

CITY COUNCIL MEETING MINUTES

July 23, 2007

Mayor Cannella called the regular City Council Meeting of July 23, 2007 to order at 7:00 p.m. with the following in attendance:

ROLL CALL 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.

APPROVAL OF THE MINUTES of the regular meeting of March 12 and May 14, 2007.

MOTION: Approve the minutes of the regular meeting of March 12 and May 14, 2007.
MOVED: Moved by Lane/seconded by Vierra
VOTE: Motion passed unanimously **(5/0)**

APPROVAL OF THE MINUTES of the regular meeting of June 11, 2007.

MOTION: Approve the minutes of the regular meeting of June 11, 2007.
MOVED: Moved by Lane/seconded by Vierra
VOTE: Motion passed with Councilmember Phipps abstaining. **(4/0/1)**

CITIZEN COMMUNICATIONS

- Steve Breckenridge, resident, voiced his opposition for the five-minute time limit for public comments. Mr. Breckenridge also requested a copy of the results of the survey conducted for the public safety revenue measure.
- Don Donaldson, resident, expressed his frustration with the Ceres Youth Basketball Program. Mayor Canella suggested a meeting with Mr. Donaldson, Mayor Cannella, and City Manager, Brad Kilger to discuss the issue.

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

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

APPOINTMENTS TO BOARDS/COMMISSIONS - None

CONFLICT OF INTEREST DECLARATION - Vice Mayor Phipps declared a conflict with Item No. 8 stating that his place of residence is within 300 feet of the project.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Municipal Utilities Monthly report for May & June, 2007. **Pulled for further discussion.**
 - b. Public Works Monthly report for May, 2007.
 - c. Parks, Recreation & Facilities Monthly Report for April & May, 2007.
 - d. Quarterly Grant Update for April – June, 2007.
2. Register of Audited Demands for period covering July 2 - 13, 2007.
3. **Resolution No. 2007-149** setting Terms and Conditions of Employment for the members of the Ceres Police Officers' Association. **Pulled by Mr. Breckenridge for staff report.**
4. Set Public Hearing date of August 13, 2007 for extension of the moratorium on the conversion of multiple family rental housing to condominiums, community apartments or stock cooperatives. **Pulled by Mr. Breckenridge for staff report.**
5. **Resolution No. 2007-150** accepting the Richard Way Improvement Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention to the contractor. **Pulled by Mr. Breckenridge for staff report.**
6. **Resolution No. 2007-151** accepting the Subdivision Improvements for the San Pedro North Unit No. 1 Subdivision as Complete, Accepting the Dedications and Authorizing Filing of a Notice of Completion. **Pulled by Mr. Breckenridge for staff report.**
7. **Resolution No. 2007-152** accepting the Subdivision Improvements for San Pedro Colony Subdivision as complete, accepting the Dedications and authorizing filing of a Notice of Completion. **Pulled by Mr. Breckenridge for staff report.**
8. **Resolution No. 2007-153** approving the appeal filed by Innovative Structures thereby reversing the Planning Commission decision to deny Conditional Use Permit Amendment 04-36, and conditionally approving a proposal to modify elevation treatment for buildings within a previously approved business center, located in the 1300 block of Mitchell Road. **Pulled due to conflict of interest.**
9. **Resolution No. 2007-154** rejecting the claim for damages of Amanda Daniels. **Pulled by Mr. Breckenridge for staff report.**
10. **Resolution No. 2007-155** authorizing payment to Advanced Building Cleaners, Inc. for street sweeping services for the months of July, August, September and October, 2007. **Pulled by Mr. Breckenridge for staff report.**

MOTION: Approve Consent Calendar Items 1b – 1d, and 2 as recommended by staff
MOVED: Moved by Vierra/seconded by Phipps
VOTE: Motion passed unanimously. (5/0)

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

- 1a. Municipal Utilities Monthly report for May & June, 2007.

Mayor Cannella asked for further explanation on the item listed in the report as "80 man hours spent on C.I.P. Water Meter Installation.

Steve Wilson, Municipal Utilities Director, stated that the 80 man hours was for the replacement of commercial meters.

MOTION: Approve Consent Calendar Items 1a as recommended by staff

MOVED: Moved by Vierra/seconded by Phipps

VOTE: Motion passed unanimously. (5/0)

3. **Resolution No. 2007-149** setting Terms and Conditions of Employment for the members of the Ceres Police Officers' Association.

Brad Kilger, City Manager, gave a brief staff report.

Mayor Cannella asked for public comment.

The following spoke in opposition to the salary increase:

- Steve Breckenridge, resident
- Don Donaldson, resident

MOTION: Approve **Resolution No. 2007-149** setting Terms and Conditions of Employment for the members of the Ceres Police Officers' Association.

MOVED: Moved by Lane/seconded by Vierra

VOTE: Motion passed unanimously. (5/0)

4. Set Public Hearing date of August 13, 2007 for extension of the moratorium on the conversion of multiple family rental housing to condominiums, community apartments or stock cooperatives.

Brad Kilger, City Manager, gave a brief staff report.

MOTION: Set Public Hearing date of August 13, 2007 for extension of the moratorium on the conversion of multiple family rental housing to condominiums, community apartments or stock cooperatives.

MOVED: Moved by Phipps/seconded by Vierra

VOTE: Motion passed unanimously. (5/0)

5. **Resolution No. 2007-150** accepting the Richard Way Improvement Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention to the contractor.

Brad Kilger, City Manager, gave a brief staff report.

MOTION: Approve **Resolution No. 2007-150** accepting the Richard Way Improvement Project as complete, approving the Balancing Contract Change Order, authorizing the filing of the Notice of Completion and retention to the contractor.

MOVED: Moved by Phipps/seconded by Vierra

VOTE: Motion passed unanimously. (5/0)

6. **Resolution No. 2007-151** accepting the Subdivision Improvements for the San Pedro North Unit No. 1 Subdivision as Complete, Accepting the Dedications and Authorizing Filing of a Notice of Completion.

Brad Kilger, City Manager, gave a brief staff report.

MOTION: **Resolution No. 2007-151** accepting the Subdivision Improvements for the San Pedro North Unit No. 1 Subdivision as Complete, Accepting the Dedications and Authorizing Filing of a Notice of Completion.

MOVED: Moved by Vierra/seconded by Ochoa

VOTE: Motion passed unanimously. (5/0)

7. **Resolution No. 2007-152** accepting the Subdivision Improvements for San Pedro Colony Subdivision as complete, accepting the Dedications and authorizing filing of a Notice of Completion.

Brad Kilger, City Manager, gave a brief staff report.

MOTION: Approve **Resolution No. 2007-152** accepting the Subdivision Improvements for San Pedro Colony Subdivision as complete, accepting the Dedications and authorizing filing of a Notice of Completion.

MOVED: Moved by Phipps/seconded by Vierra

VOTE: Motion passed unanimously. (5/0)

8. **Resolution No. 2007-153** approving the appeal filed by Innovative Structures thereby reversing the Planning Commission decision to deny Conditional Use Permit Amendment 04-36, and conditionally approving a proposal to modify elevation treatment for buildings within a previously approved business center, located in the 1300 block of Mitchell Road.

Steve Breckenridge, resident, asked if the modification was in conformation with the Mitchell Road Corridor Specific Plan.

Mayor Cannella responded that it was in conformance with the Mitchell Road Corridor Specific Plan.

MOTION: Approve **Resolution No. 2007-153** approving the appeal filed by Innovative Structures thereby reversing the Planning Commission decision to deny Conditional Use Permit Amendment 04-36, and conditionally approving a proposal to modify elevation treatment for buildings within a previously approved business center, located in the 1300 block of Mitchell Road.

MOVED: Moved by Vierra/seconded by Ochoa

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

9. **Resolution No. 2007-154** rejecting the claim for damages of Amanda Daniels.

Brad Kilger, City Manager, gave a brief staff report.

MOTION: Approve **Resolution No. 2007-154** rejecting the claim for damages of Amanda Daniels.

MOVED: Moved by Phipps/seconded by Vierra

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

10. **Resolution No. 2007-155** authorizing payment to Advanced Building Cleaners, Inc. for street sweeping services for the months of July, August, September and October, 2007.

Brad Kilger, City Manager, gave a brief staff report.

MOTION: Approve **Resolution No. 2007-155** authorizing payment to Advanced Building Cleaners, Inc. for street sweeping services for the months of July, August, September and October, 2007.

MOVED: Moved by Phipps/seconded by Vierra

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

UNFINISHED BUSINESS

11. **Protest Hearing** to the proposed increased amount of they FY 2007/08 assessment for the 1987 Landscape and Lighting District. Approval of **Resolution No. 2007-156** setting the fees for the 1987 Landscape and Lighting District for Fiscal Year beginning July 1, 2007.

Joe Hollstein, City Engineer, gave a brief overview of the item.

7:34 p.m. Mayor Cannella opened the protest hearing.

7:35 p.m. There being no one wishing to speak, the protest hearing was closed.

Mayor Cannella asked the Clerk to state how many protests were received.

Cindy Heidorn, Deputy City Clerk, responded that No protests had been received.

MOTION: Approval of **Resolution No. 2007-156** setting the fees for the 1987 Landscape and Lighting District for Fiscal Year beginning July 1, 2007.

MOVED: Moved by Phipps/seconded by Lane

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

12. **Resolution No. 2007-157** certifying compliance with Proposition 218 for the 1987 Landscaping and Lighting District for FY beginning July 1, 2007.

Joe Hollstein, City Engineer, gave a brief staff report.

MOTION: Approval of **Resolution No. 2007-157** certifying compliance with Proposition 218 for the 1987 Landscaping and Lighting District for FY beginning July 1, 2007.

MOVED: Moved by Phipps/seconded by Lane

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

COUNCILMEMBER REFERRALS

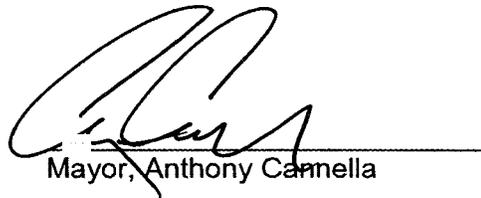
Mayor Cannella requested that the County Supervisors be added to the Report section of the agenda.

REPORTS

Councilmembers and City Staff reported on various recent meetings they attended including National Night Out on August 7, 2007 and a community hot dog dinner at Strawberry Fields.

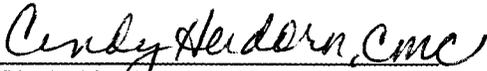
Supervisor Jim DeMartini reported that the County is currently working on an amendment to the General Plan to include an Agriculture Element, to mitigate the loss of farm land.

There being no further business, the Council Meeting was adjourned at 7:47 p.m. to the Special City Council Meeting to be held on July 24, 2007 at 5:30 p.m. in the City Council Chambers, 2210 Magnolia Street.



Mayor, Anthony Cannella

ATTEST:



Cindy Heidorn, CMC
Deputy City Clerk