

CITY COUNCIL MEETING MINUTES

September 26, 2011

Mayor Vierra called the September 26, 2011 City Council Meeting to order at 7:00 p.m. with the following in attendance:

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

INVOCATION by Michael Brinton, City of Ceres

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

PRESENTATION

A. Proclamation declaring September 15 – October 15, 2011 Hispanic Heritage Month in the City of Ceres

Maggie Mejia, representing the Hispanic Leadership Council accepted the Proclamation and thanked Council for their support.

CITIZEN COMMUNICATIONS

- Linda Pitman, resident, addressed Council regarding the noise from amplified musical events and congestion of vehicles at the Whitmore Mansion. She stated that it sounds as if the band is in her own living room. Attempts to speak with the owners of the Whitmore Mansion have not gone well. They have no sound barrier walls or parking lot. Ms. Pitman further stated that many residents in the neighborhood are upset. *Council directed staff to investigate the issue.*
- Bill Geerhardt, resident, concurred with Ms. Pitman and stated that events at the Whitmore Mansion have been going on later than 10:00 p.m. which is the cut off time per the Conditional Use Permit.
- Charles Teval, representing the Ceres Public Library gave an update on upcoming events including Teen Read Week, photo contest and the upcoming Friends of the Ceres Library quarterly meeting.
- Eric Ingwerson, resident, Chairperson of the Whitmore Mansion Foundation stated that the noise levels from the amplified music should not go about 70 decibels. It is not the Foundations intent to disturb anyone's peace and he would like to be included in any upcoming meetings regarding the issue.
- Len Shepherd, resident, thanked the Public Safety personnel for all they do to keep our City safe.
- Dave Kreb, resident, commented that the City has done a good job on the streets however the parking stalls downtown need to be re-stripped. Some of them are hard to see. *Council directed staff to check the re-stripping schedule to see when the downtown area is scheduled to be redone.*

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

MOTION: Approval of the Agenda as posted (or amended) and certification of posting.

MOVED: Moved by Durossette/seconded by Lane

VOTE: Motion passed unanimously. (4/0)

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Public Works Monthly Report for August, 2011.
 - b. IT Monthly Report for August, 2011.
2. Register of Audited Demands for period covering August 26–September 13, 2011.
3. ~~Set Public Hearing for October 10, 2011 to Consider the Execution of the Ceres Freeway Agreement with the State of California Department of Transportation~~ **REMOVED FROM AGENDA.**
4. Set Public Hearing Date of October 10, 2011 to Accept Director of Public Safety Recommendation for 2011/12 Supplement Law Enforcement Services Fund Expenditures.
5. **Resolution No. 2011-133** approving modification of agreement with Ceres Youth Baseball and **Resolution No. 2011-134** amending Administrative Regulations applicable to the Costa Ball Field Complex to clarify field use fees charged to Ceres Youth Baseball.

MOTION: Approve Consent Calendar Items 1a, b, 2, 4 and 5 as recommended by staff.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: Motion passed unanimously. (4/0)

UNFINISHED BUSINESS – None.

PUBLIC HEARING

6. **Resolution No. 2011-135** approving a Joint Powers Authority (JPA) Agreement between the Cities of Ceres, Modesto, and Turlock to form the Stanislaus Regional Water Authority (SRWA) for the purpose of directing the future of the proposed Regional Surface Water Supply Project.

Nick Pinhey Director of Utility Planning and Projects, City of Modesto, gave a presentation to Council on the Regional Surface Water Supply Project Joint Powers Authority Agreement. Mr. Pinhey highlighted the proposed benefits of the project which is estimated to cost between \$140.8 - \$154 million dollars.

Mr. Pinhey further pointed out the consequences of not choosing to do the Regional Surface Water Supply Project pointing out the Ceres Master Plan Finding:

“The fatal flaw with this water supply scenario is that the groundwater supply from both a quantity and quality standpoint will not be adequate or sufficient to meet the City’s projected future demands.”

While the project is costly initially, in the long term, it will be less costly than continuing with Ground Water only and the formation of the JPA will afford us with an opportunity to partner with two other communities to help ease the costs. The JPA will also provide other benefits with regards to financing including the securing of grants and issuing bonds.

Len Shepherd, resident recommended that a Citizen's Advisory Committee also be formed similar to the one for the Tuolumne River Regional Park.

Mike Kline, resident, asked what the effects would be for the farming community.

Mr. Pinhey suggested that a member of the farming community be a part of the Citizen's Advisory Committee to ensure that their concerns are met.

MOTION: Approve **Resolution No. 2011-135** as recommended by staff.

MOVED: Moved by Lane/seconded by Ochoa

VOTE: Motion passed unanimously. (4/0)

NEW BUSINESS – None.

COUNCILMEMBER REFERRALS

Vice Mayor Lane requested a Study Session to discuss street vendors in the Christmas Tree Lane neighborhood. *Staff responded that it would be placed on the last Study Session in October.*

REPORTS

Councilmember Ochoa requested that staff look into the street trees that were installed as a part of the Eastgate Subdivision. The trees do not seem to be growing. *Jeremy Damas will check on the trees and report back to Councilmember Ochoa.*

It was reported that the middle tri-plex on Sixth Street between Whitmore and Magnolia (SE Corner), has windows broken out. *Code Enforcement will go out and take a look at it.*

8:15 p.m. There being no further business, Mayor Vierra adjourned the meeting.

/s/ Chris Vierra, Mayor

/s/ Cindy Heidorn, CMC, City Clerk