

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
June 6, 2018**

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 (7:18 PM), Deborah Lewis, Scott Silveira, Mayor Michael Villalta; Absent: None.

STAFF MEMBERS PRESENT: City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Police Chief Brizzee, Fire Chief Hurley, Finance Director Williams, City Treasurer/Accounting & Budget Supervisor Tomas, Public Works Director/City Engineer Fachin.

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

PRESENTATIONS – CERTIFICATE OF RECOGNITION – TIM MARRISON, CAREER FIRE FIGHTER OF THE YEAR. Mayor Villalta introduced Mr. Marrison and asked Fire Chief Hurley to come forward and speak about Mr. Marrison and his certificate of recognition. Mayor Villalta then presented the certificate to Mr. Marrison.

PRESENTATIONS – CERTIFICATE OF RECOGNITION – JUAN RAMIERZ, VOLUNTEER FIRE FIGHTER OF THE YEAR. Mayor Villalta introduced Mr. Ramirez and asked Fire Chief Hurley to come forward and speak about Mr. Ramirez and his certificate of recognition. Mayor Villalta then presented the certificate to Mr. Ramirez.

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. NANCY (Last name undecipherable), Los Banos, spoke regarding a great injustice that is happening in Los Banos regarding a group of senior citizens who have been meeting at the community center to do arts and crafts since the facility opened, they have been told

they can no longer use the community center even though they are paying a monthly fee to use the facility, they have been told they need to be moved to the Miller & Lux building but would like to remain at the community center as there is not always a staff member present to open the doors at the Miller & Lux building; ARCELIA MARTINEZ, Los Banos, added to the previous comments stating that a lot of the senior members that gather for these arts and crafts are not in good health, a lot of them became sick after their first gathering in the Miller & Lux building, the facility is not clean nor is it a good environment for this group; RAUL GRANILLO, Los Banos, introduced himself as he is new to town and he is excited for what the future has, moved here to pastor at the Mercey Springs Church of the Nazarene, wanted to inform the Council Members and the community on what the mission is behind his church, invited the public to an event that will be held at his church on Saturday, June 16, 2018; RHONDA LOWE, Los Banos, reminded all about the two events coming up this month, one will be a workshop on Entrepreneurship at 9:00 a.m. on Tuesday, June 12, 2018 at the Community Center, a second event is a Government Procurement Seminar that will be held on June 27, 2018 that will provide information on how to become a preferred vendor; MARGARET GONZALES, Los Banos, asked if the senior group had to meet at the Miller & Lux building next week even though it is bad for their health for which Mayor Villalta said City workers have been sent over and have not discovered any unhealthy conditions. He directed them to create a list of concerns and meet with Public Works Director/City Engineer Fachin. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Faria, seconded by Lewis to approve the consent agenda as follows: Check Register for #210701 – #210999 in the Amount of \$1,978,105.42; Minutes for the May 16, 2018 City Council Meeting; Minutes for the May 29, 2018 Adjourned City Council Meeting; City Council Resolution No. 5963 – Approving Amendment No. 1 to Professional Services Agreement with CSG Consultants, Inc. for Plan Check and Building Inspection Services for an Extended One (1) Year Term, Through June 30, 2019; City Council Resolution No. 5964 – Amending the Fiscal Year Budget by Increasing Appropriations in Landscape and Lighting District #3 (Los Banos Gardens) for Expenditures in the Amount of \$1,919.08; City Council Resolution No. 5965 – Amending the Fiscal Year 2017-2018 Budget by Increasing the Revenues by \$210,000 and Expenditures by \$135,000 in the Building Department Budget; City Council Resolution No. 5966 – Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 6, 2018, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California: Mayor “at-large” for a full term of two (2) years, a City Clerk “at-large” for a full term of four (4) years, a City Treasurer “at-large” for a full term of four (4) years, a Council Member for District 2 for a full term of four (4) years, and a Council Member for District 3 for a full term of four (4) years; City Council Resolution No. 5967 – Requesting the Board of Supervisors of the County of Merced to Consolidate a General Municipal Election to be Held on Tuesday, November 6, 2018, with the California Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Election Code; City Council Resolution No. 5968 – Authorizing the City to Enter into a Piggyback Contract with Telcion Communications Group for the Cooperative Procurement of Citywide Telephone System Replacement Project (Phase

1) Not to Exceed the Amount of \$61,813.70; City Council Resolution No. 5969 – Authorizing the City Manager to Enter into a Professional Services Agreement with Matrix Consulting Group for the Preparation of the Los Banos Fire Department Strategic Plan in the Amount of \$30,000. The motion carried by the affirmative action of all Council Members present.

GRASSLANDS WATER DISTRICT PRESENTATION – BY RIC ORTEGA, GENERAL MANAGER. City Manager Terrazas introduced Rick Ortega, Grasslands Water District General Manager, who spoke regarding Grasslands Water District which included a PowerPoint presentation.

There was Council Member discussion pertaining to the map that was referenced in the PowerPoint and also how the center itself is a great and unique place.

Informational item only, no action to be taken.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE LEVY OF THE PROPOSED ANNUAL ASSESSMENT FOR THE 2018-2019 FISCAL YEAR FOR LANDSCAPING AND LIGHTING DISTRICT NOS. 1-7 AND 9-19; CITY COUNCIL RESOLUTION NO. 5970 – CONFIRMING DIAGRAM AND ASSESSMENT AND LEVYING ASSESSMENTS FOR LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NOS. 1-7 AND 9-19 FOR THE 2018-2019 FISCAL YEAR. Public Works Director/City Engineer Fachin presented the staff report.

Mayor Villalta opened the public hearing. KATHY BALLARD, Los Banos, stated she was looking through the packet and noticed that there is a large portion of the City that is not covered in a Landscape and Lighting District and that a huge amount comes out of the general fund, she feels that everyone should pay their fair share. Mayor Villalta explained that an election would have to be held in order to establish a Landscape and Lighting District that does not already exist. Public Works Director/City Engineer Fachin explained that there is in fact a portion of the City that is not covered in a Landscape and Lighting District and that the funds for the individual districts must remain within that district. He confirmed Mayor Villalta's comments about the fact that an election would have to be held to start a Landscape and Lighting District for the uncovered areas in the City. No one else came forward to speak and the public forum was closed.

There was Council Member and Staff discussion regarding an election that would have to take place in order to establish a Landscape and Lighting District in an area that is not already a part of one. It is difficult to get a district established once the neighborhood is already filled by residents.

Motion by Faria, seconded by Lewis to adopt City Council Resolution No. 5970 – Confirming Diagram and Assessment and Levying Assessments for Landscaping and Lighting Assessment District Nos. 1-7 and 9-19 for the 2018-2019 Fiscal Year. The motion carried by the affirmative action of all Council Members present.

CONSIDERATION OF A REQUEST FROM HABITAT FOR HUMANITY WESTSIDE TO WAIVE ALL OF THE CITY OF LOS BANOS DEVELOPMENT IMPACT FEES FOR THE PROJECT LOCATED AT 541 M STREET IN THE AMOUNT OF \$25,138.40. (CONTINUED FROM APRIL 18, 2018 CITY COUNCIL MEETING) Community & Economic Development Director presented the staff report, which included a PowerPoint presentation.

There was Council Member and Staff discussion pertaining to impact fee waivers and impact fee deferrals and how much staff time it would use in order to track this information down. After some discussion on the topic, most Council Members believed that items of this sort need to be fair across the board and that everyone should be paying their impact fees and that the fees should be paid at the time of occupancy.

Motion by Lewis, seconded by Johnson-Santos to continue the current policy of deferring the payment of to the time of occupancy shall continue and direct staff not to create a policy. The motion carried by the following vote: AYES: Johnson-Santos, Lewis, Villalta; NOES: Faria, Silveira; ABSENT: None.

ADVISEMENT OF PUBLIC NOTICES (Three Reports). Community & Economic Development Director Elms stated that there will be three public hearings at the Planning Commission Meeting on Wednesday, June 13, 2018 at 7:00 p.m. in the Council Chambers. The first item will be for a revision of a vesting tentative tract map for Racquet Club Estates. The second item will be for a conditional use permit and an exemption for Double R Grill. The third item will be for a revision to a final development plan for South Pointe at Regency Park.

CITY MANAGER REPORT. City Manager Terrazas stated that based upon his performance review, the Community & Economic Development Director's salary was increased to \$96,360 annually retroactive to February 1, 2018. He congratulated Tim Marrison & Juan Ramirez for their accomplishments that were recognized earlier in the evening. Even though there are still votes to be counted, he gave his congratulations to Council Member Scott Silveira on being elected onto the Merced County Board of Supervisors and looks forward to working with him in his new capacity.

CITY COUNCIL MEMBER REPORTS.

DEBORAH LEWIS: Nothing to report.

SCOTT SILVEIRA: Council Member Silveira congratulated Tim Marrison and Juan Ramirez on their accomplishments. He noted that he is not allowed to campaign from the dais but that he wanted to thank everyone for their support. There are some tabulating machine issues that have come up in the election but the numbers look good and he is just waiting on a phone call from the County. He appreciates the healthy discussion that Council held tonight.

TOM FARIA: Council Member Faria congratulated Tim Marrison and Juan Ramirez for their accomplishments, also congratulated Council Member Silveira and appreciates the healthy conversation that was held this evening. Flag Day is next week and he inquired as to the ceremony that is usually held. He wished everyone a wonderful summer.

DARONICA JOHNSON-SANTOS: Council Member Johnson-Santos congratulated Council Member Silveira. She appreciates what Habitat for Humanity does for the community.

MAYOR MICHAEL VILLALTA: Mayor Villalta congratulated Council Member Silveira, Tim Marrison, and Juan Ramirez. He noted that the things that Council puts in place will eventually help the City grow even though it is growing on its own. There are as many as 1200 plus new citizens every year in this community. New doors open up as the City grows. Council Member Silveira will be a new ally and will be a new voice for this City. He spoke to the Measure V meeting that he attended and the projects that were discussed. A measure will be coming forth and it really needs the community's support. He welcomed the new pastor to town.

ADJOURNMENT. The meeting was adjourned at 10:21 PM.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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