

**CITY COUNCIL MEETING
MINUTES**

August 25, 2014

7:00 P.M. Mayor Vierra called the August 25, 2014 City Council Meeting to order with the following in attendance:

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

INVOCATION by Mike Brinton

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

PRESENTATIONS

- A. Presentation by Stanislaus County Animal Services. Stanislaus County Animal Services presented a cute Terrier Mix available for adoption.

CITIZEN COMMUNICATIONS

- Michelle Coxford, Ceres Library, spoke about recent and upcoming events at the Ceres Library including story time, lego days and crafts for kids.
- Jeff Serpa, Fire Captain, spoke about the possibility of losing the six firefighters who were funded through a SAFER Grant. He requested that Council allow the firefighters to develop an operating plan with six fewer personnel and to propose options to possibly keep the firefighters.
- Billy Finley, Fire Engineer, stated that he feels the Measure H Plan has been modified several times since its inception and has not been used the way it was intended.

Mayor Vierra disagreed with Mr. Finley's comments stating that the Measure H Fund has done exactly what it was supposed to do. Mayor Vierra also stressed that the Measure H Fund has nothing to do with the six firefighters who were hired through the SAFER Grant.

- Len Shepherd, resident spoke about the recent Napa earthquake and the importance for the City to have an emergency plan.
- Eileen Pratt, resident, spoke about yard sales signs around the City. Ms. Pratt stated that they are an eye sore.
- Frank Johnson, NAACP President, spoke about the NAACP Stop Gap Health Services Program that the City of Ceres no longer participates in due to liabilities to the City. Mr. Johnson feels the City is not involved in services for minorities.
- Resident, spoke in support of the Measure H Sales Tax and stated that the intent of the tax was to make the City a safer place to live.

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, 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 Department Monthly Report for July, 2014.
 - b. Recreation Department Monthly Report for May and June, 2014.
 - c. Redevelopment and Economic Development Division Monthly Report (7/15 – 8/15).
2. Register of Audited Demands for period covering August 6 – 13, 2014.
3. **Resolution No. 2014-104** authorizing the destruction of certain records and documents maintained by the Finance Department. PULLED FOR FURTHER DISCUSSION.
4. **Resolution No. 2014-105** approving a Lot Line Adjustment for Shree 101, LLC. to consolidate four lots into one parcel for APN's: 039-068-030, 039-068-020, 039-068-021, and 039-068-022.
5. **Resolution No. 2014-106** approving the Master Automatic and Mutual Aid Agreement between the City of Modesto, City of Ceres, Stanislaus Consolidated Fire Protection District and the City of Turlock. PULLED FOR FURTHER DISCUSSION.
6. **Resolution No. 2014-107** authorizing the City Manager to sign the renewal for the Operational Area Agreement between Stanislaus County and the nine incorporated cities.
7. **Resolution No. 2014-108** Resolution Setting Terms and Conditions of Employment for Ceres Professional Firefighters' Association Local 3636. PULLED FOR FURTHER DISCUSSION

ACTION: It was moved by Kline/Seconded by Lane to approve Consent Calendar Item 1-2, 4 and 6 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

3. **Resolution No. 2014-104** authorizing the destruction of certain records and documents maintained by the Finance Department.

Item pulled by Frank Johnson, President, NAACP who asked if the records were made public prior to destruction.

Staff responded yes, the records are public records and also listed in the Staff Report.

ACTION: It was moved by Lane/Seconded by Kline to approve **Resolution No. 2014-104** authorizing the destruction of certain records and documents maintained by the Finance Department. Motion passed with the following vote:

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

5. **Resolution No. 2014-106** approving the City Manager to sign the renewal for the Operational Area Agreement the City of Modesto, City of Ceres, Stanislaus Consolidated Fire Protection District and City of Turlock.

Item pulled by Mayor Vierra who asked if this item should be continued until we have a plan?

Staff responded that this agreement is just documenting what we are already doing. We should move forward with the agreement. We can always put it on for an annual review.

- Len Shepherd, resident, addressed Council stating that Automatic mutual Aid Agreements have been around for many years are beneficial to all communities.
- Dave Pratt, resident, commented that an annual review would be good just to make sure we are benefiting.

Mayor Vierra requested that Staff prepare an annual report for Council to include how many time we went to the aid of other communities and how many times we have received aid.

ACTION: It was moved by Kline/Seconded by Durossette to approve **Resolution No. 2014-106** approving the City Manager to sign the renewal for the Operational Area Agreement the City of Modesto, City of Ceres, Stanislaus Consolidated Fire Protection District and City of Turlock. Item passed with the following vote:

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

7. **Resolution No. 2014-108** Resolution Setting Terms and conditions of Employment for Ceres professional Firefighters' Association Local 3636.

Item Pulled by Councilmember Kline who inquired since the Contract was up on June 30th, will the Fire Fighters be entitle to retroactive pay.

Staff responded that the City implemented a Best, Last and Final, so none of the terms are retroactive.

ACTION: It was moved by Kline/Seconded by Ryno to approve **Resolution No. 2014-108** Resolution Setting Terms and conditions of Employment for Ceres professional Firefighters' Association Local 3636.

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

UNFINISHED BUSINESS

8. **Continued from 8/11/14** - Public Hearing to consider **Resolution No. 2014-109** 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, Community Development Director, presented a brief update on the progress the City has made with the Applicant since the last Council meeting. The compromise the City and Applicant came to was to change the way the area of signage would be calculated. The applicant also agreed to make a part of their signage a part of the actual façade of the building thus making it an architectural element, not signage. Implementing these changes the total signage area came in just below the 100 square foot requirement.

- Robert Grosse, representing WSS, thanked Council and Staff for their willingness to continue discussions.
- Len Shepherd, resident, thanked Council for compromising and bringing new revenue into the City.
- Tim Bettencourt, representing the building ownership thanked Council for finding a solution.

ACTION: It was moved by Kline/Seconded by Lane to approve **Resolution No. 2014-109** 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; and modify the sign code recalculation of the definition of sign area and the definition of architectural elements. Motion passed by the following vote:

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

NOES: None

ABSENT: None

PUBLIC HEARING – None.

NEW BUSINESS – None.

COUNCILMEMBER REFERRALS

Council requested a discussion of the six Fire Fighters that are losing their SAFER Grant funding be placed on the September 8, 2014 Council agenda.

REPORTS

Council and Staff commented on various recent and upcoming activities including the Smoke on the River fundraiser and the promotion of Police Officer Joe Wren to Sergeant.

8:50 PM There being no further business, Mayor Vierra adjourned the City Council meeting.

/s/Chris Vierra, Mayor

/s/Cindy Heidorn, City Clerk