

CITY OF CERES
PLANNING COMMISSION
MINUTES

January 21, 2014

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

ROLL CALL:

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

ABSENT: None

ALSO PRESENT: Director of Community Development Tom Westbrook,
Deputy City Manager/City Engineer Toby Wells, City
Attorney Mike Lyons, Associate Planner James Michaels,
Secretary/Deputy City Clerk Ann Montgomery

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Chapman.

APPROVAL OF MINUTES:

1. **ACTION:** It was moved by Commissioner Molina; seconded by Commissioner Smith to approve the minutes from the meeting of January 6, 2014. Motion passed by the following vote:

AYES: Commissioners Del Nero, Molina, Smith

NOES: None

ABSENT: None

ABSTENTIONS: Commissioners Chapman, Kachel

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATIONS:

None

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

ACTION: It was moved by Commissioner Smith; seconded by Commissioner Molina to approve the agenda as posted (or amended) and certification of posting. Motion passed by the following vote:

AYES: Commissioners Chapman, Del Nero, Kachel, Molina, Smith
NOES: None
ABSENT: None

CONSENT CALENDAR:

None

PUBLIC HEARING:

2. Site Plan Approval (SPA 13-11); Proposal for the construction of a parking lot comprised of 44 spaces at ICF Refrigeration's vacant property located at 2305 Rockefeller Drive; ICF Refrigeration, Inc., applicant.

Associate Planner, James Michaels presented the staff report.

The public hearing was opened at 6:05 p.m.

The public hearing was closed at 6:05 p.m.

ACTION: It was moved by Commissioner Molina; seconded by Commissioner Del Nero to adopt PC Resolution 14-02. Motion passed by the following vote:

AYES: Commissioners Chapman, Del Nero, Kachel, Molina, Smith
NOES: None
ABSENT: None

NEW BUSINESS:

None

ADJOURN AS THE PLANNING COMMISSION TO THE CERES DOWNTOWN REVITALIZATION AREA BOARD

MEETING CALLED TO ORDER: 6:06 p.m.

ROLL CALL:

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

ABSENT: None

ALSO PRESENT: Director of Community Development Tom Westbrook,
Deputy City Manager/City Engineer Toby Wells, City
Attorney Mike Lyons, Associate Planner James Michaels,
Secretary/Deputy City Clerk Ann Montgomery

CONFLICT OF INTEREST

None

NEW BUSINESS

3. Recommendations for Downtown Business Property Owners for use of CDRAB Funds.

Director of Community Development, Tom Westbrook presented the staff report, providing some background from the CDRAB Advisory Board meeting on November 20th. The goal for this evening is to hear recommendations from that meeting and forward the Board's recommendations onto the City Council.

The four items that were recommended included:

- Creating more Signature Events to draw people downtown; improvements for Whitmore Park to facilitate the events
- Reduction of Plan-Check Fees to assist business owners wanting to make improvements
- "Way-finding" signage
- Façade Improvement Program

Mr. Westbrook asked the CDRAB board to consider if any of these items are such a high priority, that we want to try to augment this year's CDRAB budget to install a program and get it running, or just create the programs and institute these in the next fiscal year's budget, which would begin July 1, 2014.

The public hearing was opened at 6:16 p.m.

- Shane Parson, Downtown Business Owner

Mr. Parson expressed his concern with the budget; spending more than we're bringing in. As much as he thinks the Façade Improvement Program and "Way-finding" signage would be outstanding, he's concerned with how we're going to fund the street lights and landscaping in five years, if we spend the money on these programs. The intentions of the BID taxes are to maintain the landscaping and lights. When we make these

determinations, we need to make sure the intent of the money is used to maintain at a minimum, what we have now.

Mr. Westbrook concurred that any recommendation from staff would be to retain a balance, and perhaps only utilizing two-thirds of the unencumbered balance of \$75,000. He explained that staff certainly agrees with Mr. Parson regarding maintaining the landscaping and what we have, as being a priority. The thought was because there was such a balance, discussion had occurred about some ways that we could utilize some of those funds.

- Renee Ledbetter, President of the Ceres Chamber of Commerce

Ms. Ledbetter inquired; do we have an estimate; will the budget increase with this next new fiscal year?

Mr. Westbrook explained that the estimate we've used is the end-of-year estimate of about \$75,000. The budget; the unencumbered balance is almost \$80,000 now. We're allowing for maybe not seeing revenues match expenditures.

Ms. Ledbetter reported that the Chamber is going to be looking at the possibility of other signature events that could be held downtown. In addition to that, the Chamber is now part of the Concerts in the Park Committee. The Chamber is brainstorming with them to see if there are ways to generate revenue, so that \$2,000 that was typically spent for the Concerts in the Park may not have to be spent out of the CDRAB budget. If we decide to move in the direction of the Façade Program, she believes we need to look at that in terms of matching funds, where if the City is going to offer \$1,000, the property or business owners should step up and equally match those funds. As far as the "Way-finding" signage, there's a possibility that we could look at having corporate sponsors help provide the cost of the signage.

One of the things Ms. Ledbetter would personally like to see is, re-evaluating who is paying into the BID. She would like to suggest that the CDRAB consider opening it up to non-profit as well as the government entities, to pay into it, and then that will hopefully generate some more revenue.

Mr. Parson asked if there's a minimum charge per property or is it based on tax?

Mr. Westbrook explained it can be both, so if a business doesn't meet the minimum threshold, there's a minimum balance or it's based on sales.

Mr. Westbrook stated that if there was going to be some change in the way that the revenue was collected, or who it was being collected from, then that's going to require a vote from the public.

City Attorney, Mike Lyons confirmed that any change in the methodology of computing the fees or adding others would require an additional vote.

The public hearing was closed at 6:24 p.m.

Commission discussion:

Commissioner Smith thanked Renee Ledbetter and congratulated her on her position as President of the Chamber.

- Commissioner Smith agrees with Mr. Parson's suggestion, that we pay close attention to the operational budget. Her suggestion is going to be that whatever we do, that it be in the next fiscal year's budget, because there's too much to look at to do anything before that time. She also suggests we start looking at the budget sooner, as it will be helpful.
- The Signature Events are a fantastic idea. There are all kinds of things we can participate in: Sidewalk Sales, something like "Taste of McHenry," the State of California has "Restaurant Week," and nationally, there's "Small Business Saturday."
- Considering expanding who pays into the BID is a great idea. She has asked on numerous occasions about expanding the boundaries, and knows there are limitations. There are businesses on 4th Street that are not in the BID, which may be interested.
- Reduction of Plan-Check Fees – The way she understands the idea is that they're user fees and they pay for the service that's being delivered. So, you have a plan checker that's doing a plan check, and the fee that is being collected, by law, can only be equal to the cost of delivering that service. Should the fee be waived, that means the City's General Fund or Building Fund is going to have to pay that. It could be problematic. What she was thinking was, this wouldn't work for small improvements, but new construction or tenant improvements that trigger PFF. Is there a PFF formula that takes into consideration infrastructure already existing in downtown? Can the PFF for downtown be limited to infrastructure that are impacted or affected? There are already roads down here; we don't have to build new roads as you would in an undeveloped area. She isn't sure about the plan-check fee waiver/reduction, just because there's an associated expense.
- "Way-finding" signage - She loves the idea of "Historic Downtown Ceres" and also the sponsorship idea. She's sure there are many creative ways of directing people from the freeway and other parts of the community to downtown.
- The Façade Improvement Program is one of her favorites. She had thought of the matching idea also. She doesn't know if any of the CDBG funds are available in the Economic Development category, but she would suggest that we should look at that, to see if it could be used as matching. She suggested that perhaps it's not a grant, maybe it's a low or no-interest loan, with some qualifying events that would have to take place. That would address the concern that Mr. Parson had mentioned about depleting reserves that we need to keep a portion of.

Ms. Ledbetter commented in relation to the matching funds, the Chamber also had that same discussion and thought that perhaps we would put a minimum requirement, such as a business had to stay there for a minimum of 10 years, and then it become a grant. If the business leaves ahead of time, then they have to pay it back.

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Chairperson Chapman thanked staff for their report and summarizing everything down to four bullet points; very well done. He too strongly supports the Way-finding Program for downtown as well as the Façade Improvement Program. For him, those are two very important areas. He does appreciate the Chamber, with their input, and is very impressed with them and all the work that they are doing. He thanked the Chamber members for attending this evening and for their comments.

Chairperson Chapman stated that it appears that this report is just making recommendations, as noted in the staff report, in addition to the comments made by Commissioner Smith, and the public comments; to forward those onto the City Council for further consideration.

Commissioner Smith stated that she doesn't feel the CDRAB Board is ready to make a recommendation to Council that's complete. A recommendation needs to include some financial, budget amounts associated with those. Until we can look at this year's budget, plan for next year's budget, consider the reserve, identify a specific amount to remain in reserves, identify an amount that can be used for some of these projects, talk about matching funds, make projections; she just thinks there's a little more work to do.

Mr. Westbrook explained the reason we were looking to make recommendations, absent of what the program says, the dollar amounts and so forth, was to get in front of Council, because they might say, this is important enough to start right away; staff, go ahead and do it. They may adversely say, we don't think it's important, don't do anything at all. He doesn't believe that is actually going to be the case. The other dynamic we have, that's evolving as well and the reason he just wanted to get the recommendations, so that the Council can provide us direction, moving forward, is the Economic Development Manager, who we've had interviews for; that's the person that will be responsible for doing all this. Mr. Wells and Mr. Westbrook will be assisting that person, but they won't be doing the work. And, because that position is in flux, we wanted to keep the momentum going that we got from the meeting on November 20th, and keep that moving forward to the Council. Hopefully in the interim, that position is filled, that person comes aboard, they're going to have their own fresh ideas, they've heard what the Commission and Council have provided direction on, and they can move forward.

Commissioner Smith clarified that it's more of a status update, with a recommendation that these are the four areas we want to focus on, but the Board has said that they'd like to continue to look at the budget, and come back before the actual budget is decided.

Mr. Westbrook stated that ultimately the Board is going to get what they're asking for; it's just that we're looking to keep the momentum that we had, get it in front of the Council to make sure we're moving in the right direction, and then we would be bringing that budget and those items back before the CDRAB Board.

Commissioner Smith requested that the CDRAB Board be notified when that will be presented to the Council. Mr. Westbrook confirmed. Commissioner Smith inquired about the Council having access to the minutes from the previous meetings, as well as the

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minutes from tonight's meeting, to review any comments that were made about these ideas. Mr. Westbrook confirmed that all of that will be included in the packet that is presented to Council.

Mr. Lyons clarified that the CDRAB Board needs at least a recommendation in the form of a motion that would reflect the collective desire of this body to move it forward to the City Council. You could indicate in that motion, as you wish, that the Board is either in favor of some or all of these at a threshold level, to be worked out in detail at a later time.

ACTION: It was moved by Commissioner Smith; seconded by Commissioner Kachel, to move the recommendations forward to the Council, with the Board's support, but to include a request for direction, for further consideration by the Board, to associate it with preparation of next year's budget. Motion passed by the following vote:

AYES: Commissioners Chapman, Del Nero, Kachel, Molina, Smith
NOES: None
ABSENT: None

Ms. Ledbetter asked Mr. Lyons if he could clarify how the Chamber would start the dialogue, as to how we would open the BID to other groups. Is that a possibility; what route do we need to take to do that?

Mr. Lyons stated that he needs to prepare a detailed memorandum to the CDRAB Board on all of the laws that are applicable to the following issues: increasing fees, expanding the area, and expanding the types of businesses to be included in the BID, whether they be government entities, non-profits, etc. That memorandum can then come back to this body for discussion. If that is what the Board would like, he will put that together and get it back to the CDRAB Board just as soon as possible.

Ms. Ledbetter requested that this be on a future agenda for the CDRAB Board.

Chairperson Chapman stated, in the interest of what Mr. Lyons was indicating, he does think it's a very good idea for that memorandum to outline the details of what we're dealing with in those particular areas, and he thinks that's something we need moving forward with any future discussions.

RECONVENED AS THE PLANNING COMMISSION at 6:40 p.m.

PUBLIC HEARING:

None

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

Chairperson Chapman stated that he's glad to be here; his first meeting as the Chairperson. He appreciates everyone's support and is looking forward to a great year.

Mr. Westbrook:

- AB1234 Ethics training is required by State Law every two years. It will be offered at the Planning Commissioners Academy or it is available online. All Commissioners opted to take the online course.
- Chamber Installation Dinner – He attended the dinner on Friday evening; it was a nice event and very well attended, with more than 250 in attendance.

Mr. Wells provided a construction update:

- Whitmore Interchange Landscaping Project – finally got started last week. It's a 90 day construction project. We expect the planting to be in, in March, and then it will be maintained by the contractor for three years before being turned over for maintenance.
- Service Road Sewer – It is one of the most important lines in the City. The existing 18 inch line is being replaced with a 42 inch line. It's located in Service Road between Central and Moffett.
- Ceres Bike Path – along the Ceres Main; it's a north/south bike path, east of Mitchell Road. One portion of it was paved on Friday; it goes from Whitmore up to Hatch.
- CDBG Project – We have a project that's just started south of Caswell, between Central and Moffett, doing some storm drainage improvements.
- Sequoia Tract Water Main – replacing the water mains in that area.

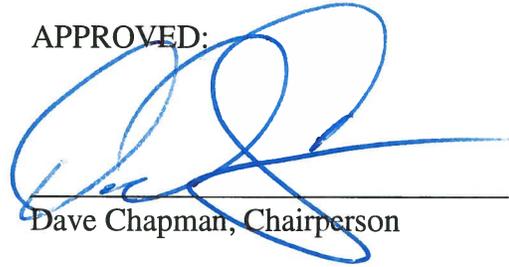
Mr. Wells commented that there's a lot of construction activity and reminded everyone to please be safe and slow in construction zones.

ADJOURNMENT:

The Commission adjourned at 6:45 p.m. to the next regularly scheduled meeting of Monday, February 3, 2014.

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APPROVED:



Dave Chapman, Chairperson

ATTEST:



Tom Westbrook, Secretary

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