

CERES CITY COUNCIL MINUTES
July 9, 2007

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 Vierra, Ochoa, Lane and Mayor Cannella.

INVOCATION was given by Reverend Greg Hunnel, Valley View Church of the Nazarene.

PLEDGE OF ALLEGIANCE was led by Mayor Cannella.

PRESENTATIONS

A. Proclamation Proclaiming August 7, 2007 as National Night Out in the City of Ceres.

B. Proclamation Proclaiming July 2007 Parks and Recreation Month in the City of Ceres.

APPROVAL OF THE MINUTES of the regular meeting of June 25, 2007. M/S Lane/Phipps to approve. **Vote 4/0/1 (Vierra abstained).**

CITIZEN COMMUNICATION

Leonard Sheppard, 2841 Fowler Road, complimented the Council on having the best Fire Department there is.

APPROVAL OF THE AGENDA AS POSTED OR AMENDED AND CERTIFICATION OF POSTING M/S Phipps/Vierra to approve the Agenda as posted. **Vote 5/0.**

CONFLICT OF INTEREST DECLARATION – Item #14 Vice Mayor Phipps had conflict.

CONSENT CALENDAR – M/S Vierra/Phipps to approve 1 – 3, 6, 8 - 10. **Vote 5/0.**

1. **General Correspondence – Information Only**
 - a. Public Safety Police Division 1st quarter report for 2007.
2. Register of Audited Demands dated June 22 – 29, 2007.
3. **Resolution No. 2007-137** approving the 2010 Western State Police and Fire Games to conduct soccer games at the Ceres River Bluff Regional Park.
4. **PULLED - Resolution No. 2007-138** approving a contract with Thomas A. Farr for Water Wasting Appeal Hearing Services.

M/S Phipps/Lane to approve Resolution No. 2007-138. Vote 5/0.

5. **PULLED Resolution No. 2007-139** approving a contract renewal with Donald R. Reynolds for Administrative Appeal Hearing Services.

M/S Phipps/Lane to approve Resolution No. 2007-139. Vote 5/0.

6. **Resolution No. 2007-140** approving the North Ceres Sewer Service Area Agreement with the City of Modesto.
7. **PULLED Resolution No. 2007-141** approving an agreement for Professional Consultant Services with Nashville-McLintock Transportation & Consulting Services, Inc. to perform transcription services for the Ceres Department of Public Safety.
M/S Phipps/Lane to approve Resolution No. 2007-141. Vote 5/0.
8. **Resolution No. 2007-142** rejecting the bid for the Crows Landing Well Drilling Project.
9. **Resolution No. 2007-143** of the City Council of the City of Ceres Ordering the Levy and Collection of Special Taxes within the Community Facilities District No. 1 within the City of Ceres.
10. **Resolution No. 2007-144** of the City of Council of the City of Ceres Ordering the Levy and Collection of special Taxes within the Community Facilities District No. 2 within the City of Ceres.
11. **PULLED** Council approval of Change Order No. 1 for Fire Station No. 4.
M/S Phipps/Vierra to approve the Change Order No. 1 for Fire Station No. 4. Vote 5/0.

UNFINISHED BUSINESS

12. Waiver of second reading and adoption of **Ordinance No. 2007-973** amending Title 9 of the Ceres Municipal Code to prohibit underage drinking and assess liability for those who knowingly host gatherings where minors consume alcohol.

Robert Stanford made comments regarding this Ordinance.

Leonard Sheppard 2841 Fowler Road, he and Steve have concerns with the language and provisions.

Notice received to request a continuance on this Item to the Council meeting of August 13, 2007. M/S Vierra/Lane. Vote 3/2 (Phipps/Ochoa No).

PUBLIC HEARING

13. Public Hearing on Intention to Annex Annexation Area No. 6 to the City of Ceres, Community Facilities District No. 1 (Public Services).

Barry Siebe, gave report on this Item.

Mayor Cannella opened the Public Hearing, no Public comment Mayor Cannella closed the Public Hearing and brought it back to the Council for their decisions.

Resolution No. 2007-145 Calling a Special Election within the City of Ceres Community Facilities District No. 1 (Public Services) – Annexation Area No. 6.
M/S Phipps/Vierra to approve Resolution No. 2007-145. Vote 5/0.

Resolution No. 2007-146 Declaring Results of Special Election and Directing Recording of Amendment to Notice of Special Tax Lien.

M/S Phipps/Vierra to approve Resolution No. 2007-146. Vote 5/0.

Resolution No. 2007-147 Annexing Area No. 6 to the Community Facilities District No. 1 (Public Services) of the City of Ceres and Authorizing the Levy of a Special Tax Within Annexation Area No. 6.

M/S Phipps/Ochoa to approve Resolution No. 2007-147. Vote 5/0.

Ordinance No. 2007-974 Levying Special Taxes within the City of Ceres Community Facilities District No. 1 (Public Services) – Annexation Area No. 6.

M/S Phipps/Ochoa to approve Ordinance No. 2007-974. Vote 5/0.

14. Public Hearing to consider the appeal of a Planning Commission decision to deny a Conditional Use Permit Amendment 04-36, a proposal to modify elevation treatment for buildings within a previously approved business center, located in the 1300 block of Mitchell Road. Applicant is Ceres Commerce Center.

Kenneth Craig gave report on this Item.

Mayor Cannella opened the Public Hearing.

Jim Daniels spoke on behalf of the project.

Mayor Cannella closed the Public Hearing and brought it back to the Council for a decision. **Due to a conflict, Vice Mayor Phipps was excused from this Item.**

M/S Cannella/Vierra to go with option No. 1 – Pop outs only on Mitchell Road side, no Trellis's and nothing to be done with inside buildings. Vote 4/0/1 (Phipps abstaining).

15. Council Support of the "No Vale La Pena" (It's Not Worth It) a Community Methamphetamine Crime Prevention Project.

Enrique Perez gave report on this Item. The movie trailer was shown to the Council.

M/S Cannella/Vierra to have Council Member Ochoa represent Ceres. Vote 5/0.

16. Council designation of a voting delegate and alternates to represent the City of Ceres at the Annual League of California Cities Conference, September 5 – 8, 2007.

City Manager Brad Kilger made comments regarding this Item. **M/S Cannella/Phipps to have Council Member Lane be the delegate. Vote 5/0. M/S Lane/Phipps to have Mayor Cannella be the alternate. Vote 5/0.**

17. **Resolution No. 2007-148** approving the guidelines between the City of Ceres affiliations with Ceres Youth Sports Organizations.

Doug Lemcke gave report on this Item. **M/S Ochoa/Vierra to approve Resolution No. 2007-148. Vote 5/0.**

REPORTS

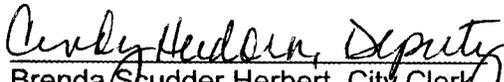
Mayor Cannella, Vice Mayor Phipps, Council Members and staff gave report on various. City related issues.

ADJOURNMENT Mayor Cannella adjourned the meeting at 8:53 p.m.



Anthony Cannella, Mayor

ATTEST:



Brenda Scudder Herbert, City Clerk