

**CERES CITY COUNCIL
REGULAR MEETING MINUTES
March 28, 2005**

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

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

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 Brent Mitchell, Harvest Presbyterian Church.

PLEDGE OF ALLEGIANCE was led by Brownie Troop #404.

PRESENTATIONS

- A. Proclamation declaring March 6 – 12, 2005 Girl Scout Week and March 12, 2005 Girl Scout Day in the City of Ceres.
- B. Proclamation declaring the week of April 10 – 16, 2005 as National Telecommunicators Week in the City of Ceres.

APPROVAL OF THE MINUTES of the Regular meeting of March 14, 2005,
M/S Phipps/Cannella. Vote 4/0.

CITIZEN COMMUNICATION

Renee Ledbetter 2217 Don Pedro Road, representing Ledbetter Construction. Ledbetter Construction was told they would be in CFD #1, would like their 6th Street property to remain in CFD #1.

APPROVAL OF THE AGENDA AS POSTED OR AMENDED AND CERTIFICATION OF POSTING M/S Phipps/Vierra to approve. Vote 4/0.

CONSENT CALENDAR – M/S Cannella/Phipps to approve 1 – 10, 13 & 15, 17 - 22.
Vote 4/0.

1. General Correspondence – Information Only

- A. Treasurer's Report for the Month of January 2005.
- B. Building Division Monthly Report for February 2005.
- C. Municipal Utilities Department Monthly Report for February 2005.
- D. Public Works Department Monthly Report for February 2005.
- E. Parks, Recreation and Facilities Monthly Report for February 2005.
- F. Memo on River Ranch cul-de-sac.

2. Approval of Register of Audited Demands dated March 18, 2005.
3. **Resolution No. 2005-51** rejecting the claim for damages of Ismael Alvarado.
4. **Resolution No. 2005-52** rejecting the claim for damages of State of California Highway Patrol and its claims administrator, State Compensation Fund.
5. Set public hearing date of April 25, 2005 to consider a proposed Planned Community Master Plan (PCMP) for a mixed commercial/residential project composed of three commercial buildings totaling 20,381 square feet adjacent to Whitmore Avenue with 40 detached/attached residential units to the south with clubhouse, pool and tot lot at 1578 Whitmore Avenue. (Application No. 04-13 PCMP, Dinesh Sawhney, applicant).
6. **Resolution No. 2005-53** approving the appropriation of funds to continue the commercial water meter upgrade project.
7. **Resolution No. 2005-54** amending Resolution No. 203-234 to incorporate Government Code Section 31664.1 and amend the Enhanced Retirement Benefits Terms And Conditions to reflect the formula for Safety (Police and Fire) Employees is outlined in Government Code Section 31664.1.
8. **Resolution No. 2005-55** approving Lot Line adjustment for Lena Zipser, Ronald & Sonia L. Zipser and K. Hovanian Forecast Homes, Inc. being in the northeast quarter of Section 12, Township 4S, Range 9E, MDB & M-2007 & 2009 Faith Home Road, Ceres.
9. **Resolution No. 2005-56** accepting the Playground Equipment Installation Project as complete, authorizing the Filing of the Notice of Completion and authorizing payment to contractor, Miracle Equipment Company.
10. **Resolution No. 2005-57** accepting 2004 Playground Access Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and payment to the contractor.
11. **Resolution No. 2005-58** accepting the final map of Veranda at Eastgate Subdivision, approving the Land Division Improvement Agreement and rejecting the offer of dedication of Street Right-of-way. **PULLED – Cannella was excused due to conflict.**

M/S Phipps/Vierra to approve Resolution No. 58. Vote 3/0/1. (Cannella abstaining)

12. Resolution No. 2004-59 stating its intent and ordering the annexation of Veranda at Eastgate subdivision to the Landscape and Lighting District. **PULLED – Cannella was excused due to conflict.**

M/S Phipps/Vierra to approve Resolution No. 59. Vote 3/0/1 (Cannella abstaining)

13. Authorization to negotiate use of Developer Fees for Right of Way Acquisition for the Whitmore Overpass.

14. Resolution No. 2005-60 accepting the final map of Van Horn Phase II Subdivision, approving the Land Division Improvement, and rejecting the offer of dedication of Street Right-of-way.

15. Resolution No. 2005-61 stating its intent and ordering the annexation of Van Horn Phase II Subdivision to the Landscape and Lighting District.

16. Resolution No. 2005-62 approving the compensation for RHAA for the design work of Phase 4A of the River Bluff Regional Park. **PULLED – Phipps was excused due to conflict.**

M/S Vierra/Cannella to approve Resolution No. 2005-62. Vote 3/0/1 (Phipps abstaining).

17. Resolution No. 2005-63 approving Lot Line adjustment Lo Land Assets, LP and John W. Lewis, Gloria J. Lewis being in the northeast quarter of Section 15, Township 4S, Range 9E, MDB & M-1733 & 1747 Faith Home Road, Ceres.

18. Resolution No. 2005-64 amending the Fiscal Year 2004-05 Budget to appropriate funds for two replacement motorcycles for the Department of Public Safety.

19. Resolution No. 2005-65 approving the purchase of a rescue/tactical vehicle from Lenco Armored Vehicles as a soul source provider.

20. Resolution No. 2005-66 authorizing the purchase of one Fire Engine.

21. Authorization to fill vacant Assistant Finance Director Position.

22. Authorization to fill vacant Public Safety Dispatch Positions.

OLD BUSINESS

23. Ordinance No. 2005-941 amending Chapter 9.36 of the Ceres Municipal Code on when heavy equipment and construction can operate. **(Second Reading and Adoption)**

M/S Cannella/Phipps to have read by Number and Title only. Vote 4/0. M/S Cannella/Phipps for Second Reading and Adoption. Vote 4/0.

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

M/S Cannella/Phipps to have read by Number and Title only. Vote 4/0. M/S Cannella/Phipps to approve for Second Reading and Adoption. Vote 4/0.

NEW BUSINESS

25.Public Hearing – Resolution No. 2005-67 approving to expand the CAT fixed route bus service and to adjust the rate on Ceres Dial-a-Ride.

Joe Hollstein gave report on this Item.

Vice Mayor Mantarro-Moore opened the Public Hearing.
Steve Breckenridge, 2841 Fowler Road, asked questions regarding tax on this program. He also asked additional questions about ridership and operation fees.
Vice Mayor Mantarro-Moore closed the Public Hearing and brought it back to Council to render a decision.

M/S Phipps/Vierra to approve Resolution No. 2005-67. Vote 4/0.

26.Public Hearing – Resolution No. 2005-_____ to consider a proposal to amend the General Plan to change the designation of an approximate 0.72 acre area from Community Commercial to Medium Density Residential to allow the development of five duplexes at 1530 E. Hatch Road. (Application No. 04-46 GPA, Flying Rhino Development Inc., applicant).

Randy Hatch gave report on this Item.

Vice Mayor Mantarro-Moore opened the Public Hearing.
Bob Bradden of Bradden Engineering spoke on behalf of the applicant.
Mike Beckwith – applicant, property has been vacant almost 30 years and feels this project would fit in with the neighborhood.
Steve Breckenridge, 2841 Fowler Road, asked questions regarding neighborhood and the proximity of the other duplexes in the neighborhood.
Vice Mayor Mantarro-Moore closed the Public Hearing and brought it back to council to render a decision.

M/S Phipps/Cannella to reopen the Public Hearing and bring it back to a future Council meeting when all Council Members are present. Vote 4/0.

27.Compensation of Mayor, City Council and Planning Commissioners.

Mike Lyons gave report on this Item. No action required.

28. Consideration of fees to be charged for CFD #2.

Mike Lyons gave report on this Item.

Rene Ledbetter, Ledbetter Construction would like to be in on discussions. Staff to come back with clarification and bring back to April 25, 2005 meeting. No other action required at this time.

REPORTS

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

CLOSED SESSION - None

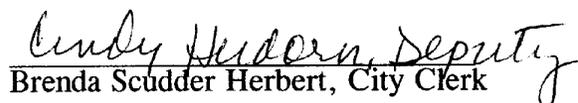
ADJOURNMENT Vice Mayor Mantarro-Moore adjourned the meeting at 9:03 p.m.



Lisa Mantarro-Moore, Vice

Mayor

ATTEST:



Brenda Scudder Herbert, City Clerk

