

CITY COUNCIL MEETING

August 11, 2014

Mayor Vierra called the August 11, 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 Michael Brinton

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

APPROVAL OF THE MINUTES of the Study Session and regular Council Meeting of July 14, 2014.
(Councilmember Lane Excused)

ACTION: It was moved by Durossette/Seconded by Kline to approve the minutes of the Study Session and regular Council Meeting of July 14, 2014 (Councilmember Lane Excused). Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Ryno, Mayor Vierra

NOES: None

ABSENT: None

ABSTAIN: Councilmember Lane

APPROVAL OF THE MINUTES of the Study Session and regular Council Meeting of July 28, 2014.
(All Present)

ACTION: It was moved by Lane/Seconded by Kline to approve the minutes of the regular Study Session and regular Council Meeting of July 28, 2014. Motion passed by the following vote:

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

NOES: None

ABSENT: None

CITIZEN COMMUNICATIONS

- Len Shepherd, resident, commented on the weather conditions causing a dangerous working environment for Fire Fighters.
- Frank Johnson, representing the NAACP, commented that he feels the working relationship between the City and the NAACP is deteriorating and would like to see the two organizations working together.
- Another gentleman representing the NAACP concurred with Mr. Johnson's comments.

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

ACTION: It was moved by Durossette/Seconded by Lane 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

Mayor Vierra declared a conflict of Interest with Item No. 6 stating that his firm currently has contracts with Miller-Pezzoni and Associates.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Public Works Department Monthly Report for June, 2014.
 - b. FY 2012/13 CIP Project Delivery Report.
2. Register of Audited Demands for period covering July 23 – 31, 2014.
3. Wave Second Reading and adopt **Ordinance No. 2014-1020** 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 signs currently permitted for Auto/Motor Vehicle Sales lots that are prohibited at other commercial businesses.
4. **Resolution No. 2014-97** approving Amendment No. 4 for an Agreement for Professional Consultant Services with George Osner.
5. **Resolution No. 2014-98** authorizing the designation of surplus property and the donation of said surplus property to the Hughson Fire Department. PULLED FOR FURTHER DISCUSSION.
6. **Resolution No. 2014-99** approving a professional services agreement with Miller-Pezzoni & Associates for design services for the City Hall Standby Generator Upgrade. PULLED FOR CONFLICT OF INTEREST
7. **Resolution No. 2014-100** awarding the Construction Contract for the ITS Signal Synchronization Project CML-5241(044) to Pacific Excavation, Inc., authorizing a 10% Contingency, and authorizing the City Manager to execute the Contract.
8. **Resolution No. 2014-101** accepting the Construction Contract for the 2012 Water Well Standby Power Project as partially complete and releasing the retention to the contractor for the well sites that have been completed.

ACTION: It was moved by Lane/Seconded by Ryno to approve Consent Calendar items 1-4 and 7-8 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

5. **Resolution No. 2014-98** authorizing the designation of surplus property and the donation of said surplus property to the Hughson Fire Department.

Item pulled by Len Shepherd for clarification on the equipment that is being declared surplus.

ACTION: It was moved by Durossette/Seconded by Lane to approve **Resolution No. 2014-98** authorizing the designation of surplus property and the donation of said surplus property to the Hughson Fire Department. Motion passed by the following vote:

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

NOES: None

ABSENT: None

6. **Resolution No. 2014-99** approving a professional services agreement with Miller-Pezzoni & Associates for design services for the City Hall Standby Generator Upgrade. PULLED FOR CONFLICT OF INTEREST

ACTION: It was moved by Durossette/Seconded by Kline to approve **Resolution No. 2014-99** approving a professional services agreement with Miller-Pezzoni & Associates for design services for the City Hall Standby Generator Upgrade. Motion passed by the following vote:

AYES: Councilmembers Durossette, Kline, Lane, Ryno,

NOES: None

ABSENT: None

ABSTAIN: Mayor Vierra

UNFINISHED BUSINESS-None.

PUBLIC HEARING

9. Public Hearing to consider **Resolution No. 2014-102** approving the levy of assessments for CDRAB Activities and Projects.

Redevelopment/Economic Development Manager, Steve Hallam presented a brief staff report.

Council asked Mr. Hallam if he was getting much participation from the downtown business owners.

Mr. Hallam responded that there is not a great deal of involvement.

7:20 P.M. Mayor Vierra opened the Public Hearing

7:20 P.M. There being no one wishing to speak the Public Hearing was closed.

ACTION: It was moved by Kline/Seconded by Durossette to approve **Resolution No. 2014-102** approving the levy of assessments for CDRAB Activities and Projects. Motion passed by the following vote:

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

10. Public Hearing to consider **Resolution No. 2014-XXX** to consider an appeal from Robert Grosse of Eurostar, Inc. dba WSS regarding the Planning Commission's denial of a variance request pertaining to wall signs that exceed the maximum allowable square footage requirement for a "WSS" retail footwear and apparel store at 1342 E. Hatch Road.

Tom Westbrook, Director of Community Services, presented an overview of the item. Mr. Westbrook noted that the company could not meet the findings for a variance.

Mr. Robert Grosse, representing Eurostar, Inc. dba WSS Shoes thanked Council and Staff for their consideration. Mr. Grosse urged Council to reconsider the signage standards and stated that his lease on the building is contingent on approval of the signage.

7:44 P.M. Mayor Vierra opened the Public Hearing

- Len Shepherd, resident spoke in support of granting the variance citing reasons such as additional sales tax revenue and jobs creation.
- Don Cool, resident spoke in support of denying the variance. Among Mr. Cool's reasons were the sign committee's extensive efforts in revising the Sign Ordinance; the Planning Commission's decision to deny the variance and other means available for the vendor to advertise their business.
- Dave Pratt, resident, neither for nor against granting the variance, he stated it would be interesting to see what Council will decide.

7:49 P.M. There being no one else wishing to speak the Public Hearing was closed.

After extensive Council discussion, the following motion was made:

ACTION: It was moved by Kline/Seconded by Durossette to continue the item to the meeting of 8/25/14 and directed staff to meet with WSS to try to reach a compromise. Motion passed by the following vote:

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

NEW BUSINESS-None.

COUNCILMEMBER REFERRALS – None.

REPORTS

Council and staff reported on various upcoming events including the Smoke on the River BBQ and the Groundbreaking ceremony for the new County Public Safety Facility.

8:11 P.M. There being no further business, Mayor Vierra adjourned the City Council meeting.

/s/Chris Vierra, Mayor

/s/Cindy Heidorn, City Clerk