

**CERES CITY COUNCIL
REGULAR MEETING MINUTES**

April 9, 2007

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

PRESENT: Council Members Lane, Ochoa, Phipps, Vierra, Mayor Cannella

INVOCATION by Pastor Dave Broyles, Ceres Christian Church.

PLEDGE OF ALLEGIANCE to the flag led by Mayor Cannella.

PRESENTATIONS

- A. Proclamation proclaiming April 27, 2007 Arbor Day in the City of Ceres.
Mayor Cannella presented Doug Lemcke, Director of Parks, Recreation and Facilities with a proclamation for Arbor Day 2007.
- B. Presentation to the Hispanic Leadership Council for their generous contribution to the Virginia Parks Elementary School Outdoor Education Program.
Mayor Cannella presented representatives from the Hispanic Leadership Council with a plaque and thanked them for supporting the Outdoor Education Program in Ceres elementary schools.
- C. Chamber of Commerce Quarterly Report. Wanda Malik, Ceres Chamber of Commerce.
Item Continued to the Meeting of April 23, 2007 at the request of the Chamber of Commerce.

APPROVAL OF THE MINUTES of the regular meeting of January 8, 2007.

MOTION: Approve the minutes of the regular meeting of January 8, 2007.
MOVED: Moved by Phipps/seconded by Lane
VOTE: Motion passed unanimously. **(5/0)**

APPROVAL OF THE MINUTES of the regular meeting of February 12, 2007.

MOTION: Approve the minutes of the regular meeting of February 12, 2007 as recommended by staff.
MOVED: Moved by Lane/seconded by Phipps
VOTE: Motion passed with Councilmember Vierra abstaining. **(4/0/1)**

APPROVAL OF THE MINUTES of the City/District Meeting of March 20, 2007.

MOTION: Approve the of the City/District Meeting of March 20, 2007 as recommended by staff.
MOVED: Moved by Vierra/seconded by Phipps
VOTE: Motion passed with Councilmember Lane abstaining. **(4/0/1)**

CITIZEN COMMUNICATIONS

Len Shepherd, resident, spoke regarding a recent visit by Senator Barbara Boxer to the TRRP Gateway Project. Mr. Shepherd commended the Hispanic Youth Leadership Council members from Ceres that attended the event.

Burl Condit, resident, requested a copy of the traffic studies done at the intersections of Morgan/Hackett Rd. and Morgan/Aristocrat. Mr. Condit also urged Council to re-examine their policy on trenching stating that many of the roads that have been trenched are not being refilled properly.

Council responded that they would be discussing utility cuts in an upcoming study session.

Robert Stanford, Modesto resident, requested that Council consider adopting an ordinance similar to the Prohibition Against Underage Drinking and Social Host Liability Ordinance recently adopted by the City of Modesto.

Council responded that they would schedule a discussion for a future study session.

APPROVAL OF AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING

MOTION: Approve the agenda and certification of posting as recommended by staff.
MOVED: Moved by Vierra/seconded by Phipps
VOTE: Motion passed unanimously. (5/0)

CONFLICT OF INTEREST DECLARATION – Mayor Cannella declared a conflict with Items #5 and #6 stating that his firm has done work on both projects. Councilmember Phipps declared a conflict with Item #3 stating that he works within 300 feet of the project.

CONSENT CALENDAR

1. Register of Audited Demands dated March 22, March 28 and March 30, 2007.
2. **Resolution No. 2007-70** approving the Street Improvement Agreement between the City of Ceres and Makhan Singh for the project at the southeast corner of Mitchell Road and Service Road, authorizing the City Manager to execute said agreement and amending the FY 2006/07 Budget to allocate funds.
3. **Resolution No. 2007-71** approving a settlement with the Modesto Adventist Academy to resolve an outstanding obligation arising from the temporary use of property and facilities for Fire Station No. 1 and amending the 2006/07 Budget to appropriate funds.
4. **Resolution No. 2007-72** approving Contract Change Order No. 6 for the Blaker Reservoir Project to install the Manganese and Arsenic Treatment System for the Blaker Road Well.
5. **Resolution No. 2007-73** accepting the River Bluff Regional Park Phase 4A Project as complete, approve the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and payment to contractor. ***Pulled for conflict of interest.***

6. **Resolution No. 2007-74** accepting the subdivision improvements for the Norwood Heights Subdivision as complete, accepting the dedications and authorizing filing of the Notice of Completion. ***Pulled for conflict of interest.***
7. **Resolution No. 2007-75** approving Mayoral appointment of Keith Howes to the Airport Advisory Committee.
8. **Resolution No. 2007-76** authorization for the City Manager to sign the requisition to purchase four police cars.
9. **Resolution No. 2007-77** approving Amendment No. 1 to the employment agreement with Brad L. Kilger, City Manager.
10. **Resolution No. 2007-78** approving an increase to the wage for City of Ceres Soccer Officials.

MOTION: Approve Consent Calendar Items 1-4 and 7-10 as recommended by staff.

MOVED: Moved by Vierra/seconded by Lane

VOTE: Motion passed unanimously. (5/0)

ITEMS PULLED FROM THE CONSENT CALENDAR

5. **Resolution No. 2007-73** accepting the River Bluff Regional Park Phase 4A Project as complete, approve the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and payment to contractor. ***Pulled for conflict of interest.***

MOTION: Approve **Resolution No. 2007-73** accepting the River Bluff Regional Park Phase 4A Project as complete, approve the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and payment to contractor.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: Motion passed with Councilmember Phipps and Mayor Cannella abstaining. (3/0/2)

6. **Resolution No. 2007-74** accepting the subdivision improvements for the Norwood Heights Subdivision as complete, accepting the dedications and authorizing filing of the Notice of Completion. ***Pulled for conflict of interest.***

MOTION: Approve Resolution No. 2007-74 accepting the subdivision improvements for the Norwood Heights Subdivision as complete, accepting the dedications and authorizing filing of the Notice of Completion.

MOVED: Moved by Lane/seconded by Vierra

VOTE: Motion passed with Mayor Cannella abstaining. (4/0/1)

NEW BUSINESS

11. **Resolution No. 2007-79** approving a list of comparable cities to be used by Johnson & Associates for the classification and compensation study.

Keith Howes, Human Resources Manager gave a brief introduction of the item.

City Council Minutes

MOTION: Approve **Resolution No. 2007-79** approving a list of comparable cities to be used by Johnson & Associates for the classification and compensation study.

MOVED: Moved by Vierra/seconded by Lane

VOTE: Motion passed unanimously. **(5/0)**

REPORTS

Councilmembers and City Staff reported on various recent activities including Councilmember Lane's report on LAFCO and the upcoming Arbor Day event at Adkison School on April 12, 2007.

7:33 p.m. – Mayor Cannella convened the Council Meeting to Closed Session.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

City Negotiator: Public Law Group

Employee Organization: Ceres Department of Public Safety, Firefighters Association *Pursuant to Gov't. Code Section 54957.6*

8:34 p.m. – The meeting reconvened in open session with nothing to report.

There being no further business, Mayor Cannella adjourned the City Council meeting at 8:34 p.m. to the StanCOG Community Blue Print Meeting to be held Thursday, April 12, 2007, at 6:30 p.m. in the City Council Chambers located at 2210 Magnolia Street.



Anthony Cannella, Mayor

ATTEST:



Cindy Heidorn, CMC
Deputy City Clerk