

CITY COUNCIL MINUTES
September 22, 2008

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

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

INVOCATION by Pastor Mark Whitehead, Victory Assembly of God

PLEDGE OF ALLEGIANCE to the flag led by Mayor Cannella.

PRESENTATIONS

- A. Proclamation declaring September 15 – October 15, 2008 as National Hispanic Heritage Month. Councilmember Guillermo Ochoa presented the proclamation to Mr. Dale Butler and Mr. Balbino Rosare, representing the Hispanic Leadership Council.
- B. Proclamation declaring September, 2008, as National Preparedness Month. Mayor Cannella presented the proclamation. Mr. Dale Butler, representing Latino Emergency Communications, stressed the importance of emergency preparedness and thanked Council for their recognition.
- C. Measure H Committee Presentation to Bertolotti Disposal. Mayor Cannella made a brief statement on the advancements made to date since the passing of the 1/2 cent sales tax measure last year. The revenue generated from Measure H has funded nine public safety personnel with an additional hire on the way. Kathi Foster and Kim Chapman representing the "Keep Ceres Safe" Committee, presented a plaque to Bert Bertolotti and Steve Holloway for their generous contribution to the committee.

CITIZEN COMMUNICATIONS – None.

APPROVAL OF AGENDA AS POSTED AND CERTIFICATION OF POSTING

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

MOVED: Moved by Lane/seconded by Vierra

VOTE: Motion passed unanimously. (5/0)

APPOINTMENTS TO BOARDS/COMMISSIONS - None

CONFLICT OF INTEREST DECLARATION - None

CONSENT CALENDAR

- 1. General Correspondence – **Information Only**
 - a. Administrative Services Monthly Report for August, 2008.
 - b. Public Works Monthly Report for August 2008.
 - c. Monthly Legislative Tracking Report.
 - d. Engineering Division Monthly Report for August, 2008.
- 2. Register of Audited Demands for period covering August 29 – September 11, 2008.

3. Set Public Hearing date of October 13, 2008 to consider adoption of the Turlock Groundwater Basin Association Groundwater Management Plan.
4. **Resolution No. 2008-131** approving Amendment No. 1 to the Standard Agreement for Professional Consultant Services with EKI and amending the FY 2008/09 Budget.
5. **Resolution No. 2008-132** Implementation of Live Scan Fingerprinting Fee for the General Public.
6. **Resolution No. 2008-133** recommending that the County Board of Supervisors approve request by the City of Newman, Waterford, Patterson and Hughson to expand the boundaries of the Enterprise Zone by 778.5 acres and submit all necessary documentation to the State of California Department of Housing and Community Development.
7. **Resolution No. 2008-134** approving the agreement with the Ceres Police Officers' Association amending the Memorandum of Understanding between the City and the Association.
8. **Resolution No. 2008-135** approving Amendment No. 1 to the Consultant Services Agreement with Pacific Municipal Consultants for Public Facility Fees Study in the amount of \$19,250.00. **Pulled by Council Member Lane for a separate vote.**
9. **Resolution No. 2008-136** authorizing the purchase of a Compressed Natural Gas Bus for use in the Ceres Transit System and amending the FY 2008/09 Budget to appropriate additional funds for said purchase.
10. **Resolution No. 2008-137** approving Amendment No. 1 to the Professional Services Agreement with Gray-Bowen and Company, Inc.

MOTION: Approve Consent Calendar Items 1a-1d, 2-7, 9 and 10 as recommended by Staff.

MOVED: Moved by Lane/seconded by Ochoa

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

8. **Resolution No. 2008-135** approving Amendment No. 1 to the Consultant Services Agreement with Pacific Municipal Consultants for Public Facility Fees Study in the amount of \$19,250.00.

MOTION: Approve **Resolution No. 2008-135** approving Amendment No. 1 to the Consultant Services Agreement with Pacific Municipal Consultants for Public Facility Fees Study in the amount of \$19,250.00

MOVED: Moved by Vierra/seconded by Ochoa

VOTE: **Motion passed with Councilmember Lane and Durossette voting No. (3/2)**

UNFINISHED BUSINESS

11. Council Consideration of a Change Order request in the amount of \$27,427.00 for Pacific Municipal Consultants. *Continued from the City Council Meeting of September 8, 2008.*

Ken Craig, Community Development Director, requested this item be continued to the meeting of October 27, 2008.

MOTION: Continue Item 11, Consideration of a Change Order request in the amount of \$27,427.00 for Pacific Municipal Consultants to the meeting of October 27, 2008.

MOVED: Moved by Vierra/seconded by Durossette

VOTE: **Motion passed with Councilmember Lane voting No. (4/1)**

PUBLIC HEARING - None

NEW BUSINESS

12. Council consideration of request to support the "Moderate Change 2050 Conceptual Growth Scenario" as the Stanislaus County Preferred Scenario for Stanislaus Regional Blueprint.

Vince Harris, Executive Director of StanCOG, presented an overview of the Countywide Blueprint process which includes vision statements that define the objectives of how growth would take place and establishes a framework for determining future project compliance with the regional blueprint; and four conceptual growth scenarios for Stanislaus County through the year 2050. The conceptual growth scenarios include: the baseline growth plan, some growth, moderate growth and a major growth plan.

The regional blueprint has recently taken on greater prominence with the eminent passage of Senate Bill 375 which requires the region to have a "Sustainable Communities Strategy" in order to obtain certain regional planning and funding advantages.

Mr. Harris stated that over the past year, StanCOG has held two rounds of community meetings in each City in Stanislaus County to discuss future growth alternatives. Of the 233 residents that attended the workshops, the majority preferred the moderate growth scenario. StanCOG requested that the City Council take action to either approve or modify the "Moderate Change 2050 Conceptual Growth Scenario" as the Stanislaus County Preferred Scenario Stanislaus Regional Blueprint.

County Supervisor Jim DeMartini expressed his concerns with the plan stating that based on the number of people in attendance at the meetings; this is in no way representative of the County. Supervisor DeMartini further stated that he feels this is a State takeover of local planning. If Council should adopt this plan, they would be basically "throwing out" their General Plan for a plan that 73 people thought would be a good idea.

Council expressed the following concerns:

- The Moderate Change 2050 Conceptual Growth Scenario is inconsistent with the City's current General Plan.
- SB 375 could tie all transportation funding to the Blueprint.
- The General Plan update process needs to be used to study and decide if the Moderate Change 2050 Conceptual Growth Scenario is right for the City.
- Portions of the Vision Statement threaten the City's land use and planning autonomy; specifically Lane Use Action Item No. 6 "Tax and revenue policies that will support and encourage good land use decisions" and Governmental Action Item No. 2C "Address differences in financial capacity while providing sufficient resources to meet basic responsibilities."

MOTION: Adopt the Baseline Conceptual Growth Scenario and striking Land Use Action Item No. 6, "Tax and revenue policies that will support and encourage good land use decisions" and Governmental Action Item No. 2C, "Address differences in financial capacity while providing sufficient resources to meet basic responsibilities."

MOVED: Moved by Cannella/seconded by Vierra

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

COUNCILMEMBER REFERRALS – None.

REPORTS – None.

7:41 p.m. Mayor Cannella opened the Ceres Redevelopment Committee Meeting.

7:42 Mayor Cannella adjourned to a joint City Council/Redevelopment Agency Closed Session.

CITY COUNCIL CLOSED SESSION ITEMS:

CONFERENCE WITH LABOR NEGOTIATORS

City Negotiator: Public Law Group

Employee Organization: Department Head Group

Pursuant to Gov't. Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

City Negotiator: Public Law Group

Employee Organization: Mid-Management Employees

Pursuant to Gov't. Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

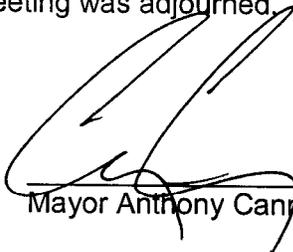
City Negotiator: Public Law Group

Employee Organization: First Line Supervisors/Confidential Bargaining Group

Pursuant to Gov't. Code Section 54957.6

8:25 p.m. Council/Agency reconvened in open session with nothing to report.

8:25 p.m. There being no further business, the meeting was adjourned.



Mayor Anthony Cannella

Cindy Heidorn, City Clerk