

The Council and staff discussed the option of leaving the district dormant and the HOA maintaining the district via an agreement.

The City Clerk noted staff and Rick Clark with NBS will move to Meeting Room #1 to tabulate the ballots and will return to the open meeting to publicly announce the results.

The Mayor moved on to the next public hearing at 8:33 p.m.

At approximately 9:30 p.m., the City Clerk announced the ballot tabulations results for Union Ranch LMD No. 06-5 as follows:

There were 216 total ballots returned, representing \$74,538.85 of the total assessment.

85.84% of the weighted ballots were cast in favor of the Assessment.

14.16% of the weighted ballots were cast against the Assessment.

A majority protest does not exist.

ACTION: DETERMINED A MAJORITY PROTEST DOES NOT EXIST AND ADOPT A RESOLUTION OF THE CITY COUNCIL, DECLARING THE RESULTS OF THE ASSESSMENT BALLOT TABULATION, FORMING UNION RANCH LANDSCAPE MAINTENANCE DISTRICT NO. 06-5, ORDERING MAINTENANCE WORK THEREIN AND CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT THEREIN. (Weatherford/DeBrum) The motion carried 4-0.

2. CC **CONTINUED PUBLIC HEARING** – Consider waiver of the first reading by substitution of the title and introduction of Ordinance No. 1411, an Ordinance of the City Council of the City of Manteca Adding Section 13.12.057 to the Manteca Municipal Code Regarding Sewer Connection Fees.

Public Works Director Mark Houghton reported this public hearing was continued from the November 17, 2008 meeting. Staff is requesting an additional continuance to the May 5, 2009 meeting of the City Council.

The Mayor opened the continued public hearing.

George Vitek, Manteca resident, spoke in opposition to the proposed sewer connection fees.

IT WAS THE CONSENSUS OF THE CITY COUNCIL TO CONTINUE THE DULY NOTICED PUBLIC HEARING TO MAY 5, 2009.

The Mayor recessed the meeting from 8:35-8:45 p.m.

C. POLICE

1. CC Waive the first reading by substitution of the title and introduce Ordinance No. 1434, an Ordinance Amending Title 6, Chapter 6.10, Sections 6.10.010 through

6.10.130, and Chapter 6.16, Adding Section 6.16.180 of the Manteca Municipal Code Pertaining to the Mandatory Spaying and Neutering of Dogs and the Micro-Chipping of Adopted or Redeemed Dogs and Cats.

The Police Chief reported on the revisions to the proposed draft ordinance on the mandatory spaying and neutering of dogs and the micro-chipping of adopted or redeemed dogs and cats. He addressed concerns raised at the last meeting and the subsequent community workshop on the issue.

Bill Hemby of Stockton and representing Pet Pac spoke to the unintended consequences of such an ordinance.

Charles Pacheco of Manteca spoke to the issue of hunting dogs and the difficulty in enforcing the proposed ordinance.

Cathy Dupree of Manteca spoke in opposition to the proposed ordinance and suggested more public education regarding the responsibilities of pet owners.

Mel Tucker of Manteca spoke in opposed the ordinance.

Marlene Ferguson of Oakdale spoke in opposition to the proposed ordinance.

Andy Constantino of Modesto attended the community workshop and appreciated the opportunity provide input. He referenced the Stanislaus County approach and fee structure to encourage licensing and spay/neutering.

Val Davis of Escalon spoke in opposition to the proposed ordinance.

Mike Learned of Manteca spoke in opposition to the proposed ordinance.

Beverly Verna of Tracy spoke in opposition to the proposed the ordinance.

George Vitek of Manteca spoke in support of the ordinance, requesting its enforcement be up to the police officer's discretion.

ACTION: OPPOSE THE PROPOSED ORDINANCE FOR THE MANDATORY SPAYING AND NEUTERING OF ALL DOGS. (DeBrum/Moorhead) The motion carried 4-0.

The City Clerk noted the ballot assessment tabulation process was now complete. Return to Item B.2 for the outcome.

D. FIRE

1. CC Consider amendment options to the current fireworks ordinance and provide direction to staff as appropriate.

Johnny Grizzle of Manteca spoke in support of the proposed ordinance amendments.

Ilda Blair of Manteca spoke in support of the proposed ordinance amendments and the implementation of the proposed fees.