

# MINUTES

## REGULAR MEETING OF THE CITY COUNCIL

CITY OF CERES, CALIFORNIA  
City Council Chambers, 2701 Fourth Street

Monday, February 22, 2016 – 6:00 p.m.

Mailing Address: Ceres City Hall, 2720 Second Street, Ceres, CA 95307-3292  
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Members of the public are advised that all cellular telephones and any other communication devices are to be turned off upon entering the City Council Chambers.

### CALL TO ORDER

Mayor Vierra

### ROLL CALL

#### PRESENT:

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

ABSENT: None

### INVOCATION

Invocation was given by Chris Grigson from Valley Christian Center.

### PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Vierra.

### PRESENTATIONS

A. Presentation by the Stanislaus County Mental Health Board.

Jack Waldorf, Chairman of the Stanislaus County Mental Health Board and Annie Heinrich, Board Member gave a PowerPoint presentation that detailed the roles and responsibilities of the Board and the services provided by the Board. Terry Withrow, Stanislaus County Board Supervisor and Mental Health Board Member thanked Council for the opportunity to present the important services provided by the Board. He also thanked the City of Ceres and the other surrounding cities for working together to make healthier communities. The Board's goal is focusing on prevention and trying to get to

the root cause of the problem through the work that is done by Stanislaus County Behavioral Health.

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

Leonard Shepherd spoke regarding grass and the importance of keeping it trimmed. He stated that unkempt lawns are a fire hazard.

**APPOINTMENTS TO BOARDS/COMMISSIONS**

No items scheduled.

**CONFLICT OF INTEREST DECLARATION**

No conflict of interest declared.

**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.

1. Clerks Report of Posting. The agenda of the regular February 22, 2016, City Council meeting was posted on February 17, 2016. (Nayares-Perez)
2. Waive Readings. All Readings of Ordinances and resolutions are waived. (Nayares-Perez)
3. Approval of Minutes (Nayares-Perez)
  - a. Minutes of the February 8, 2016 Regular City Council meeting. (Vice Mayor Kline Absent)
4. Register of Audited Demands Period covering February 2, 2016 through February 10, 2016. (Dean)
5. General Correspondence – **Information Only**
  - a. Recreation Division January Monthly Report (Farris)
  - b. Public Works Department Monthly Report for January 2016 (Damas)
6. Accept the City of Ceres audited Financial Reports for the Fiscal Year Ending June 30, 2015. (Dean)
7. Accept the Measure H Annual Report on Compliance for the Fiscal Year Ending June 30, 2015. (Dean)
8. **Resolution No. 2016-018**, approving the Fiscal Year 2015-2016 Mid-Year Budget Amendment. (Dean)
9. **Resolution No. 2016-019**, approving the retirement of Ceres Police canine

"Tyson" and accepting a new, fully dual-trained police canine "Roky," acquired from the City of Tracy Police Department. (Smith)

10. **Resolution No. 2016-020**, approving an amendment to the Memorandum of Understanding (MOU) with the Turlock Groundwater Basin Association. (Damas)
11. **Resolution No. 2016-021**, accepting the Nadine Avenue CDBG (Community Development Block Grant) capital improvement project as complete, authorize the filing of the Notice of Completion, approve the Balancing Contract Change Order and retention release to the Contractor. (Jordan)
12. **Resolution No. 2016-022**, awarding the Pine Street Lift Station capital improvement project for the Pine Street Lift Station Project to Rolfe Construction, in the amount of \$634,874.00, authorize a 10% contingency of \$63,487.00 and authorize the City Manager to execute the Contract. (Jordan)
13. **Resolution No. 2016-023**, awarding the Smyrna Park Irrigation Well to Don Pedro Pump, in the amount of \$49,985.16, authorize a 10% contingency of \$4,998.50 and authorize the City Manager to execute the Contract. (Jordan)
14. **Resolution No. 2016-024**, approving the Proposed Pay Increase for Part Time Aquatics Staff. (Farris)

Mayor Vierra asked if any Council Member or citizen would like an item pulled from the Consent Calendar and be heard under separate motion.

**MOTION:** Motion by Council Member Durossette, seconded by Council Member Kline, with Council Member Kline abstaining from voting on Consent Item 3 (a), approving the Consent Calendar items as presented by the following roll call vote.

**Motion passed 5/0/0 for Consent Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.**

AYES:	5	Council Members:	Durossette, Lane, Kline, Ryno, Mayor Vierra
NOES:	0	Council Members:	None
ABSENT:	0	Council Member:	None

**Motion passed 4/0/1 for Consent Item 3 (a).**

AYES:	4	Council Members:	Durossette, Lane, Ryno, Mayor Vierra
NOES:	0	Council Members:	None
ABSTAINED:	1	Council Member:	Kline

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

None.

#### UNFINISHED BUSINESS

No items scheduled.

**PUBLIC HEARING**

No items scheduled.

**NEW BUSINESS**

No items scheduled.

**DISCUSSION ITEMS****15. Discussion of Materials used for Boarding Vacant Properties.**

Sergeant Jason Coley gave the staff report and presented a PowerPoint presentation regarding the types of materials used for boarding up vacant properties. He discussed the amount of homes board-up in Ceres, current regulations, displayed examples of plywood and polycarbonate board-ups, detailed the findings from other cities surveyed, and discussed the cost comparisons and recovery of costs.

City Manager Wells asked for direction regarding Council's interest in pursuing the option of using polycarbonate. Staff will then bring a detailed report back to Council for consideration and action.

Vice Mayor Kline asked if the cost for plywood includes paint. Sergeant Coley stated that staff will attempt to use paint they already have in stock and if the correct color is not available, then they will purchase it. City Manager Wells explained that it is a minimal cost and there are obviously other costs involved, but the comparisons listed used same for same comparisons.

Council Member Lane asked if polycarbonate could be used for the front windows and plywood for the back. Sergeant Coley responded that would be an option. However, it's their practice to always go inside the vacant homes to check inside if trespassing calls are made. Council Member Lane stated that esthetically it might look better with polycarbonate in the front and plywood in the back, especially if the cost of the installation could be recovered.

Council Member Ryno stated that her concern is esthetics and agrees with Council Member Lane and that at the very least polycarbonate should be used on the street visibility. She further stated that plywood cannot be painted, it's an eyesore and it brings the City down when you drive through and see homes in that condition. Council Member Ryno further inquired about the wood bracing used on the polycarbonate examples shown by Sergeant Coley. She also asked about the recovery time of 3-8 years referenced by Sergeant Coley.

City Manager Wells elaborated on the lien process and the average time it takes to recover the City's costs.

Council Member Ryno inquired about the establishment of a special account for board-ups. She asked as to why the recovery of costs cannot be placed in a special account, so that the next time there is a board-up it can be paid from that account instead of the General Fund.

Finance Director Dean explained that it would not be possible; due to the fact that it is a function of the General Fund and that at the end of the fiscal year any funds in that account would roll back into the General Fund due to GASB Regulations.

Sergeant Coley explained the abatement process.

A lengthy discussion amongst Council ensued regarding the use of polycarbonate on the front of the homes, the abatement process and recovery of costs, the other esthetics of the abandoned houses other than the windows, the storage of the polycarbonate and the standard sizes of the material and bracing.

Vice Mayor Kline asked Fire Department staff which material is easier to remove during a fire, polycarbonate or plywood.

Mayor Vierra asked, if anyone from the Public had any comments and the following citizens spoke.

Leonard Shepherd commented that buying polycarbonate does not make sense and that people will know if the house is abandoned. He also stated that bracing is not needed with plywood. Mr. Shepherd further stated that plywood is easier to pull off during a fire and that carcinogens are released into the air when polycarbonate burns. He does not believe it is cost effective.

Paula Redfern stated that she agrees with Council Member Lane with using polycarbonate on the front of a home. She further stated that the pictures shown did not display the polycarbonate with the bracing system. She explained that a bracing system uses carriage bolts that go into a locking system, which is not visible. She further responded to questions from the Mayor regarding the different window sizes and the availability and installation of the polycarbonate in different sizes. Ms. Redfern also discussed the vacant property registration program that other cities have.

Mayor Vierra seeing no other comments brought this item back for direction.

Council directed staff to return with a detailed discussion item for Council consideration, at which time Council will decide if this item will return for Council action.

#### **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.

No items at this time.

**REPORTS**

At this time, any Council Members or City Staff will make an announcement, or report briefly on his or her activities.

- Mayor Vierra had nothing to report.
- City Council had nothing to report.
- City Manager Wells announced that Thursday, February 25, 2016 is the Ribbon Cutting Ceremony for The Tax Problem at 1909 Mitchell Road, Suite D. Also, the Swearing In ceremony for the promotion of John Gomes to Battalion Chief and Bret Presson to Captain will be held on Thursday, February 25, 2016 at 5:30 p.m. He further reported that the Council agenda packet is now posted on the web as an interactive pdf with bookmarks and links. Adobe Acrobat Viewer is recommended to view the agenda packet and bookmarks.
- City Attorney had nothing to report.
- Departments
  - Tom Westbrook, Community Development Director reported that he will be giving a presentation to the Alliance regarding the General Plan Update on Wednesday.
  - Daryl Jordan, Director of Engineering Services reported that with the warmer weather there will be more construction projects. The bike path on Moore Road is under construction.
  - Brent Smith, Chief of Police announced that he has two tickets to the Ceres Rotary Crab Feed on Saturday, February 27, 2016 if anyone is interested in the tickets.
- Bryan Nicholes, Fire Chief reported that the Annual 2015 Fire Report was prepared and was distributed to Council. Chief Nicholes also introduced newly promoted Battalion Chief John Gomes and Captain Bret Presson.
- County Supervisor, Jim Demartini had nothing to report.
- Citizen Dave Pratt asked that drivers be aware of joggers and bike riders. He also reminded bike riders and joggers to wear reflective clothing.

**ADJOURNMENT**

The next regularly scheduled City Council Meeting is scheduled to be held on Monday, March 14, 2016 at 6:00 p.m. in the City Council Chambers located in the Community Center at 2701 Fourth Street, Ceres, CA

There being no further business, Mayor Vierra adjourned the Regular City Council meeting at 7:20 p.m. and convened in a Closed Session meeting with the below listed items being discussed.

**CLOSED SESSION – IMMEDIATELY FOLLOWING CITY COUNCIL MEETING**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8**

Property: 2624 Don Pedro Road; APN 053-013-001  
 Agency Negotiator: Toby Wells, City Manager  
 Property Negotiator: Carlos Soto-Aguilar, Broker  
 Under Negotiation: Price and terms of payment or both

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8**

Properties: 3930 El Camino Avenue; APN 053-013-010 and El Camino South of Don Pedro; APN 053-013-005

Agency Negotiator: Toby Wells, City Manager

Property Negotiator: Dirk Wyatt, Owner

Under Negotiation: Price and terms of payment or both

7:49 p.m. Reconvened to Open Session

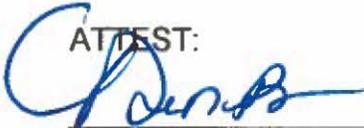
**Reports from Closed Session:** No Reportable Action.

There being no further Closed Session business, Mayor Vierra adjourned the meeting at 7:49 p.m.



Chris Vierra, Mayor

ATTEST:



Diane Nayares-Perez  
City Clerk