

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
AUGUST 7, 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 7:00 p.m.

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

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Daronica Johnson-Santos, Deborah Lewis, Brett Jones, Mayor Michael Villalta; Absent: 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: City Attorney Vaughn stated that staff is requesting that Consideration of Approval of a City Council Resolution Approving and Authorizing the City Manager to Sign an Agreement with the Merced County Office of Education for School Resource Services for the 2019-2022 School Years be added to the agenda because there is an immediate need to take action (due to classes beginning Monday, August 12, 2019) and that the need arose after the posting of the agenda (executed agreement received in the mail August 7, 2019).

Motion by Lewis, seconded by Jones to add City Council Resolution No. 6120 – Approving and Authorizing the City Manager to Sign an Agreement with the Merced County Office of Education for School Resource Services for the 2019-2022 School Years be added to the agenda because there is an immediate need to take action (due to classes beginning Monday, August 12, 2019) and that the need arose after the posting of the agenda (executed agreement received in the mail August 7, 2019). The motion carried by the affirmative action of all City Council Members present, Faria absent.

City Manager Terrazas requested that item 14 – Consideration of City Council Resolution No. 6105 – Authorizing the City Manager to Execute a Parking Lot Lease Agreement with Lodge Mountain Brow No. 82 IOOF Hall Association in the Amount of \$10,000 for the Parking Lot Located at 626 J Street, APN 025-023-016 and a Portion of 025-023-015 be removed from the agenda and Mayor Villalta made corrections to the

agenda wording to items 8 B 1) & 2) and 8 C 1) to state as follows: 8 B 1) City Council Resolution No. 6113 – Approving General Plan Amendment #2019-01 for the Child Development Center to Re-designate Approximately 1.33 Acres from Park to Professional Office Located at 1624 San Luis Street, More Specifically Identified as a Portion of Assessor’s Parcel Number: 428-070-001 and Finding that the Disposition of the Property is Consistent with the City’s General Plan, 8 B 2) Ordinance No. 1173 – Amending the Official Zoning Map by Rezoning Property for the Los Banos Child Development Center from Park to Professional Office (P-O) on Approximately 1.33 Acres Located at 1624 San Luis Street, More Specifically Identifies as a Portion of Assessor’s Parcel Map Number: 428-070-001 and 8 C 1) Ordinance No. 1174 – Amending Article 37, Chapter 3 of Title 9 of the Los Banos Municipal Code to Allow Child Day Care Centers in all Zoning Districts, Exempt Industrial Zones, Subject to Condition Use Permit.

Motion by Lewis, seconded by Jones to approve the City Council Meeting agenda with the removal of item 14 – Consideration of City Council Resolution No. 6105 – Authorizing the City Manager to Execute a Parking Lot Lease Agreement with Lodge Mountain Brow No. 82 IOOF Hall Association in the Amount of \$10,000 for the Parking Lot Located at 626 J Street, APN 025-023-016 and a Portion of 025-023-015 be removed from the agenda and corrections to the agenda wording to items 8 B 1) & 2) and 8 C 1) to state as follows: 8 B 1) City Council Resolution No. 6113 – Approving General Plan Amendment #2019-01 for the Child Development Center to Re-designate Approximately 1.33 Acres from Park to Professional Office Located at 1624 San Luis Street, More Specifically Identified as a Portion of Assessor’s Parcel Number: 428-070-001 and Finding that the Disposition of the Property is Consistent with the City’s General Plan, 8 B 2) Ordinance No. 1173 – Amending the Official Zoning Map by Rezoning Property for the Los Banos Child Development Center from Park to Professional Office (P-O) on Approximately 1.33 Acres Located at 1624 San Luis Street, More Specifically Identifies as a Portion of Assessor’s Parcel Map Number: 428-070-001 and 8 C 1) Ordinance No. 1174 – Amending Article 37, Chapter 3 of Title 9 of the Los Banos Municipal Code to Allow Child Day Care Centers in all Zoning Districts, Exempt Industrial Zones, Subject to Condition Use Permit. 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.

TOM KALJIAN, Los Banos, stated that he would like to speak under item 10 – Consideration of Participation in a Property and Business Improvement District for Downtown Los Banos and Adoption of a Resolution of Intent to Establish District. No one else came forward to speak and the public forum was closed.

PRESENTATION – PROCLAMATION RECOGNIZING NATIONAL HEALTH CENTER WEEK. Jose de La Torre, Golden Valley Health Center Manager spoke regarding the services provide, the communities they serve, and the open house they are having on August 8, 2019 inviting all to attend. Mayor Villalta presented the proclamation to Mr. de La Torre.

PRESENTATION – CERTIFICATES OF RECOGNITION OF PARTICIPATION IN THE 2019 LOS BANOS YOUTH BUSINESS EXPO FOR ELIZABETH BUENROSTRO & MASON FERREIRA. Rhonda Lowe spoke regarding the background of the Youth Business Expo and highlighted Mason Ferreira’s business - the Muddy Paw Bakery. She thanked Dr. Mark Marshall, Los Banos Unified School District Superintendent, and the City of Los Banos Staff for their support with this program as well as all of the financial sponsors for the \$750 prize money. She introduced and congratulated Mason Ferreira. Mayor Villalta and Dr. Mark Marshall presented him with a certificate.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Lewis stated that she would like to remove item 7D – City Council Resolution No. 6108 – Authorizing the Re-establishment of the Merced County Abandoned Vehicle Service Authority Plan; 7F – City Council Resolution No. 6110 – Amending the Fiscal Year 2019/2020 Budget by Increasing Revenue for Congestion Mitigation and Air Quality Improvement (CMAQ) Grant in the Amount of \$69,846.82, Increasing Expenditures for CMAQ Grant in the Amount of \$78,511.52, and Transfer Regional Surface Transportation (RSTP) to CMAQ in the Amount of \$8,664.70 for Pedestrian Sidewalk Infill Project; and 7G – City Council Resolution No. 6111 – Amending the Fiscal Year 2019/2020 Budget by Increasing Appropriations in Park Development Fund Specialized Equipment Account Number 250-454-220-753 for Expenditures in the Amount of \$34,600 to Purchase and Install Soccer Goal Backstop Netting on the South Side of Oliveira Park for separate report and consideration of approval.

Motion by Lewis, seconded by Jones to approve the consent agenda as follows, with the removal of item 7D – City Council Resolution No. 6108 – Authorizing the Re-establishment of the Merced County Abandoned Vehicle Service Authority Plan; 7F – City Council Resolution No. 6110 – Amending the Fiscal Year 2019/2020 Budget by Increasing Revenue for Congestion Mitigation and Air Quality Improvement (CMAQ) Grant in the Amount of \$69,846.82, Increasing Expenditures for CMAQ Grant in the Amount of \$78,511.52, and Transfer Regional Surface Transportation (RSTP) to CMAQ in the Amount of \$8,664.70 for Pedestrian Sidewalk Infill Project; and 7G – City Council Resolution No. 6111 – Amending the Fiscal Year 2019/2020 Budget by Increasing Appropriations in Park Development Fund Specialized Equipment Account Number 250-454-220-753 for Expenditures in the Amount of \$34,600 to Purchase and Install Soccer Goal Backstop Netting on the South Side of Oliveira Park: Check Register for #217077 – #217398 in the Amount of \$2,237,000.80; Fourth Quarter Investment Report for the 2018/2019 Fiscal Year; City Council Resolution No. 6107 – Approving and Adopting Final Tract Map No. 2018-03 Shaunessy Village Phase No. 1 and Accompanying Subdivision Agreement Which is Generally Located Within the Area Bounded by APN 083-130-042 to the North, College Greens to the East, Scripps Drive

to the South and Mercey Springs Road to the West (Applicant: Stonefield Home, Inc.); ~~City Council Resolution No. 6108 – Authorizing the Re-establishment of the Merced County Abandoned Vehicle Service Authority Plan; City Council Resolution No. 6109 – Authorizing the City Manager to Sign a Memorandum of Understanding with the Merced County Sheriff’s Department for Inmate Transportation Services for July 1, 2019 - June 30, 2022; City Council Resolution No. 6110 – Amending the Fiscal Year 2019/2020 Budget by Increasing Revenue for Congestion Mitigation and Air Quality Improvement (CMAQ) Grant in the Amount of \$69,846.82, Increasing Expenditures for CMAQ Grant in the Amount of \$78,511.52, and Transfer Regional Surface Transportation (RSTP) to CMAQ in the Amount of \$8,664.70 for Pedestrian Sidewalk Infill Project; City Council Resolution No. 6111 – Amending the Fiscal Year 2019/2020 Budget by Increasing Appropriations in Park Development Fund Specialized Equipment Account Number 250-454-220-753 for Expenditures in the Amount of \$34,600 to Purchase and Install Soccer Goal Backstop Netting on the South Side of Oliveira Park.~~ The motion carried by the affirmative action of all Council Members present, Faria absent.

CITY COUNCIL RESOLUTION NO. 6108 – AUTHORIZING THE RE-ESTABLISHMENT OF THE MERCED COUNTY ABANDONED VEHICLE SERVICE AUTHORITY PLAN. Council Member Lewis asked for a short briefing on this item for which Police Chief Brizzee provided.

There was Council Member and Staff discussion regarding how this item pertains to vehicles both on public streets and on public property, how the money accumulated from this program gets divided amongst the community and also how money previously accrued from this program has helped fund the Police Department.

Motion by Jones, seconded by Johnson-Santos to adopt City Council Resolution No. 6108 – Authorizing the Re-establishment of the Merced County Abandoned Vehicle Service Authority Plan. The motion carried by the affirmative action of all City Council Members present, Faria absent.

CITY COUNCIL RESOLUTION NO. 6110 – AMENDING THE FISCAL YEAR 2019/2020 BUDGET BY INCREASING REVENUE FOR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) GRANT IN THE AMOUNT OF \$69,846.82, INCREASING EXPENDITURES FOR CMAQ GRANT IN THE AMOUNT OF \$78,511.52, AND TRANSFER REGIONAL SURFACE TRANSPORTATION (RSTP) TO CMAQ IN THE AMOUNT OF \$8,664.70 FOR PEDESTRIAN SIDEWALK INFILL PROJECT. Council Member Lewis asked for a short briefing on this item for which Public Works Director/City Engineer Fachin provided.

Motion by Jones, seconded by Johnson-Santos to adopt City Council Resolution No. City Council Resolution No. 6110 – Amending the Fiscal Year 2019/2020 Budget by Increasing Revenue for Congestion Mitigation and Air Quality Improvement (CMAQ) Grant in the Amount of \$69,846.82, Increasing Expenditures for CMAQ Grant in the Amount of \$78,511.52, and Transfer Regional Surface Transportation (RSTP) to CMAQ

in the Amount of \$8,664.70 for Pedestrian Sidewalk Infill Project. The motion carried by the affirmative action of all City Council Members present, Faria absent.

CITY COUNCIL RESOLUTION NO. 6111 – AMENDING THE FISCAL YEAR 2019/2020 BUDGET BY INCREASING APPROPRIATIONS IN PARK DEVELOPMENT FUND SPECIALIZED EQUIPMENT ACCOUNT NUMBER 250-454-220-753 FOR EXPENDITURES IN THE AMOUNT OF \$34,600 TO PURCHASE AND INSTALL SOCCER GOAL BACKSTOP NETTING ON THE SOUTH SIDE OF OLIVEIRA PARK. Council Member Lewis asked for a short briefing on this item for which Public Works Director/City Engineer Fachin provided.

Motion by Jones, seconded by Johnson-Santos to adopt City Council Resolution No. 6111 – Amending the Fiscal Year 2019/2020 Budget by Increasing Appropriations in Park Development Fund Specialized Equipment Account Number 250-454-220-753 for Expenditures in the Amount of \$34,600 to Purchase and Install Soccer Goal Backstop Netting on the South Side of Oliveira Park. The motion carried by the affirmative action of all City Council Members present, Faria absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF LEVYING PROPERTIES FOR WEED ABATEMENT SERVICES PERFORMED DURING THE FISCAL YEAR 2018/2019 OR PRIOR FOR AREAS OF LAND LOCATED IN THE CITY OF LOS BANOS, MERCED COUNTY AS FOLLOWS: ASSESSOR PARCEL NUMBERS 083-310-042, 084-243-012, 431-092-013; CITY COUNCIL RESOLUTION NO. 6112 – AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR WEED ABATEMENT WITHIN THE CITY OF LOS BANOS.

Finance Director Williams presented the staff report.

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

Motion by Jones, seconded by Johnson-Santos to adopt City Council Resolution No. 6112 – 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, Faria absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF GENERAL PLAN AMENDMENT 2019-01, ZONE CHANGE #2019-01, AND CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) FOR THE CHILD DEVELOPMENT CENTER LOCATED AT 1624 SAN LUIS STREET, APN 428-070-001; CITY COUNCIL RESOLUTION NO. 6113 – APPROVING GENERAL PLAN AMENDMENT #2019-01 FOR THE CHILD DEVELOPMENT CENTER TO RE-DESIGNATE APPROXIMATELY 1.33 ACRES FROM PARK TO PROFESSIONAL OFFICE LOCATED AT 1624 SAN LUIS STREET, MORE SPECIFICALLY IDENTIFIED AS A PORTION OF ASSESSOR'S PARCEL NUMBER: 428-070-001 AND FINDING THAT THE DISPOSITION OF THE PROPERTY IS CONSISTENT WITH THE CITY'S

GENERAL PLAN, ORDINANCE NO. 1173 – AMENDING THE OFFICIAL ZONING MAP BY REZONING PROPERTY FOR THE LOS BANOS CHILD DEVELOPMENT CENTER FROM PARK TO PROFESSIONAL OFFICE (P-O) ON APPROXIMATELY 1.33 ACRES LOCATED AT 1624 SAN LUIS STREET, MORE SPECIFICALLY IDENTIFIES AS A PORTION OF ASSESSOR’S PARCEL MAP NUMBER: 428-070-001 (FIRST READING & INTRODUCTION). Community & Economic Development Director Elms presented the staff report.

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

Motion of intent to adopt City Council Resolution No. 6113 – Approving General Plan Amendment #2019-01 for the Child Development Center to Re-designate Approximately 1.33 Acres from Park to Professional Office Located at 1624 San Luis Street, More Specifically Identified as a Portion of Assessor’s Parcel Number: 428-070-001 and Finding that the Disposition of the Property is Consistent with the City’s General Plan. The motion carried by the affirmative action of all Council Members present, Faria absent.

Motion by Johnson-Santos, seconded by Jones to waive the first reading of Ordinance No. 1173 – Amending the Official Zoning Map by Rezoning Property for the Los Banos Child Development Center from Park to Professional Office (P-O) on Approximately 1.33 Acres Located at 1624 San Luis Street, More Specifically Identifies as a Portion of Assessor’s Parcel Map Number: 428-070-001. The motion carried by the affirmative action of all Council Members present, Faria absent.

Motion by Johnson-Santos, seconded by Jones to introduce Ordinance No. 1173 – Amending the Official Zoning Map by Rezoning Property for the Los Banos Child Development Center from Park to Professional Office (P-O) on Approximately 1.33 Acres Located at 1624 San Luis Street, More Specifically Identifies as a Portion of Assessor’s Parcel Map Number: 428-070-001. The motion carried by the following roll call vote: AYES: Jones, Johnson-Santos, Lewis, Villalta; NOES: None; ABSENT: Faria.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AMENDING CHAPTER 3 OF TITLE 9 OF THE LOS BANOS MUNICIPAL CODE TO ALLOW CHILD DAY CARE CENTERS IN ALL ZONING DISTRICTS, EXEMPT INDUSTRIAL ZONES, SUBJECT TO CONDITIONAL USE PERMIT; ORDINANCE NO. 1174 – AMENDING ARTICLE 37, CHAPTER 3 OF TITLE 9 OF THE LOS BANOS MUNICIPAL CODE TO ALLOW CHILD DAY CARE CENTERS IN ALL ZONING DISTRICTS, EXEMPT INDUSTRIAL ZONES, SUBJECT TO CONDITION USE PERMIT (FIRST READING & INTRODUCTION). Community & Economic Development Director Elms presented the staff report.

There was Council Member and Staff discussion regarding restrictions placed by the Department of Alcohol Beverage Control and the Department of Social Services relating to childcare facilities being in the vicinity of bars.

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 waive the first reading of Ordinance No. 1174 – Amending Article 37, Chapter 3 of Title 9 of the Los Banos Municipal Code to Allow Child Day Care Centers in all Zoning Districts, Exempt Industrial Zones, Subject to Condition Use Permit. The motion carried by the affirmative action of all Council Members present, Faria absent.

Motion by Johnson-Santos, seconded by Jones to adopt Ordinance No. 1174 – Amending Article 37, Chapter 3 of Title 9 of the Los Banos Municipal Code to Allow Child Day Care Centers in all Zoning Districts, Exempt Industrial Zones, Subject to Condition Use Permit. The motion carried by the following roll call vote: AYES: Jones, Johnson-Santos, Lewis, Villalta; NOES: None; ABSENT: Faria.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6114 – RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS AND SUPPORTING THE EFFORTS TO HELP ENSURE A COMPLETE, FAIR, AND ACCURATE COUNT OF ALL CALIFORNIANS. Community & Economic Development Director Sousa introduced Patricia Ramos-Anderson Partnership Specialist with the Federal Department of Census Bureau who presented the staff report, which included a PowerPoint presentation.

Motion by Johnson-Santos, seconded by Jones to adopt City Council Resolution No. 6114 – Recognizing the Importance of the 2020 Census and Supporting the Efforts to Help Ensure a Complete, Fair and Accurate Count of All Californians. The motion carried by the affirmative action of all Council Members present, Faria absent.

Mayor Villalta stated that he and City Attorney Vaughn excused themselves from the following item because they own property in the downtown area in question and they left their seats at the dais and exited the Council Chambers.

Mayor Pro Tem Johnson-Santos took over to chair the meeting in the Mayor's absence.

CONSIDERATION OF PARTICIPATION IN A PROPERTY AND BUSINESS IMPROVEMENT DISTRICT FOR DOWNTOWN LOS BANOS AND ADOPTION OF A RESOLUTION OF INTENT TO ESTABLISH DISTRICT; CITY COUNCIL RESOLUTION NO. 6115 – AUTHORIZING THE CITY MANAGER TO SIGN A PETITION AND ASSESSMENT BALLOT REGARDING THE CITY PROPERTIES WITHIN THE LOS BANOS DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT DISTRICT; CITY COUNCIL RESOLUTION NO. 6116 – DECLARING ITS INTENTION TO FORM THE LOS BANOS DOWNTOWN PROPERTY AND

BUSINESS IMPROVEMENT DISTRICT. Community & Economic Development Director Sousa presented the staff report, which included a PowerPoint presentation.

There was Council Member and Staff discussion regarding how this establishment could come to light and how it depends on the ballot results of the downtown business owners. There was question as to the current status of those businesses who have received funds to complete projects and how quickly the City will see the plans for the improvements if ballots result in favor of these improvements.

Mayor Pro Tem Johnson-Santos invited the public to come forward and speak. TOM KALJIAN, Chairman of the Downtown Association, stated that if this is passed a significant change can be made in the downtown area, spoke to some of the Council's concerns regarding accountability, he thanked the City of Los Banos for all its help thus far; LESLIE VILLALTA, downtown merchant/business/property owner, stated that some property owners are doing more than others to take care of their properties, she feels that it is never going to be enough unless something different is done, this PBID is a way to do something different, it does represent \$2000 every year for us property owners, this could be the start of something great; SHARON SILVA spoke to what they have been doing as the Downtown Association and how they have had meet certain requirements in order to stay in compliance as an association, they are working hard and are committed to this city and to the downtown area, want to make downtown pretty, safe and welcoming to all, the downtown stakeholders have been working very hard to make this happen and cannot do it without the City's support; GENE LIEB, Publisher of Los Banos Enterprise, does not own property downtown but did work at the Turlock Journal when Turlock downtown was renovated into what it is now and Los Banos reminds him of that, would like to see plans that have been created in the past by the RDA, the difference between then and now is that there is no RDA funding, the money that was there was spent on the Community Center, going forward is that we have people who own property downtown and want to invest to make the downtown better, it is worth a try.

Council Member Lewis thanked those who spoke on the topic and gave a reminder of her duty to the community of making sure public funds are being spent appropriately.

Motion by Jones, seconded by Lewis to adopt City Council Resolution No. 6115 – Authorizing the City Manager to Sign a Petition and Assessment Ballot Regarding the City Properties within the Los Banos Downtown Property and Business Improvement District. The motion carried by the following roll call vote: AYES: Jones, Johnson-Santos, Lewis; NOES: None; ABSTAIN: Villalta; ABSENT: Faria.

Motion by Jones, seconded by Lewis to adopt City Council Resolution No. 6116 – Declaring Its Intention to Form the Los Banos Downtown Property and Business Improvement District. The motion carried by the following roll call vote: AYES: Jones, Johnson-Santos, Lewis; NOES: None; ABSTAIN: Villalta; ABSENT: Faria.

Mayor Villalta and City Attorney Vaughn returned to their seats at the dais and Mayor Villalta returned to chairing the meeting.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6117 – ACCEPTING AND APPROVING THE NEW LOS BANOS AIRPORT SITE SELECTION & CONCEPT STUDY, NARRATIVE REPORT, A CITY OF LOS BANOS AVIATION FACILITY, DATED MAY 2019 AND AUTHORIZING THE CITY MANAGER TO SUBMIT SAID STUDY TO THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THEIR REVIEW. Public Works Director/City Engineer Fachin presented the staff report and introduced Bob Waddell who spoke in more detail to the study, which included a PowerPoint presentation.

Motion by Johnson-Santos, seconded by Jones to adopt City Council Resolution No. 6117 – Accepting and Approving the New Los Banos Airport Site Selection & Concept Study, Narrative Report, a City of Los Banos Aviation Facility, Dated May 2019 and Authorizing the City Manager to Submit Said Study to the Federal Aviation Administration (FAA) for their review. The motion carried by the affirmative action of all Council Members present, Faria absent.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6118 – DECLARING REAL PROPERTY SURPLUS AND AUTHORIZING SALE OF SURPLUS PROPERTY LOCATED AT 1329 FRANK STREET, DOS PALOS, APN 012-104-017. City Attorney Vaughn presented the staff report.

Motion by Jones, seconded by Johnson-Santos to adopt City Council Resolution No. 6118 – Declaring Real Property Surplus and Authorizing Sale of Surplus Property Located at 1329 Frank Street, Dos Palos, APN 012-104-017. The motion carried by the affirmative action of all Council Members present, Faria absent.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6119 – RECOMMENDING THAT THE MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) CARRYOVER THE 2020 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) UN-PROGRAMMED BALANCE ESTIMATE OF \$26.2 MILLION AND TO KEEP IT AVAILABLE FOR FUTURE FUNDING FOR THE PIONEER ROAD WIDENING PROJECT. Public Works Director/City Engineer Fachin presented the staff report.

Motion by Jones, seconded by Johnson-Santos to adopt City Council Resolution No. 6119 – Recommending that the Merced County Association of Governments (MCAG) Carryover the 2020 Regional Transportation Improvement Program (RTIP) Un-Programmed Balance Estimate of \$26.2 Million and to Keep it Available for Future Funding for the Pioneer Road Widening Project. The motion carried by the affirmative action of all Council Members present, Faria absent.

CONSIDERATION OF CITY COUNCIL RESOLUTION NO. 6105 – AUTHORIZING THE CITY MANAGER TO EXECUTE A PARKING LOT LEASE AGREEMENT WITH

~~**LODGE MOUNTAIN BROW NO. 82 IOOF HALL ASSOCIATION IN THE AMOUNT OF \$10,000 FOR THE PARKING LOT LOCATED AT 626 J STREET, APN 025-023-016 AND A PORTION OF APN 025-023-01514.**~~ *Removed at the beginning of the meeting with approval of the agenda.*

CONSIDERATION OF COUNCIL MEMBER REQUEST REGARDING PLANNING COMMISSIONER MEETING ATTENDANCE [LEWIS]. Council Member Lewis stated her findings regarding Planning Commissioner absences and how meetings have been cancelled due to a lack of quorum. She would like to see the Planning Commission become a five-member body as opposed to a seven-member body because it would be easier to manager. There needs to be a prospective policy put in place regarding the number of absences allowed before a seat is considered vacant.

Direction was given to Staff to research absenteeism language and to consider downsizing the Planning Commission from a seven-member body to a five-member body. Findings are to be brought back before Council for consideration.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6120 – APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE MERCED COUNTY OFFICE OF EDUCATION FOR SCHOOL RESOURCE SERVICES FOR THE 2019-2022 SCHOOL YEARS. *(Added at the beginning of the meeting with approval of the agenda.)*

Motion by Lewis, seconded by Jones to adopt City Council Resolution No. 6120 – Approving and Authorizing the City Manager to Sign an Agreement with the Merced County Office of Education for School Resources Services for the 2019-2022 School Years. The motion carried by the affirmative action of all Council Members present, Faria absent.

ADVISEMENT OF PUBLIC NOTICES. No report.

CITY MANAGER REPORT. City Manager Terrazas extended a huge thank you to Police Chief Brizzee and all the Police Department staff for a great National Night Out event.

REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) AND MEASURE V COMMITTEE. No report.

CITY COUNCIL MEMBER REPORTS.

BRETT JONES: Thanked the Police Department staff for National Night Out, it was a big success.

DEBORAH LEWIS: Stated what a great job on National Night Out by Police Chief Brizzee and his Police Department, spoke regarding the upcoming Dog Park Planning Meeting being held on August 13, 2019 at 6:00 pm at the Los Banos Community

Center, how at she met with Stephanie Gonzales with Tobacco Control and how they are especially concerned about smoking with the youth in our community and requested that the City Manager bring them back to give a presentation with information about what their program is and what they offer.

TOM FARIA: Absent

DARONICA JOHNSON-SANTOS: Stated that National Night Out event was wonderful and thanked Police Chief Brizzee and the Police Department Staff for a great event.

MAYOR MICHAEL VILLALTA: Stated that National Night Out was great, had about 2,000 people there, great job to Police Services Manager Brenda Geary for coordinating the event, people were happy, and he thanked everyone for all the work they did putting it together; he spoke about how he sits on a committee with Assemblyman Gray to figure out ways to help homeless individuals throughout Merced County.

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 PUBLIC EMPLOYEES UNION (PUBLIC WORKS), LOCAL 1/AFSCME 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. Motion by Johnson-Santos, seconded by Jones, the meeting was adjourned at 11:03 PM. to 6:00 PM, Wednesday, August 14, 2019 at the Police Annex Located at 535 J Street, Los Banos, California to Conduct a Joint Study Session with the Planning Commission Regarding the Police Facility Needs Assessment.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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