

**CITY OF LOS BANOS  
CITY COUNCIL MEETING MINUTES  
JANUARY 2, 2019**

***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 7:02 p.m.

**PLEDGE OF ALLEGIANCE:** Police Commander Reyna led the pledge of allegiance.

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

**STAFF MEMBERS PRESENT:** City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Police Commander Reyna, Assistant Fire Chief Strauch, Finance Director Williams, Community & Economic Development Director Elms, Public Works Director/City Engineer Fachin.

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

**PRESENTATIONS.**

**LOS BANJOS-FOR-A-DAY PROCLAMATION (FEBRUARY 10, 2019).** Mayor Villalta presented the proclamation to Cyndi Roelofs who then spoke regarding the upcoming banjo event at the Ted Falasco Arts Center.

**PROCLAMATIONS RECOGNIZING CITY COMMISSIONERS: DAVID ANDERSON – AIRPORT ADVISORY COMMISSION, RHONDA LOWE – ECONOMIC DEVELOPMENT ADVISORY COMMISSION, KATHY BALLARD – ECONOMIC DEVELOPMENT ADVISORY COMMISSION, MARY SEGURA – ECONOMIC DEVELOPMENT ADVISORY COMMISSION, LAURENCE MITCHELL – PARKS & RECREATION COMMISSION, GARY MUNOZ – PARKS & RECREATION COMMISSION, DAVID DEES – PLANNING COMMISSION, PALMER MCCOY – PLANNING COMMISSION, SUSAN TOSCANO – PLANNING COMMISSION, STEVE CREIGHTON – TREE COMMISSION, STEPHANIE RUBIO – TREE COMMISSION, MARK BODLEY – MEASURE P COMMITTEE.** Mayor Villalta presented the proclamations to the Commissioners in attendance, thanking them for their years of service: Gary Munoz – Parks & Recreation Commission, David Dees – Planning

Commission, Palmer McCoy – Planning Commission, Steve Creighton – Tree Commission.

**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.** No one came forward to speak and the public forum was closed.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Motion by Faria, seconded by Jones to approve the consent agenda as follows: Check Register for #213975 – #214270 in the Amount of \$1,109,570.64; Minutes for the December 5, 2018 City Council Meeting; Minutes for the December 19, 2018 City Council Meeting; Measure P Oversight Committee Report; City Council Resolution No. 6034 – Appointing Members to the Measure P Citizens Oversight Committee (Mark Bodley & Tim McNally, Terms Ending December 31, 2021); City Council Resolution No. 6035 – Amending the Fiscal Year 2018-2019 Budget by Increasing Appropriations in the Expenditures for Landscape & Lighting District #12 (Mission Estates) in the Amount of \$8,000 and Landscape & Lighting District #10 (Talbot Park) in the Amount of \$6,000. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

**PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) AND A CONDITIONAL USE PERMIT TO ALLOW THE USE OF A TYPE 21 ALCOHOL LICENSE FOR THE OFF-SALE OF GENERAL ALCOHOL FOR MI BARRIO FOOD AND GAS MART LOCATED AT 403 NORTH MERCEY SPRINGS ROAD, APN 082-072-024; CITY COUNCIL RESOLUTION NO. 6036 – APPROVING CONDITIONAL USE PERMIT #2018-14 TO ALLOW FOR THE SALE OF ALCOHOL UNDER TYPE 21 OFF-SALE OF GENERAL ALCOHOL LICENSE FOR MI BARRIO FOOD AND GAS MART LOCATED AT 403 NORTH MERCEY SPRINGS ROAD, APN 082-072-024.**

Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

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

Mayor Villalta asked Commander Reyna if they are satisfied with the camera system at this location for which Commander Reyna stated they were.

Motion by Faria, seconded by Jones, to adopt City Council Resolution No. 6036 – Approving Conditional Use Permit #2018-14 to Allow for the Sale of Alcohol Under Type 21 Off-Sale of General Alcohol License for Mi Barrio Food and Gas Mart Located at 403

North Mercey Springs Road, APN 082-072-024. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

**PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) AND A CONDITIONAL USE PERMIT TO ALLOW THE USE OF A TYPE 21 ALCOHOL LICENSE FOR THE OFF-SALE OF GENERAL ALCOHOL FOR VILLAGE LIQUOR LOCATED AT 2220 E. PACHECO BOULEVARD, SUITES D & E, APN 428-072-024; CITY COUNCIL RESOLUTION NO. 6037 – APPROVING CONDITIONAL USE PERMIT #2018-13 TO ALLOW FOR THE OFF-SALE OF GENERAL ALCOHOL UNDER A TYPE 21 ALCOHOL LICENSE FOR VILLAGE LIQUOR LOCATED AT 2220 EAST PACHECO BOULEVARD, SUITES D & E, APN 428-160-029.** Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

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

Mayor Villalta asked Commander Reyna if they are satisfied with the camera system at this location for which Commander Reyna stated they were.

Motion by Faria, seconded by Jones, to adopt City Council Resolution No. 6037 – Approving Conditional Use Permit #2018-13 to Allow for the Off-Sale of General Alcohol Under a Type 21 Alcohol License for Village Liquor Located at 2220 East Pacheco Boulevard, Suites D & E, APN 428-160-029. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

**MEASURE H IMPLEMENTATION PLAN.** Finance Director Williams presented the staff report, which included a PowerPoint presentation.

Mayor Villalta stated that Measure H funds will have separate line items for revenues and expenditures and will not included in the General Fund.

Informational item only, no action taken.

**CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6038 – APPROVING THE LIST OF REGIONAL STREET PROJECTS TO BE RECOMMENDED TO BE INCLUDED IN THE MEASURE V 2019 IMPLEMENTATION PLAN.** Public Work Director/City Engineer presented the staff report, which included a PowerPoint presentation.

Mayor Villalta invited the public to come forward to speak, no one came forward to speak.

Motion by Faria, seconded by Lewis, to adopt City Council Resolution No. 6038 – Approving the List of Regional Street Projects to be Recommended to be Included in the Measure V 2019 Implementation Plan. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

**APPOINTMENT OF COMMISSIONERS TO THE FOLLOWING CITY COMMISSION: PLANNING COMMISSION – ONE (1) UNEXPIRED TERM – EXPIRING DECEMBER 31, 2019 AND FOUR (4) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2020.**

Motion by Villalta, seconded by Lewis to appoint Stephanie Stock, Mona Giuliani, Susan Toscano and David Dees to two (2) year terms expiring December 31, 2020 and to re-advertise the one (1) unexpired term expiring December 31, 2019. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

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

**CITY MANAGER REPORT.** City Manager Terrazas reported pursuant to Government Code Section 54953(c)(3) Executive Compensation that on December 28, 2018 based upon his performance review of the Finance Director, the Finance Director's salary was increased to \$11,097 monthly (\$133,164 annually) retroactive to August 16, 2018.

City Manager Terrazas spoke regarding the public meeting being held on January 10, 2019 from 6-8:00 p.m. at the Los Banos Community Center Lounge to get input on the new Police Station and encouraged the public to attend.

**CITY COUNCIL MEMBER REPORTS.**

**BRETT JONES:** Wished everyone a happy new year and noted that he will not be at the next City Council meeting because he will be attending the League of California Cities Conference for New Mayors & Council Member.

**DEBORAH LEWIS:** Wished all a happy new and hoped all were safe, spoke regarding how we had a resolution that was passed some time ago regarding invocations at Council Meetings that only allows clergy or members of their church to come three (3) times a year and not on consecutive meetings, how we've had issues getting people to sign up for invocations and would like to change it from three (3) times a year to four (4) or five (5) times a year, noting she would like bring this forward as a Council Member Request on the January 16, 2019 agenda.

**TOM FARIA:** Wished all a happy new year.

**DARONICA JOHNSON-SANTOS:** Absent

**MAYOR MICHAEL VILLALTA:** Wished all a happy and safe new year, stated that the warming shelter has been opened at the Miller & Lux for which Assistant Fire Chief Strauch spoke to the criteria needed to open weather-wise.

**CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO GOVERNMENT CODE SECTION 54957.6, AGENCY DESIGNATED**

**REPRESENTATIVES: CITY MANAGER TERRAZAS, CITY ATTORNEY VAUGHN, CITY CLERK/HUMAN RESOURCES DIRECTOR MALLONEE, FINANCE DIRECTOR WILLIAMS, LEGAL COUNSEL TUFFO; EMPLOYEE ORGANIZATIONS: LOS BANOS POLICE OFFICERS ASSOCIATION (LBPOA), LOS BANOS POLICE DISPATCHERS/COMMUNITY SERVICES OFFICERS ASSOCIATION (LBPDCSOA) AND UNREPRESENTED MISCELLANEOUS EMPLOYEES.** No reportable action.

**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 9:36 p.m.

APPROVED:

/s/ Michael Villalta  
Michael Villalta, Mayor

ATTEST:

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