

**CITY OF LOS BANOS  
CITY COUNCIL MEETING MINUTES  
FEBRUARY 1, 2017**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the City Council. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

**CALL TO ORDER:** Mayor Villalta called the City Council Meeting to order at the hour of 7:01 p.m.

**PLEDGE OF ALLEGIANCE:** Police Chief Brizzee led the pledge of allegiance.

**ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT:** Council Members Tom Faria, Daronica Johnson-Santos, Deborah Lewis, Scott Silveira, Mayor Michael Villalta; Absent: None.

**STAFF MEMBERS PRESENT:** City Attorney Vaughn, City Clerk/HR Director Mallonee, Police Chief Brizzee, Finance Director Williams, Fire Chief Marrison, Community & Economic Development Director Elms, Public Works Director/City Engineer Fachin and Information Technology Director Spalding.

**CONSIDERATION OF APPROVAL OF AGENDA:** Mayor Villalta stated that staff is requesting that removal of item 11 – CLOSED SESSION – Conference with Real Property Negotiators, Pursuant to Government Code Section 54956.8; Property Located at 1111 G Street, Los Banos, California, (APN 026-161-003, 026-161-008 (portion), Approximately 6.04 Acres; City Negotiators: City Manager Terrazas, City Attorney Vaughn, Finance Director Williams, Police Chief Brizzee; Negotiating Parties: Sam Watson; Under Negotiation: Purchase Price and Terms of Sale. City Attorney Vaughn commented that they are working on this but are not quite ready to present anything new tonight but are hoping to have something on February 15, 2017.

Motion by Faria, seconded by Silveira to approve the City Council Meeting agenda as stated with the removal of item 11 – CLOSED SESSION – Conference with Real Property Negotiators, Pursuant to Government Code Section 54956.8; Property Located at 1111 G Street, Los Banos, California, (APN 026-161-003, 026-161-008 (portion)), Approximately 6.04 Acres; City Negotiators: City Manager Terrazas, City Attorney Vaughn, Finance Director Williams, Police Chief Brizzee; Negotiating Parties: Sam Watson; Under Negotiation: Purchase Price and Terms of Sale. The motion carried by the affirmative action of all City Council Members present.

**PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE**

**POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE.** BERTHA FARIA, Los Banos Chamber of Commerce, welcome to February, after a very productive January the Chamber is looking forward to the upcoming year, welcomed six new members to the Chamber of Commerce since her previous visit, Castro Business Services offers mobile Notary Public services as well as loan signing, Lupe Castro can be reached at 752-2583, Cara's Consulting with Dr. Niko de Paz provides much needed help and support to parents to children with Autism and will be hosting a special movie event for those families on Saturday, February 18, 2017, beginning at 9:30 a.m. at Premiere Cinemas, contact Cara's Consulting on their website at [www.asdcares.com](http://www.asdcares.com) or call 489-6315, welcomed Hotel Mission de Oro in Santa Nella who kicked off their membership by holding a photo contest in which the winner's picture will be spotlighted on their website and will also receive a complimentary stay at the hotel, PMZ Real Estate has joined the Chamber as well with realtor Jeanette Boyd offering her hometown knowledge and ambition and can be reached at 675-3634, Central Valley Geeks owned and operated by Dave Hogue is located at 924 Sixth Street and has been serving Los Banos and the surrounding communities for over eleven years, Operation Packing Company Inc. presented by the Moonshine Bandits and Shiner Nation is dedicated to the collection, organization, packing, and sending of care packages to the soldiers overseas, to donate items for shipment or for more information visit [operationpackingcompany.org](http://operationpackingcompany.org), Friday is the deadline to order Marie Callendar pies from the Los Banos Kiwanis Club for their Valentine's Day Pie Sale, call any Kiwanis member to place an order for \$13 and pies can be picked up at the Miller and Lux Building on February 14, 2017, held their first ribbon cutting of the year on Thursday for Grid Alternatives who hosted the monthly Chamber Mixer at the Chamber office, they are a 501C3 certified non-profit organization that brings together community partners, volunteers, and trainees to implement solar power and energy efficiency for low-income families, and tonight Espana's Restaurant is celebrating their 50<sup>th</sup> Anniversary and will be bringing their 1967 menu and is a sold-out event and is expecting over 500 people to visit this evening, thanked the Amabiles and the rest of the Espana's family for their long-time Chamber membership and their combined service for the community, tomorrow we will welcome Sutter Rural Clinic with a ribbon cutting at 4:00 p.m., they are located at 1253 West I Street, on Friday Sheila Menezes and her staff at West Coast Rayz N Sprayz located at 2220 E. Pacheco Boulevard will celebrate with a ribbon cutting launching Esthetics by Cindy at 11:00 a.m. and will also hold an open house on Saturday, February 11, 2017, beginning at 10:00 a.m., Tiger Youth Football signups will be on the weekend of February 18<sup>th</sup> and 19<sup>th</sup>, 2017, in the parking lot from 9:00 a.m. until 2:00 p.m., on Saturday, February 18, 2017, Antsy McClain and the Trailer Park Troubadours will visit the Los Banos Arts Council at 7:00 p.m., get your tickets before they sell out, thanked Council. No one else came forward to speak and the public forum was closed.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Council Member Lewis requested that item 6D – City Council Resolution No. 5834 – Amending Division 4, Salary Schedule, Employee Classifications Relating to Changes to Section E – Public Works be removed from the Consent Agenda.

Motion by Lewis, seconded by Faria to approve the consent agenda as amended as follows: Check Register for #202794 – #203035 in the Amount of \$692,608.07; Minutes

for the January 4, 2017 City Council Meeting; Minutes for the January 18, 2017 City Council Meeting; ~~City Council Resolution No. 5834 – Amending Division 4, Salary Schedule, Employee Classifications Relating to Changes to Section E – Public Works;~~ City Council Resolution No. 5835 – Approving a Boundary Map and Declaring Its Intention to Annex Property to the City of Los Banos Community Facilities District No. 2002-01 (Public Safety Services) and to Levy a Special Tax Therein to Finance Certain Public Safety Services for Such Community Facilities District. The motion carried by the affirmative action of all City Council Members present.

**CITY COUNCIL RESOLUTION NO. 5834 – AMENDING DIVISION 4, SALARY SCHEDULE, EMPLOYEE CLASSIFICATIONS RELATING TO CHANGES TO SECTION E – PUBLIC WORKS.**

Council Member Lewis inquired as to the contract of the cost of the janitorial services the City previously held for which Finance Director Williams stated that there was two separate contracts, one being for servicing City Hall in the approximate amount of \$14,400 per year and the other contract for servicing the Miller & Lux Building, the Child Development Center and the Public Works building on Madison Avenue in the approximate amount of \$19,700 per year, the employee being hired for this custodian position would additionally be responsible for servicing the Public Works building on F Street which would in turn eliminate the current part time position that normally services that building, the total cost for cleaning services for those locations for the current contract is approximately \$37 or \$38,000; Council Member Lewis asked if the \$42,00 included benefits for which Finance Director Williams confirmed it does include the salary and the benefits based on the highest assumption being employee plus family members.

Motion by Lewis, seconded by Silveira to approve City Council Resolution No. 5834 – Amending Division 4, Salary Schedule, Employee Classifications Relating to Changes to Section E – Public Works. The motion carried by the affirmative action of all Council Members present.

**CONSIDERATION OF THE ADOPTION OF CITY COUNCIL RESOLUTION NO. 5836 – ACCEPTING THE 2015-2016 FISCAL YEAR AUDIT REPORTS CONSISTING OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR), THE GOVERNMENT AUDITING STANDARDS REPORT, AND THE ABANDONED VEHICLE ABATEMENT PROGRAM FINANCIAL STATEMENTS.**

Finance Director Williams thanked her staff members Kim Tomas and Rosemarie Souto and the staff at Price and Paige for all the hard work they do regarding the City's budget, continued on with presenting the staff report. She then introduced Fausto, a managing partner with Price, Paige and Company, who spoke in further detail to the audit reports.

Mayor Pro Tem Silveira stated that the City receives an unmodified audit opinion and asked if Mr. Fausto explain in more detail what the language means because it's a bit confusing for which Mr. Fausto explained that when a report conducted on a certain organization shows that they are conducting business as they should, it produces a standard report which needs no modifications, therefore it is unmodified report.

Mayor Villalta stated that its come to be the norm in this City to have an unmodified report, our finances are correct, and that fact is backed by an auditor, said that it is a big

headache that Council and the City Manager do not have to worry about when the Finance department is fine tuned, thanked Finance Director Williams and her team for the great job they have done.

Mayor Pro Tem Silveira praised the Finance Department and pointed out the certificate of achievement they received for their excellence in financial reporting issued by the Government Finance Officers Association, he has been here seven (7) years and it has become the norm where we do not have findings compared to the years when he was first here there were many findings and it has gotten better and better each year, once more congratulated and thanked the Finance Department.

Finance Director Williams spoke about the award and stated that was the second year the department received that award and they are anticipating to once again receive the award for the 2015-2016 fiscal year and will inform Council when it comes through.

Council Member Faria congratulated the staff and thanked the auditing company, noted how the Finance staff is top-notch, they had a lot of work to do years ago and have come a long way to where they are now, the City is one of the most financially sound cities in the State.

Motion by Faria, seconded by Lewis to adopt City Council Resolution No. 5836 – Accepting the 2015-2016 Fiscal Year Audit Reports Consisting of the Comprehensive Annual Financial Report (CAFR), the Government Auditing Standards Report, and the Abandoned Vehicle Abatement Program Financial Statements. The motion carried by the affirmative action of all City Council Members present.

### **ADVISEMENT OF PUBLIC NOTICES (No Report).**

**CITY MANAGER REPORT.** City Manager Terrazas stated that in February we will be having a Traffic Safety Month where the Los Banos Police Department will begin a month-long city event focusing on pedestrian safety and distracted drivers, rescheduled MCAG presentation for February 15, 2017 for council's consideration.

### **CITY COUNCIL MEMBER REPORTS.**

**SCOTT SILVEIRA:** Stated that he attended the Empty Bowls festivities last week, plenty of soup and a lot of bowls, loves the French Onion soup, really good turn out and commended the Rotary and all the volunteers for a job well done and for raising money for a good cause.

**TOM FARIA:** Stated that those that attended the Frank Wiens concert saw people there from Santa Cruz, Fresno, Dos Palos, had a wonderful time, very appreciative of the audience and the beautiful concert, the Arts Council does a lot to support them and will continue to do so, spoke about how his high school choir gets to attend an opera on a scholarship, the San Francisco Opera comes in groups to town and he has been talking with the Arts Council to possibly hold some type of Opera workshop for the children in Los Banos, next week the Arts Council will host the Trailer Park Troubadours performance, very funny group, believes that will be on February 18, 2017, Kiwanis pie

fundraiser is always a welcome addition to the holiday, thanked the City and County firemen for helping cook chicken for the choir dinner fundraiser, was a very successful event selling over 300 dinners, La Morenita donated the beans, rice and tortillas and does a lot of other donating to help make the choir a financial success, thanked Assistant Fire Chief Hurley for leading the firemen in this event, see you in a couple weeks, thanks.

**DARONICA JOHNSON-SANTOS:** Apologized for being absent from the last council meeting, thanked City staff for sending her to the League of California Cities conference where she learned a lot and engaged in networking, thanked the City Manager for preparing her for the conference.

**DEBORAH LEWIS:** Congratulated Finance Director Williams and the financial staff for the great job they have done, ever since she has been on Council they have received great reviews, really proud of our staff for putting us in the position that we are in as far as monitoring finances and elevating us to the status we are at as far as awards received, thanked them again, had the opportunity to attend the Empty Bowls event and you do not go away hungry, noticed the youth made most of the bowls, joked about how she picked a very nice bowl but the City Manager grabbed the bowl she wanted, was a very well-attended and wonderful gathering with great purpose, thanked the Rotary Club for putting on the event, attended the Frank Wiens concert at the Arts Council and spoke about how she loves classical music, it was a site to be hold, encouraged others to attend his concert if he returns and other concerts put on by the Arts Council.

**MAYOR MICHAEL VILLALTA:** Stated that alot has been said about the Empty Bowls event, this year the Rotary donated \$3,000.00 to the canned food drive and Police Chief Brizzee donated his hair, 8,000 cans were collected this year, if they collect 12,000 cans next year he will let them cut his hair, thanked Chief Brizzee for his contributions to this cause over the years, on behalf of the City Council he contacted Senator Feinstein's office to ask them to help intervene on the situation of the father and daughter from our City being held overseas and they, along with Congressman Costa are at a San Francisco office and they are working diligently to bring them home, heard on the news that an attorney has secured a way to bring them back but we will see, this Council did want to weigh in on this and we wish them a safe return home, at the February 15, 2017, City Council meeting there will be a presentation by MCAG, Anthony Zepeda will be here to talk about the recently passed Measure V and how the "Westside" can start utilizing these funds along with State and Federal funds in order to achieve our projects, funds from Measure V alone will not secure any large projects, reminded all that this is Black History month and many people are celebrating to let individuals know the struggles that were conquered so many years ago.

**CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS, PURSUANT TO GOVERNMENT CODE SECTION 54956.8; PROPERTY LOCATED AT 1111 G STREET, LOS BANOS, CALIFORNIA, (APN 026-161-003, 026-161-008 (PORTION)), APPROXIMATELY 6.04 ACRES; CITY NEGOTIATORS: CITY MANAGER TERRAZAS, CITY ATTORNEY VAUGHN, FINANCE DIRECTOR WILLIAMS, POLICE CHIEF BRIZZEE; NEGOTIATING PARTIES: SAM WATSON;**

~~**UNDER NEGOTIATION: PURCHASE PRICE AND TERMS OF SALE.**~~ *Removed from the agenda at the beginning of the meeting.*

**CLOSED SESSION – PUBLIC EMPLOYEE EMPLOYMENT, CITY ATTORNEY, PURSUANT TO GOVERNMENT CODE SECTION 54957.** No reportable action.

**ADJOURNMENT.** The meeting was adjourned at 8:42 p.m.

APPROVED:

/s/ Michael Villalta  
Michael Villalta, Mayor

ATTEST:

/s/ Lucille L. Mallonee  
Lucille L. Mallonee, City Clerk