
City Council meeting was conducted this meeting in accordance with California Governor Newsom's Executive Orders N-20-20 and N-35-20 and COVID-19 pandemic protocols. This meeting was open to the public with limited capacity seating.



Revised

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 24, 2022 – 6:00 p.m.

Mailing Address: Ceres City Hall, 2720 Second Street, Ceres, CA 95307-3292
Phone: (209) 538-5700 Fax: (209) 538-5780

CALL TO ORDER

Mayor Lopez called the January 24, 2022 joint City Council Regular Meeting and Successor Agency to the Former Ceres Redevelopment Agency, and the Successor Agency to the Stanislaus-Ceres Redevelopment Commission Meeting to order.

ROLL CALL

Mayor/Chair: Lopez
Vice Mayor/Vice Chair: Silveira
Council Members/Members: Ryno, Casey, Kline

Absent: None

INVOCATION

Invocation was given by Pastor Patrick Davis, Ceres Christian Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Lopez

PRESENTATIONS

None.

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

Gene Yeakley commented and provided photos of an event he observed while driving on Blaker Road near Whitmore Avenue. He contacted Council Member Ryno and asked if that type of event was acceptable. On Tuesday, January 18th, Christopher Hoem, Community Development Director, advised that the event was not permitted and was in violation of section 5.09.040 and 5.09.080 and they needed a special event permit for that type of land use. He further referenced an email from Mayor Lopez where he believes Mayor Lopez addressed him expressing his opinion and, in his opinion, asked that he be silenced when expressing his opinion.

John Warren inquired on how Council felt they were disrespected based on the email Gene Yeakley read from Mayor Lopez.

Mary Alton commented that since the last time she had spoken on the problem with resident on 10th Street adding multiple dwellings on his property the problem has gotten worse. She further commented that it is a fire hazard and asked for help addressing the issue.

Tracie Peart commented that she has lived on 10th Street for 27 years and that the neighbor next door has built on to the property without permits and has moved in 20+ people. She said it was so bad and no one in the City helped that she had to sell her home and move. She commented that there are 4 dwellings on the property now.

Council went to Recess due to technical difficulties with Zoom at 6:22 pm.

The meeting resumed at 6:35 pm.

Tom Clayton inquired on the protocol for having striping on Moore Road completed. He advised one portion was complete, but not the whole thing. He further commented he was unsure if it is part of the city or the county.

Steve Holloway, General Manager of Bertolotti Disposal, updated the City on the status of the new can deliveries and service times. He advised that they had ordered quite a few more trucks over a year ago, but had not received them yet due to a pandemic related delay. They have had to dump 12,000+ more cans with the same trucks they had before. He asked residents to contact Bertolotti if they were having any issues with servicing or if they were missing or had excess cans.

Resident Maria commented on traffic she is experiencing near Walmart when taking and picking up her son from Central Valley High School. She asked when the Service Road overpass would be expanded.

APPOINTMENTS TO BOARDS/COMMISSIONS

CONFLICT OF INTEREST DECLARATION

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 January 24, 2022 City Council meeting was posted on Wednesday, January 19, 2022. (Nayares-Perez)
2. Waive Readings. All Readings of Ordinances and resolutions are waived. (Waive reading in full of all ordinances and resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title). (Nayares-Perez)
3. Approval of Minutes (Nayares-Perez)
 - a. Minutes of November 9, 2021 Special City Council meeting.
4. Register of Audited Demands for Period covering January 5, 2022 through January 12, 2022. (Dias)
5. General Correspondence – **Information Only**
 - a. Public Works monthly report for December 2021. (Royal)
 - b. Recreation monthly report for December 2021. (Chavez)

Mayor Lopez asked if any Council Member or citizen would like an item pulled from the Consent Calendar and be heard under separate motion. No Items were removed from Consent.

MOTION: Motion by **Council and Agency Member Kline**, seconded by **Vice Mayor and Vice Chair Silveira**, to approve Consent items 1-5. **5/0/0** Motion passes see below by the following roll call vote:

AYES: 5 Council and Agency Members: Casey, Kline, Ryno, Silveira, Mayor Lopez
NOES: 0 Council and Agency Members: None
ABSENT: 0 Council and Agency Members: None

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

UNFINISHED BUSINESS

PUBLIC HEARING

6. **Public Hearing to consider Resolution No. 2022-02**, approving a Whitmore Ranch Specific Plan Reimbursement Fee. (Hoem)

Christopher Hoem, Community Development Director, gave the presentation.

Council Member Kline inquired on why Alvernaz Enterprise was asking for reimbursement now when this occurred years ago.

Council Member Ryno commented that we have done this in the past and she believes that anybody that wants to take part in the development should be paying their fair share to the Alvernaz's. She further asked to confirm that no City funds were expended and asked for clarification on the \$100 administrative fee and how it will be processed.

Mayor Lopez asked if anyone from the public had any comments and the following citizens spoke:

Resident Maria inquired if the new construction was near Cesar Chavez School and confirmed that only 12 properties would be affected.

MOTION: Motion by Council and Agency Member Ryno, seconded by Vice Mayor and Vice Chair Silveira, approving Resolution 2022-02. **5/0/0** Motion passes see below by the following roll call vote:

AYES: 5 Council and Agency Members: Casey, Kline, Ryno, Silveira, Mayor Lopez
NOES: 0 Council and Agency Members: None
ABSENT: 0 Council and Agency Members: None

NEW BUSINESS

- Resolution No. 2022-03**, approving the formation of a Veterans and Active Military Banner Program Advisory Committee

Mayor Lopez provided a brief overview of the item.

Mayor Lopez asked if anyone from the public had any comments and the following citizens spoke:

Gene Yeakley mentioned that he had not heard of any organization needing more time to submit their applications.

MOTION: Motion by Mayor and Chair Lopez, seconded by Council and Agency Member Ryno to approving Resolution 2022-03. **5/0/0** Motion passes see below by the following roll call vote:

AYES: 5 Council and Agency Members: Casey, Kline, Ryno, Silveira, Mayor Lopez
NOES: 0 Council and Agency Members: None
ABSENT: 0 Council and Agency Members: None

- Resolution No. 2022-01, (CRA)** appropriating \$2,500 from former City of Ceres Redevelopment Agency (CRA) Administrative Allowance and amending the FY 2021-2022 CRA Successor Agency Annual Budget to remit payment to Opportunity Stanislaus (OS) and approving a Memorandum of Understanding and authorizing the City Manager to execute the MOU with OS. (Hoem)

Christopher Hoem, Community Development Director, introduced David White, Chief Executive Officer of Opportunity Stanislaus, who gave a presentation on the item.

Council Member Kline commented that he was pleasantly surprised with the responses Opportunity Stanislaus staff gave on his questions. He further commented that the increase they are requesting is very large 9 months into the contract. Council Member Kline voiced his support with the progress he has seen and hopes to see the same kind of progress moving forward.

Council Member Silveira inquired if Opportunity Stanislaus received ARPA funding. He also asked for more detail on how the organization would benefit the Ceres Citizens before offering his support.

Council Member Casey commented that he knows the organization has helped small businesses in the City of Ceres and he supports it 100%.

MOTION: Motion by **Council and Agency Member Ryno**, seconded by **Council and Agency Member Casey**, to approving Resolution 2022-01 (CRA). **4/1/0** Motion passes see below by the following roll call vote:

AYES: 4 Council and Agency Members: Casey, Kline, Ryno, Mayor Lopez
NOES: 1 Council and Agency Members: Silveira
ABSENT: 0 Council and Agency Members: None

9. **Resolution No. 2022-01, (SCRC)** appropriating \$2,500 from former Stanislaus-Ceres Redevelopment Commission (SCRC) Administrative Allowance and amending the FY 2021-2022 Stanislaus-Ceres Successor Agency Annual Budget to remit payment to Opportunity Stanislaus. (Hoem)

MOTION: Motion by **Council and Agency Member Ryno**, seconded by **Council and Agency Member Casey**, to approving Resolution 2022-01 (SCRC). **4/1/0** Motion passes see below by the following roll call vote:

AYES: 4 Council and Agency Members: Casey, Kline, Ryno, Mayor Lopez
NOES: 1 Council and Agency Members: Silveira
ABSENT: 0 Council and Agency Members: None

DISCUSSION ITEMS

10. Discussion and Direction regarding the American Rescue Plan Act (ARPA) funds. (Dias)

Interim City Manager Alex Terrazas gave the presentation.

Council Member Ryno commented on continuing to pick up illegal dumps, the addition of the tree pruning grid, offering help to small businesses, and spending some of the landscape installation at Ochoa Park on Lion's Park.

Mayor Lopez voiced his support of putting funding towards Guillermo Ochoa Park and improvements to the soccer field at River Bluff. He further added, parks signs need to be updated and way finding signs should be added at Ceres exits. In addition, the fire alarm system in the Police Department and City Hall could be updated and someone for code

enforcement could be brought in on a temporary contract. In relation to Covid, air purifiers could be looked into and more Covid tests could be provided to the community.

Council Member Silveira suggested \$100,000 be put towards a positive recruitment process for department heads.

Council Member Kline questioned the remodeling of the Council Chambers. He suggested adding monitors for Councilmembers and putting the rest toward the parks. He further inquired on the installation of public safety cameras and suggested code enforcement get temporary help. He also questioned the premium pay the employees received last year and suggested any further amount be shared with small businesses to help them.

Council Member Casey asked that they have more public input even though giving them the opportunity may delay things.

John Warren commented on the camera system and suggested they install a mixture of permanent and mobile cameras. He would like to see a system that sends feed to the dispatchers to be monitored.

Resident Maria voiced her opposition to remodeling and would like to see that money go towards helping small businesses or investing in the parks. She would also like to see more illegal dumping cleanup along El Camino Ave.

ACTION/DIRECTION: Council directed staff to bring back a spending plan for Council on future meeting.

COUNCILMEMBER REFERRALS

Council Members request to have an agenda item placed on a future agenda. (Pursuant to Chapter 2- City Council Meetings, J-8. City Council Referrals/Determination of Items for 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 – Nothing to report.
- City Council – Council Member Casey commented on the Yes Program and how it benefits young people looking for jobs.

Council Member Kline welcomed Deputy Chief Wise back.

- City Manager – Nothing to report.
- City Attorney – Nothing to report.
- Departments – Police Chief Rick Collins commended the Police Department for the excellent work they did during the critical incident that occurred last Saturday and thanked the County and the Modesto Police Department for their help. He further commented on the camera that has been installed at Whitmore Avenue and Rose Avenue to monitor the illegal dumping that has been occurring.

Fire Chief Alan Ernst introduced Deputy Fire Chief Kevin Wise and welcomed him back to the County and Ceres/Modesto Fire Department. He further thanked everyone that assisted with the critical incident at Stanislaus Farm Supply.

- County Supervisor – Russell Fowler, Field Representative for Supervisor Condit, advised that Supervisor Condit looks forward to the State of the City Address.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: In re: National Prescription Opiate Litigation, U.S. District Court, Northern District of Ohio case number 1:17-MD-2804

2. CONFERENCE WITH LABOR NEGOTIATOR

(Pursuant to Section 54957.6 of the Government Code)

City Negotiator: City Manager

Employee Organization: **Department Heads** (unrepresented)

REPORT FROM CLOSED SESSION

ACTION: Mayor Lopez reported the following:

1. Opted to be involved in the case.
2. Nothing to report.

ADJOURNMENT

The next regularly scheduled City Council Meeting will be held on February 14, 2022 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 Lopez adjourned the meeting at 8:30 p.m.

Javier Lopez, Mayor

Diane Nayares-Perez, CMC, City Clerk

Consistent with Council Policy, the minutes referenced above are in Action Format. The complete recording of the meeting can be viewed at <https://www.ci.ceres.ca.us/agendacenter>