed Zoning Ordinance Text Amendment (13-05 ZOTA) to amend Sections 18.42.200(K) and 18.42.140(D) of the Ceres Municipal Code, to modify the Sign Code to remove allowances for specific types of permitted signs currently permitted for Auto/Motor Vehicle Sales lots that are prohibited at other commercial businesses.
4. **Resolution No. 2014-79** ordering the Levy and Collection of Special Taxes for Fiscal Year 2014/15 within the City of Ceres Community Facilities District No. 1.
5. **Resolution No. 2014-80** ordering the Levy and Collection of Special Taxes for Fiscal Year 2014/15 within the City of Ceres Community Facilities District No. 2.
6. **Resolution No. 2014-81** ordering the Levy and Collection of Charges within the City of Ceres Westpointe Reassessment District.
7. **Resolution No. 2014-82** approving the Annual Report of the Ceres Downtown Revitalization Area Board (CDRAB) for Fiscal Year 2014/15 and Setting a Public Hearing on August 11, 2014 to approve a Levy Assessment for CDRAB Activities and Projects.
8. **Resolution No. 2014-83A** approving the Memorandum of Understanding between the City of Ceres and Ceres Police Officers' Association and **Resolution No. 2014-83B** approving the Memorandum of Understanding between the City of Ceres and the Miscellaneous Bargaining Unit.

9. **Resolution No. 2014-84A** ratifying the Letter of Agreement between the City of Ceres and Ceres Mid-Managers' Bargaining Group and **Resolution No. 2014-84B** ratifying the Letter of Agreement between the City of Ceres and Ceres Public Safety Managers.
10. **Resolution No. 2014-85** accepting the Construction Contract for the Mitchell/Whitmore Sanitary Sewer Upgrade Project as complete, approving the Balancing Contract Change Order, Authorizing the filing of the Notice of Completion, and retention release to the contractor.
11. **Resolution No. 2014-86** awarding the Construction Contract for the 2014 Lift Station Modification Project to RTC Construction Management, Inc., authorizing a 10% Contingency, and authorizing the City Manager to execute the Contract.
12. **Resolution No. 2014-87** approving a Five Year Proactive Street Tree Maintenance Program. PULLED FOR FURTHER DISCUSSION.
13. **Resolution No. 2014-88** authorization to execute a purchase and sale agreement for property located on Herndon Road APN 127-048-006 and 040-008-011 and authorize a Budget Amendment. PULLED FOR FURTHER DISCUSSION.
14. **Resolution No. 2014-88A** accepting the 2014 Water Valve Replacement Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention release to the Contractor.
15. **Resolution No. 2014-89** accepting the 2014 Sewer Rehabilitation Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention release to the Contractor.
16. **Resolution No. 2014-90** accepting the Assistance to Firefighters Grant through FEMA for Fire Ground Survival Curriculum.
17. **Resolution No. 2014-91A** accepting funding from the State of California, California 9-1-1 Emergency Communications Office, to replace the 9-1-1 equipment in the City of Ceres Dispatch Center, and for additional expenditures allowed under the Spending Plan.

ACTION: It was moved by Durossette/Seconded by Ryno to approve Consent Calendar Items No. 1 – 11, 14 and 15. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Ryno, Mayor Vierra

NOES: None

ABSENT: Councilmember Lane

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

12. **Resolution No. 2014-87** approving a Five Year Proactive Street Tree Maintenance Program. PULLED FOR FURTHER DISCUSSION.

Item pulled by Len Shepherd for verification of work included in the Five Year Proactive Street Tree Maintenance Program.

ACTION: It was moved by Durossette/Seconded by Ryno to approve **Resolution No. 2014-87** approving a Five Year Proactive Street Tree Maintenance Program. Motion passed by the following vote:

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

13. **Resolution No. 2014-88** authorization to execute a purchase and sale agreement for property located on Herndon Road APN 127-048-006 and 040-008-011 and authorize a Budget Amendment. **PULLED FOR FURTHER DISCUSSION.**

Pulled by Councilmember Ryno for clarification on the use of Gas Tax Revenue.

ACTION: It was moved by Ryno/Seconded by Durossette to approve **Resolution No. 2014-88** authorization to execute a purchase and sale agreement for property located on Herndon Road APN 127-048-006 and 040-008-011 and authorize a Budget Amendment. Motion passed by the following vote:

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

UNFINISHED BUSINESS – None.

PUBLIC HEARING – None.

8:00 P.M. Mayor Vierra adjourned the meeting for a short recess.

8:10 P.M. Mayor Vierra reconvened the City Council Meeting.

NEW BUSINESS

18. Hold candidate Interviews for the Measure H Citizens’ Oversight Committee and approve two (2) appointments to the Measure H Citizens’ Oversight Committee for a three year term expiring June 30, 2017.

Council interviewed four candidates for the Measure H Committee. The candidates were; Don Cool, Paula Redfern, Brenda Herbert and Lea Ann Hoogestraat.

After some Council discussion, the following motion was made:

ACTION: It was moved by Ryno/Seconded by Kline to appoint Don Cool and Paula Redfern to the Measure H Citizen’s Oversight Committee for a three year term expiring June 30, 2017.

AYES: Councilmembers Kline, Ryno, Mayor Vierra
NOES: Vice Mayor Durossette
ABSENT: Councilmember Lane

8:43 P.M. Mayor Vierra adjourned as the City Council to a meeting of the Successor Agency to the Former Stanislaus Ceres Redevelopment Commission.

8:46 P.M. Mayor Vierra reconvened the City Council Meeting.

COUNCILMEMBER REFERRALS - None

REPORTS

Staff reported on the ongoing Walmart litigation and the new Ceres Economic Development Facebook page.

8:52 P.M. There being no further business, Mayor Vierra adjourned the City Council Meeting.

/s/ Chris Vierra, Mayor

/s/ Cindy Heidorn, City Clerk