



MINUTES

REGULAR MEETING OF THE CITY COUNCIL

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

Monday, March 14, 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 Ira Henry, Valley View Church of the Nazarene.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Vierra

PRESENTATIONS

A. Ceres Youth Commission Update.

Traci Farris, Recreation Manager reported that the Ceres Youth Commission helped with the Halloween and Christmas festivals held last year. The Youth Commission also created Valentine's Day card for soldiers overseas. In the future, the Youth Commission

will be assisting with a park clean up and at River Bluff Regional Park and will volunteer and tour the Stanislaus County Animal Shelter in April.

B. StanCOG Transportation Expenditure Plan for the Stanislaus Region.

Kendall Flint, StanCOG Outreach Project Manager gave the presentation. She discussed the expenditure plan in detail and reviewed the survey results, the approved and proposed expenditure plans, discussed the top Ceres priorities and proposed timeline.

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

Leonard Shepherd spoke regarding the recent illegal party by teenagers at an unoccupied Ceres residence. He voiced his frustration with the lack of prosecution by the District Attorney and the behavior of the teenagers. He further stated that parents should be more vigilant with their children.

Lawrence Youhana spoke regarding the basketball court at Ryno Park near his home. He stated that a large amount of teenagers at the park are disruptive and are there late. He also stated that he has made several calls to the Police Department and City staff. He would like to know what can be done to curtail these disruptive activities. Toby Wells, City Manager discussed the adjustment to the timing of lights, increase of patrols and other changes that were made to help alleviate these types of occurrences. City Manager Wells stated that he will revisit this issue and bring a report back to Council.

APPOINTMENTS TO BOARDS/COMMISSIONS

No items scheduled.

CONFLICT OF INTEREST DECLARATION

Mayor Vierra declared a conflict of interest on Consent Item 6 and abstained from voting on Consent Item 6.

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 March 14, 2016, City Council meeting was posted on March 9, 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 22, 2016 Regular City Council meeting.

4. Register of Audited Demands for Period covering February 17, 2016 through March 2, 2016. (Dean)
5. General Correspondence – **Information Only**
 - a. Redevelopment / Economic Development Monthly Report – February 2016 (S.Hallam)

(Mayor Vierra conflict of interest)
6. **Resolution No. 2016-025**, approving a professional services contract with AECOM to perform professional planning services related to the preparation of the Whitmore Ranch Specific Plan including the creation of an Environmental Impact Report in compliance with the California Environmental Quality Act. (Westbrook)
7. **Resolution No. 2016-026**, approving the transfer of AB 109 funds into the General Fund. (Smith)
8. **Resolution No. 2016-027**, adopting resolution in Concurrence with Stanislaus County Consortium FY 2016-17 Annual Action Plan and Support of Submission to HUD. (Westbrook)
9. **Resolution No. 2016-028**, accepting the Police Department Dispatch Upgrade Project as Complete, Authorizing the Filing of the Notice of Completion and Retention Release to the Contractor. (Jordan)
10. **Resolution No. 2016-029**, approving amendment to the Joint Powers Agreement of the Stanislaus Council of Governments. (Wells)
11. **Resolution No. 2016-030**, authorization to execute a purchase and sale agreement for property located at 2624 Don Pedro Road. (Wells)

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 Kline, seconded by Council Member Ryno, approving the Consent Calendar **Items 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11**. **Motion passed 5/0**, by the following roll call vote.

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

MOTION: Motion by Council Member Lane, seconded by Council Member Durossette, approving Consent Calendar **Item 6**. Abstention by Mayor Vierra, due to a conflict of interest. **Motion passed 4/0/1**, by the following roll call vote.

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

No items to be considered.

UNFINISHED BUSINESS

No items scheduled.

PUBLIC HEARING

(Continued from the January 25, 2016 Council meeting.)

- 12. **Resolution No. 2016-009**, approving the corresponding 2015 Parks and Recreation Master Plan for the entire City of Ceres area. (Jordan)

Daryl Jordan gave a brief background regarding this item.

Mayor Vierra opened the Public Hearing. There being no public comments, the Public Hearing was closed.

Mayor Vierra brought this item back for direction and roll call vote.

MOTION: Motion by Council Member Durossette, seconded by Council Member Kline, approving **Resolution No. 2016-009**, approving the corresponding 2015 Parks and Recreation Master Plan for the entire City of Ceres area. **Motion passed 5/0/1**, by the following roll call vote.

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

NEW BUSINESS

No items scheduled.

DISCUSSION ITEMS

- 13. Discussion of Council support or opposition to pending legislation and ballot measures. (Wells)

Toby Wells, City Manager gave the report. He also reviewed the current activity at the State level. City Manager Wells asked for direction on how to proceed with legislative proposals and how to respond to the requests for support or opposition of legislation or ballot measures. City Manager Wells identified four potential options for Council consideration: 1) Complete an annual Legislative Agenda similar to the 2009 version; 2) Provide regular legislative updates through the normal City Council agenda process including specific support or opposition requests; 3) Combination of the two approaches with a more broad

based Legislative Agenda and provide more specific updates depending on the subject matter; and 4) Other approach as directed by Council.

Mayor Vierra stated that Option 3, which is providing a Legislative Agenda on an annual basis and also provide more specific updates depending on the subject matter, is a good approach. Council Member Ryno and Council Member Lane agreed.

Stephen Qualls, Central Valley Regional Public Affairs Manager for the League of California Cities, spoke regarding the League's request to support or oppose certain legislation. He also discussed the importance of responding quickly. He requested that Council have an option to allow the Mayor or City Manager to send letters to ensure a timely response. He also stated the Council has the option to respond individually and that he supports having regular legislative updates on the agenda.

Mayor Vierra stated that if a controversial issue arises, he would prefer that Council collectively be involved in the decision.

Mayor Vierra explained to the public what this discussion is about, and that it's in regards to the League's requests to support or sign on a letter regarding proposed legislation that may impact the City. Mayor Vierra also detailed what the current process is.

ACTION: Council directed that any legislative proposals be a combination of Options 1 and 2, which are: 1) Complete an annual Legislative Agenda similar to the 2009 version; and 2) Provide regular legislative updates through the normal City Council agenda process, including specific support or opposition requests approach.

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 to be considered.

REPORTS

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

- Mayor Vierra thanked Vice Mayor Kline for filling in for him at the Legislative Breakfast that was held last week.
- Council Member Durossette announced that the Ceres High School Academy will be installing solar panels on two houses in Ceres. It's the first time they will install solar panels in Ceres. So far the Ceres High School Academy has installed solar panels on 25 homes.
- Toby Wells, City Manager reported that the City applied for a grant for the River Bluff area last year. The City was notified by the State that we have passed the first level. The City will be meeting with state representatives in April and he is in the process of assembling a team to meet with them in April. He also reported that the City was notified that the grant for the Neel Park Dog Park was received and is being reviewed. State representatives will meet with City staff next week.
- City Attorney had nothing to report.

- Tom Westbrook, Director of Community Development reported that on February 24, 2016, he gave a General Plan Update presentation at the Lyons Club. There were about 60 members that participated, which allowed for a great dialog. Mr. Westbrook is hoping to have a couple more road shows in the upcoming months. He further reported that last Friday, a General Plan Update Workshop was given for the first time in Spanish. The presentation was given with the assistance of Lourdes Perez and The Ceres Partnership. There were about 40 attendees and provided a good public outreach.
- Traci Farris, Recreation Manager invited the public to attend the Artist's Spotlight on Tyler Abshier on Thursday, March 17 at 5:30 p.m. The event will be held at the Ceres Community Center and light refreshments will be served. This event will showcase the Mural he painted at the Ceres Community Center for the people of Ceres and also display his artwork.
- County Supervisor, Jim Demartini had nothing to report.

ADJOURNMENT

The next regularly scheduled City Council Meeting is scheduled to be held on Monday, March 28, 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 6:48 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: 2601 Don Pedro Road; APN 127-024-025
Agency Negotiator: Toby Wells, City Manager
Property Negotiator: Manroop, Purewal, Esq., Owner Representative
Under Negotiation: Price and terms of payment or both

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8

Properties: 3824 El Camino Avenue; APN 053-013-017
Agency Negotiator: Toby Wells, City Manager
Property Negotiator: Frances Yim Dea, Owner
Under Negotiation: Price and terms of payment or both

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8

Properties: 3836 El Camino Avenue; APN 053-013-008

Agency Negotiator: Toby Wells, City Manager
Property Negotiator: Ricardo Gill, Broker
Under Negotiation: Price and terms of payment or both

7:27 p.m. Reconvened to Open Session

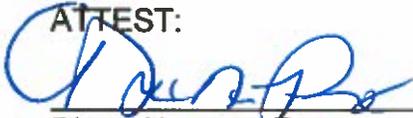
Reports from Closed Session: No Reportable Action.

There being no further Closed Session business, Mayor Vierra adjourned the meeting at 7:27 p.m.



Chris Vierra, Mayor

ATTEST:



Diane Nayares-Perez
City Clerk

RESOLUTION NO. 2016-034

**AUTHORIZING THE PURCHASE OF A NEW REPLACEMENT HARLEY
DAVIDSON MOTORCYCLE TO BE USED BY THE TRAFFIC UNIT AND
APPROVE BUDGET AMENDMENT FOR THE PURCHASE**

**THE CITY COUNCIL
City of Ceres**

WHEREAS, a Ceres Police officer was involved an automobile accident that was determined to be the full responsibility of the over driver; and,

WHEREAS, the insurance company payments from the responsible party will fund the majority of the replacement cost; and,

WHEREAS, a budget amendment as shown in Exhibit A, is necessary to appropriate the insurance payments and allocate the funds necessary to complete the purchase of the replacement motorcycle.

NOW THEREFORE BE IT HEREBY RESOLVED that the City Council of the City of Ceres does hereby authorize the purchase of a new 2016 Harley Davidson Police Motorcycle and approve the attached Budget Amendment for the purchase.

PASSED AND ADOPTED by the Ceres City Council at a regular meeting thereof held on the 28th day of March, by the following vote:

AYES: Council Members: Kline, Lane, Mayor Vierra

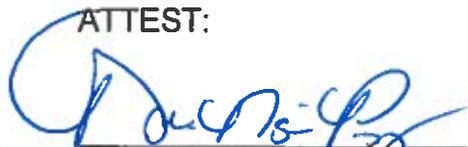
NOES: Council Members: None

ABSENT: Council Members: Durossette, Ryno



Chris Vierra, Mayor

ATTEST:



Diane Nayares-Perez, City Clerk

Exhibit "A"
Budget Amendment No.

Fiscal Year 2015 - 2016

Reference Resolution No. 2016-034, dated March 28, 2016 authorizing appropriations for the New Replacement Harley Davidson Motorcycle as follows:

Appropriations:

Fund Name	Fund No.	Dept. No.	Object No.	Appropriation Amount
New Replacement Harley Davidson Motorcycle				\$21,087.43

	Requested Appropriation	\$ 21,087.43
	2015 - 2016 Current Appropriation	+ \$
	Total Appropriation	\$

Estimated Revenues:

Fund Name	Fund No.	Type No.	Object No.	Estimated Revenue Amt.
	682			\$17,000

	Total Estimated Revenue	
	2015 - 2016 Current Estimated Revenue	
	Total Estimated Revenue	

Fiscal Impact: None