

**CITY COUNCIL MEETING  
MINUTES**

**Monday, November 24, 2014**

**7:00 P.M.** Mayor Vierra called the November 24, 2014 City Council Meeting to order 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.

**PRESENTATIONS**

- A. Stanislaus County Animal Services presented a cute little dog available for adoption.
- B. Proclamation declaring November, 2014 as Sikh Appreciation Month.  
Ameet Singh Birring representing the Sikh Community accepted the proclamation and thanked Council for the recognition.

**CITIZEN COMMUNICATIONS** -None

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

**ACTION:** It was moved by Kline/Seconded by Durossette 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 #6 stating that his Company has done business with Data Path in the last 12 months.

**CONSENT CALENDAR**

- 1. General Correspondence – **Information Only**
  - a. Public Works Department Monthly Report for October, 2014.
- 2. Register of Audited Demands for period covering November 5 – 12, 2014.

3. Set public hearing date of December 8, 2014, for the City Council to consider a proposed Zoning Ordinance Text Amendment (14-11 ZOTA) to amend the City Zoning Ordinance to specify the types of recreational uses that may be potentially allowed in the City's Industrial zone districts.
4. **Resolution No. 2014-142** awarding the Construction Contract for the Mitchell Road Sewer Trunk Line and Lift Station Project to Preston Pipelines, Authorize a 10% Contingency, and Authorize the City Manager to Execute the Contract.
5. **Resolution No. 2014-143** authorizing the acceptance of the State of California Office of Traffic Safety Grant, 2014-15 Avoid the 12 DUI Program, 2014-15 Selective Traffic Enforcement Program and approving a Fiscal Year 2014-15 Budget Amendment to appropriate those funds.

**ACTION:** It was moved by Durossette/Seconded by Ryno to approve Consent Calendar Items 1a, 2, 3 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**

4. **Resolution No. 2014-142** awarding Construction Contract for the Mitchell Road Sewer Trunk Line and Lift Station Project to Preston Pipelines, Authorize a 10% Contingency, and Authorize the City Manager to Execute the Contract.

Item pulled by Councilmember Kline for a clarification on the project.

**ACTION:** It was moved by Kline/Seconded by Lane to approve **Resolution No. 2014-142** awarding Construction Contract for the Mitchell Road Sewer Trunk Line and Lift Station Project to Preston Pipelines, Authorize a 10% Contingency, and Authorize the City Manager to Execute the Contract Motion passed by the following vote:

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

**UNFINISHED BUSINESS - None**

**PUBLIC HEARING - None**

**NEW BUSINESS**

6. **Resolution No. 2014-144** acceptance of Data Path's Technology Assessment outline deficiencies in the City of Ceres IT infrastructure.

*Mayor Vierra removed himself from the Dais.*

IT Manager, Farren Williams, presented a report to Council summarizing Data Path's report.

**ACTION:** It was moved by Kline/Seconded by Lane to approve **Resolution No. 2014-144** acceptance of Data Path’s Technology Assessment outline deficiencies in the City of Ceres IT infrastructure. Motion passed by the following vote:

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

*Mayor Vierra returned to the Dais.*

7. Safer Grant Alternate Staffing Plan Update.

Bryan Nicholes, Interim Fire Chief, presented an update on the Fire Department’s Budget and overtime usage.

Council accepted the report and instructed staff to continue with the plan.

It was moved by Durossette/Seconded by Ryno to accept the Safer Grant Alternate Staffing Plan Update and instruct staff to move forward.

**ACTION:** It was moved by Durossette/Seconded by Ryno to accept the Safer Grant Alternate Staffing Plan Update and instructed staff to move forward. Motion passed by the following vote:

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

**COUNCILMEMBER REFERRALS** – Councilmember Kline requested a Study Session to discuss hiring procedures for new hire Directors. Staff and Council chose February for the Study Session.

**REPORTS**

Council and Staff reported on various recent and upcoming events including the recently held Thanksgiving Dinner Sponsored by The Partnership for Healthy Children and held in the Community Center which served 400 families; the Grand Opening of WSS shoe store at 2:00 p.m. on December 6, 2014 and the annual Christmas Festival and opening of Christmas Tree Lane on December 6, 2014

**7:35 P.M.** Mayor Vierra adjourned the Council Meeting to Closed Session.

**CLOSED SESSION**

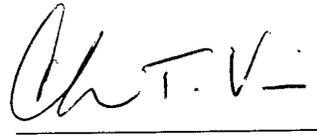
**CONFERENCE WITH LEGAL COUNCIL**

Initiation of litigation pursuant to of Section 54956.9(c) of the Government Code  
One Case

**9:15 P.M.** Following the Closed Session the City Attorney reported the action taken by the City Council in the Council Chambers:

“City Council approved in Closed Session a Legal Services Agreement with Robins Borghei, LLP for the purpose of prosecution of a civil action for damages and other appropriate relief arising from contamination of the City’s water supply.”

**9:15 P.M.** There being no further business the meeting was adjourned.

  
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Chris Vierra, Mayor

  
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Cindy Heidorn, City Clerk