

**CITY COUNCIL
MINUTES
REGULAR MEETING**

**CITY OF CERES, CALIFORNIA
City Council Chambers, 2701 Fourth Street
Monday, June 22, 2015 – 7:00 p.m.**

CALL TO ORDER

The City Council of the City of Ceres met this date in a regular session at 7:01 p.m. in the City Council Chambers, with Mayor Vierra presiding.

ROLL CALL

PRESENT

Mayor Vierra

Vice Mayor Durossette

Council Members: Kline, Ryno

ABSENT

Council Member: Lane

INVOCATION

Michael Brinton gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Vierra led the community in the Pledge of Allegiance.

PRESENTATIONS

A. Proclamation declaring June 2015 as Disability Awareness Month in the City of Ceres.

Mayor Vierra read the proclamation into the record and presented it to Shannon Anderson representative with the Society with Disabilities organization.

CITIZEN COMMUNICATIONS to the Council on matters not included on the agenda (five minutes).

Mayor Vierra asked for citizen comments; the following citizens spoke:

Frank Rosa property owner in the City of Ceres is requesting 6 water meters, one for each unit on his property for separate billing purposes. He is now receiving one bill which he is responsible for the charges and would like separate meters for each tenant to be responsible for cost.

Leonard Shepherd shared his concerns regarding Fireworks and the drought situation in the city and state. State and City are asking us to conserve water but we are allowing fireworks which consume usage of water.

Lee Brandt noted that he attended the Celebration of Life for Pete Peterson and commented that a great job was done by the Public Works and Police Departments.

Robert Hall commented that he has tried to contact government agencies about ADA requirements but has not had any success with this issue. He noted that you can get codes and books, but no person to help with requirements. He did mention you can pay for a professional to help comply with requirements, but no one to answer his questions.

APPOINTMENTS TO BOARDS/COMMISSIONS

None

CONFLICT OF INTEREST DECLARATION- None

None

CONSENT CALENDAR

All matters listed on the consent calendar are considered routine in nature and will be enacted by one motion. If discussion is required, that particular item will be removed from the consent calendar and will be considered separately.

Mayor Vierra noted there is no legal requirement of the City Clerk to read the Consent Calendar items into the record and would like to discontinue the reading per the advice of the City Attorney and City Clerk.

1. Clerks Report of Posting. The agenda of the regular June 22, 2015, City Council meeting was posted on June 17, 2015. (L. Frontella)
2. Waive Readings. All Readings of Ordinances and resolutions, except by title, are waived. (L.Frontella)
3. Approval of Minutes (L. Frontella)
 - a. Minutes of the June 8, 2015 Study Session Meeting
 - b. Minutes of the June 8, 2015 Regular Meeting
4. Register of Audited Demands for period covering June 3, 2015 through June 10, 2015. (S. Dean)
5. General Correspondence – **Information Only**
 - a. Public Works monthly report for May 2015. (J. Damas)
6. **Resolution No. 2015-070** approving a Lot Line Adjustment for M.D. Phipps Living Trust, the Estate of Michael D. Phipps, and Dustin and Amanda Phipps for the properties located at APN's: 039-012-009, 039-012-010, 039-012-011, 039-047-009, and 039-047-010. (T. Westbrook)
7. **Resolution No. 2015-071** awarding the Construction Contract for the 2015 Sewer Maintenance Project - Phase 2 to Mazingo Construction, Authorize a 10% contingency and authorize the City Manager to execute the contract. (D. Jordan)
8. **Resolution No. 2015-072** awarding the Construction Contract for the WWTP Support Facility to Harris Builders, Inc., authorize a 10% contingency, authorize the City Manager to execute the contract and approve a budget amendment. (D. Jordan)
9. **Resolution No. 2015-073** approving payment to Don Pedro Pump Co. for repair of the electric motor at Well 40 for the sum of \$34,134.25.

10. **Resolution No.2015-074** Awarding a One Year Contract for Professional Redevelopment & Economic Development Consulting Services to Steven Hallam and Authorize the City Manager to Execute the Contract for these Services. (T. Wells)
11. Set public hearing date of July 13, 2015, for the City Council to consider three proposed Zoning Ordinance Text Amendments (15-07 ZOTA, 15-08 ZOTA, & 15-09 ZOTA) to amend the City Zoning Ordinance to implement programs as part of the City of Ceres 2009-2014 Housing Element related to allowing residential care facility uses, employee housing, and transitional and supportive housing uses as permitted uses. (T. Westbrook)
12. **Resolution No. 2015-075** approving the Annual Report of the Ceres Downtown Revitalization Area Board (CDRAB) for the 2015/16 Fiscal year, declaring the intention to levy an annual assessment for the 2015-16 Fiscal year and setting a Public Hearing on July 27, 2015 to consider the proposed Assessment. (S. Hallam)
13. **Resolution No. 2015-076** approving a one year extension to the Retainer Consultant Services Agreements with Provost & Pritchard Consulting Group, O'Dell Engineering, Inc. GDR Engineering, Inc., and Interwest Consulting Group for General Engineering Services and Authorizing the City Manager to execute the amendments. (D. Jordan)
14. **Resolution No. 2015-077** requesting the Board of Supervisors of the County of Stanislaus to consolidate a District Municipal Election to be held on November 3, 2015, with the Statewide General Election to be held on the date pursuant to §10403 of the Election Code. (L.Frontella)
15. **Ordinance No. 2015-1029** Waive second reading and adopt Amendments to Chapter 13.18 if the Ceres Municipal Code, Storm Water Management and Discharge Control. (D. Jordan)
16. **Resolution No. 2015-078** approving a one year extension to the Retainer Consultant Services Agreement with Engeo Inc. and Kleinfelder, Inc. for Materials Testing Services and Authorizing the City Manager to Execute the Agreement. (D. Jordan)
17. **Resolution No. 2015 -079** approving a one year extension to the Retainer Consultant Services Agreement with OMNI-MEANS Engineers & Planners, and Hatch Mott MacDonald for Traffic Engineering Services, and Authorizing the City Manager to Execute the Amendment. (D. Jordan)
18. **Resolution No. 2015-080** accepting Wells 41 and 42 Drilling Project as complete, approving the balancing contract change order, authorizing the filing of the notice of completion and retention release to the contractor. (D. Jordan)
19. **Resolution No. 2015-081** authorizing staff to submit the application to the U.S. Department of Justice, Bureau of Justice Assistance for a 2015 Edward Byrne Memorial Justice

Assistance Grant (JAG). (B. Smith)

- 20. **Resolution No. 2015-082** repealing Resolution No. 2014-027 and authorizing members of the City Council and others to Author and file written arguments and setting priorities for filing written arguments regarding City Measures to be submitted to the electors for the City at the regular municipal elections to be held in said city on November 3, 2015, and directing the City Attorney to prepare impartial analyses of such Measures.

Mayor Vierra asked the community and Council if anyone wishes to pull any Consent Calendar items; the following items 3 and 12 were requested to be pulled by Council Member Ryno and heard under separate consideration.

MOTION: Motion by Vice Mayor Durossette, seconded by Council Member Ryno to approve the Consent Calendar with Items 3 & 12 being pulled and heard under separate motion. Motion passed 4/0/1 by the following vote:

AYES:	4	Council Members: Durossette, Ryno, Kline, Vierra
NOES:	0	Council Members:
ABSENT:	1	Council Member: Lane

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

- 3. Approval of Minutes (L. Frontella)
 - a. Minutes of the June 8, 2015 Study Session Meeting
 - b. Minutes of the June 8, 2015 Regular Meeting

Council Member Ryno pulled Item 3 and request summary minutes to be provided to Council. She noted she would like to see comments from Council as to their positions and votes, plus any important information.

Toby Wells, City Manager along with Lori Frontella, City Clerk concurred that Council Policies and Procedures provide action minutes. Mr. Wells will bring this item back to council for discussion of action vs. summary minutes. In the meantime, City Clerk will supply summary minutes as per the request of Council.

MOTION: Motion by Council Member Ryno, seconded by Council Member Kline to continue the minutes for June 8, 2015 Study Session and Regular meetin, to the July 13, 2015 City Council meeting for approval. Motion passed 4/0/1 by the following vote.

AYES:	4	Council Members: Ryno, Kline, Durossette, Vierra
NOES:	0	Council Members:
ABSENT:	1	Council Member: Lane

- 12. **Resolution No. 2015-075** approving the Annual Report of the Ceres Downtown Revitalization Area Board (CDRAB) for the 2015/16 Fiscal year, declaring the intention to

levy an annual assessment for the 2015-16 Fiscal year and setting a Public Hearing on July 27, 2015 to consider the proposed Assessment. (S. Hallam)

This item was pulled by Council Member Ryno for clarification of when the assessment will be submitted to county and when assessment will be considered to start assessment.

Toby Wells, City Manager noted the County requires the assessment to the roll in late August, which gives the city proper time allowance to provide to County for billing in September or October.

Mayor Vierra asked for public comments, the following citizen spoke:

Robert Hall asked if this was going to tax all property owners.

Toby Wells, City Manager noted this is for the Downtown area only and will have no effect on the general public owners.

MOTION: Motion by Council Member Ryno, seconded by Vice Mayor Durossette to approve **Resolution 2015-075**, the Annual Report of the Ceres Downtown Revitalization Area Board for the 2015-16 Fiscal year, declaring the intention to levy an annual assessment for the 2015-16 Fiscal year and setting a Public Hearing on July 27, 2015 to consider the proposed Assessment. Motion passed 4/0/1 by the following vote.

AYES:	4	Council Members: Ryno, Durossette, Kline, Vierra
NOES:	0	Council Members:
ABSENT:	1	Council Member: Lane

UNFINISHED BUSINESS - None

PUBLIC HEARING - None

NEW BUSINESS

- Resolution No. 2015-083** approving Guidelines for the Downtown Façade Improvement (DFI) Program, Authorizing the Appropriation of Funds for the Approved DFI Program in the FY 2015-16 Budget, and directing staff to proceed with the requisite steps to implement the approved DFI Program. (S. Hallam)

Steve Hallam, Redevelopment and Economic Development Manager gave a PowerPoint presentation regarding the Downtown Façade Improvement Program.

Mayor Vierra asked for public comments, the following citizens spoke.

Dave Pratt noted when driving down the highway, why should I get off the highway; nothing in the downtown to draw from. He questioned the spending of a lot of money on a façade that will not

draw people to downtown.

Renee Ledbetter, President of the Ceres Chamber of Commerce, thanked Steve for his work and providing information to businesses. She noted it's a good place to start; start slowly and promote economic development.

Leonard Shepherd noted the dilapidation of the downtown buildings. Who are the owners of these buildings that are not in good condition? The issues are inside that are the problems; what is a façade going to do if the inside is run down.

Sheila Brandt thanked staff for trying to revitalize the downtown, and feels the heart of the City is the downtown area.

MOTION: Motion by Council Member Kline, seconded by Council Member Ryno to approve **Resolution No. 2015-083** approving Guidelines for the Downtown Façade Improvement (DFI) Program, Authorizing the Appropriation of Funds for the Approved DFI Program in FY 2015-16 Budget, and Directing staff to proceed with the requisite steps to implement the approved DFI Program. Motion passed 4/0/1 by the following vote:

AYES:	4	Council Members: Kline, Ryno, Durossette, Vierra
NOES	0	Council Members:
ABSENT:	1	Council Member: Lane

22. **Resolution No. 2015-084** adopting the Comprehensive Storm Water Education and Outreach Plan for Educating the Public and the internal staff on Storm Water Pollution Prevention and Public Involvement Opportunities. (D. Jordan)

Mayor Vierra asked for public comments, hearing none; Mayor Vierra closed the public comments.

MOTION: Motion by Vice Mayor Durossette, seconded by Council Member Ryno to approve **Resolution No. 2015 084** adopting the Comprehensive Storm Water Education and Outreach Plan for Educating the Public and the internal staff on Storm Water Pollution Prevention and Public Involvement Opportunities. Motion passed 4/0/1 by the following vote:

AYES:	4	Council Members: Durossette, Ryno, Kline, Vierra
NOES	0	Council Members:
ABSENT:	1	Council Member: Lane

23. First Reading of **Ordinance No. 1031**, Amending Section 2.04.010 Chapter 1 of Title II of the Ceres Municipal Code regarding time of City Council Meetings.

Mayor Vierra asked for public comments, hearing none; Mayor Vierra closed the public comments.

MOTION: Motion by Vice Mayor Durossette, seconded by Council Member Kline to waive First Reading and introduce by Title only, **Ordinance No. 1031**, Amending Section 2.04.010 Chapter 1 of Title II of the Ceres Municipal Code regarding time of City Council Meetings. Motion passed 4/0/1 by the following vote:

AYES: 4 Council Members: Durossette, Kline, Ryno, Vierra
NOES 0 Council Members:
ABSENT: 1 Council Member: Lane

Mayor Vierra asked the Clerk to Read by Title only Ordinance No. 1031, into the record.

MOTION: Motion by Vice Mayor Durossette, seconded by Council Member Kline to approve **Ordinance No. 1031**, for adoption of First Reading and Introduction Amending Section 2.04.010 Chapter 1 of Title II of the Ceres Municipal Code regarding time of City Council Meetings. Motion passed 4/0/1 by the following vote:

AYES: 4 Council Members: Durossette, Kline, Ryno, Vierra
NOES 0 Council Members:
ABSENT: 1 Council Member: Lane

COUNCILMEMBER REFERRALS (Any Council Members that would like to have an agenda item placed on a future agenda shall make a request under this section of the agenda.)

None

REPORTS

- Mayor Vierra reported he attended the Celebration of Life for Pete Peterson; he felt he promoted advancement of employees and thanked Mr. Peterson’s family for allowing him to shape what we have here in the city. Mayor Vierra urged citizens to be safe on the 4th of July and exercise extreme caution due to the drought. He also took part in the Concerts in the Park and appreciated the Chamber for hosting this event.
- City Council – None
- City Manager - None
- City Attorney - None
- Departments - None
- County Supervisor- not in attendance

ADJOURNMENT The next regularly scheduled City Council Meeting is scheduled to be held on Monday, July 13, 2015 at 7:00 p.m. in the City Council Chambers located at 2701 Fourth Street.

There being no further business, Mayor Vierra adjourned the meeting at 8:39 p.m.

APPROVED:



Chris Vierra, Mayor

ATTEST:



Lori Frontella, MMC, Interim City Clerk