

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JULY 19, 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 Commander Reyna led the pledge of allegiance.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Daronica Johnson-Santos, Deborah Lewis, Scott Silveira, Mayor Michael Villalta; Absent: Council Member Tom Faria.

STAFF MEMBERS PRESENT: City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Police Commander Reyna, City Treasurer/Accountant II Tomas, Finance Director Williams, Assistant Fire Chief Hurley, Public Works Director/City Engineer Fachin and Information Technology Director Spalding.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Lewis, seconded by Silveira to approve the City Council Meeting agenda as submitted. The motion carried by the affirmative action of all City Council Members present. ABSENT: Faria.

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. MARK MARSHALL, new Los Banos Unified School District Superintendent, wanted to introduce himself and he looks forward to the District and City's partnership; Mayor Villalta spoke to how he attended the last school board meeting and how there was discussion pertaining to the potential stoplight at 11th Street and Highway 152, expressed gratitude to Mr. Marshall for the letter he sent to CalTrans regarding this particular stoplight, will keep in touch on the status; DAVE HOWE, Los Banos, founder of a company website called My Los Banos which is a community portal and marketplace, spoke regarding the problem he has encountered as a business owner in Los Banos and that is being that 62% of the town population are commuters, he owns a store in Los Banos and has trouble getting people to come into his store because he closes at 5:00 p.m., spoke to what his website consists of and how it works, appreciates any feedback Council may have; RHONDA LOWE, Los Banos, here on behalf of the

Los Banos Downtown Association, spoke about the Second Annual Farm to Table Dinner, it will be held on September 21, 2017 at the middle of 6th Street, a gourmet dinner will be served right in the middle of the street with dining under the stars, this event was started to raise community awareness about the importance of agriculture, last year was a success so not much will be changed but instead added, a second entrée will be served, a scholarship is being established for local high school students who will be pursuing a career in the agricultural field, four \$500 scholarships will be established from the proceeds of this event, a Farm Family of the Year Award will be given to a family in honor of their agricultural devotion to the community, tickets are presold only and over 50% of the tickets have already been sold and it is still two months away; GENEVA BRETT, Los Banos, speaking on behalf of the American Legion Auxiliary, they have taken over the Honor a Vet program out at the cemetery where flags are place on all of the veteran graves, some of the gravesites were difficult to identify and so not all the veterans received flags on their gravesites, the community is being sought to purchase grave markers for each veteran gravesite along with medal flag pole rods so that the sites are identifiable and so that the flags can be placed more efficiently, these additions to the sites cost \$14 apiece, the plan is to purchase 600 of them and give the remainder to the cemetery to add to any incoming veterans that will be buried at the cemetery, none will be put out until there is enough for every veteran gravesite at the cemetery, the metal flagpole rods will make placing flags much easier so that other community organizations can be involved in placing flags on the appropriate holidays more efficiently, checks can be made to the American Legion Auxiliary Unit 166 P.O. Box 1290 in Los Banos, purchases in honor of a particular Veteran will be monitored. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Silveira, seconded by Johnson-Santos to approve the consent agenda as follows: Check Register for #205399 – #205816 in the Amount of \$2,443,981.62; Fourth Quarter Investment Report for Fiscal Year 2016-2017; Minutes for the June 21, 2017 City Council Meeting; City Council Resolution No. 5872 – Accepting Nine (9) Grant Deeds for Right-of-Way Dedication Associated with Street Sidewalk Corner Improvements as Part of the K Street Storm Drain Improvements; City Council Resolution No. 5873 – Authorizing Award of Construction Contract for K Street Storm Drain Improvements to Taylor Backhoe Service, Inc. in the Amount of \$1,246,956.85; City Council Resolution No. 5874 – Authorizing the City Manager to File a Regional Surface Transportation Program (RSTP) Exchange Program Fund Claim Form for Fiscal Year 2016-2017 in the Amount of \$408,388; City Council Resolution No. 5875 – Adopting a Revised Budget for the Fiscal Year 2017-2018 Budget as It Pertains to Increasing Revenues and Expenditures by \$1,500 in the General Fund – Recreation Department. The motion carried by the affirmative of all Council Members present; ABSENT: Faria.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF LEVYING PROPERTIES FOR WEED ABATEMENT SERVICES PERFORMED DURING THE FISCAL YEAR 2016-2017 OR PRIOR FOR AREAS OF LAND LOCATED IN THE CITY OF LOS BANOS, MERCED COUNTY AS FOLLOWS:

ASSESSOR PARCEL NUMBERS 026-082-022, 025-282-006, 025-031-011, 082-770-002 – 016, 082-770-019 – 032, 082-770-054 – 063, 082-357-012, 081-200-001 – 005, 081-200-011 – 012, 081-200-006; CITY COUNCIL RESOLUTION NO. 5876 – AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR WEED ABATEMENT WITHIN THE CITY OF LOS BANOS. Finance Director Williams presented the staff report, which included a PowerPoint presentation and an Amended Assessment sheet which was placed at the dais for each Council Member.

Council Member Lewis inquired as to the \$1,012 assessment that was removed because of change in ownership and whether the prior owner paid their bill for which Finance Director Williams stated no and explained that the current owner showed proof that the ownership had changed hands, the City cannot assess the property since it has changed ownership, but the previous owner will be dealt with through collections.

Mayor Pro Tem Silveira referenced the Amended Exhibit A and asked if there was one property owner for a particular group of parcels listed on the sheet for which Finance Director Williams confirmed. Mayor Pro Tem Silveira asked if there are habitual violators identified, does the City just keep assessing the properties and keep tacking the bill on their property taxes for which Finance Director Williams confirmed and added that once the property taxes are paid, the City collects its fees.

Mayor Villalta opened the public hearing. No one came forward to speak and the public hearing was closed.

Motion by Silveira, seconded by Johnson-Santos to adopt City Council Resolution No. 5876 – Authorizing the Levy and Collection of Assessments for Weed Abatement within the City of Los Banos. The motion carried by the affirmative action of all Council Members present. ABSENT: Faria.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AN AMENDMENT TO THE CONDITIONS OF APPROVAL FOR SITE PLAN REVIEW #2013-02 TO ALLOW THE 24-HOUR OPERATION OF THE EXISTING SELF-SERVE AUTOMATIC CARWASH FOR CIRCLE K STORES, INC. LOCATED AT 410 N. MERCY SPRINGS ROAD, APN 424-120-015; CITY COUNCIL RESOLUTION NO. 5877 – APPROVING AN AMENDMENT TO THE CONDITIONS OF APPROVAL FOR SITE PLAN #2013-02 FOR CIRCLE K STORES, INC. LOCATED AT 410 N. MERCY SPRINGS ROAD. Community & Economic Director Elms presented the staff report, which included a PowerPoint presentation, noting that William Scarborough from Circle K is present to answer any questions the City Council may have.

Council Member Lewis stated that the only concern she has is that the developer of the senior housing project agreed to this project but no one is living there currently. She believes there will eventually be complaints coming in about the 24-hour operation and the seniors not being able to rest. Some language additions are suggested by her that once complaints start to come in to the City, that a new acoustical analysis be done or maybe even going back to the original hours of the car wash. She would prefer to have

some people living there first to see how things go before approving a 24-hour operation, but if it is approved then adding the language previously stated would suffice.

Mayor Villalta inquired as to when the Overland Courts senior living project will be completed for which Community & Economic Development Director Elms stated it they would be coming before Council on August 2, 2017 with their community facilities district annexation. They currently have their temporary occupancy permit, but after the community facilities district annexation is approved, they will be ready for final occupancy.

Mayor Villalta asked if there was any additional equipment added to the car wash for which Community & Economic Development Director Elms stated the only thing that will be added will be the blankets to the air blowers which will cause the air to be pointed downwards and will also decrease noise levels.

Mayor Villalta asked if it is possible to approve this item for three months since there shouldn't be any issues and wait to see whether any complaints will be coming in or not since the seniors will be moving into the senior living area in the next coming weeks. He is hesitant on approving this item indefinitely without knowing whether it will be a nuisance or not to the seniors that will be moving in. City Attorney Vaughn noted that since there is a noise ordinance already in place, the only option would be to conduct another acoustical analysis in the future to be sure they are meeting the City's requirements and that there is no grounds for denial. Mayor Villalta noted that living around this type of noise is quite annoying and City Attorney Vaughn reminded that the Overland Courts project is in support of this item.

Council Member Johnson-Santos inquired as to whether the other car washes in town have received any noise complaints for which Community & Economic Development Director Elms stated that the Fast Track car wash has received noise complaints pertaining to the loud music that is being played by the cars as they are in line waiting to enter the car wash but that there has been complaints pertaining to the blowers of the car wash. She added that no noise analysis has been done at that car wash.

Council Member Lewis asked if the acoustical numbers stated in the City's ordinance are current compared to those of other cities for which Community & Economic Development Director Elms stated that cities pretty much copy each other or get ideas from one another on these types of things and that the City's ordinance is close in relation to other cities but that the City's noise ordinance is around twenty (20) years old and is something that is not looked at annually. Council Member Lewis further stated her concerns and how she believes it is premature. At the minimum, she would like to see another acoustical study scheduled down the road or have the facility return its car wash hours back to the original schedule.

Mayor Villalta agreed with Council Member Lewis and noted that he is not going to approve this item based on the fact that he doesn't have enough information and until he can see the affect it will have on the citizens. He asked City Attorney Vaughn what

king of language can be added so that this item has to come back so that the affects can be reviewed for which City Attorney Vaughn suggested that the car wash have some time to chart the amount of uses between certain hours and if a significant number of complaints come in to the City that the car wash be required to perform another acoustical analysis utilizing a consultant of the City's choice. Stronger data would be available after a given period instead of assumptions.

Mayor Pro Tem Silveira noted that the blowers are on the western side of the car wash which is the furthest away possible from the residences. He agrees with City Attorney Vaughn that the car wash has done their analysis and have met the numbers that the City has set. They are meeting all the requirements. He agrees that some language be added stating that if there are a reasonable number of complaints coming in, that an another acoustical analysis should be done. The car wash should have a chance to provide some real data after the 24-hour operation is approved.

Mayor Villalta asked if the industry's standards have changed since the noise ordinance was last updated for which Community & Economic Development Director Elms said nothing has changed and that the cities she regularly networks with has not changed their noise ordinances.

Mayor Villalta asked if language was added so that another sound analysis could be conducted if complaints come in, can the hours of the car wash then be modified for which City Attorney Vaughn stated it would be limited to the hours where the noise levels were exceeded. He pointed out that the car wash is located on Mercey Springs highway and even though he is not a noise person, the ambience from the highway is probably louder than the car wash itself. He believes the best thing to do is to see if complaints come in and if so, then to conduct another acoustic analysis. Mayor Villalta asked if a number could be set regarding complaints because he feels Council 's opinions could differ for which City Attorney Vaughn stated he believes he should trust staff's opinion in determining when it becomes a problem or not. Mayor Villalta further asked if there are multiple complaints from the same individual, would that trigger a need for further analysis for which City Attorney Vaughn stated staff should be able to identify when it is indeed a problem..

There was staff discussion pertaining to how to receive complaints and what would suffice to trigger another analysis. City Attorney Vaughn said that staff could log the complaints and bring the findings back to Council after 12 months and then Council could determine whether there is a significant number of complaints or staff could determine before that that it's significant.

Bill Scarborough, the land development representative for Circle K came forward. Applicant . He pointed out the fact that during the nighttime hours, even at a Category III level, it is set at 55 decibels. The highest the car wash hits is at 53 in relation to the church and 49 as it relates to the senior living facility. That being said, even if cars were constantly going through the wash at night, it would still meet the criteria required by the noise ordinance. Circle K is willing to do an acoustical study for nighttime hours only to

determine if the numbers are different from what they have today with the absolute approval of the daily hours of 7:00 a.m. – 10:00 p.m. and have the study done during the night time hours during the more sensitive times of night..

Council Member Lewis asked how long the equipment would be out to measure the acoustics of the night time hours for which Mr. Scarborough stated he is not an acoustical engineer but that they will have the equipment out for as long as deemed professionally appropriate to gather that information.

Mayor Villalta asked if the City could choose a consultant of their choice for which Mr. Scarborough said that that should be fine as the standards are all the same.

There was staff discussion regarding a six month trial period to allow for residents to move into the senior living facility and see how many complaints come in during those six months with people occupying the residences next to the car wash.

Mayor Villalta opened the public hearing. KATHY BALLARD, Los Banos, spoke at the Planning Commission regarding her concerns about the ambient noise at night time noting that she does not live in the area and doesn't know what the noise is like in that area. Any type of noise is amplified at night time which is why at her store she has to turn the microphone down during the night hours. The acoustical study was done during the daytime hours because the car wash isn't currently open at night. When speaking to other car washes in town, they told her that most of their business ends around 8:00 – 9:00 p.m. and that the only people there past that time are there for negative reasons. Her concern is the fact that the Circle K car wash is an unmanned car wash and so there is no one there to regulate music levels etc. She doesn't believe the noise of the machines themselves would be an issue, but rather the people using the car wash. No one came forward to speak and the public hearing was closed.

Mayor Pro Tem Silveira wanted to clarify that everyone was on the same page and restated that Mr. Scarborough noted that Circle K would be willing to have an acoustical study performed during the night time hours with the absolute approval of the daytime hours from 7:00 a.m. to 10:00 p.m.

Motion by Lewis, seconded by Silveira to adopt City Council Resolution No. 5877 – Approving an Amendment to the Conditions of Approval for Site Plan #2013-02 for Circle K Stores, Inc. Located at 410 N. Mercey Springs Road, adding language that the City log any complaints and that there will be a mandatory acoustical analysis done by a consultant of the City's choice at six (6) months from the start of the operation of the car wash for the night time operation. The motion carried by the affirmative action of all Council Members present; ABSENT: Faria.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AN AMENDMENT OF ANNEXATION NO. 10 TO THE CITY OF LOS BANOS COMMUNITY FACILITIES DISTRICT (CFD) NO. 2002-01 (PUBLIC SAFETY SERVICES), RELATIVE TO THE OVERLAND COURTS SENIOR AFFORDABLE

HOUSING COMPLEX LOCATED AT THE NORTHWEST CORNER OF OVERLAND AVENUE AND ROCKPORT DRIVE. (To be Continued to August 2, 2017).

Mayor Pro Tem Silveira inquired as to why it is being continued for which Community & Economic Development Director Elms stated that the developer has asked for a continuation because the applicant was on vacation and needed more time to review the waiver and the election ballot but is aware that his final occupancy is based on his signing those documents.

Mayor Villalta opened the public hearing. No one came forward to speak.

Motion by Silveira, seconded by Lewis to continue this item, Public Hearing – To Receive Public Comment and Consideration of an Amendment of Annexation No. 10 to the City of Los Banos Community Facilities District (CFD) No. 2002-01 (Public Safety Services), Relative to the Overland Courts Senior Affordable Housing Complex Located at the Northwest Corner of Overland Avenue and Rockport Drive to the August 2, 2017 City Council Meeting. The motion carried by the affirmative action of all Council Members present; ABSENT: Faria.

REPORT ON TEMPORARY SIGN ORDINANCE AND OPTIONS FOR CONSIDERATION. Community & Economic Director Elms presented the staff report, which included a PowerPoint presentation.

Mayor Pro Tem Silveira noted that he was the one who brought this forward as a council member request and he expressed his gratitude to staff for spending some time on this and providing some options. He stated that he likes option number two (2) the best which states there would be a separate set of rules for the car dealerships and other types of businesses.

Council Member Lewis stated that after reading this, she was always under the impression that a request for a banner permit was good for thirty (30) days and then some lapse of time had to go by before another thirty (30) days would be granted, but apparently it's 120 days consecutively without any break. Then she thought you could tack on another 120 days after the first 120 days, but apparently the 120 days is counted as once per every year, not a calendar year but a year from when the first permit was granted. She doesn't particularly like any of the choices, even the one that is in place now. She thinks the ordinance was poorly written and not given a lot of forethought for the community or the City. Too many advertisements are an attractive nuisance. She would like the City to rewrite the sign ordinance all together. She feels as though too many advertisements degrades a community and she feels as though the loop holes are taken advantage of too often. There are a few things in the ordinance that needs to be tightened up and addressed.

Council Member Johnson-Santos spoke to option one (1) and asked if people come in often for temporary signage and whether this option would be a hardship on the Community & Economic Development Department for which Community & Economic Development Director Elms said ultimately all of the consideration would go to the

Planning Commission first. The City of Clovis' sign ordinance was very closely studied as they have some great procedures in place. No City in Merced County provided different rules for different classifications, but other cities in the Valley such as Clovis, Hanford, and Tulare did provide different rules for different types of businesses. Council Member Johnson-Santos stated that she personally prefers option one (1) which would be to deal with issues pertaining to this ordinance on a case-by-case basis.

Mayor Villalta asked how far from the right-of-way do signs have to be for which Community & Economic Development Director Elms stated five (5) feet back from the property line.

Mayor Villalta asked how will the Community & Economic Development Department deal with granting one business one thing and another different type of business coming in and wanting the same thing for which Community & Economic Development Director Elms stated that as the ordinance stands currently, any business would be able to go through the conditional use permit process and would have to go through the Planning Commission for approval. City Attorney Vaughn added that the intention with option one (1) would be that the Community & Economic Development Department would make some adjustments for very minor special cases without having to hold a public hearing and going through the rest of the process. Option number two (2) classifies different types of businesses that would typically use specific kind of signage. For instance, a car dealership is an outdoor endeavor and sales are mostly outdoor which allows for more signage as opposed to an accountant or lawyer, etc. wanting to advertise. He believes categories can be developed to distinguish what kind of signage is or could be used for that type of business which would then eliminate the "me too" issue. He spoke to the temporary signage portion of the ordinance and how that came about.

City Attorney Vaughn gave Council some different options and ideas as to how to proceed with this item, but a whole recreation of the sign ordinance would be a huge undertaking. A recreation of just the temporary signage portion wouldn't be so much of a task.

Mayor Villalta stated that he personally would like to see this item come back to Council with some incorporations of both options one (1) and two (2). He also wants to make sure some language is used referring to when signs become old and unattractive. The focus of all of this is the temporary signage issues pertaining to the types of signs, the number of signs, and the location of the signs.

Mayor Pro Tem Silveira likes the idea of incorporating options one (1) and two (2) also and likes the fact that they are not mutually exclusive. He does believe there needs to be a little leeway when it comes to special, minor exceptions. His concern is that if the whole sign ordinance is looked at, then it is not going to solve the original reason why he brought this item forward. He really wants to accomplish this temporary signage issue now and is open to looking at the ordinance as a whole at a later time.

City Attorney Vaughn added that option two (2) could also be utilized for permanent signage. Community & Economic Development Director Elms added that she believes it would be beneficial to also look at exempt signage which would eliminate some concerns expressed by Council Member Lewis.

Council Member Lewis wanted to make it clear that when she mentioned the permanent signage earlier in the meeting, she wasn't trying to piggyback the issue on top of the issue at hand which is the temporary signage. She believes the ordinance should be looked at as a whole again at some point in time, not right now. Some of her concerns about the temporary sign ordinance are the duration of time the signs are up; specification of materials, size and location; type of signs that are allowed to be displayed or not allowed and examples should be given. As far as displays are concerned, she doesn't believe any type of business should be allowed to have any signage that is over-the-top.

Mayor Villalta invited the public to come forward and speak. MARLENE ALVES, Marlene's Signs & Designs, spoke regarding a great concern regarding the sign issue being that signs in town are being taken down and cut down because of the ordinance that was passed in 2010. She believes 80% of the signs are being taken down and the owners are being cited for them. The reason these signs are being taken down is for beautification purposes, but many of the signs are actually beautiful. She has been in business for over 30 years. People that she has talked to around town are very upset because their signs are being taken down and the way they are talked to by code enforcement is unprofessional. She spoke to the fines of having signs up that were not allowed and how rapidly the fines go up if owners do not comply. She spoke to the type of signs she does and how she is seeing many of her signs taken down for many different reasons. This issue is greatly affecting her and her business. She believes a workshop could have avoided all of these problems and could have educated the public as to what they could or couldn't do or have. The way the City is dealing with this issue is immoral; ADAM (last name and City of residence not stated) He spoke regarding the fact that when these signs are taken down, the mess is not cleaned up and is left not looking right. He is no longer in business, but when he was, the paperwork for these signs was unclear. He too had some issues regarding courtesy when dealing with the code enforcement officers and believes some sort of training should be done. Some businesses don't have the correct information on the buildings such as phone number, addresses, hours of operation etc. He believes there is a conflict of interest for Mayor Villalta because he owns a business in town. No one else came forward to speak.

Mayor Pro Tem Silveira wanted to be sure that Community & Economic Development Director Elms and City Attorney Vaughn have a clear idea of what needs to be done. Community & Economic Development Director Elms stated that options one (1) and two (2) should somehow be put together and to specifically look at time duration, materials, size, location and provide some examples of what is allowed. Exempt signs are also to be looked into as well as weathered and unattractive signs.

Mayor Pro Tem Silveira isn't expecting this item to come back at a certain time but would like to know if there is an idea of when it could return for which Community & Economic Development Director Elms stated a good target would be to bring it back at one of the two meetings in October of this year. Mayor Pro Tem said to shoot for October 18, 2017 and as the date nears, if it isn't read, a brief update would be good.

DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE 2017 LEAGUE OF CALIFORNIA CITIES (LCC) ANNUAL CONFERENCE BEING HELD SEPTEMBER 13-15, 2017 IN SACRAMENTO.

Motion by Silveira, seconded by Villalta to designate Mayor Villalta as the voting delegate and Mayor Pro Tem Silveira as the alternate voting delegate. The motion carried by the affirmative action of all Council Members present; ABSENT: Faria.

ADVISEMENT OF PUBLIC NOTICES (No Report).

CITY MANAGER REPORT. City Manager Terrazas wanted to send best wishes to the Mariposa community that is significantly impacted by a wildfire, two of our fire engines have responded to assist under mutual aid, four officers were also sent in to help with evacuations, wished them the best and to be safe.

CITY COUNCIL MEMBER REPORTS.

TOM FARIA: Absent.

DARONICA JOHNSON-SANTOS: Thanked Public Works Director/City Engineer Fachin and Dan Bronson, a public works employee, for showing her around the fleet yard, thanked the firemen for the Fourth of July.

DEBORAH LEWIS: Stated that this past Monday MCAG held a Regional Vision public workshop here at City Hall regarding Measure V and how the funds will be used for street repairs, not sure how much advertisement went out for that but only one or two people from the public attended, asked Mayor Villalta if MCAG can schedule another meeting and advertise it a little better because this is important to the community, thanked the City for allowing her to attend the League of Cities Conference for Mayors and Council Members, was some really great materials that were given, lots of goal setting for cities on a short term and long term basis, will be speaking with City Manager Terrazas further on scheduling something so the goals of Council for the City can be voiced, other cities do this type of thing on a semi-annual basis, she received a couple calls from members of the community regarding access to the City budget without it costing them, maybe a copy can be placed at the library and the community center for people to review.

SCOTT SILVEIRA: Thankful that we did get the sign ordinance going down the track, looks forward to seeing something come into play, thanked Dr. Marshall for coming and he looks forward to meeting with him and working on things that will benefit the student in the community.

MAYOR MICHAEL VILLALTA: Dr. Marshall has already been very helpful in working on a HAWK system and signalization at 11th Street and 152 which is such a dangerous intersection, CalTrans needs to come into play and find some funding so we can make that spot safe for the students, this last week there was an Italian celebration, the community was once mostly Italian and Portuguese at one time, lots of food, it was a free lunch for everyone, the diversity and the excellent food in the community are still continuing with this celebration after almost 100 years, the MCAG meeting on Monday night lacked advertisement, there was very little stated about the future of roads in Merced County, another meeting will be held here in town, there's other meetings being held in other cities in the County, there were only two citizens present at the meeting here, Public Works Director/City Engineer is coming up with a list of projects desired, his concern is that there is a fair and equitable distribution of funds since it hasn't happened in the past, thanked IT Director Spalding for his hard work as he will be retiring in January, two great City employees will be retiring, thanked him for the notice so a replacement can be found.

CLOSED SESSION – PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION, PURSUANT TO GOVERNMENT CODE SECTION 54957, TITLE: CITY MANAGER. No reportable action.

ADJOURNMENT. The meeting was adjourned at 9:15 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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