

**CERES CITY COUNCIL  
REGULAR MEETING MINUTES  
March 14, 2005**

**The regular meeting was called to order at 7:00 p.m. by Mayor Moore with the following in attendance.**

**PRESENT:** Vice Mayor Mantarro-Moore, Council Members Cannella, Phipps, Vierra and Mayor Moore.

**ALSO PRESENT:** City Manager Tim Kerr, City Attorney Mike Lyons, Director of Management Services Bonnie White Silveria, Director of Planning and Community Services Randy Hatch, Director of Public Works Joe Hollstein, Director of Parks, Recreation and Facilities Doug Lemcke, Director of Municipal Utilities Steve Wilson, Director of Public Safety Art de Werk, Director of Finance Sheila Cumberland and City Clerk Brenda Scudder Herbert.

**INVOCATION** was given by Pastor Dave Broyles, Ceres Christian Church.

**PLEDGE OF ALLEGIANCE** was led by Mayor Moore.

**PERSENTATIONS - None**

**APPROVAL OF THE MINUTES of the Regular meeting of February 28, 2005, M/S Phipps/Vierra to approve the minutes of February 28, 2005. Vote 4/0/1 (Moore abstaining).**

**CITIZEN COMMUNICATION**

Joanne Vega River Ranch Subdivision spoke regarding the opening at the end of the Courts in the River Ranch Subdivision. She would like to see the openings closed for safety reasons.

Albert Avila, River Ranch Subdivision also spoke regarding the openings and the need to close them off for safety reasons.

Heidi McNally-Dial, spoke regarding a grant for a joint enterprise zone designation.

**APPROVAL OF THE AGENDA AS POSTED OR AMENDED AND CERTIFICATION OF POSTING M/S Cannella/Mantarro-Moore to approve. Vote 5/0.**

**CONSENT CALENDAR – M/S Cannella/Phipps to approve 1 – 3, 5 & 6, 9 - 11. Vote 5/0.**

**1. General Correspondence – Information Only**

A. Finance Department Monthly Report for January 2005.

**2. Approval of Register of Audited Demands dated March 3, 2005.**

**3. Resolution No. 2005-34** authorizing Staff to submit an Application to the Bureau of Justice Assistance for a 2005 Justice Assistance Grant.

**4. Set the Public Hearing date of March 28, 2005, to consider the expansion of CAT services and adjust rates for Ceres Dial-A-Ride. PULLED**

5. **Resolution No. 2005-35** approving a Side Letter Agreement to the Labor Agreement between the Ceres Firefighters' Association and the City of Ceres.
6. **Resolution No. 2005-36** approving the relocation of the bus stop from 3rd Street south of Magnolia Street to the north side of Magnolia just west of 3<sup>rd</sup> Street.
7. **Pulled from the Agenda.**
8. Approval to solicit bids for the construction of a concession building and restrooms in Phase II A at Ceres Riverbluff Regional Park. **PULLED**
9. **Resolution No. 2005-37** approving a lot line adjustment for Darrell Ledbetter, and Laura M. & Ignacio Santillan.
10. **Resolution No. 2005-38** stating its intent and ordering the annexation of the Decker Parcel Map to the landscape and lighting district.
11. **Resolution No. 2005-39** accepting the subdivision improvements for Pinehurst North at Eastgate Phase II as complete, accepting the dedications and authorizing filing of the Notice of Completion.
12. Council approval to enter into contract negotiations with TID for Surface water. **PULLED.**
13. **Resolution No. 2005-40** declaring an emergency for the construction of increased security measures for the Public Safety Building and authorizing the transfer of funds.
14. **Resolution No. 2005-41** declaring certain property within the City's possession as surplus or unclaimed and ordering its sale, acquisition or distribution for the common benefit of the City.

**ITEMS PULLED**

4. Set the Public Hearing date of March 28, 2005, to consider the expansion of CAT services and adjust rates for Ceres Dial-A-Ride.

**M/S Phipps/Vierra to approve this Item. Vote 5/0.**

8. Approval to solicit bids for the construction of a concession building and restrooms in Phase II A at Ceres Riverbluff Regional Park.

**M/S Cannella/Phipps to approve with discussion regarding maintenance worker to follow. Vote 5/0.**

12. Council approval to enter into contract negotiations with TID for surface water.

**M/S Cannella/Vierra to approve this Item. Vote 5/0.**

## **OLD BUSINESS**

**15. Ordinance No. 2005-939** amending certain provisions of Chapter 3.46 of the Ceres Municipal Code relating to the Imposition of New Residential Development Service Operations Fees. **(Second Reading and Adoption)**

**M/S Mantarro-Moore/Phipps to have read by Number and Title only. Vote 5/0. M/S Mantarro-Moore/Vierra for Second Reading and Adoption. Vote 5/0.**

**16. Ordinance No. 2005-940** amending Title 9, Chapter 9.52 of the Ceres Municipal Code to add a new Section 9.52.035 Creating an Exception to the Prohibition of Certain Solicitation Activities. **(Second Reading and Adoption)**

**M/S Mantarro-Moore/Phipps to have read by Number and Title only. Vote 5/0. M/S Mantarro-Moore/Phipps to approve for Second Reading and Adoption. Vote 5/0.**

**17. Resolution No. 2005-42** amending the FY 2004-05 Budget to appropriate funds for the purchase of priority Public Safety equipment.

Commander Weber gave report on this Item. **M/S Cannella/Phipps. Vote 5/0.**

## **NEW BUSINESS**

**18. Ordinance No. 2005-941**, amending Chapter 9.36 of the Ceres Municipal Code on when heavy equipment and construction can operate. **(Introduction and First Reading)**.

Joe Hollstein gave report on this Item.

**M/S Mantarro-Moore/Phipps to have read by Number and Title only. Vote 5/0. M/S Mantarro-Moore/Phipps to approve for introduction and First Reading as amended. Vote 5/0.**

**19. Ordinance No. 2005-942**, amending the City of Ceres Municipal Code to add TITLE 19 establishing new procedures for code enforcement procedures and remedies. **(Introduction and First Reading)**.

Mike Lyons gave report on this Item.

**M/S Mantarro-Moore/Cannella to have read by Number and Title only. Vote 5/0. M/S Mantarro-Moore/Phipps to approve for Introduction and First Reading as modified. Vote 5/0.**

**20. Resolutions No. 2005-43, 2005-44, 2005-45, 2005-46, 2005-47** to consider a proposal to amend the General Plan to change the designation of a 3.97 +/- acre parcel from C-C, Community Commercial to MDR, Medium Density Residential; to amend the Westpointe Master Plan land use designation on the same parcel from C-2, Community Commercial to R-3, Medium Density Residential; and to consider the appeal of the Planning Commission's denial of a PC Development Plan and subdivision of a total of 13.03 acres into 95 residential lots, 14 of which will contain duplexes at the southwest corner of Whitmore Avenue and Malik Drive. (APN's 086-016-035 and 086-016-056). Application Numbers 04-41 GPA / 04-43 VTSM / 04-44 Westpointe Master Plan Amendment; Joe Wu, applicant.

**Council Member Cannella had a conflict and was excused from this Item.**

Nancy Brown gave report on this Item.

**M/S Mantarro-Moore/Vierra to approve Resolution No. 2005-43. Vote 4/0/1 (Cannella abstaining). M/S Phipps/Mantarro-Moore to approve Resolution No. 2005-44 and 45. Vote 4/0/1. (Cannella abstaining). M/S Phipps/Mantarro-Moore to approve Resolution No. 2005-46 and 47. Vote 4/0/1. (Cannella abstaining).**

**21. Public Hearing – final approval of Annexation No. 3 to the Community Facilities District No. 1.**

Open/Close public hearing.

- a **Resolution No. 2005-48** calling a special election.
- b Conduct election.
- c Canvass result of election.
- d **Resolution No. 2005-49** declaring the results of the special election.
- e **Resolution No. 2005-50** annexing Annexation Area No. 3 to the
- f Community Facilities District No. 1.
- g **Urgency Ordinance No. 2005-943** levy special tax within the City of Ceres Community Facilities District No. 1, Annexation Area No. 3.

Mayor Moore opened the Public Hearing.

No Public comment, Mayor Moore closed the Public Hearing and brought this Item back to the Council for a decision.

**M/S Cannella/Vierra to approve Resolution No. 2005-48. Vote 5/0.**

**M/S Cannella/Vierra to approve Resolution No. 2005-49. Vote 5/0.**

**M/S Cannella/Phipps to approve Resolution No. 2005-50. Vote 5/0.**

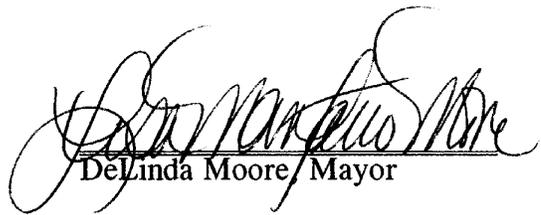
**M/S Cannella/Vierra to approve Urgency Ordinance No. 2005-943. Vote 5/0.**

## **REPORTS**

Mayor, Vice Mayor, Council Member and staff gave report on various City related activities and meetings.

**CLOSED SESSION - None**

**ADJOURNMENT** Mayor Moore adjourned the meeting at 9:31 p.m.

  
DeLinda Moore, Mayor

ATTEST:

  
Brenda Scudder Herbert, City Clerk

