

**CITY COUNCIL
MINUTES**

March 24, 2008

Mayor Cannella called the regular meeting of the City Council to order at 7:00 p.m. with the following in attendance:

ROLL CALL Council Members Durossette, Lane, Ochoa, Mayor Cannella

EXCUSED: Vice Mayor Vierra

INVOCATION by Pastor Dave Broyles, Ceres Christian Church.

PLEDGE OF ALLEGIANCE to the flag led by Mayor Cannella.

PRESENTATIONS

A. Ceres Youth Commission monthly report.

Kevin Fliflet, President of the Ceres Youth Commission, gave a brief report on the activities of the Youth Commission including a collaborative meeting held with the Turlock Youth Commission, Whitmore Park clean-up day and the Ceres Street Fair.

B. Steve Qualls, representative for the Central Valley Division of the League of California Cities gave a brief legislative update including SB375, Prop 98 and the Solar & Clean Energy Act. He also announced the Division Dinner on March 27, 2008.

C. Brad Kilger, City Manager, introduced Bryan Briggs, the new Economic Development/Redevelopment Manager.

APPROVAL OF THE MINUTES of the regular meeting of March 10, 2008.

MOTION: Approve the regular meeting minutes of March 10, 2008 as recommended by staff.

MOVED: Moved by Durossette/seconded by Ochoa

VOTE: **Motion passed with Vice Mayor Vierra absent and Councilmember Lane abstaining. (3/0/2)**

CITIZEN COMMUNICATIONS

A. Len Shepherd, resident, commented that he was pleased to see the progress being made on the new community center and encouraged everyone to use their local library.

B. Don Donaldson, representing Ceres Youth Basketball reported to Council that the season was over. The Don Pedro – Westport team was the winner. Mr. Donaldson further reported that he donated a total of 237 hours to the program this year.

C. Kim Campbell, representing the Ceres Library, reported to Council that the new children's librarian, Ann Marie Montgomery, is now on staff.

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

MOTION: Approve the agenda as amended and certification of posting.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: **Motion passed with Vice Mayor Vierra absent. (4/0/1)**

APPOINTMENTS TO BOARDS/COMMISSIONS - None

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Administrative Services Monthly Report for February, 2008.
 - b. Public Works Department Monthly Report for February, 2008.
 - c. Engineering Division Monthly Report for February, 2008.
 - d. Building Department Monthly Report for February, 2008.
 - e. Recreation Department Monthly Report for February, 2008.
2. Register of Audited Demands for period covering March 6 through March 22, 2008.
3. Waiver of second reading and adoption of **Ordinance No. 2008-983** amending Section 3.04.090 of Chapter 3.04, Title 3 of the Ceres Municipal Code to expand the exceptions to the competitive bidding process for purchases of supplies, services, furnishings and equipment.
4. **Resolution No. 2008-32** authorizing an application to the Department of Homeland Security for a 2008 Assistance to Firefighters Grant.
5. **Resolution No. 2008-33** approving a project plan for Proposition 1B – Local Streets & Roads Improvement, Congestion Relief and Traffic Safety Account funds and Fiscal Year 2007/08 Budget Amendment to appropriate those funds. **Pulled for further discussion.**
6. **Resolution No. 2008-34** authorizing the destruction of certain obsolete Administrative Records in the Office of the City Clerk. **Pulled for further discussion.**
7. Set Public Hearing date of April 14, 2008 to consider a proposed Rezone/Planned Community Master Plan to allow the development of a 30-unit senior housing project located at 2732 5th Street.
8. **Resolution No. 2008-35** approving a Local Traffic Improvement Road Maintenance Program Expenditure Plan for the Countywide Transportation Financial Expenditure Plan. **Pulled for further discussion.**

MOTION: Approve Consent Calendar Items 1a-e, 2-4 and 7 as recommended by staff.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: **Motion passed with Vice Mayor Vierra absent. (4/0/1)**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

5. **Resolution No. 2008-33** approving a project plan for Proposition 1B – Local Streets & Roads Improvement, Congestion Relief and Traffic Safety Account funds and Fiscal Year 2007/08 Budget Amendment to appropriate those funds.

Mayor Cannella asked if the traffic Study had been done at Blaker and Service Roads.

Brad Kilger, City Manager, confirmed that the traffic study at Blaker and Service Roads had been completed.

MOTION: Resolution No. 2008-33 approving a project plan for Proposition 1B – Local Streets & Roads Improvement, Congestion Relief and Traffic Safety Account funds and Fiscal Year 2007/08 Budget Amendment to appropriate those funds.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: Motion passed with Vice Mayor Vierra absent. (4/0/1)

6. **Resolution No. 2008-34** authorizing the destruction of certain obsolete Administrative Records in the Office of the City Clerk.

Don Donaldson, representing Ceres Youth Basketball, asked Council for guidance on how long he should keep the records for his basketball program and the proper way to dispose of the records.

Mike Lyons, City Attorney, responded that Mr. Donaldson should speak to an accountant to find out what might be appropriate. The City does not regulate the records retention for non-profit organizations.

MOTION: Resolution No. 2008-34 authorizing the destruction of certain obsolete Administrative Records in the Office of the City Clerk.

MOVED: Moved by Durossette/seconded by Lane

VOTE: Motion passed with Vice Mayor Vierra absent. (4/0/1)

9. **Resolution No. 2008-35** approving a Local Traffic Improvement Road Maintenance Program Expenditure Plan for the Countywide Transportation Financial Expenditure Plan.

Brad Kilger, City Manager, presented a brief staff report to Council. Mr. Kilger stated that on January 28, 2008 Council adopted Resolution No. 2008-12 approving, in concept, a Countywide Transportation Financial Expenditure Plan. The Council adopted the resolution in response to a request from the StanCOG Policy Board to ascertain the feasibility of placing a measure on the November 2008 ballot to approve a ½ cent Transportation Sales Tax. A preliminary 20-year expenditure plan was drafted by city, County and StanCOG staff. In summary the program as proposed would generate \$700,000,000.00. The funding is to be split 50-50 to local road maintenance and regional projects, respectively referred to as the Local Traffic Improvement and Road Maintenance (LTIRM) and Capital Corridor Improvements (CCI) programs.

The regional component would have three “corridor” projects. Ceres was in the Central Corridor, its allocation at the time was \$117,000,000.00. It also specifically allocates \$31,000,000 for the Service/Mitchell Interchange. The expenditure plan formulas would have no bearing on the distribution of other transportation dollars, such as STIP. Cities will compete for those funds per the traditional processes.

The item before Council tonight is to deal with the Local Traffic Improvement and Road Maintenance Program Expenditure Plan which includes capital projects as well as maintenance projects. We are still in the formative stages of the expenditure plan. Before it can go on the ballot, all the various documentation necessary to put it on the ballot must be finalized, legal as well as environmental and fiscal. A final ballot measure and expenditure plan will be brought back to the Council for your endorsement before it can move forward.

The projects identified on the City's recommended local share expenditure plan have been taken from the City's adopted Capital Improvement Plan. No specific timeframes have been given as it is understood that the cities need to retain flexibility on delivery of projects based on availability of matching funding and local priorities. If it is determined that funding may need to be shifted between projects or alternative projects built, then an amendment of the plan can be requested from the StanCOG Policy Board.

Mayor Cannella asked that 2.5% of the Flexible Project Funding set aside for Transit and Sidewalks be allocated for Seniors and disabled citizens to help subsidize Dial-A-Ride and other services.

Supervisor DeMartini stated that he felt the additional funding for Dial-A-Ride was not necessary unless the City has an absolute demonstrated need for additional funding.

Mr. Kilger stated that he felt that there was a need in Ceres relative to future growth.

After further discussion, Council made the following motion:

MOTION: Resolution No. 2008-35 approving a Local Traffic Improvement Road Maintenance Program Expenditure Plan for the Countywide Transportation Financial Expenditure Plan *with the amendment of 2.5% allocated for seniors and disabled citizens.*

MOVED: Moved by Lane/seconded by Ochoa

VOTE: Motion passed with Vice Mayor Vierra absent. (4/0/1)

UNFINISHED BUSINESS – None

PUBLIC HEARING – None

NEW BUSINESS

10. Resolution No. 2008-37 approving the mid-year budget adjustment for FY 2007/08.

Sarah Ragsdale, Finance Director, presented the staff report stating that in spite of softening revenues and uncertain economic trends, staff is confident that the City's General Fund reserves will remain strong and adequate. Our sales tax base is more limited to basic services and home process did not increase at the same level as in other cities. In comparison to other cities, although Ceres' revenue base is smaller, it is more stable. With this mid-year adjustment proposal, staff has taken a conservative approach in estimating revenues and proposes that our limited resources continue to be used for projects and programs that provide essential services and position staff to meet the needs of the community as the economy recovers.

Council expressed some concern that the City's reserves were going to be depleted over the next few years to cover some costs.

Mr. Kilger, City Manager, stated that we are in better shape overall than most cities in California but we may have to reconsider if we will be able to do everything that we planned to do in the next few years or do we need to pull back on some of those projects.

MOTION: Resolution No. 2008-37 approving the mid-year budget adjustment for FY 2007/08.

MOVED: Moved by Ochoa/seconded by Durossette

VOTE: Motion passed with Vice Mayor Vierra absent. (4/0/1)

11. **Resolution No. 2008-38** awarding the Ceres Transit Services Contract to Storer Transit System.

Kay Dunkel, Administrative Program Analyst, presented the staff report. Ms. Dunkel stated that staff recommends that the Ceres City Council adopt a resolution awarding the Ceres Transit Services contract to Storer Transit Systems for a five year period. Ceres Transit services consist of Ceres Dial-A-Ride and Ceres Area Transit, a fixed route bus service. Ceres transit system services the Ceres area and the immediate surrounding area. The City currently contracts with Storer Transit Systems to provide all facilities and personnel to operate CDAR and CAT.

The transit contracts for the City of Ceres, City of Modesto and Stanislaus County are about to expire. The three transit agencies sought bids to operate their transit systems. Staff worked with the City of Modesto's and Stanislaus County's staff on a Request for Proposal in an effort to obtain the best service for the lowest price.

Only Storer Transit Systems submitted proposals to operate the three transit systems. Bids were not received from any other contract provider. Storer is proposing to provide six new 2008 sixteen passenger and two wheelchair position buses for the Ceres Transit operation. Ceres will continue to supply two 2004 CNG buses and one older diesel bus through a sublease agreement. Ceres is working with StanCOG in obtaining Proposition 1B funds to purchase another CNG bus.

Funding for the transit service will primarily come from the California Transportation Development Act's Local Transportation Funds (LTF). Revenue from the sale of transit passes and transfers must pay for 10% of the costs.

The current Ceres transit contract is about to end. Storer Transit Systems has done a good job in providing transit services in Ceres. They have an excellent vehicle maintenance record. If Council approves the contract, it will become effective July 1, 2008.

Mayor Cannella questioned why only one provider submitted a bid.

Ms. Dunkel responded that Storer has been providing paratransit services in the area since 1981 and have a very good reputation. Ms. Dunkel felt that other transportation companies did not feel they could bid competitively against Storer.

Councilmember Durossette asked if a five-year contract was the norm for the industry.

Ms. Dunkel responded that it was the norm.

After further discussion, Council made the following motion:

MOTION: Resolution No. 2008-38 awarding the Ceres Transit Services Contract to Storer Transit System.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: Motion passed with Vice Mayor Vierra absent. (4/0/1)

8:11 p.m. Mayor Cannella adjourned the City Council Meeting to the Redevelopment Agency Meeting.

8:13 p.m. Mayor Cannella reconvened the City Council Meeting.

COUNCILMEMBER REFERRALS - None

REPORTS

Supervisor DeMartini gave Council an update of the Animal Shelter and encouraged the City to support the County's request for funding for the much needed improvements to the current facilities.

8:20 p.m. Mayor Cannella adjourned the meeting to closed session.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

City Negotiator: Public Law Group

Employee Organization: Ceres Department of Public Safety Firefighter's Association

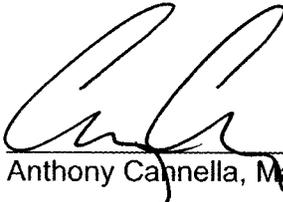
Employee Organization: Ceres Police Officers' Association

Employee Organization: Mid-Management Employees

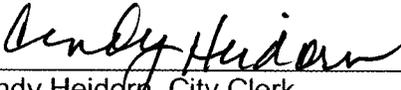
Pursuant to Gov't. Code Section 54957.6

Mayor Cannella reconvened the City Council Meeting at 9:30 p.m. with nothing to report.

There being no further business, Mayor Cannella adjourned the meeting at 9:30 p.m.



Anthony Cannella, Mayor



Cindy Heiddon, City Clerk