



MINUTES

**JOINT CITY COUNCIL REGULAR MEETING AND SUCCESSOR AGENCY TO THE
FORMER CERES REDEVELOPMENT AGENCY, AND THE SUCCESSOR AGENCY
TO THE STANISLAUS-CERES REDEVELOPMENT COMMISSION MEETINGS
CITY OF CERES, CALIFORNIA**

City Council Chambers, 2701 Fourth Street

Monday, January 22, 2018 – 6:00 p.m.

Mailing Address: Ceres City Hall, 2720 Second Street, Ceres, CA 95307-3292
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Members of the public are advised that all cellular telephones and any other communication devices are to be turned off upon entering the City Council Chambers.

CALL TO ORDER

Mayor Vierra called the Joint City Council Regular Meeting and the Successor Agency to the Former Ceres Redevelopment Agency and the Successor Agency to order.

ROLL CALL – Present:

Mayor: Vierra
Vice Mayor: Kline
Council Members: Durossette, Lane, Ryno

Absent: None

INVOCATION

Invocation was given by Chris Grigson, Valley Christian Center.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Vierra.

PRESENTATIONS

None.

CITIZEN COMMUNICATIONS to the Council on matters not included on the agenda (five minutes).

Ann Marie Montgomery, Ceres Library Manager announced the free programs at the library. Information about the programs can be found on the Library's website.

Gene Yeakley, spoke regarding the posting of political signs in the City. He discussed the City's sign ordinance.

Sheila Brandt, announced a fundraiser for the water tower. A dinner will be held under the water tower on June 16, 2018. A second fundraiser will be held in August. The next Water Tower Committee meeting will be on February 28, 2018 at 6 pm.

Lee Brandt, spoke regarding the blight at the Home Depot parking lot. There was a lengthy discussion regarding the City's endeavors with reaching out to businesses in regards to the upkeep of their facilities. Mr. Brandt stated that he has some ideas on how to incentive the business owners, etc. City Manager Wells will speak with Mr. Brandt regarding the issue and discuss some of Mr. Brandt's ideas.

Gene Yeakley spoke regarding code enforcement. He mentioned that the business parking lots can be cited under nuisance.

Martina _____ (?) commented that high school students could help with the cleaning of parking lots.

APPOINTMENTS TO BOARDS/COMMISSIONS

None.

CONFLICT OF INTEREST DECLARATION

None.

CONSENT CALENDAR

All matters listed on the consent calendar are considered routine in nature and will be enacted by a single motion unless otherwise requested by an individual Council Member or public for special consideration. Otherwise the recommendation of staff will be accepted and acted upon by roll call vote.

1. Clerks Report of Posting. The agenda of the regular January 22, 2018, City Council meeting was posted on January 17, 2018. (Nayares-Perez)
2. Waive Readings. All Readings of Ordinances and resolutions are waived. (Nayares-Perez)
3. Approval of Minutes (Nayares-Perez)
 - a. Minutes of the January 8, 2018 Regular City Council meeting.
4. Register of Audited Demands for Period covering January 3, 2018 through January 10, 2018. (Dean)

5. **General Correspondence – Information Only**
 - a. Public Works monthly report for December 2017. (Damas)
 - b. Water Conservation monthly report for December 2017. (Damas)
 - c. Recreation monthly report for December 2017. (Farris)

6. **Resolution No. 2018-04**, authorizing an Agreement for the Continuation of a School Resource Officer MOU with Ceres Unified School District for the School Resource Officers to provide Law Enforcement Services to the School District. (Wells)

7. **Resolution No. 2018-05**, Destruction of certain Police Department Personnel, Background and Internal Affairs Files. (Smith)

8. **Resolution No. 2018-06**, Concession Agreement between Elva Gutierrez and City of Ceres for Concession Services at CRBRP. (Farris)

9. **Resolution No. 2018-07**, awarding the Construction Contract for the Well # 32 Rehabilitation Project to Don Pedro Pump, Authorize a 10% Contingency and Authorize the City Manager to Execute the Contract. (Jordan)

10. **Resolution No. 2018-08**, approving the application for land and water conservation fund of the TOP Soccer (The Outreach Program for Soccer) Field Project at the Ceres River Bluff Regional Park. (Jordan)

- (Removed from Consent)*
11. **Resolution No. 2018-09**, amending the Classification Plan to create the classification of Police Officer Recruit. (Smith/McCoy)

- (Removed from Consent)*
12. **Resolution No. 2018-10**, approving the application for Assistance to Firefighters Grant (AFG). (Wells)

13. **Resolution No. 2018-01, SA-CRA**, approving the Recognized Obligation Payment Schedule Pursuant to Health and Safety Code Section 34177 for the Period Commencing July 1, 2018 and ending June 30, 2019 (ROPS 18-19) and Taking Certain Actions in Connection. (Hallam)

14. **Resolution No. 2018-01, SA-SCRC**, approving the Recognized Obligation Payment Schedule Pursuant to Health and Safety Code Section 34177 for the Period Commencing July 1, 2018 and Ending June 30, 2019 (ROPS 18-19) and Taking Certain Actions in Connection. (Hallam)

Mayor Vierra asked if any Council Member or citizen would like an item pulled from the Consent Calendar and be heard under separate motion. Items 11 and 12 were removed from Consent.

Mayor Vierra asked, if anyone from the Public had any comments. There being no comments, Mayor Vierra brought the item back to Council for direction.

MOTION: Motion by Council Member Lane, seconded by Council Member Ryno, approving Consent items 1-10 and 13-14. **Motion passes 5/0/0** by the following roll call vote:

AYES:	5	Council Members:	Durossette, Kline, Lane, Ryno, Mayor Vierra
NOES:	0	Council Member:	None
ABSENT:	0	Council Member:	None

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Item 11 (Council Member Ryno)

Council Member Ryno inquired regarding the three year commitment. She wondered why it isn't a five year commitment. There was a lengthy discussion regarding three years versus five years. Betina McCoy, Human Resources Director and Brent Smith, Police Chief detailed the analysis and the reasoning behind a three year commitment.

Mayor Vierra asked, if anyone from the Public had any comments and the following citizens spoke:

John Warren stated if it's a five year commitment a person might not wait for their five years to be up before applying somewhere else.

Martina _____(?) stated that she a psychology major and inquired about the age of candidates. She stated that at the age of 21, a person's part of their brain that makes decisions is still developing which makes commitment a bit more difficult.

Aaron Mendoza asked if the Chief has reached out to veterans. He knows for himself that commitment is not an issue, it's just the call to duty. Chief Smith responded that they get a lot of veterans coming through local recruiters.

Mayor Vierra brought the item back to Council for direction.

MOTION: Motion by Council Member Ryno, seconded by Vice Mayor Kline, approving **Resolution No. 2018-09**. **Motion passes 5/0/0** by the following roll call vote:

AYES:	5	Council Members:	Durossette, Kline, Lane, Ryno, Mayor Vierra
NOES:	0	Council Member:	None
ABSENT:	0	Council Member:	None

Item 12 (Vice Mayor Kline)

Vice Mayor Kline wanted to provide clarification that this grant is a joint effort with Modesto, and the County. He reviewed the grant amount for each jurisdiction. There are no administration fees and the City of Ceres will be the administrator of the grant. If the City is successful in obtaining the grant, the City's total impact will be 10% of the portion awarded to the City.

MOTION: Motion by Vice Mayor Kline, seconded by Council Member Durossette, **Resolution No. 2018-10**. **Motion passes 5/0/0** by the following roll call vote:

AYES:	5	Council Members:	Durossette, Kline, Lane, Ryno, Mayor Vierra
NOES:	0	Council Member:	None
ABSENT:	0	Council Member:	None

UNFINISHED BUSINESS

None.

PUBLIC HEARING

None.

NEW BUSINESS

None.

DISCUSSION ITEMS

15. Cannabis regulation update and direction. (Wells)

City Manager Wells gave the report. He provided a brief history of marijuana and discussed previous Council direction. He gave an overview of the Medicinal & Adult Use Cannabis Regulation and Safety Act "MAUCRSA" and an update of the new Regulatory structure and the emergency regulations. He also reviewed the MAUCRSA license types and discussed policy considerations.

Vice Mayor Kline inquired about distribution facilities in the County and if someone has a business in the County, would they also need a distribution license in that City. City Manager Wells responded to Vice Mayor Kline's question.

City Manager Wells provided an update on Kase Manufacturing and Pacafi Cooperative, Inc.

It was discussed how the Stanislaus County Board of Supervisors said it will allow medical cannabis dispensaries in the unincorporated areas of the county, but not near cities like Turlock, Hughson, Waterford and Newman which aren't allowing dispensaries.

There was a lengthy discussion regarding the State's temporary "emergency" set of regulations under the Medicinal & Adult Use Cannabis Regulation and Safety Act. The Legislature opted for new regulations on an emergency basis that will expire at the end of the year as it develops a more permanent framework.

Mayor Vierra commented on the State's actions and how Mr. Reynolds and Pacafi went through the process and a strict development agreement and how the actions by the County and State could affect their businesses.

There was a discussion about adult use and other licensing types such as testing. Vice Mayor Kline stated that in regards to adult use dispensary, he would like to see what it's

going to do and the impact it would have on the City and would like to wait a year or two year before adding more facilities.

Council Member Ryno commented on the Council's previous discussion about medicinal dispensaries and adult use dispensaries and how they all said no to both of them. Then they changed their mind about the medicinal, but everyone on this Council was still absolutely adamant about no adult use dispensaries. She was curious why three of them changed their minds. She stated that all she hears about is the money.

COUNCIL DIRECTION: Council majority (3/2; Ryno and Kline no) directed staff to move forward with exploring adult use for the two already-approved medical dispensaries. Hold off on license considerations and not issue more licenses for dispensaries. Explore testing facility licenses and manufacturing license types (edibles, oils, etc.) under a development agreement. City Manager will return with framework on manufacturing concepts and testing facilities.

COUNCILMEMBER REFERRALS

Any Council Members that would like to have an agenda item placed on a future agenda shall make a request under this section of the agenda.

None.

REPORTS

At this time, any Council Members or City Staff will make an announcement, or report briefly on his or her activities.

- Mayor Vierra nothing to report.
- City Council
Council Member Lane announced the Ceres Lions Club Breakfast on Saturday, January 27.
- City Manager
City Manager Wells announced that the Chamber Installation Dinner is this Friday. He will be attending the City Manager League Conference Wednesday through Friday.
- City Attorney nothing to report.
- Departments nothing to report.
- County Supervisor not in attendance.

ACTION: There being no further business, Mayor Vierra adjourned the Regular City Council meeting at 7:32 p.m. and convened in a Closed Session meeting with the below listed items being discussed.

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8

Propretores: 3824 El Camino Avenue; APN 053-013-017
Agency Negotiator: Toby Wells, City Manager
Property Negotiator: Frances Yim Dea, Owner
Under Negotiation: Price and terms of payment or both

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Properties: 3836 El Camino Avenue; APN 053-013-008
Agency Negotiator: Toby Wells, City Manager
Property Negotiator: Ricardo Gill, Broker
Under Negotiation: Price and terms of payment or both

3. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION Pursuant to
Government Code Section 54956.9(d)(1)

Name of Case: **Quiroz v. City of Ceres**
Case No. 1:17-cv-00444-DAD-MJS

Jonathan McManus et al v. City of Ceres
Case No. 1:17-CV-00355-DAD-MJS

Julio Amador et al v. City of Ceres
Case No. 1:17-CV-00552-DAD-MJS

Daniel Miranda v. City of Ceres
Case No. 1:18-CV-00041-DAD-BAM

REPORTS FROM CLOSED SESSION

8:12 p.m. Reconvened to Open Session

ACTION: Nothing to report.

ADJOURNMENT

The next regularly scheduled City Council Meeting is scheduled to be held on Monday, February 12, 2018 at 6:00 p.m. in the City Council Chambers located in the Community Center at 2701 Fourth Street, Ceres, CA

There being no further business, Mayor Vierra adjourned the meeting at 8:12 p.m



Chris Vierra, Mayor

ATTEST:


Diane Nayares-Perez
City Clerk