

CITY OF CERES  
PLANNING COMMISSION  
MINUTES

MAY 7, 2012

**MEETING CALLED TO ORDER:** 6:00 p.m.

**ROLL CALL:**

**PRESENT:** Chapman, Del Nero, Kachel, Smith

**ABSENT:** Molina

**ALSO PRESENT:** City Attorney Michael Lyons, Deputy City Manager  
Sheila Cumberland, Planning, Building & Housing  
Division Manager Tom Westbrook, Engineering Services  
Director/City Engineer Toby Wells, Associate Planner  
James Michaels, Secretary Ann Montgomery

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Vice Chairperson Del Nero.

**APPROVAL OF MINUTES:**

1. April 16, 2012 – Vice Chairperson Del Nero stated that we will hold these for the next meeting.

**CONFLICT OF INTEREST DECLARATION:**

None

**CITIZEN COMMUNICATION:**

None

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

It was moved by Commissioner Chapman; seconded by Commissioner Smith, to approve the agenda as posted; Carried 4/0.

**CONSENT CALENDAR:**

None

**NEW BUSINESS:**

2. Capital Improvement Program, FY 2012/2013 Project Priority List.

Engineering Services Director/City Engineer, Toby Wells presented the staff report.

**Commissioners Questions:**

- Commissioner Chapman asked what the acronym CMAQ stands for.

Mr. Wells explained that it stands for Congestion Mitigation Air Quality Grant. It's basically federally funded transportation related improvements, reducing air quality issues.

**The public hearing was opened at 6:08 p.m.**

**The public hearing was closed at 6:08 p.m.**

**Commissioners Comments:**

- Commissioner Smith thanked Mr. Wells for including the discussion about the relationship between the projects listed on the CIP and the General Plan, since it is the charge of the Planning Commission to find the CIP in conformance with the General Plan.

Mr. Wells noted that there was a small typo on the Resolution. The date should be 2012 not 2009, on the third "whereas."

It was moved by Commissioner Smith; seconded by Commissioner Chapman to adopt PC Resolution No. 2012-07; Carried 4/0.

**PUBLIC HEARING(S):**

3. Consideration of Conditional Use Permit (CUP) 12-01; Proposal to construct a waste oil containment facility located at 1920 Morgan Road, Ashbury Environmental Services, Inc., applicant.

Associate Planner, James Michaels presented the staff report.

**Commissioners Questions:**

- Vice Chairperson Del Nero asked for clarification of the picture of the tanks on page 19 of the staff report; are the tanks going to be located outside?

Mr. Westbrook confirmed the tanks will be located outside, in an enclosure. The picture in the staff report was included to give a representation of what the containment tanks look like.

- Commissioner Chapman stated he had some questions for the applicant.

**The public hearing was opened at 6:15 p.m.**

- Rosemary Domino, Director of Environmental Affairs for Asbury Environmental Services – 3650 East 26<sup>th</sup> Street, Vernon, CA.
- David Boyd, Northern California Sales and Marketing Manager for Asbury Environmental Services, Inc., 7300 Chevron Way, Dixon, CA.
- Commissioner Chapman asked if the staff that will be doing the transfer activities, will also receive the required training to be able to recognize if there are concerns with the tanks, with the area, a spill, or the equipment not working correctly.

Ms. Domino explained that all employees will be trained in the day-to-day operations of the transferring from truck to tank, tank to truck, in addition to the on-site equipment. Their training is extensive; they have to go through the 40-hour “hazwoper” training. They also go through basic training, such as First Aid, CPR, Waste Analysis, because they’ll be sampling the trucks prior to accepting the trucks into the facility. They have several other facilities in California and one in Nevada that operate in a similar way.

- Commissioner Chapman inquired where the nearest facility is located.

Mr. Boyd responded that their next closest facility is located in Dixon, CA, with additional facilities located in Fortuna, two in Chico, Parlier, just south of Fresno and Montana, and the refinery in Compton, California. They also have a waste rail transfer facility in Vernon.

**The public hearing was closed at 6:19 p.m.**

Commissioner Chapman wanted to emphasize the engineering requirements listed in the staff report, and the importance of maintaining the area to secure any potential spills. He also wanted to make sure that the applicant understands that it’s very important to our community that safety comes first.

It was moved by Commissioner Kachel, seconded by Commissioner Smith to determine the project exempt from Environmental Review protection of CEQA Guidelines, Section 15332, Class 32, In-fill Development Projects; Carried 4/0.

It was moved by Commissioner Kachel; seconded by Commissioner Chapman to approve Conditional Use Permit (CUP) 12-01, subject to the Findings and Conditions listed in the Draft PC Resolution No. 2012-06; Carried 4/0.

**PUBLIC MEETING(S):**

None

**UNFINISHED BUSINESS:**

None

**MATTERS INITIATED BY PLANNING COMMISSION AND STAFF**

None

**REPORTS:**

Commission - Commissioner Chapman reported that the Ceres Street Faire did fairly well this year. The organizations that were there selling food did well; several sold out. The vendors seemed to be very happy and the weather cooperated. The new parking lot on 4<sup>th</sup> Street made a difference with parking and was appreciated by the vendors and public alike.

Staff – Mr. Westbrook stated that he will be attending the LAFCO meeting on May 23<sup>rd</sup> where they will be talking to the LAFCO Commission about Ag Mitigation. Whatever happens at the LAFCO Commission and whatever policy is adopted certainly impacts all the cities within Stanislaus County for future growth. Mr. Westbrook believes that this will be one of the most important policy decisions that they'll make for a long time. It has lasting implications on our city and all the cities in the County. He informed the Commissioners that he has information on their draft policy, and he would be happy to send it to them.

The “Concerts in the Park” series will be starting in June. It was determined by the Recreation Coordinator that there may be some funds available through the CDRAB to purchase new banners for the “Concerts in the Park.” The money has already been budgeted; six banners might be around \$850, \$150 to install them. The banners would be simple, just announcing the concerts in the park series, and can be used for several years.

Mr. Westbrook asked the CDRAB Board if they'd be interested in seeing what the banners would be like, and possibly approving a concept. The reason he is asking is the next scheduled Planning Commission meeting was going to be June 4<sup>th</sup>; we could have a meeting on May 21<sup>st</sup>, but there's possibly some issues with ordering the banners and getting them installed in a timely manner. If the Board has a desire to see the banners, we could call a special meeting of the CDRAB Board next week, or if the Board thinks that staff can handle this, the Recreation Division staff would like to proceed, so that they can announce this important community event.

- Commissioner Smith inquired about sending the renderings to the CDRAB Board via e-mail.

City Attorney Mike Lyons commented that having a meeting by e-mail is not practical. He suggests that if we really want to look at the renderings, the appropriate procedure would be to call a Special Meeting of the CDRAB Board, which can be noticed 24 hours in advance. What we want to avoid, is conducting a meeting that isn't noticed.

The funds for the banners are budgeted, so staff has authority to purchase and install them. In the past, the CDRAB Board has reviewed the design of all the signs, flags and banners.

Mr. Westbrook will check with the Recreation Division about obtaining some proposed renderings and then poll the Planning Commissioners/CDRAB Board to see when they are available to meet, to make a selection and approve the design.

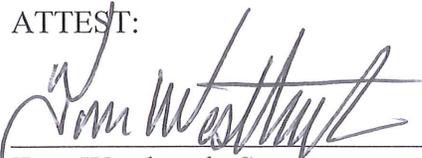
**ADJOURNMENT:**

The Commission adjourned at 6:30 p.m. to the next regularly scheduled meeting of Monday, June 4, 2012.

APPROVED:

  
\_\_\_\_\_  
Gary Del Nero, Vice Chairperson

ATTEST:

  
\_\_\_\_\_  
Tom Westbrook, Secretary