



**CITY COUNCIL MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF CERES, CALIFORNIA
City Council Chambers, 2701 Fourth Street**

Monday, July 13, 2015

CALL TO ORDER

The City Council of the City of Ceres met this date in a regular session at 7:03 p.m. in the City Council Chambers, with Mayor Vierra presiding.

ROLL CALL

PRESENT:

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

INVOCATION

Invocation was given by Craig Hunnel, Life Pointe Ministries.

PLEDGE OF ALLEGIANCE

Mayor Vierra led the community in the Pledge of Allegiance

PRESENTATIONS

- A. Presentation by Recreation Division and Declaring July 2015 as National Parks and Recreation Month. (Farris)

Mayor Vierra read the proclamation into the record and presented it to Traci Farris, Recreation Manager and Cambria Pollinger, Recreation Supervisor.

Traci Farris, Recreation Manager and Cambria Pollinger, Recreation Supervisor gave a slide show presentation of Recreation activities.

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

Mayor Vierra asked for public comments on matters not on the agenda, the following citizens spoke:

Kurt Clark with the Stanislaus Economic Development Workforce Alliance gave a short presentation of their shared services to the community. Mr. Clark invited citizens and Council to the Annual Stanislaus Innovation Challenge which will be hosted at the Ceres Community Center on October 8, 2015 from 6 to 8 p.m.

Leonard Shepherd commented that the city survived another season of the July 4th fireworks; he feels a fine would help control the illegal fireworks. He noted the Police and Fire can now rest until next year's activities.

APPOINTMENTS TO BOARDS/COMMISSIONS

- B. Council designation of a voting delegate to represent the City of Ceres at the annual League of California Cities Conference, September 30-October 2, 2015. (Frontella)

MOTION: Motion by Council Member Kline, seconded by Council Member Durossette to designate Council Member Lane as voting delegate to the League of California Cities Annual Business Meeting scheduled on Friday, September 18, 2015. Motion passed 5/0 by the following vote:

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

CONFLICT OF INTEREST DECLARATION

No conflict of interest was declared by members of the City Council.

CONSENT CALENDAR

All matters listed on the consent calendar are considered routine in nature and will be enacted by a single motion unless otherwise requested by an individual Council Member or public for special consideration. Otherwise the recommendation of staff will be accepted and acted upon by roll call vote.

Mayor Vierra asked if any Council Members or citizens would like to pull any item for discussion. Council Member Ryno requested Items 10 and 11 be pulled; these items will be heard under separate motions.

1. Clerks Report of Posting. The agenda of the regular July 13, 2015, City Council meeting was posted on July 9, 2015. (Frontella)
2. Waive Readings. All Readings of Ordinances and resolutions, except by title, are waived. (Frontella)
3. Approval of Minutes (Frontella)
 - a. Minutes of April 27, 2015 Regular City Council Meeting
 - b. Minutes of the June 22, 2015 Regular City Council Meeting
 - c. Minutes of the June 8, 2015 Regular City Council Meeting
 - d. Minutes of the June 8, 2015 Study Session Meeting
4. Register of Audited Demands for period covering June 17, 2015, through June 23, 2015 (Dean)
5. General Correspondence – **Information Only**
 - a. CIP Updates (Jordan)

b. Major Project Updates (Jordan)

- 6. **Resolution No. 2015-085** awarding the Elevator Service and Maintenance contract to Elevator Industries, Inc. and Authorize the City Manager to execute the contract. (Damas)
- 7. Second 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. (Hallinan)
- 8. **Resolution No. 2015-086**, Approving the claim of the City of Ceres to the Stanislaus Council of Governments for Non-Transit Funds and Authorizing the City Engineer to sign and submit said claim on behalf of the City of Ceres. (Jordan)
- 9. **Resolution NO. 2015-087**, accepting the construction contract for the 2015 Sewer Maintenance Project Phase 1 as complete, and releasing the retention to the contractor. (Jordan)
- 10. **Resolution No. 2015-088**, Approving contract change order 1 for the Whitmore and Smyrna Park ADA and restroom upgrade project. (Jordan)
- 11. **Resolution No. 2015-089**, awarding the contract to Sun Ridge Systems, Inc., in the amount of \$168,603 per year for a Computer Aided Dispatch (CAD) and Records Management System (RMS) software package, via a five year lease to purchase program that includes software maintenance, support, annual update fees, and authorizes the City Manager to execute the Contract. (Collins)

MOTION: Motion by Council Member Lane, seconded by Vice Mayor Durossette to approve the Consent Calendar with Items 10 and 11 being pulled and heard under separate motion. Motion passed 5/0 by the following vote:

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

NOES: Council Members:

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

- 10. **Resolution No. 2015-088**, Approving contract change order 1 for the Whitmore and Smyrna Park ADA and restroom upgrade project. (Jordan)

Council Member Ryno pulled Item 10, asking for clarification of the funds and if a deadline had to be met for expenditures of the funds. Council Member Ryno also asked if the funds can be used on other projects.

City Manager Wells noted the funds can be used on other RDA projects but feels these funds are best used on this project.

Council Member Ryno asked if there was something else we can do with these funds that would benefit the community instead of using the money for a storage facility.

City Manager Wells commented that the storage facility was directly related to the recreation storage department and functions. This project would store items during Concerts in the Park and Street Faire. Currently staff stores equipment off-site and this project will help to be more responsive.

Council Member Ryno asked if these funds could be used for playground equipment. City Manager Wells noted that the spending of this money must be within the Redevelopment district which most parks are not, plus playground equipment is very expensive and these funds would not cover those costs.

Mayor Vierra asked for public comments; seeing none, this item was brought back to Council for direction.

MOTION: Motion by Vice Mayor Durossette, seconded by Council Member Kline to approve **Resolution No. 2015-088** as presented. Motion passed 4/1 by the following vote:

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

NOES: Council Members: Ryno

11. **Resolution No. 2015-089**, awarding the contract to Sun Ridge Systems, Inc., in the amount of \$168,603 per year for a Computer Aided Dispatch (CAD) and Records Management System (RMS) software package, via a five year lease to purchase program that includes software maintenance, support, annual update fees, and authorizes the City Manager to execute the Contract. (Collins)

Council Member Ryno pulled this item to verify that the system can support the software and can the city server can support the system. Chief Smith commented that the hard drives will be replaced for adequate function. Farren Williams, IT Manager noted that the cost associated with the contract covers all hardware and software.

MOTION: Motion by Council Member Ryno, seconded by Council Member Kline to approve **Resolution No. 2015-089** as presented. Motion passed 5/0 by the following vote:

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

NOES: Council Members:

UNFINISHED BUSINESS

None

PUBLIC HEARING

12. Public Hearing to consider **Ordinance No. 2015-1032**, **Ordinance No. 2015-1033**, and **Ordinance No. 2015-1034**, for 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. (Westbrook)

Tom Westbrook, Director of Community Development gave the staff report.

After a lengthy discussion of Council the following is noted: Mayor Vierra noted that the State does not know our community and by approving these mandates would not provide the responsible development of the city.

City Manager Wells noted these definitions are mandated and denying the changes would place the Housing Element in jeopardy. He also reported that the Housing Element has been submitted to the state and denying these changes our Housing Element would not be certified.

Mayor Vierra opened the public hearing for comments in favor of or in opposition to the ordinances, the following citizens spoke.

Leonard Shepherd commented that he is in favor of denying the definitions due to the fact that we know our community better than the state; he would like to see the city have more input to state mandates.

Seeing no further comments, Mayor Vierra closed the public hearing.

MOTION: Motion by Council Member Kline, seconded by Vice Mayor Durossette to table the amendments to the ordinances, 2015-1032, 1033, 1034, indefinitely. Motion passed 5/0 by the following vote:

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

NOES: Council Members:

NEW BUSINESS

None

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.)

Vice Mayor Durossette requested the Fire Department strike team issue come back to Council with information regarding cost, and economic issues. City Manager Wells noted he will place this item on the agenda for the first City Council meeting in August.

REPORTS

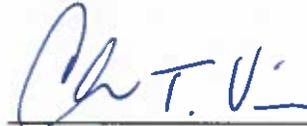
- Mayor
Mayor Vierra reported on the LAFCO meeting and the issue of Mayor Beekman being removed from that board. By a vote of 5/4, Mayor Beekman had been removed and his open seat will be replaced at a future date. Mayor Vierra noted he was a no vote, but feels each person has the right to vote any way they see fit and Mr. Beekman should not be removed due to his opinions and voting. Mayor Vierra reported that the TID agreement for the surface water project is close to being approved. This is a joint effort with other cities in the county.
- City Council

- City Manager
City Manager Wells reported that the Nomination Period for the upcoming elections is now open for two Council seats, Mayor and City Treasurer. Please call the City Clerk's Office for an appointment if interested. He also announced the Traci Farris is now the Recreation Director which goes into effect today.
- City Attorney
- Departments
Tom Westbrook, Director of Community Development noted the Planning Commission will hear the Whitmore Plaza project will be on the next agenda; this will move the project forward.
Chief Smith invited everyone to a "Swearing In of Officers" on July 20, 2015 at 5:30 p.m.
- County Supervisor

ADJOURNMENT The next regularly scheduled City Council Meeting is scheduled to be held on Monday, July 27, 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 8:22 p.m.

APPROVED:



Chris Vierra, Mayor

ATTEST:



Lori Frontella, MMC, Interim City Clerk