

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.



MINUTES

CITY COUNCIL REGULAR MEETING

CITY OF CERES, CALIFORNIA

City Council Chambers, 2701 Fourth Street
Monday, January 10, 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 10, 2022 Regular City Council meeting to order.

ROLL CALL

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

Absent: None

INVOCATION/MOMENT OF SILENCE

Invocation and a moment of silence in remembrance of Rev. Adrian Condit given by Pastor Chris Henry.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Mayor Lopez

PRESENTATIONS

A. Animal Services' Annual Report (Stanislaus County)

Annette Bedsworth, Executive Director of the Stanislaus County Animal Services Agency, presented the annual report.

Ceres Resident Gene Yeakley asked for clarification on what happens to the animals after they are dropped off at the Animal Services Agency.

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

Lee Brandt expressed his confusion on how to dispose of food scraps like chicken bones and grease with the new three waste can system. He also commented on the delay of Pastor Condit's Celebration of Life due to Covid.

John Warren inquired if Public Works was going to enforce the storage of cans after being picked up.

Gene Yeakley asked for an answer to his question from October regarding the police department not taking a call regarding a street vendor.

APPOINTMENTS TO BOARDS/COMMISSIONS

B. Confirmation of the 2022 Mayoral Appointments of Council Members to boards, commissions, and committees.

Mayor Lopez asked if any Council Member wanted to serve as an alternate for the Surface Water Joint Powers Authority Board and Council Member Casey volunteered.

MOTION: Motion by **Vice Mayor Silveira**, seconded by **Council Member Kline**, approving the 2022 Mayoral Appointments of Council Members to boards, commissions, and committees with the proposed revision by Council Member Ryno. 5/0/0 Motion passes see below by the following roll call vote:

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

CONFLICT OF INTEREST DECLARATION

No Council conflicts were declared.

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 10, 2022 City Council meeting was posted on Wednesday, January 5, 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 October 25, 2021 and November 8, 2021 Regular City Council meetings.

4. Register of Audited Demands for Period covering December 8, 2021 through December 28, 2021. (Dias)
5. General Correspondence – **Information Only**
 - a. Public Works monthly report for November 2021. (Royal)
 - b. Redevelopment & Economic Development Monthly Report for December. (Hallam)
- (Removed from Consent/Council Member Ryno)*
6. **Resolution No. 2022-01**, continuing the teleconference of Public Meetings Pursuant to Assembly Bill 361 allowing the City to continue a Hybrid Virtual Meeting Environment. (City Attorney)
7. Set public hearing date of February 14, 2022, for the City Council to consider a proposal for a Rezoning of the property located at the northeast corner of East Hatch Road and Golf Links Drive to modify the existing “MX-2, Mixed Use – 2” zoning designation to a “CC, Community Commercial” zoning designation within the Mitchell Road Corridor Specific Plan, and to consider an appeal of the Planning Commission’s decision approving a Vesting Tentative Parcel Map and a Specific Plan Site Plan entitlement involving the subdivision of a 2.16-acre commercial zoned site into three parcels with a new commercial building proposed for each parcel. (Hoem)

Mayor Lopez asked if any Council Member or citizen would like an item pulled from the Consent Calendar and be heard under separate motion. Item 6 was removed from Consent.

MOTION: Motion by **Council Member Silveira**, seconded by **Council Member Ryno**, to approve items 1-2, 4, 5 and 7. **5/0/0** Motion passes see below by the following roll call vote:

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

MOTION: Motion by **Council Member Silveira**, seconded by **Council Member Ryno**, to approve item 3. **4/0/1** Motion passes see below by the following roll call vote:

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Item 6/Council Member Ryno

Concern regarding technical difficulties with Zoom during a meeting was expressed by Council Member Ryno. She suggested that individuals having issues should have a way to contact someone during the meeting to advise that there is a problem.

MOTION: Motion by Council Member Ryno, seconded by Vice Mayor Silveira, to approve Resolution 2022-01. **5/0/0** Motion passes see below by the following roll call vote:

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

UNFINISHED BUSINESS

PUBLIC HEARING

(Hearing Time-7:00 pm)

8. Second Redistricting Public Hearing. (City Attorney/City Clerk)

Doug Yoakam, Redistricting Consultant from National Demographics Corporation (NDC) detailed the Redistricting Process. Mr. Yoakam stated that the district boundaries are within the allowed 10% deviation threshold. The City is not required to redraw the maps. Council has the option of deciding that the current district map will remain unchanged or allow for the submission of draft maps. A discussion ensued.

Mayor Lopez opened the Public Hearing. There being no comments from the public, Mayor Lopez closed the Public Hearing.

Council Member Silveira commented that being that we are in the recommended percentages for the areas he is in support of not changing the districts.

Council Member Ryno stated she would like to see what the changes might be.

Council Member Kline commented that when they first did this, he thought there were a few areas out of skew. He would like to see one district on the other side of the freeway instead of it being split between 2 and 4. He commented that he can see where Council Member Silveira stands, but he would like to explore possible changes to the districts.

Mayor Lopez commented that the way the districts are now allows for underserved communities to be served by each councilmember. He would like the redistricting process to be focused on the citizens of Ceres, instead of it being used as an opportunity to move council members from their own districts. He is in support of not redistricting but is open to the public for map suggestions.

Council Member Ryno commented that she would like to see the public's input on the way their districts are drawn before making a decision that may keep the districts as they are.

Motion Fails

MOTION: Motion by Council Member Silveira, seconded by Mayor Lopez to leave the districts as they are and not accept redraws from the public or Councilmembers. **2/3/0**
Motion fails see below by the following roll call vote:

AYES: 2 Council Members: Silveira, Mayor Lopez
NOES: 3 Council Members: Casey, Ryno, Kline
ABSENT: 0 Council Members: None

Motion Passes

MOTION: Motion by **Council Member Ryno**, seconded by **Council Member Kline** that the Council will allow input from the community for suggestions and modifications to the districts understanding that the Council will still have the final vote. **5/0/0 Motion passes** see below by the following roll call vote:

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

NEW BUSINESS

DISCUSSION ITEMS

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.)

REPORTS

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

- Mayor – Mayor Lopez commented that he and Council Member Casey participated in the Christmas Parade and thanked everyone that helped put it together. He further commented that he and Vice Mayor Silveira helped wrap presents that police and fire helped disburse to less fortunate children. He concluded by announcing the State of the City Address was on January 27th. He also mentioned that the City had passed out over 200 Covid tests to the community.
- City Council – Council Member Ryno commented on the opening of the Habit Grill and the outreach they have done in the community.

Council Member Silveira commented on his 32nd Anniversary with the Stanislaus County Sheriff's Department. He thanked everyone in Ceres, the county and across the nation for all the support they receive and recognized January 9th as Law Enforcement Appreciation Day.

- City Manager – City Manager Alex Terrazas wished everyone a happy new year.
- City Attorney – Nothing to report.
- Departments – Nothing to report.
- County Supervisor – Nothing to report.

There being no further business, Mayor Lopez adjourned the Regular City Council meeting at 7:35 p.m. and convened in a Closed Session meeting with the below listed item being discussed.

CLOSED SESSION

1. 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. There was nothing to report on the closed session item.

ADJOURNMENT

The next regularly scheduled City Council Meeting will be held on January 24, 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 8:11 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>