

**CITY COUNCIL MEETING  
MINUTES**

**Monday, February 9, 2015**

**7:00 P.M.** Mayor Vierra called the February 9, 2015 City Council Meeting to order with the following in attendance:

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

**EXCUSED** Council Member Kline

**INVOCATION** by BillyBob Muirhead, Police Chaplain.

**PLEDGE OF ALLEGIANCE** to the flag led by Mayor Vierra.

**PRESENTATIONS**

A. Declaring February 2015 as African-American History month. The Mayor announced that this presentation is postponed until the next City Council meeting on February 23, 2015 due to Mr. Johnson not being in attendance.

**CITIZEN COMMUNICATIONS**

- Leonard Shepherd, 2841 Fowler Road, Ceres, CA  
Mr. Shepherd remarked the Ceres Police and Firemen are all hard workers and we need to continue to support them. He also is very happy with the Council's decision to separate the Fire and Police Departments, and feels that Chief Smith will turn the Ceres Police Department into the best in the county.
- Renee Ledbetter, representing Ceres Chamber of Commerce  
Mrs. Ledbetter reminded everyone of the Ceres Chamber Black Tie Charity Ball coming up on March 7, 2015. She also thanked the Council for their support of the 46<sup>th</sup> Annual Installation and Awards Dinner on January 30, 2015. It was a huge success.

**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 passed by the following vote:

**AYES:** Council Members Durossette, Lane, Ryno, Mayor Vierra

**NOES:** None

**ABSENT:** Council Member Kline

**APPOINTMENTS TO BOARDS/COMMISSIONS** - None

**CONFLICT OF INTEREST DECLARATION** – None

**CONSENT CALENDAR**

1. General Correspondence – **Information Only**
  - a. Redevelopment and Economic Development Division Monthly Report, January 2015.
2. Register of Audited Demands for period covering January 21 - January 29, 2015.
3. Waive Second Reading and adopt **Ordinance No. 2015-1024** and **Ordinance No. 2015-1025**, for two Zoning Ordinance Text Amendments (14-12 ZOTA and 14-13 ZOTA) to amend the City Zoning Ordinance to implement programs as part of the City of Ceres 2009-2014 Housing Element relating to a Second Unit Ordinance and the existing Density Bonus Ordinance.
4. Set public hearing date of February 23, 2015, for the City Council to consider two Zoning Ordinance Text Amendments (14-14 ZOTA and 14-15 ZOTA) to amend the City Zoning Ordinance to implement programs as part of the City of Ceres 2009-2014 Housing Element relating to Emergency Homeless Shelters and Reasonable Accommodations Policy and Procedure regulations.
5. **Resolution No. 2015-15** approving Amendment No. 2 to the Agreement with the Whitmore Mansion Foundation.
6. **Resolution No. 2015-16** accepting a Street Improvement Agreement with Rafael and Dolores Arellano for postponement of required sidewalks, gutters, curbs and matching pavement.
7. **Resolution No. 2015-17** awarding the construction contract for the River Bluff Park Expansion Project to Ross F. Carroll Inc., waive any bid irregularities, authorize a 10% contingency, and authorize the City Manager to execute the Contract.
8. **Resolution No. 2015-18** authorizing application to the Department of Homeland Security – Federal Emergency Management Agency Staffing for Fire and Emergency Response Grant. PULLED FOR FURTHER DISCUSSION
9. **Resolution No. 2015-19**, ratification of appointment of Brent Smith to the position of Chief of Police. PULLED FOR FURTHER DISCUSSION

**ACTION:** It was moved by Durossette/Seconded by Ryno to approve Consent Calendar Items 1a, 2, 3, 4, 5, 6 and 7 as recommended by staff. Motion passed by the following vote:

AYES: Council Members Durossette, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: Council Member Kline

**CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR**

8. **Resolution No. 2015-18** authorizing application to the Department of Homeland Security – Federal Emergency Management Agency Staffing for Fire and Emergency Response Grant.

Item pulled by Resident Leonard Shepherd to inquire if this was the application to retain the six firefighters.

**ACTION:** It was moved by Durossette/Seconded by Ryno to approve **Resolution No. 2015-18** authorizing application to the Department of Homeland Security – Federal Emergency Management Agency Staffing for Fire and Emergency Response Grant. Motion passed by the following vote:

AYES: Councilmembers Durossette, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: Council Member Kline

9. **Resolution No. 2015-19**, ratification of appointment of Brent Smith to the position of Chief of Police.

Item pulled by Resident Leonard Shepherd to commend the City Council and City Manager, Toby Wells for this decision.

**ACTION:** It was moved by Ryno/Seconded by Lane to approve **Resolution No. 2015-19**, ratification of appointment of Brent Smith to the position of Chief of Police. Motion passed by the following vote:

AYES: Councilmembers Durossette, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: Council Member Kline

**UNFINISHED BUSINESS** - None

**PUBLIC HEARING** - None

**NEW BUSINESS**

10. **Resolution No. 2015-20**, approving the Fiscal Year 2014/15 Mid-year budget Amendment returning concessions and retrospective adjustments for workers compensation and public liability insurance.

Mr. Wells provided a brief staff report explaining the budget amendment and budget status, being on track for this fiscal year.

The public hearing was opened at 7:16 p.m.

There being no comments, the public hearing was closed at 7:16 p.m.

**ACTION:** It was moved by Ryno/Seconded by Durossette to approve **Resolution No. 2015-20**, approving the Fiscal Year 2015/15 Mid-year budget Amendment returning concessions and retrospective adjustments for workers compensation and public liability insurance. Motion passed by the following vote:

AYES: Council Members Durossette, Lane, Ryno, Mayor Vierra

NOES: None

ABSENT: Council Member Kline

**COUNCILMEMBER REFERRALS** – None

## REPORTS

Mayor Vierra reported that he did attend the Chamber Installation and Awards Dinner, which was very well attended. He appreciates Mrs. Ledbetter's hard work and all that the Chamber is doing.

Mr. Wells shared several announcements:

- There are currently three vacancies on the following committees: Turlock Mosquito Abatement District, Tuolumne River Regional Park Citizens Advisory Committee and the Planning Commission. Those positions are listed on the website, and we would welcome applications of anyone who is interested in serving on these committees.
- Per the ratification of Chief Smith's contract this evening, we will be scheduling the Swearing-In Ceremony in the very near future.
- Reminder that Monday, February 16<sup>th</sup> is a holiday; City Hall will be closed.
- The Study Session topic for the meeting on Monday, February 23<sup>rd</sup> will be Transit Occupancy Tax.
- The Measure H Committee meeting has been changed from February 11<sup>th</sup> to February 25<sup>th</sup>. It will be held at 5:30 p.m. in the Council Chambers.

Mr. Westbrook announced:

- There's an RFP out for the Whitmore Ranch Specific Plan. We may be initiating some discussions about the contract through the City Council on that project.
- He and Mr. Jordan will be attending the City of Modesto City Council meeting on February 10, 2015 to hear the Modesto Planning Department's report on the Crows Landing Road Corridor.

Daryl Jordan, City Engineer provided an update on engineering projects throughout the City.

7:22 P.M. There being no further business, the City Council meeting was adjourned.

---

Chris Vierra, Mayor

---

Ann Montgomery, Acting City Clerk