

**CERES CITY COUNCIL  
REGULAR MEETING MINUTES  
APRIL 10, 2006**

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

**PRESENT:** Vice Mayor Phipps, Council Members Ochoa, Vierra, Lane and Mayor Cannella.

**EXCUSED:** None

**ALSO PRESENT:** Interim City Manager Sheila Cumberland, City Attorney Mike Lyons, Director of Management Services Bonnie White Silveria, Interim Planning Director Nancy Brown, 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 and City Clerk Brenda Scudder Herbert.

**INVOCATION** was given by Pastor Craig Hunnel, Church of the Nazarene.

**PLEDGE OF ALLEGIANCE** to the flag by Mayor Cannella.

**PRESENTATIONS**

Proclamation proclaiming April 9 – 16, 2006 as “National Telecommunicator’s Week in the City of Ceres”.

**APPROVAL OF THE MINUTES OF** the Regular meeting of February 27, 2006. **M/S Lane/Vierra to approve the Minutes of the February 27, 2006 meeting. Vote 4/0/1 (Phipps abstained).**

**APPROVAL OF THE MINUTES OF** the Regular meeting of March 13, 2006. **M/S Lane Phipps to approve the Minutes of the March 13, 2006 meeting. Vote 4/0/1 (Ochoa abstained).**

**CITIZEN COMMUNICATION**

Gene Yeakley, 3904 Sweetgum, spoke regarding the street problems and people driving at an excessive speed on Don Pedro traveling towards Service Road.

Leonard Sheppard, 2841 Fowler Road, made comments regarding the garbage can vote at the last meeting.

**APPROVAL OF THE AGENDA AS POSTED OR AMENDED AND CERTIFICATION OF POSTING M/S Vierra/Lane. Vote 5/0.**

**CONFLICT OF INTEREST DECLARATION – None.**

**CONSENT CALENDAR – M/S Phipps/Vierra to approve Items 1 – 5. Vote 5/0.**

1. **General Correspondence – Information Only**
  - a. Quarterly Grant Update.
  - b. Follow-up questions to the March 1, 2006, City Council study session on Public Safety staffing projections.
  - c. Parks, Recreation and Facilities Monthly Report for February 2006.
2. **Resolution No. 2006-59** accepting the subdivision improvements for the Enclave Subdivision as complete, accepting the dedications and authorizing the filing of the Notice of Completion.
3. **Resolution No. 2006-60** accepting the Eastgate Box Culvert Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and payment to the contractor.
4. **Resolution No. 2006-61** approving Contract Change Order No. 2 for the Ceres River Bluff Regional Park – Phase 2A.
5. **Resolution No. 2006-62** directing the Director of Public Works to sign all documents, assurances and statements in regards to any and all Congestion Mitigation and air Quality Improvement Program Activities for the Federal Fiscal Years 2007-2008 and 2008-2009.

**PUBLIC HEARING**

6. Public Hearing to consider a proposal to allow the Rezone from RA, Residential Agricultural to PC, Planned Community to allow the development of 46 detached single-family homes at 1701, 1721 and 1848 Richard Way. (Application No. 05-57 RZ/PCMP, Phil Smallwood, applicant).

Nancy Brown and Tom Westbrook gave report on this Item.

Vice Mayor Phipps opened the Public Hearing.

- Pat Paul spoke on behalf of the project.
- Del Thompson, 1721 Richard Way, current property owner purchased the property for his retirement and the time has come. When he purchased the property, it was in the county, it is now a part of the city and has been deemed a blight area by the RDA.
- Greg Bradford an Associate of Mr. Bosi made comments regarding affordable housing.
- Bruce Bosi, developer of project made comments regarding his project.

- Todd Wright, 1655 Gene Road, spoke in favor of project, has lived in area for many years is looking forward to improvements.
- Vic Lopez was a tenant of Mr. Thompson, feels this is a good project and would like to see it approved.
- Patty Wood, Real Estate Broker also owns property near by and would like to develop her property in a similar way.
- Dennis Sperry, designer of project spoke in favor of project.
- Carol Wilson, 1701 Gene Road, loves the area and likes looking up and down the street and seeing everything, 46 homes is too much.
- Mike Wilson, 1701 Gene, lives on a ¼ acre parcel feels that it is to many homes on the property asked about what would keep people from purchasing as rental units.
- Pam Thornberry, spoke against project and presented petition to Council.
- Leonard Sheppard, made comments regarding police, fire, ambulances and teachers.
- Geralyn Sales, lives across the street from project is against the project.
- Yvonne Shewgart, spoke against the project.
- Robert Hall 1809 Richard Way, spoke on behalf of his mother, he is against the project.
- Keith Simmons spoke against project.
- Ken Thornberry, is against high density.

Mayor Cannella closed the Public Hearing.

**Resolution No. 2006-63** approving a Negative Declaration for a Rezone/Planned Community Master Plan of 4.57 +/- acres from RA, Residential Agriculture to PC, Planned Community to allow the development of 46 detached single family homes, (Application Number 05-57 RZ/PCMP, Phil Stanwood, applicant) **M/S Vierra/Ochoa to approve this Item. Vote 5/0.**

**Ordinance No. 2006-953 Introduction and First Reading** for a proposed Rezone/Planned Community Master Plan of 4.57 +/- acres in two locations from RA, Residential Agriculture to PC, Planned Community to allow the development of 46 detached single-family homes at 1701, 1721 and 1848 Richard Way (Application No. 05-57 RZ/PCMP, Phil Stanwood applicant).

**M/S Vierra/Cannella to have Ordinance No. 2006-953 read by Number and Title only. Vote 5/0. M/S Vierra/Ochoa to approve Ordinance No. 2006-953 for Introduction and First Reading with additional conditions. Vote 3/2 (Lane and Phipps No).**

**OLD BUSINESS**

8. **Ordinance No. 2006-952** amending certain sections of the Ceres Municipal Code to allow for the prorating of service charges for municipal utility accounts. **Second Reading and Adoption.**

**M/S Phipps/Lane to have Ordinance No. 2006-952 read by Number and Title only. Vote 5/0. M/S Phipps/Lane to approve Ordinance No. 2006-952 for Second Reading and Adoption. Vote 5/0.**

**REPORTS**

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

**ADJOURNMENT** Mayor Cannella adjourned the meeting at 10:15 p.m.

  
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Anthony Cannella, Mayor

ATTEST:

  
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Brenda Scudder Herbert, City Clerk