

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JUNE 19, 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 7:03 p.m.

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

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

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

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

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. ROBERT GEROME, Los Banos, spoke on behalf of Sharon Silva regarding the Downtown Association activities, events and programs; RHONDA LOWE, Los Banos and Business Coach with UC Merced, spoke regarding the upcoming Youth Business Expo on August 10, 2019 and how the deadline to sign up has been extended, when working with clients in town they tend to not realize the importance of a business website and UC Merced Small Business Center has someone who will come out and help you get your website set up, she would love to see this expanded in our area. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Mayor Villalta stated that he would like to remove item 6H - City Council Resolution No. 6096 – Approving the Purchase and Sale Agreement and the Sale of the Child Development Center

Property Located at 1624 San Luis Street and Authorizing the City Manager to Execute Said Agreement for separate report and consideration of approval.

Motion by Lewis, seconded by Johnson-Santos to approve the consent agenda as follows with the removal of item 6H - City Council Resolution No. 6096 – Approving the Purchase and Sale Agreement and the Sale of the Child Development Center Property Located at 1624 San Luis Street and Authorizing the City Manager to Execute Said Agreement: Check Register for #216525 – #216725 in the Amount of \$569,994.14; Minutes for the May 9, 2019 Special City Council Meeting; Minutes for the May 15, 2019 City Council Meeting; Minutes for the May 30, 2019 Adjourned City Council Meeting; City Council Resolution No. 6093 – Authorizing the Public Works Director to Sign All Documents, Right-of-Way Certifications, Assurances, and Other Statements for Funding Through the California Department of Transportation; City Council Resolution No. 6094 – Accepting the Cresthills Park Arbor Project as Complete and Authorizing the Filing of a Notice of Completion with the Merced County Recorder; City Council Resolution No. 6095 – Authorizing the City Manager to Execute Professional Services Agreements and the Public Works Director/City Engineer to Execute Individual Professional Services Agreements with Gouveia Engineering, QK, Precision Engineering, Stantec, and Provost & Pritchard Consulting Group for On-Call Engineering Services; ~~City Council Resolution No. 6096 – Approving the Purchase and Sale Agreement and the Sale of the Child Development Center Property Located at 1624 San Luis Street and Authorizing the City Manager to Execute Said Agreement.~~ The motion carried by the affirmative action of all Council Members present, Faria absent.

CITY COUNCIL RESOLUTION NO. 6096 – APPROVING THE PURCHASE AND SALE AGREEMENT AND THE SALE OF THE CHILD DEVELOPMENT CENTER PROPERTY LOCATED AT 1624 SAN LUIS STREET AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT. City Attorney Vaughn stated that there are minor changes requested by the buyers attorney, which are very minor and insignificant, i.e. Agency to Board, Inc. and a couple additions to the recitals that the parties will work together to rezone the property to something more appropriate than “park” and terms as to when the lease will terminate.

Motion by Lewis, seconded by Johnson-Santos to adopt City Council Resolution No. 6096 – Approving the Purchase and Sale Agreement and the Sale of the Child Development Center Property Located at 1624 San Luis Street and Authorizing the City Manager to Execute Said Agreement. The motion carried by the affirmative action of all Council Members present, Faria absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE APPROPRIATION LIMITATION FOR THE 2019-2020 FISCAL YEAR (FY); CITY COUNCIL RESOLUTION NO. 6097 – SETTING THE TAX RELATED APPROPRIATION LIMIT IN COMPLIANCE WITH PROPOSITION 4 AND PROPOSITION 111 FOR THE 2019-2020 FY. Finance Director Williams 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.

Motion by Johnson-Santos, seconded by Jones to adopt City Council Resolution No. 6097 – Setting the Tax Related Appropriation Limit in Compliance with Proposition 4 and Proposition 111 for the 2019-2020 FY. The motion carried by the affirmative action of all Council Members present, Faria absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE 2019-2020 FISCAL YEAR (FY) BUDGET; CITY COUNCIL RESOLUTION NO. 6098 – ADOPTING THE 2019-2020 FY BUDGET, INCLUDING EMPLOYEE SALARY SCHEDULE (DIVISION 4) OF THE LOS BANOS POLICY & PROCEDURES MANUAL AND THE CAPITAL IMPROVEMENT PLAN. Finance Director Williams 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.

There was Council Member and staff discussion regarding police vehicles, what the State budget allocation means to Los Banos for which City Manager Terrazas spoke regarding the \$5 million state funding Fire Regional Training Facility as it pertains to the Fire Training Tower, and how the City making positive steps to make our city a safer and nice place to live in.

Mayor Villalta stated that he would like to do something new this year, wants to make sure we get a report of what we said we were going to do, would like to see the Dog Park open by this time next year, start the camera program downtown and possibly bringing back a budget amendment mid-year to increase the program, have a graffiti abatement program, complete PAL restroom, and a license plate reader program.

Motion by Lewis, seconded by Johnson-Santos to adopt City Council Resolution No. 6098 – Adopting the 2019-2020 FY Budget, Including Employee Salary Schedule (Division 4) of the Los Banos Policy & Procedures Manual and the Capital Improvement Plan. The motion carried by the affirmative action of all Council Members present, Faria absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AMENDING AND RESTATING CHAPTER 13, TITLE 11 OF THE LOS BANOS MUNICIPAL CODE RELATING TO TAXICABS; ORDINANCE NO. 1172 – AMENDING AND RESTATING CHAPTER 13, TITLE 11 OF THE LOS BANOS MUNICIPAL CODE (FIRST READING AND INTRODUCTION). City Attorney Vaughn 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.

There was Council Member and staff discussion regarding PUC controls, Uber & Lyft.

Motion by Lewis, seconded by Johnson-Santos to waive the first reading of Ordinance No. 1172 – Amending and Restating Chapter 13, Title 11 of the Los Banos Municipal Code. The motion carried by the affirmative action of all Council Members present, Faria absent.

Motion by Lewis, seconded by Johnson-Santos to introduce Ordinance No. 1172 – Amending and Restating Chapter 13, Title 11 of the Los Banos Municipal Code. The motion carried by the affirmative action of all Council Members present, Faria absent.

MERCED COUNTY REGIONAL HOMELESSNESS PLAN PRESENTATION. City Manager Terrazas presented the staff report and introduced Merced County Management Analyst John Cecoli spoke in detail to the 2019/2020 Merced County Regional Homeless Plan which included a PowerPoint presentation.

There was Council Member and staff discussion Villalta regarding how Los Banos has a real problem because of the cheaper rent for homes here, building a facility to make it safe, is there a way with the large corporations to have their employees live where they work or locate here where they live, many commuters leave our community every day, it's a vicious circle just to survive, rooftops do not pay the way, how CDBG funds go to Merced because they have the population size that we don't, homeless case management and what the Host House in Patterson is all about for which Mr. Cecoli explained, our main goal presented tonight is to just get people off the street and how there needs to be something in there for rehab and mental health treatment, consider shared housing and if there any issue with the rules being followed for which Cecoli spoke to his experience with the Rescue Mission, and when homeless people get into the homes are they conducting activities they shouldn't be doing for which Mr. Cecoli spoke to what he's found.

Informational item only, no action taken.

ILLEGAL FIREWORKS PRESENTATION. Police Chief Brizzee and Fire Chief Hurley presented the staff report which included a PowerPoint presentation.

There was Council Member and staff discussion regarding how safe and sane fireworks cannot be done on the public street, precautions do we take for pets for which Police Chief Brizzee stated that we see a slight increase in lost animals during the 4th of July, plan on having animal control staff available that night

FUTURE DOG PARK PRESENTATION. Parks & Recreation Operations Manager presented the staff report, which included a PowerPoint presentation.

Council Member Lewis stated that she is really happy about this dog park, the community is going to be really happy about this, new animal control codes for

requirements of dog parks, and a good idea that dogs who are going to use the park be spayed or neutered.

CONSIDERATION OF APPROVAL TO SOLICIT APPLICATIONS FOR THE MEASURE V CITIZENS OVERSIGHT COMMITTEE AND APPOINTMENT OF MAYOR AND MAYOR PRO TEM TO SIT ON THE COMMITTEE TO REVIEW INTERVIEW AND RECOMMEND APPOINTMENT TO THE CITY COUNCIL AT THE JULY 17, 2019 CITY COUNCIL MEETING. City Manager Terrazas presented the staff report.

Motion by Johnson-Santos, seconded by Jones to solicit applications for the Measure V Citizens Oversight Committee and appoint Mayor Villalta and Mayor Pro Tem Johnson-Santos to sit on the committee to review, interview and recommend appointment to the City Council at the July 17, 2019 City Council Meeting. The motion carried by the affirmative action of all Council Members present, Faria absent.

ADVISEMENT OF PUBLIC NOTICES (One Report). Community & Economic Development Director Elms reported that a public hearing will be held at the Planning Commission meeting of June 26, 2019 to consider a Tentative Parcel Map to divide a 3.3 acre parcel into 2 parcels and a Site Plan Review for the development of 2 commercial structures located at 1415 Badger Flat Road, APN 430-010-014.

CITY MANAGER REPORT. City Manager Terrazas thanked staff and City Council for support and adoption of the current Fiscal Year budget, there were hundreds of hours of staff time in preparing the budget and Capital Improvement Plan.

REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) AND MEASURE V COMMITTEE. Mayor Villalta stated that there is money for the walking path to Merced College due to Measure V funds, Pioneer Road is going to be expanded, next MCAG meeting is tomorrow, spoke regarding the future of Billy Wright Landfill and the thought of MCAG purchasing additional land for expansion, the company who does recycling for the Merced County has asked for an increase in fees.

CITY COUNCIL MEMBER REPORTS.

TOM FARIA: Absent

DARONICA JOHNSON-SANTOS: Stated that she finally was able to get my Community Meeting set for July 11, 2019 at 6:00 pm at Ranchwood Park on Stonewood Drive and encouraged all to attend, as she is looking forward to the opportunity to talk with residents in her district and City.

BRETT JONES: No report.

DEBORAH LEWIS: Thanked Public Works staff for putting on a public meeting regarding "The States" street improvements in the Colorado Park area and how the community members were excited about the improvements; Friday is the Re-dedication

of Cardoza Park and the wonderful soccer fields, thanked staff for making this project move forward; how coming home she noticed the landscape medium by Wal-Mart has been improved and a job well-done and looking forward to more throughout the City, thanking the Public Works staff.

MAYOR MICHAEL VILLALTA: Spoke regarding social media comments about stopping building of homes and putting in a moratorium, he stated that we cannot stop the homes being built, we have no legal reason to stop, how the City cannot de-annex land, people are coming here because we have housing that is a lot less than the Bay Area, how we need help from the State legislature and Governor.

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 11:18 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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