



MINUTES

REGULAR MEETING OF THE CITY COUNCIL

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

Monday, April 11, 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

The City Council of the City of Ceres met this date in a regular session at 6:00 p.m. in City Council Chambers, with Mayor Vierra presiding.

ROLL CALL

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

Mayor: Vierra

Vice Mayor: Kline

Council Members: Durossette, Lane, Ryno

INVOCATION

Invocation was given by Mark Whitehead, Chaplain.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Vierra.

PRESENTATIONS

- A. Proclamation declaring April 10-16, 2016 as National Library Week in the City of Ceres.
- B. Annual Update on the Alliance Small Business Development Center (SBDC) Services.

Kurtis Clark, Alliance SBDC Director discussed the role of the SBDC and the services it provides. The purpose of the program is to foster entrepreneurship and facilitate the development of new businesses, as well as guide new businesses for success. SBDC is a federally funded program and provides counseling services at no cost. These services are provided at four counties. Mr. Clark also discussed the outcome of the program and how it relates to the City of Ceres. During 2014-2015, 41 clients were served within the City of Ceres which resulted in 21 jobs being created. Mr. Clark also discussed new programs, one of which is the Stanislaus Micro-Enterprise Assistance Program that will provide funds to pay consultants for their services to businesses. He requested referrals from Council and the public for this program. The Entrepreneurship and Innovation is a new program that will run from July 1, 2016 through July 30, 2020. One of the goals is to develop Downtown Innovation Centers. An Innovation Center was launched in Modesto and SBDC is in discussions with Turlock and Oakdale. An Innovation Center would be possible in Ceres as well. The center creates a technology entrepreneurship community where information and opportunities are shared. Other programs were discussed; Mr. Clark distributed a flyer with the information. He also stated that Ceres will be hosting the Valley Business Forum on May 9, 2016 geared toward the Hispanic business community. He asked that Council send the names of any potential business consultants to him.

Mayor Vierra directed staff to place a link to the SBDC programs on the Ceres website.

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

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

Leonard Shepherd stated that he recently attended the Fire Department's swearing-in ceremony for the new fire fighters hired with the SAFER Grant funds. He further stated that he was proud of the Fire Department. Mr. Shepherd asked what the City's going to do to keep the new Fire Fighters hired after the Safer Grant expires. He also stated that it is important to keep the Fire Department growing, as more fire fighters are needed to staff the engines the Fire Department currently has.

Dave Pratt spoke regarding bicycle riders and pedestrians being hurt.

Sheila Brandt stated that she is ecstatic about the new businesses and eateries coming into Ceres. She also invited the public to attend the Relay for Life which will be held on Saturday, April 30, 2016 from 9 am to midnight. The Relay raises money for cancer research. She also stated that she is happy that the Ceres Street Faire parade has returned. The parade will be on Saturday, May 7, 2016.

Robert Hall stated that a property he owns on Evans Road is being affected by the tenants at the Almond Terrace Apartments. He reported that litter is thrown onto the yard and that his tenant is being threatened by the residents at Almond Terrace. The tenants at the apartment are parking on the street and littering the sidewalk and street in front of his property.

Mayor Vierra, asked Community Development Director, Tom Westbrook look into this issue for potential options.

Eileen Wyatt Stokman, announced that she is candidate for District 5 Board of Supervisors. She also thanked Ceres staff for paving the streets. She further stated that she noticed that the southward facing street name signs near Georgeann and Don Pedro are faded. City Manager Wells stated that he will look into the issue.

APPOINTMENTS TO BOARDS/COMMISSIONS

No items scheduled.

CONFLICT OF INTEREST DECLARATION

No Conflict of Interest was 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 April 11, 2016, City Council meeting was posted on March 30, 2016. (Nayares-Perez)
2. Waive Readings. All Readings of Ordinances and resolutions are waived. (Nayares-Perez)
3. Approval of Minutes (Nayares-Perez) - *Removed from Consent*
 - a. Minutes of the March 28, 2016 Regular City Council meeting. (Council Members Durossette and Ryno absent)
4. Register of Audited Demands for Period covering March 22, 2016 through March 31, 2016. (Dean)
5. ~~General Correspondence – Information Only~~
 - a. Whitmore Mansion Quarterly Update. (Wells)
 - b. California Friendly Landscape Workshop (Damas)
 - c. Implementation of MuniServices Business License Administration (Dean)
 - d. Redevelopment & Economic Development Department Monthly Report – March (Hallam)
6. **Resolution No. 2016-036**, approving a four-year lease agreement with Brocade Communications Systems, Inc. to replace fifteen network Ethernet switches; authorize the City Manager to execute the lease agreement. (Frederick)
7. **Resolution No. 2016-037**, authorizing the City Manager to execute a contract

- with Industrial Electrical Company for a Generator Preventative Maintenance Project. (Damas)
- 8. **Resolution No. 2016-038**, approving a Budget Amendment for additional funds for Well #23 Rehabilitation and Pump Replacement Project. (Damas)
- 9. **Resolution No. 2016-039**, approving a Budget Amendment to appropriate funds for Ceres share of Program Management of the Stanislaus Regional Water Authority (SRWA) for West Yost Consultants. (Damas)
- 10. **Resolution No. 2016-40**, approving a Street Improvement Agreement with Francisco and Isabel Chavez for postponement of required sidewalks, gutters, curbs and matching pavement. (Jordan)

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

Mayor Vierra pulled item 3a Minutes, to record the abstentions of Council Members Durossette and Ryno, due to their absence from the City Council meeting.

MOTION: Motion by Council Member Kline, seconded by Council Member Durossette, approving the Consent Calendar items **1, 2, 4, 5, 6, 7, 8, 9, 10** by the following roll call vote. **Motion passed 5/0/0** by the following roll call vote:

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

- 3. Approval of Minutes (Nayares-Perez)
 - a. Minutes of the March 28, 2016 Regular City Council meeting. (Council Members Durossette and Ryno absent)

MOTION: Motion by Council Member Lane, seconded by Council Member Kline to approve the minutes as presented. **Motion passed 3/0/2** by the following roll call vote:

AYES:	3	Council Members:	Kline, Lane, Mayor Vierra
NOES:	0	Council Members:	None
ABSTAINED:	2	Council Member:	Durossette and Ryno

UNFINISHED BUSINESS

No items scheduled.

PUBLIC HEARING

No items scheduled.

NEW BUSINESS

No items scheduled.

DISCUSSION ITEMS**11. Sam Ryno Park Discussion. (Wells)**

City Manager Wells gave the report. A brief history of the park and the playground concept was reviewed. The playground concept was completed in May 2015. City Manager Wells reported that with the opening of the park, it was determined that the light around the basketball court was encouraging after hours use, generating complaints from the neighbors. A timer was installed to control the lights near the court and the timer was set to turn off at 10 pm. Police patrols and Ontel Security patrols were also increased.

City Manager Wells reviewed the calls for services in 2015 and 2016 and reported that the following steps have been taken: 1. Increased Police Department Patrol; 2. Turned off the three lights nearest the basketball court; 3. Reviewed and categorized all calls for service at the Park for the past fifteen months; and 4. Planned Ontel Security increased patrols for the summer, earlier if necessary.

City Manager Wells also noted that the basketball courts in the cities of Modesto and Turlock have not been removed. He also stated that he has had discussions with the Ceres Unified School District about the possibility of having the School District open up school campus basketball courts to the public and placing double fence or double gate system to allow the public to use courts while not being able to roam onto campuses.

Council Member Lane asked if all the residents in that area were informed before the basketball hoop was placed. City Manager Wells stated that the City reached out to the residents before it was built. Council Member Lane asked about the possibility of having the basketball court fenced off when it should not be used. Council Member Lane stated that people have the right to recreate and he does not want to take that away from the kids. But understanding the issues, is there a way to fence it off and what the cost would be. City Manager Wells stated that it is possible, but a cost would be associated with it and does not have a specific cost.

Council Member Durossette liked the idea of working with the school district. He also inquired as to how many houses backup to a basketball court. He asked how many youth are using that court. He further stated it could be removed to see if any complaints are received or wait for any other alternatives.

Council Member Kline referenced Roeding Heights Park and asked how the tennis courts are operated.

Council Member Ryno stated that she agrees with Council Member Lane and would not like to see it removed, as there are many good kids that use it, but that the option of fencing it should be explored.

Mayor Vierra noted that the park is not too far away from the three full courts at Sinclair. He also stated that it would be beneficial working with the schools.

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

Leonard Sheppard stated that fencing is inexpensive and that locking it up at dusk is a great idea.

Lawrence Youhana stated that he is not trying to take the court away from the kids. However, it is not the children that are causing the issue. Adults are the ones that are misusing the park and the ones throwing litter and causing disturbances. Mr. Youhana also clarified that he had previously stated that the In-Shapes in Modesto and Turlock closed down their basketball hoops.

A lengthy discussion amongst Council ensued regarding the locking of the hoop, police priority calls, painting the curb by the hoop red, and the option of issuing citations to enforce the curfew.

Mayor Vierra stated that perhaps an interim step, increasing citations while the cost of fencing is determined should be considered.

Dave Pratt stated that it's unfortunate this has come to this.

Robert Hall stated that the curfew should be enforced and citations should be issued.

Mayor Vierra inquired as to what type of citing capabilities the City has. Chief Smith elaborated on the citation process.

Wes Stanford stated that the fencing is going to be around \$35,000. He also stated that turning lights off would be counterproductive and that turning off the lights at Berry Grove has not worked.

Ceres resident and neighbor of Mr. Youhana, stated that you can hear the noise from the basketball court late at night. He also reported that there is garbage being thrown in his back yard leaving an unpleasant smell.

~~Mayor Vierra brought this item back for direction.~~

Mayor Vierra inquired about the lighting being turned off at dusk. City Manager Wells stated that the lighting is turned off at dusk and that he would verify the lighting and determine if additional lighting needs to be turned off.

Council Member Durossette stated that he would like to find some way to lock it and if that does not solve the issue, then citations should be issued.

Mayor Vierra stated that the first course of action should be to focus on the lights.

Council Member Ryno stated that it had been reported that cell phones are being used to

light up the court.

Mayor Vierra directed staff to focus on the lights first and if that's not successful, then return to Council with additional options and an update.

12. Community Center Discussion. (Wells/Farris)

Toby Wells made the introduction and provided an overview of what will be discussed. City Manager Wells reviewed the history of the Community Center. The revenues and accounting methods were discussed. Traci Farris, Recreation Manager detailed the usage of the Community Center for 2013-2014 and 2014-2015. Ms. Farris also discussed the current rental rates and comparables. Ms. Farris stated that the Ceres fee structure is significantly lower than the comparables and local competitors. Ms. Farris reviewed the potential proposed fees increase. She noted that the fees have not been increased since the facility was opened. A small rate increase would allow the facility to still remain competitive with other local facilities. Recreation Manager Farris would like to streamline and simplify the fees so that it is easy for the customers and staff to understand. City Manager Wells reviewed the expenses associated with the Community Center which also consist of staff, janitorial and facility maintenance. He also reviewed local competitors in Ceres (Legion Hall, Whitmore Mansion, Tuolumne River Lodge and River Oaks Golf Course and Events Center). City Manager Wells also detailed the summary and staff recommendations of the report.

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

Wes Stamper asked if a rate increase is also anticipated at Legion Hall. He stated that he is concerned that if the rates are increased at the Community Center, that will cause a spillover to Legion Hall. He suggested that if the rates are increased at the Community Center, rates should be adjusted at Legion Hall.

Dave Pratt stated that if the rates are increased, someone else will take the overflow.

Mayor Vierra stated that a rate analysis should be done.

Vice Mayor Kline agreed with the Mayor and also stated that he would like to see a cost analysis and some flexibility in pricing.

City Manager Wells stated that it could be done, but it would be a policy issue, as it's a community asset and it needs to be balanced out.

A lengthy discussion amongst Council and staff ensued regarding a flexible rate schedule and the guidelines.

Renee Ledbetter, President of the Board of Directors for the Chamber of Commerce, stated that they offer prorated rates based on a prorated chart they developed and that the City could establish prorated guidelines.

Mayor Vierra stated that he would like to see what the occupancy rate is.

City Manager Wells stated that staff will analyze it and bring the rate structure and policy consideration back to Council.

Eileen Wyatt Stokman suggested contacting the Franklin and Downs and offer the facility for last minute funerals. She suggested the City establish a dialog with Franklin and Downs and other local agencies.

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

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

- Mayor – Nothing to report.
- City Council - Council Member Durossette reported that while he was in Hawaii last week, his house caught fire and he thanked the Ceres Fire Department for their quick response time and saving his home.
- City Manager – Nothing to report.
- City Attorney – Nothing to report.
- Departments –
 - Tom Westbrook, Director of Community Development reported that he recently gave a presentation at Blaker Kinser Junior High School to familiarize students with how the City operates. Council Member Kline was in attendance. Mr. Westbrook has two additional presentations scheduled. The presentations are well received by the students. Mr. Westbrook also reported that he will be providing a General Plan Update presentation on Wednesday and Thursday of this week at St. Jude's Catholic Church.
 - Jeremy Damas, Director of Public Works reported that he recently completed a project with the California Conservation Corp. He also stated that the California Conservation Corp. offers a program that helps municipalities to apply water conservation efforts. The grant paid for the labor for improvements to the roundabouts at Helen Perry and 5th Street. 1000 plants at roundabouts were added, as well as 75 yards of bark and 2200 feet of tubing. There will be more details regarding this project at the workshop that will be held in a couple of weeks.
 - Traci Farris, Recreation Manager invited the public to attend the Youth Art in Ceres event. The event will be held on Thursday, April 14th at 5:30 pm. It is an inaugural art showing of the new art wall. The frames were purchased with a donation from the Ceres Persephone Guild. The art wall will have a rotating art display, allowing students all over Ceres the opportunity to display their artwork.
- County Supervisor – Nothing to report.

ADJOURNMENT

The next regularly scheduled City Council Meeting is scheduled to be held on Monday, April 25, 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 8:02 p.m. and convened in a Closed Session meeting with the below listed items being discussed.

CLOSED SESSION – IMMEDIATELY FOLLOWING CITY COUNCIL MEETING

CONFERENCE WITH LABOR NEGOTIATOR:

(Pursuant to Section 54957.6 of the Government Code)

City Negotiator: Liebert, Cassidy, Whitmore

Employee Organization: **Miscellaneous Bargaining Unit**

Employee Organization: **First Line Supervisors/Confidential Bargaining Group**

Employee Organization: **Mid-Management Employees**

Employee Organization: **Public Safety Mid-Managers**

Employee Organization: **Ceres Professional Firefighters Association**

Employee Organization: **Ceres Police Officers Association**

9:04 pm Reconvened to Open Session

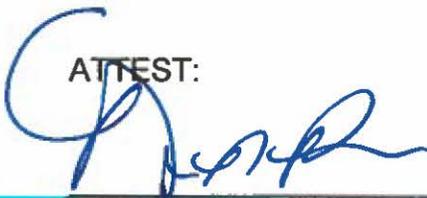
Reports from Closed Session: No Reportable Action.

There being no further Closed Session business, Mayor Vierra adjourned the meeting at 9:04 pm.



Chris Vierra, Mayor

ATTEST:



Diane Nayares-Perez
City Clerk