

CITY COUNCIL MINUTES
September 10, 2007

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

ROLL CALL: Council Members Vierra, Ochoa, Vice Mayor Phipps and Mayor Cannella.

EXCUSED: Councilmember Lane

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

PLEDGE OF ALLEGIANCE was led by Mayor Cannella.

PRESENTATIONS

- A. Proclamation Proclaiming September 2007, as National Preparedness Month in the City of Ceres.

CITIZEN COMMUNICATION

- David Brenay, representing DBM Wholesale Towing, spoke regarding an inherited problem he is experiencing. He is currently on the City's tow rotation list however his business location does not meet the requirements of the new tow ordinance. He has been looking for a new location but is unable to find something to accommodate his needs.
- Sgt. Alan McKay made comments regarding this issue he is now out of compliance by 800 feet outside the City Limits.
- Leonard Sheppard, resident, reminded everyone about September 11th and that police and fire lost hundreds of brothers and sisters on that day. He also made comments regarding the foam pop-outs on Mitchell Road.
- Steve Breckenridge, resident, asked questions regarding the time limits set by the Council for communication.

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

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

M/S Phipps/Vierra to approve Items 1 & 2 on the Consent Calendar. Vote 4/0.

1. Register of Audited Demands for period covering August 21 – 31, 2007.
2. Set Public Hearing Date of September 24, 2007 for review and approval of the Consolidated Annual Performance and Evaluation Report (CAPER) relating to FY 2006-2007 Community Development Block Grant and Emergency Shelter Grant.
3. **PULLED** Set Public Hearing date of September 24, 2007 to consider the proposed Small Lot Design Guidelines.
M/S Phipps/Vierra to approve this Item. Vote 4/0.
4. **PULLED Resolution No. 2007-179** authorizing acceptance of the State of California, Office of Traffic Safety Selective Traffic Enforcement Program (STEP) Grant for FY 2007/2008 Budget to appropriate funds.
M/S Phipps/Ochoa to approve Resolution No. 2007-179. Vote 4/0.
5. **PULLED Resolution No. 180** authorizing application to and acceptance of the State of California Office of Traffic Safety Sobriety Checkpoint Program Grant for FY 2007 and amending the FY 2007-2008 Budget to appropriate funds.
M/S Phipps/Vierra to approve Resolution No. 2008-180. Vote 4/0.

PUBLIC HEARING

6. **Resolution No. 2007-181** establishing the wastewater capacity charges for the North Ceres Sewer Service Area.

City Attorney Mike Lyons gave report on this Item.

Mayor Cannella opened the Public Hearing.

Mike Kline, resident, had questions regarding billing and reimbursements.

Steve Breckenridge, resident, had questions about determination.

Mayor Cannella closed the Public Hearing and brought it back to the Council for a decision.

M/S Vierra/Ochoa to approve Resolution No. 2007-181. Vote 4/0.

7. **Resolution No. 2007-182** appeal to Planning Commission approval of an amendment to a Planned Community Development Plan to construct a residential care facility at 1628 Nadine Avenue.

Planning Manager, Barry Seibe, gave report on this Item.

Mayor Cannella opened the Public Hearing.

Lonny Davis, representing the residential care facility at 1628 Nadine Ave., made comments regarding the staff report.

Randy Combs, Project Engineer, made comments regarding offsite improvements and Bond issues.

Steve Breckenridge, resident, made comments regarding Senior Housing.

Mayor Cannella closed the Public Hearing and brought it back to the Council for a decision.

M/S Phipps/Vierra to approve Resolution No. 2007-182 with amendments as recommended by staff. Vote 4/0.

NEW BUSINESS

- 8. Resolution No. 2007-183** amending permit application and renewal fees for towing operators and attendants in the Ceres Rotation Tow Program.

Commander Mike Borges gave report on this Item.

Vern Morris owner of Del Tow had questions regarding this item.

M/S Ochoa/Phipps to approve Resolution No. 2007-183. Vote 4/0.

- 9. Ordinance No. 2007-977** amending Chapter 9.50 of the Ceres Municipal Code to add a new section 9.50.070 establishing park opening and closing times. **Introduction and First Reading.**

City Attorney Mike Lyons gave report on this Item.

Leonard Sheppard, made comments regarding the need to create new laws, does not feel Ceres needs another crime or law.

Steve Breckenridge would like to see the City attack the lawless not the liberties.

M/S Phipps/Vierra to table this Item. Vote 4/0.

- 10. Resolution No. 2007-184** approving a three year contract with Ceres Youth Soccer Organization for use of soccer fields at Ceres River Bluff Regional Park.

Ceres Youth Soccer Representative gave positive report on their relationship with the City.

M/S Vierra/Ochoa to approve Resolution No. 2007-184. Vote 4/0.

REPORTS

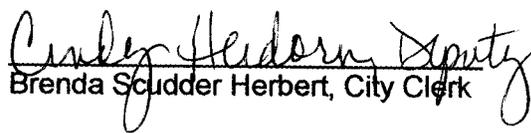
Mayor Cannella, Council Members, staff and Supervisor DeMartini gave report on various issues.

ADJOURNMENT Mayor Cannella adjourned the meeting at 9:28 p.m.



Anthony Cannella, Mayor

ATTEST:



Brenda Scudder Herbert, City Clerk