

CITY COUNCIL MEETING MINUTES

Monday, April 13, 2015

7:00 P.M. Mayor Vierra called the March 23, 2015 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. Declaration of April 12-19, 2015 as National Library Week in the City of Ceres. Bryan Sontag from the Ceres Library accepted the certificate, and provided an update on the Ceres Library remodel and technology upgrade.
- B. Declaration of April 11-17, 2015 as National Dispatchers Week in the City of Ceres. Cheryl Carpenter, Support Services Supervisor, accepted the certificate.

CITIZEN COMMUNICATIONS

- Dave Pratt, 1905 Lupin Lane, Ceres, CA

Mr. Pratt spoke about the graffiti and trash along the bike path. He also announced that Ceres Post 491 Sons of American Legion will be posting the colors on Memorial Weekend Sunday during a ceremony at Santa Nella. On Memorial Day, they, along with the VFW will be hosting a ceremony at the Ceres Cemetery. They are also hoping to have a booth at the Ceres Street Faire again this year.

- Leonard Shepherd, 2841 Fowler Road #71, Ceres, CA

Mr. Shepherd shared that his Dad took him to a library when he was 5 years old, and he is still an avid reader. Libraries are essential to good, intelligent people. He also commented that Dispatchers are the greatest people in the world. In an emergency, they're a lifeline and they can help you immensely.

Mr. Shepherd also commented that Jerry Brown demands we cut back on water usage. He's seen the worst abuses of water use at governmental facilities in Sacramento. He stated that Ceres is doing a great job at conserving water and commended Interim Director of Public Works, Jeremy Damas and his department.

- Art Proctor – 2816 Malik Avenue, Ceres, CA

Mr. Proctor expressed his concern with not being able to have chickens in his yard. Many cities allow it, along with the County, but Ceres does not. He further explained the many benefits of having chickens, and asked about having the ordinance changed.

Mayor Vierra remarked that this has come up several times in the past; usual issue is noise. He's not adverse at looking at the ordinance again if the Council would like. Mr. Wells suggested that we include it in the upcoming Study Session on potential ordinance changes. Mayor Vierra advised Mr. Proctor to give his name and contact information to the Clerk, and he will be notified of the meeting.

APPROVAL OF THE MINUTES

ACTION: It was moved by Kline/Seconded by Durossette to approve the Minutes from the Study Session of January 12, 2015. Motion passed by the following vote:

- AYES:** Council Members Durossette, Kline, Ryno, Mayor Vierra
- NOES:** None
- ABSENT:** None
- ABSTAIN:** Council Member Lane

ACTION: It was moved by Durossette/Seconded by Ryno to approve the Minutes from the Regular Meeting and the Study Session of February 23, 2015. Motion passed by the following vote:

- AYES:** Council Members Durossette, Kline, Lane, Ryno, Mayor Vierra
- NOES:** None
- ABSENT:** None

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

ACTION: It was moved by Lane/Seconded by Kline to approve the Agenda as posted (or amended) and certification of posting. Motion passed by the following vote:

- AYES:** Council Members Durossette, Kline, Lane, Ryno, Mayor Vierra
- NOES:** None
- ABSENT:** None

APPOINTMENTS TO BOARDS/COMMISSIONS

Council concurrence of Mayor Vierra’s recommendation to appoint Couper Condit to the Planning Commission for the current vacancy for the remaining term to expire December 31, 2015.

7:26 P.M. Mayor Vierra opened the Public Hearing.

- Leonard Shepherd – 2841 Fowler Road, #71, Ceres, CA

Mr. Shepherd thanked Couper for his interest in serving on the Planning Commission and is very happy that a young person will be serving on the Commission.

7:26 P.M. There being no further comments, the Public Hearing was closed.

ACTION: It was moved by Lane/Seconded by Kline to approve Mayor Vierra’s appointment of Couper Condit to the Planning Commission for the remaining term to expire December 31, 2015. Motion passed by the following vote:

- AYES:** Council Members Durossette, Kline, Lane, Ryno, Mayor Vierra
- NOES:** None
- ABSENT:** None

CONFLICT OF INTEREST DECLARATION – None

CONSENT CALENDAR

1. General Correspondence – Information Only
 - a. Water Conservation Update, March 1, 2015.
 - b. Redevelopment and Economic Development Division Monthly Report, March 2015.
2. Register of Audited Demands for period covering March 18 – March 31, 2015.
3. Set Public Hearing date of April 27, 2015 for the consideration and adoption of the West Landing Specific Plan Reimbursement Fee.
4. Resolution No. 2015-38, consenting to the Inclusion of Properties within the City’s Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto. (PULLED FOR FURTHER DISCUSSION).
5. Resolution No. 2015-29, awarding the contract for the Blaker-Richland Water Main Project to Mazingo Construction, authorize a 10% contingency and authorize the City Manager to execute the contract.

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

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

NOES: None

ABSENT: None

CONSIDERATION OF ITEMS(S) REMOVED FROM THE CONSENT CALENDAR

4. **Resolution No. 2015-38**, consenting to the Inclusion of Properties within the City’s Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto.

Item pulled by Council Member Kline to comment about what an amazing program this is. It’s open to anyone who is a homeowner and is very beneficial.

7:32 P.M. Mayor Vierra opened the Public Hearing.

- Dave Pratt – 1905 Lupin Lane, Ceres, CA

Mr. Pratt stated he wishes the City had this program last year, when he put in solar panels on his home. His electric bill has been reduced substantially.

- Maggie Mejia, President of Latino Community Roundtable

Ms. Mejia remarked that the HERO Program is a corporate member of LCR. She offered to contact David Cruz to facilitate a meeting to provide more information about the HERO Program.

7:33 P.M. There being no further comments, the Public Hearing was closed.

ACTION: It was moved by Kline/Seconded by Lane to approve Resolution No. 2015-38, consenting to the Inclusion of Properties within the City's Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto. Motion passed by the following vote:

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

NOES: None

ABSENT: None

UNFINISHED BUSINESS - None

PUBLIC HEARING

6. Public Hearing to consider an amendment to the Westpointe 4 Subdivision to eliminate the affordable housing condition of approval or both the previously approved Planned Community Development Plan (04-42 PCDP) and the Vesting Tentative Subdivision Map (04-43 VTSM) entitlements for the subdivision. The amendment would affect the 80 remaining single-family lots of the subdivision.

Mr. Westbrook presented the staff report, explaining that the Planning Commission approved the proposal presented by the applicant by a 3 to 1 vote at their March 2nd meeting.

Brief discussion ensued.

7:46 P.M. Mayor Vierra opened the Public Hearing.

- Bryan Jones, North Star Engineering Group, 620 12th Street, Modesto, CA

Mr. Jones is here on behalf of the applicant. He stated his appreciation of Council's time this evening considering this request. Staff did a very nice job describing the situation and he supports staff's recommendation.

7:47 P.M. There being no further comments, the Public Hearing was closed.

Further Council discussion ensued.

ACTION: It was moved by Kline/Seconded by Ryno to approve Resolution No. 2015-40, approving an amendment to the Westpointe 4 Subdivision to eliminate the Affordable Housing Condition of Approval for the Previously Approved Planned Community Development Plan Entitlement for the Subdivision. Application No. 04-42 PCDP Westpointe 4 Amendment. O'Rite Investment 1, LLC., Applicant. Motion passed by the following vote:

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

NOES: None

ABSENT: None

ACTION: It was moved by Kline/Seconded by Ryno to approve Resolution No. 2015-41, approving an amendment to the Westpointe 4 Subdivision to eliminate the Affordable Housing Condition of Approval for the Previously Approved Vesting Tentative Subdivision Map Entitlement for the Subdivision. Application Number 04-43 VTSM Westpointe 4 Amendment, O'Rite Investment 1, LLC., Applicant. Motion passed by the following vote:

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

NOES: None

ABSENT: None

7. Review of Public Outreach and Council direction regarding Council District Boundaries changes and Public Hearing dates.

City Attorney, Tom Hallinan presented a brief staff report and introduced Doug Johnson, consultant from National Demographics Corporation.

Mr. Johnson reviewed the four draft maps that were previously presented to Council in addition to two new maps; Draft Maps 5 and 6.

Mayor Vierra inquired about the next steps in this process.

City Manager Wells explained there are three primary questions that staff is asking this evening:

- Did we do enough public outreach?
- Is Council ready to make a decision on a particular map this evening to move this process forward?
- Would Council like to set the Public Hearing for April 27th?

8:10 P.M. Mayor Vierra opened the Public Hearing.

- Maggie Mejia – President of Latino Community Roundtable

Ms. Mejia thanked the Council for moving forward with this process. She explained the success of the District Elections process in Turlock, and also offered the assistance of the LCR.

8:12 P.M. There being no further comments, the Public Hearing was closed.

Council discussion ensued.

Although the turnout was low at the two Public Forums, Council agreed there was sufficient public outreach to this point in the process.

Council decided on Draft Maps #6, #3 and #2.

8:40 P.M. Mayor Vierra opened the Public Hearing.

- Leonard Shepherd, 2841 Fowler Road, #71, Ceres, CA

Mr. Shepherd stated this has become a battle of division and reminded the Council that they took the oath of office to represent every citizen of Ceres. To be gerrymandering to fit people of a certain race is just wrong.

- Lee Brandt – 2104 Hale Aloha, Ceres, CA

Mr. Brandt remarked that he agrees with Council Member Ryno with Draft Map #6; that it divides the City into “neighborhoods.”

8:43 P.M. There being no further comments, the Public Hearing was closed.

ACTION: It was moved by Durossette/Seconded by Ryno to move forward with Draft Maps #2, #3 and #6 in the District Elections process. Motion passed by the following vote:

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

NOES: None

ABSENT: None

NEW BUSINESS - None

COUNCILMEMBER REFERRALS - None

REPORTS

Council Member Ryno asked City Manager Wells if the City has a Grants Coordinator. Mr. Wells responded that the City does not, and that he forwards grant newsletters and information onto department heads as he receives them. Council Member Ryno remarked that she asked because she sees that some cities are applying for CDBG grants to provide Code Enforcement Officers. Mr. Wells explained that Ceres is part of the consortium for CDBG, so that is not an option for Ceres.

Council Member Ryno also inquired about Prop. 84 – Cash for Grass. Mr. Wells remarked at the next City Council meeting, staff will be bringing several alternatives. Prop. 84 is a pretty significant dollar amount to be qualified for, and Ceres doesn't necessarily qualify for that particular program. However, we understand that there are more programs coming out and we'll talk more about them at the meeting on April 27th.

Council Member Ryno reminded everyone that Saturday, April 18th is Love Ceres, and encouraged those who haven't signed up for something already, to please go to the website and choose something.

City Manager Wells provided an explanation on the Governor's Executive Order on Drought. Staff will provide additional information at the next City Council meeting on April 27, 2015.

Chief Brent Smith thanked Mayor Vierra for acknowledging Dispatchers this evening.

8:51 P.M. There being no further business, the meeting was adjourned.

Chris Vierra, Mayor

Ann Montgomery, Acting City Clerk