

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
NOVEMBER 15, 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 7:00 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 (7:27 p.m.), Deborah Lewis, Mayor Michael Villalta; Absent: Council Member Scott Silveira.

STAFF MEMBERS PRESENT: City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Police Chief Brizzee, City Treasurer/Accountant II Tomas, Finance Director Williams, Public Works Director/City Engineer Fachin, Community & Economic Development Director Elms and Information Technology Director Spalding.

CONSIDERATION OF APPROVAL OF AGENDA: Mayor Villalta stated that Item 7 H on the Consent Agenda, City Council Resolution No. 5912 – Approving and Adopting Final Tract Map No. 2001-02 for Mission Village South, Phase 3A and Accompanying Subdivision Improvement Agreement, has been requested by the applicant, Trevino Pioneer, LLC, to be removed.

Motion by Faria, seconded by Lewis to approve the City Council Meeting agenda with the removal of Item 7 H on the Consent Agenda, City Council Resolution No. 5912 – Approving and Adopting Final Tract Map No. 2001-02 for Mission Village South, Phase 3A and Accompanying Subdivision Improvement Agreement. The motion carried by the affirmative action of all City Council Members present. ABSENT: Johnson-Santos, Silveira.

PRESENTATIONS – RECOGNITION OF ENTRY AWARDS FROM THE VFW POST 2487 AND AMERICAN LEGION POST 166 VETERANS DAY PARADE. Mayor Villalta invited the veterans in attendance to come forward to present the awards to the parade winners. He thanked Patricia McCoy and those who helped her for putting on a great Veterans Parade for the fourth year in a row. The recipients received an award of recognition and also a framed flag to be displayed at their school for one year. The award recipients were Los Banos Junior High School, Westside Union Elementary School, and Pacheco High School. Mayor Villalta introduced the Veterans who presented the awards and they are as follows: Alan Cotta, Michael Hughes, Jim

Valentine, and Patricia McCoy who spoke briefly regarding details of the parade and the turnout.

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.

ERIK LIMON, Los Banos and employee of Republic Services, spoke regarding the delay of garbage services due to the upcoming holiday; as the Chamber of Commerce President, he introduced Michelle Sandoval as the Interim Executive Director of the Chamber of Commerce; MICHELLE SANDOVAL, Los Banos Chamber of Commerce, she announced two new members of the Chamber, Dogfather's Grooming located at the crossroads of Center and Pacheco Boulevard, spoke regarding the services they offer, Healthtime is a complete health supplement supply store located downtown, the Chamber is preparing for their annual Christmas parade to be held downtown on Friday, December 1, 2017 at 6:00 p.m., entry applications are available at the Chamber office, this month's Chamber Mixer will be held at Toscano RV on November 30, 2017 at 5:30 p.m.; SANTA CLAUS, Christmas Town, Los Banos Parks and Recreation will be having a Breakfast with Santa event at 8:00 a.m. on Saturday, December 2, 2017 at the Community Center; ASHLEY WILLIAMS, Los Banos Habitat for Humanity, wanted to express her appreciation to the public and to the City for their support to their organization, spoke to what Habitat for Humanity is and how they help the low income residents, Habitat for Humanity receives their funding through donations and grants and any income received from the ReStore, she spoke to how the public can contribute through shopping at the ReStore, volunteering, or making a donation. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Lewis, seconded by Faria to approve the consent agenda as follows: Check Register for #207511 – #207801 in the Amount of \$1,413,466.87; Minutes for the November 1, 2017 City Council Meeting; Minutes for the November 7, 2017 Adjourned City Council Meeting; Measure P Oversight Committee Report; City Council Resolution No. 5909 – Approving the Copier Equipment, Installation, Training, and Maintenance Contract between the City of Los Banos and Lucas Business Systems for Copier Services through December 1, 2022 in the Amount of \$2,250.71 a Month; City Council Resolution No. 5910 – Amending the Fiscal Year 2017-2018 Budget by Increasing Appropriations in Public Works Maintenance Special Department Expense Account for Bird Nesting and Tree Pruning/Removal Along H.G. Fawcett Canal Trail in the Amount of \$15,323.75; City Council Resolution No. 5911 – Approving and Accepting the Second Addendum to Agreement for Professional Services between the City of Los Banos and Stantec Consulting Services Inc. in the Amount of \$650,000; ~~City Council Resolution No. 5912 – Approving and Adopting Final Tract Map No. 2001-02 for Mission Village South, Phase 3A and Accompanying Subdivision Improvement Agreement;~~ City Council Resolution No. 5913 – Authorizing Award of the Construction Contract for the Wastewater Treatment Plant Headworks Project to GSE Construction Company in the Amount of \$5,727,100; City Council Resolution No. 5914 – Awarding the Bid for the

Purchase of One (1) New 2017-2018 Mid-Size Sport Utility Vehicle (SUV); Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Santos Ford in the Amount of \$33,569.00; City Council Resolution No. 5915 – Awarding the Bid for the Purchase of One (1) New 2017-2018 Model Split Bed Dump Truck; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Gibbs International, Inc. in the Amount of \$130,092.50; City Council Resolution No. 5916 – Awarding the Bid for the Purchase of One (1) New 2017-2018 Model Vacuum Street Sweeper; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Terry Equipment, Inc. in the Amount of \$293,724.47 and Adopting a Revised Budget for the Fiscal Year 2017-2018 as it Pertains to Increasing Expenditures for the Solid Waste Specialized Equipment Account in the Amount of \$23,724.47; City Council Resolution No. 5917 – Awarding the Bid for the Purchase of Three (3) New 2017-2018 Model Medium Duty Utility Trucks; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Santos Ford in the Amount of \$148,499.65. The motion carried by the affirmative action of all Council Members present; ABSENT: Johnson-Santos, Silveira.

PRESENTATION REGARDING THE MERCED COUNTY VIOLENCE INTERRUPTION/PREVENTION EMERGENCY RESPONSE (VIPER) PROGRAM – LARRY MORSE, MERCED COUNTY DISTRICT ATTORNEY. Merced County District Attorney Larry Morse spoke regarding the spike in gang crimes in Merced and the reason for creating the VIPER program, which included a PowerPoint presentation.

Council Member Johnson-Santos arrived at the meeting at 7:27 p.m. and took her seat at the dais.

There was Council Member discussion with Mr. Morse regarding the VIPER Program, how it works and how it has significantly removed dangerous gang members off the street. Merced County has currently held the highest number of homicides in its population category over the past couple years. This mutual aid program within Merced County allows these law enforcement agencies to harmoniously work together to have a greater impact on the crime rates within these cities. The Council is very pleased with this program and would like the City to help in funding issues, if possible, when the time arises in order to keep this program going.

Informational item only, no action taken.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE SUBMITTAL OF AN APPLICATION IN RESPONSE TO THE 2017 STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NOTICE OF FUNDING AVAILABILITY (NOFA) AND TO SOLICIT INPUT ON POSSIBLE ACTIVITIES TO BE INCLUDED IN THE APPLICATION; CITY COUNCIL RESOLUTION NO. 5918 – APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2017 ALLOCATION OF THE STATE CDBG PROGRAM. Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

Mayor Villalta opened the public hearing. ASHLEY WILLIAMS, Los Banos, spoke on behalf of Habitat for Humanity, stated that she attended the meeting that Community & Economic Development Director Elms held and appreciates being included, respectfully requests that housing and repair costs for low income families be included in this grant application and/or in future grant applications, wanted to stress to Council how important affordable housing is and how 36% of Los Banos' population is considered low income, Habitat for Humanity would be very interested in partnering with the City once again to do anything possible for the families in the community. No one else came forward to speak and the public hearing was closed.

There was Council Member and staff discussion pertaining to this year's NOFA application and how the City currently does not have the type of capacity to administer that type of program MISS WILLIAMS spoke of but should be able to in the next year or two. There is a current list of people interested in assistance on repair work or as first-time homebuyers but until funding is actually granted, no action can be taken. Code enforcement efforts are currently being made to improve blighted areas in the City and enforcement will be continued in the future through a possible new Ordinance. As far as this current CDBG, It was requested that a report be brought back to Council pertaining to how the funds for this grant were used and what areas are still being worked on. A part of this grant can go to improving the beautification of certain areas of concern in the City.

Motion by Faria, seconded by Johnson-Santos to approve City Council Resolution No. 5918 – Approving an Application for Funding and the Execution of a Grant Agreement and Any Amendments thereto from the 2017 Allocation of the State CDBG Program The motion carried by the affirmative action of all Council Members present, ABSENT: Silveira.

ADVISEMENT OF PUBLIC NOTICES (No Report).

CITY MANAGER REPORT. City Manager Terrazas thanked the City Clerks' office for putting on the Employee Appreciation Luncheon, great work by the staff team, thanked all employees who attended, was topped off by a pie eating contest, overall it was a great event.

CITY COUNCIL MEMBER REPORTS.

SCOTT SILVEIRA: Absent.

TOM FARIA: There's a lot going on this season, the Choir is doing Messiah this year on November 29, 2017 at 7:30 p.m. at the Ted Falasco Arts Center, tickets are \$5 at the door, no discounted admission since seating is limited; The Creekside Junior High choir will be doing their concert on December 7, 2017 at 7:00 p.m. in their multi-purpose room; the Christmas Parade is on Friday, December 1, 2017, there will be lots of music and activity there, the choir will be singing there as well; Breakfast with Santa will be the following morning, hopes to see everyone at these events; Thanked the Veterans for putting on the parade; Wished everyone a Happy Thanksgiving.

DARONICA JOHNSON-SANTOS: Commented on how the Veterans Parade was a wonderful event and was happy to be a part of it; Was sorry to have missed the Employee Appreciation Luncheon but appreciates all the employees for all the hard work they do.

DEBORAH LEWIS: Stated that she was fortunate to attend the Employee Appreciation Luncheon, was very enjoyable, suggested to have something in the evening next time so all the employees are able to attend all at once, the pie eating contest was fun to watch, thanked all the City employees in every department for all their hard work, this City couldn't operate without them, believes this City has some of the best employees in the State; Wished everyone a Happy and safe Thanksgiving.

MAYOR MICHAEL VILLALTA: Stated that the Veterans Days Parade takes a lot of work and coordination and people give a lot of their time in order to put it on, looks forward to next year's parade; the Employee Appreciation Luncheon was a nice event, thanked everyone who helped organize it, thanked all the City employees for all the work they put in to keeping the City going.

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. No reportable action.

ADJOURNMENT. Mayor Villalta noted that the next Regular City Council Meeting of December 6, 2017 will be held at the Los Banos Community Center Grand Room Located at 645 7th Street, Los Banos. He added that also at 6:00 p.m. prior to the December 6, 2017 City Council Meeting, the City's Annual Holiday Open House will also be held in the area just outside the Los Banos Community Center Grand Room.

The meeting was adjourned at 9:00 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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