CERES CITY COUNCIL MINUTES
August 13, 2007

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

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

EXCUSED: Vice Mayor Phipps

INVOCATION was given by Pastor Dave Broyles, Ceres Christian Church.

PLEDGE OF ALLEGIANCE was led by Mayor Cannella.

PRESENTATIONS

A. Chamber of Commerce Quarterly Report for 2nd Quarter, 2007. Chamber Chairperson Wanda Malik gave presentation to Council.

APPROVAL OF THE MINUTES of the regular meeting of July 23rd and the Special Meeting of July 24, 2007. **M/S Lane/Ochoa to approve the minutes. Vote 4/0.**

CITIZEN COMMUNICATION

Leonard Shepherd, 2841 Fowler Road, asked for a list of the survey questions which were asked by the Lew Edwards Group regarding the possibility of a Public Safety ½ cent sales tax.

Mr. Kilger, City Manager, responded that staff is working on a formal response.

APPROVAL OF THE AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING   **M/S Vierra/Lane to approve the Agenda as posted. Vote 4/0.**

CONFLICT OF INTEREST DECLARATION – None

CONSENT CALENDAR

1. General Correspondence – **Information Only**
   a. Nolte's Quarterly Report. **PULLED FOR FURTHER DISCUSSION**
      M/S Lane/Vierra to continue this Item to the meeting of August 27, 2007. Vote 4/0.

7:19 Mayor Cannella recessed the Council meeting for a short break

7:24 p.m. Mayor Cannella reconvened the Council meeting.

1. General Correspondence – **(Cont.)**

   b. Public Works Monthly Report for June, 2007. **PULLED FOR FURTHER DISCUSSION.**

   Joe Hollstein, consultant, gave a brief overview of the Public Works activities for June, 2007. **M/S Lane/Vierra to approve the monthly report. Vote 4/0.**

2. Register of Audited Demands dated July 23 – August 2, 2007. **PULLED FOR FURTHER DISCUSSION.   M/S Lane/Vierra to approve this Item. Vote 4/0.**

3. **Resolution No. 2007-159** accepting the Blaker Road Reservoir Project as Complete, authorizing the filing of the Notice of Completion and Retention Release to the Contractor. **PULLED FOR FURTHER DISCUSSION.   M/S Vierra/Ochoa to approve Resolution No. 2007-159. Vote 4/0.**

UNFINISHED BUSINESS

4. **Resolution No. 2007-160** amending the annual appropriations of the City of Ceres for FY 2007/08 and rescinding the spending limit of $5,784, 118 for all funds for the months of July and August, 2007.

   M/S Vierra/Lane to approve Resolution No. 2007-160. Vote 4/0.

5. 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.

   Those speaking in favor of the ordinance:
   • Robert Stanford, Modesto
   • Don Donaldson, resident

   Those speaking against the ordinance:
   • Len Shepherd, resident
   • Steve Breckenridge, resident

   Item died for lack of a Motion. City Attorney is going to move forward with removing the fines and make it a misdemeanor that could send it to jury trial.

PUBLIC HEARING

6. **Ordinance No. 2007-975** extending the moratorium on the conversion of multiple family rental housing to condominiums, community apartments or stock cooperatives. **(First Reading and Adoption).**

M/S Vierra/Lane to approve for First Reading and Adoption. Vote 4.0.

NEW BUSINESS

7. **Resolution No. 2007-161** approving an addendum to the contract with Creative Outdoor Landscape for additional right-of-way landscaping and amending the FY 2007-08 Budget to appropriate funds.

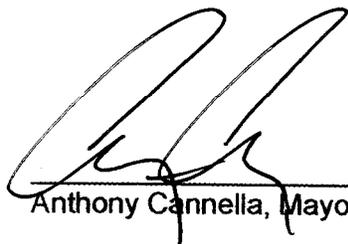   **M/S Lane/Vierra to approve Resolution No. 2007-161. Vote 4/0.**

8. **Resolution No. 2007-162** approving a contract with RRM Design Group for bid and construction assistance for the Community Center.

   M/S Vierra/Lane to approve Resolution No. 2006-162. Vote 4/0.

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

There being no further business, Mayor Cannella adjourned the meeting at 8:53 p.m.

Anthony Cannella, Mayor

ATTEST:

Brenda Scudder Herbert, City Clerk